

# **EXHIBIT K**

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**MONTANA THIRTEENTH JUDICIAL DISTRICT COURT  
YELLOWSTONE COUNTY**

<p>WESTERN NATIVE VOICE, Montana Native Vote, Assiniboiné and Sioux Tribes of Fort Peck, Blackfeet Nation, Confederated Salish and Kootenai Tribes, Crow Tribe, Fort Belknap Indian Community,</p> <p>Plaintiff,</p> <p>v.</p> <p>COREY STAPLETON, in his official capacity as Montana Secretary of State, TIM FOX, in his official capacity as Montana Attorney General, JEFF MANGAN, in his official capacity as Montana Commissioner of Political Practices,</p> <p>Defendants.</p>	<p>Cause No. DV-56-2020-377-DK</p> <p><b>DECLARATION OF M.V. HOOD III</b></p>
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I, M.V. Hood III, affirm the conclusions I express in this report are provided to a reasonable degree of professional certainty. In addition, I do hereby declare the following:

## **I. INTRODUCTION AND BACKGROUND**

My name is M.V. (Trey) Hood III, and I am a tenured professor at the University of Georgia with an appointment in the Department of Political Science. I have been a faculty member at the University of Georgia since 1999. I also serve as the Director of the School of Public and International Affairs Survey Research Center. I am an expert in American politics, specifically in the areas of electoral politics, racial politics, election administration, and Southern politics. I teach courses on American politics, Southern politics, and research methods and have taught graduate seminars on the topics of election administration and Southern politics.

I have received research grants from the National Science Foundation, the Pew Charitable Trust, and the Center for Election Innovation and Research. I have also published peer-reviewed journal articles specifically in the area of election administration. My academic publications are detailed in a copy of my curriculum vitae that is attached to the end of this document. Currently, I serve on the editorial boards for *Social Science Quarterly* and *Election Law Journal*. The latter is a peer-reviewed academic journal focused on the area of election administration.

During the preceding four years, I have offered expert testimony (through deposition or at trial) in eleven cases around the United States: *Bethune-Hill v. Virginia State Board of Elections*, 3:14-cv-00852 (E.D. Va.), *Common Cause v. Rucho*, 1:16-cv-1026 (M.D. N.C.), *Greater Birmingham Ministries v. Merrill*, 2:15-cv-02193 (N.D. Ala.), *Anne Harding v. County of Dallas, Texas*, 3:15-cv-00131 (N.D. Tex.), *Feldman v. Arizona Secretary of State's Office*, 2:16-cv-16-01065 (Ariz.), *League of Women Voters v. Gardner*, 226-2017-cv-00433 (Hillsborough Superior Court), *Ohio A. Philip Randolph Institute v. Ryan Smith*, 1:18-cv-357 (S.D. Ohio), *Libertarian Party of Arkansas v. Thurston*, 4:19-cv-00214 (E.D. Ark.); *Chestnut v. Merrill*, 2:18-cv-907 (N.D. Ala.), *Common Cause v. Lewis*, 18-CVS-014001 (Wake County Superior Court); and *Nielsen v. DeSantis*, 4:20-cv-236 (N.D. Fla.).

I am receiving \$400 an hour for assisting the Defendants in analyzing Montana's absentee ballot collection statute, and \$400 an hour for any testimony associated with this work. In reaching my conclusions, I have drawn on my training, experience, and knowledge as a social scientist who has specifically conducted research in the area of election administration. My compensation in this case is not dependent upon the outcome of the litigation or the substance of my opinions.

## **II. SCOPE AND OVERVIEW**

I have been asked by counsel for the Defendants to provide a brief overview of Montana's voting system (Section III), including changes brought about by the Ballot Interference Prevention Act (BIPA). Section IV provides a state-by-state comparison of regulations associated with the collection and return of absentee mail ballots. I was also asked by counsel for the Defendants to respond to expert reports in this matter submitted by Professor Alexander Street (Section V) and Professor Daniel McCool (Section VI), especially those parts of their reports relating to BIPA. A synopsis of my overall conclusions in this matter is contained in Section VII.

Note: States use different terminology to refer to absentee ballots that can be cast through the mail. The State of Montana uses the term absentee voting to refer to this method of voting. I, therefore, will use absentee voting throughout this report to refer to a ballot sent to the voter through the mail which can also be returned by the voter through the mail.

### **III. VOTING IN MONTANA**<sup>1</sup>

Montanans are able to cast a ballot in-person at their polling place on election-day or absentee (by mail or in-person<sup>2</sup>). Outside of a robust absentee balloting system which will be discussed in detail below, Montana's voting regime also contains other helpful provisions for voters. Along these lines, Montana is among a decided minority of states that allows election-day registration.<sup>3</sup>

Montana allows citizens the ability to *late register* and vote at their respective county election office through the close of election-day polling.<sup>4</sup> Citizens exercising this option are required to complete a voter registration application in which they are to record their residential address.<sup>5</sup> Documentary proof of residency is not required, nor is documentary proof of identity. Applicants are asked, however, to record their Montana driver's license or state ID number on the form. In lieu of this information, the last four digits of one's Social Security number may also be used. If neither a driver's license nor Social Security number is available, other identifying documents may be used to register.<sup>6</sup> As long as the information/documentation presented is sufficient to verify a registrant's identity, they will be allowed to cast a regular ballot at the county election office.<sup>7</sup>

#### **A. In-Person Voting on Election-Day**

Montana's election code calls for in-person voting on election-day from 7:00 am to 8:00 pm.<sup>8</sup> Electors must appear at their assigned polling place,<sup>9</sup> identify themselves, and present requisite photo or non-photo identification. Once precinct officials have located the voter's name in the Polling Place Book, the voter will sign their name in said book and receive a ballot.<sup>10</sup> Upon completion of the voting process, the voter will deposit their ballot with an election judge before leaving the polling place.

#### **B. Absentee Voting**

In addition to in-person polling place voting on election-day, Montana voters also have the option to vote absentee (by mail or in-person). In Montana, voters do not have to provide an

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<sup>1</sup> My understanding of Montana's election scheme was heavily informed by interviews with state and local election officials and documentation found at the Montana Secretary of State's website (<https://sosmt.gov/elections/>).

<sup>2</sup> Montana does not have a formalized early in-person voting method as in some states where vote centers are open specified days and times during a period prior to election-day. A Montana voter, however, may vote by absentee ballot in-person at their county elections office beginning 30 days prior to the election (Mont. Code Ann. § 13-13-222; 13-13-205(a)(i)).

<sup>3</sup> Other helpful provisions for voters in Montana's election code include the ability to vote provisionally (Mont. Code Ann. §§ 13-13-114 and -601; 13-15-107(5)); voting for military and overseas (UOCAVA) electors (Mont. Code Ann. §§ 13-21-102–228); and accommodations for disabled and elderly voters (Mont. Code Ann. §§ 13-3-213; 13-13-118, -119, and -246).

<sup>4</sup> See Mont. Code Ann. § 13-2-304. For general information on voter registration in Montana see <https://sos.mt.gov/elections/vote/index#370474451-how-to-register-to-vote>.

<sup>5</sup> See Mont. Code Ann. § 13-2-208.

<sup>6</sup> See Mont. Code Ann. § 13-2-110(3).

<sup>7</sup> This scenario would apply to new registrants. If a voter is using the late registration period to transfer their registration, they would vote a provisional ballot which would be counted if it is determined they had not already cast a ballot. For more information, see Admin. R. Mont. § 44.3.2015(5).

<sup>8</sup> See Mont. Code Ann. § 13-1-106.

<sup>9</sup> Some polling place locations in Montana contain multiple precincts.

<sup>10</sup> See Mont. Code Ann. § 13-13-114.

excuse to vote absentee, nor provide identification, nor have their absentee ballot notarized or witnessed. This section will detail the five components of the absentee voting process in Montana.

*i. Requesting an Absentee Ballot*

Voters can request an absentee ballot using the standard form, a copy of which is appended to the end of this report. The form must be signed manually by the voter (contain a wet signature). On this same request form, a voter may indicate their preference to continue to receive absentee ballots by mail on a permanent basis (conditioned on residing at the address listed on the application).<sup>11</sup> For voters who choose this option, Steps *i* and *ii* in the absentee voting process are no longer necessary.

*ii. Returning the Absentee Ballot Request*

The request form can be transmitted to county election officials by mail, e-mail (as an attachment), fax, or in-person. An individual could also have their absentee ballot request form delivered by another individual.

*iii. Receiving an Absentee Ballot*

A voter may have their absentee ballot delivered through the mail. Absentee ballots are statutorily required to be mailed to voters twenty-five days prior to an election. Voters can also pick up their ballot at the county election office in-person beginning thirty days before an election or have an individual designated in writing<sup>12</sup> pick up their ballot on their behalf.

*iv. Returning a Voted Absentee Ballot*

In order to be counted, an absentee ballot must reach election officials by the close of polls on election-day (8:00 pm).<sup>13</sup> Voters in Montana may return their absentee ballot through the mail or another common carrier (e.g. FedEx). Voters may also return their ballot in-person to a number of locations, including their county election office or satellite office, prior to or on election-day.<sup>14</sup> On election-day, voters may deposit their absentee ballot at any polling place location within their county.<sup>15</sup> Absentee voters may also return their ballots, if available, to a designated place of deposit.<sup>16</sup> In Montana, a designated *place of deposit* must be actively staffed by two election judges.<sup>17</sup> A voter may also designate a caregiver, family or household member, or acquaintance to return their absentee ballot on their behalf.<sup>18</sup> Voters requiring additional assistance with absentee voting due to a health emergency may request that an absentee ballot be delivered and returned by the “absentee ballot election board or an authorized election official.” These election officials can also assist the elector in marking their ballot if necessary.<sup>19</sup>

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<sup>11</sup> Mont. Code Ann. § 13-13-212(3).

<sup>12</sup> Mont. Code Ann. § 13-13-214.

<sup>13</sup> Mont. Code Ann. § 13-13-201(3).

<sup>14</sup> There are currently 12 satellite elections offices in 11 counties (Big Horn, Blaine, Choteau, Glacier, Hill, Lake, Missoula, Pondera, Roosevelt, Rosebud, and Valley).

<sup>15</sup> For the 2018 general election there were 333 election-day polling place locations across the state.

<sup>16</sup> Mont. Code Ann. § 13-13-201(2)(e).

<sup>17</sup> Mont. Code Ann. § 13-19-307(b)(5).

<sup>18</sup> Mont. Code Ann. § 13-35-703.

<sup>19</sup> See Mont. Code Ann. §§ 13-13-212(2)(a) and 13-13-229.

#### *v. Tracking an Absentee Ballot and Correcting Issues*

A Montana voter can track the status of their absentee ballot using the *My Voter Page* on the Secretary of State's website.<sup>20</sup>

Absentee ballots in Montana are verified by matching the signature on the voter affirmation<sup>21</sup> that accompanies the ballot with the signature on file for the voter.<sup>22</sup> If an absentee ballot is received that contains a signature mismatch, the wrong signature, or no signature, the voter will be notified and will be allowed to cure their ballot.<sup>23</sup> County election officials will notify voters whose absentee ballot has been rejected by mail and other contact methods when available (e.g. phone, e-mail). Voters can resolve absentee signature issues by completing the *Ballot Rejection Notice* form and returning it by mail, fax, e-mail, or in-person to the county election office by the close of polls on election-day.<sup>24</sup>

A rejected absentee ballot not cured by the close of polls on election-day will be treated as a provisional ballot. It is important to note, however, that a voter in this situation can still have their ballot cured and converted to a regular ballot that will be counted even after election-day. Absentee voters can submit a cure affidavit up to 5:00 pm of the day following the election. If the cure affidavit is postmarked by 5:00 pm the day following the election and it is received by county election officials by 3:00 pm the Monday following election-day, the ballot will be converted to a regular ballot and counted.<sup>25</sup>

#### **C. The Ballot Interference Prevention Act<sup>26</sup>**

So, what exactly about voting in Montana did BIPA alter?<sup>27</sup> The act regulates the manner in which absentee ballots may be returned in-person, both in terms of who may return an absentee ballot and in what quantity. Return is limited to a caregiver, household or family member, or acquaintance. An individual may only return up to six ballots (not counting their own) per election. Such action must be documented with election officials using an official form (a copy of which is appended to this report).<sup>28</sup> Prior to the approval of BIPA, Montana did not regulate the return of voted absentee ballots, neither the quantity nor who might return such ballots.

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<sup>20</sup> My Voter Page found at: <https://app.mt.gov/voterinfo/>. Voters can also access other helpful functions on this portal as well (e.g. registration information).

<sup>21</sup> Ballot Signature Envelope with Affirmation can be accessed here: <https://sosmt.gov/Portals/142/Elections/Documents/Officials/Ballot-Signature-Envelope-with-Affirmation.pdf?dt=1523478958506>.

<sup>22</sup> See Mont. Code Ann. § 13-13-241.

<sup>23</sup> The cure process is outlined in Mont. Code Ann. § 13-13-245.

<sup>24</sup> The Ballot Rejection Notice can be accessed here:

<https://sosmt.gov/Portals/142/Elections/Documents/Officials/Ballot-Rejection-Notice.pdf>.

<sup>25</sup> See Mont. Code Ann. § 13-15-107.

<sup>26</sup> See Mont. Code Ann. § 13-35-701, 702, 703, 704, and 705.

<sup>27</sup> BIPA was passed as a ballot referendum in the 2018 general election with 63% of the vote. See <https://electionresults.mt.gov/resultsSW.aspx?type=BQ&map=CTY&eid=17>.

<sup>28</sup> Those in violation of BIPA can be fined \$500 (Mont. Code Ann. § 13-35-705).

BIPA is designed to increase security for absentee ballots, which comprise a significant share of the vote cast in Montana. Unlike voting at the polling place, absentee voting can raise concerns related to chain-of-custody for the ballot. On the absentee ballot's return trip, BIPA strengthens the chain-of-custody between the voter and the county elections office. Only the voter, a family or household member, caregiver, or an acquaintance can return the voted absentee ballot in-person. Limiting the method of transmittal to the voter or a trusted individual acts to strengthen chain-of-custody, thereby ensuring that a voter's absentee ballot makes it to election authorities in the same state as it left the voter's hand.

One important point to note is that BIPA only applies to the return of absentee ballots in-person. It does not, therefore, apply to absentee ballots transmitted through the U.S. Postal Service (USPS).<sup>29</sup> As such, BIPA does not prohibit the bulk collection (in any number) of absentee ballots, or require a defined relationship with the voter, as long as such ballots are returned through the mail. As well, individuals are still free to return their absentee ballot in-person to a designated place of deposit, the county election office or satellite office,<sup>30</sup> or any polling place within their county on election-day. BIPA also does not affect whether a returned ballot will be counted. Absentee ballots received in violation of BIPA (e.g. more than six ballots are submitted by the depositor) will still be accepted and processed.<sup>31</sup>

#### **IV. ABSENTEE BALLOT RETURN**

The attached table (Table A) contains detailed information for all fifty states relating to state laws governing the collection of absentee ballots. Within the context of this study, it is important to note the various components of the absentee-by-mail process. These include making an absentee ballot request, returning the absentee ballot request, obtaining an absentee ballot, returning a voted absentee ballot, and tracking and correcting (if necessary) an absentee ballot. These are five distinct processes, or steps, and states may regulate the entire process or only specific components thereof.

The comparative state analysis presented concentrates solely on the return of voted absentee ballots.<sup>32</sup> States are categorized in a binary fashion based on the presence or absence of

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<sup>29</sup> See "Montana Ballot Interference Act," Montana Commissioner of Political Practices (<http://politicalpractices.mt.gov/BIPA>), and Mont. Code Ann. § 13-35-704.

<sup>30</sup> BIPA did not affect the location or number of satellite polling places available for people living on Montana Indian reservations. See *Wandering Medicine v. McCulloch*, 906 F. Supp. 2d, 1083 (D. Mont. 2012), and Montana Secretary of State Election Directive #01-2015 (<https://sosmt.gov/Portals/142/Elections/Documents/Officials/DIR-1-15.pdf>).

<sup>31</sup> *Montana Election Judge Handbook 2020*, p. 58 (<https://sosmt.gov/Portals/142/Elections/Documents/Officials/Election-Judge-Handbook.pdf>).

<sup>32</sup> Here, I rely on a simple, straightforward, and accepted social science technique known as comparative analysis (in fact, an entire subfield in the political science discipline is devoted to the study of making comparisons between various quantities such as nation-states). In this case, I am using U.S. states as the unit of analysis. In some scenarios, comparative research relies on the selection of a specific set of cases for analysis, known as case study analysis. Here, I am utilizing the entire population of U.S. states. Doing so allows me to compare Montana to the remaining forty-nine states on a number of metrics associated with absentee ballot collection and return. To carry out this analysis, I systematically record observations on measures of interest for each state. Next, I group states into various categories based on specific characteristics of interest. It is the ability to classify, in turn, that allows one to make explicit comparisons between states.



regulation regarding this component of the absentee process. More specifically, states that do not place limitations on who can return an absentee ballot and in what quantity fall into the *No Regulation* category. Conversely, states that regulate who may return an absentee ballot and/or the quantities that may be collected fall into the *Regulation* category. In addition, I also classify states based on whether absentee by mail balloting requires an excuse (*Excuse* versus *No Excuse*). This is in recognition of the fact that absentee ballot usage in states that require an excuse is more limited compared to states where an excuse is not necessary.

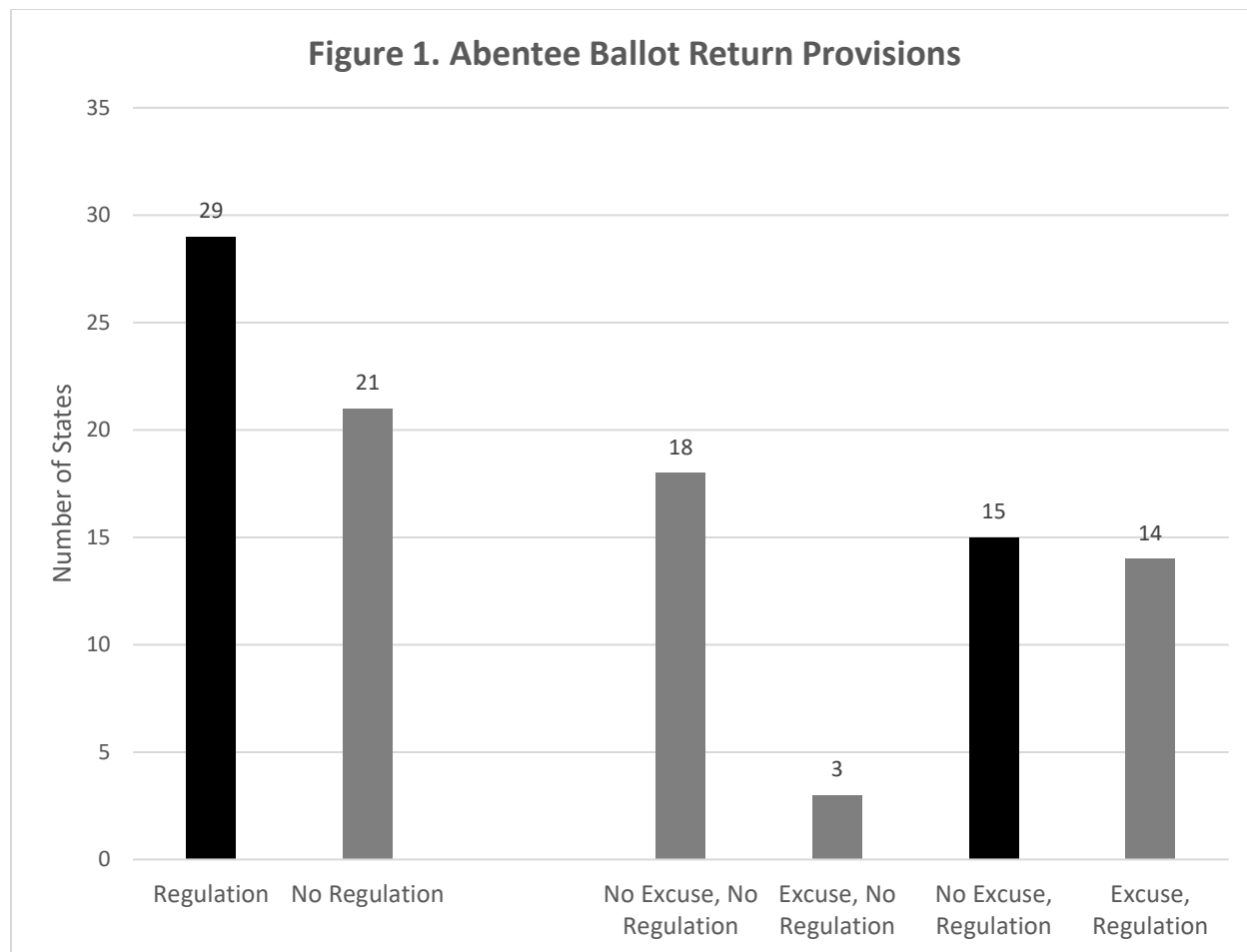
In order to conduct this analysis, I relied on information posted by state agencies charged with the conduct of elections (e.g. the Secretary of State's Office or the State Election Board). Many state websites contained detailed documentation concerning the absentee balloting process, with some including a step-by-step instruction guide for voters. After an initial sweep of documentation posted on such sites, I then located and read statutes applicable to the vote by mail or absentee ballot return process in state election codes. If any ambiguity remained after accessing these information sources, I contacted election officials so that I could correctly classify the state on this question. Out of an abundance of caution, if a state's election code was silent on the manner in which an absentee ballot could be returned, the state in question was coded as having no specific regulations regarding absentee ballot return.

Table A contains the detailed results of my analysis, including a categorization based on the requirement for an excuse to vote absentee by mail and the presence of regulations concerning the return of an absentee ballot. The table also includes a short description of the process by which an absentee ballot may be returned, including any applicable regulations. Finally, specific state election webpages accessed and applicable provisions in state election code are also documented in this table.

Figure 1 categorizes states based on the presence of regulations concerning absentee-by-mail ballot collection (*Regulation* versus *No Regulation*). Montana falls into the *Regulation* category. Twenty-nine states (including Montana) have some restrictions in place relating to the manner in which absentee ballots may be returned. Almost three-fifths (58%) of the states then regulate this component of absentee balloting. Conversely, a minority of states (42%) do not limit the manner in which a voter may return their absentee ballot to election officials. The panel to the right in Figure 1 further classifies states based on absentee return regulations and whether an excuse is required to vote absentee. Only 18 states (36%) have both readily accessible (*No Excuse*) absentee balloting and do not regulate the collection of such ballots. The remaining states have limited access to absentee voting (excuse required) with no regulation (3); easy access with the return process regulated (15); or both limited access and regulations on the return of absentee ballots (14).

Montana and fourteen other states comprise the *No Excuse, Regulation* category. More specifically, in the case of Montana, an individual is limited in the number of absentee ballots they may return in-person to a designated drop-off location (e.g. a polling place). The ballot collector must also have a specific relationship to the voter (e.g. family member). Montana readily provides voters with access to absentee by mail ballots without the necessity for an excuse. Within this environment, the state legislature has crafted some common-sense regulations to safeguard the return of such ballots. The provisions surrounding the collection and

delivery of absentee ballots in Montana are in line with a majority of states that also choose to regulate this activity. Indeed, of those states that do regulate absentee ballot collection, many are actually more restrictive than Montana.<sup>33</sup>



<sup>33</sup> See descriptions found in Table A.

## **V. RESPONSE TO PROFESSOR STREET**

Professor Kenneth Street submitted an expert report on behalf of the plaintiffs in this matter in which he opines on the effects of BIPA. In his report, Professor Street concludes that BIPA will produce negative effects on Montana's election system in general, and Montana voters in particular. Professor Street, however, provides no direct evidence to support his opinion. Below, I respond to a number of specific claims made by Professor Street.

### **A. BIPA Outlaws Bulk Collection of Absentee Ballots**

In his report, Professor Street makes the following claim: "BIPA 'prohibits a person from collecting another voter's ballot.'"<sup>34</sup> This statement is a fundamental mischaracterization of the law. As outlined in Section III.C of this report, BIPA only applies to the in-person return of absentee ballots. It does not apply to absentee ballots returned through the USPS. As such, the bulk collection of absentee ballots by groups such as Western Native Voice and Forward Montana can continue unabated as long as such ballots are deposited at the post office. Anyone in Montana can collect an unlimited number of absentee ballots from any voter<sup>35</sup> and return these ballots through the USPS.

As well, the six-person limit on absentee ballots returned in-person does not appear to be much of a hindrance for most Montana voters. Although the law is currently enjoined, there has been some data collected on BIPA forms submitted for various elections in 2019 and 2020. Using data from the Montana Commissioner of Political Practices one can estimate the ratio of ballots cast by the number of BIPA forms submitted. On average, the number of absentee ballots returned per form is 1.2.<sup>36</sup> What this tells us is that, more often than not, a person submitting a BIPA form is returning an absentee ballot for only a single voter. This figure is far below the six-ballot maximum allowed under the law. The available BIPA data also reveals that 90% of absentee ballots returned in-person on behalf of another voter are returned by a family member.

### **B. BIPA and the Cost of Voting**

In his report, Professor Street claims, "By prohibiting ballot collection, BIPA raises the cost of voting and, on the basis of existing research, can be expected to reduce turnout."<sup>37</sup> Professor Street's ultimate conclusions are necessarily based on the premise that BIPA will serve as a major impediment for a sizable number of Montanans to return their voted absentee ballot, especially Native Americans. BIPA only affects the in-person, bulk delivery of absentee ballots. Voters can still return their absentee ballots through the mail or in-person to the county election office or satellite office; a designated place of deposit; or a polling place within their county of residence on election-day. Under BIPA, a family or household member, caregiver, or acquaintance can also return up to six ballots (not counting their own) in-person to election officials. Bulk collection of absentee ballots by any individual, regardless of relationship to the voter, can still be undertaken as long as such ballots are mailed. Even under BIPA, there are still many return options available to absentee voters.

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<sup>34</sup> Street Decl., p. 2, *Western Native Voice v. Stapleton*, DV 56-2020-377 (July 6, 2020).

<sup>35</sup> The absentee voter need not have any relationship to the collector if mailed.

<sup>36</sup> Calculated as Ballots Cast per BIPA Form/Number of BIPA Forms: 29,462/24,683=1.19.

<sup>37</sup> Street Decl., p. 3, *Western Native Voice v. Stapleton*, DV 56-2020-377 (July 6, 2020).

The only subset of voters that would be potentially affected by BIPA, therefore, would be those who had previously relied on third-party ballot collectors who deposited such ballots with election officials in-person. No one, however, knows anything about the size of this group.<sup>38</sup> Not only is there no information on the size of this group, one must also make the assumption that a voter in this group would be unable to return their voted absentee ballot by any of the other mechanisms available to voters. The count of the number of voters who would fall into this category is also unknown, although it is logically smaller than those who may have simply used ballot collectors in the past for in-person return. Not having any knowledge of these groups of voters makes inferences concerning this particular subset of electors problematic. In the absence of such knowledge, one cannot simply infer that a whole class of voters will be adversely affected by BIPA.

### C. Residents of Reservations versus Native Americans

Throughout his report Professor Street continuously conflates residents of Indian Reservations with Montana's Native American population. While there is a heavy overlap between these two populations, they are not equivalent. In order to demonstrate a disparate racial impact, one needs to concentrate on the analysis of the racial group in question, not a geographic location.<sup>39</sup>

The racial voting age population breakdown for Montana's Indian Reservations is provided in Table 1 below. As one can see, not everyone living on a reservation is Native American. Four of seven reservations contain more than a fifth of residents who are non-Native American. The Flathead Reservation is less than a quarter Native American. These data raise real concerns about drawing incorrect inferences about Montana's Native American population based on the population of residents living on Indian Reservations.

Table 1. Racial Voting Age Composition of Montana Indian Reservations

<b>Indian Reservation</b>	<b>% Native American VAP</b>	<b>% Other Race VAP</b>
Chippewa Cree Tribe of the Rocky Boy's Reservation	93.9%	6.1%
Northern Cheyenne Tribe of the Northern Cheyenne Reservation	90.3%	9.7%
Fort Belknap Tribes of the Fort Belknap Reservation	89.3%	10.7%
Blackfeet Tribe of the Blackfeet Reservation	77.6%	22.4%
Crow Tribe of the Crow Reservation	75.5%	24.5%
Fort Peck Tribes of the Fort Peck Reservation	61.5%	38.5%
Confederated Salish & Kootenai Tribes of the Flathead Reservation	24.1%	75.9%

Source: 2018 American Community Survey; U.S. Census Bureau

### D. The BIPA Injunction

The most glaring issue with Professor Street's analysis of BIPA and the 2020 primary concerns the fact that BIPA was enjoined by a Montana court on May 20, 2020.<sup>40</sup> It was, therefore, not in

<sup>38</sup> The BIPA data that is available again shows that, on average, most collectors are returning the absentee ballot of a single voter, even though it is possible to return the ballots of up to six voters.

<sup>39</sup> Unless these are essentially synonymous, which, in this case, they are not.

<sup>40</sup> See <http://politicalpractices.mt.gov/BIPA>.

effect for the majority of the 2020 primary. It is difficult, if not impossible, to study the effects of a law prior to implementation. BIPA has never been fully in effect for a statewide election in Montana. For this reason, it is impossible to infer that an increase in the absentee ballot rejection rate for the 2020 statewide primary is a consequence of BIPA. Nor is it possible to infer that any differential in turnout was caused by BIPA. Professor Street attempts to link BIPA throughout his report to any potential detrimental effect related to the 2020 primary. For the reason documented, this assumption is untenable.

### **E. The 2020 Statewide Primary**

The 2020 statewide primary is problematic to compare to previous elections, including previous primary elections, for other reasons also. A directive from Governor Bullock allowed counties to conduct the June 2020 primary election completely by mail.<sup>41</sup> As all fifty-six counties choose this option, the 2020 primary was effectively an unprecedented statewide election conducted by absentee ballot.<sup>42</sup> This also meant that an absentee ballot was sent to all active registrants in the state, which is a departure from how statewide elections are typically conducted. The directive also mandated that any county opting in to hold an all-mail election would provide postage for the return of absentee ballots through the mail.

Some voters who previously had preferred to vote in-person at their polling place on election-day did not have that option in the 2020 statewide primary.<sup>43</sup> As well, some subset of these voters may have had little or no experience with absentee voting. This is one possible explanation that could account for an increase in the overall absentee ballot rejection rate in 2020—BIPA is not. Again, BIPA was enjoined during the 2020 primary.

### **F. Absentee Ballot Rejection Rates**

Professor Street also examines absentee ballot rejection rates for the 2016, 2018, and 2020 primaries. He concludes, “that, under BIPA, the ballots of Native American voters are more likely to be rejected for reasons that ballot collectors could help to prevent.”<sup>44</sup> There are a number of reasons that the absentee ballot rejection rate increased in the 2020 primary, but BIPA is not among these. Again, BIPA was not in effect during the 2020 primary. And, as referenced previously, the 2020 primary was a unique, all-mail statewide election. Based on past elections, some subset of voters prefers to vote in-person. Montanans did not have the choice to appear in-person and vote at their polling place on election-day. As such, there was a group of 2020 primary voters who were not experienced absentee voters. The 2020 primary election was also unique in that all active registrants were automatically mailed a ballot where postage-paid return was provided. Given this, it is quite possible that some registrants not typically predisposed to vote in a primary and who might be less experienced in voting absentee, nevertheless decided to cast a ballot.

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<sup>41</sup> “Directive Implementing Executive Orders 2-2020 and 3-2020 and Providing for Measures to Implement the 2020 June Primary Election Safely” (March 25, 2020), available at: <http://governor.mt.gov/Portals/16/Directive%20on%20Elections.pdf?ver=2020-03-26-102626-610>.

<sup>42</sup> Voters in the 2020 statewide primary could vote absentee early in-person, but voters could not choose to vote at their polling place on election-day. Mail ballot elections are not typically permitted under Montana’s election code for “a regularly scheduled federal, state, or county election.” See Mont. Code Ann. § 13-19-104(3)(a).

<sup>43</sup> To the extent voters did vote in-person during the 2020 statewide primary, it was absentee in-person. See Mont. Code Ann. § 13-13-205(1)(a)(i).

<sup>44</sup> Street Decl., p. 18, *Western Native Voice v. Stapleton*, DV 56-2020-377 (July 6, 2020).

Professor Street also makes a number of other unsubstantiated assumptions related to BIPA and the absentee ballot rejection rate in the 2020 primary. He again equates those living on reservations with being Native Americans. As previously discussed, such is not always the case. Second, Professor Street assumes ballot collectors could reduce the number of absentee ballots rejected. Not only do we not know anything about the number of absentee ballots collected in bulk, we certainly cannot assume that such a ballot collector would be able to necessarily help voters to reduce errors. Besides being late, the two other common reasons for absentee ballot rejection are unsigned certificates and certificates with signature mismatches. Assuming a ballot collector will return ballots on time, the only type of potential error that a ballot collector could alert a voter to would be the absence of a signature, as opposed to a signature mismatch.<sup>45</sup> In fact, the most prevalent reason for rejection for absentee ballots on reservations is a signature mismatch—precisely the type of issue a ballot collector cannot alleviate.

### **G. Turnout and the 2020 Primary**

Professor Street provides a number of turnout comparisons in his expert report, arguing that BIPA suppressed turnout among Native Americans. In one analysis he demonstrates that four counties with sizable Indian Reservations saw less increase in turnout from the 2016 primary to the 2020 primary, as compared to the other fifty-two counties. There are a number of issues, however, with these comparisons. First is the fact that BIPA was enjoined. As such, any effect on turnout across these comparison groups is not a consequence of BIPA.

Turnout itself is linked to a myriad of factors. For primary elections, these include the contests on the ballot and whether these offices are intra-party contested in addition to the actual candidates, their campaigns, and associated advertising. Voters may also be compelled to participate, or not, in primary elections based on local offices which they view as particularly salient. These local contests may garner even more attention when the outcome of the race is determined at the primary stage (i.e. there is no inter-party competition). For example, a county sheriff's race where the winner of the Republican primary will be the *de facto* winner because there is no Democratic candidate. Across election-cycles, then, turnout will vary for a whole host of reasons, as will turnout geographically within a state. Professor Street's analysis fails to control for any of these other known factors linked to voter turnout.

Second, the 2016 and 2020 primaries were completely different from an administrative standpoint. The 2020 primary was an all-mail election where a ballot was automatically sent to all active registrants. Postage for the return ballot was also prepaid, which is not the case in a regular statewide election. In-person polling place voting was also not available to electors during the 2020 primary.

Third, while these four counties may contain sizable Indian reservations, they are not racially homogenous. Table 2, below, details racial voting age population data for Big Horn, Blaine, Glacier, and Roosevelt Counties. A large proportion of the population in these counties is non-Native American, ranging from 40% to 55%. As discussed previously, making inferences concerning a particular racial group in these circumstances is not tenable.

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<sup>45</sup> A signature match is based upon a determination of county election officials who compare the signature on the absentee ballot envelope to the signature on the voter's absentee ballot application or registration form (Mont. Code Ann. § 13-13-241(1)(a)).

Table 2. Racial Voting Age Population of Select Counties

County	% Native American VAP	% Other Race VAP
Big Horn	60.1%	39.9%
Blaine	45.1%	54.9%
Glacier	62.0%	38.0%
Roosevelt	51.5%	48.5%

Source: 2018 American Community Survey; U.S. Census Bureau

Professor Street also undertakes an individual-level analysis of turnout, comparing the 2016 and 2020 primaries. In order to carry out this analysis, he creates a panel by taking registrants on the permanent absentee list in 2016 who were also on the voter registration roll in 2020. He then compares the turnout behavior of this group from 2016 to 2020. Professor Street reports that turnout across these two election-cycles for those living on reservations fell by 3.5%, as compared to a drop of 0.2% for those not living on reservations. From this he concludes, “BIPA and the conditions of the 2020 primary election did indeed have a disparate impact on those living on reservations in Montana.”<sup>46</sup>

This analysis, again, tells us little about the potential effects of BIPA. BIPA was enjoined for the 2020 primary. Even if BIPA had been in effect, demonstrating a turnout differential among habitual absentee voters living on and off reservations falls short of proving that BIPA caused a drop in turnout. Again, BIPA would only affect the bulk, in-person return of absentee ballots. One would need to provide evidence that some subset of Montana absentee voters is reliant upon the type of bulk collection prohibited by BIPA, and that this subset of voters is unable to use one of the many other return methods available. Further, one must also be able to substantiate the claim that BIPA is more likely to affect Native Americans than other racial groups in Montana. None of the aforementioned assumptions have been demonstrated by the plaintiffs to my knowledge. In fact, no one knows the extent of bulk collection that existed prior to BIPA or the number of voters who were totally reliant on such bulk collection. For these reasons, it is quite tenuous to conclude that BIPA dampened turnout in the 2020 primary.

## **VI. RESPONSE TO PROFESSOR MCCOOL**

Professor Daniel McCool also submitted two expert reports on behalf of the plaintiffs in this matter in which he opines on the effects of BIPA. In his reports, Professor McCool concludes that BIPA will have a disparate impact, particularly on Montana’s Native American population. Professor McCool fails to provide any direct evidence of disparate racial impact. Below, I respond to a number of specific claims made by Professor McCool in his reports.

### **A. Voter Fraud in Montana**

Professor McCool reports that there is a “complete absence of any evidence of voter fraud” in Montana.<sup>47</sup> Fraud prevention measures do not have to be justified solely on the grounds that fraud is present and has been proven. Anti-fraud measures can also be forward looking. Whether past election fraud related to absentee ballot collection in Montana can be proven thus does not

<sup>46</sup> Street Decl., p. 18, *Western Native Voice v. Stapleton*, DV 56-2020-377 (July 6, 2020). Professor Street did not report the results of any of his statistical models on which his results are based, nor did he disclose any of the data he relied upon for his analyses.

<sup>47</sup> McCool Decl., p. 46, *Western Native Voice v. Stapleton*, DV 56-2020-377 (March 7, 2020) (filed as Doc. 17).

prevent the state from implementing changes in the election code designed to prevent future instances of fraud.<sup>48</sup> Even in the absence of evidence of election fraud, the U.S. Supreme Court has concluded in *Crawford et al. v. Marion County Election Board* that the states should be able to implement reasonable requirements to safeguard against future occurrences of voter fraud.<sup>49</sup> Article IV, Section 3 of the Montana Constitution charges the Legislature with legislating “the requirements for residence, registration, absentee voting, and administration of elections.”<sup>50</sup> With an affirmative duty to regulate conduct in this area, BIPA helps the Montana Legislature meet the goal of ensuring that elections in the state are fair and free of fraud.

## **B. The Mechanics of BIPA**

In his reports, Professor McCool also makes a number of claims concerning BIPA that are false. More than once, Professor McCool indicates that BIPA prohibits the bulk collection of absentee ballots in Montana. For example, “[t]he negative impact of the legislation [BIPA] was that it eliminated the freedom of individuals to assist other voters by collecting and delivering their ballots.”<sup>51</sup> This statement is a fundamental misunderstanding of the statute. BIPA only applies to the in-person return of absentee ballots. It does not apply to absentee ballots returned through the USPS. As such, the bulk collection of absentee ballots can continue as long as such ballots are deposited in the mail. In addition, bulk collection under this scenario can be undertaken by anyone, regardless of their relationship to the voter.

In fact, at another point in his report, Professor McCool describes this very situation:

One of the advantages of using the voluntary services of a ballot collector is that, first, they understand the deadline regarding when ballots must be delivered, and second, they can make sure the ballots are delivered to a post office in time to ensure that they will arrive on-time and be counted.<sup>52</sup>

As discussed, bulk collection of absentee ballots under this scenario may proceed unabated, on or off Indian reservations in Montana, if “the ballots are delivered to a post office.” Again, the confusion appears to be the product of a misunderstanding concerning the actual implementation of the law.

Along this line of reasoning, Professor McCool contends that, without “the service of a ballot collector, every voter must be able to pay for the following: a car, preferably with snow tires to

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<sup>48</sup> Absentee ballot fraud has been documented in other states. For example, very recently the New Jersey Attorney General announced voting fraud charges against a city councilman and several others based on the allegation they tampered with absentee ballots which they collected from voters (“AG Grewal Announces Voting Fraud Charges Against Paterson Councilman Michael Jackson, Councilman-Elect Alex Mendez, and Two Other Men,” State of New Jersey, Office of the Attorney General, (June 25, 2020) <https://www.nj.gov/oag/newsreleases20/pr20200625a.html>). In North Carolina, the election for the 9th Congressional district was nullified in 2018 over allegations relating to absentee ballot fraud. In 2019, formal indictments were handed down in this matter (“NC Political Operative Indicted in Connection with Alleged Ballot-Tampering Scheme,” *The Hill* (February 27, 2019) <https://thehill.com/homenews/campaign/431827-nc-political-operative-indicted-in-connection-with-alleged-ballot-tampering>).

<sup>49</sup> In *Crawford*, the Court upheld the constitutionality of Indiana’s voter ID law, in part, based on this logic. 553 U.S. 181, 128 S. Ct. 1610 (2008).

<sup>50</sup> Montana Constitution ([https://leg.mt.gov/bills/mca/title\\_0000/chapters\\_index.html](https://leg.mt.gov/bills/mca/title_0000/chapters_index.html)).

<sup>51</sup> McCool Decl., p. 40, *Western Native Voice v. Stapleton*, DV 56-2020-377 (March 7, 2020).

<sup>52</sup> McCool Decl., p. 7, *Western Native Voice v. Stapleton*, DV 56-2020-377 (July 3, 2020).



deal with remote reservation roads in November; auto insurance; gas money; in some cases child care while the parent drives to and from an election office; and a substantial amount of time away from work.”<sup>53</sup> This statement ignores the fact that voting in Montana does not need to take place in-person—one can also vote absentee by mail without an excuse. Even under BIPA, there are multiple methods a voter can use to return their ballot, as well as multiple return locations. A voter can return their ballot in-person to any polling place within their county on election-day, to the county election office (or a satellite office), or to a designated place of deposit. A voter can also deposit their ballot in the mail for return to county election authorities. A voter may also have a family or household member, caregiver, or acquaintance deliver their ballot. Finally, absentee voters may still use the services of a ballot collector as long as the ballots collected are returned through the mail. Contrary to Professor McCool’s claim, BIPA does not force a voter to transport themselves to a location to cast their absentee ballot.

Professor McCool also undertakes a discussion concerning the exact meaning of who qualifies as a “caregiver,” a “family member,” or an “acquaintance” under BIPA. Professor McCool posits two hypotheticals on this topic, and subsequently concludes that Native American voters “would have to decide a fine point of law, on the spot, to ensure they were not violating BIPA.”<sup>54</sup> BIPA, however, does not require an election official to question a depositor about their relationship to the voter. Further, absentee ballots received in violation of BIPA will still be accepted and processed.<sup>55</sup> Also germane to this discussion, bulk collection of absentee ballots for return through the mail can be undertaken by anyone, regardless of the relationship to the voter.

Finally, Professor McCool’s conclusion that “it is a serious crime to help someone deliver their ballot,”<sup>56</sup> is not supported by the statutory language of BIPA. BIPA only imposes a fine.<sup>57</sup> This penalty is more lenient than in many other states that regulate ballot collection, as it is not uncommon for criminal penalties to be associated with the violation of such provisions, with some states classifying these violations as felony matters.<sup>58</sup>

### **C. Postal Services**

In his report Professor McCool conflates distances to county seats or tribal agencies with access to postal services for those voters residing on Indian reservations. For example, Professor McCool states:

The significant point is that tribal voters are dispersed over a large area, requiring significant driving distances to get to a post office, tribal offices, and election offices. To gain a better understanding of the distances across reservations, Table 3 presents a sample of distances that a hypothetical voter on a reservation would have to drive to

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<sup>53</sup> McCool Decl., p. 33, *Western Native Voice v. Stapleton*, DV 56-2020-377 (March 7, 2020).

<sup>54</sup> McCool Decl., p. 17, *Western Native Voice v. Stapleton*, DV 56-2020-377 (March 7, 2020).

<sup>55</sup> *Montana Election Judge Handbook 2020*, p. 58

(<https://sosmt.gov/Portals/142/Elections/Documents/Officials/Election-Judge-Handbook.pdf>).

<sup>56</sup> McCool Decl., p. 2, *Western Native Voice v. Stapleton*, DV 56-2020-377 (July 3, 2020).

<sup>57</sup> Mont. Code Ann. § 13-35-705.

<sup>58</sup> For example, Texas (Tex. Elec. Code Ann. § 86.006(f),(g)), Georgia (Ga. Code Ann. § 21-2-574); North Carolina (N.C. Gen. Stat. § 163-226.3); and Ohio (Ohio Rev. Code § 3599.21) among others.

get to *either the tribal agency or the county courthouse*. This is not a comprehensive listing of all possible driving distances—that would be nearly as numerous as there are tribal members. And it does not include distances from all seventeen counties that include reservation lands. However, it does illustrate how far some voters may drive to vote or **access a mailbox or post office**.

(Emphasis added.) However, hypothetical distances to a tribal agency or county courthouse does not illustrate how far voters must drive to access a mailbox or post office to vote by mail. Taking just the first example in Table 3 of his report, the town of Babb on the Blackfeet Reservation, Professor McCool reports a distance of 70 roundtrip miles from Babb to Browning (the reservation agency) and 139 miles to Cut Bank (the county seat). The mileage chart, however, only applies to the distance a voter would need to travel to return an absentee ballot in-person. In fact, there is a U.S. Post Office in Babb where a voter could deposit their absentee ballot.<sup>59</sup>

In Table 3 of his report, Professor McCool lists a total of 25 towns on Indian reservations and associated distances. There is a U.S. Post Office located in nine of these towns. The average distance to a post office across these 25 towns is 8.3 miles one-way (16.6 miles roundtrip). The previous discussion centered only on distances to post office locations. If a voter simply needed to deposit their absentee ballot in the mail, then the required distance for some subset of voters would certainly be less than the distance they would need to travel to a post office.<sup>60</sup> Again, voters need not travel to their respective county seat or reservation agency to return their absentee ballot. This task can be accomplished by using the USPS as the means of conveyance for return.

Professor McCool also incorrectly links delivery of absentee ballots on Indian reservations to BIPA. On this topic he states, “it is difficult to deliver, via the mail, a mail-in ballot to someone who does not have a domicile.”<sup>61</sup> While that may be true, the statement has nothing to do with BIPA, as the statute does not affect how Montana voters receive their absentee ballot. BIPA only regulates the bulk collection of absentee ballots returned in-person. This law did not alter any aspect of the process related to receiving an absentee ballot in Montana.

#### **D. Non-Germane Issues**

A not insignificant portion of Professor McCool’s reports are devoted to discussion of issues that are not germane to the matter at hand. Professor McCool attempts to draw conclusions about BIPA’s disparate impacts among Native Americans living on reservations by pointing to poor

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<sup>59</sup> Located at 4016 US Highway 89. According to the USPS website, the post office in Babb is open six days a week from 8–11 a.m. and 12:30–4:15 p.m. Monday through Friday, and from 11 a.m. to 12 p.m. on Saturday. See <https://tools.usps.com/find-location.htm?location=1353832>.

<sup>60</sup> Here I am referring to the fact that most voters live in closer proximity to a mailbox or USPS drop box than a U.S. Post Office location.

<sup>61</sup> McCool Decl., p. 17, *Western Native Voice v. Stapleton*, DV 56-2020-377 (March 7, 2020).

broadband connectivity<sup>62</sup> and theoretical voter ID issues.<sup>63</sup> First, the lack of broadband service is irrelevant to Plaintiff's challenges to BIPA, and while voter ID requirements are certainly relevant to electoral participation, Montana does not require a photo ID to vote in-person. Montana voters can use a wide variety of both photo and non-photo identification to vote in-person.

### **E. BIPA and Political Participation**

Professor McCool also makes the claim that BIPA will disenfranchise some voters by prohibiting the bulk collection of absentee ballots.<sup>64</sup> This claim is not supported by any empirical evidence and also mischaracterizes the law under challenge in this matter. BIPA does not apply to absentee ballots transmitted through the mail. As such, BIPA does not prohibit the bulk collection (in any number) of absentee ballots, or require a defined relationship with the voter, as long as such ballots are returned through the mail. Professor McCool's claim also assumes that a voter who may have relied on a bulk collector for in-person return in the past is unable to utilize any of the other return options available.

### **F. The Coronavirus and the 2020 General Election**

Professor McCool's supplemental report also raises the issue of voting during a pandemic. At this date, no one knows what the future might hold as it relates to the Coronavirus pandemic and the 2020 presidential election. In my opinion, Montana is much better positioned to administer an election in this context than other states. The state already has a robust absentee voting system which has been in place for many years. The just-conducted 2020 primary also serves as an indicator that Montana is capable of holding an all-mail statewide election. Turnout for the 2020 primary was 55%, which is comparable to recent general election midterms.<sup>65</sup> Turnout for the 2020 general will undoubtedly be higher, but Montana has demonstrated the state has the administrative capacity to conduct an all-mail election if circumstances dictate. One advantage of an all-mail election is that a voter may cast their ballot without any human-to-human contact by simply depositing their ballot in the mail. In-person drop-off, requiring minimal contact, would also be an available option. As well, a voter could rely on a family or household member, caregiver, or acquaintance to return their absentee ballot in-person. Even under BIPA, a voter could rely on the assistance of any individual, including bulk ballot collectors, as long as absentee ballots were being deposited in the mail.

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<sup>62</sup> "[T]o participate equally in the electoral process in Montana, it is very helpful if not a necessity to live in an area that has broadband service, the ability to pay the monthly bill for service, and have access to a computer and a printer. This leaves out a substantial portion of the Native American community." McCool Decl., p. 15, *Western Native Voice v. Stapleton*, DV 56-2020-377 (March 7, 2020).

<sup>63</sup> "If a current photo ID with current mailing address would be required for voting, this would present a significant challenge to an aspiring voter." McCool Decl., p. 15, *Western Native Voice v. Stapleton*, DV 56-2020-377 (March 7, 2020).

<sup>64</sup> McCool Decl., p. 21, *Western Native Voice v. Stapleton*, DV 56-2020-377 (March 7, 2020).

<sup>65</sup> Montana Secretary of State: <https://sosmt.gov/elections/voter-turnout>.

## **VII. SUMMARY AND CONCLUSIONS**

Montana's election scheme offers voters a versatile set of options to cast a ballot. Included within the state's election framework is a robust system of no-excuse absentee balloting and late (election-day) registration. Voters can cast an absentee ballot, by mail or in-person, or vote in-person at their polling place on election-day. For those electors who choose to vote absentee, a range of return options is available, including delivery through the mail or in-person to the county election office or satellite office, any polling location within the voter's county of residence, or other designated place of deposit.

In 2019, BIPA was put in place in Montana. BIPA limits the in-person return of absentee ballots to the voter or a voter's family member, household member, caregiver, or acquaintance. Voters returning absentee ballots for others are limited to a total of six ballots, not counting their own. BIPA does not limit the bulk collection of absentee ballots returned through the mail. As well, it should be noted that BIPA did not alter any other component of the procedures that govern absentee voting or in-person election-day voting in Montana.

In comparison to other state election regimes, Montana is well within the mainstream in regulating the return of absentee ballots. Nearly three-fifths of states regulate who and/or in what number absentee ballots may be returned. Many states, in fact, have even stricter regulations on the return of absentee ballots than Montana.

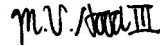
I do not agree with Professor Street's conclusions in this matter—that BIPA increased absentee ballot rejection rates and decreased overall voter participation in the 2020 primary among Montana's Native American population. Having examined Professor Street's report in detail, it is my opinion that he provides no direct evidence to buttress these two claims. I also do not agree with Professor McCool's opinions in this matter. Professor McCool fails to demonstrate that BIPA will produce any disparate impact among Montana voters in general, or among Native American voters in particular.

In conclusion, I have no reason to believe the election changes brought about by BIPA will have a detrimental impact on the ability of Montana voters to cast a ballot, including Native American voters. Instead, it is my opinion that BIPA can act as a prophylactic against fraud, while increasing voter confidence in the integrity of Montana's election system.

### **VIII. DECLARATION**

I declare under penalty of perjury under the laws of the State of Montana that the foregoing is true and correct to the best of my knowledge.

Executed on August 3, 2020.



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## **Appendix**

### **Data Sources:**

2016 General Absentee Voter File. Montana Secretary of State.

2018 General Absentee Voter File. Montana Secretary of State.

2020 Primary Absentee Voter File. Montana Secretary of State.

2016 Polling Places and Satellite Locations. Montana Secretary of State.

2018 Polling Places and Satellite Locations. Montana Secretary of State.

2020 Polling Places and Satellite Locations. Montana Secretary of State.

BIPA Summary Statistics, 2019-2020. Montana Commissioner of Political Practices.

### **Interviews with State and Local Election Officials:**

Mr. Dana Corson. Elections Director, Montana Secretary of State. July 1, 2020.

Mr. Stuart Fuller. Elections and Voter Services Manager, Montana Secretary of State. July 1, 2020.

Mr. Stuart Fuller. Elections and Voter Services Manager, Montana Secretary of State. July 14, 2020.

Ms. Bonnie Ramey. Clerk and Recorder, Jefferson County. July 2, 2020.

## **Documents Attached**

Table A. State Comparison of Absentee Ballot Return Provisions

Montana Absentee Ballot Application

BIPA Ballot Collection Registry Form

Curriculum Vitae of M.V. Hood III

**Table A. State Comparison of Absentee Ballot Return Provisions**

State	Excuse Required	Collection Regulated	How Can an Absentee Ballot be Returned?	Applicable Statutes
Alabama <sup>1</sup>	Yes	Yes	Returned by voter in-person or via mail. A designee can be used only in case of medical emergency.	Ala. Code § 17-11-9 and § 17-11-18
Alaska <sup>2</sup>	No	No	Can be returned by mail or electronically. Return by someone other than the voter is not specifically prohibited.	Alaska Stat. § 15.20.081
Arizona <sup>3</sup>	No	Yes	Returned by voter in-person or via mail. Can also be returned by election official; U.S. postal worker; family member; household member; or caregiver. The cited statute is currently the subject of litigation.	A.R.S. § 16-1005
Arkansas <sup>4</sup>	Yes	Yes	Returned by voter in-person or via mail. A designated bearer can be used for medical reasons. A designated bearer is limited to returning two ballots. Bulk returns prohibited except from residential care facilities.	Ark. Code § 7-5-403 and § 7-5-411
California <sup>5</sup>	No	No	Returned by voter in-person or via mail. Can also be returned by an individual designated by the voter. Bulk collection is not specifically prohibited.	Cal. Elec. Code § 3017, § 3021, and § 18403

<sup>1</sup>“Absentee Voting Information.” Alabama Secretary of State: (<https://www.alabamavotes.gov/AbsenteeVotingInfo.aspx?m=voters> and <http://18jc.alacourt.gov/absenteerules.aspx>).

<sup>2</sup>“Absentee Voting.” State of Alaska, Division of Elections: (<http://www.elections.alaska.gov/Core/votingbymail.php>).

<sup>3</sup>“Voting in this Election.” Arizona Secretary of State: (<http://www.azsos.gov/elections/voting-election>).

<sup>4</sup>“Absentee Voting.” Arkansas Secretary of State: (<https://www.sos.arkansas.gov/elections/voter-information/voter-registration-information/voting-in-arkansas>).

<sup>5</sup>“Voting by Mail.” California Secretary of State: (<http://www.sos.ca.gov/elections/voter-registration/vote-mail/#vote-by-mail>).



Colorado <sup>6</sup>	No	Yes	Colorado is a vote-by-mail state. Returned by voter in-person or via mail. A voter may authorize another individual to return their ballot. Outside of authorized election officials, no individual can collect more than 10 ballots per election.	C.R.S.A. § 1-7.5-107
Connecticut <sup>7</sup>	Yes	Yes	Returned by voter in-person or via mail. A designee can also be used for medical reasons. Ballots can also be returned by immediate family members.	Conn. Gen. Stat. Ch. 145 Sec. 9-140b
Delaware <sup>8</sup>	Yes	No	Returned by voter in-person or via mail. Return by someone other than the voter is not specifically prohibited, nor is bulk collection.	Del. Code tit. 15 § 5507
Florida <sup>9</sup>	No	No	Returned by voter in-person or via mail. Return by someone other than the voter is not specifically prohibited, nor is bulk collection.	Fla. Stat. § 101.65
Georgia <sup>10</sup>	No	Yes	Returned by voter in-person or via mail. Voters with a physical disability may have ballot returned by immediate family or a person residing in the same household.	Ga. Code § 21-2-385
Hawaii <sup>11</sup>	No	No	Hawaii is a vote-by-mail state. Returned by voter in-person or via mail. Return by someone other than the voter is not specifically prohibited, nor is bulk collection.	Haw. Rev. Stat. § 15-9

<sup>6</sup>“Voting by Mail FAQs.” Colorado Secretary of State: (<https://www.sos.state.co.us/pubs/elections/FAQs/mailBallotsFAQ.html>).

<sup>7</sup>“Absentee Voting.” Connecticut Secretary of State: (<https://portal.ct.gov/SOTS/Common-Elements/V5-Template---Redesign/Elections--Voting--Home-Page>).

<sup>8</sup>“Absentee Voting.” Delaware State Election Commissioner: (<http://elections.delaware.gov/services/voter/absentee/citizen.shtml>).

<sup>9</sup>“Vote-by-Mail.” Florida Department of State: (<http://dos.myflorida.com/elections/for-voters/voting/vote-by-mail/>).

<sup>10</sup>“Absentee Voting in Georgia.” Georgia Secretary of State: ([http://sos.ga.gov/index.php/Elections/absentee\\_voting\\_in\\_georgia](http://sos.ga.gov/index.php/Elections/absentee_voting_in_georgia)).

<sup>11</sup>“Voting by Mail.” Hawaii Office of Elections: (<http://elections.hawaii.gov/frequently-asked-questions/voting-by-mail/>).

Idaho <sup>12</sup>	No	No	Returned by voter in-person or via mail. Return by someone other than the voter is not specifically prohibited, nor is bulk collection.	Idaho Code § 34-1005
Illinois <sup>13</sup>	No	No	Returned by voter in-person or via mail. A voter may authorize another individual to return their ballot.	10 ILCS 5/19-6
Indiana <sup>14</sup>	Yes	Yes	Returned by voter in-person or via mail. Ballots can also be returned by immediate family members. Return by other individuals is prohibited.	Ind. Code § 3-11-10-1
Iowa <sup>15</sup>	No	No	Returned by voter in-person or via mail. A voter may authorize another individual to return their ballot.	Iowa Code § 53.17
Kansas <sup>16</sup>	No	No	Returned by voter in-person or via mail. A voter may authorize, in writing, another individual to return their ballot.	Kan. Stat. § 25-1124 and 25-1128
Kentucky <sup>17</sup>	Yes	No	Returned by voter through mail. Return by someone other than the voter is not specifically prohibited.	Ky. Rev. Stat. § 117.086
Louisiana <sup>18</sup>	Yes	Yes	Returned by voter in-person or via mail. A voter may authorize another individual to return their ballot. Outside of immediate family, no one is authorized to deliver more than one ballot.	La. Stat. § 18:1308

<sup>12</sup>“Absentee Registration and Voting.” Idaho Secretary of State: (<https://idahovotes.gov/absentee-voter-information/>).

<sup>13</sup>“Voting by Mail in Illinois.” Illinois State Board of Elections: (<https://www.elections.il.gov/Downloads/ElectionInformation/PDF/votebymail.pdf>).

<sup>14</sup>“Absentee Voting.” Indiana Secretary of State: (<https://www.elections.il.gov/ElectionOperations/VotingByMail.aspx?MID=ELGeUv9wLSI%3d&T=637272097572156104>).

<sup>15</sup>“Absentee Voting by Mail.” Iowa Secretary of State: (<https://sos.iowa.gov/elections/electioninfo/absenteemail.html>).

<sup>16</sup>“Advance Voting.” Kansas Secretary of State: (<https://sos.kansas.gov/elections/registration-voting/>).

<sup>17</sup>“Absentee Voter Information.” Kentucky State Board of Elections: (<https://elect.ky.gov/Voters/Pages/Absentee-Voting.aspx>).

<sup>18</sup>“Vote by Mail.” Louisiana Secretary of State: (<http://www.sos.la.gov/electionsandvoting/vote/votebymail/pages/default.aspx>).

Maine <sup>19</sup>	No	Yes	Returned by voter in-person or via mail. A voter may authorize another individual (outside of immediate family) to return their ballot. This individual must be the same individual who was designated in writing to pick up the ballot on behalf of the voter. An individual designated as an agent can only return up to five absentee ballots.	Me. Rev. Stat. 21A § 753-A, § 753-B, and § 754-A
Maryland <sup>20</sup>	No	Yes	Returned by voter in-person or via mail. A voter may also authorize an agent to return their ballot. Both the voter and the agent must complete and sign the Designation of Agent form.	Md. Code, Elec. Law, § 9-307
Massachusetts <sup>21</sup>	Yes	Yes	Returned by voter in-person or via mail. Ballots can also be returned by immediate family members.	Mass. Gen. Laws ch. 54 § 92
Michigan <sup>22</sup>	No	Yes	Returned by voter in-person or via mail. Ballots can also be returned family members, someone residing in same household, or election officials. Return by other individuals is prohibited.	Mich. Comp. Laws § 168.764a
Minnesota <sup>23</sup>	No	Yes	Returned by voter in-person or via mail. Voters may allow an agent to return their ballot. Agents can only act on behalf of three other voters per election cycle. Voters in specific categories (nursing homes) may authorize an agent to pick up and return their ballot. This service requires completion of a form.	Minn. Stat. § 203B.08 and § 203B.11

<sup>19</sup>“Absentee Voting Guide.” Maine Department of the Secretary of State: (<http://www.maine.gov/sos/cec/elec/voter-info/absenteeguide.html>).

<sup>20</sup>“Absentee Voting.” Maryland State Board of Elections: (<http://www.elections.state.md.us/voting/absentee.html>).

<sup>21</sup>“Absentee Ballot Information.” Secretary of the Commonwealth of Massachusetts: (<https://www.sec.state.ma.us/ele/eleabsentee/absidx.htm>).

<sup>22</sup>“What You Need to Know about Absentee Voting.” Michigan Department of State: (<http://www.michigan.gov/sos/0,8611,7-127-1633-21037--,00.html>).

<sup>23</sup>“Vote Early by Mail.” Minnesota Secretary of State: (<http://www.sos.state.mn.us/elections-voting/other-ways-to-vote/vote-early-by-mail/>).

Mississippi <sup>24</sup>	Yes	Yes	Returned by voter by mail. Absentee ballots cannot be returned in-person.	Miss. Code Ann. § 23-15-719
Missouri <sup>25</sup>	Yes	Yes	Returned by voter in-person or via mail. Ballots can also be returned by immediate family members. Return by other individuals is not allowed.	M. Stat. §115.291
Montana <sup>26</sup>	No	Yes	Returned by voter in-person or via mail. A voter may authorize another individual to return their ballot, but no person may collect more than six ballots for in-person return. A designee returning more than their own ballot in-person must document such action with a specific form.	Mont. Code § 13-35-703
Nebraska <sup>27</sup>	No	No	Returned by voter in-person or via mail. Return by someone other than the voter is not specifically prohibited, nor is bulk collection.	Neb. Rev. Stat. § 32-949
Nevada <sup>28</sup>	No	Yes	Returned by voter in-person or via mail. Ballots can also be returned by immediate family members. Return by anyone except voter or immediate family is specifically prohibited. The only exception involves the use of a designee for an emergency (hospitalization).	Nev. Rev. Stat. § 293.330 and § 293.316

<sup>24</sup>“2016 County Election Handbook.” Mississippi Secretary of State: (<http://www.sos.ms.gov/Elections-Voting/Documents/2016%20County%20Election%20Handbook%20REV.pdf>).

<sup>25</sup>“How to Vote.” Missouri Secretary of State: (<http://www.sos.mo.gov/elections/goVoteMissouri/howtovote#absentee>).

<sup>26</sup>“How to Vote by Absentee Ballot.” Montana Secretary of State: (<https://sosmt.gov/elections/absentee/>).

<sup>27</sup>“Absentee Voting.” Nebraska Secretary of State. (<https://sos.nebraska.gov/elections/early-voting-0>)

<sup>28</sup>“Absentee Voting.” Nevada Secretary of State. (<https://www.nvsos.gov/sos/elections/voters/absentee-voting>).

New Hampshire <sup>29</sup>	Yes	Yes	Returned by voter in-person or via mail. Ballots can also be returned by immediate family members, nursing home/residential care administrator, or an agent assisting a blind or disabled voter. An agent assisting a blind or disabled voter may not deliver more than four absentee ballots in a given election.	N.H. Rev. Stat. § 657:17
New Jersey <sup>30</sup>	No	Yes	Returned by voter in-person or via mail. Ballots can also be returned by immediate family members. A voter may authorize a bearer to return their ballot, but an individual may not act as a bearer for more than three voters in an election-cycle.	N.J. Stat. § 19:63-27 and § 19:63-16
New Mexico <sup>31</sup>	No	Yes	Returned by voter in-person or via mail. Ballots can also be returned by immediate family or a caregiver.	N.M. Stat. § 1-6-9, § 1-6-10.1, and § 1-20-7
New York <sup>32</sup>	Yes	No	Returned by voter in-person or via mail. Return by someone other than the voter is not specifically prohibited, nor is bulk collection.	N.Y. Elec. Law § 8-410 and § 8-412
North Carolina <sup>33</sup>	No	Yes	Returned by voter in-person or via mail. Ballots can also be returned by immediate family.	N.C. Gen. Stat. § 163-231(b)(1)
North Dakota <sup>34</sup>	No	No	Returned by voter in-person or via mail. Return by someone other than the voter is not specifically prohibited, nor is bulk collection.	N.D. Cent. Code § 16.1-07-09

<sup>29</sup>“How to Register to Vote in New Hampshire.” New Hampshire Secretary of State: (<https://sos.nh.gov/VoteNH.aspx>).

<sup>30</sup>“Vote by Mail Ballot.” New Jersey Department of State: (<http://www.state.nj.us/state/elections/voting-information-vote-by-mail.html>).

<sup>31</sup>“Absentee and Early Voting.” New Mexico Secretary of State: ([http://www.sos.state.nm.us/Voter\\_Information/Absentee\\_and\\_Early\\_Voting.aspx](http://www.sos.state.nm.us/Voter_Information/Absentee_and_Early_Voting.aspx)).

<sup>32</sup>“Absentee Voting.” New York Board of Elections: (<http://www.elections.ny.gov/VotingAbsentee.html>).

<sup>33</sup>“Absentee Voting by Mail.” North Carolina State Board of Elections: (<https://www.ncsbe.gov/Voting-Options/Absentee-Voting>).

<sup>34</sup>“Absentee Voting.” North Dakota Secretary of State: (<https://vip.sos.nd.gov/pdfs/Portals/Voting-MailBallotAbsentee.pdf>).

Ohio <sup>35</sup>	No	Yes	Returned by voter in-person or via mail. Ballots can also be returned by immediate family. Return by other individuals is not allowed.	Ohio Rev. Code § 3509.05
Oklahoma <sup>36</sup>	No	Yes	Ballot must be returned by voter through mail. No provision located for in-person return except in the case of a physically incapacitated individual or an emergency absentee request where a voter may designate an agent to return their ballot.	Okla. Stat. tit. 26 § 14-108, § 14-110.1, and § 14-115.1
Oregon <sup>37</sup>	No	No	Oregon is a vote-by-mail state. Returned by voter in-person or via mail. Return by someone other than the voter is not prohibited, nor is bulk collection.	Or. Rev. Stat. § 254.470
Pennsylvania <sup>38</sup>	No	Yes	Returned by voter in-person or via mail. Only the voter can return their absentee ballot. In the case of an emergency absentee ballot only, a voter may designate, by completing a form, an individual to return their ballot.	25 Pa. Stat. § 3146.6 and 3146.2a
Rhode Island <sup>39</sup>	No	No	Returned by voter in-person or via mail. Return by someone other than the voter is not prohibited, nor is bulk collection.	R.I. Gen. Laws § 17-20-1
South Carolina <sup>40</sup>	Yes	Yes	Returned by voter in-person or via mail. A voter can designate a representative to return their ballot. In such cases ballot must be accompanied by an authorization form. There is no limit on the number of ballots that can be returned as long as the authorization form for each ballot is present.	S.C. Code § 7-15-310 and § 7-15-385

<sup>35</sup>“Voting Absentee by Mail.” Ohio Secretary of State: (<https://www.ohiosos.gov/elections/voters/absentee-voting/>).

<sup>36</sup>“Absentee Voting in Oklahoma.” Oklahoma State Election Board: ([https://www.ok.gov/elections/Voter\\_Info/Absentee\\_Voting/](https://www.ok.gov/elections/Voter_Info/Absentee_Voting/)).

<sup>37</sup>“Voting in Oregon.” Oregon Secretary of State: (<http://sos.oregon.gov/voting/Pages/voteinor.aspx>).

<sup>38</sup>“Voting by Absentee or Mail-In Ballot.” Pennsylvania Department of State: (<http://www.votespa.com/en-us/voting-and-elections/types-of-voting/Pages/Absentee-Ballot.aspx>).

<sup>39</sup>“Vote by Mail.” Rhode Department of State: (<http://www.sos.ri.gov/divisions/elections/Voters/vote-by-mail>).

<sup>40</sup>“Absentee Voting.” South Carolina State Election Commission: (<https://www.scvotes.org/absentee-voting>).

South Dakota <sup>41</sup>	No	No	Returned by voter in-person or via mail. Return by someone other than the voter is not prohibited, nor is bulk collection. In the case of illness or disability a voter can designate an authorized messenger to pick up and return their ballot. Authorization must be in writing. If an individual is an authorized messenger for more than one voter, they must notify election officials.	S.D. Codified Laws § 12-19-7, § 12-19-2.1, and § 12-19-2.2
Tennessee <sup>42</sup>	Yes	Yes	Ballot must be returned by voter through mail. No provision located for in-person return.	Tenn. Code § 2-6-202
Texas <sup>43</sup>	Yes	Yes	Returned by voter in-person or via mail. Only the voter can return their ballot in-person. Another individual may collect and place the voter's absentee ballot in the mail. In this case, certain information must be recorded to this effect on the absentee ballot carrier envelope.	Tex. Elec. Code § 86.006 and § 86.0051
Utah <sup>44</sup>	No	No	Returned by voter in-person or via mail. Return by someone other than the voter is not specifically prohibited, nor is bulk collection.	Utah Code § 20A-3a-204(1)
Vermont <sup>45</sup>	No	No	Returned by voter in-person or via mail. Return by someone other than the voter is not prohibited, nor is bulk collection. If an emergency absentee ballot is issued due to illness or disability then the ballot must be delivered and returned via justice of the peace.	Vt. Stat. tit. 17 § 2543

<sup>41</sup>“Absentee Voting.” South Dakota Secretary of State: (<https://sdsos.gov/elections-voting/voting/absentee-voting.aspx>).

<sup>42</sup>“Absentee Voting.” Tennessee Secretary of State: (<http://sos.tn.gov/products/elections/absentee-voting>).

<sup>43</sup>“Helpful Hints on Voting Early by Mail.” Texas Secretary of State: (<https://www.sos.texas.gov/elections/voter/reqabbm.shtml>).

<sup>44</sup>“Absentee Voting Information.” Utah Lieutenant Governor: (<https://voteinfo.utah.gov/learn-about-voting-by-mail-and-absentee-voting/>).

<sup>45</sup>“Absentee Voting.” Vermont Secretary of State: (<https://sos.vermont.gov/elections/voters/early-absentee-voting/>).

Virginia <sup>46</sup>	Yes	Yes	Returned by voter in-person or via mail. A voter cannot designate another individual to return their ballot. Only in the case of an emergency absentee application can a voter designate a representative to receive and deliver the ballot. An authorization form to use a representative is required.	Va. Code Ann. § 24.2-707 and § 24.2-705
Washington <sup>47</sup>	No	No	Washington is a vote-by-mail state. Ballots can be returned by voter in-person or via mail. Return by someone other than the voter is not specifically prohibited, nor is bulk collection.	Wash. Rev. Code § 29A.40.091
West Virginia <sup>48</sup>	Yes	Yes	Returned by voter in-person or via mail. For a given election, no individual may deliver more than two absentee ballots in-person.	W.Va. Code § 3-3-5
Wisconsin <sup>49</sup>	No	No	Returned by voter in-person or via mail. Return by someone other than the voter is not specifically prohibited, nor is bulk collection.	Wis. Stat. § 6.87
Wyoming <sup>50</sup>	No	No	Returned by voter in-person or via mail. Return by someone other than the voter is not specifically prohibited, nor is bulk collection.	Wy. Stat. § 22-9-113

<sup>46</sup>“Absentee Voting.” Virginia Department of Elections: (<http://elections.virginia.gov/casting-a-ballot/absentee-voting/>).

<sup>47</sup>“Frequently Asked Questions on Voting by Mail.” Washington Secretary of State: ([https://www.sos.wa.gov/elections/faq\\_vote\\_by\\_mail.aspx](https://www.sos.wa.gov/elections/faq_vote_by_mail.aspx)).

<sup>48</sup>“Regular Absentee by Mail.” West Virginia Secretary of State: (<https://sos.wv.gov/elections/Pages/AbsenteeVotingInformation.aspx>).

<sup>49</sup>“I Want to Vote Absentee.” Wisconsin Elections Commission: (<https://elections.wi.gov/voters/absentee>).

<sup>50</sup>“Absentee Voting.” Wyoming Secretary of State: (<http://soswy.state.wy.us/Elections/AbsenteeVoting.aspx>).





## Application for Absentee Ballot

Including Absentee List Request, Election Specific Absentee Ballot Request, Request for Absentee Ballot Due to Illness or Health Emergency or to be removed from receiving an Absentee Ballot.

Fields marked with an asterisk (\*) are required fields.

Please type or use black or blue pen only and print clearly. **COMPLETE FORM AND SUBMIT TO COUNTY ELECTION OFFICE BY NOON THE DAY BEFORE ELECTION DAY**

### APPLICANT IDENTIFYING AND CONTACT INFORMATION

Last Name*	First Name*	Middle Name (Optional)	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
Birthdate* (MM/DD/YYYY)	Phone Number (Optional)	Email Address (Optional)	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
County where you reside and are registered to vote*	Montana Residence Address*	City*	Zip Code*
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Mailing Address (required if differs from residence address*)	City and State	Zip Code	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
<input type="checkbox"/> Check if the mailing address listed above is for part of the year only and if so, complete the information below (for absentee ballot list only). Clearly print the complete mailing address(es) and specify the applicable time periods for address (add more addresses as necessary).			
Seasonal Mailing Address (Optional)	City and State	Zip Code	Period (mm/dd/yyyy-mm/dd/yyyy)
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

### BALLOT REQUEST OPTIONS AND VOTER AFFIRMATION

☐ **Yes**, I request an absentee ballot to be mailed to me for ALL elections in which I am eligible to vote as long as I reside at the address listed on this application. I understand that if I file a change of address with the U.S. postal service, I must complete, sign, and return a confirmation notice mailed to me by the county election office;

OR

☐ I hereby request an absentee ballot for the upcoming election (check only one):  
☐ Primary ☐ General ☐ Municipal ☐ Other \_\_\_\_\_ election to be held on \_\_\_\_\_

**By signing below, I understand that I am officially requesting an absentee ballot and affirm that I will have met the 30-day Montana residency requirement before voting my absentee ballot. (Also sign affidavit at bottom of page if requesting due to illness or health emergency.)**

\_\_\_\_\_  
\*Signature of Elector

\_\_\_\_\_  
\*Date Signed

**Optional – Voter Information Pamphlet Request** (An electronic version of this pamphlet can be found at [sosmt.gov/elections](https://sosmt.gov/elections).)

☐ Please send current Voter Information Pamphlet, if applicable to this election

**Optional – Designate another person to pick up your absentee ballot**

I, the elector who signed below, hereby designate \_\_\_\_\_ to pick up my absentee ballot.

**Receipt of absentee ballot by designee: I received the absentee ballot for the applicant on \_\_\_\_\_.**  
Date ballot received

\_\_\_\_\_  
Signature of Designee

\_\_\_\_\_  
Signature of Elector

\_\_\_\_\_  
Date Signed

**Optional – Revert to Non-Absentee Voter** (This would revert you to only voting at your local polling place.)

☐ Please check this box to affirm that you do **NOT** want to receive an absentee ballot and instead want to vote at your local polling place on election day.

**Optional – Affidavit of elector (due to illness or health emergency)**

**Optional:** I hereby declare that I am prevented from voting at the polls due to illness or health emergency occurring between 5:00 p.m. on the Friday preceding the election and 8 p.m. on election day.

\_\_\_\_\_  
Signature of Elector

\_\_\_\_\_  
Date Signed

**Ballot Collection Registry** Enforcement of the Ballot Interference Protection Act is currently enjoined. This

form is used by someone delivering a ballot for another elector pursuant to the Montana Ballot Interference Prevention Act (Mont. Code Ann. 13-35-701 et al). Only a caregiver, family member, household member, or an acquaintance is authorized to collect a voter's ballot and **may not collect and convey more than six ballots per election**. A violation of a provision of 13-35 part 7 is punishable by a fine of \$500 for each ballot unlawfully collected.

Complete this form if you are delivering another person's ballot.

**\* Note: You do not need to complete this form to return your own ballot.**

Your Last Name: \_\_\_\_\_ Your First Name: \_\_\_\_\_

Your Phone Number: \_\_\_\_\_

Your Address: \_\_\_\_\_  
(Street or PO Box) (City) (Zip)

X Your Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
I declare under penalty of perjury that the information provided on this form is true and correct

Please list below the name, address, and how you are related to each person whose ballot you are delivering. Please **do not list yourself.**

	Name of person(s) whose ballot I am returning, not including my own	Address of person whose ballot I am returning	Relationship (Definitions are provided below)
1		If their address is the same as yours, you may leave this section blank.	<input type="checkbox"/> Family Including Spouse <input type="checkbox"/> Household <input type="checkbox"/> Acquaintance <input type="checkbox"/> Caregiver
2		If their address is the same as yours, you may leave this section blank.	<input type="checkbox"/> Family Including Spouse <input type="checkbox"/> Household <input type="checkbox"/> Acquaintance <input type="checkbox"/> Caregiver
3		If their address is the same as yours, you may leave this section blank.	<input type="checkbox"/> Family Including Spouse <input type="checkbox"/> Household <input type="checkbox"/> Acquaintance <input type="checkbox"/> Caregiver
4		If their address is the same as yours, you may leave this section blank.	<input type="checkbox"/> Family Including Spouse <input type="checkbox"/> Household <input type="checkbox"/> Acquaintance <input type="checkbox"/> Caregiver
5		If their address is the same as yours, you may leave this section blank.	<input type="checkbox"/> Family Including Spouse <input type="checkbox"/> Household <input type="checkbox"/> Acquaintance <input type="checkbox"/> Caregiver
6		If their address is the same as yours, you may leave this section blank.	<input type="checkbox"/> Family Including Spouse <input type="checkbox"/> Household <input type="checkbox"/> Acquaintance <input type="checkbox"/> Caregiver

Pursuant to 13-35-702, MCA the following definitions apply:

**Family member** means an individual who is related to the voter by blood, marriage, adoption, or legal guardianship.

**Household member** means an individual who resides at the same residence as the voter.

**Acquaintance** means an individual known by the voter.

**Caregiver** means an individual who provides medical or health care assistance to the voter in a residence, nursing care institution, hospice facility, assisted living center, assisted living home, residential care institution, adult day health care facility, or adult foster care home.

For Election Office Use Only  
County: \_\_\_\_\_

Election: \_\_\_\_\_

Date of Receipt: \_\_\_\_\_

## Curriculum Vitae (July 2020)

M.V. (Trey) Hood III

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### Academic Positions:

University of Georgia

Professor, 2013-present

Director, SPIA Survey Research Center, 2016-present

Director of Graduate Studies, 2011-2016

Associate Professor, 2005-2013

Assistant Professor, 1999-2005

Texas Tech University

Visiting Assistant Professor, 1997-1999

### Education:

Ph.D.	Political Science	Texas Tech University	1997
M.A.	Political Science	Baylor University	1993
B.S.	Political Science	Texas A&M University	1991

### Peer-Reviewed Books:

*The Rational Southerner: Black Mobilization, Republican Growth, and the Partisan Transformation of the American South*. 2012. New York: Oxford University Press.  
(Quentin Kidd and Irwin L. Morris, co-authors).  
[Softcover version in 2014 with new Epilogue]

### Peer-Reviewed Publications:

“Switching Sides but Still Fighting the Civil War in Southern Politics.” Forthcoming 2020.  
*Politics, Groups, and Identities*. (Christopher Cooper, Scott H. Huffmon, Quentin Kidd, Gibbs Knotts, Seth C. McKee, co-authors).

“The Election of African American State Legislators in the Modern South.” Forthcoming 2020.  
*Legislative Studies Quarterly*. (Charles S. Bullock, III, Williams Hicks, Seth C. McKee, Adam S. Myers, and Daniel A. Smith, co-authors).

- “What’s in a Name? Gauging the Effect of Labels on Third Party Vote Shares.” 2020. *Journal of Elections, Public Opinion & Parties*. (Seth C. McKee, co-author).
- “Tracking Hispanic Political Emergence in Georgia: An Update.” Forthcoming 2019. *Social Science Quarterly*. (Charles S. Bullock, III, co-author).
- “Why Georgia, Why? Peach State Residents’ Perceptions of Voting-Related Improprieties and their Impact on the 2018 Gubernatorial Election.” 2019. *Social Science Quarterly* 100(5): 1828-1847. (Seth C. McKee, co-author).
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- “Out of Step and Out of Touch: The Matter with Kansas in the 2014 Midterm.” 2017. *The Forum* 15(2): 291-312. (Seth C. McKee and Ian Ostrander, co-authors).
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- “Race, Class, Religion and the Southern Party System: A Field Report from Dixie.” 2016. *The Forum* 14(1): 83-96.
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- "Sunshine State Dilemma: Voting for the 2014 Governor of Florida." 2015. *Electoral Studies* 40: 293-299. (Seth C. McKee, co-author).
- “Tea Leaves and Southern Politics: Explaining Tea Party Support Among Southern Republicans.” 2015. *Social Science Quarterly* 96(4): 923-940. (Quentin Kidd and Irwin L. Morris, co-authors).
- “True Colors: White Conservative Support for Minority Republican Candidates.” 2015. *Public Opinion Quarterly* 79(1): 28-52. (Seth C. McKee, co-author).

- “Race and the Tea Party in the Old Dominion: Split-Ticket Voting in the 2013 Virginia Elections.” 2015. *PS: Political Science and Politics* 48(1):107-114. (Quentin Kidd and Irwin L. Morris, co-authors).
- “The Damnedest Mess: An Empirical Evaluation of the 1966 Georgia Gubernatorial Election.” 2014. *Social Science Quarterly* 96(1):104-118. (Charles S. Bullock, III, co-author).
- “Candidates, Competition, and the Partisan Press: Congressional Elections in the Early Antebellum Era.” 2014. *American Politics Research* 42(5):670-783. (Jamie L. Carson, co-author).  
[Winner of the 2014 Hahn-Sigelman Prize]
- “Strategic Voting in a U.S. Senate Election.” 2013. *Political Behavior* 35(4):729-751. (Seth C. McKee, co-author).
- “Unwelcome Constituents: Redistricting and Countervailing Partisan Tides.” 2013. *State Politics and Policy Quarterly* 13(2):203-224. (Seth C. McKee, co-author).
- “The Tea Party, Sarah Palin, and the 2010 Congressional Elections: The Aftermath of the Election of Barack Obama.” 2012. *Social Science Quarterly* 93(5):1424-1435. (Charles S. Bullock, III, co-author).
- “Much Ado About Nothing?: An Empirical Assessment of the Georgia Voter Identification Statute.” 2012. *State Politics and Policy Quarterly* 12(4):394-314. (Charles S. Bullock, III, co-author).
- “Achieving Validation: Barack Obama and Black Turnout in 2008.” 2012. *State Politics and Policy Quarterly* 12:3-22. (Seth C. McKee and David Hill, co-authors).
- “They Just Don’t Vote Like They Used To: A Methodology to Empirically Assess Election Fraud.” 2012. *Social Science Quarterly* 93:76-94. (William Gillespie, co-author).
- “An Examination of Efforts to Encourage the Incidence of Early In-Person Voting in Georgia, 2008.” 2011. *Election Law Journal* 10:103-113. (Charles S. Bullock, III, co-author).
- “What Made Carolina Blue? In-migration and the 2008 North Carolina Presidential Vote.” 2010. *American Politics Research* 38:266-302. (Seth C. McKee, co-author).
- “Stranger Danger: Redistricting, Incumbent Recognition, and Vote Choice.” 2010. *Social Science Quarterly* 91:344-358. (Seth C. McKee, co-author).
- “Trying to Thread the Needle: The Effects of Redistricting in a Georgia Congressional District.” 2009. *PS: Political Science and Politics* 42:679-687. (Seth C. McKee, co-author).

- “Citizen, Defend Thyself: An Individual-Level Analysis of Concealed-Weapon Permit Holders.” 2009. *Criminal Justice Studies* 22:73-89. (Grant W. Neeley, co-author).
- “Two Sides of the Same Coin?: Employing Granger Causality Tests in a Time Series Cross-Section Framework.” 2008. *Political Analysis* 16:324-344. (Quentin Kidd and Irwin L. Morris, co-authors).
- “Worth a Thousand Words? : An Analysis of Georgia’s Voter Identification Statute.” 2008. *American Politics Research* 36:555-579. (Charles S. Bullock, III, co-author).
- “Gerrymandering on Georgia’s Mind: The Effects of Redistricting on Vote Choice in the 2006 Midterm Election.” 2008. *Social Science Quarterly* 89:60-77 (Seth C. McKee, co-author).
- “Examining Methods for Identifying Latino Voters.” 2007. *Election Law Journal* 6:202-208. (Charles S. Bullock, III, co-author).
- “A Mile-Wide Gap: The Evolution of Hispanic Political Emergence in the Deep South.” 2006. *Social Science Quarterly* 87:1117-1135. (Charles S. Bullock, III, co-author).
- “Punch Cards, Jim Crow, and Al Gore: Explaining Voter Trust in the Electoral System in Georgia, 2000.” 2005. *State Politics and Policy Quarterly* 5:283-294. (Charles S. Bullock, III and Richard Clark, co-authors).
- “When Southern Symbolism Meets the Pork Barrel: Opportunity for Executive Leadership.” 2005. *Social Science Quarterly* 86:69-86. (Charles S. Bullock, III, co-author).
- “The Reintroduction of the *Elephas maximus* to the Southern United States: The Rise of Republican State Parties, 1960-2000.” 2004. *American Politics Research* 31:68-101. (Quentin Kidd and Irwin Morris, co-authors).
- “One Person, [No Vote; One Vote; Two Votes...]: Voting Methods, Ballot Types, and Undervote Frequency in the 2000 Presidential Election.” 2002. *Social Science Quarterly* 83:981-993. (Charles S. Bullock, III, co-author).
- “On the Prospect of Linking Religious Right Identification with Political Behavior: Panacea or Snipe Hunt?” 2002. *Journal for the Scientific Study of Religion* 41:697-710. (Mark C. Smith, co-author).
- “The Key Issue: Constituency Effects and Southern Senators’ Roll-Call Voting on Civil Rights.” 2001. *Legislative Studies Quarterly* 26: 599-621. (Quentin Kidd and Irwin Morris, co-authors).
- “Packin’ in the Hood?: Examining Assumptions Underlying Concealed-Handgun Research.” 2000. *Social Science Quarterly* 81:523-537. (Grant Neeley, co-author).

- “Brother, Can You Spare a Dime? Racial/Ethnic Context and the Anglo Vote on Proposition 187.” 2000. *Social Science Quarterly* 81:194-206. (Irwin Morris, co-author).
- “Penny Pinching or Politics? The Line-Item Veto and Military Construction Appropriations.” 1999. *Political Research Quarterly* 52:753-766. (Irwin Morris and Grant Neeley, co-authors).
- “Of Byrds[s] and Bumpers: Using Democratic Senators to Analyze Political Change in the South, 1960-1995.” 1999. *American Journal of Political Science* 43:465-487. (Quentin Kidd and Irwin Morris, co-authors).
- “Bugs in the NRC’s Doctoral Program Evaluation Data: From Mites to Hissing Cockroaches.” 1998. *PS* 31:829-835. (Nelson Dometrius, Quentin Kidd, and Kurt Shirkey, co-authors).
- “Boll Weevils and Roll-Call Voting: A Study in Time and Space.” 1998. *Legislative Studies Quarterly* 23:245-269. (Irwin Morris, co-author).
- “Give Us Your Tired, Your Poor,...But Make Sure They Have a Green Card: The Effects of Documented and Undocumented Migrant Context on Anglo Opinion Towards Immigration.” 1998. *Political Behavior* 20:1-16. (Irwin Morris, co-author).
- “¡Quedate o Vente!: Uncovering the Determinants of Hispanic Public Opinion Towards Immigration.” 1997. *Political Research Quarterly* 50:627-647. (Irwin Morris and Kurt Shirkey, co-authors).
- “¿Amigo o Enemigo?: Context, Attitudes, and Anglo Public Opinion toward Immigration.” 1997. *Social Science Quarterly* 78: 309-323. (Irwin Morris, co-author).

### **Invited Publications:**

- “Race and the Ideological Transformation of the Democratic Party: Evidence from the Bayou State.” 2005. *American Review of Politics* 25:67-78.

### **Book Chapters:**

- “Texas: Big Red Rides On.” 2018. In *The New Politics of the Old South, 6<sup>th</sup> ed.*, Charles S. Bullock, III and Mark J. Rozell, editors. New York: Rowman and Littlefield Publishers, Inc. (Seth C. McKee, co-author).
- “The Participatory Consequences of Florida Redistricting.” 2015. In *Jigsaw Puzzle Politics in the Sunshine State*, Seth C. McKee, editor. Gainesville, FL: University of Florida Press. (Danny Hayes and Seth C. McKee, co-authors).
- “Texas: Political Change by the Numbers.” 2014. In *The New Politics of the Old South, 5<sup>th</sup> ed.*, Charles S. Bullock, III and Mark J. Rozell, editors. New York: Rowman and Littlefield Publishers, Inc. (Seth C. McKee, co-author).

“The Republican Party in the South.” 2012. In *Oxford Handbook of Southern Politics*, Charles S. Bullock, III and Mark J. Rozell, editors. New York: Oxford University Press. (Quentin Kidd and Irwin Morris, co-authors).

“The Reintroduction of the *Elephas maximus* to the Southern United States: The Rise of Republican State Parties, 1960-2000.” 2010. In *Controversies in Voting Behavior*, 5<sup>th</sup> ed., David Kimball, Richard G. Niemi, and Herbert F. Weisberg, editors. Washington, DC: CQ Press. (Quentin Kidd and Irwin Morris, co-authors).  
[Reprint of 2004 *APR* article with Epilogue containing updated analysis and other original material.]

“The Texas Governors.” 1997. In *Texas Policy and Politics*, Mark Somma, editor. Needham Heights, MA: Simon & Schuster.

### **Book Reviews:**

*The Resilience of Southern Identity: Why the South Still Matters in the Minds of Its People*. 2018.  
Reviewed for *The Journal of Southern History*.

### **Other Publications:**

“Provisionally Admitted College Students: Do They Belong in a Research University?” 1998. In *Developmental Education: Preparing Successful College Students*, Jeanne Higbee and Patricia L. Dwinell, editors. Columbia, SC: National Resource Center for the First-Year Experience & Students in Transition (Don Garnett, co-author).

NES Technical Report No. 52. 1994. “The Reliability, Validity, and Scalability of the Indicators of Gender Role Beliefs and Feminism in the 1992 American National Election Study: A Report to the ANES Board of Overseers.” (Sue Tolleson-Rinehart, Douglas R. Davenport, Terry L. Gilmour, William R. Moore, Kurt Shirkey, co-authors).

### **Grant-funded Research (UGA):**

Co-Principal Investigator. “Georgia Voter Verification Study.” Budget: \$52,060. 2020. (with Audrey Haynes). Funded by Center for Election Innovation and Research.

Co-Principal Investigator. “An Examination of Non-Precinct Voting in the State of Georgia.” Budget: \$47,000. October 2008-July 2009. (with Charles S. Bullock, III). Funded by the Pew Charitable Trust.

Co-Principal Investigator. “The Best Judges Money Can Buy?: Campaign Contributions and the Texas Supreme Court.” (SES-0615838) Total Budget: \$166,576; UGA Share: \$69,974. September 2006-August 2008. (with Craig F. Emmert). Funded by the National Science Foundation. REU Supplemental Award (2008-2009): \$6,300.



Principal Investigator. “Payola Justice or Just Plain ‘Ole Politics Texas-Style?: Campaign Finance and the Texas Supreme Court.” \$5,175. January 2000-Januray 2001. Funded by the University of Georgia Research Foundation, Inc.

**Curriculum Grants (UGA):**

Learning Technology Grant: “Converting Ideas Into Effective Action: An Interactive Computer and Classroom Simulation for the Teaching of American Politics.” \$40,000. January-December 2004. (with Loch Johnson). Funded by the Office of Instructional Support and Technology, University of Georgia.

**Dissertation:**

“Capturing Bubba's Heart and Mind: Group Consciousness and the Political Identification of Southern White Males, 1972-1994.”

Chair: Professor Sue Tolleson-Rinehart

**Papers and Activities at Professional Meetings:**

“Mail It In: An Analysis of the Peach State’s Response to the Coronavirus Pandemic.” 2020. (with Audrey Haynes). Presented at the Election Science, Reform, and Administrative Conference. Gainesville, FL. [Virtually Presented].

“Why Georgia, Why? Peach State Residents’ Perceptions of Voting-Related Improprieties and their Impact on the 2018 Gubernatorial Election.” 2019. (with Seth C. McKee). Presented at the Election Science, Reform, and Administrative Conference. Philadelphia, PA.

“The Demise of White Class Polarization and the Newest American Politics.” 2019. (with Seth C. McKee). Presented at the Annual Meeting of the Southern Political Science Association. Austin, TX.

“The Geography of Latino Growth in the American South.” 2018. (with Seth C. McKee). State Politics and Policy Conference. State College, PA.

“A History and Analysis of Black Representation in Southern State Legislatures.” 2018. (with Charles S. Bullock, III, William D. Hicks, Seth C. McKee, Adam S. Myers, and Daniel A. Smith). Presented at the Citadel Symposium on Southern Politics. Charleston, SC.

Discussant. Panel titled “Southern Distinctiveness?” 2018. The Citadel Symposium on Southern Politics. Charleston, SC.

Roundtable Participant. Panel titled “The 2018 Elections.” 2018. The Citadel Symposium on Southern Politics. Charleston, SC.

“Still Fighting the Civil War?: Southern Opinions on the Confederate Legacy.” 2018. (with Christopher A. Cooper, Scott H. Huffman, Quentin Kidd, H. Gibbs Knotts, and Seth C. McKee). The Citadel Symposium on Southern Politics. Charleston, SC.

“Tracking Hispanic Growth in the American South.” 2018. (with Seth C. McKee). Presented at the Annual Meeting of the Southern Political Science Association. New Orleans, LA.

“An Assessment of Online Voter Registration in Georgia.” 2017. (with Greg Hawrelak and Colin Phillips). Presented at the Annual Meeting of Election Sciences, Reform, and Administration. Portland, Oregon.

Moderator. Panel titled “What Happens Next.” 2017. The Annual Meeting of Election Sciences, Reform, and Administration. Portland, Oregon.

“Election Daze: Time of Vote, Mode of Voting, and Voter Preferences in the 2016 Presidential Election.” 2017. (with Seth C. McKee and Dan Smith). Presented at the Annual Meeting of the State Politics and Policy Conference. St. Louis, MO.

“Palmetto Postmortem: Examining the Effects of the South Carolina Voter Identification Statute.” 2017. (with Scott E. Buchanan). Presented at the Annual Meeting of the Southern Political Science Association. New Orleans, LA.

Panel Chair and Presenter. Panel titled “Assessing the 2016 Presidential Election.” 2017. UGA Elections Conference. Athens, GA.

Roundtable Discussant. Panel titled “Author Meets Critics: Robert Mickey's Paths Out of Dixie.” 2017. The Annual Meeting of the Southern Political Science Association. New Orleans, LA.

“Out of Step and Out of Touch: The Matter with Kansas in the 2014 Midterm Election.” (with Seth C. McKee and Ian Ostrander). 2016. Presented at the Annual Meeting of the Southern Political Science Association. San Juan, Puerto Rico.

“Contagious Republicanism in North Carolina and Louisiana, 1966-2008.” (with Jamie Monogan). 2016. Presented at the Citadel Symposium on Southern Politics. Charleston, SC.

“The Behavioral Implications of Racial Resentment in the South: The Intervening Influence of Party.” (with Quentin Kidd and Irwin L. Morris). 2016. Presented at the Citadel Symposium on Southern Politics. Charleston, SC.

Discussant. Panel titled “Partisan Realignment in the South.” 2016. The Citadel Symposium on Southern Politics. Charleston, SC.

- “Electoral Implications of Racial Resentment in the South: The Influence of Party.” (with Quentin Kidd and Irwin L. Morris). 2016. Presented at the Annual Meeting of the American Political Science Association. Philadelphia, PA.
- “Racial Resentment and the Tea Party: Taking Regional Differences Seriously.” (with Quentin Kidd and Irwin L. Morris). 2015. Poster presented at the Annual Meeting of the American Political Science Association. San Francisco, CA.
- “Race and the Tea Party in the Palmetto State: Tim Scott, Nikki Haley, Bakari Sellers and the 2014 Elections in South Carolina.” (with Quentin Kidd and Irwin L. Morris). 2015. Presented at the Annual Meeting of the Southern Political Science Association. New Orleans, LA.
- Participant. Roundtable on the 2014 Midterm Elections in the Deep South. Annual Meeting of the Southern Political Science Association. New Orleans, LA.
- “Race and the Tea Party in the Old Dominion: Split-Ticket Voting in the 2013 Virginia Elections.” (with Irwin L. Morris and Quentin Kidd). 2014. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “Race and the Tea Party in the Old Dominion: Down-Ticket Voting and Roll-Off in the 2013 Virginia Elections.” (with Irwin L. Morris and Quentin Kidd). 2014. Paper presented at the Annual Meeting of the Southern Political Science Association. New Orleans, LA.
- “Tea Leaves and Southern Politics: Explaining Tea Party Support Among Southern Republicans.” (with Irwin L. Morris and Quentin Kidd). 2013. Paper presented at the Annual Meeting of the Southern Political Science Association. Orlando, FL.
- “The Tea Party and the Southern GOP.” (with Irwin L. Morris and Quentin Kidd). 2012. Research presented at the Effects of the 2012 Elections Conference. Athens, GA.
- “Black Mobilization in the Modern South: When Does Empowerment Matter?” (with Irwin L. Morris and Quentin Kidd). 2012. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “The Legislature Chooses a Governor: Georgia’s 1966 Gubernatorial Election.” (with Charles S. Bullock, III). 2012. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “One-Stop to Victory? North Carolina, Obama, and the 2008 General Election.” (with Justin Bullock, Paul Carlsen, Perry Joiner, and Mark Owens). 2011. Paper presented at the Annual Meeting of the Southern Political Science Association. New Orleans.
- “Redistricting and Turnout in Black and White.” (with Seth C. McKee and Danny Hayes). 2011. Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago, IL.

- “One-Stop to Victory? North Carolina, Obama, and the 2008 General Election.” (with Justin Bullock, Paul Carlsen, Perry Joiner, Jeni McDermott, and Mark Owens). 2011. Paper presented at the Annual Meeting of the Midwest Political Science Association Meeting. Chicago, IL.
- “Strategic Voting in the 2010 Florida Senate Election.” (with Seth C. McKee). 2011. Paper Presented at the Annual Meeting of the Florida Political Science Association. Jupiter, FL.
- “The Republican Bottleneck: Congressional Emergence Patterns in a Changing South.” (with Christian R. Grose and Seth C. McKee). Paper presented at the Annual Meeting of the Southern Political Science Association. New Orleans, LA.
- “Capturing the Obama Effect: Black Turnout in Presidential Elections.” (with David Hill and Seth C. McKee) 2010. Paper presented at the Annual Meeting of the Florida Political Science Association. Jacksonville, FL.
- “The Republican Bottleneck: Congressional Emergence Patterns in a Changing South.” (with Seth C. McKee and Christian R. Grose). 2010. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “Black Mobilization and Republican Growth in the American South: The More Things Change the More They Stay the Same?” (with Quentin Kidd and Irwin L. Morris). 2010. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “Unwelcome Constituents: Redistricting and Incumbent Vote Shares.” (with Seth C. McKee). 2010. Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta, GA.
- “Black Mobilization and Republican Growth in the American South: The More Things Change the More They Stay the Same?” (with Quentin Kidd and Irwin L. Morris). 2010. Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta, GA.
- “The Impact of Efforts to Increase Early Voting in Georgia, 2008.” (With Charles S. Bullock, III). 2009. Presentation made at the Annual Meeting of the Georgia Political Science Association. Callaway Gardens, GA.
- “Encouraging Non-Precinct Voting in Georgia, 2008.” (With Charles S. Bullock, III). 2009. Presentation made at the Time-Shifting The Vote Conference. Reed College, Portland, OR.
- “What Made Carolina Blue? In-migration and the 2008 North Carolina Presidential Vote.” (with Seth C. McKee). 2009. Paper presented at the Annual Meeting of the Florida Political Science Association. Orlando, FL.

- “Swimming with the Tide: Redistricting and Voter Choice in the 2006 Midterm.” (with Seth C. McKee). 2009. Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “The Effect of the Partisan Press on U.S. House Elections, 1800-1820.” (with Jamie Carson). 2008. Paper presented at the Annual Meeting of the History of Congress Conference. Washington, D.C.
- “Backward Mapping: Exploring Questions of Representation via Spatial Analysis of Historical Congressional Districts.” (Michael Crespin). 2008. Paper presented at the Annual Meeting of the History of Congress Conference. Washington, D.C.
- “The Effect of the Partisan Press on U.S. House Elections, 1800-1820.” (with Jamie Carson). 2008. Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “The Rational Southerner: The Local Logic of Partisan Transformation in the South.” (with Quentin Kidd and Irwin L. Morris). 2008. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “Stranger Danger: The Influence of Redistricting on Candidate Recognition and Vote Choice.” (with Seth C. McKee). 2008. Paper presented at the Annual Meeting of the Southern Political Science Association. New Orleans.
- “Backward Mapping: Exploring Questions of Representation via Spatial Analysis of Historical Congressional Districts.” (with Michael Crespin). 2007. Paper presented at the Annual Meeting of the American Political Science Association. Chicago.
- “Worth a Thousand Words? : An Analysis of Georgia’s Voter Identification Statute.” (with Charles S. Bullock, III). 2007. Paper presented at the Annual Meeting of the Southwestern Political Science Association. Albuquerque.
- “Gerrymandering on Georgia’s Mind: The Effects of Redistricting on Vote Choice in the 2006 Midterm Election.” (with Seth C. McKee). 2007. Paper presented at the Annual Meeting of The Southern Political Science Association. New Orleans.
- “Personalismo Politics: Partisanship, Presidential Popularity and 21st Century Southern Politics.” (with Quentin Kidd and Irwin L. Morris). 2006. Paper presented at the Annual Meeting of the American Political Science Association. Philadelphia.
- “Explaining Soft Money Transfers in State Gubernatorial Elections.” (with William Gillespie and Troy Gibson). 2006. Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.

- “Two Sides of the Same Coin?: A Panel Granger Analysis of Black Electoral Mobilization and GOP Growth in the South, 1960-2004.” (with Quentin Kidd and Irwin L. Morris). 2006. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “Hispanic Political Emergence in the Deep South, 2000-2004.” (With Charles S. Bullock, III). 2006. Paper presented at the Citadel Symposium on Southern Politics. Charleston.
- “Black Mobilization and the Growth of Southern Republicanism: Two Sides of the Same Coin?” (with Quentin Kidd and Irwin L. Morris). 2006. Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “Exploring the Linkage Between Black Turnout and Down-Ticket Challenges to Black Incumbents.” (With Troy M. Gibson). 2006. Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “Race and the Ideological Transformation of the Democratic Party: Evidence from the Bayou State.” 2004. Paper presented at the Biennial Meeting of the Citadel Southern Politics Symposium. Charleston.
- “Tracing the Evolution of Hispanic Political Emergence in the Deep South.” 2004. (Charles S. Bullock, III). Paper presented at the Biennial Meeting of the Citadel Southern Politics Symposium. Charleston.
- “Much Ado about Something? Religious Right Status in American Politics.” 2003. (With Mark C. Smith). Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “Tracking the Flow of Non-Federal Dollars in U. S. Senate Campaigns, 1992-2000.” 2003. (With Janna Deitz and William Gillespie). Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “PAC Cash and Votes: Can Money Rent a Vote?” 2002. (With William Gillespie). Paper presented at the Annual Meeting of the Southern Political Science Association. Savannah.
- “What Can Gubernatorial Elections Teach Us About American Politics?: Exploiting and Underutilized Resource.” 2002. (With Quentin Kidd and Irwin L. Morris). Paper presented at the Annual Meeting of the American Political Science Association. Boston.
- “I Know I Voted, But I’m Not Sure It Got Counted.” 2002. (With Charles S. Bullock, III and Richard Clark). Paper presented at the Annual Meeting of the Southwestern Social Science Association. New Orleans.

- “Race and Southern Gubernatorial Elections: A 50-Year Assessment.” 2002. (With Quentin Kidd and Irwin Morris). Paper presented at the Biennial Southern Politics Symposium. Charleston, SC.
- “Top-Down or Bottom-Up?: An Integrated Explanation of Two-Party Development in the South, 1960-2000.” 2001. Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “Cash, Congress, and Trade: Did Campaign Contributions Influence Congressional Support for Most Favored Nation Status in China?” 2001. (With William Gillespie). Paper presented at the Annual Meeting of the Southwestern Social Science Association. Fort Worth.
- “Key 50 Years Later: Understanding the Racial Dynamics of 21<sup>st</sup> Century Southern Politics” 2001. (With Quentin Kidd and Irwin Morris). Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “The VRA and Beyond: The Political Mobilization of African Americans in the Modern South.” 2001. (With Quentin Kidd and Irwin Morris). Paper presented at the Annual Meeting of the American Political Science Association. San Francisco.
- “Payola Justice or Just Plain ‘Ole Politics Texas Style?: Campaign Finance and the Texas Supreme Court.” 2001. (With Craig Emmert). Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “The VRA and Beyond: The Political Mobilization of African Americans in the Modern South.” 2000. (With Irwin Morris and Quentin Kidd). Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “Where Have All the Republicans Gone? A State-Level Study of Southern Republicanism.” 1999. (With Irwin Morris and Quentin Kidd). Paper presented at the Annual Meeting of the Southern Political Science Association. Savannah.
- “Elephants in Dixie: A State-Level Analysis of the Rise of the Republican Party in the Modern South.” 1999. (With Irwin Morris and Quentin Kidd). Paper presented at the Annual Meeting of the American Political Science Association. Atlanta.
- “Stimulant to Turnout or Merely a Convenience?: Developing an Early Voter Profile.” 1998. (With Quentin Kidd and Grant Neeley). Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “The Impact of the Texas Concealed Weapons Law on Crime Rates: A Policy Analysis for the City of Dallas, 1992-1997.” 1998. (With Grant W. Neeley). Paper presented to the Annual Meeting of the Midwest Political Science Association. Chicago.

- “Analyzing Anglo Voting on Proposition 187: Does Racial/Ethnic Context Really Matter?” 1997. (With Irwin Morris). Paper presented to the Annual Meeting of the Southern Political Science Association. Norfolk.
- “Capturing Bubba's Heart and Mind: Group Consciousness and the Political Identification of Southern White Males, 1972-1994.” 1997. Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “Of Byrds[s] and Bumpers: A Pooled Cross-Sectional Study of the Roll-Call Voting Behavior of Democratic Senators from the South, 1960-1995.” 1996. (With Quentin Kidd and Irwin Morris). Paper presented to the Annual Meeting of the Southern Political Science Association. Atlanta.
- “Pest Control: Southern Politics and the Eradication of the Boll Weevil.” 1996. (With Irwin Morris). Paper presented to the Annual Meeting of the American Political Science Association. San Francisco.
- “Fit for the Greater Functions of Politics: Gender, Participation, and Political Knowledge.” 1996. (With Terry Gilmour, Kurt Shirkey, and Sue Tolleson-Rinehart). Paper presented to the Annual Meeting of the Midwest Political Science Association. Chicago.
- “¿Amigo o Enemigo?: Racial Context, Attitudes, and White Public Opinion on Immigration.” 1996. (With Irwin Morris). Paper presented to the Annual Meeting of the Midwest Political Science Association. Chicago.
- “¡Quedate o Vente!: Uncovering the Determinants of Hispanic Public Opinion Towards Immigration.” 1996. (With Irwin Morris and Kurt Shirkey). Paper presented to the Annual Meeting of the Southwestern Political Science Association. Houston.
- “Downs Meets the Boll Weevil: When Southern Democrats Turn Left.” 1995. (With Irwin Morris). Paper presented to the Annual Meeting of the Southern Political Science Association. Tampa.
- “¿Amigo o Enemigo?: Ideological Dispositions of Whites Residing in Heavily Hispanic Areas.” 1995. (With Irwin Morris). Paper presented to the Annual Meeting of the Southern Political Science Association. Tampa.
- Chair. Panel titled “Congress and Interest Groups in Institutional Settings.” 1995. Annual Meeting of the Southwestern Political Science Association. Dallas.
- “Death of the Boll Weevil?: The Decline of Conservative Democrats in the House.” 1995. (With Kurt Shirkey). Paper presented to the Annual Meeting of the Southwestern Political Science Association. Dallas.



“Capturing Bubba’s Heart and Mind: The Political Identification of Southern White Males.”  
1994. (With Sue Tolleson-Rinehart). Paper presented to the Annual Meeting of the Southern Political Science Association. Atlanta.

**Areas of Teaching Competence:**

American Politics: Behavior and Institutions  
Public Policy  
Scope, Methods, Techniques

**Teaching Experience:**

University of Georgia, 1999-present.  
Graduate Faculty, 2003-present.  
Provisional Graduate Faculty, 2000-2003.  
Distance Education Faculty, 2000-present.

Texas Tech University, 1993-1999.  
Visiting Faculty, 1997-1999.  
Graduate Faculty, 1998-1999.  
Extended Studies Faculty, 1997-1999.  
Teaching Assistant, 1993-1997.

**Courses Taught:**

**Undergraduate:**

American Government and Politics, American Government and Politics (Honors), Legislative Process, Introduction to Political Analysis, American Public Policy, Political Psychology, Advanced Simulations in American Politics (Honors), Southern Politics, Southern Politics (Honors), Survey Research Internship

**Graduate:**

Election Administration and Related Issues (Election Sciences), Political Parties and Interest Groups, Legislative Process, Seminar in American Politics, Southern Politics; Publishing for Political Science

**Editorial Boards:**

*Social Science Quarterly*. Member. 2011-present.

*Election Law Journal*. Member. 2013-present.

**Professional Service:**

Listed expert. MIT Election Data and Science Lab.

Keynote Address. 2020 Symposium on Southern Politics. The Citadel. Charleston, SC.

**Institutional Service (University-Level):**

University Promotion and Tenure Committee, 2019-2021.

University Program Review Committee, 2009-2011.

Chair, 2010-2011

Vice-Chair, 2009-2010.

Graduate Council, 2005-2008.

Program Committee, 2005-2008.

Chair, Program Committee, 2007-2008.

University Libraries Committee, 2004-2014.

Search Committee for University Librarian and Associate Provost, 2014.