

# NEW HAMPSHIRE DEPARTMENT OF STATE

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To: New Hampshire Election Officials

Re: Absentee Ballot Rejection Rates; Partial Pre-Processing –  
Preliminary Report Using Partial Data

Date: Friday October 9, 2020

At the 2020 State Primary, based on data entered as of 10/7/2020, 1,744 absentee ballots, approximately 1.89%<sup>1</sup> of the absentee ballots reported as received statewide were recorded in the Statewide Voter Registration System, *Electionet* as rejected.

As a point of reference, the federal Election Assistance Commission, Election Administration and Voting Survey (“EVAS”) reports a rejection rate in New Hampshire of 2.69% for the 2018 general election and 2.1% for the 2016 general election. The EVAS rates are from data that includes data from virtually all New Hampshire towns and cities. Rejection rate analysis is not typically done for primary elections, so no vetted data for direct comparison is available. Rejection rate results for a primary may not be directly comparable with results for a general election. The 2020 rates reported here may change when all towns and cities have completed data entry.

When this preliminary 2020 primary analysis is limited to only those voters who did not ultimately have a ballot counted, 1,323 absentee ballots, approximately 1.47% of the absentee ballots reported as received statewide were recorded as rejected.

All data and analysis in this report is based on data entered into *Electionet* by local election officials as of Noon on Wednesday October 7, 2020. Local officials are encouraged to prioritize issuing absentee ballots to voters and other work for the general election over this data entry for the primary. The data has 114 towns with 0 rejections and one town not included in the data. Of the towns with 0 rejections some likely had no rejections others have not yet entered their data. More complete data from the 2016 and 2018 general elections suggests that a substantial number of these polling places likely had 0 rejections.

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<sup>1</sup> 1.89% means that out of 1000 absentee ballots submitted, 189 were recorded as rejected.

The greatest number of absentee ballot rejections occur because the absentee ballot was not received until after election day. When the analysis is limited to only those voters who did not ultimately have a ballot counted, the 526 absentee ballots received late make up 39% of the reported rejected ballots.

The next most frequent reason for rejection is the voter returning the absentee ballot without an absentee ballot affidavit. Absentee voters receive an absentee ballot affidavit envelope. Instructions require the voter to seal the marked absentee ballot inside this affidavit envelope. The voter must then sign or have a person assisting a voter with a disability sign the affidavit envelope attesting to voting absentee due to absence or disability.<sup>2</sup>

The 337 absentee ballots reported as received with no absentee ballot affidavit make up 25% of the reported rejected ballots.

The 282 absentee ballots reported as received with an unsigned absentee ballot affidavit make up 21% of the reported rejected ballots.

### **Rejected but Voted**

Several rejection reasons arise in a circumstance where the voter actually cast a ballot that was counted, the rejection involved a second ballot. Examples include a voter who submits an absentee ballot and then votes in person before the absentee ballot is processed, a voter who received two absentee ballots where one is counted and the second absentee ballot is rejected, and where an absentee ballot is received after election day, but that voter cast a ballot that was counted on election day.

Circumstances where a voter sends in more than one absentee ballot arise when the voter is sent a corrected absentee ballot after the voter sent in the first absentee ballot and where the voter believes their absentee ballot was lost in the mail, requests a second ballot, sends the second ballot to the clerk, and both ballots are received. These circumstances do not suggest voter misconduct. Processing of absentee ballots includes marking the voter as voting by absentee on the checklist, a process that prevents two ballots from one voter being counted.

### **Partial Pre-Processing**

We recommend that Moderators partially pre-process absentee ballots.

- Partial pre-processing creates an opportunity for voters to be notified if they failed to properly complete or return the absentee ballot with a completed affidavit and for the voter to correct the error on or before election day to allow their vote to be counted.
- Partial pre-processing allows some of the absentee ballot processing work to be completed before election day, reducing the time required of election officials on election day.

In 2020, for the first time, Moderators are authorized to partially pre-process absentee ballots prior to the election. At a pre-processing session the Moderator opens the outer, mailing, envelope and examines the inner, affidavit, envelope to determine if the affidavit is properly

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<sup>2</sup> Voters with a print disability and UOCAVA voters may use an absentee ballot affidavit that is on a separate piece of paper.

executed. For the Primary, 135 polling places, 44% of the polling places in New Hampshire, have reported that they partially pre-processed absentee ballots.

It is best practice that if an absentee voter's ballot is rejected during the partial pre-processing and the voter has provided a phone number and/or e-mail address on the absentee ballot application, that the voter be notified of the rejection. Election officials are encouraged to give the voter information on how to cure the deficiency. Anecdotal reports indicate that many towns/wards that partially pre-processed absentee ballots did make an effort to notify voters, most of whom cured the deficiency. We do not have data on whether all did so. Also, polling places that partially pre-processed did so at a single session on the Thursday, Friday, Saturday, or Monday prior to the election. All absentee ballots received after partial pre-processing were fully processed on election day, providing no opportunity for advance notice to the voter of a rejection.

Partial pre-processes affords the opportunity to identify the following absentee ballot rejection reasons:

Absentee Ballot Application Not Signed  
Affidavit on the Absentee Ballot Envelope Not Signed  
Ballot Missing from Envelope  
Envelope Rec'd other than by Mail or Delivery Agent  
Incomplete Absentee Registration Affidavit  
Missing Affidavit  
No Absentee Registration Affidavit Envelope Returned

The statewide rejection rate for these reasons, analyzing only towns/cities that reported partially pre-processing and voters who did not ultimately cast a ballot that was counted, is 0.7%. (0.7% means that out of 1000 absentee ballots received, 7 were rejected)

The statewide rejection rate for these reasons, analyzing only towns/cities that did not report partially pre-processing and voters who did not ultimately cast a ballot that was counted, is 0.9%. (0.9% means that out of 1000 absentee ballots received, 9 were rejected)

This analysis highlights the value of partial pre-processing to voters who submit their absentee ballot before partial pre-processing occurs. The estimated difference between towns that partially pre-processed and those that did not likely underreports the benefit of pre-processing because this data includes in the calculation of the rejection rate for polling places that did partially pre-process:

- Absentee ballots that were not partially pre-processed because they were received after the pre-processing session;
- Absentee ballots that were rejected, but the voter failed to provide their phone number or e-mail on the absentee ballot application, making notice difficult; or
- Absentee ballots that were rejected, but the local officials lacked resources to attempt to contact each voter or chose not to attempt to contact the voters.

As noted elsewhere, the data is incomplete as not all polling places have had time to enter their rejection data and the data has not been vetted to seek to remove apparent data entry errors.

Notice to the voter and an opportunity to cure likely results in a significant number of voters curing the defect and having a ballot counted.

**Rejection Reasons – Statewide (For voters who had no ballot counted)**

<b>2020 State Primary Rejection Reason</b>	
Absentee Ballot Received after Election Day	526
Missing Affidavit	337
Affidavit on the Absentee Ballot Envelope Not Signed	282
No Absentee Registration Affidavit Envelope Returned	62
Wrong Ballot	38
Voter is Deceased	20
Ballot Missing from Envelope	16
Envelope Rec'd other than by Mail or Delivery Agent	16
Absentee Ballot Application Not Signed	8
Not a Registered Voter	7
Spoiled Ballot	7
* Already Voted by Absentee Ballot	6
No Written Application for Absentee Ballot Submitted	5
Voter Indicated they are no longer eligible for Absentee Ballot	4
Incomplete Absentee Registration Affidavit	4
* Voted in Person	3
Incomplete Voter Registration Form	1
Multiple Ballots Returned in the Same Envelope	1
<b>Total</b>	<b>1343</b>

This chart shows data as entered by local election officials. This data has not been vetted. This chart reports only those rejections where the voter is entered into *ElectioNet* as not voting in the primary election.

\* The entries for “Already Voted by Absentee Ballot” and “Voted in Person” reflect data entry errors that have not yet been resolved. These voter’s records should reflect that the person did vote in the election. However, if the record did show the person voting, they would not be in the dataset of voters who did not vote. Vetting of past data suggests the most likely data entry error is that the voter above or below on the checklist did not vote and was scanned in the data entry process as having voted, in place of this voter, by error. It is more likely that this voter did vote, but was missed when the separate process of scanning in who voted was completed. It is also possible that the wrong rejection code was entered.

We will issue updated Guidance on procedures for partial pre-processing next week.