

CCR.
3
Meet.
207.4

TRANSCRIPT OF PROCEEDINGS

U. S. COMMISSION ON CIVIL RIGHTS

LOUISIANA ADVISORY COMMITTEE

VOTER REGISTRATION PROCEDURES IN LOUISIANA

Pages: 1 through 269

Place: Baton Rouge, Louisiana

Date: May 12, 1989

HERITAGE REPORTING CORPORATION

Official Reporters
1220 L Street, N.W., Suite 600
Washington, D.C. 20005
(202) 624-4888

1 BEFORE THE
2 U.S. COMMISSION ON CIVIL RIGHTS
3
4

5
6 VOTER REGISTRATION PROCEDURES IN LOUISIANA
7

8
9 Hilton Hotel
10 550 Hilton Avenue
11 Baton Rouge, Louisiana

12
13 Friday, May 12, 1989

14 The meeting of the Louisiana Advisory Committee was
15 held, pursuant to Notice, at 9:00 a.m.

16 Louisiana Advisory Committee:

17 MICHAEL R. FONTHAM, Chairperson
18 JEAN E. ADAMS
19 JOHN S. BAKER
20 VAN HILDREN BRASS
21 BENJAMIN JONES
22 ROBERT A. KUTCHER
23 ROBERTA MADDEN
24 SANDRA MCDADE
25 WILLIAM P. QUIGLEY
KAY REIBOLDT
RUPERT F. RICHARDSON

Also Present:

MELVIN JONES
WILLIAM MULDROW

INDEX OF SPEAKERS

		<u>PAGE</u>
1		
2		
3	Cynthia Rougeau, Special Counsel to the Secretary of State	8
4		
5	Jerry Fowler, Commissioner of Elections	17
6		
7	Emile Bruneau, State Representative	37
8		
9	Joe Accardo, State Representative	54
10		
11	Roy Brun, State Representative	72
12		
13	Marcus Carson, Director, Coalition on Voter Registration Reform	95
14		
15	James Brady, Chair, Louisiana Democratic Party	123
16		
17	Yvonne Allison, President, Registrar of Voters Association	137
18		
19	Robin Rothrock, President, Louisiana League of Women Voters	164
20		
21	Nathaniel Bankston, Registrar of Voters	180
22		
23	Ernest Johnson, General Counsel, Louisiana NAACP	206
24		
25	Louis Keller, Registrar of Voters	226
	Barbara Bates, Registrar of Voters	244
	Robert Poche, Registrar of Voters	256

P R O C E E D I N G S

1
2 MR. FONTHAM: I wish you would go ahead and take
3 your seats please.

4 I'd like to call to order the meeting of the
5 Louisiana Advisory Committee to the U.S. Commission on Civil
6 Rights. My name is Mike Fontham, I'm an attorney from New
7 Orleans and I'm the Chairperson of the Advisory Committee.
8 I've been a member for about five years.

9 What I'd like to do is ask each one of the people
10 here at the front table to introduce themselves. That way
11 they'll get to warm up their vocal cords -- perhaps say where
12 you're from and what you do.

13 We'll start down here. Melvin is not a member of
14 the Committee, but a staff person, perhaps you could introduce
15 yourself.

16 MR. JENKINS: All right. Melvin Jenkins, the acting
17 Staff Director, U.S. Commission on Civil Rights from
18 Washington, D.C.

19 MR. KUTCHER: I'm Robert Kutcher, I'm an attorney in
20 New Orleans.

21 MS. MCDADE: I'm Sandra McDade and I am a mother of
22 six children and an activist.

23 MR. JONES: I'm Benjamin Jones, an attorney from
24 Monroe.

25 MR. MULDROW: I'm Bill Muldrow, a Civil Rights

1 Analyst on the staff in our Regional Office in Kansas City.

2 MS. ADAMS: I'm Jean Adams, I'm a Union Resources
3 Consultant in New Orleans.

4 MS. RICHARDSON: I'm Rupert Richardson, I'm a
5 bureaucrat from Baton Rouge.

6 (Laughter.)

7 MS. RICHARDSON: And I'm President of the Louisiana
8 NAACP.

9 MS. MADDEN: I'm Roberta Madden, Field Director for
10 Common Cause.

11 MR. BRASS: I'm Van Brass, attorney from Monroe,
12 Louisiana.

13 MS. REIBOLDT: And I'm Kay Reiboldt, Director of the
14 Task Force on Families in Crisis. I'm also President of the
15 Northwest Chapter of Eagle Forum.

16 MR. FONTHAM: Thank you very much.

17 The Louisiana Advisory Committee is one of 50
18 advisory committees in each of the states to the U.S.
19 Commission on Civil Rights. It operates as a fact gathering
20 device for the Commission. The Advisory Committees have been
21 referred to as the eyes and ears of the U.S. Commission on
22 Civil Rights.

23 What we have today is a community forum which is
24 going to focus on the issue of voter registration procedures
25 in Louisiana. Our particular perspective in reviewing voter

1 registration procedures is, however, the perspective based on
2 the jurisdiction of the Civil Rights Commission, which
3 includes discrimination or denial of equal protection because
4 of race, color, religion, sex, age, handicap or national
5 origin, or discrimination in the administration of justice.
6 So to those of you who are our speakers, that type of
7 information is the most crucial or interesting from our
8 standpoint.

9 We do have a public stenographer who will be
10 recording these proceedings and we may be using the
11 information provided to plan future activities and there will
12 be a report sent to the Commission for its advice and
13 consideration.

14 There are certain ground rules. This is an open
15 meeting, open to the media, the general public, but there are
16 staff -- our Regional Staff Director has set up a number of
17 speakers and we're on a tight schedule, so we ask you to keep
18 to the time allotted.

19 We'll have presentations by each participant
20 followed by questions from Committee members. There will also
21 be an open period -- if you're not scheduled to speak,
22 there'll be an open period, it's now scheduled from 5:00 to
23 6:30 p.m. If we finish a little early, we'll try to have the
24 open period a little early.

25 Anyone who wishes to make a statement during the

1 open period could contact William Muldrow. He's sitting right
2 here, this good looking gentleman, and he'll be happy to sign
3 you up. Written statements may also be submitted to the staff
4 here today, to Committee members, or if you wish to, to the
5 U.S. Commission on Civil Rights in the Kansas City, Missouri
6 office, and you can obtain that address from Mr. Muldrow.

7 We will close the record of this meeting on June 16,
8 1989, so there is a substantial opportunity for written
9 statements to be presented.

10 We welcome controversial statements, but we ask that
11 no individuals be defamed or degraded in your statements. We
12 have asked knowledgeable persons with a wide variety of
13 experience and differing viewpoints to share information with
14 us. If anyone feels defamed or degraded by statements made in
15 these proceedings, that person should contact the staff and
16 will have an opportunity to present a public response, or
17 alternatively you can file written statements to be included
18 in the record of these proceedings.

19 And for those of you who do plan to make
20 presentations, I want to thank you on my behalf and on behalf
21 of the Advisory Committee for coming, and for your willingness
22 to participate.

23 Now I believe -- Mr. Jenkins, do you have some
24 opening remarks?

25 MR. JENKINS: Just a few opening remarks.

1 MR. FONTHAM: Okay.

2 MR. JENKINS: From the perspective of the
3 Commission's office in Washington, we are very happy that the
4 Advisory Committee has sought to undertake this community
5 forum concerning voting rights. For so long the flagship for
6 the Commission has been in voting rights for a number of
7 years. Although recently we have not issued any reports on
8 the national level, we are very happy to see the Advisory
9 Committees undertaking a review of voting rights, not only
10 this Committee, but the South Carolina Advisory Committee on
11 May 22 will hold a community forum concerning voting rights.

12 It's extremely important that Commissioners be
13 advised of voting rights issues in the field. We have a
14 particular mandate to advise Congress and the President
15 concerning this area and we take that with all sincerity. We
16 hope that you will have a very fruitful community forum today
17 and we're looking forward to the report coming from this
18 Advisory Committee.

19 Thank you.

20 MR. FONTHAM: Okay. Are there any other preliminary
21 remarks from members of the Committee, or should we go to our
22 agenda.

23 (No response.)

24 MR. FONTHAM: Okay, I believe Cynthia Rougeau is our
25 first speaker. And if I'm not mistaken -- you can correct me

1 if I'm wrong -- but I think you're representing the Office of
2 the Secretary of State and the Governor's Office?

3 STATEMENT OF CYNTHIA ROUGEAU

4 MS. ROUGEAU: I am Special Counsel to the Secretary
5 of State. I've been asked to pinch hit today for the
6 Governor's Office, for Tom Casey, and I am pleased to have the
7 opportunity to do so.

8 The Secretary of State is the chief elections
9 officer of the state and as such we work very closely with the
10 Governor's Office, with the Commissioner of Elections and with
11 the local elections officials. So I'm glad to be here today
12 to present the Governor's perspective, involvement and
13 objectives in dealing with the issues that are before you
14 today.

15 The Governor believes that fair and equal access to
16 voter registration and voting is essential to the maintenance
17 of a truly representative and responsible government. He
18 believes that we must open up the process to increase voter
19 registration, participation and turn-out.

20 The Governor has been very involved in matters
21 dealing with elections. He campaigned on a platform of full
22 disclosure, of contributions and expenditures and one of his
23 first acts after taking office was to work closely with
24 Representative Accardo and with other legislators to bring
25 about some campaign finance reform legislation for Louisiana.

1 Part of that legislation did involve the expenditure and
2 contribution provisions as well as limitations on campaign
3 contributions. He believes in the end of undue influence as
4 far as contributions, and currently there is some legislation
5 pending before the legislature that has typically been
6 somewhat controversial.

7 For the last several years, legislation has been
8 introduced involving volunteer deputy registrars of voters.
9 That is a program that has never been embraced in Louisiana.
10 The Governors in the past have not come out in support of that
11 particular legislation; however, Governor Roemer is supporting
12 House Bill 205, which is currently pending, which provides for
13 volunteer deputy registrars of voters. These individuals
14 would be instructed by and acting under the supervision of
15 these registrars of voters.

16 I believe that Representative Accardo is going to go
17 into the details of this particular legislation. I just
18 wanted to note that this is somewhat controversial
19 legislation, it would involve working closely with the
20 registrars of voters and other election officials to make sure
21 that the program can work. But the Governor is supporting it.

22 The Governor is also supporting House Bill 1118,
23 which provides for voter registration at Drivers License
24 Bureaus. This is another bill that has come up several times
25 in past years. Again, it is going to involve the registrars

1 providing courses of instruction for the employees at the
2 Drivers License Bureaus to teach them how to fill out the
3 cards and the responsibilities that are associated with acting
4 as volunteer deputy registrars.

5 The Governor is still studying House Bill 1115,
6 which provides for mail registration. I would point out that
7 Louisiana does currently allow a certain degree of mail
8 registration for people who are residing overseas and for
9 service personnel, and we utilize the federal post card
10 application in that process. There are problems that the
11 Governor recognizes in dealing with alternative methods.
12 Certain of the states have introduced various methods of
13 alternative registration, and the Governor wants to minimize
14 problems that might occur with fraud, he wants to minimize the
15 mishandling of registration applications when you use the
16 volunteer registrars. Some of the states have found that
17 there's trouble in getting the volunteer registrars to return
18 the cards on a timely basis. I believe there's been some
19 litigation involved with other states, I believe particularly
20 Ohio. But the Governor is also laboring under certain fiscal
21 constraints right now. And when we're talking about having
22 the Drivers License Bureaus utilized for voter registration
23 purposes we do have some problems fiscally with having enough
24 employees to man the operations of the Drivers License Bureaus
25 and handle the registration activities, but the Governor is

1 supporting that.

2 Louisiana has come a long way in our elections
3 process. We have continually been reviewing and trying to
4 modify our elections code. We've adopted the special write-in
5 ballot for overseas and military voters. We utilize State
6 Board of Election supervisors, which the Governor appoints a
7 member; the Secretary of State serves, the Commissioner of
8 Elections, representatives from the Clerks of Court, the
9 registrars of voters and the Attorney General, to try to
10 review problems in the elections process, to receive comments
11 from individuals and from other elections officials, to try to
12 solve problems that we're having. This Board gathers this
13 data and reports to the Election Reform Subcommittee that's
14 headed up by Representative Bruneau, who I believe will be a
15 speaker later in the day. This is a continuing process that
16 goes on in Louisiana every year.

17 The Governor's objectives are to make voter
18 registration easier and more accessible, to maintain the
19 integrity of the elections process while doing so and to
20 encourage and inform an involved electorate.

21 I'll be glad to answer any questions.

22 MR. JONES: I have a question. How would the use of
23 people who work at Drivers License Bureaus to register people
24 cost money?

25 MS. ROUGEAU: Well I think that a lot of the

1 testimony that arose in connection over the previous years --
2 I don't know that this bill has currently come up for debate
3 before the Committee at this time, but over previous years
4 there was a lot of concern because of the cutbacks that we've
5 been having in our budget, with laying off personnel -- and
6 this would be the Department of Public Safety and Corrections
7 -- there was concern that because of the cutbacks in
8 personnel, they wanted to be able to deliver the services that
9 they're already mandated to provide and avoid the long lines
10 that everybody complains about at the Drivers License Bureaus
11 and still be able to do this.

12 So one of the provisions that I believe has been put
13 in this bill is to authorize the Secretary of the Department
14 of Public Safety and Corrections to promulgate some rules and
15 regulations to try to work this out so that his people can
16 still perform the functions that they're primarily responsible
17 for doing and try to minimize the lines that do occur at the
18 Drivers License Bureau and help us out with the registration
19 also. I just believe it's sort of a general attitude of
20 fiscal difficulty that we're facing, and we want to be able to
21 fully staff all of the Drivers License Bureaus. We're afraid
22 that some of them -- there's always talk of some of them
23 perhaps being closed down or combining services into one
24 facility, and those are just the types of fiscal constraints
25 that we're talking about. But the governor is committed to

1 trying to work this out and he is fully supportive of the
2 bill.

3 MR. JONES: Thank you.

4 MR. FONTHAM: Why don't just follow some kind of
5 pattern in these questions. We'll do this side first and then
6 we'll do the other side. Anybody else over here?

7 MS. MCDADE: I do. I recently took my 16 year old
8 down to traumatically get his drivers license, and much to my
9 surprise I found that the License Bureau has now decided to
10 close between 12:00 and 2:00 and will not take applications.
11 They do not begin taking applications until 10:00 a.m., so
12 that's a two-hour spread in the morning. Now this is in
13 Shreveport. Then they close down again for applications at
14 3:30. We're talking about access to registration. I wonder
15 if someone is going to go get their license, they're generally
16 going to go, if they're working, during the noon time and I
17 found that the personnel merely sat there during those two
18 hours. It wasn't a matter of long lines, they just refused to
19 take applications.

20 And I'm wondering how that's going to aid people as
21 far as having access to voter registration, because we
22 couldn't get a license, we had to go home.

23 MS. ROUGEAU: We I can't particularly speak to
24 problems that may be happening at the Shreveport office, I
25 don't know what type of policy they were operating under or

1 what other things they might have been responsible for doing
2 during those times that they were closed down.

3 I know that there has been a lot of discussion about
4 providing registration opportunities at other public
5 facilities as well as Drivers License Bureaus. I think
6 there's just an attempt to make sure you have a controlled
7 situation where there's someone who would be responsible to
8 attend the necessary course of instruction and to make sure
9 that the cards are filled out correctly and the proper
10 identification is obtained, and work closely with the
11 registrars of voters to make sure the process works.

12 Now the Drivers License Bureaus I believe have been
13 utilized elsewhere, and it's just sort of a popular place
14 because everybody has to go every now and then to the Drivers
15 License Bureau, so perhaps that's why that was chosen, but
16 there are certainly other facilities where people might go.
17 Again we're talking about staffing problems. There's a lot of
18 people who use the facilities, the social services facilities,
19 the libraries -- there are a lot of public facilities that
20 might be just as well suited or better suited than the Drivers
21 License Bureaus, but that's all the legislation contains at
22 this point.

23 MR. FONTHAM: Bob, did you have a question?

24 MR. KUTCHER: No.

25 MR. FONTHAM: What about on the other side?

1 MS. RICHARDSON: I have one. You mentioned House
2 Bill 205, volunteer registrars. I've seen so many different
3 versions I'm not sure which one 205 is. Does it extend beyond
4 high school principals as deputy registrars to other kinds of
5 volunteers?

6 MS. ROUGEAU: Yes, ma'am. House Bill 205 is a much
7 more general bill that provides for individuals signing up to
8 attend a course of instruction -- to my knowledge, I don't
9 believe it's limited to one particular group of people like
10 the high school principals -- they would sign up to attend the
11 course of instruction that would be provided by the
12 registrars, and they would have to I believe take an exam to
13 show that they've completed a course of instruction, and then
14 the registrar would randomly draw by lot the individuals who
15 would be serving as the volunteer deputy registrars, and would
16 be supervising that individual. I also believe that the
17 Commissioner of Elections would work closely in preparing the
18 courses of instruction, yes, ma'am.

19 MS. RICHARDSON: Thank you.

20 MR. BRASS: I don't have any questions.

21 MS. REIBOLDT: I have a question. Do you know of
22 widespread discrimination or denial of equal protection under
23 the laws regarding the privilege of voting because of race,
24 color, religion, sex, age, handicap or national origin?

25 MS. ROUGEAU: I cannot say that I know of specific

1 problems involving this. I believe that there is a problem
2 generally with the process if people don't feel that they have
3 a fair access to voter registration or to voting. I believe -
4 - in Louisiana we have a colorful history I suppose when we're
5 dealing with elections and we try to have a very, perhaps,
6 controlled and well maintained system of registering voters
7 and voting. But like I said, we're utilizing the State Board
8 of Election Supervisors and we're utilizing the Election
9 Reform Subcommittee to constantly be receiving compliance,
10 suggestions, whatever comments on the elections process to try
11 to make it fair, to try and make it a more open process, and I
12 believe that with the attitude of Governor Roemer, I believe
13 that there will be an opening up of the process, because as
14 far as I know he's the first Governor in recent memory who is
15 truly coming out in support of the volunteer registrar bills,
16 in support of expanding registration opportunities to other
17 public facilities. So I believe that the registration process
18 is currently open to all qualified voters. Perhaps it's not
19 as accessible to all qualified applicants as it could be.

20 MR. FONTHAM: Professor, any questions?

21 MR. BAKER: (Nodding head negatively.)

22 MS. ROUGEAU: Thank you.

23 MR. FONTHAM: I believe our next speaker is the
24 Commissioner of Elections, Jerry Fowler.

25 MR. FONTHAM: Mr. Fowler doesn't seem to be here,

1 he's got about five minutes yet to arrive. Why don't we
2 take a five-minute recess and if he hasn't gotten here by
3 then, I'm going to suggest that one of the speakers from this
4 afternoon that can't be here this afternoon, go ahead and make
5 a presentation.

6 MS. MADDEN: May I say something?

7 MR. FONTHAM: Yes.

8 MS. MADDEN: Last night it was asked whether we can
9 get copies of the bills that we'll be talking about today.
10 Marcus Carson has copies of the bills if somebody would like
11 to look at them.

12 MR. FONTHAM: I'm going to call us to order again in
13 five minutes exactly.

14 (A short recess was taken.)

15 MR. FONTHAM: I'd like to call the meeting back to
16 order. I believe Commissioner Fowler is here.

17 MR. FOWLER: Where do you want me to sit?

18 MR. FONTHAM: Well you can sit there or you can
19 stand at the podium.

20 STATEMENT OF JERRY FOWLER

21 MR. FOWLER: Do I do an opening statement or what do
22 y'all --

23 MR. FONTHAM: Well if you have an opening statement,
24 we'd like for you to make it and --

25 MR. FOWLER: Well I can give you a brief history of

1 voter registration since I took the office in 1980. I think
2 we've made some progress by expanding voter registration, but
3 I don't by any means think that we have completed the task. I
4 never have and never will.

5 When I took office there was very few registrars
6 that were even having voter registration drives. You either
7 went to the county seat from 8:00 to 4:30 on -- during the day
8 or during the week to register or you didn't get registered.
9 Since then they are now, you know, every parish in the state
10 is having drives, every parish in the state opens late during
11 election time and tries to get people to go out and register
12 to vote.

13 Some places, to be honest with you, have been very,
14 very successful. In other places, the Registrar of Voters
15 offices have gone out and they might have two people show up
16 all day long, which to them is very discouraging. But I think
17 the fact that being where anything we do in the State of
18 Louisiana we have to get Justice Department approval,
19 sometimes gets a little cumbersome and sometimes takes a
20 little more time.

21 We've got now where I think we're getting a lot
22 better cooperation and we're trying to make an effort. One of
23 the problems that you have in voter registration with
24 individuals and groups of people -- and I see some of my
25 friends over here that do these drives all the time -- I think

1 they understand a certain amount, they decide to have one or
2 short notice and then the registered voters have to go through
3 the paperwork and go through the proper procedures to do it,
4 and then it gets to be sometimes a conflict between parties.

5 But overall, I think that we have a good voter
6 registration system. I do think there's some weaknesses. One
7 of the weaknesses that I feel like -- and a few years ago I
8 supported a volunteer deputy bill which was to be run out of
9 the Registrar of Voters office, the fact that I get concerned
10 -- I'm from the rural part of the state, I'm from a small town
11 in north Louisiana and we have about three communities in
12 there and we have a lot of rural parishes where from one end
13 of the parish to the other end of the parish is maybe 75
14 miles, and you have a family that moves in in the lower end
15 the parish and the way the system is set up now, you know,
16 there's no way for them to register maybe in the community
17 they moved into. They have to go to the county seat.

18 I've advocated for a number of years and still do,
19 that we need to do something to be able to let this person
20 have a place that they can register to vote where they live.
21 and we don't have that at this present time. There are some
22 volunteer deputy bills in the legislature at this time, as you
23 well know, that address part of this and I think you'll hear
24 from other speakers.

25 But we've made a lot of progress in voter

1 registration. We're -- I have to brag on it -- we were the
2 first state in the union to have a centralized voter
3 registration system, and we have every registered voter in the
4 state on a centralized system. And we use -- every parish
5 office, and we have 64 of them, -- have a computer system set
6 up within their parish that they can communicate. We feel
7 like we're way ahead of the game as far as having cleaner
8 rolls, as far as having more accurate data for voter
9 registration in the state. We've got now where each -- in
10 other words, if I move from Natchitoches to Baton Rouge and
11 I'm a registered voter in Natchitoches and I move to Baton
12 Rouge, the systems can talk to each other. And I don't sit
13 there for years and years on both parish rolls. I think it
14 can be immediately taken off. We have a better communication
15 system, we have a state computer system with getting dead
16 people off the rolls.

17 I knew you from out of state particularly have heard
18 many stories about Louisiana, as you have other states, about
19 dead people voting. We've been able to we feel like conquer
20 this problem. And so we feel like we have a great system. In
21 fact, I'm invited next week to go to the State of Alabama to
22 speak to all the registered voters because they just passed a
23 law to duplicate the kind of voter registration system that we
24 have in the state.

25 I know this is not really what you're talking about,

1 I think you're really concerned with getting people to
2 register, and I want to say that I do advocate the easiest way
3 for people to register to vote. I don't agree with some of
4 the bills that they have in, and all the research we've done,
5 for example, by mail -- and I'm not going to sit here and tell
6 you mail is a bad idea, but from all the research our
7 Department has been able to come to, the biggest problem they
8 have is if they get ten cards in by mail -- this is what other
9 state people tell me -- they can only read three of them. So
10 there's seven that think they get registered and they don't
11 get registered, and it becomes a problem. So I think this is
12 something that has to be worked out.

13 I do think we need to expand the volunteer program.
14 I've felt that for a long time. I advocated a bill, and I
15 think that we need to have it to where a person in a small
16 town that moves -- let's say they retire in Larose Cutoff or
17 Grand Isle, and they retire down on the Gulf coast. Well you
18 know, they move here from some other state. They've got to go
19 all the way in to Thibodaux, 50 miles, to register. And I
20 think this is something that needs to be addressed.

21 And I'll answer any questions -- happy to be here.

22 MR. FONTHAM: Go ahead. We'll ask questions from
23 this side first and then that side.

24 MR. FOWLER: Okay.

25 MR. FONTHAM: I'm wondering, shouldn't we perhaps be

1 studying under our jurisdiction discrimination against dead
2 people who want to vote?

3 (Laughter.)

4 MR. JENKINS: I'll refer that to my legal counsel.

5 MR. KUTCHER: Especially if they want to vote only
6 once.

7 MR. JONES: Commissioner, for the record, would you
8 please give us a structure, starting with your office, and how
9 your office is organized and how it relates to the registrars
10 or voters in the 64 parishes, so that the record will reflect
11 how you're organized, insofar as voting is concerned, in this
12 state?

13 MR. FOWLER: Okay. I'm the Commissioner of
14 Elections and Registrations, I'm an elected official, one of
15 the nine elected officials in the state. The Registrar of
16 Voters offices in each parish are under me. They're also
17 under the Police Jury or the local governing body. We pay
18 half of the salaries of the staff of the Registrar of Voters
19 office in each parish, we pay for the system in the state.

20 The parish government hires the Registrar of Voters,
21 they hire the people that work in the offices and they pay
22 half of the salary. So in Louisiana, if you want to call it,
23 it's kind of a catch-22, they work part for me and they work
24 part for the Police Jury. And I think this is an unusual
25 situation but I think that's the best way -- I think some of

1 the registrars that will probably speak later will say the
2 same way. Technically speaking they work for me, but you know
3 and I know for the record when you don't get all your money
4 from one person, you've got to pay attention to the other
5 person. So they're kind of in the middle.

6 We had hoped at one time, and I had discussed it, of
7 putting all the Registrar of Voters offices under my
8 department. But to be perfectly honest, due to the financial
9 straits of the State of Louisiana, that it has been in the
10 last several years, this is something that we just couldn't
11 afford to do, the state couldn't pick up.

12 But that is the structure, the way it goes.

13 MR. JONES: As a follow-up if I could, do you have
14 the authority to standardize office hours for Registrars of
15 Voters across the state, and is that something that you think
16 would be desirable?

17 MR. FOWLER: That's a good question, Mr. Jones. I'm
18 not sure whether I do or I don't. I know this, every time
19 we've asked them to stay open late and every time we've asked
20 them to accommodate the voters, to my knowledge, they have
21 done it within their power to do it. But you know, after I
22 say that, they have to get direction also from the City
23 Council like in New Orleans, or the parish council here to be
24 able to -- they have to be coordinated. I think it's a
25 difficult situation for them also, but I cannot say that they

1 never -- when I've asked them to do something within the
2 bounds of the structure of our law, that they haven't done it,
3 because they have.

4 MR. JONES: Very well, thank you.

5 MS. MCDADE: I do a lot of voter I.D. in political
6 campaigns and one of the things we have found in the
7 registered voters lists -- there are two problems we run into
8 and I wondered how they're addressed. One is we run into
9 people who will tell you I'm not registered, being people who
10 haven't voted in so long that they honestly don't even
11 remember when they registered or that they did register. And
12 the second thing is we very often run into people who died ten
13 years ago who are still carried on the rolls.

14 My first question is are there any provisions for
15 moving people off the rolls if they haven't voted in 20 years?

16 MR. FOWLER: We have two ways of doing that. At the
17 present time we purge every four years. So anybody that has
18 not voted in an election during a four year period is purged
19 from the rolls. So they will be on it no longer than four
20 years, that's the law.

21 The second thing we have is what we call canvass,
22 and of course sometimes it gets mixed up. We canvass at
23 present one-fourth of the rolls each year, each parish does
24 it. They do it in the month of January. This is what we're
25 doing now. Now this to me causes us problems because a person

1 -- we have our biggest problems with the postal system. In
2 other words, if I lived in the north end of Baton Rouge and I
3 moved to the south end and I do it during this four year
4 period and I voted up there and they purge where I was and
5 they didn't purge for three years, and I don't change my
6 address because I forget about it, then I'll eventually be
7 taken off the rolls because I'm on the voter registration
8 rolls up in north Baton Rouge where they finally canvass.

9 Then I go to vote in the gubernatorial and I can't
10 vote, and you know, you ought to hear the cries that come, oh,
11 I want to vote -- did you move -- it's always the voter never
12 is able to remember -- they remember to pay their phone bill,
13 they remember to pay their light bill and electric, but they
14 don't move -- I have advocated and I hope that we'll
15 eventually get it passed, and it has passed one house now, a
16 one year canvass.

17 The first year it's going to hurt everybody -- I'm
18 not going to tell you it's not. But after that, everything is
19 done within that year and when people move, the post office
20 forwards mail for a year, and they will get their information.
21 The way we've got it now, if you moved three years ago or two
22 years ago, you're not going to get it and you're going to get
23 taken off the rolls. The first year will be expensive but
24 after that it will be a very routine thing. And I think it
25 will eventually help everybody and we won't have the problems

1 of a lot of people being taken off the rolls and not knowing
2 about it.

3 But I do think one of the things, as voter
4 registration people, that we have to do is we have to join the
5 ~~twentieth century and work with the legislature in getting the~~
6 proper media coverage when we do these things. The laws state
7 -- we do what the law says, but you know when you run just an
8 ad in the paper, you know, you need to do something to really
9 make the general public realize you're doing something. And
10 we don't have the funds or the means to do it, and I think
11 this is something that has to be addressed when we do this, so
12 that people will realize that, you know, we use the media more
13 so we can get this information to people that they have
14 changed -- but if we could get a one year canvass -- then of
15 course, you wouldn't need to purge, purge goes out the window,
16 you don't need it because you're doing it every year.

17 And I think -- there's some fears to that,
18 particularly among the black community because they say to us
19 that they move more than the white community. But I think
20 once you do it within that year and you're working with the
21 postal system, I think in the end it's going to work for
22 everybody. But like I say, it's going to hurt everybody the
23 first year because, you know, those that are going to --
24 they're going to have to be conscious and we're going to have
25 to do a tremendous -- if we get the bill passed -- a

1 tremendous PR public relations effort to let the people know
2 what's going on.

3 MS. MCDADE: Just as a follow up, is it probable
4 then that in some parishes the idea of purging every four
5 years if you don't exercise the right to vote is somehow not
6 working? Because we do run into people who have not voted in
7 15 years.

8 MR. FOWLER: I think that still happens in some of
9 the rural parishes, not as much as it used to. We've been
10 checking on that and there again you go back to -- we've had
11 parishes that this happened to, they go to do that purge and
12 they need \$2700. I don't have that in my budget. The Police
13 Jury is supposed to furnish that. So what they do -- they
14 just say we're not doing it. And the reason they're not doi
15 it, you go back to politics. This guy with this little rural
16 Police Jury and he's got a bunch of families in there that
17 vote for him and they've moved away but yet they come back and
18 vote, you know, he doesn't want them taken off the rolls. He
19 needs that one member of a family that's got 40 votes, it may
20 mean the difference of him winning or losing.

21 (Laughter.)

22 MR. FOWLER: So he doesn't want that. This is a
23 problem, but supposedly -- we put pressure on them, I think
24 you'll hear from the registrars, to do everything we can to
25 make them do it. We've even gone so far as meeting with

1 Police Juries and telling them the law on that. But that's
2 the reason -- if we got the canvass and got the money to do it
3 out of our office, where they didn't have to worry about going
4 to the Police Jury, I think the system would work itself out.
5 It would probably take three years to really get it to where
6 everybody would be comfortable with it.

7 But that's a goal of mine that I hope we're able to
8 do. We've got it out now and -- but there again, when it gets
9 to Senate Finance, I think everybody will verify it's going to
10 be touch and go when you start talking about 350 or 400
11 thousand dollars to do this.

12 I'm realistic, I'm not going to sit here and tell
13 you we could spend \$350,000 on that when you're closing
14 hospital rooms and beds and things like that, you have to put
15 your priorities in order. But one of these days we'll get to
16 do that. I have a lot of faith in the state, it's going to
17 come back and we'll get to do that.

18 MR. FONTHAM: Robert, do you have any questions?

19 MR. KUTCHER: No.

20 MR. FONTHAM: What's the percentage of eligible
21 voters who are registered?

22 MR. FOWLER: About 30, right Alan, or is it a little
23 -- no, it's nearer 50. We have about four million people in
24 the state and we have 2,100,000 registered voters, it's right
25 at 50%.

1 MR. FONTHAM: There are four million eligible voters
2 in the state?

3 MR. FOWLER: Yeah -- no, no.

4 MR. ELKINS: Seventy-seven percent are eligible.

5 MR. FOWLER: We've got those statistics, I can get
6 it for you, I just don't have it with me.

7 MR. FONTHAM: Are there statistics available on --

8 MR. FOWLER: That's one of the things that we've --
9 with our voter registration system, that we think -- we're
10 proud of, we can give those reports when we get through.
11 We've got it divided on what age group is voting -- for
12 example, in the State of Louisiana in the last statewide
13 election that we had, not the tax reform, but back in the
14 presidential -- do you know what age group voted the most?

15 MS. MADDEN: The elderly.

16 MR. FOWLER: The elderly, the 55 to 70, 89% of the
17 eligible voters voted. Only 37% of the ones from 18 to 25
18 voted in the presidential. And of course your biggest block
19 is from 40 to 55, but when you get over 55, the highest
20 percent of the people that are older, they seem to have a
21 tendency to go and vote.

22 We are also able to tell how many women vote, how
23 many men vote. Now let me make clear, I can't tell you how
24 they vote, but we can tell how many voted in a different
25 election. And for example, in the tax reform we had over 40-

1 45%, which was unusually high. We usually average around 18
2 to 19% in a tax election. If you have a candidate on the
3 ballot like a mayor, you probably get up in the 40s. The
4 gubernatorial always brings out in the high 60s and the
5 presidential brings out between 74 and 77%, they want to vote
6 for president. Most of your effective registration drives are
7 done from the time they start with like a senate race, like in
8 '86 to '87 to '88, that's when your rolls get back up.

9 Of course if we can eventually get to the canvass,
10 we can control the amount -- it'll be so much better, it's
11 just a good situation.

12 MR. FONTHAM: Can you supply data on what percentage
13 of eligible blacks are registered, what percentage of eligible
14 women and so on?

15 MR. FOWLER: I'm not sure, I know we can supply
16 information on how many blacks voted of the registered black
17 voters.

18 MR. FONTHAM: We're interested in the eligible
19 voters who register.

20 MR. ELKINS: Right now, until we get the new census,
21 the data would be meaningless. We have the statistics on the
22 number of blacks who vote, the number of blacks who are
23 registered but until we get some valid statistics on the
24 actual numbers of voting age population -- like right now our
25 data would have to be based on percentage of the 1980 census.

1 So it'll be several years before we have any valid data. B
2 yes, we can generate that data when we get the census data.

3 MR. FONTHAM: Okay. Are there any questions on this
4 side of the room?

5 MS. RICHARDSON: Yes.

6 MS. ADAMS: Mr. Fowler, I have a question. You
7 indicated that your office is pretty happy with the percent of
8 eligible voters who are registered, it seems pretty high. I
9 think you said between 70 and 77%?

10 MR. FOWLER: Something like that, yes.

11 MS. ADAMS: And you favor increased voter
12 registration.

13 MR. FOWLER: Oh, no question I do.

14 MS. ADAMS: Well what would you see as the benefi
15 - do you see that it's desirable or necessary to increase
16 voter registration?

17 MR. FOWLER: Let me answer it this way. I think we
18 can make it easier for people to register. I don't advocate
19 that we go twist anybody's arm and go register them to vote.
20 But there are people, very frankly, that do not register to
21 vote for the simple reason they don't want to serve on a jury.
22 And you find a great many of these that do that.

23 But I think that we need to make it more accessible
24 to register to vote. I don't agree in wholesale, just
25 election day registration, and I don't believe in volunteer

1 deputies that are not having something to do with the
2 registered voters at all, so that when they do it, they do it
3 the right way, and I don't agree with going out and being able
4 to get thousands to be volunteer -- I think there's a
5 systematic way, but there are ways that we can make things
6 easier for people to register. Like I said, I go back to the
7 business of the small towns. There might not be in a year's
8 time 25 people in the town or maybe, you know -- or it may be
9 more than that, but over the whole state, you know, it's
10 probably a thousand people that might register, but they don't
11 think about it. They live in Bentley and they go over to
12 Colfax 35 miles away. We have our registrars going out to
13 these communities at certain times and that has helped and
14 they have registered people.

15 But you know, I think the easier and the more
16 accessible for the public to register, I think that's the
17 American system and this is a democracy and that's the way it
18 should be.

19 MS. ADAMS: Well as a member of the Advisory
20 Committee, I'm interested in whether or not the convenience or
21 easier access to voter registration is focusing on particular
22 groups. But it seems to me that we're talking about problems
23 in rural areas and that possibly the problem of convenience
24 applies to all citizens.

25 MR. FOWLER: Oh, very definitely. I don't disagree

1 with that, I'm just citing a problem that I know that exist
2 You know, we fought for -- we have very conservative laws. It
3 took me three years to get a handicapped bill passed where
4 people could vote by mail that were flat of their backs, that
5 had a right to vote. And even now, you know, there's a lot of
6 paperwork and a lot of time involved in it, but we cited some
7 I think 35 or 36,000 and we've got about 9,000 using the
8 program, and that's 9,000 people that didn't have the
9 opportunity to vote prior to doing that. Of course you have
10 them on both sides, there was going to be all kinds of fraud
11 in it. But it hasn't been. And when people realize what the
12 program is, the ones that are able to use it -- that's just
13 like our absentee voting system. Once we put it in the
14 registered voter laws and once we made it an extra precinct
15 where the absentee votes are counted in the courthouse in a
16 grand jury type situation, we've had no problems like we had
17 in '79 over ballots and absentee voting. It has been a good
18 situation.

19 MS. ADAMS: Thank you.

20 MS. RICHARDSON: I have two, but they can be
21 answered I think rather quickly, Commissioner. Firstly, I was
22 wondering, I'm just glancing at some bills that have to do
23 with reform that are in the House and Senate this time, and I
24 was just wondering if you have had an opportunity to have
25 input into them. In the Department of Health and Hospitals,

1 we have a system wherein someone scans all bills and then
2 whoever is the quote-unquote health expert looks at those bills
3 for fiscal impact -- and I see folks looking at me, nobody
4 thinks the Department of Health and Hospitals has an organized
5 anything, I know. But different experts see the bills and
6 decide fiscal impact, impact on the clients we serve, impact
7 on the state as a whole, that kind of an analysis, and we get
8 it back.

9 Since you mentioned some shortcomings, particularly
10 of mail registration, I was wondering if there is a system at
11 that level whereby you've had a chance to tell the authors of
12 these bills how they might be improved to make them more
13 meaningful.

14 MR. FOWLER: In answer to your question, I have
15 discussed it with some of them when we're asked. We have of
16 course a State Board of Election Supervisors and we encourage
17 and we write legislators and we write everybody to bring their
18 election bills to the Board. But what happens -- and there
19 again, I'm going back, I'm a politician, this representative
20 has a group that supported him and they want this particular
21 bill and that's their special interest, and you know, it's
22 easier for him to put it in the way they want to put it in.
23 Sometimes we're able, when they get into one of the
24 committees, to be able to compromise and work things out.
25 That's what we did on our handicapped bill and I feel certain

1 with the drivers license or some of these registrations, we
2 will have input into trying to make them workable if they are
3 to be passed.

4 Voter registration and elections is something that -
5 - I guess it's kind of like the special -- we in Louisiana are
6 a lot like Washington, D.C., we have legislators that come to
7 Louisiana and they're elected by one group and that's what
8 they're concerned with and it's really unheard of in other
9 states, and they have special interests that they're
10 interested in. A lot of these people are really interested in
11 elections and we try to work with -- yeah, we try to work with
12 them all, I have a staff and we go through them and we do not
13 determine -- and I don't think it's my place -- other than
14 give the legislator advice on the way we feel, whether it's
15 workable or not workable, and not get involved with who's got
16 the bill or what group is sponsoring it or not. We try to
17 give them advice to do it in a workable law that can be used
18 and then if it's the wisdom of the legislature to pass it,
19 then we take the law and we work with it. And that's kind of
20 the position that our department has taken on that.

21 But you've got so many little groups, you know,
22 little pockets that want this and this one wants that, and
23 this group over here says oh, no, if you do that it's just
24 going to be fraud all over the world and that sort of thing.
25 We try to compromise and get a balance.

1 MS. RICHARDSON: And secondly to that please, it's
2 not in that same context. I have to vote absentee a lot and
3 I'm really concerned about the sanctity of that ballot. It
4 just really looks like anybody who wants to know how I voted
5 can readily know. Is that a uniform procedure?

6 MR. FOWLER: That's -- everybody does that. The
7 only thing that is open by the Commissioners is they break the
8 seal and then someone just takes all the ballots and stacks
9 them up. They can't tell how you voted. The only way they
10 could -- and I'm not going -- if you were the only one that
11 went in there and voted absentee and they counted your ballot
12 and they knew your name, yes, they could tell. But it's the
13 best system we could have. It really -- of all the things
14 I've done in office, I think that is probably the best thing I
15 have done, because it has taken all the games out of absentee
16 voting.

17 MR. FONTHAM: One more question.

18 MS. REIBOLDT: No, no.

19 MR. FONTHAM: We are three minutes past our --

20 MS. REIBOLDT: Well my question will require either
21 a yes or a no.

22 MS. MADDEN: Mine is pretty short.

23 MR. FONTHAM: Okay.

24 MS. MADDEN: Commissioner, you have mentioned -- you
25 bragged a little bit about our centralized system -- don't you

1 think that that system is strong enough that it would guard
2 against any fraud if we open up the process?

3 MR. FOWLER: Oh, yes, very definitely, that's no
4 problem.

5 MS. REIBOLDT: Do you know of widespread
6 discrimination or denial of equal protection of the laws
7 regarding the privilege of voting because of race, color,
8 religion, sex, age, handicap or national origin?

9 MR. FOWLER: No, I don't, I sure don't.

10 MS. REIBOLDT: I told you.

11 MR. FONTHAM: That was a short answer but it wasn't
12 yes or not.

13 (Laughter.)

14 MR. FONTHAM: Okay, Mr. Fowler, thank you very much
15 we appreciate you coming.

16 MR. FOWLER: Okay, you're welcome.

17 MR. FONTHAM: I believe our next speaker is
18 Representative Bruneau.

19 Our format, Representative, has been an opening
20 statement which you can be as short or long as you like, and
21 then if we have time, we'll ask you questions.

22 MR. BRUNEAU: I'll be very short.

23 STATEMENT OF REPRESENTATIVE EMILE BRUNEAU

24 MR. BRUNEAU: It's most unusual to see Ms. Madden on
25 the other side of the table, since she is usually a lobbyist

1 for some of these bills that we're now going to talk about,
2 obviously in a non-partisan fashion today.

3 I know Bob, he's probably been waiting for years to
4 get me on the other side of the microphone, where she could
5 ask me some questions.

6 I'm the Chairman of the House Governmental Affairs
7 Committee. I've been very active in the election law process
8 for many, many years, both prior to and subsequent to my
9 election to the legislature. I conceived and drafted the open
10 elections law, which I am proud to say was the first major
11 electoral change approved in the southern states under the
12 Voting Rights Act. And I think that that law has worked
13 extremely well and is extremely fair.

14 I know you all are interested today in registration
15 -- I'm looking for Mr. Muldrow, I don't see him --

16 MR. FONTHAM: He's here, he's behind you.

17 MR. BRUNEAU: He's a gentlemen that I've spoke with
18 on the phone many times.

19 I feel that our registration process is open. I
20 believe that it's easy to register in Louisiana. Contrary to
21 what you may have read in the paper, you do not have to go to
22 a registrar's office to register. Mr. Bankston will testify
23 as to the outreach programs. Registrars go to shopping
24 centers, registrars go to colleges, registrars go to schools.

25 We have a system that I think has worked well. Mr.

1 Fowler has testified as to the extremely high number of
2 registrants. That's not to say that any system can't be
3 improved. There is a bill that has passed the House, which I
4 have a copy of for your records, House Bill 191, by Mr.
5 Lancaster and many, many others, that deals with a revision of
6 our check procedures to see if people are actually still where
7 they are registered to vote from. We at the present time have
8 three provisions; one is a canvass, one is a challenge by
9 affidavit, one is a purge of people who have not voted for a
10 number of years.

11 That procedure is necessitated by the fact that the
12 canvass occurs only once every four years, and there are
13 inherent problems with that in that the post office will only
14 forward your mail for a year. So it doesn't work. We do o
15 fourth at a time.

16 With the Lancaster bill, it will provide that we do
17 an annual canvass and by doing the annual canvass, you can do
18 away with the challenge and you can do away with the purge.
19 That will effectuate a major change in the registration laws
20 because you will no longer have the requirement that you have
21 to vote once every four years. So if you register and you're
22 still at your address, you can stay registered. And there are
23 people who only wish to vote in presidential elections, I
24 realize that.

25 Now over the last number of years we have been

1 visited by a great cause celebre and controversy called the
2 Volunteer Deputy Registrar movement. I've seen a lot of
3 smoke, I've heard a lot of testimony and I've found it to be
4 devoid of factual content, by and large. I think the bills
5 that have been submitted, in spite of the computerization,
6 provide for an opportunity for fraud. And for those of you
7 who are not from this state, you are witnessing the
8 northernmost exponent of Central American type government.

9 (Pause.)

10 MR. BRUNEAU: Now, I am not prepared at this point
11 in time to say volunteers --

12 MR. FONTHAM: Do you mean you personally are the
13 northernmost exponent?

14 MR. BRUNEAU: No, sir, I don't like to be a northern
15 exponent, I prefer to be a southern exponent. I'm speaking of
16 banana republics, so to speak.

17 You know, the right to vote is the cornerstone of
18 our democracy. And you don't realize how precious it is and
19 how much you ought to try to safeguard that to see that the
20 person who votes is the person who says that's who he is, and
21 he is that person or she is that person, and that person lives
22 where that person says he or she lives, until you see what
23 happened last week in Panama.

24 Now I don't think we'll ever have a Panama here, I
25 hope we don't, but there are some very sophisticated methods

1 of voter fraud in this state and to allow volunteers
2 unsupervised to go out on the street to recruit and register
3 people, I think opens the door for fraud.

4 Now if we are talking about getting registrars out
5 more often and finding a way to do that, then you're looking
6 at the right person. I'm more than happy to do that. I filed
7 a bill to try to end the controversy. I have tried to meet
8 with some of the folks who feel that we need to have volunteer
9 deputy registrars. There are a number of concepts that have
10 been put out at this session. I'm hopeful that we might be
11 able to resolve that in some form or fashion.

12 I would think that if you're going to do that, what
13 you want to do is have a volunteer that can work under the
14 supervision of the registrar. That to me is the key to
15 preventing fraud, that the volunteer is (a) qualified and
16 understands the functions of the registrar's office and what
17 he or she is supposed to do and (b) is operating under the
18 supervision of the registrar. The so-called penalties are
19 nothing. You know, what are you going to do, remove somebody
20 as a volunteer who has violated the law. Well the damage is
21 done.

22 So I think there is room to try to do that and that
23 will enable registrar personnels to go to schools, instead of
24 going to schools once every three years to go to schools once
25 a year. Instead of going to shopping centers once every three

1 months, to go every month, then I'm for that. Because I think
2 everybody -- of course I have a little different view as to
3 voting being a right. I think voting is a duty, I think every
4 American citizen ought to exercise the right and the
5 prerogative to vote. I think it's sad when people don't go
6 and vote, but the upside of that is that this is a free
7 country and you can't make people do things.

8 Now the countries that have the highest voter
9 turnout in the world are usually some of the most repressive
10 countries in the world. Part of living in America is to say
11 if you don't want to do it, we can't force you to do it.

12 So I think it's laudable that you folks are here
13 today conducting these hearings and I'm pleased to be a part
14 of it, and I'll be glad to answer any questions if anybody has
15 any.

16 MR. FONTHAM: Out of deference to the long-standing
17 relationship you have with Ms. Madden, we're going to start on
18 that side of the room.

19 MS. RICHARDSON: He's shifted to the right.

20 MR. BRUNEAU: That's an unusual position for Ms.
21 Madden.

22 MS. MADDEN: Can I start?

23 MR. FONTHAM: Sure, go ahead.

24 MS. MADDEN: Representative Bruneau, you mentioned
25 that Louisiana has a reputation of being a banana republic.

1 Do you feel that our citizens in this state are less honest
2 than citizens in Alabama where they have a volunteer deputy
3 system, or in Michigan where they have a drivers license
4 bureau system or in 49 other states where they have more open
5 registration --

6 MR. BRUNEAU: Ms. Madden, were you living here in
7 1979? Do you remember what happened in 1979?

8 MS. MADDEN: (Nodding head affirmatively.)

9 MR. BRUNEAU: Let the reporter reflect that the
10 questioner is nodding assent that she remembers what happened
11 here in 1979. We had wholesale election fraud in the
12 gubernatorial election. As a result of that, major changes
13 were made in the way that the voting machines were operated.
14 Because you happen to be looking at the person who, in a
15 committee room with a Q-tip, changed the totals -- with a Q-
16 tip and a screwdriver, opened up the machine, changed the
17 totals, took the glass off, put the machine back. So yes,
18 ma'am, I do remember that.

19 I also remember when I was a little boy -- you
20 perhaps weren't born then, but I read about it in the history
21 books, that the former senior United States Senator from
22 Louisiana was elected when the results came in from one
23 southern parish in the state two days after the election, and
24 more people voted than there were people in the parish.

25 So I don't know whether Alabama and Michigan have

1 histories like that, Ms. Madden, but we certainly do, as you
2 well know.

3 MR. FONTHAM: We've got a yes or no question for
4 you.

5 MS. REIBOLDT: But you can say more than that
6 because we've got more time, if you'd like.

7 My question is --

8 MR. BRUNEAU: Well I could go on all day if you want
9 me to.

10 MS. MADDEN: We don't though.

11 MR. BRUNEAU: I didn't think you would.

12 MS. REIBOLDT: Do you know of widespread
13 discrimination or denial of equal protection of the laws
14 regarding the privilege of voting because of race, color,
15 religion, sex, age, handicap or national origin?

16 MR. BRUNEAU: No, ma'am, I don't. And if I did, I
17 would do whatever I could to correct that. I want to say that
18 you raised the question of handicapped, and I don't know if
19 anybody has addressed to you the program that we have with
20 respect to handicapped citizens, to allow them to register and
21 to vote at home, but we do have that kind of program for
22 handicapped citizens.

23 MS. REIBOLDT: Thank you.

24 MR. BRUNEAU: Yes, ma'am.

25 MR. FONTHAM: Anybody else?

1 MS. RICHARDSON: Please, Mr. Chair.

2 MR. BRUNEAU: Yes, ma'am, Ms. Richardson.

3 MS. RICHARDSON: How are you feeling this morning?

4 MR. BRUNEAU: I'm doing fine, how are you.

5 MS. RICHARDSON: Let's see if you can dig on me like
6 you did on poor Robbie, you usually do.

7 In looking at the bills --

8 MR. BRUNEAU: I was just being truthful.

9 MS. RICHARDSON: Well yes, sir, you always are.

10 MR. BRUNEAU: Thank you, Ms. Richardson.

11 MS. RICHARDSON: Sometimes to my chagrin.

12 In looking at the bills this morning that have to do
13 with the volunteer registrars. In studying those bills, and I
14 have not studied or scanned, do you conceive of that as
15 unsupervised utilization of registrars or volunteers?

16 MR. BRUNEAU: Not House Bill 259.

17 MS. RICHARDSON: Because there are provisions for
18 training, selection -- was that what you referred to when you
19 said unsupervised -- you're against unsupervised --

20 MR. BRUNEAU: No, no. Let's talk about it. You're
21 a good bill reader, Ms. Richardson, and I want to make these
22 bills part of the record. Who do I give that to?

23 MR. FONTHAM: Give it to the reporter.

24 MR. BRUNEAU: That's the bill that I talked about by
25 Lancaster and by me. Training is one thing, but you know I've

1 looked at a lot of those bills and to an unskilled eye, you
2 can look at these bills and say gee whiz, they're very, very
3 similar and I don't really see what difference there is. But
4 a number of those bills say yes, you shall be trained, you
5 shall go to a school, but they don't say that you shall take
6 any type of test to see that whatever you learned at the
7 school sunk in. So I certainly think you should have that. I
8 think that a volunteer should work under the supervision of a
9 registrar or a deputy, and with respect to penalties, I don't
10 think that saying that you can't be a volunteer any more is
11 much of a penalty.

12 MS. RICHARDSON: That answers it, thank you.

13 MR. BRUNEAU: Yes, ma'am.

14 MR. FONTHAM: Okay, what about over here?

15 MR. KUTCHER: What kind of skill does it take to be
16 a volunteer registrar? I don't understand what you need to
17 know to be able to go out and --

18 MR. BRUNEAU: Well you certainly ought to have a
19 minimal knowledge of the election laws, you certainly should
20 be able to fill out the form.

21 MR. KUTCHER: Okay. But what sort of minimum
22 knowledge of the election laws do you need to know to go out
23 there and to sign somebody up for the right or privilege,
24 however you look at it, to vote? I don't understand a test
25 that -- I mean I understand filling out a form, but in terms

1 of -- what kind of knowledge of the election law do you need
2 to know to be able to do that?

3 MR. BRUNEAU: Well there are a number of questions
4 that have to be asked when you register to vote.

5 MR. KUTCHER: Like what? Your age, where do you
6 live?

7 MR. BRUNEAU: Yeah, that's right.

8 MR. KUTCHER: But what else is there? I don't
9 understand -- I mean I understand your concern about voter
10 fraud.

11 MR. BRUNEAU: Okay.

12 MR. KUTCHER: But on the other hand, I don't
13 understand some real need for a strictly supervised procedure
14 to qualify people to be able to go out and ask another -- let
15 me finish.

16 MR. BRUNEAU: Well wait, let's get our terms right.
17 Nobody said it was a strictly supervised procedure. You know,
18 it's a broad test to be developed by the Board of Supervisors,
19 by the State Board of Supervisors, and I think, Mr. Kutcher,
20 that every one of those bills has that provision in it.

21 MR. KUTCHER: Well I understand that. I mean I'm
22 just trying to get some feel for what you need to be able to
23 do to sign somebody up to vote because it doesn't strike me as
24 being anything --

25 MR. BRUNEAU: How about not being convicted of a

1 felony or a misdemeanor, not being an officer of a political
2 party or a political organization or a member of a political
3 group or something like that.

4 MR. KUTCHER: Well I mean, so the differentials then
5 between your bill and any other bill don't, in my view --

6 MR. BRUNEAU: Have you read my bill?

7 MR. KUTCHER: I'm just going on what you told me.

8 MR. BRUNEAU: Have you read the other bills?

9 MR. KUTCHER: I'm going with what you're telling me.
10 And as I perceive the difference, it's some sort of testing
11 policy to see if you learned what you were supposed to learn.
12 But I don't know that what you're supposed to learn is so
13 onerous that, you know --

14 MR. BRUNEAU: That's one of the differences --
15 that's one of the differences.

16 MR. KUTCHER: Okay, what are the other ones?

17 MR. BRUNEAU: Number one is the sanction for fraud,
18 which would be a criminal penalty.

19 MR. KUTCHER: Okay.

20 MR. BRUNEAU: And number two would be working under
21 the supervision of the registrar.

22 MR. KUTCHER: So it would be the registrar's
23 obligation to go out and make sure that -- you know, to
24 recruit these people and to get them out there --

25 MR. BRUNEAU: No, it wouldn't be the registrar's

1 obligation to recruit, it would be the same way that you could
2 be a Commissioner, anybody would have a right to do that. The
3 other thing is that my bill provides that the volunteers would
4 be selected at random on an annual basis and the other bills
5 provide for more discretion as to who would be selected. But
6 I feel that if people want to volunteer, then it ought to be
7 on a random basis and I feel that that ought to be done
8 annually, so that as many people who want to volunteer get the
9 opportunity to do that. And I don't read the other bills that
10 way -- some of the other bills that way.

11 MR. JONES: Representative, when you say the
12 volunteers will be selected on a random basis, do you mean the
13 names will be put in a hat or something and pulled out?

14 MR. BRUNEAU: Right, that's how we do it with
15 Commissioners. Yes, ma'am?

16 MS. MCDADE: Just to set your mind at ease, Pepe,
17 you'll notice that Roberta is to your left, I am to your
18 right. It's an appropriate political seating.

19 MS. MADDEN: He's been confused ever since.

20 MS. MCDADE: To make you feel a little better.

21 MR. BRUNEAU: Thank you.

22 MS. MCDADE: I need to set up what I want to ask you
23 because I served in one particular political district in Texas
24 as both a deputy volunteer registrar and an election judge.
25 And we found some interesting problems that disturbed me about

1 this whole process. For instance, you did not have to take a
2 test, that was not required. However, you did have to raise
3 your hand and swear to do certain things. We found people who
4 perhaps registered as a democrat but when they went to vote,
5 they found that they had actually been registered as a
6 republican, or registered as a republican and went to vote and
7 found that they had actually been registered as a democrat.
8 This was a change by the deputy registrar before the
9 information went in. We found fraud is what I'm saying. We
10 found people's cats registered and people's dogs registered.
11 And we literally had dead people showing up at the polls in
12 alphabetical order to vote. And I'm wondering -- these things
13 disturb me because --

14 MR. BRUNEAU: They disturb me too.

15 MS. MCDADE: -- Louisiana is not known as a state
16 with the highest political morals, and that's as close as I
17 will come to saying that we have some crooks in this state.

18 MR. BRUNEAU: Well that's what I was kind of
19 alluding to when I talked about being the northernmost
20 exponent of Central American style government.

21 MS. MCDADE: My question is, are there any other
22 examples of fraud from other states that you are aware of that
23 perhaps we need to know about?

24 MR. BRUNEAU: I am not really familiar with what
25 goes on in other states. You know, it would just be rank

1 hearsay for me to say, but you know, I'm kind of a student
2 government and I have read over the years that the situation
3 in Chicago in the 1960 presidential election left something to
4 be desired and perhaps that still happens on occasion, I don't
5 know. I am familiar with many of the allegations concerning
6 counties in west Texas in the El Paso area, where that type of
7 thing has happened.

8 I really feel, Sandra, that with the advent of a
9 state-wide registration, computerized system, that there is an
10 opportunity to purge out the dead folks that perhaps did not
11 exist in the past. But I mean I can remember -- and it goes
12 with the canvass again, and I think -- I can remember when I
13 first started to run that you'd get your list of folks who
14 were registered, to do your mail outs and you could see people
15 on there that had passed away. That's because the canvass is
16 only once every four years. And then we passed a law that
17 said the vital statistics had to communicate with the
18 registrars. They wouldn't communicate with the registrars, so
19 we had to make them communicate with the registrars, and then
20 the registrars started to do it by hand.

21 Now that both of them have tapes, I think you can
22 mold those tapes in. But at the same time, something that
23 concerns me is that before the advent of computers, you used
24 to have to sign the poll book so you could compare the
25 signatures. Now with the advent of computers, you just sign

1 the list and there's nothing really to compare the signature
2 to. I mean you could sign Charles Emile Bruneau, Jr., you
3 know, and you could look at it and I kind of write like that,
4 not too well, and then if somebody wrote kind of backwards
5 like that, it would be relatively easy to spot when you had
6 the old book. And it's something that I have expressed
7 concern about to the registrars and to Mr. Fowler's office on
8 a number of occasions. Hopefully one day we're going to get
9 to the point where at least there'll be a facsimile of the
10 signature that you can check against the poll rolls, because
11 we've had a thing that's called ringing the bell here.

12 Now let me explain to you how that works. If you
13 have all five of the Commissioners and you don't have a
14 watcher and you have somebody who has a propensity for fraud,
15 when that poll was closed at 8:00 if you don't close the
16 machine, and you just stand there and you start voting the
17 people who haven't voted that day, and every time you vote a
18 bell rings on the machine -- hence the phrase "ringing the
19 bell". That's been known to happen. That happened, Ms.
20 Madden, in a Congressional election, it was called Morrow
21 versus Tonray and former Judge William V. Redman made a
22 wonderful quote, which I keep on my desk, in his opinion in
23 the Court of Appeals. And it's to the essence of "Few forces
24 could muster the grouping -- not the groupings -- the ability
25 that master the foulness of this election." Now I'm not as

1 eloquent as Redman was, but it was the best one sentence
2 description of voter fraud that I've ever seen. And you know,
3 that fellow went to the United States Congress. And the
4 United States Congress -- it smelled all the way to
5 Washington. And the United States Congress started to convene
6 hearings, but in the meantime the federal court caught up with
7 the fellow because he got indicted on something else and he
8 resigned. So we do have that history.

9 But I don't really know about other states and it
10 would be rank hearsay for me to say so.

11 MS. MCDADE: One follow up.

12 MR. BRUNEAU: Yes, ma'am?

13 MS. MCDADE: In the various bills that Roberta was
14 referring to, what safeguards are in those bills, if any, t
15 prevent a deputy registrar, a volunteer, from registering
16 people who do not exist?

17 MR. BRUNEAU: There's no opportunity for real
18 verification by the registrar other than if you say you're
19 going to send a card to the address. Well if you have the
20 address, you know, if you've got the drop set up, you know,
21 there's none. That's my qualm about it, that's why I want a
22 public official to be there and have the registrar or a deputy
23 when the volunteers are working. You know, I think there are
24 some very -- I don't really attach bad motives to people until
25 I see that they have bad motives, and I think there are some

1 very public spirited citizens, particularly League of Women
2 Voters folks, who really want to go and make a contribution to
3 government. And I want to give them the opportunity to do
4 that and at the same time I want to stop the evil minded
5 person who wants to go take a warm body and register that body
6 under a false name. That's the dilemma that we have and
7 hopefully we're going to be able to work our way out of it.
8 Reverend Alexander and I had a fairly lengthy meeting
9 yesterday and we're trying to see if we can come together on
10 something that will achieve both those goals.

11 MR. FONTHAM: Okay.

12 MR. BRUNEAU: Thank you, Mr. Fontham and members of
13 the Commission, I appreciate the privilege of appearing before
14 you today.

15 MR. FONTHAM: Representative Bruneau, thank you very
16 much.

17 Our next speaker is Representative Accardo. Are you
18 here, sir? Great.

19 STATEMENT OF REPRESENTATIVE JOE ACCARDO

20 MR. ACCARDO: It's a pleasure to be here today and
21 follow my colleague Representative Bruneau. We've served
22 together on the House Governmental Affairs Committee now for
23 12 years, beginning in 1976, and have worked together on
24 trying to draft the best election code in the country and I
25 think we probably have the best election code in the country.

1 We have written laws and constantly refine them, of course
2 under the supervision of the U.S. Justice Department. And I
3 believe the way our law is written today, it's about as good
4 as any legislative body can draft.

5 Ms. McDade -- is it? I don't think we have any more
6 corrupt officials and people who run the election process in
7 this state than there is in any other state. We're not the
8 best, we're not the worst. And I challenge you to produce
9 evidence that that is the case.

10 Mr. Bruneau raised a question of the 1979 election.
11 In that election as it turned out, all of the investigations
12 and the lawsuits resulted in there being no fraud, there was
13 no finding of fraud in that election. And I think it was more
14 political than substance, but I don't believe that the bills
15 we've offered today, offered in this session, will infringe
16 upon the integrity of the election process.

17 The voluntary deputy registrar's bill which was
18 offered last year and the year before that, I think as drafted
19 and introduced by me has all of the safeguards that you need.
20 The only difference between the volunteer and the paid deputy
21 is the pay. The volunteer is going to be required to be
22 trained under a training program devised by Mr. Fowler's
23 office, be tested under a test devised and drafted by Mr.
24 Fowler's office, and the test is going to be administered by
25 the registrar himself. The registrar would determine the

1 number of volunteers to be used; one, two, ten, none. He
2 doesn't have to use them if he or she doesn't want to.

3 The number to be used will be drawn from a hat, it's
4 a random drawing. There might be 50 volunteers, the registrar
5 will draw and say I need one, I need two, I need ten and draw
6 from the hat.

7 I believe that the process, if this bills becomes a
8 law of this state, the various registrars will have the
9 ability to use help that they now can't get from the state or
10 from their local governments. They'll be able to send -- very
11 frequently send people out to shopping centers, schools, PTA
12 meetings, high schools, more often than they do now. Some of
13 our registrars do a very fine job at that, some of them don't
14 because either they don't have staff to do it or because they
15 can't do it or don't want to do it.

16 But I think this is a way to help them without it
17 costing the state any money, and let me say this, I believe
18 the people that are going to volunteer and go through this
19 whole process are going to be people who are civic minded,
20 people who want to see the process opened.

21 We don't -- we have a huge number of people in this
22 state who are not registered to vote. I agree, voting is a
23 privilege, but we should not make it difficult to register to
24 vote. Some states allow you to register on the day that you
25 vote. I believe there are one or two that do that. I don't

1 advocate that at this time, we need to take one step at a time
2 in opening up the process.

3 Besides the volunteer registrar bill, I've offered a
4 bill which would allow you to register to vote by mail, by
5 post card registration, on a form that would be notarized,
6 you'd have to go to a notary and say I'm Joe Accardo, I want
7 to register to vote, it's inconvenient for me to get to the
8 place where I need to register, here's my I.D. to show this is
9 where I live, my driver's license shows where I live, and I
10 want to register to vote. Send it in and then the registrar
11 will take that information, process it, determine what
12 precinct I might live in, and send me a card to my address.

13 The same thing happens with the volunteer register
14 bill, whatever volunteer registration cards that are picked
15 and sent -- taken to the registrar, the registrar has the
16 final say so to determine if in fact he or she is going to
17 register that person.

18 The other bill offered is a registration of a voter
19 whenever you renew your driver's license or whenever you
20 secure a new driver's license. That is done in several
21 states, Michigan and Colorado to name two that do that.
22 Almost the same exact information is secured when you register
23 to vote as when you renew your driver's license or secure a
24 new driver's license, and it can work. The computers that we
25 have will allow that to work. Mr. Fowler has told you that

1 every registrar has a sophisticated computer system. There's
2 virtually no ability for someone to register in multiple
3 places as used to be the case -- that can't happen any more
4 with cross checking.

5 Like Mr. Bruneau, I believe that most people --
6 99.5% of the people are very honest and would not try to
7 circumvent the process. I know that's the case in my
8 district, and if there is any attempt to commit fraud -- and
9 there's been people who have tried to do that, I won't deny
10 that -- it has been under the existing law. And I don't see
11 these three bills causing it -- making it any easier for fraud
12 to be committed. In fact, I think the more people we have
13 registered to vote, the more people who vote on election day,
14 the less effect anyone can have on an election process by
15 committing fraud with one to ten people.

16 I'd be happy to try to answer questions.

17 MR. FONTHAM: We'll start again on this side.

18 MS. ADAMS: Representative Accardo, why do you
19 believe that voter registration reform is necessary?

20 MR. ACCARDO: Well there are a huge number of people
21 in our state who are not registered to vote, which means they
22 are excluded from the election process when they're not
23 registered to vote. So therefore, if we reform the law in the
24 fashion I've just described to you, I believe the process will
25 open up. You'll have deputies, volunteer deputies, going to

1 shopping centers, to schools, to Lion's Club meetings, to
2 wherever people gather, and allowing people who have not taken
3 the time to register to vote, to vote.

4 Now I agree, you know, if that person had done his
5 or her civic duty, maybe that person is not interested, but
6 let's say all of a sudden he or she decides he or she wants to
7 vote in an election. In my district, for instance, in my
8 parish, the registrar of voters office is on the other side of
9 the Mississippi River, you have to catch a ferry to go there
10 to register to vote. And 90% of the people live on the
11 opposite side of the river from where the registrar is
12 located. True, she opens up her office once or twice a week
13 at night, but for some people that still is a very
14 inconvenient thing to do. I think it's our duty as a
15 government to reach out and to drag people into the process.
16 I think the more people involved in the process, the better
17 government we will have.

18 MS. ADAMS: Okay, so if I understand you correctly,
19 you want to make it more convenient for what you call the
20 large volume of voters, which is roughly 30 to 20%.

21 MR. ACCARDO: Thirty percent is a good estimate.

22 MS. ADAMS: And not the fact that you think there
23 are large numbers of voters who are being denied the
24 opportunity to register to vote.

25 MR. ACCARDO: Well I don't think there's any

1 conscious plan to deny people the right to vote because of
2 race, creed or color. I've heard the questions asked earlier.
3 I think because we make it difficult to register to vote,
4 those who are less mobile don't get to vote, those who are
5 less educated don't get to vote -- don't get to register to
6 vote because maybe they're intimidated by the process of
7 having to go to let's say to a court house or to a public
8 building to register to vote. Many people don't have
9 automobiles to be able to travel around and make a special
10 trip to go register to vote. I've seen people -- poor people
11 without cars have to pay other people to take them to the
12 doctor, to see a doctor.

13 Now to tell that person hey, I want to go register
14 to vote down the street or ten miles from here, I'm going to
15 pay you five dollars to do that, that's unrealistic for
16 someone who might be on welfare or might not be educated.

17 So to the extent that the process is inconvenient, I
18 think it discriminates against the uneducated and the poor.

19 MS. ADAMS: Do you have any statistics on the nature
20 and extent of the complaints that are received that I am
21 unable to vote -- register to vote?

22 MR. ACCARDO: Well almost at every election time,
23 I've had people tell me I wish I would have registered to
24 vote, but it's too late. What happens is as you get closer to
25 the time of election, people become interested and of course

1 we cut off the time to register to vote some four weeks I
2 believe ahead of the time of the election, and then that
3 person can't vote.

4 I'm not going to tell you that I have a list of a
5 thousand people who have complained. But the very fact that
6 so many people are unregistered tells me that for such an
7 important event, civic duty, we ought to make it as convenient
8 as possible, just like you find a grocery store on every
9 corner because someone wants to sell groceries, we ought to
10 make it convenient for people to register to vote because it's
11 essential to our democracy that everyone is involved in the
12 process.

13 MS. ADAMS: I have one final question. Then you
14 would say based on your perspective, you think it is importa
15 to risk the possibility of fraud to increase convenience.

16 MR. ACCARDO: Ma'am, I do not see how any of these
17 bills could increase the possibility of fraud. I disagree
18 strongly with my colleague, Mr. Bruneau, that this would allow
19 fraud to be committed. I too believe that people are honest,
20 99.5% of the people of this state are honest. And if we pick
21 up 100,000 new registrants under this process, and maybe we
22 make a mistake in a very small number, in the process of
23 checking and cross checking with our computers, we'll find
24 those people and weed them out. I think the good we do far
25 outweighs the small bad that could happen. I don't see that

1 as happening.

2 MS. RICHARDSON: I'll defer and if there's time
3 left, would you come back to me, Mr. Chairman?

4 MR. FONTHAM: Sure.

5 MS. MADDEN: I'd like to ask a quick question, Joe.
6 How does Louisiana compare with other states in accessibility
7 to voter registration?

8 MR. ACCARDO: Well I think we're in the middle.
9 There are many states that allow more liberal processes, as I
10 said registering to vote by mail, registering at your drivers'
11 license bureau. I think some states even allow, as I said
12 earlier, allow you to register on election day.

13 But what other states do I don't think is the
14 question. I think what is workable in this state is what we
15 ought to look to do. I don't -- just because some other state
16 may have had a bad experience or a good experience doesn't
17 mean that's going to happen here. I think what we propose in
18 these three bills can work to the advantage of our citizens.

19 MS. MADDEN: Thank you.

20 MS. REIBOLDT: The reason that you heard the comment
21 that I'm making concerning the denial or discrimination is
22 that that's within our jurisdiction here today and that's what
23 we're talking about. We're really not here to debate the pros
24 and the cons of the bills that are being offered up in the
25 legislature, although the information has been very useful.

1 But it is important for us to understand, and because you have
2 been out there and you've been around and you hear from
3 people, do you know about any discrimination that exists or
4 ~~the denial of equal protection that exists because of this~~
5 privilege to vote, based upon race, color, religion, sex, age,
6 handicap or national origin?

7 MR. ACCARDO: I'll repeat my answer, I know of no
8 one who has gone out and tried to discriminate against
9 individuals on those bases, except that in the broadest sense
10 when you say that of the poor people in this state, the large
11 majority of them are black, then they're being denied access
12 to the ability to register to vote because we make it a little
13 bit more difficult than we ought to be making it.

14 MS. REIBOLDT: Let me ask you to clarify another
15 point because I want to be sure that I understood you
16 correctly. You said that because people are not registered
17 means that they are being excluded. That's a pretty negative
18 statement about this state and I don't know that the total
19 responsibility should be laid upon the fact that we're saying
20 because they're not registered, then they're being excluded.
21 I don't think we attempt to exclude anyone. That would be the
22 way I would look at it, that part of the blame for someone not
23 being able to vote might be a little bit their fault.

24 MR. ACCARDO: I agree with you.

25 MS. REIBOLDT: Okay, I just wanted to clear that up

1 because you did say that earlier.

2 MR. ACCARDO: Well what I mean is that -- yes, some
3 of the fault is theirs. If a person has an automobile or the
4 financial ability to get to different places to register to
5 vote and he or she doesn't, well then she's at fault, but if
6 we make it difficult for them to register to vote when it's
7 within our power to make it easy, then I think to that extent
8 it's our fault, we do not make it easy when we can do it at a
9 relatively small cost. We should not design laws or draw
10 mazes that people have to walk through in order to register to
11 vote when it's just as easy to draw a direct line to the place
12 where they register to vote.

13 That's my point. My point is we ought to make it as
14 easy as possible and tell the people who might, as you imply,
15 find time to do everything else but not to register to vote,
16 tell them now there's less of an excuse. It's much easier to
17 register to vote, do your duty. We educate them. When you
18 have a large underclass of people, uneducated people, poor
19 people, then the harder you make it for them to register to
20 vote -- I stand by my statement, you exclude them from the
21 process when you do that.

22 MR. FONTHAM: Yes, sir.

23 MR. BAKER: Representative Accardo, under your bills
24 if they were to go into effect, what safeguards in the bills
25 would allow detection of illegal aliens who wanted to register

1 to vote?

2 MR. ACCARDO: Well in the case of the volunteer
3 registrar, the volunteer registrar would follow the exact same
4 process that the paid volunteer would follow and ask for a
5 birth certificate, a driver's license or other evidence of
6 citizenship and of residency and identification. The exact
7 same requirement would have to be fulfilled in order for a
8 volunteer registrar to complete the process.

9 MR. BAKER: Now that would not apply on your post
10 card registration though, would it?

11 MR. ACCARDO: In the case of post card registration,
12 the ability to exclude an alien would be circumvented if in
13 fact the alien was for instance able to get a driver's license
14 or a birth certificate which showed the person was born in
15 this state.

16 MR. BAKER: To whom would the person present those
17 documents under your post card registration?

18 MR. ACCARDO: The post card registration requires
19 that you present this evidence before a notary, then the
20 notary would have to verify that the person who said he or she
21 is a certain person --

22 MR. BAKER: What penalty would there be on a notary
23 for not checking these documents? As you know, some notaries
24 do not even comply with the law in such things as having the
25 person sign in front of them as they're supposed to do in

1 notarizing documents.

2 MR. ACCARDO: When a notary does that, he or she
3 stands to lose her license as a notary.

4 MR. BAKER: And how many licenses have been lost
5 that way?

6 MR. ACCARDO: I have no idea, sir.

7 MR. BAKER: I don't think you'd find very many. So
8 what penalty would there be for the notary other than the
9 existing penalty which is not much?

10 MR. ACCARDO: Well also committing a violation --
11 let's say if you attempted to register by post card and you
12 lied, you say you're a citizen of this state and of the United
13 States, you commit election fraud. There are significant
14 penalties within our election code for committing election
15 fraud.

16 MR. BAKER: But there would not be --

17 MR. ACCARDO: You could be prosecuted.

18 MR. BAKER: But there would not be on the notary for
19 instance the kind of penalty that there is under the
20 Immigration Act of an employer who does not validly document
21 the process of one who is applying for a job even.

22 MR. ACCARDO: I'm not sure that if the notary
23 realizes -- and the forms we devise would make clear that the
24 notary is responsible for securing certain information and
25 that failing to do so would violate the election code, then

1 the notary would be put on notice that he or she is expected
2 to verify this information, and failing to do that would
3 commit a violation of the election code and thereby subject
4 them to penalties.

5 MR. BAKER: I'm wondering why you put in this
6 business about going to the notary because a big part of your
7 presentation was the inconvenience of somebody paying somebody
8 else to drive them somewhere to register. Would you
9 anticipate that we would have floating notaries around, or
10 would not people have to again pay somebody to drive to go to
11 a notary who is going to charge them to notarize the document?

12 MR. ACCARDO: Well you know, in the case of lawyers
13 and even in the case of all the notaries who are not lawyers,
14 you could establish a cadre of lawyers and notaries who might
15 want to do pro bono work to make it convenient for people to
16 go to them to get something notarized. The reason for the
17 notary requirement is you're damned if you do and you're
18 damned if you don't. We put in the requirement to satisfy the
19 complaint that someone could commit fraud. Now you're trying
20 to use it as a way to say well this is making it inconvenient.

21 We do this exact process for our overseas citizens
22 of this state. We now follow the process of allowing people
23 to register to vote that way, for our military personnel and
24 our citizens who are overseas. We require that they go before
25 a notary or before a consular official.

1 MR. BAKER: Well the rationale there is that they
2 cannot return back here and I'm trying to probe and see what
3 the rationale is, to see whether there's any consistency to
4 the stated rationale.

5 MR. ACCARDO: The rationale is that this is one more
6 way to allow a person to register to vote. I can just tell
7 you this, it's far more convenient and less costly for a
8 person coming in my office to get a post card notarized than
9 it is for that person to drive across the river to register
10 the vote. That's one instance I know of where it's far more
11 convenient -- or to get on a public service bus to go down to
12 downtown New Orleans to register to vote, or wherever you
13 register to vote in New Orleans. You know, it's going to cost
14 a minimum of \$2.00 and perhaps a lot of time to do that, if
15 you want to do it. So it's not without cost under the
16 existing system. You pay in order to get to a place to
17 register to vote.

18 MR. FONTHAM: Representative, I think there's some
19 questions over here.

20 MS. MCDADE: Two of my questions have already been
21 answered. I've been looking at your bill 205 and this is
22 where you've been referring to a lottery, drawing from that?

23 MR. ACCARDO: Right.

24 MS. MCDADE: Well what disturbs me about that, and I
25 don't understand, perhaps you can explain it to me, because in

1 the first section of this particular bill it says that from
2 the list of those having attended the school and successfully
3 passed an exam, from this list the registrar may appoint as
4 many volunteer deputy registrars as necessary, and it goes on
5 further to say that he can deem for himself how many he wants.

6 MR. ACCARDO: Sure, he's got the sole control.

7 MS. MCDADE: Right. It's only in Section K(3) that
8 if there are more qualified persons than he determines he
9 wants, at that point he may make a lottery. In other words,
10 he actually has the right to appoint anyone he wants to or as
11 many as he wants to or as few as he wants to, and the lottery
12 thing only takes place if he feels that he has more qualified
13 people -- it won't necessarily be a lottery, it might possibly
14 be just an appointment.

15 MR. ACCARDO: That's logical. Let's say in the
16 parish that I live in a practical number might be 15
17 volunteers to serve the needs for 40,000 people, 45,000
18 people. If only 10 apply, I'm sure that registrar could use
19 those people very effectively. But if 50 applied and took the
20 test and were qualified, he or she, our registrar, would not
21 have the ability to supervise that many people and I could
22 understand why she might not want to use them all. So then
23 she would pull names from the hat to make it as fair as
24 possible. That's the only time I see that it's necessary.

25 MS. MCDADE: And would you be opposed to putting

1 into your bill, or do you think it might be beneficial to put
2 into your bill that when a deputy registrar does register
3 someone or perhaps when you register by post card which
4 sounds more difficult to me than going downtown, that some
5 kind of identification number should be placed, perhaps a
6 social security number or driver's license number.

7 MR. ACCARDO: The law requires that they ask for a
8 driver's license or a social security number, birth
9 certificate.

10 MS. MCDADE: Could we -- would you be adverse or do
11 you think it might be advisable to write that down on the
12 application?

13 MR. ACCARDO: No, that's a good idea, and it may
14 already be the process on the existing registration form that
15 the driver's license number is written down. As you know
16 under the federal law, we can't require someone to give a
17 social security number, but we can require -- our state law
18 requires that the driver's license be produced or if the
19 person doesn't have a driver's license that he or she produce
20 a birth certificate or some other document to show who the
21 person is.

22 MR. FONTHAM: Okay, other questions? Mr. Jones?

23 MR. JONES: No.

24 MR. KUTCHER: Thank you.

25 MR. FONTHAM: Thank you, Representative Accardo, we

1 appreciate your participation.

2 Just a little aside, I'm -- this is a bit of a
3 surprise to me, but I'm informed that in the area of the right
4 to vote, the Commission's jurisdiction is a little broader
5 than it is in other areas and this little handbook that we
6 have says that the Commission has the jurisdiction to
7 investigate allegations that citizens are being accorded or
8 denied the right to vote in federal elections as a result of
9 patterns or practices of fraud or discrimination, and that is
10 without reference to any particular race, color or whatever.
11 So we do have a little bit -- perhaps substantially broader
12 jurisdiction in the voting area.

13 MS. ADAMS: I'm sorry, I don't really understand
14 that because it still goes back and says it has to be
15 allegations of denial or discrimination.

16 MR. FONTHAM: But it doesn't say on the basis of
17 color, race, religion, sex, age, handicap or national origin.

18 MS. ADAMS: So what are we saying, are we going to
19 investigate people who wear green shoes?

20 MR. FONTHAM: If there's a pattern of discrimination
21 against anything.

22 MS. ADAMS: Well how do we -- I mean you have to
23 have some indication that there is a pattern.

24 MR. BAKER: Michael, I would suggest that it's
25 probably keyed to the Voting Rights Acts which do go beyond in

1 certain respects the plain language of the 14th Amendment
2 using Section 5, and if you do that, for instance, on language
3 discrimination and other things, I think that may be why
4 they've not limited the language there. But still the Voting
5 Rights Acts are not completely open-ended as maybe your
6 comment would suggest our jurisdiction is.

7 MR. FONTHAM: Well I'm not trying to say that our
8 jurisdiction is open-ended. I'm just reading the book.

9 MS. REIBOLDT: And I want to state that you have
10 read verbatim out of the book.

11 MR. KUTCHER: Let's not squabble in public.

12 MR. BRASS: We'll have a meeting at lunch time.

13 MR. KUTCHER: We can squabble later.

14 MS. MADDEN: I'd like to hear what Representative
15 Brun has to say.

16 STATEMENT OF REPRESENTATIVE ROY BRUN

17 MR. BRUN: Ladies and gentlemen, I'd like to thank
18 you for asking me to be here at this historic moment.

19 (Laughter.)

20 MR. BRUN: With all due respect, I would have to
21 disagree with the remarks and the substance of the remarks by
22 my colleague, Representative Accardo, and I would like to
23 adopt by reference the remarks of my other colleague,
24 Representative Bruneau, having been here to hear both of them.

25 I would be concerned if I thought that the state or

1 circumstances unrelated to the state erected or resulted in
2 the erection of barriers to people exercising the right to
3 vote. In Louisiana I do not believe that to be the case.

4 I would like to leave you with two points, which I
5 will make as rapidly as I can. The first is that I fear the
6 politicalization of the registrar's office. I think that's
7 something we need to be very concerned with. The second is
8 that in a state with a history of widespread voter fraud and
9 corruption, I think we run a risk of additional fraud and
10 corruption the more intricate and the more involved we make
11 our registration and our voting process. Each new addition to
12 it opens a new potential for fraud.

13 I'll talk more about that later, but let me tell
14 you, Representative Accardo said I challenge you to produce
15 the evidence of fraud. I'm an eye witness to the fraud. I
16 was involved in prosecutions in a Congressional race in the
17 Fourth District of Louisiana that resulted in over 20 people
18 either pleading guilty or being convicted of election fraud.
19 And I've seen it first hand. We'll talk about it in a second.

20 The first point, the politicalization of the
21 registrars office. I realize that the bill for deputy
22 registrars has a number of safeguards. I think if you set up
23 a procedure for volunteer deputy registrars, the more
24 safeguards you put on them the better. I also realize how the
25 political process works in the Louisiana legislature. You may

1 have an instrument that's introduced into committee, it can be
2 changed in that committee. If it's introduced in the House,
3 it then goes to the floor of the House where it can be changed
4 again. Then it goes to the Senate committee where it can be
5 changed and then it goes to the floor of the Senate where it
6 can be changed. And then it goes to a conference committee
7 where the author and a couple of his friends can basically
8 rewrite it in total and make it say anything they want it to
9 say.

10 So I tend to look at bills more seriously when they
11 return from the Senate and to examine very closely who ends up
12 on the conference committees, because you may start out with a
13 horse and end up with a zebra by the time it's over with. So
14 I think that's something you have to be concerned with.

15 Now getting to the registrars, what I think you run
16 the risk of are people volunteering to be deputy registrars to
17 serve a personal political agenda. We have a great amount of
18 participation, you've heard our Commissioner of Elections and
19 the other people testify. In Louisiana, politics is almost
20 not a spectator sport but a participatory sport. We have a
21 lot of people who get involved in it. So I don't think we're
22 suffering from that.

23 What I worry about is this, who is going to
24 volunteer to be a deputy registrar? Perhaps a few people who
25 are actually interested in it out of philosophy and out of a

1 desire to make voting more widespread. But I suggest to you
2 that probably the people that are going to be interested in it
3 are the people who are supporting a particular candidate or
4 the people that are supporting a political party or the people
5 that are supporting a particular political agenda of one form
6 or another, because these are the people that are interested,
7 these are the people that are motivated and these are the
8 people that want to alter the current make-up of the
9 electorate.

10 Now I'm going to tell you it doesn't reside with any
11 philosophy or with any party. The republican party and the
12 democratic party as well both have registration drives, and
13 I'm going to tell you they go to different areas. The
14 republican party in its registration drives go to precincts
15 that traditionally vote republican. The democratic party goes
16 to precincts that traditionally vote democrat. They pick
17 their best precincts and that's where they push for their best
18 registration drives. And I think this is what you run the
19 risk of bringing into the registrar's office. I think that is
20 a very serious risk. The registrar should be above the then
21 current political controversy.

22 I'll go one step further and tell you I think you
23 also run the risk of having people hired by a candidate or by
24 a party to become volunteer registrars.

25 We have a very -- well I just call it a very

1 disgusting practice in Louisiana and it borders on illegal,
2 but it's done in a way that just keeps the people this side of
3 the law, and that's vote hauling. People get paid for it in
4 this state. They go around on election day with their vehicle
5 and they are paid to haul people to the polls. And let me
6 tell you they're paid by the candidates. They go to the areas
7 that those candidates feel their supporters are and they're
8 paid to do that. And what I'm going to tell you is I think in
9 practical terms, if you set up a widespread volunteer
10 registrar's situation, you're just opening the opportunity for
11 deputy or volunteer registrars to sign up, because they are
12 paid by a candidate to do it -- that's the way things are done
13 in very many races, in any major race in this state. I don't
14 know of a single Congressional race, for example, or a larger
15 race where vote hauling isn't done. And all you have to do is
16 look at the campaign expense reports and see the listings paid
17 for the vote haulers.

18 I don't think that ought to be legal. If you're
19 looking at voter reform, I think that's something you ought to
20 take a very heavy look at, is the vote hauling. Because it's
21 intimately tied with vote buying. And that's the second point
22 I want to make, the prevalence of vote buying and election
23 fraud. I've seen people sell their vote for five bucks, I've
24 witnessed it, I've been involved as a witness in criminal
25 prosecutions that were very successful. You know, our state

1 couldn't manage to find a political crook, you know, if one
2 were thrown into the office of the Attorney General, the feds
3 have to come in and do our dirty work for us in Louisiana. So
4 these were federal prosecutions. Couldn't get the state
5 involved. You're not going to get the district attorneys
6 involved in it. You know, I'm just speaking practically.
7 District attorneys are elected and they're not going to touch
8 voter fraud with a ten foot pole. You can't get the Attorney
9 General's office involved in it. It's a disgrace when the
10 feds have to come in and do these prosecutions because our
11 Attorney General won't do them.

12 So you don't have any safeguards for election fraud
13 short of the federal government, that I've ever seen. What
14 happens is you have people buying votes, you have people be
15 paid for their vote, in many cases while they're being hauled
16 to the polls. The more involved you make it -- if you have
17 someone that will sell their vote for five bucks, see what
18 happens if you give them an opportunity to register more than
19 once. It's something you need to think about. See what
20 happens if you let them just register by mail. It's a 25 cent
21 stamp and a five or ten buck dividend in many cases.

22 I hate to tell you that, but that's what happens in
23 many, many races and I've seen it occur.

24 And those are the end of my remarks.

25 MR. FONTHAM: Okay, this time we'll start on this

1 side of the room.

2 MR. KUTCHER: What I'm hearing from everybody here
3 is the major reservation against opening up a registration
4 system is the abuse of that system. And I'm -- I mean it
5 seems to me that any system that you have can be beaten by
6 somebody if they want to beat it. I guess I'm wondering out
7 loud why you couldn't open up a registration system and make
8 it easier and still have some enforcement penalties to
9 prohibit that. I mean we all know the reputation of Louisiana
10 when it comes to politics, but this is not the only state in
11 the union that has had election fraud, this is not the only
12 state in the union where elected officials have gone to jail
13 because of election fraud. So I mean, it's not -- from my
14 point of view, it doesn't seem to me that the approach is well
15 we've got a dishonest mentality of the people who are voting
16 in this state, or at least some of the people who are trying
17 to steal elections in this state, and what we have to do is
18 set up more barriers than anybody else to prevent them from
19 abusing the system. Well if you want to abuse the system you
20 can abuse the system.

21 MR. BRUN: Are you asking me for a response?

22 MR. KUTCHER: I guess -- I'm wondering out loud, but
23 since you're standing there, sure.

24 MR. BRUN: Well most of what you said is philosophic
25 in nature and certainly I wouldn't dispute your right to have

1 your opinion of it. I do find one thing you said to be
2 factual and in my opinion factually in error, and that is that
3 we have erected barriers. I know of no action that the state
4 has taken to erect barriers. I know of many actions the state
5 has taken to make voting and registration accessible. But I
6 challenge anyone to come up with a barrier that the state has
7 erected.

8 MR. KUTCHER: Perhaps I misstated. My point is I
9 think there are easier ways to encourage people to vote or to
10 register to vote -- not encourage them to vote, but to
11 register to vote. And the opposition which I'm hearing today
12 to those easier methods is they're going to abuse the system.
13 Some people are going to steal elections and you're going to
14 have problems with mass registration of people for particular
15 candidates' own personal motivation. But that happens anyway,
16 you know.

17 MR. BRUN: I don't want to unfairly label anybody,
18 but the point of the matter is that by definition you're
19 concerning yourself with the people elect not -- elect -- no
20 pun -- that determine, that decide not to register. And so to
21 the extent that you're talking about people who decide not to
22 register because of physical handicap or legitimate
23 inconvenience, for example having to cross the ferry although
24 Representative Accardo did say that his registrar was open
25 nights, you know, to try to accommodate people, but people who

1 have real barriers I think you make a point. But frankly, I
2 think you and I both would agree that people with handicaps
3 and people with real barriers comprise a very -- a relatively
4 ~~small percentage of the total people who have determined not~~
5 to register to vote. And you just -- I just wonder about the
6 -- when you talk about the people that have decided that they
7 do not care enough to register to vote, whether you're not
8 talking about a group of people that do not value the right to
9 vote as much as perhaps someone who is diligent and goes to
10 the polls and registers and perhaps are these people inclined
11 or more susceptible to having their vote purchased.

12 Certainly many, many votes are purchased in this
13 state and I think if you looked at it -- if you were able, and
14 it's impossible to do probably, but if you were able to take
15 the people who were diligent about voting, cared about voting,
16 went down and registered when they turned 18, you'd find those
17 people in far smaller numbers selling their birth right. But
18 if you go to the people who just don't care to register to
19 start with, it's not of great concern to them or they don't
20 care enough about their system, you know, to register to vote
21 because they want to shirk their jury duty, are not perhaps
22 those people in greater numbers susceptible to having their
23 vote purchased. It's a philosophic question but I think it's
24 something that should be looked at.

25 MS. MCDADE: Representative Brun, I too am concerned

1 about the term "barriers". To me the term "barrier" means
2 something put in front of you that makes it literally
3 impossible, and it's put in front of you on purpose. I know
4 you're on the Board of Elections I believe in Caddo Parish, is
5 that correct?

6 MR. BRUN: Yes, and our program as a matter of fact
7 has our registrar going out, making a number of tours out.

8 MS. MCDADE: This is my question, is it not true
9 that Mr. Fulco has arranged -- arranges on a six month basis
10 or two year, two visit every high school in the entire parish,
11 to have sometimes an entire week at various shopping centers
12 and various areas where people may not have transportation,
13 not just one day but he tends to go entire weeks at a time in
14 the outlying portions of the parish, and I'm wondering could
15 that not be encouraged in other parishes so that these
16 perceived barriers -- and I'm not really sure that they're
17 barriers -- is there a way that maybe either by legislation or
18 by bureaucratic intervenement, that you could request that the
19 various registrars of voters make this effort, therefore to
20 preserve the integrity of the registration?

21 MR. BRUN: I think we could. If nothing else, by
22 resolution of the legislature request that they do that. My
23 information is that that's more the rule than the exception.
24 I'm sure there are some registrars that, you know, just sit in
25 their office and refuse to go out, but I think that many, many

1 parishes this is done.

2 MR. FONTHAM: Mr. Jones, do you have a question?

3 MR. JONES: Yes, I have a question. You represent a
4 district in Caddo Parish, is that correct?

5 MR. BRUN: Yes, sir.

6 MR. JONES: Does it include any portion of the City
7 of Shreveport?

8 MR. BRUN: Yes, sir.

9 MR. JONES: What is the relative make-up of your
10 district, racially speaking?

11 MR. BRUN: My district is predominantly white, it
12 has a fair number of elderly people. The people in my
13 district are largely employed, my district has one of the
14 lower unemployment rates and probably one of the higher
15 education rates.

16 MR. JONES: I have nothing else.

17 MS. RICHARDSON: I'm just wondering, Representative,
18 what makes you even raise a question of more dishonesty among
19 -- that might exist among people who have less access. When
20 we talk about less access, we're talking about people with no
21 cars, we're talking about people who are working from 9:00 to
22 5:00 when the offices are traditionally open. You're talking
23 black people, you're talking poor whites.

24 MR. BRUN: Let me clarify that please.

25 MS. RICHARDSON: Did you not raise it as a question

1 that --

2 MR. BRUN: No, not on access. And if I've
3 misunderstood --

4 MS. RICHARDSON: Let me finish my question, please
5 sir. Did you raise a question as to whether or not we would
6 have more opportunities for fraud if indeed these laws were
7 changed and more access in this case was given, because that's
8 what we're talking about, removing barriers. And if so, why
9 would you raise that question?

10 MR. BRUN: Well let me first of all clarify, I think
11 I specifically excluded problems of access when I was talking
12 with Mr. Kutcher. I specifically stated that accepting people
13 with handicaps, people who have problems in getting to the
14 polls, access problems, we were talking about the other people
15 who do not have access problems.

16 MS. RICHARDSON: These other non-diligent, as you
17 say?

18 MR. BRUN: Yes. Not the people with access
19 problems. And I would challenge you, as I did him, to give me
20 one barrier that we have erected. You've used that term and
21 I'd like to know -- give me one barrier that the state has
22 erected --

23 MS. RICHARDSON: I think even the laws themselves
24 are barriers, but I think we've degenerated to a philosophical
25 question anyway. But since --

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. BRUN: Well what law?

MS. RICHARDSON: All of the laws that we have now are restrictive in nature and in my opinion are therefore barriers to getting to --

MR. BRUN: You mean like age, like not having a felony? Do you advocate that all people of any age --

MS. RICHARDSON: Not having a felony, no, sir, that is not a -- I think the laws -- when I say all of the laws, it is very clear that if we have less than 75% of people participating there is something -- it can't be all non-diligence, but I think we can debate back and forward. We are here about looking at the laws to see if they are restrictive or if they're not. But even if we exclude, as you said, sir, those people who are handicapped or who don't have cars and all of that. If we look at just these people that you're saying perhaps are not diligent, why then, sir, would you conclude that these people are more crooked or more fraudulent than others? In my opinion if you want to be crooked, you can make more money selling cocaine. I don't see the profitability here.

MR. BRUN: What I'm suggesting is that the value of the vote is discounted among people who don't care to register, and that because the value of the vote is discounted, perhaps a greater susceptibility would exist to the purchase of that vote. I think that flows very logically.

1 But now when you talk about diligence, I'll tell you this,
2 get any four people together and see if you get four of them
3 that want to sit on a jury. I practice law and if you're
4 registered, you're subject to the jury pool and it's amazing -
5 - you know, you bring in a jury venire and I'll guarantee you
6 nobody wants to be there. And I'll suggest to you that if you
7 take four people off the street, you're going to come close to
8 finding one of those four that wouldn't register to vote if
9 they were told they were going to have to sit on a jury.

10 MS. RICHARDSON: That is well a factor. But it
11 flows logically for you, sir, it does not flow logically for
12 me.

13 MR. BRUN: I understand.

14 MR. FONTHAM: Bill Quigley.

15 MR. QUIGLEY: The information I have says that there
16 has never been a year in this century that black people were
17 registered at the same percent that white people are in this
18 state, there's never been a year in this entire century.

19 MR. BRUN: I'm ignorant of that statistic.

20 MR. QUIGLEY: Well if in fact I tell you that that
21 is the case and I think that -- from my understanding Mr.
22 Fowler didn't address that, but that is in fact the case in
23 this state, how would you explain the difference between white
24 registration and black registration gaps?

25 MR. BRUN: I have no explanation. I'm not a

1 sociologist or a psychologist.

2 MR. QUIGLEY: Well if in fact that is true, would
3 you think that black people in this state are less diligent or
4 care less about their government or are less likely to be
5 interested in jury duty or anything else than the white people
6 in this state?

7 MR. BRUN: Number one, as I said, I'm ignorant of
8 your statistic.

9 MR. QUIGLEY: But you are the person who drew the
10 conclusion and that's why I'm asking if in fact that is the
11 case, would that affect your conclusion?

12 MR. BRUN: I'm not at all saying that any criteria
13 involving race, age, religion or any other factor like that is
14 an appropriate factor to look at, you know, when you determine
15 qualities that people have, in any way, shape or form.

16 MR. QUIGLEY: The other thing that I'd like to ask
17 you about is I know that there are some registrars here who
18 I've seen testify before that are just really outstanding,
19 that have registered in their parish -- over 80% of the people
20 in that parish are registered to vote, and yet we have several
21 parishes in this state where there's 50%, even into the 40
22 percentile. Would you think that the people in the parish
23 where they're only registered at 40% are less interested in
24 government than the places where they're registered at the 80%
25 level, or do you think that might have something to do with

1 the operation of the registrar's office and the way that the
2 registrar cares and does the outreach that we've heard about
3 here?

4 MR. BRUN: I think that it would be extremely
5 speculative frankly to try to determine why people do or do
6 not do certain things.

7 MR. QUIGLEY: So you wouldn't have any opinion on
8 that?

9 MR. BRUN: I certainly would not speculate.
10 Particularly I wouldn't speculate as a witness in front of a
11 committee, I simply have no knowledge in that area.

12 MR. QUIGLEY: The final thing is you said that
13 people that you think that would take advantage of the
14 volunteer deputy registrar are those that are most interest
15 in candidates, people that are most interested in parties and
16 those who want to alter the current make-up of the electorate.
17 My question to you is what's wrong with that as an intention,
18 if you're interested in parties, you're interested in
19 candidates or you're interested in changing perhaps the make-
20 up of the legislature -- what's wrong with that?

21 MR. BRUN: I think there's absolutely nothing wrong
22 with it on a private basis. What bothers me is developing a
23 relationship with government, with the government sanction,
24 the government stamp, the force of government authority
25 involved in a political agenda. I find that to be very

1 dangerous.

2 MR. QUIGLEY: Aren't there more --

3 MR. BRASS: Representative Brun, I hesitate to ask
4 anything because what I've heard from our elected officials
5 that our election process and our voter registration process
6 is all corrupt and full of fraud, so I hesitate to ask you
7 anything for fear that you might condemn yourself, but I
8 understand that there is no conscious -- you say there is no
9 conscious effort to deny access to anybody who wishes to
10 register to vote. But does not the effect of the system, the
11 way it's set up, deny that access to people; that is, being
12 open from 9:00 in the morning until 12:00 and then from 12:00
13 to 1:00 you're closed, and then from 1:00 to 5:00, you know,
14 the registrar's office is open. Those persons work during
15 that time. Poor people and black people and working people
16 don't have the same access as other kinds of persons.

17 MR. BRUN: Well number one, I still know of no
18 barrier. Now you can talk about the hours, but everybody who
19 works, you know, works during the day. Some manage to go down
20 and register and some don't. And believe me, I have no
21 problem if I knew of a barrier, if I knew of a problem --

22 MR. BRASS: I'm not talking barrier, I'm talking
23 access. I made no mention of barrier, I said access.

24 MR. BRUN: Frankly in my parish the registrar goes
25 out into the areas, he goes out on the weekends, you know,

1 without the volunteer registrars, without the risk that you
2 would run with that type of thing or with the mail-in
3 registry. I think we've done well as far as decreasing
4 inaccessibility for handicapped. You know, I think you can
5 carry it -- and I'm not saying that we are, but I think you
6 can carry it to a ridiculous extreme. I think if you say that
7 we're required to make it easier to vote than to go to the
8 grocery store, easier to vote than to go to the beauty parlor,
9 easier to vote than to do anything else, you place a
10 tremendous burden on government. You almost put government in
11 the position of going out and rounding people up to register
12 them. And I think at that point it may get a little silly.

13 MR. BRASS: As a follow up then, I understand
14 you're from Caddo Parish and you're on the Board of Supervisors
15 of Elections or something like that, Ms. McDade said, what's
16 the percentage of those persons registered that your registrar
17 has been able to register in terms of the population that's
18 eligible to vote, do you know?

19 MR. BRUN: No, I don't.

20 MS. REIBOLDT: Let's make it clear that I think
21 Commissioner Fowler said that 77% of the people in this state
22 are registered to vote -- eligible people -- excuse me, the
23 eligible people, that's the people that are going to be
24 voting. My question is, and really we're sort of focusing on
25 this issue of volunteers as it relates to changing the law,

1 why do we need a law to enlist volunteers to go out and
2 register people. You can go out and within your little
3 sphere, political realm that you work in, because let's face
4 it and let's be realistic, the majority of the people who are
5 going to be involved in doing something like this are people
6 who are interested in this process. So could not volunteers
7 do this without passing laws? Could they not go out and get
8 people and take them in?

9 MR. BRUN: Yes, they do it now.

10 MS. REIBOLDT: And another point that I wanted to
11 make that everybody seems to be thinking -- my sister has just
12 moved to Shreveport -- well really she's been there a couple
13 of years, and she has not registered to vote yet. They only
14 have one car in their family and her husband works out of
15 town, but I have volunteered to go and take her at any time to
16 go and register to vote, but she has chosen not to call me and
17 ask me to do that. And I guess my point is that there comes a
18 point that we have to say we're offering these things and
19 there comes a point to where the person has to say I'm going
20 to take advantage of these things and that it's not
21 necessarily the fact that we're putting up barriers, but that
22 the person has chosen not to vote. Do you agree?

23 MR. BRUN: Well with all due respect, I think that's
24 a statement of philosophy that is very similar to Mr.
25 Kutcher's being a statement of philosophy. I certainly

1 wouldn't argue with either one of your philosophic opinion.

2 MR. KUTCHER: Not necessarily a similar philosophy,
3 just a statement.

4 (Laughter.)

5 MS. REIBOLDT: I understand, that's why I'm sitting
6 on this side of the room.

7 MR. KUTCHER: These seats were not arranged by
8 either one of us.

9 MS. REIBOLDT: One other thing, another problem, are
10 we looking at situations -- Representative Accardo referred to
11 situations where people have to go across the river on a ferry
12 boat. Would there not be a situation where these people could
13 go and open up an office to where these people could go in and
14 vote and that maybe we ought to look at these things on an
15 individual basis as opposed to a broad scope? In some areas
16 there are great things being done, but look at them on an
17 individual basis and require specific things for specific
18 problems as opposed to -- I mean could this be done?

19 MR. BRUN: I think in a general sense, you are
20 always safer attacking specific targets, if you will. Just in
21 general I think the more concentrated and the more refined,
22 the more directed your focus is, probably the better results
23 you get on your objective.

24 MR. FONTHAM: Professor, any questions?

25 (No response.)

1 MR. FONTHAM: Let me ask, is Senator Fields here?
2 I'm just trying to find out where we stand.

3 (No response.)

4 MR. FONTHAM: Well I guess we can work
5 Representative Brun over some more here.

6 (Laughter.)

7 MS. ADAMS: Representative Brun, I'm trying to get
8 possibly some objective data compare to argument over, well
9 Mr. Kutcher's statement, more barriers than any other state
10 exist in people being able to register to vote or the idea
11 that there is more of a lack of access to register to vote as
12 opposed to the opinion that a large percentage of the people
13 who are eligible but who are not registered to vote simply are
14 disinterested in the process. Commissioner Fowler quoted a
15 statistic that something in excess of 70% of eligible
16 registered voters in Louisiana are registered to vote. Do you
17 have any idea of how that compares to other states? I was led
18 to believe that that may be the highest or one of the highest
19 in the nation.

20 MR. BRUN: No personal knowledge, just hearsay from
21 witnesses in another committee that I heard, that we are high.

22 MS. ADAMS: That we are high.

23 MR. BRUN: But as I said, that's not personal
24 knowledge.

25 MR. FONTHAM: Bill, I cut you off. Did you have

1 another question you wanted to ask?

2 MR. QUIGLEY: It was a follow up but I think he
3 addressed it.

4 MR. FONTHAM: Anyone over here?

5 (No response.)

6 MR. BRUN: Well I certainly thank you. I've enjoyed
7 the visit.

8 MS. MADDEN: I have one.

9 MR. FONTHAM: There's plenty of time.

10 MR. BRUN: I think Senator Fields may have struck a
11 home run by not being here.

12 (Laughter.)

13 MS. MADDEN: Representative Brun, I was very
14 concerned to read in the Times Picayune yesterday about a c
15 in Ouachita Parish where the voter registrar office was closed
16 because the registrar was out of town and the deputy resigned,
17 and so they had to leave a note on the door "call the Police
18 Jury if you need help". That may have resulted in one or
19 perhaps 100, we don't know how many, people not getting a
20 chance to register that day. Maybe they came back the next
21 day, maybe not.

22 Are you concerned if it's just one voter who is
23 denied access -- and I'm not talking about barriers here but
24 about access, are you concerned about that problem? It may be
25 fine in Caddo Parish, but it may not be fine in Ouachita and

1 some other places.

2 MR. BRUN: .Oh certainly. You know, I would be
3 concerned with any person who was denied the right to vote or
4 had undue hardships erected in their path when they were
5 seeking to register or to vote, certainly. I would say this,
6 I'm not familiar with the circumstances of the case. Did you
7 say Ouachita or Washington?

8 MS. MADDEN: Ouachita.

9 MR. BRUN: Up in northeast Louisiana. I would say
10 this, there are certainly laws regarding malfeasance and
11 misfeasance in office and I certainly would think that that
12 type of situation, if it is as the paper reported it,
13 certainly not something that would be legal in Louisiana.

14 MS. MADDEN: Thank you.

15 MS. ADAMS: I just have a comment on what Robbie
16 just said, particularly that incident where no one was
17 available in the office and they had to be referred to the
18 Police Jury. I think that is unfortunate when someone wants
19 to register and they go to the time and trouble to try and
20 register and they're not able to do that, but on the other
21 hand, I think that's just one of life's normal occurrences. I
22 mean you might go down on the day of a hurricane and find any
23 government offices closed, or for some other reason, if the
24 air conditioning isn't working. So I think in my opinion
25 there haven't been that many of those types of incidents that

1 I know of to say that that really is a problem.

2 MR. FONTHAM: Why don't we do this, we do have some
3 of the speakers from this afternoon. I understand Mr. Carson
4 would be willing to go now. I would suggest that we fill this
5 time. The other thing I'd like to ask, are Mr. Keller and Ms.
6 Bates here? Okay, based on our afternoon, program, you may be
7 speaking a little earlier than you're scheduled right now. In
8 fact, you'll probably be about 45 minutes earlier, so if you'd
9 just be around a little earlier -- I guess you probably will
10 be anyway, we may be able to end the program early.

11 Marcus, you want to come up?

12 Where did Representative Brun go, I didn't thank
13 him.

14 STATEMENT OF MARCUS CARSON

15 MR. CARSON: I intended to be real short and then
16 answer questions, but I'd like to try and address some of the
17 comments that have been made earlier as well.

18 The first thing, I guess if I may, I'd like to ask
19 if anyone here disagrees with the premise that the only
20 purpose for voter registration is to ensure the integrity of
21 the voting process. Because I think in order to have an
22 intelligent discussion on the issue, we all have to be very
23 clear and I think in relative agreement on why we have voter
24 registration in the first place, and in a lot of cases the
25 process itself takes on a life of its own because we get mired

1 in intricacies of how it's done, when it's done, who it's done
2 by and begin to lose track of the purpose of the whole thing.
3 So if there's no one that disagrees, I can go on. If there
4 is, I'd just like to know.

5 MR. BAKER: Well there are other incidental purposes
6 and so I don't know what you have in mind by your question.
7 For instance, we've talked about jury selection and other
8 things here. There's a whole -- for years the federal jury
9 selection was keyed to voter registration, that raised a
10 number of difficulties in the selection of venires but there
11 are a lot of consequences that follow and things that are tied
12 to voter registration. So it's not inconceivable that there
13 may be other incidental concerns that are addressed in the
14 course of it, and so I wouldn't want to exclude those
15 necessarily in later comments if you're setting up an argument
16 based upon that assumption and trying to close off questions.

17 MR. CARSON: I am, although what you suggest there I
18 don't think interferes with that, since they're using that
19 list for something else, but it's not a test, and that's
20 basically the argument that I would make, that voter
21 registration is not a test for one's motivation to exercise
22 the right or the privilege or however one wants to identify
23 it, to vote. That voter registration exists for the purpose
24 of guaranteeing the integrity of the process. If there are
25 other uses for those lists, then in many ways that's a

1 separate issue, but the purpose for that process -- otherwise
2 it would be called jury selection registry or something along
3 those lines. In fact, they use the drivers' license lists now
4 to do some of that as well.

5 MR. BAKER: Yeah, but we've seen it happen in other
6 areas, social security was for one purpose and now we've used
7 it for many things.

8 MR. CARSON: If I say anything that interferes with
9 any of those premises, let me know and we can come back to it.

10 I think if you start from that basic premise, agree
11 maybe there are other uses but that voter registration serves
12 only that one purpose as a primary purpose and without that we
13 would find another way to select juries, I think --

14 MS. ADAMS: Would you repeat what you said?

15 MR. CARSON: Yeah, that the purpose for voter
16 registration is simply to guarantee the integrity of the
17 election process. We're not trying to use it as a means test
18 or a test of motivation or a test of education or a test of
19 transportation or a test of work schedules or a test of
20 anything else. It's simply to guarantee that registration --
21 to guarantee the voting is done once --

22 MS. ADAMS: So it is a test.

23 MR. CARSON: No. I think it's an insurance, it's
24 not a test.

25 MS. ADAMS: You use the words "it is a test". Go

1 ahead.

2 MR. CARSON: Let me distinguish and then we'll go
3 back. It's to guarantee the integrity of the process and in
4 that way it's an insurance. It is not a test for any of the
5 things that I listed. That's the position I'd like to start
6 from.

7 There's a gap between that idea as the purpose for
8 registration and what we have right now, and many of the items
9 I just listed off in fact become barriers, whether they were
10 placed there intentionally or not. There are systems that are
11 used in other states and other countries that in fact have
12 removed a lot of those barriers. And there is no reason why
13 we can't put some of those into place.

14 Just to address a couple of other points, I think
15 Mr. Bruneau suggested that voter participation tends to be
16 high in countries with very repressive governments, but if
17 you'd permit me to go down a list, I think you'd find most of
18 these countries are not particularly repressive. Australia,
19 the voter participation is at 94%; Austria, it's 92; Denmark,
20 it's 88; New Zealand, 85; Norway, 81; Sweden is 89; West
21 Germany is 89. Those are not what we would probably identify
22 as repressive western democracies. Many of those countries
23 use far more government active methods to register their
24 voters. One example, in Sweden, people are registered
25 automatically through the use of their social security number

1 system. In England, if you're not registered, they will come
2 out and knock on your door, come out looking for you.. In New
3 Zealand and Australia, it's a legal requirement and it's a
4 misdemeanor to not be registered, and in one of those two
5 countries it's also a misdemeanor not to vote.

6 They take their democratic system very seriously and
7 there are some aspects of our governmental operations that we
8 also take seriously enough to make sure that the government
9 has a responsibility. One of those is our tax system. You
10 know, our taxes are automatically taken out of our paychecks.
11 The IRS sends us our tax return forms. If you're not --
12 another example is selective service. If you're not
13 registered and the government knows, they'll come looking for
14 you, to have you register. And yet voter registration in this
15 country and in this state is a system that the voter actively
16 has to go out and seek out.

17 We don't think that it needs to be as difficult as
18 it is -- well it simply doesn't need to be as difficult as it
19 is. The most frequent argument against improving our system
20 in the state is the specter of fraud, and this is invariably
21 brought up when we talk about these issues. But let me go
22 down a list of some of these items and compare them against
23 what we're talking about.

24 Several of the examples are actually examples of
25 election fraud and have nothing to do with voter registration.

1 One of those is this ringing the bell, where they have a valid
2 voter registration list, they close down the polls and
3 somebody is in there ticking off votes. That has absolutely
4 nothing to do with voter registration. The second of
5 alterations of the results with a Q-tip. Well what does that
6 have to do with voter registration? Vote buying and vote
7 hauling also are all done after the fact, people are -- I mean
8 it's able to be done no matter what kind of voter registration
9 system that we have. And I think this is brought up as a
10 great specter to make us all afraid that if we don't restrict
11 this enough, we're going to have illegal or inappropriate
12 activity going on around elections, but in fact, the voter
13 registration system has nothing to do with that, except
14 inasmuch as the more people you have registered, the more
15 people you have available for any of these kind of problems.

16 You've got a longer voter registration list, then
17 you've got more names that you can tick off when you're voting
18 the box and there's no one else in there.

19 Examples of systems in other countries and other
20 states; you know, the mail-in system is used in 27 states
21 around the country and functions pretty well. It's less
22 expensive and there are protections to the extent that these
23 states don't have problems, some pretty severe fines in some
24 of those states. The drivers' license office system in many
25 ways is talked about less here, and interestingly because I

1 think it really addresses a majority of the concerns about
2 potential abuse of the registration system, and the volunteer
3 deputy system.

4 Volunteer deputies -- and I'd like to reiterate a
5 point that I think Bill made that our feeling is that having
6 individuals and organizations actively seeking to register
7 their own constituencies is part of a free, competitive system
8 and it's part of a free, competitive democracy where the best
9 possible thing for us to do is to mix it up. You get out
10 there and register -- if we don't care enough to actively seek
11 to register the people who look at the world in similar ways,
12 then we're falling down as well as people who are interested
13 in the way our government operates. And to have that free,
14 competitive system where people and organizations are out
15 actively registering their constituencies and actively trying
16 to get them involved in the democratic process makes the
17 system a better system. And I don't care what your political
18 views are.

19 Personally I would prefer that, you know, we
20 register more people that look at the world the way I do, and
21 I would really prefer that all the people got out and vote.
22 But I also think that the system only functions properly when
23 each one of you has the opportunity to have that same thing go
24 on. So I think this volunteer system, the ones that are being
25 proposed are far more restrictive than the one I'm suggesting

1 here. I think the more free and open that competition among
2 varying political views, the healthier the system is.

3 In terms of the motor vehicle systems, if there is
4 any way to guarantee that you're not going to have fraudulent
5 registration, I think that is the way. When I registered to
6 vote, I was not asked for an I.D. When I went down to get a
7 driver's license, I almost had to bring my mother in to say
8 yes, this is my son and he's who this driver's license says he
9 is. They wouldn't accept a passport, these people are serious
10 about identification. To have that information on the same
11 form and to somehow transfer that to the registrar's office
12 seems to me (1) to be a guarantee of integrity, (2) we all
13 have to make a trip there ever four years or five years I
14 think in this state right now. It saves you a trip, you may
15 have to take a couple of extra minutes in line, but it saves a
16 trip across the river, it saves a separate time when you have
17 to take off from work, find the transportation, find child
18 care or whatever other kinds of problems may get in your way.
19 And frankly, there's a little more reason for a lot of people
20 to go to the driver's license office, because they know that
21 if they accidentally get stopped and their driver's license is
22 expired, it's going to cost them. It's not necessarily a good
23 motivation to get registered, but if they're down there
24 dealing with that, why not allow people the opportunity to
25 register at the same time, and it saves us all a lot of

1 trouble. It's also likely to save the state some money
2 because you have a system that has a fairly constant in-flow
3 and out-flow of people rather than bunching up right around
4 election time.

5 Mail in registration, I think I'd like to address a
6 point that Representative Accardo made, using the notaries.
7 It's not something that we necessarily like because it's less
8 convenient than we would prefer, but if you've got to have
9 something that makes people comfortable with the idea of using
10 the mail, and notaries are one way to provide a check on that,
11 then we're convinced that libraries, banks, shopping centers,
12 Wal-Marts, all of these kind of places will provide a notary
13 free of charge for people who wish to register to vote as a
14 public service, and that is a great public service to provide.
15 It may cause some problems, but as a representative of a
16 coalition of organizations that want to see some improvements
17 made, we agree that those are problems that can be overcome.

18 And I guess that really covers anything I want to
19 say. I'll be glad to answer any questions.

20 MR. FONTHAM: Okay, we're going to start on this
21 side and run right down the list.

22 MS. ADAMS: Mr. Carson, you made the statement that
23 you -- that the statements or the concerns that have been
24 expressed about the potential abuses through volunteer voter
25 registration and mail-in voter registration, that you don't

1 see that that really has -- that voter registration really has
2 any connection with fraud. So I guess my question to you is,
3 what relationship do you see between voter registration and a
4 corresponding increase in the percentage of voters who
5 actually vote and what impact would you see on the percentage
6 of people who actually vote, what impact would you see in
7 increasing voter registration?

8 MR. CARSON: I don't think there's an easy answer
9 for what you're saying, to be honest with you. I can
10 speculate that if more people were registered, more people
11 would vote, which is -- you know, any of us can do that, it
12 doesn't take any special skill. However, if you've got a
13 hurdle here called voter registration, call it a barrier, call
14 it a requirement, call it whatever you like, to voter
15 registration, call this apathy, we can call this hurricanes.
16 You know, we've got a list of things that prevent people from
17 participating -- yeah, here's diligence right here. There's a
18 whole list, and frankly there's no easy answer to the problem
19 that we have in this country. And on that list given here,
20 the United States was 53%, the last election it was below 50 -
21 - there's a long list of items and if we take one away, then
22 we have fewer barriers, fewer requirements, fewer reasons for
23 people not to vote. And in fact, people tend to think about
24 elections close to election day.

25 I mean most of us tend to think about how long

1 before this forum did you all think about this forum and how
2 you were going to get here and what you're going to wear and
3 all the rest of that. We don't tend to anticipate things
4 that much. So 24 days before the election, you're not
5 thinking about the election as much as you are five days
6 before. So if we make it an automatic procedure for people to
7 be registered, then we've removed one of the barriers and we
8 can begin addressing some of the other problems.

9 MS. ADAMS: Okay, so you see a barrier to voter
10 registration -- alleged barrier to voter registration as
11 having a definite impact on who votes, how many people vote?

12 MR. CARSON: Yeah, I think one could make a very
13 good argument.

14 MS. ADAMS: So if we have roughly 30% or less of
15 eligible voting population who aren't registered, if we
16 increase that by half, by 15%, you would expect a
17 corresponding increase in the people who vote?

18 MR. CARSON: That's the logic that I would use. And
19 the evidence that is out there to support that is that if you
20 look across -- well for example, in Louisiana roughly 75% of
21 the registered voters voted in the last presidential election.
22 Across the western democracies, it runs in the neighborhood of
23 eighty some odd percent or better, and there's a direct
24 correlation between the percentage of the voting age
25 population that is registered and the percentage of the voting

1 population that votes. Because if you knock out 30% of the
2 voting age population before you ever open the polls on
3 election day, then you've knocked out 30% of the potential
4 vote.

5 MS. ADAMS: Why not focus on the seventy plus
6 percent who are registered vote, why not encourage them to
7 vote --

8 MR. CARSON: Well I think you can do that too.

9 MS. ADAMS: -- why focus on registering and not --
10 why focus on the beginning and not on the end, and really
11 affecting change.

12 MR. CARSON: I think you should focus on the last
13 part, but even if you focus on getting people who are
14 registered out to vote on election day, you have eliminated
15 30% of your audience in this state, those people don't even
16 have the option. Now if they are registered and you're
17 focusing your attention on people getting out to vote and
18 informing people about the issues, you know, all of the work
19 that you're out there doing, then you have a larger audience.
20 And it may be exactly the same percentage that turns out to
21 vote, of registered voters. But if you increase the pool,
22 then you're going to have a larger number at the end.

23 And in fact, you know, if you remove the first
24 barrier, then it's a lot easier to deal with the rest. I'll
25 never argue that this is the only solution, but it is

1 certainly a significant one.

2 MS. ADAMS: I have one follow up question. Given
3 what you know about the percentage of participation in local,
4 state and federal elections of eligible voters, what do you
5 think is a reasonable goal to get people to register? Is it
6 100% or is it 80% or is it 90% -- what's reasonable? Forget
7 people who are denied access, what percentage of people --

8 MR. CARSON: In an ideal world?

9 MS. ADAMS: -- just flat are not going to register
10 to vote?

11 MR. CARSON: I can't tell you the answer to that. I
12 know that as an example in Michigan, using the system, roughly
13 90% of the people in the state use a driver's license or a
14 state I.D., and if people are registered in the process of
15 doing something else -- and in fact that system is used in a
16 variation in Louisiana, Jefferson Parish, the registrar has
17 one of his paid deputies working at the driver's license
18 office and registers more people there than any of his other
19 location including the main office -- if you use that kind of
20 a system, of course you're not going to get 90% because some
21 people will actively choose not to register for religious,
22 philosophical, whatever reasons. But if it's an active choice
23 not to register rather than an active process to have to
24 drive, you know, down the list, then I would say we could see
25 registration rates probably approaching 90% or better. And I

1 think that makes for a better democracy.

2 MS. ADAMS: Thank you..

3 MS. RICHARDSON: Firstly, this is my first time
4 seeing you in your business uniform, it's rather pleasing.

5 MR. CARSON: Thank you, my mother liked it too.

6 (Laughter.)

7 MS. RICHARDSON: It's the mother in me. I'm not
8 being a dirty old lady, it's the mother in me that likes this.

9 MR. CARSON: I wouldn't even suggest it.

10 MS. RICHARDSON: My question is, in all of the bills
11 that are up -- and I don't like reform, I associate that too
12 much with what happened April 27 and I don't want that kind of
13 backlash to any of these bills, no. But all of the bills that
14 are before us to improve registration, in any of them do you
15 see anything that could lead to the kind of upheaval -- that
16 is likely to lead to the kind of upheaval that we have right
17 now in what I'm old enough to call the Canal Zone?

18 MR. CARSON: The kind of upheaval meaning?

19 MS. RICHARDSON: The whole uprising. We've been
20 told that too much reform can lead to the kinds of uprising
21 around voting that happened this past weekend, fraudulent
22 things and -- I was just wondering if you see the likelihood
23 of any of that in any of the bills that are before us.

24 MR. CARSON: There is a danger if there are more
25 people voting, that more people will do crazy things when they

1 go into the voting booth. I mean -- and crazy is defined by
2 our own particular view of the world. But that's how the
3 system is supposed to work. It's a terrible system until you
4 consider the alternatives.

5 MS. RICHARDSON: Until you consider those kinds of
6 things.

7 MR. CARSON: And if you're only going to have a few
8 people making the choices, you know, please let one of those
9 few people be me.

10 MS. RICHARDSON: Right. The quieter you can keep
11 it, the more likely it is that my way will prevail, but I'd
12 like to see it another way. Thank you.

13 MS. FONTHAM: Roberta.

14 MS. MADDEN: Okay. On my notes 30% or so are
15 unregistered in Louisiana. Do you have any idea what kinds of
16 citizens we're talking about, are they poor, are they black,
17 are they young, are they elderly, are they handicapped? And
18 also as a counterpart to that question, what kind of
19 experience do they have with outreach efforts such as
20 volunteer registrars in other states and specifically South
21 Carolina, for example?

22 MR. CARSON: Okay, to answer the first question, and
23 I think this was mentioned earlier today, we really are not
24 sure what the demographics of those that are unregistered are
25 except that it's likely that a higher number of unregistered

1 are younger people that are unregistered and a higher number
2 tend not to participate. Going to the high schools was
3 mandated a few years ago by the legislature. It helps, but
4 frankly with a 50% dropout rate, you miss a lot of people
5 going to the high schools. By the time they're out of school
6 -- you know, it's not until your last year in school there
7 that you're even close to being eligible to register anyway.
8 So there is frankly a problem with that.

9 There is a professor at LSU who has some capability
10 of projecting from the old census figures to some new ones
11 based on parish-by-parish estimates with some sort of
12 complicated formula. I don't know what that formula is and it
13 costs money to get those numbers, so we haven't gone through
14 the expense to get those projections because they weren't as
15 important as some of the other things that were priorities.
16 But there is a way to estimate what the voting age population
17 is by parish and probably some of the demographics among
18 those. And that may be something that this Advisory Board may
19 be interested in doing.

20 But I'm really not at all clear on what the
21 demographics are.

22 MS. MADDEN: In other states where they have done
23 more outreach, such as South Carolina, what kinds of new
24 voters are they bringing in?

25 MR. CARSON: Well what I understand from South

1 Carolina, and there was a considerable amount of resistance
2 South Carolina to changing the system, as there has been in
3 every state that has adopted the kinds of improvements we're
4 talking here, that the republican party which was very much
5 opposed to some of those systems, is having a field day
6 registering new republican voters. Frankly, as somebody who
7 is registered as a democrat, that worried me a little bit. I
8 thought well gosh, what am I doing here. But it's what makes
9 the system work. And the same thing is going on in several
10 other states. In Louisiana the republican party is
11 registering more people than the democratic party, yet this
12 issue is often seen as a democratic kind of issue. I think
13 it's a bi-partisan issue. And if you can convince people that
14 your philosophy is the right one, and you're getting them out
15 to vote, then that's the way the system is supposed to work.

16 MR. FONTHAM: Bill? Van?

17 MR. BRASS: No questions.

18 MR. FONTHAM: Okay.

19 MS. REIBOLDT: That's amazing, isn't it, that the
20 republican party is doing all this and we don't even have all
21 this voter reform. Maybe we could take a few lessons.

22 My question is do you think that because of the laws
23 that we have today and the people that are in those positions,
24 do you think that they are discriminating on the basis of
25 race, sex, religion, age, handicap or national origin, to keep

1 people from having the privilege of voting? Do you think
2 they're purposely doing this?

3 MR. CARSON: You know, I could speculate. I think
4 the system has inherent in it, and I think Ms. McDade was not
5 in when I mentioned this earlier, barriers are not necessarily
6 something that are placed intentionally, but by virtue of
7 being a difficulty, creating a difficulty, they become
8 barriers and it has nothing to do with intention -- or it
9 could. And that's all speculation. But the fact is that
10 there are a number of problems, including procrastination
11 which is a quality that we all possess to some degree, and is
12 not one that any of us would boast about, that prevent people
13 from getting registered.

14 MS. REIBOLDT: Do you think -- and you haven't
15 answered my question -- do you think we are discriminating
16 because of race, color, religion, sex, age, handicap or
17 national origin in this state against potential qualified or
18 of age people?

19 MR. CARSON: I would say the system discriminates
20 against people and primarily on the basis of income,
21 education, and frankly a high percentage of low income people
22 are black or other minorities, and so de facto that system
23 discriminates against those people. It discriminates against
24 people -- I guess based on economics, based on access, based
25 on distance from the registrar's office. If you live in a

1 rural area, you know, it discriminates against you if you've
2 got to drive 50 miles to get to the registrar. So I don't
3 know that those categories fit neatly into the categories that
4 you're suggesting.

5 MS. REIBOLDT: Aren't you referring to hardships,
6 are you referring to less convenient modes -- we're talking
7 more of convenience here as opposed to discrimination.
8 There's a big difference. You know, I have two children that
9 I had to haul down to the courthouse in Caddo Parish and find
10 a place to park and if you've ever been there you know that
11 that's virtually impossible, and you have to almost walk five
12 or six or seven or eight blocks to get there -- that was
13 inconvenient for me, but I had the opportunity to go and vote.

14 MR. CARSON: Absolutely.

15 MS. REIBOLDT: So aren't you referring to things
16 that are inconvenient as opposed to willful discrimination.

17 MR. CARSON: Let me ask you this I guess as an
18 answer to your question. You've got a continuum here with
19 inconvenience and actual discrimination here. Where do you
20 change over from inconvenience to discrimination?

21 MS. REIBOLDT: So what you're saying is really the
22 argument has to do with convenience and what is inconvenience
23 in the eyes of some people. That could be a very good excuse
24 and I could say I was discriminated against because I didn't
25 want to take the problem or the difficulty or the

1 inconvenience to go down and do that. But it doesn't have
2 anything to do with true discrimination.

3 MR. CARSON: It depends on your definition of true
4 discrimination.

5 MS. REIBOLDT: So it's all a matter of opinion as
6 opposed to our violating the law.

7 MR. CARSON: Isn't all of this a matter of opinion?
8 I mean the law is interpreted based on opinion.

9 MS. REIBOLDT: Is anything being done in this state
10 --

11 MR. FONTHAM: Let's at least one person finish
12 before the other one starts.

13 MS. REIBOLDT: We're here to see if there's anything
14 being done in this state that discriminates against people for
15 these reasons, and I just would like to know if you have any
16 examples of cases where this exists, not in the realm of
17 opinion of whether you think this would be more convenient or
18 less convenient, but have people been discriminated against
19 because they're black, because of their religion, because of
20 their national origin or any of these things? Do you know of
21 any examples?

22 MR. CARSON: The best answer I can give you is I
23 think that exists, I don't think that the examples can be
24 easily fit into the categories that you've listed. And that's
25 really the best answer I can give you on that.

1 MR. BAKER: In comparing to other states and to
2 other nations, one of the things that I think was left out,
3 unless it was mentioned while I was out of the room, was that
4 Louisiana is one of the few target states under the Voting
5 Rights Act, so that we have had federal scrutiny and we have
6 the ability to bring federal lawsuits where there is
7 discrimination as covered by the Act. And so that Louisiana
8 and only a relatively few number of states are under much more
9 careful scrutiny than are other states. So in looking at the
10 total picture, I think that this is an element that one has to
11 look at.

12 Now in answer to Ms. Reiboldt's question about
13 discrimination, if there was discrimination under that law, we
14 have remedies in terms of court, so that the kind of
15 "discrimination" that you are talking about I take it are acts
16 that are not actionable under the federal Civil Rights Act
17 because if they were you'd be in court or somebody would be in
18 court doing something about. Is that correct?

19 MR. CARSON: I think that's accurate. Just to add
20 to that, I think part of the reason is probably that -- the
21 problems with the system here as it functions is they do not
22 fit cleanly into the categories that you're listing. And if
23 they did, then they probably would have been corrected through
24 the courts.

25 MR. FONTHAM: This side.

[

1 MR. KUTCHER: I have no questions.

2 MS. MCDADE: I do. Something I'd like to clarify
3 and then I do have a particular question. You know, in
4 relating instances of fraud under controlled situations
5 regarding voting and voting rights, I think the reason that
6 these instances are important to cite is because we're now
7 discussing putting a less controlled situation, a situation
8 that's far more open to the opportunity for fraud. And I
9 think it's good to look at what fraud goes on in a more
10 controlled situation that should not lend itself to that kind
11 of fraud, and I think when you do that, you have to recognize
12 that you're really opening yourself up for more potential
13 fraud. So I think that's the correlation there that you're
14 hearing from some people who are genuinely concerned about the
15 integrity of our process.

16 MR. CARSON: Sure.

17 MS. MCDADE: And there's another thought here, you
18 know, it's an old and it's a trite saying, but you can lead a
19 horse to water but you cannot make him drink. I have to
20 illustrate with my two voting age daughters. The one turned
21 18 and before we knew what had happened, she was registered.
22 We didn't tell her where to go to register, we didn't discuss
23 how to register. Fortunately she registered correctly in my
24 opinion, but we didn't even pressure her, so obviously -- we
25 didn't even pressure her. My second daughter -- well actually

1 my oldest daughter, was real lethargic about the whole thing
2 We cajoled, we begged -- finally she felt guilty enough to
3 register. She's yet to vote. So what disturbs me -- there
4 were no barriers, she was just totally disinterested. She was
5 raised in a home where voting was really considered a
6 privilege and in my family we could have our own voting block,
7 but the point is, I don't think, as Jean was discussing
8 earlier, you may increase the rolls, you may pool those people
9 and you may carry them, you might baby them, but they're still
10 not going to be more inclined to vote.

11 If you have to cajole them to register, if you have
12 to come to their front door -- you know, if you have to do
13 these things, I think it would increase our number of people
14 who vote by a very, very small group, if at all. Because
15 these people, like I said, you can lead them to the water, but
16 you cannot force them to drink. And so in light of that kind
17 of a -- in light of that, do you really think that this kind
18 of going out and doing some of the things we're talking about
19 doing, with the volunteer people maybe going out and going
20 door to door or however they're doing it, is really going to
21 increase the participation -- do you really think it will?

22 MR. CARSON: I do think that it will and it's
23 because I don't agree with the basic premises that you set out
24 there. If I could just address that briefly. The first is
25 that this isn't the problem that was getting in your

1 daughter's way -- this was, or one of these others. So that's
2 a different problem and it needs to be addressed in a
3 different way.

4 ~~MS. MCDADE: How do we know that's not the problem~~
5 with a large group of that 30% who are not registered.

6 MR. CARSON: Frankly we don't entirely, but through
7 some of these other systems, we can eliminate that as an issue
8 entirely. Then we can work on the others. The other is that
9 I do believe that human nature is that you tend to anticipate
10 things much more when they're very close than when you're a
11 good distance away. Who's thinking about the presidential
12 election -- Michael Dukakis -- but --

13 (Laughter.)

14 MS. MCDADE: Jean said once before, and I think it
15 was a very good question, we're willing to risk opening up to
16 fraud the integrity of the entire process in order to register
17 people who really perhaps have not shown any interest in
18 registering. That disturbs -- that's I think the question
19 that disturbs a lot of people.

20 MR. CARSON: To address that, I think a lot of the
21 examples of fraud that have been given are examples that have
22 little to do with voter registration itself, but have to do
23 with fraudulent activity at the polls. You know, bell ringing
24 has nothing to do with registration. Changing the results
25 with a Q-tip or whatever implement you use has nothing to do

1 with registration, nor does vote buying, nor does vote
2 hauling, as long as --

3 MS. REIBOLDT: Oh, but it does, it has a matter of a
4 lot to do with where the volunteers --

5 MR. FONTHAM: You know, Ms. Reiboldt, interrupting
6 really doesn't help.

7 MS. REIBOLDT: He had finished his sentence.

8 MS. MCDADE: If I can follow up my question.

9 MR. CARSON: I was breathing --

10 (Laughter.)

11 MS. REIBOLDT: That's a lesson, don't breathe.

12 MS. MCDADE: If I could follow up my question.

13 MR. CARSON: Sure.

14 MS. MCDADE: As I said earlier, I think in
15 mentioning those things, like in the parish in the last
16 Congressional district race up in my area, when the county
17 people or the parish folks came in to pick up the voting
18 machines at 2:00 a.m. on Sunday morning, this is disturbing --
19 these people were within the process, yet they were willing to
20 violate -- I mean they had penalties, stiff penalties that
21 they could have faced, and now we want to open it up to people
22 who really will face no penalties if they determine to be
23 fraudulent in their efforts. And quite frankly we're opening
24 it up to -- that's why the comparison is there, we're not
25 saying that there's a direct relationship, we're saying the

1 comparison is certainly worth looking at.

2 MR. CARSON: Just on that point, I think we don't
3 agree as to the risk there, but maybe I can return a question.
4 For example, if we use the system in the driver's license
5 offices to register people, how does that open it up further,
6 or do you believe it does?

7 MS. MCDADE: I am more concerned about the deputy
8 volunteer. I think that within the driver's license system I
9 think there's a lot of housekeeping that would be difficult,
10 but I honestly believe that would not be a major problem
11 because you have officials who are subject to official
12 penalties if they choose to disobey the law. You have a
13 volunteer, who is subject -- according to the bills I've been
14 looking at -- to little or no penalties other than a slap on
15 the hand and no, you can't do it any more. I think those are
16 two very separate ideas and that's my concern.

17 MR. FONTHAM: Ben, do you have a question?

18 MR. JONES: No questions.

19 MR. FONTHAM: Okay, this is the last question.

20 MS. ADAMS: Okay. I'm intrigued by your statement
21 that you do think the system -- I'm assuming you mean the
22 voter registration as a voting system -- does discriminate
23 against poor and blacks and there is a very wide range of
24 opinion here as to (a) whether or not really there is a need,
25 a legitimate need, for any legislation to -- in this

1 registration reform. But I guess putting it back into a ve
2 objective perspective, what level and nature of complaints
3 have you had about people being able or not being able to
4 register to vote?

5 MR. CARSON: Let me answer both your statement and
6 your question, if I might. I think 30% of our state's
7 population that is unregistered and 50% participation rate
8 nationally of voting age population is enough of a statement
9 that something needs to be done. And the voter registration
10 systems are clearly one place to begin to address that
11 problem. There are a whole list of others, I think.

12 In terms of complaints, I personally have heard no
13 one say I was discriminated against by this voter registration
14 system, and personally I don't believe that it was designed
15 to produce discrimination. I don't think there's anybody out
16 there who wants to stop a category of people from registering
17 to vote. I do think that by virtue of the system and the
18 requirements placed on people -- as an example, Representative
19 Bruneau said that it is not true that this is the only state
20 where you have to go to the registrar's office to appear in
21 person, but it is the only state where the only regular
22 registration place open day to day to day is the registrar's
23 office. There are satellite offices but those aren't on a
24 daily basis and the less regular you make it, the less
25 accessible to people it is.

1 Now I lost track of where I was going.

2 MS. ADAMS: You were saying you've had no
3 complaints.

4 MR. CARSON: Yeah, active complaints that I'm
5 discriminated against, no. People who said, you know, I
6 couldn't or didn't take time off of work; you know, have you
7 ever tried to find parking downtown, as you obviously found
8 parking. But it could have been easier for you, and I would
9 have been happy for it to have been easier for you.

10 MR. FONTHAM: We're out of time. Would you put in
11 the record who is in this coalition?

12 MR. CARSON: Yeah, I'd be glad to. I have a copy of
13 the letterhead I can just pass on.

14 MR. FONTHAM: Why don't you do that, I'd appreciate
15 that. We do need to get on, we're past our time.

16 MR. CARSON: I appreciate it a lot.

17 MR. FONTHAM: Thank you for coming.

18 We have -- next we have the Chair of the Louisiana
19 Democratic Party, Mr. James Brady.

20 One of the things I would suggest as the Chairman,
21 and I know this may raise some hackles, but my impression here
22 is we're here to get information and not put our committee
23 members' opinions into the record, and I think we are wasting
24 a lot of time listening to ourselves give each other's
25 opinions on this issue. As long as we don't go over too long,

1 I guess that's all right. It's not very fruitful.

2 Yes, sir.

3 STATEMENT OF JAMES BRADY

4 MR. BRADY: Gentlemen, thank you for giving me this
5 opportunity to come and share these moments with you. I'll be
6 very brief because I'll tell you, Marcus Carson has covered
7 most of the agenda that we're proposing and that we're
8 supportive of 99% of what he and his coalition are engaged in.

9 We do find, and we think that it is very obvious for
10 someone who works in this field on a day-to-day basis, that
11 whether you term it discrimination, inconvenience or
12 restriction or however it is, that we have a real problem of
13 voter registration in this state that other states do not
14 have. And we're of course working very hard with the
15 legislature, and this year I'm happy to announce that most of
16 our projects and bills that we have are bi-partisan. We've
17 finally gotten some of the other folks to see the light that
18 we've been talking about over the past few years, to eliminate
19 some of the more glaring problems that we have.

20 We think that this is a state that's very easy to
21 take people off the rolls and very, very hard to get them, you
22 know, on to the rolls. And we think that a couple of the
23 bills that have been discussed here this morning will go a
24 long way to alleviate some of that problem.

25 We've had a problem in the past with voter purges by

1 affidavit. We had a very serious incident in this state in
2 1986 that affected several thousand people. We went to the
3 legislature, we corrected that in one bill and then through a
4 technicality it got reinserted. The bill is back this year
5 with bi-partisan support to have that particular problem
6 corrected, you know, once again. And we think it'll pass and
7 be signed by the Governor without any real problem, that will
8 make sure that the situation that we had here in '86 where we
9 had purging of the voter rolls by affidavit of individuals,
10 will not occur again in this state. Because that was a very
11 blatant attempt to discriminate and very correctly use the
12 term discrimination in every sense in that instance, by
13 persons engaged in a political campaign.

14 Our basic philosophy is that it should be very easy
15 to register. Whether it increases the participation or not
16 shouldn't be the concern. If people are registered, in my
17 view they're going to be more in tune and more ready to vote
18 certainly. And we think that just ought to be made as easy as
19 it possibly can be. And we think the motor voter, deputy
20 registrar, removes -- Marcus, I think his example was very,
21 very clear and pertinent -- it removes some of the barriers.
22 It's not an all-out solution, but it'll help. And we want to
23 tell you that we're supportive of that and on record as
24 supporting it.

25 And then I'll be glad to answer any questions that

1 you have. I don't -- like I say, he covered 90% of what I
2 prepared to say and I'm sure that Commissioner Fowler and
3 others have done as well this morning.

4 ~~Some of the figures that we have obtained, just for~~
5 your information, based on census estimates for 1986, the 18
6 to 34 year old population in Louisiana was roughly 1.3
7 million. Registered in that group were 799,000, unregistered
8 573. In the 35 to 44 age group, the population is 546,000,
9 registered 453 leaving 122 -- closer to 123 unregistered. In
10 the 45 to 54, 392,000 the population, 316 plus registered,
11 leaving 75 plus unregistered. In the 55 to 64, 359,000, 282
12 registered, 76 unregistered. And the 65 and older, there are
13 454,000, 354,000 plus are registered leaving some 99,000 plus
14 unregistered. We think that in the unregistered, there are
15 number of poor, working poor, particularly agricultural poor
16 and minorities in that group. And we think that's where this
17 will pick up as well.

18 Yes?

19 MS. ADAMS: Mr. Brady, I'm not very good at math, do
20 you have any percentage numbers?

21 MR. BRADY: I didn't break them down as percentages.

22 MS. ADAMS: Thank you.

23 MR. BRADY: These came from Commissioner Fowler, so
24 I don't know what documents he submitted this morning.

25 MR. FONTHAM: Okay, is that your entire

1 presentation?

2 MR. BRADY: That's all that I -- I'll be glad to
3 answer any specific questions that you may have.

4 MR. FONTHAM: Any questions over here?

5 MS. MCDADE: I just have two. You say it's
6 difficult to take people off the rolls and hard to get them on
7 the rolls.

8 MR. BRADY: Yes.

9 MS. MCDADE: I would like for you to explain that
10 statement, why --

11 VOICE: The opposite.

12 MS. MCDADE: Oh, I thought you said --

13 MR. BRADY: No, it's very easy to purge people from
14 the rolls in Louisiana and more difficult to have them put
15 back on.

16 MS. MCDADE: Okay, you've used the term barriers
17 several times, and if you've been here for a time, you know
18 there's a real discrepancy of understanding. Would you
19 describe what you consider the barriers we're referring to?

20 MR. BRADY: Well yeah. On the one hand, the purging
21 by the individuals, that was just pure out discrimination.
22 Now the term of the barriers ranges from the inconvenience
23 that you may have described, but you know, there's a subtle
24 line to draw between an inconvenience to one person and a
25 subtle discrimination. If you have people that work all day

1 and cannot conveniently go to register to vote for fear of
2 losing their job or losing pay from their job, then they're
3 going to be less inclined to do so. And we find that to be a
4 problem, particularly in rural areas where you have to drive
5 some miles in to the county or parish seat to register, and
6 where in some instances the registrars do not, for whatever
7 reason, see fit to go out and to meet with various groups.

8 But let me say this about the majority of the
9 registrars. I think that they are very, very supportive of
10 most efforts. We fight in the legislature and we fight among
11 that group on how best to accomplish this thing, but with very
12 few exceptions, I think the registrars in this state are well-
13 intentioned people, but they are restricted by statute and
14 they are restricted by financial constraints that are there
15 But it's a real problem. You have problems with elderly
16 people, you have problems with, you know, young people in
17 many instances.

18 But the greatest concern and the greatest complaint
19 when I travel around this state is from people that are
20 working people that just simply cannot get off for whatever
21 reason. And you say well, you know, they could take off half
22 a day and go in and do it. Sure, a lot of them could, but
23 half a day's wages to a lot of people in this state in these
24 times means an awful lot.

25 MS. MCDADE: But basically though, you can't come up

1 with any barriers that prevent a person from being allowed to
2 go vote -- to me that's a barrier.

3 MR. BRADY: No, not in the last ten years to my
4 knowledge has there been an instance of someone actually
5 physically going into the registrar's office and being denied
6 the right to vote. No.

7 MR. FONTHAM: Benjamin?

8 MR. JONES: Yes. Mr. Brady, do you have any
9 statistics statewide on voter registration as it relates to
10 the races? In other words, the percentage of the voting age
11 whites who are registered, the percentage of voting age
12 blacks?

13 MR. BRADY: I didn't bring that, Mr. Jones, we have
14 it. We have it as of just a few days ago.

15 MR. JONES: Do you have a memory of what those
16 statistics indicate generally concerning whether or not blacks
17 are registered as a percentage of their voting age at the same
18 level as whites?

19 MR. BRADY: They have not achieved that parity. Dr.
20 Grenier at LSU does, every so often just as a hobby -- he's a
21 statistical expert out at LSU -- does run this along with a
22 number of other things, and you could take the figures and do
23 it yourself. There are -- as a percentage of the population,
24 blacks are not registered as a percentage of the white
25 population.

1 MR. JONES: More specifically though, your answer
2 that as compared with the number of blacks of voting age, the
3 registered voters among that group, the percentage, is
4 smaller, than is the case with whites, the registered voters
5 as compared with the voting age population, is that correct?

6 MR. BRADY: Yes.

7 MR. JONES: Okay.

8 MR. BRADY: The last figures that I saw. There has
9 been, since the mid-'60s, an upward trend to close that gap,
10 but it is not yet there.

11 MR. JONES: What is the approximate gap, percentage-
12 wise?

13 MR. BRADY: I don't recall, Mr. Jones, I'm sorry.
14 I didn't bring that information, I should have.

15 MR. JONES: What ball park, would it be less than
16 10% difference?

17 MR. BRADY: I would think it would be roughly 10, a
18 little more than 10%.

19 MR. FONTHAM: Let me interrupt you here. That would
20 be something that would be nice if you would submit. Could
21 you submit that?

22 MR. BRADY: Yes, Mr. Fontham, I think I could find
23 that and give it to you.

24 MR. JONES: I have nothing else.

25 MR. FONTHAM: Okay. We've got probably a gauntlet

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

over here.

MR. BRADY: Fortunately I know some of these people.

MS. ADAMS: Mr. Brady, you said -- you made the statement that there is a serious problem of voter registration in the state compared to other states?

MR. BRADY: Yes.

MS. ADAMS: But I'm still hearing that we have 77% of our eligible people registered to vote and that that is very high or the highest. So what is the nature of the serious problem?

MR. BRADY: Well it's just not easy here to vote. I can go into a McDonald's in some states and turn over my menu and register to vote. Here, I have to make an appearance before a registrar. Now some of the good registrars will go to the moon and, you know, try to help register people. Others are not so inclined.

MS. ADAMS: So it's ease rather than deprivation?

MR. BRADY: I think it's the ease, and I think that that's something that you can't overlook. Why jump through all these hoops to restrict people from being registered to vote? I mean shouldn't it be all of our goals to have 100% ideally registered to vote?

MS. ADAMS: Yes. I think that's an admirable goal, I don't think it's realistic. What do you think is realistic?

MR. BRADY: Well I don't think you'll ever achieve,

1 you know, the 100%, but I think that's what we ought to shoot
2 for.

3 MS. ADAMS: Okay.

4 MR. BRADY: I think that, you know, we shouldn't
5 have to be sitting here and weaving little games, I think it
6 should be wide open. If you register them and they don't
7 vote, that's another thing. But we shouldn't have to worry
8 about putting barriers in front of people in their quest to
9 register to vote, to be able to have the privilege of going in
10 and pulling the lever.

11 MS. ADAMS: And yet 77% of the population have not
12 experienced barriers --

13 MR. BRADY: Well I'm not so sure they haven't. They
14 are registered, that's not to say that they haven't
15 experienced barriers.

16 MS. ADAMS: Well barriers say that you are denied or
17 prevented.

18 MR. BRADY: Well they have obviously --

19 MS. ADAMS: If you registered, it may not be
20 convenient but you have not been denied.

21 MR. BRADY: Right. But you don't know what they
22 have gone through in some instances to do that.

23 MS. ADAMS: Thank you.

24 MR. FONTHAM: Go ahead.

25 MS. RICHARDSON: Because I'm a yellow dog, I'm going

1 to pass.

2 (Laughter.)

3 MS. MADDEN: Let me ask a quick follow up to Mr.
4 Jones' question. You said that there was a disparity among
5 the blacks who are registered and whites who are registered in
6 this state, and it was maybe in the neighborhood of 10%. How
7 much of a part of that disparity do you think relates to the
8 inaccessibility of voter registration procedures?

9 MR. BRADY: I have no way of telling you.

10 MS. MADDEN: I now you can't give a percentage.

11 MR. BRADY: I will just tell you that from my
12 experience, and I travel through the state, you know, a great
13 deal, meeting with political entities and people involved with
14 voter registration -- you know, voter participation -- you
15 know, every week. And we do in our office receive complaints
16 from time to time, and I think what we're going to do now is
17 start logging these things. We don't officially log them in
18 and I think it would be a good idea from our standpoint to do
19 that. But there are still problems with people, you know,
20 being able or going to -- the accessibility of the registrar
21 for the people in a number of areas in this state.

22 MR. FONTHAM: Van, do you have any questions?

23 MR. BRASS: I don't have any questions.

24 MS. REIBOLDT: Earlier you said that no one has been
25 denied a right to vote -- or to be registered. Then would you

1 agree with Mr. Carson when he stated that he knew of no
2 complaints where the people have been discriminated against
3 because of our laws, except for the one that you mentioned in
4 1986 -- would you pretty much agree with that?

5 MR. BRADY: I think I would pretty much agree that
6 since the Voting Rights Act went into effect and federal
7 registrars came into the state, that particularly beginning
8 with the late '60s and early '70s, I think the last case that
9 I had where someone was really denied, or heard of, was
10 probably in the early '70s, if they made it to the registrar
11 and the registrar still tried to block them in some way from
12 registering. I think that's correct.

13 The point that I'm trying to make is that you can
14 discriminate in a number of subtle ways and I think that's
15 what we have to be on guard and what we have to be looking
16 for constantly.

17 MS. REIBOLDT: And one problem that you referred to
18 was the accessibility, and one of the ways that you think that
19 we can overcome this problem for this 30% that probably may be
20 what, 8 or 9% maybe that don't have cars or a way to go or
21 something like that -- well we really don't know, that's
22 speculation, I'll withdraw that. But that the best way to
23 handle this is by opening it up to ways that a lot of people
24 who have been involved in this state for a long time in the
25 voter process, actively involved, because they regard this

1 privilege as something that they want to be involved with,
2 that they fear there may be some problems to come out of this.
3 And that maybe there might be a better way to address these
4 problems of accessibility. The one I heard about was from
5 Representative Accardo this morning, that there's not an
6 office on his side of the river. That maybe we can look
7 specifically at ways to handle problems as opposed to opening
8 it up to these problems that a lot of people consider may
9 hinder -- open it up to voter fraud or other things.

10 MR. BRADY: Well I don't know why you want to just
11 try to single-shot, you know, a problem here, a problem there.
12 I think that there is nothing wrong with just a sweeping, you
13 know, removal and make it practical, you know, and easier for
14 everybody to run. I've still not ever come to grips that
15 there is anything wrong with trying to make it as easy as it
16 can be for everybody to be registered. That would be, you
17 know, maybe a start.

18 MR. BAKER: Mr. Brady, in terms of making it easier
19 and doing a sweeping change and eliminating these disparities,
20 would you support legislation that would require everyone to
21 register?

22 MR. BRADY: Oh, I personally would, I don't know
23 that that's constitution or anything else. I just think, you
24 know, being as heavily involved in the process as I am, I
25 would like to see that there be mandatory registration, but

1 that's not practical and I think it would be opening a big
2 of worms that probably wouldn't be -- yes, I would agree with
3 that.

4 MR. FONTHAM: Well, sir, you're a very lucky man
5 because we're at lunch time and that always diminishes the
6 aggressiveness of this committee.

7 We very much thank you for appearing and presenting
8 your views.

9 MR. BRADY: My pleasure, thank you all.

10 MR. FONTHAM: What we are going to do, or what I
11 would suggest that we do -- I'm open to other suggestions --
12 but since we do have time scheduled for most of these people,
13 but we've taken care of Mr. Carson, I would suggest that we
14 break until 1:45 and we're likely to have the first speaker
15 there by then and then hopefully we could move through the
16 rest of the agenda by about 4:00 since we have our last two
17 speakers who are --

18 The Executive Director of the Louisiana Republican
19 Party was called to Washington, so he is not going to appear.
20 There are two of the registrars who are not going to speak.
21 Yvonne Allison said that she won't be able to be here this
22 afternoon and Sybil Newsham is not going to speak. So we'll
23 be moving up the last two speakers so that they'll be speaking
24 around 4:00.

25 If we start at 1:45, we may be moving through a

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

little quicker this afternoon.

Okay, can we go into adjournment then until 1:45?

(Whereupon, a luncheon recess was taken at 12:33
p.m., the meeting to resume at 1:45 p.m., the same day.)

AFTERNOON SESSION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. FONTHAM: It's 1:46, so it's time to start. We've had a few cancellations and changes in the schedule. I don't believe Mr. Burland with LABI will appear. Did he submit any written comments?

MR. MULDOW: He's going to submit some, yeah.

MR. FONTHAM: And Ms. Rothrock, I don't believe she's here yet.

VOICE: I believe she'll be here though.

MR. FONTHAM: Okay. Well one of our registrars, Yvonne Allison, has volunteered to speak a little earlier, for which we are very appreciative. If you speak fast, you'll miss out on a lot of questions probably.

MS. ALLISON: I can talk fast.

STATEMENT OF YVONNE ALLISON

MS. ALLISON: I'm Yvonne Allison and I'm Registrar of Voters for St. Tammany Parish, but I'm also the newly elected President of the Louisiana Registrar of Voters Association.

We have a state association which is made up of all the registrars and the deputies, and we meet once a year. We elect our officers and all.

The first thing I would like to say -- well let me say first that I didn't know that I was on this agenda, I thought I was off because I wasn't preparing to be here today. And something came up and at the very last moment, I found



1 that I could stay. But one of the things that I'm glad of
2 after listening to everybody else, you know, with the voter
3 registration and the attempts to register and everything, is
4 that we do have some registrars on here that maybe we can
5 clarify some of this stuff, since we are the ones who are
6 taking the registration themselves.

7 I feel that each registrar throughout the State of
8 Louisiana in each parish is doing their very best at
9 registering people to vote, regardless of whether it's black
10 white, minority or whatever you want to call it. I feel that
11 each one of the registrars throughout the State of Louisiana
12 is doing the same as I am. I sponsor a voter registration
13 drive once a year. I try to do this in coordination with all
14 of the organizations that we have in St. Tammany Parish.

15 In turn, my parish governing authority declares that
16 voter registration week or weeks, whatever it is. Generally I
17 take two weeks, I only have a staff of six including myself.
18 This is not during the day time when people cannot come in and
19 register to vote, because they're working or their spouse is
20 working or children. This is night time registration. There
21 are three locations per night through out the parish and this
22 is done for two consecutive weeks. I am not the only one that
23 is doing this. We go into shopping centers, we go into
24 subdivisions, we go into black housing units to do our voter
25 registration. We have a lot of help, as I said, from our

1 parish organizations. This is highly publicized, this is put
2 in all the local newspapers, plus there are fliers, there are
3 brochures and they are sent to all the homeowners. And in
4 turn -- which I don't know how many of you are familiar with
5 St. Tammany Parish, but we do have a lot of subdivisions and
6 homeowners associations.

7 Each one of these who do have weekly or monthly or
8 whatever newsletters or anything else like this, they are
9 given way, way ample time to distribute this to all of their
10 members, plus like I say -- and I'll give the League of Women
11 Voters this one prime example -- the ladies of the Republican
12 Club, which is very active in our parish, they take these and
13 in turn give them out to the local grocery stores. We find
14 this is very successful.

15 Again, we get back to visiting all of our high
16 schools which I'm in the process of doing that right now, into
17 the vo-tech schools, the universities, the colleges and
18 everything else that we also do on that.

19 But I think that we, the registrars, are very
20 fortunate because a lot of people -- you know, when we say
21 registration laws and election laws and everything, we have to
22 consider one thing also too.

23 Louisiana is number one in something, and it's
24 something that's very important, it's things that you're
25 concerned about today. Where our Commissioner of Elections,

1 Jerry Fowler stated today that we have the only state computer
2 system in the United States, and I say this because we all
3 know there are other states that have this, that and the
4 other, and we hear a lot about that. but I think it's through
5 the innovative ideas of our Commissioner of Elections that we
6 do have this system. And when this was put into effect, he
7 included the Registrar of Voters into this. A group of the
8 Registrar of Voters -- which I was fortunate enough to have
9 been one of the ones that was picked for this, this is to see
10 our needs that we needed into the system.

11 When you say that -- or you get reports that another
12 state in comparison to what your population figures are, that
13 their percent of registered voters is greater than us, in a
14 way yes, that's true. But in a way then we get back and we
15 look at another system too. We have a statewide computer
16 system that I can tell if someone moves from St. Tammany
17 Parish to another parish. I don't have to wait until I purge
18 my rolls for failure to vote within a four year system. I get
19 that the very next day -- the very next day I get this.

20 So when we talk about our percentage in higher --
21 population wise with that. You can consider too that we have
22 clean rolls. We're not carrying over voters and waiting and
23 knowing they moved, to get something from another parish or
24 another state or whatever. So when we see that those are --
25 when other states are higher, I feel at the same time that

1 Louisiana has real clean rolls. We don't have dead people on
2 the rolls, or we shouldn't. We get even reports from the
3 Bureau of Vital Statistics on that.

4 But that was an important factor that I thought
5 should really be clear in a lot of y'all's minds, is that we
6 do come first in some things and this is one of them. We do
7 do voter registration drives and we don't pick particular
8 areas that we go into. We go into all areas and all phases.

9 Another thing that should be considered too is are
10 we open on Saturdays, are we accessible to the public. We are
11 accessible to the public. We open our doors on election day
12 at 6:00 a.m. supposedly, but we're there at 5:30. The law
13 says we close at 9:00 at night. Whoever gets off at that
14 time, no, we stay open generally until 9:30 or 10:00. We t
15 registration during that time. Not to vote in that election
16 but we are taking registrations from 6:00 a.m. to 9:00 p.m. at
17 night on a Saturday, this is election day.

18 We handle the absentee voting. We are open from
19 8:30 a.m. until 12 noon another Saturday. You're also
20 entitled to come in and register for another election during
21 that time also. If there's a holiday that falls in during
22 that time, that week that you're doing your absentee voting,
23 we are open from 8:30 until 4:30 p.m. at that time also.

24 I think there was a question somewhere along the
25 line, someone had asked can you change your office hours where

1 you don't come in until 9:00 or 10:00 or something like that.
2 We keep by the election code and the law -- I think you asked
3 that -- the same hours as the Clerk of Court's office does.
4 That's in the election code -- someone did. So we're open
5 from 8:30 until 4:30 in the afternoon.

6 Parishes of my size and parishes -- other parishes
7 do have sub-offices. My main office is located in Covington,
8 my branch office is located in Slidell, which is one of the
9 fastest growing areas, has the same hours as my main office
10 does there. We do the same thing there as they do in the main
11 office except we process more of the registrations in detail
12 in the main office.

13 But that was basically mine, you know, that I wanted
14 to say, and if anybody has any questions on those -- like I
15 say, I wasn't prepared with a lot of figures or anything. But
16 I thought that was an important fact to bring out, we're proud
17 to be first in something. And I think we ought to give him
18 credit for it too, in our election process.

19 MR. FONTHAM: Do the registrars have an objection to
20 the idea of having registration conducted at the drivers'
21 license bureau?

22 MS. ALLISON: Well I can see that -- we do have a
23 legislative committee that is made up of the registrar of
24 voters, they are meeting Tuesday to discuss all of the bills.
25 But I can say that in the past -- in the past -- those bills

1 have come up and we have voiced objection to it. My
2 understanding is about two years ago or three years ago, that
3 I have two driver's license bureaus that are located in St.
4 Tammany Parish -- when I say St. Tammany, in case anyone
5 doesn't know, that's Slidell, the Covington area, I'm north of
6 Lake Pontchartrain, north of New Orleans. And my understanding
7 at that time was that whenever you have -- you know, if you
8 were going to say who was the second busiest license bureau in
9 the State of Louisiana other than Baton Rouge, they classified
10 Slidell at that time, and I know that when I go and get mine,
11 and I was sitting in committee when I think it was
12 Representative Lancaster said he waited two hours. I waited
13 three on mine and I went to the Mandeville office. At that
14 time they themselves were objecting to it because they felt
15 like that their workload was so much. So at that time, yes,
16 the registrars did have that objection to it, and it was
17 voicing the objections of, you know, the license bureau people
18 themselves because I think they also did it too, if my memory
19 serves me right.

20 MR. FONTHAM: Are there any questions on this side?

21 MR. KUTCHER: I do. Having listened to all of this,
22 I don't doubt your good faith and I don't doubt the abilities
23 of the registrars to do this. What I'm curious about is does
24 it -- is the question of whether the concept of your having a
25 branch office or your having a mobile unit or under the

1 election code having to go out to the high schools once a year
2 or the colleges, you know, spring and fall semester, is really
3 all you need to do, or whether there is something which would
4 provide still another avenue for registration for those people
5 who can't come to Covington, for those people who can't come
6 to Slidell, who might want to register, might not be as
7 motivated to register as those folks who do, but you know, who
8 you still want to bring into the process.

9 So I guess following up on what Mike asked, what is
10 the problem with letting people register at the drivers'
11 license bureau where all of us who have licenses have to show
12 up at least once every three-four years.

13 MS. ALLISON: Well I would think in any avenue that
14 you look into, regardless of whether it's voter registration
15 or what, that there's nothing that can't stand improvement
16 along those lines, or anything. I don't think that there's
17 any registrars that are narrow-minded enough not to think of
18 this, because beyond their duty, I know myself and I'm sure
19 that there's other registrars too, that we go into high
20 schools and teach civics classes. I've taught civics class
21 all this year, you know, when the need arises, particular
22 around your presidential elections and everything. And I do
23 my voter registration at the same time.

24 If we're talking about the accessibility, this is my
25 personal opinion because like I told you a little while ago,

1 we will meet Tuesday and we have all of our bills and we will
2 totally go over these as a whole, the Association, whether
3 we're going to be for these or against. In the past, and I'm
4 giving you the past right now, we're there, I mean doing
5 satellite registrations all the time. We're going to the
6 homeowners' associations. If you're closing your license
7 bureaus, from my understanding there are quite a few that are
8 being closed, and if these people and everything have lines
9 lined up, then why are you willing to put them into that and
10 inconvenience your potential registrants, if you are trying to
11 make it easier, more accessible. Is maybe there another way
12 to do it other than that?

13 MR. KUTCHER: Well what other ways would you
14 suggest?

15 MS. ALLISON: Well I don't know -- I mean I haven't
16 -- you want me to give it to you off the top of my head or
17 would you want an intelligent answer or -- I mean I'm not
18 going to talk just to be talking with you and give you
19 something that you want that I'm not --

20 MR. KUTCHER: Sure. I'm just -- what I'm wondering
21 is -- you know, I don't doubt your accessibility in terms of
22 your office being open the same hours as the clerk's office,
23 the satellite programs and all that stuff. What I'm
24 suggesting to you is in addition to that, what is wrong with
25 another structure where people who may not have any idea where

1 the registrar's office is, who may not live in a neighborhood
2 that has a homeowners' association, you know, who may not have
3 kids who go to high school and who come on and tell them that
4 I registered to vote today, but who do, because they have to
5 show up at a motor vehicle office once every few years -- I
6 mean that's my comment. In other words, in addition to --

7 MS. ALLISON: I don't have a big problem with that,
8 but I would have a problem and maybe this is what we're
9 getting down to the root of it I think -- that I know myself
10 that I am responsible for those records, I am the registrar, I
11 am the keeper of those records. I am the administrator of
12 that law pertaining to voter registration, not the legislator,
13 the administrator. I am responsible for that.

14 And I think that whatever, you know, is in the
15 making or what may have the making, that in my own personal
16 opinion I want to know exactly what is going on here. When I
17 say control over that, I am not saying I want control over all
18 the voter registration, because I am responsible for this.

19 Whenever I take my registration outside my office,
20 we call these satellite registrations by the way -- I go
21 before my Police Jury and the U. S. Justice Department and I
22 get the authorization to do so, you know. And I expect that
23 those people who are doing the very same thing, that they have
24 to get that authorization also. I want to know that one of my
25 volunteer deputies, if that's the case, is not going in one

1 area and neglecting to go to the guy next door, you know.

2 So when you say knock, knock, knock, then who gets
3 the criticism when the one door is neglected. Who gets the
4 criticism when you don't have enough volunteer deputies.
5 We're using this as an example, by the way, that doesn't
6 qualify or go to school. Then all of a sudden, I imagine Mr.
7 Brass may jump up and holler on that one too, well no one
8 qualified, or you didn't pick anyone. But you know what, you
9 may have had only one minority in that hat when it was pulled
10 out and you didn't get it. Am I quoting somebody with a hat
11 drawing system earlier?

12 This is what I'm trying to get over to you when I
13 say that I feel, my personal feelings are, that I really
14 believe everyone has that right to register to vote or else
15 wouldn't go out as much as I do. I wouldn't go out every time
16 there's a marathon or a runathon or this or that or the other
17 and say can you come over Saturday afternoon or Saturday
18 morning, we're really going to have a big turnout. If I
19 didn't believe in that -- you can't force them into it. You
20 can't force them to do it. You can make it as easy as you
21 possibly can for those people. You can encourage it, you can
22 advertise it, you can just do anything you want to, but you
23 can't force them to do it. And I think our statistics show
24 this. I really believe firmly that they do show this. I
25 believe that each registrar is doing his part in accomplishing

1 this.

2 MR. FONTHAM: We may have some other questions.

3 MS. MCDADE: I'm just curious as to how you
4 advertise. I know in Caddo that we have newspaper
5 advertisements, leaflets that go out every time a satellite
6 location is going to be established for the purpose of
7 registering. How do you advertise, do you advertise like in
8 the paper or --

9 MS. ALLISON: I cover all -- my greatest
10 advertisement is the New Orleans causeway, because they give
11 us the space on that at all the intervals, and it will have
12 voter registration generally it is exactly, 6:00 to 8:00 p.m.,
13 1:00 to 8:00 p.m. -- generally at night time. Then I have
14 five newspapers that I advertise in, and like I said, I get it
15 anywhere from five to ten thousand fliers made up and send
16 them in to the homeowners' association and in to the different
17 organizations and in some instances you can go down to the
18 City Hall and pick up as many as you want to.

19 MS. MCDADE: How well do you do when you run a
20 satellite? I mean do you just register a lot of people?

21 MS. ALLISON: Sometimes and sometimes not. It
22 depends on whose out there stirring them up. The best form of
23 advertisement, your best form of -- in my opinion, your best
24 form of registering people to vote is not me or you, it's that
25 person that's knocking on that door, that's who is getting

1 that guy out there to register. So you can have as many --
2 and is he the one that's going to get the other guy, hey, you
3 know, are you going to volunteer for me.

4 MR. FONTHAM: Anybody else on this side?

5 MR. JONES: Yes, I have a question. Can you tell me
6 what percentage of your voting age population in your parish
7 is registered?

8 MS. ALLISON: Mine falls more into thirties, early
9 forties, is my highest percentage in that rate. I still have
10 a lot of the older people and everything that when you had
11 permanent registration, you know, that went into effect --

12 MR. JONES: Why do you think that perhaps 40%,
13 somewhere in that range, only of your voting age population is
14 registered?

15 MR. FONTHAM: You obviously had a miscommunication.

16 MS. ALLISON: I didn't say that.

17 MR. JONES: I'm sorry, that was the question.

18 MS. ALLISON: Oh, I thought you meant my highest
19 percentage of registered voters in what age group.

20 MR. JONES: No, no, I'm sorry, the percentage of
21 registered voters in your parish as compared with your voting
22 age population.

23 Or I'll ask the question as I did originally, what
24 percentage of your voting age population is registered?

25 MS. ALLISON: I don't have that figure in front of

1 me. I would be guessing off the top of my head if I gave it
2 to you. I've got a good percentage in voter registration, I
3 will tell you that.

4 MR. JONES: More than 70?

5 MS. ALLISON: I don't believe so. I think I maybe
6 fall in between like maybe 60 to 70.

7 MR. JONES: And how does that compare, in your
8 experience, with the other parishes in the state?

9 MS. ALLISON: I don't know.

10 MR. JONES: We've been hearing numbers --

11 MS. ALLISON: And I'm not sure that that's the
12 correct figure. Does anyone have that figure on mine?

13 VOICE: I don't.

14 MS. ALLISON: Don't y'all have it? Didn't Mr. Brady
15 turn it out?

16 MR. JONES: Well there was a number given, but I'm
17 not so sure about that number, the percentage I mean.
18 Somebody says 77%, I'm talking about statewide.

19 MR. BRADY: The statewide percentage is roughly 70%,
20 that was just before the elections.

21 MS. ALLISON: Well we're talking about -- do you
22 have mine on St. Tammany anybody? I don't. Are you talking
23 about turnout or registered voters?

24 MR. JONES: I'm talking about registered voters as a
25 percentage of eligibles.

1 MS. ALLISON: None of us have that. I was
2 guesstimating on that, but --

3 MR. FONTHAM: Okay, are there any questions on this
4 side, we're running out of time?

5 MS. ALLISON: I just finished canvassing, I just
6 finished purging and I should be hitting at about 69,000 now
7 as compared to the 1980 census and I think that's what Mr.
8 Fowler had told you, that you couldn't give an accurate and
9 fair percentage on it because you're dealing with the 1980
10 census data in comparison to 110,000 in population that -- 69,
11 all of those people aren't eligible because you've got your
12 children and this and that. So I consider that I'm doing
13 pretty good. Wouldn't you?

14 MR. JONES: I can't testify.

15 MS. ALLISON: Well if I gave you the figures back,
16 you know, you would say I was doing pretty good if I could get
17 69,000 out of 110 and still have kids and everything else on
18 there, huh?

19 MR. JONES: I can't testify.

20 MS. ALLISON: Oh, okay.

21 MR. FONTHAM: I'd say you're doing pretty good.

22 MS. ALLISON: Ask Mike, he lived over there in St.
23 Tammany with us for how many years, doing our cases.

24 MR. FONTHAM: We've got some more questions for you
25 here.

1 MS. MADDEN: This is a short question and I know you
2 can't answer it now, but I would like to know, since you
3 represent the Association as the President, if you could get
4 those figures and send them in for the record, because we'd
5 like to know. I'm sure that not every parish is doing as good
6 a job of outreach as you are. You know, we've seen stories of
7 some of them being closed down for lunch or somebody is sick
8 and somebody resigned, so it's not happening the same way
9 everywhere. If you could get those percentages that Mr. Jones
10 asked for and send it in for the record, that would be --

11 MS. ALLISON: Are you talking about just my parish?

12 MS. MADDEN: Every parish, since you represent the
13 Association.

14 MS. ALLISON: Furnish me with the name and address
15 and all and I'll try to get those figures to you. Because you
16 know, myself, I don't have them. They would be generated
17 probably out of the Commissioner of Election's office. But
18 you have to remember also when I heard you say that sometimes
19 they close down -- I don't know whether y'all are aware of,
20 you know, civil service employees as registrar of voters are
21 and some of those positions have been frozen. Whenever a
22 person resigns or something like that, they're not being
23 filled. So we've got people that only have a registrar in an
24 office. That makes it a little difficult too.

25 MR. FONTHAM: Anybody else over here?

1 MR. QUIGLEY: Just for clarity of the record, how
2 long have you been the registrar at St. Tammany?

3 MS. ALLISON: I've been the registrar of voters for
4 three years and I've been chief deputy registrar before that
5 for 26 years.

6 MR. QUIGLEY: And how long of a term do you have as
7 registrar of voters?

8 MS. ALLISON: I have no term as registrar of voters,
9 if I perform my duties.

10 MS. QUIGLEY: Just explain what that means. You're
11 appointed for life, is that correct?

12 MS. ALLISON: Right.

13 MR. QUIGLEY: Do you -- tell me how many Saturdays
14 your office is open a year? Did you say -- I wasn't clear,
15 you talked about Saturdays but in terms of your office being
16 open, how many Saturdays a year is your office open?

17 MS. ALLISON: Well it would depend also how many
18 elections are called within a year's period, but to say that
19 I'm going to leave my office -- well first of all, I'm going
20 to stay open for every absentee that's cast, January
21 elections, tax elections, and I'll have the absentee prior to
22 that and then I'll have the January election. Then I have my
23 primary and general elections in the spring and the fall, any
24 special elections called in between. But also those are held
25 on Saturday, but also for each one of those elections, there



1 is a Saturday for absentee voting that I'm going to be open
2 for registration also.

3 Now if I choose or by an organization's request that
4 they want me to stay open on a Saturday, maybe something is
5 going on, I am not going to be in my office, I'm going to be
6 on a satellite then. And it will not be one place generally,
7 it's both. It's the branch office taking one, I'll take the
8 other, or my employees in that one will.

9 MS. QUIGLEY: How many evenings a year is your
10 office open?

11 MS. ALLISON: Any time that the books close for a
12 particular election, the registration books we call this,
13 close, then my office is always -- and that has been done
14 since I went to work there in 1960, open until 8:00 p.m.

15 MR. QUIGLEY: Always on the day that it closes?

16 MS. ALLISON: The last day for registration. I have
17 never known it to fluctuate any different.

18 MR. QUIGLEY: So essentially one evening per
19 election, right?

20 MS. ALLISON: Well that's standard, right, but we
21 will keep it open to accommodate them other than that.
22 Generally we'll try to set up like for us and everything,
23 Mandeville is one of our biggest ones, so what we'll do,
24 having no branch office there, is that we'll take it to one of
25 the voting precincts or into the Mandeville Town Hall, and

1 especially if it's an election pertaining to a municipality
2 you know, then we'll try to take the -- do a satellite
3 registration within that municipality.

4 MR. QUIGLEY: And you said all registrars are
5 appointed for life except when they are removed. How would
6 they be removed?

7 MS. ALLISON: Well I imagine they would fall in
8 under the Code of Ethics for public officials and they are
9 removed by the State Board of Election Supervisors which is
10 made up of --

11 MR. QUIGLEY: I had heard that there never has been
12 a registrar removed. Do you know whether there's ever been a
13 registrar removed?

14 MS. ALLISON: Well to my knowledge there hasn't
15 either, but I imagine, Mr. Quigley, that if you had something
16 -- like anybody else, you might resign first, huh.

17 MR. QUIGLEY: You mean if you were in trouble?

18 MS. ALLISON: So I imagine there may be some of
19 those. I'm not sure, you know, I mean I can't go quoting.

20 MR. QUIGLEY: Okay.

21 MS. REIBOLDT: Mr. Fowler probably could have
22 answered your questions.

23 MR. FONTHAM: Do you have much more?

24 MR. QUIGLEY: No, that was the last one.

25 MR. FONTHAM: Mr. Brass?

1 MR. BRASS: I have a few questions. What's the
2 furthest municipality, so to speak, from your main office?

3 MS. ALLISON: What is what?

4 MR. BRASS: The furthest municipality from your
5 office, your main office -- except for Slidell, I think you
6 said you have a satellite office.

7 MS. ALLISON: I have a branch office in Slidell. We
8 have the whole courthouse complex there.

9 MR. BRASS: What's the furthest municipality from
10 either one of the offices?

11 MS. ALLISON: About eight miles.

12 MR. BRASS: Eight miles?

13 MS. ALLISON: No, no, no -- it's small, but I'd
14 still have to say three and a half miles. It's a small
15 municipality, but my real big one next to that would be
16 Mandeville which is about eight miles.

17 MR. BRASS: Mandeville is eight miles from
18 Covington?

19 MS. ALLISON: Covington.

20 MR. BRASS: So to register to vote, I'd have to come
21 from Mandeville in to Covington, is that correct?

22 MS. ALLISON: Unless I would be down there --

23 MR. BRASS: Just on the regular schedule. Like
24 tomorrow morning, if I was in Mandeville and wanted to
25 register to vote.

1 MS. ALLISON: You'd have to come to Covington or
2 Slidell.

3 MR. BRASS: Monday morning, yes. Not tomorrow
4 morning, you're not going to be open.

5 MS. ALLISON: You don't know that for a fact, do
6 you?

7 MR. BRASS: Well I guess not.

8 MR. FONTHAM: She may open up now.

9 MS. ALLISON: I'll be looking for you.

10 MS. BRASS: Don't worry about that, I'll be in
11 Ouachita Parish where our office closes on a regular basis.
12 We closed down the other day.

13 The other question is, you indicated a few minutes
14 ago that based on civil service constraints and some other
15 monetary constraints, some offices only have the registrar
16 present, is that correct?

17 MS. ALLISON: We have several that may only have a
18 registrar and then there are several that have only the
19 registrar and one other person in those offices.

20 MR. BRASS: Just for accessibility, don't you think
21 it would be nice to have some volunteer registrars to assist
22 you? Just for pure accessibility.

23 MS. ALLISON: I think I answered that.

24 MR. BRASS: I didn't get your answer.

25 MS. ALLISON: I certainly did and that's when I gave

1 you that case history or whatever you want to call it going
2 back, that I am responsible for those records. I'm the one
3 that appears in court to verify voter registration, which on
4 occasion I have to do. Ask this man right over here, Mr.
5 Fontham, I've been in court with Mr. Fontham on that. I am
6 responsible for that voter registration and I want to know
7 what's going on out there with those volunteers. I want to
8 know.

9 MR. BRASS: So your position is that you would not
10 like to have volunteer registrars because you don't have
11 control over what they have on the information.

12 MS. ALLISON: That's not what I said at all, no,
13 that is not. I think anybody can need help, and I did not say
14 I was against that volunteer deputy bill because the
15 association, from my understanding is going to support one of
16 those bills. Mine was that I don't want to see a volunteer
17 deputy bill, my own personal thing, that the registrars
18 themselves does not have some sort of knowledge or some sort
19 of control to know that we know what these people are doing
20 because we're responsible for those.

21 MR. FONTHAM: But you're not against it, you just
22 want control.

23 MS. ALLISON: No, indeed I'm not.

24 MR. FONTHAM: She's not against it, she wants
25 control.

1 MS. ALLISON: I want certain controls -- I'm not
2 against that.

3 MR. BRASS: I just wanted to know what position you
4 were taking, that's all.

5 Now you yourself, you have not ever denied anyone
6 access -- on purpose denied access to the right to register to
7 vote, have you?

8 MS. ALLISON: No.

9 MR. BRASS: Do you know of any instance where that
10 has occurred, because you are the President or President-elect
11 of the organization and you've been in the business for some
12 30 years, close to 30 years?

13 MS. REIBOLDT: There goes my question.

14 MS. ALLISON: Not to my knowledge.

15 MR. BRASS: Do you think now -- just an opinion --
16 that because the office has certain hours that it's open and
17 those are basic working hours, that other persons who work
18 have less access or other groups of persons, particularly
19 black and poor people, have less access to your office, your
20 particular office, than other groups do because of the hours
21 and the time and the economics and the distance involved?

22 MS. ALLISON: Are we talking about my office?

23 MR. BRASS: I think you know more about your office
24 than you know about any others.

25 MS. ALLISON: No, because I work very, very, very



1 close with my black leaders, very close. You asked.

2 MR. BRASS: Well I won't ask -- you say you work
3 very close, I won't ask how do you do it, even though you work
4 closely with them.

5 MS. ALLISON: I do my voter registration into those
6 areas if they request it. And on occasion I've kept my office
7 open some in the afternoon also for some of the black leaders,
8 which I have a school board member which -- two of my police
9 jurors -- was at that time, which I have some personal friends
10 on the Slidell City Council that are black people, that I've
11 done that for too. I've gone into the black housing unit down
12 in Slidell because of a person that I know very well. And I
13 do this -- each voter registration drive once a year, I go
14 into the black housing project in Slidell.

15 MR. BRASS: That's once a year you have those kinds
16 of drives?

17 MS. ALLISON: Unless like a church organization or
18 something else calls, you know, and wants us to come out. I
19 won't go on a Sunday, there's no way, because I feel like my
20 people need those breaks also.

21 MR. BRASS: Just one final question.

22 MR. FONTHAM: Last one.

23 MR. BRASS: How many times this year have you done
24 a voter registration drive upon request or on your own, into
25 the black and poor community?

1 MS. ALLISON: Well I did it, I had a police jury
2 candidate that was black that requested that I come to
3 Lacombe, that he just ran into a special election, and yes, I
4 did, I took it down to Lacombe to the fire station and it was
5 at his request, and he did the advertisement as a matter of
6 fact on it. And I put it in the other local newspapers.

7 MR. BRASS: That was one time this year?

8 MS. ALLISON: Well it's the only occasion I've had,
9 I haven't had my voter registration drive. I'm in to my high
10 schools right now and I just finished three elections. I
11 mean, you know, I'm working on it.

12 MR. BRASS: I understand.

13 MR. FONTHAM: Ms. Reiboldt.

14 MS. REIBOLDT: What kind of complaints do you get
15 your office regarding problems?

16 MS. ALLISON: Is this from the general public or --

17 MS. REIBOLDT: No, from anyone. For instance, do
18 you get complaints of look, I came down to your office to try
19 to vote and nobody was there -- I mean to register and nobody
20 was there, any kind of complaint?

21 MS. ALLISON: Well everybody I think gets a
22 complaint or two, you know, on something or other, but I would
23 say most probably my most outstanding would be my canvass, you
24 know, that we do and I have to agree with the Commissioner of
25 Elections Jerry Fowler, that if we could get the 100% canvass

1 instead of the quarter precincts per year doing this, that we
2 would still have that forwarding address from the post office,
3 which is a year, you know.

4 MS. REIBOLDT: In other words, people who went to
5 try to vote and they couldn't because they hadn't changed
6 their address because they had moved, those kind of things?

7 MS. ALLISON: That's right, that's predominantly
8 what I would get.

9 MS. REIBOLDT: You know, you really are a very
10 innovative person and a very committed person it seems to me
11 and we're fortunate in Caddo to have the same type of
12 individual.

13 MS. ALLISON: You've got a very good registrar.

14 MS. REIBOLDT: Right. But you know, I just got to
15 thinking that we're worried about people getting in to vote
16 and transportation and things like this and you seem to be
17 getting out, but it just dawned on me that another thing might
18 be that I know that most people, even those classified as poor
19 people, whether black or white, have phones. Somehow this
20 seems to be the case. Now I'm not an authority here and I
21 guess I'm thinking of we have a little black boy that is a
22 fantastic pitcher on our baseball team and don't recruit him
23 to Monroe, but he lives out past us and he has to walk -- our
24 car can't even get down to where he lives and so he walks out
25 to the road to meet us, but they have a phone. And I thought

1 goodness if this is the case, and he doesn't have a good road
2 to get out, how did they get down to do the phone line. But I
3 was just thinking that this might be a way, you know, if
4 people are having trouble registering, that they could all
5 people like you and there certainly should be other people,
6 and say can you help me figure out a way that I can do this.

7 MS. ALLISON: You mean register to vote over the
8 telephone?

9 MS. REIBOLDT: No, no, how can I register to vote,
10 and then you would maybe go out or send someone out or provide
11 transportation for them to come in to vote -- I mean you would
12 go that far, wouldn't you, if somebody called you and said I
13 have no way to get there in order to vote?

14 MS. ALLISON: I've never had a request where they
15 never had a way to get there, you know.

16 MS. REIBOLDT: Nobody has ever called or anything
17 like that to say I can't get there, can you help me?

18 MS. ALLISON: No.

19 MR. FONTHAM: Look, we've got --

20 MS. ALLISON: We may have from the nursing homes,
21 but I mean we even go into the nursing homes to register.

22 MR. FONTHAM: Okay, we've got one quick question.

23 MS. MCDADE: Really quick. You know, we were given
24 statistics, I believe you gave us some numbers regarding how
25 many people in an age bracket were registered, how many were

1 not, and I'm not the greatest at math in the world, but I'm
2 fair, and I do have a calculator, and I ran some percentages
3 here and sort of what surprised me is I found in your 18 to 30
4 group, 43% were not registered. Then when you got 35 to 45,
5 22% and then it went down with the next group, down with the
6 next group and back up again with 65 and older.

7 I'm wondering if you could furnish us with some age
8 bracket percentages because we may find -- it's possible that
9 we will find that it's more of an age level problem than an
10 accessibility problem. I would be curious to get a breakdown
11 like that.

12 MS. ALLISON: I'm sure you know I could get that for
13 you, but it's -- all that y'all are requesting will basically
14 come from the Commissioner of Elections office because of the
15 computer system that we have.

16 MS. MCDADE: I think that would be interesting
17 because these percentages really kind of surprised me.

18 MR. FONTHAM: Okay, we need to move on, but we do
19 thank you for agreeing to appear.

20 Our next speaker is the President of the Louisiana
21 League of Women Voters, Robin Rothrock.

22 STATEMENT OR ROBIN ROTHROCK

23 MS. ROTHROCK: First of all, I want to introduce
24 myself, I'm Robin Rothrock, I'm President of the League of
25 Women Voters and thank you for having me. I appreciate the

1 opportunity to come here and speak to you about voter
2 registration. I also have gifts for you. I'm bringing you
3 the Citizens Guide to Louisiana Government, which the League
4 of Women Voters produces, and it covers all of the aspects of
5 Louisiana government, and I thought you all might find it
6 interesting, including voter registration issues and what's
7 involved in voter registration.

8 I'm going to have them passed out. I wasn't sure
9 how many of you there are, so I have some more in my car if we
10 need some.

11 But basically, I'm pretty sure you are aware of the
12 fact that the League of Women Voters of Louisiana has been
13 seriously involved in voter registration reform for the entire
14 time since its beginning in 1943, at the state level.

15 Our position is very simple and very clear. It is
16 support of equitable registration and election laws that
17 protect the right to vote of every citizen. And I'll say that
18 again, because it's so simple you need to listen to it. It's
19 support of equitable registration and election laws that
20 protect the right to vote of every citizen.

21 One of the major concerns I think that we hear being
22 discussed is whether or not voting -- registering to vote is a
23 right or a privilege, and the discussion continues to center
24 around that. The League of Women Voters has a very active
25 history in Louisiana and Louisiana has a very colorful history

1 by its own right on this issue.

2 At the first state convention in 1943, League
3 members noted the problems placed in the path of those who
4 would register to vote in Louisiana and adopted a program to
5 reform registration laws. Today, 46 years later, the
6 successes have been many, the failures few, and Louisiana does
7 indeed have some good laws on the books.

8 While many of the reforms can be attributed to the
9 impact of the 1965 Voting Rights Act and subsequent court
10 decisions, the League's role in improving the registration and
11 election process should not be under-estimated.

12 Additional reforms have been brought about by the
13 1975 Open Elections law and the codification mandated by the
14 1974 Constitution. The League was represented on the
15 committees dealing with the revision and codification and
16 continues to work for these improvements.

17 Before 1952 -- and I hope that you've been given
18 some historical orientation -- registration took place every
19 four years when the rolls were completely cleared. In 1952,
20 largely due to the efforts of the League, permanent
21 registration went into effect and is today part of the
22 Constitution. In 1956, the League succeeded in reducing
23 residency requirements from two years in the state to one year
24 in the state and six months in the parish. Today there is no
25 specific residency requirement.

1 The reason I'm going through this is I think it
2 really clarifies some of the things we're still talking about
3 today.

4 The League works consistently to simplify the
5 registration application for which at one time -- and please
6 listen to this -- required that the applicant give his age in
7 months and days and included moral questions such as having
8 been guilty of a crime or having given birth to an
9 illegitimate child. In addition, in the '60s the Board of
10 Registration drafted a series of citizenship questions which
11 were kept from public knowledge. To educate the public and
12 would-be registrants, the League published a voter service
13 pamphlet "Capsule Civics" with simple questions and answers to
14 most of the questions that might be asked.

15 In 1965, the legislature adopted most of the
16 League's recommendations for a simplified application for, but
17 retained optional moral questions. They were dropped as a
18 result of a 1971 federal court decision.

19 Statewide use of voting machines became law in 1964,
20 but paper ballots could still be used in elections held to
21 impose taxes, incur debt or issue bonds. In such elections,
22 only property owners could vote, and a measure had to receive
23 a majority of popular vote as well as carry by dollar value.
24 The League opposed the undemocratic practice, which was
25 declared unconstitutional in 1971. Today, tax and bond

1 elections are held on voting machines.

2 In 1973 delegates to the state convention voted to
3 open primaries. Consensus was reached that closed primaries,
4 only voters registered as members of a given party, may vote
5 in that party's closed primary, should be replaced, but there
6 was no agreement about what it should be replaced with.
7 Basically the passage of the open elections law of 1975 made
8 re-examination of this issue unnecessary.

9 In 1982, the League supported and helped pass
10 legislation to reduce the time span between primary and
11 general elections from six to four weeks.

12 When the League began its study of registration and
13 election laws, three separate laws governed absentee voting.
14 Each dealt with a different category of voters, none provided
15 for the secrecy of the ballot. Sustained League law being led
16 to a 1960 absentee voting law which ensured that absentee
17 ballots and added -- which ensured the confidentiality of
18 absentee ballots and added to the categories of voters
19 entitled to vote by absentee mail.

20 In 1972, legislation and election code broadened the
21 categories of voters who may vote and the League continues to
22 work for measures which would extend absentee voting to the
23 handicapped, the elderly, the institutionalized and others not
24 able to vote in person.

25 In 1983, a bill passed setting up the program

1 whereby handicapped citizens could vote absentee by mail.

2 The most recent history of the League of Women
3 Voters, and this entire debate, comes about as a result of
4 1982 when the League presented recommendations to the State
5 Board of Election Supervisors, including methods of allowing
6 disabled and/or elderly to vote without going to the polls,
7 full access for the handicapped at the polls, voter
8 registration at high schools, requiring registrars to register
9 voters away from their office, use of volunteer registrars,
10 hands-on training for commissioners, requiring commissioners
11 in charge to have previous experience at polling places, and
12 investigation of Tuesday versus Saturday elections, reduction
13 of precinct size and shortening campaign periods.

14 Legislation was introduced in 1983 to allow the use
15 of volunteer registrars, but was killed as being too
16 dangerous. In the same session, efforts were utilized to
17 expand voter registration opportunities for high school
18 students and to provide that they have registration in high
19 schools. It failed that year. In 1984, that same legislation
20 passed.

21 In 1986, the League of Women Voters, in conjunction
22 with other groups, filed a suit against the state requesting
23 that polling places be made available to handicapped
24 individuals. We won that suit, the state now is in compliance
25 with that law.

1 So obviously the League of Women Voters has been in
2 this battle for a long time. Currently I can tell you what is
3 going on is pretty much what you have heard today. We are
4 supporting mail-in registration, we are supporting the motor
5 voter concept, and we are supporting the use of volunteer
6 deputy registrars.

7 At the national level, the League of Women Voters
8 has entered into a major national campaign. Our number one
9 priority is advocacy for the voter, which includes opening up
10 voting registration laws. We currently are supporting the
11 national bill, which I'm sure you all have heard about today,
12 H.R. 15, which basically follows all of the current
13 guidelines. I passed out a fact sheet for you on that, from
14 the National League of Women Voters for your review.

15 I can tell you some of the things that I hear going
16 on in the state at this point in time with League members, and
17 one of the things that we heard just recently was the fact
18 that someone said that they had talked to their registrar for
19 a great deal of time about coming out and trying to register
20 people at places such as malls, and finally this opportunity
21 occurred, the registrar came out to register folks. There was
22 a short period of time where the registrar was there, there
23 were lines. When the registrar chose to leave, at an
24 appointed time, the registrar left, the line remained. And
25 this was less than six months ago. So in some parishes I

1 think there are difficulties in terms of getting people access
2 to registration.

3 And the issues that continue to come up seem to be
4 who is qualified to vote, which is an interesting question in
5 itself. And basically, why do we have voter registration at
6 all. It's obvious -- the obvious answer would be maintaining
7 the integrity of the system. In your handbook, I did give you
8 this handbook for a reason, on page 34, there's a listing of
9 the eligibility to vote.

10 In Louisiana, an eligible voter must be at least 18
11 years of age on or before the next election, a citizen of the
12 United States by birth or naturalization, a bona fide resident
13 of the state, parish, municipality and precinct in which he
14 offers to register as a voter. Those are the requirements for
15 eligibility in the state. I guess what's interesting is the
16 fact that it doesn't say anything about transportation, which
17 seems to be a major issue these days, and one of the
18 considerations that we feel is necessary in this entire
19 debate, particularly when you're talking about some of the
20 rural areas that we have in this state.

21 Basically those are my remarks. I didn't have the
22 opportunity to be here to hear other people speak, so I'm not
23 really sure where we go from here.

24 MR. FONTHAM: We go to that side of the room and
25 they ask you questions.

1 MS. ROTHROCK: Okay.

2 MR. FONTHAM: Doesn't look like they have any.

3 MS. ADAMS: I have one.

4 MR. FONTHAM: Okay, we'll start there.

5 MS. RICHARDSON: Does the League have a position on
6 same day registration?

7 MS. ROTHROCK: The League would support same day
8 registration.

9 MS. RICHARDSON: Thank you. One of the reasons I
10 think that is real important to recognize also, and that was
11 part of the reason that I wanted to give you a historical
12 overview, is the fact that things change. Time changes,
13 electronics change and we believe that if there is a method to
14 maintain the integrity of the system with same day
15 registration, if that could be guaranteed, there would be no
16 problem with that at all.

17 And in fact, if we can go into a department store
18 and write a check and have it immediately verified, then we
19 should have the same electronic access for our voting system.

20 MS. RICHARDSON: Thank you. I love that analogy.

21 MS. ADAMS: I have a couple of questions.

22 In the package that you handed out, it says that
23 according to the U.S. Census, 80 to 90% of those who are
24 registered to vote. Now in Louisiana our numbers are not even
25 approaching that, and yet we have been told that we have one

1 of the higher rates of registration. What would you see the
2 impact of increasing our registration here on achieving what
3 is in this printed material?

4 MS. ROTHROCK: Well when you have more people
5 registered, you're going to have more people voting. That
6 doesn't necessarily mean that the percentage of people
7 registered, there's going to be a greater percent voting.
8 Does that make sense? In other words, more people will vote
9 but you may have less people voting percent-wise that are
10 registered, because you're going to have a bigger number of
11 people who are registered. All right?

12 Now in terms of what's going on with participation
13 in voting, that is a problem and that's part of the reason
14 that the League of Women Voters nationally entered into the
15 entire discussion once again, because this last election was
16 the least participated in election since the depression. The
17 League of Women Voters feels that the whole concept of our
18 democracy of participatory democracy is at jeopardy and one
19 way that we can assure that people have access to voting is to
20 make sure that they're registered.

21 So we believe that this is the first step of the
22 process to assure -- and part of it too is a question of
23 really what is the point of registration. I think that's a
24 question that we have to continue asking ourselves. You know,
25 is the point to assure that there be participation in voting

1 or is it a basic fundamental right.

2 MS. ADAMS: Okay, but I guess what I hear you saying
3 is that American -- the biggest problem is problems with
4 registering, for the reason why people don't vote and that
5 Louisiana has one of the highest rates of registration, yet
6 people in Louisiana don't vote.

7 So I'm not sure -- I'm not convinced that (a) there
8 is a need to increase registration, it seems there is a need
9 to increase voting more than anything else, if you're worried
10 about people's right to vote. I'm not sure that registration
11 is the problem, I think not getting them out to vote is more
12 the problem, if you want to approximate this U.S. Census
13 figure of 80 to 90% of the people vote.

14 MS. ROTHROCK: I think that, you know, getting
15 people to vote and getting people to participate in this
16 democracy is a complicated issue. I think that registering to
17 vote is also though a different issue than actually voting,
18 particularly when you're talking about it in terms of basic
19 rights, you know, and the obligation of the state, either
20 federally or at the state level, to make this system available
21 or accessible to individuals.

22 So in terms of -- I've been working on voter
23 registration at this point in time and in terms of
24 participation we certainly work on getting out the vote, but
25 in my dealing with it I keep them separate because I think it

1 muddies the water somewhat.

2 MS. ADAMS: I have one follow up question and it
3 involved motor voter.

4 MR. FONTHAM: We don't have much time.

5 MS. ADAMS: Okay. It says that House Bill 15 or
6 whatever, the motor voter bill --

7 MS. ROTHROCK: Right.

8 MS. ADAMS: -- that really the focus of this is to
9 allow people to apply when they apply for their driver's
10 license.

11 MS. ROTHROCK: Simultaneously.

12 MS. ADAMS: So that will open up access to the poor
13 and to --

14 MS. ROTHROCK: To 90% of the population.

15 MS. ADAMS: But then it goes on to say that those
16 very people are not the ones who go in for drivers' licenses.

17 MS. ROTHROCK: If you open up motor voter -- okay,
18 that isn't to say that you're going to stop what the
19 registrars are doing or change anything else. What you could
20 do is you could allow individuals simultaneously to get their
21 driver's license or renew their driver's license and also
22 register to vote. We have computerized systems now at the
23 driver's license bureaus. We have computerized systems at the
24 registrar's office and very possibly it could really assist us
25 in terms of the registrars and their problems if we are

1 inputting the same data, if we could assure that we have a
2 comparable software package, it should be no problem at all to
3 utilize both of those. That would mean that you would give
4 90% of the population access to registering to vote. That
5 doesn't mean that the registrars would in any way be
6 diminished, they would still have every opportunity to do what
7 they are doing at this point, and in fact, they may be able to
8 do more in terms of outreach.

9 MS. ADAMS: But it won't affect the low income
10 people.

11 MR. FONTHAM: That's got to be it. Are there any
12 other questions over here? Yes, ma'am.

13 MS. REIBOLDT: A couple of things. The situation
14 that you cited earlier about the registrar coming out and
15 leaving with the line, where was that?

16 MS. ROTHROCK: In Lake Charles.

17 MS. REIBOLDT: And when was that?

18 MS. ROTHROCK: It was less than six months ago.

19 MS. REIBOLDT: Do you know any more specifics of the
20 situation?

21 MS. ROTHROCK: I can give you the person's name who
22 cited the situation and you can talk with her directly, she is
23 a League member.

24 MS. REIBOLDT: And she was there and she saw that?

25 MS. ROTHROCK: Yes. In fact, she helped set it up.

1 MS. REIBOLDT: Okay, I would like to know more about
2 that because that's -- there may be some extenuating
3 circumstances. We shouldn't be so critical of someone or come
4 down so hard on someone, especially if we didn't know that
5 person's side of the story. There could have been extenuating
6 circumstances.

7 MS. ROTHROCK: Oh, I'm sure there are. And in fact
8 the whole issue is not that the registrars are the bad guys
9 because they're not. The point is that the system is
10 antiquated and needs to be changed. We have electronics that
11 are capable of doing the jobs, we don't need to have people
12 standing there watching people register to vote anymore.

13 MS. REIBOLDT: I understand that and I understand
14 what you're saying, but that's why we need to present the
15 story in a fair light.

16 The other question that I have to you is that you
17 said that 90% of the people would be served or given the
18 opportunity to have it made easier for them to register to
19 vote if they came into a drivers' license bureau.

20 MS. ROTHROCK: People getting their driver's
21 license, right, that would cover 90% of the population.

22 MS. REIBOLDT: One of the arguments here today --
23 and since you haven't been here earlier, I'll point this out
24 to you -- was that one of the reasons we need to really have
25 this little openness of allowing people to vote through car

1 registration, et cetera, is the fact of transportation. If
2 this is going to open it up that much, then these people
3 obviously have transportation and that's not the problem.

4 MS. ROTHROCK: Right. They may have a driver's
5 license but they may not be able to afford a car.

6 MS. REIBOLDT: Well how do they get to the drivers'
7 license bureau?

8 MS. ROTHROCK: Somebody may take them.

9 MS. REIBOLDT: Could they take them to register to
10 vote too?

11 MS. ROTHROCK: Is that a criteria that you want to
12 establish?

13 MS. REIBOLDT: I'm not establishing a criteria, what
14 I'm trying to clarify is hardship or barriers or making it
15 easier. If they can do that, if they can go to a drivers'
16 license bureau to get their drivers license -- it's important
17 to them, isn't it -- they're going to get somebody to take
18 them to go do that. But obviously voting is not that
19 important. And you're right, they have that right, whether
20 they exercise that right or not.

21 But my last question is -- and I know we're running
22 out of time -- do you have -- and this is my yes or no
23 question. Do you have any personal examples or know of any
24 personal examples of where an individual has been
25 discriminated against because of race, color, religion, sex,

1 age, handicap or national origin regarding this privilege of
2 voting?

3 MS. ROTHROCK: No personal knowledge.

4 MS. REIBOLDT: Thank you.

5 MS. ROTHROCK: The one thing that I wanted to say
6 about this idea of saying if you care enough you would go or
7 you would -- I guess we could say that you have to own a car
8 in order to register to vote, that would be one way to do
9 that.

10 MS. REIBOLDT: I wouldn't want to limit people in
11 that way at all.

12 MS. ROTHROCK: I didn't think you did. But that is
13 an example of the fact of assuring that if you have
14 transportation, then that is directly tied in to registering
15 to vote.

16 So I do think it's important to recognize what it is
17 that we're talking about in terms of why we have voter
18 registration to begin with.

19 MR. FONTHAM: Any questions over here?

20 MS. MCDADE: (Raises hand.)

21 MR. FONTHAM: This is the last question.

22 MS. MCDADE: Ms. Rothrock, a question that hasn't
23 been asked today that I'm curious as to whether there's anyone
24 who really would be interested in this particular barrier --
25 it might be called a barrier, I don't know -- being removed.

1 But as you know, right now the State of Louisiana drug dealers
2 and murderers or people who are convicted of felonies are not
3 allowed to vote. Is the League in any way in favor of
4 changing that barrier?

5 MS. ROTHROCK: At this point in time I know of
6 nothing that the League is doing in that area. I think it's
7 something that the League will be looking at, but at this
8 point in time we do not have a position on that, nor do I have
9 any information about the League's -- the national League
10 position on that.

11 MS. MCDADE: Do you think that might be something
12 that they would look at?

13 MS. ROTHROCK: I'm sure you're aware of what the
14 League of Women Voters does, it looks at everything and
15 studies everything, all of the issues, pro and con. We don't
16 have a position on that at this point.

17 MR. FONTHAM: Okay. Well we very much appreciate
18 you coming, thank you very much.

19 Okay, we're going to go out of sequence a little bit
20 because I believe Mr. Bankston has another commitment, so
21 could you come up, sir?

22 STATEMENT OF NATHANIEL BANKSTON

23 MR. BANKSTON: First I'd like to thank each and
24 every one of you here for having the people that work in the
25 trenches to come up and tell you our side of the coin.

1 Give me just a second.

2 (Brief pause.)

3 MR. BANKSTON: Okay. In the letter that I received
4 -- let me give you a little background on myself. My name is
5 Nat Bankston. I'm Registrar of Voters here in East Baton
6 Rouge Parish and I grew up in the office. My grandmother was
7 in the Registrar's office 25 prior to me. I can remember
8 going to conventions when I was two and three years old.

9 I've been in that office now 20 years, August 16th
10 this year will be 20 years. I was a member of the Louisiana
11 Election Code Commission which rewrote the the election laws
12 with Mr. Bruneau. I sat on that Commission with him and a
13 number of other people and rewrote the election laws in the
14 State of Louisiana back in 1973 and '74. I guess I served
15 that Commission for four or five years.

16 Some of the questions that you asked was for me to
17 talk about the nature of Louisiana voter registration and the
18 status of it. I think it's, you know, some of the statistics
19 that you've had today have been erroneous. We have about 77%
20 of those who are eligible are actually registered. East Baton
21 Rouge is probably higher than that. I think the last time I
22 did one it was like 86% just in this Parish.

23 To give you a little more history back on me, back
24 in 1972, I went on a parish computer system, first parish in
25 the state to ever do that. I was told I was crazy, I was a

1 liberal and definitely I am not a liberal and was not crazy.
2 Everybody in this state right now is on a statewide computer
3 system and it's the finest thing since sliced bread. Okay.

4 So like Yvonne said, you know, I can't give enough
5 praise to Mr. Fowler and to what he's done as to the job that
6 he has done with this computer system and what it's done to
7 this state, what it's done for this state, what it's done for
8 registrars. Rather than having a person registered in East
9 Baton Rouge and West Baton Rouge and Livingston or St. Helena,
10 at one time, you can only register one time now rather than
11 four or five times.

12 To give you a little breakdown of other things that
13 we are required to do, we're working right now with the
14 Louisiana legislature, the United States Census Bureau in
15 preparing every precinct in this parish or in this state to be
16 along visible boundary lines. By that, I mean that the line
17 can no longer run down the back line of a subdivision or the
18 back property line of somebody's house. It has to be a
19 visible boundary line. Then I'm going to talk to you about
20 big mama pretty soon.

21 We do those kind of things. We do reapportionment
22 along with registration. We do canvasses. You asked me to
23 touch on some of that and believe me, I've been in enough
24 courtrooms I can tell you about the canvasses. The canvass
25 that even that Mr. Brady spoke about about people coming in

1 and presenting an affidavit and saying we're going to take you
2 off the rolls. As a registrar, as an administrator, the
3 person has to follow the law, if you come to me with a
4 certificate saying we want to remove these people, I've got to
5 do it or I'll go to jail. So we proceeded with the procedure
6 and I've got to tell you the statistics were astounding. You
7 know the big cry was we was taking off more blacks than
8 whites.

9 Well, in Baton Rouge and the reason the numbers are
10 so vivid in my memory is 'cause I sat on the witness stand for
11 three days talking about it, there was 794 people that were
12 challenged in East Baton Rouge, 752 were white and the rest
13 were black. There was like 193 republicans, three hundred and
14 eighty some odd democrats and one hundred and some odd no
15 parties. So that's why those figures are still vivid in my
16 memory 'cause I remember all that. So it wasn't that, in my
17 eyes, or in this parish it wasn't that.

18 Some of the other things we do, we purge for not
19 voting at least once in four years. If you fail to vote one
20 time in a four year period, you can come off the rolls for
21 failure to vote. There is legislation proposed this year to
22 do away with that. I don't know if it's been touched on that
23 the -- with the canvass procedure that is now before the
24 legislature, we are proposing to do the entire parish every
25 year and the reason we're doing this is the forwarding order

1 at the post office only lasts a year. So if we canvass you
2 this year, one-fourth this year, one-fourth, one-fourth, and
3 one-fourth over a four year period we cover the entire parish,
4 but that forwarding order only lasts for 12 months. It used
5 to last for 18 months. I'm on the Postal Customer Council
6 here in Baton Rouge and working very close with the post
7 office on a number of things dealing with my office or any
8 other particular office.

9 So by doing a canvass every year 100%, that removes
10 the problem of somebody who changes their address and we miss
11 them. It also takes that political cloud off of the
12 registrars where somebody says you took some people off my
13 district and I'm fixing to run, you know. Let's do them all
14 at one time and then you know we're going to be fair. To me,
15 it's not a matter of taking a particular person off or
16 canvassing a particular area, it's you've got to do one-
17 fourth, one-fourth, and one-fourth. So, you know, I don't
18 look at who's running or anything like that. We are non-
19 political. We can't take part in politics. We are appointed
20 for life.

21 If somebody comes to me and says I want you to
22 contribute to my campaign, I'm going to turn them in to the
23 federal government and I've got a good working relationship
24 with those people. So we can't take part in any politics and
25 we don't. A lot of people might say we do but in this parish

1 I know I don't and I know the rest of the registrars
2 throughout this state doesn't take part in politics.

3 Back in 1974, and I have some records I want to
4 introduce into evidence that y'all can take back with you.
5 Back in 1974, before registration drives or anything was ever
6 even talked about I started a registration drive and I think
7 Ms. Madden knows this. We went to the high schools, we went
8 to the communities centers, we went everywhere registering
9 people. Starting in 1978, which is what this is, and it goes
10 from '78 to '89, is a statistical breakdown by year by
11 location of everywhere that I went to register people to vote
12 and if I can I'll leave that with you to introduce into
13 evidence.

14 Let me give you some ideas of some of the things
15 that I did and the reasons I did them. When I set up the
16 registration drives, I set them up to remove any question with
17 respect to political favoritism or anything. If somebody
18 would ask me, I said sure I'll be glad to go out and conduct a
19 registration drive. I'll take your name and address and put
20 you on a list and when I conduct a drive, I'll send you a
21 letter and let you know where I'm going to be, when I'm going
22 to be there, and how long I'm going to be.

23 Now, back in '74, when I first set this up, I called
24 a lady by the name of Mrs. Yvonne Lee with the U. S.
25 Department of Justice in Washington, Voting Rights Section.

1 And that little lady and I had a long discussion. Probably
2 two or three weeks we had talked daily on the telephone and
3 the hours that I set these registration drives up were from
4 ten in the morning until six in the afternoon.

5 Now, what that does is that covers the man that
6 works days, dogs, three/elevens. It covers the people that
7 work from eight to five. And as far as public, the public
8 knowing when I'm going or where I'm going, I hold a press
9 conference. The TV is there, all three TV stations are
10 there. The newspaper is there. Three or four radio stations
11 are there. And I let them know exactly where I'm going and
12 when I'm going, how long I'm going to be there and the
13 newspaper, in turn, has a little section it says what's going
14 on today. They'll put that in there. Registration of voters
15 will be at this location at this time during these days.

16 So we do notify the media and we use every aspect
17 that we can to let the public know where we're going, when
18 we're going there, and how long we're going be.

19 Last year or year before last, we had 10 parishes
20 got together and had a press conference here in Baton Rouge
21 and we kept our office hours open I believe until 7:00 for the
22 last three weeks prior to the books close.

23 Somebody asked earlier how many Saturdays do you
24 work. Well, probably about six months of every year we're
25 open, you know, every other Saturday or something like that.

1 We're open pretty much -- you know, with absentee voting,
2 elections, registration, right down the line, we're open to
3 afford people the opportunity.

4 The last three weeks prior to a major election --
5 now understand, we are -- I am in the trenches all the time,
6 and I know the periods of time when it is best to leave my
7 office open for registration so I can get the maximum input.
8 And what I've found over my years of experience is that the
9 last three weeks prior to major election -- when I say a major
10 -- is a congressional, a gubernatorial, a presidential, or a
11 mayoral election in a particular area, and by leaving your
12 office open those last three weeks until seven or eight
13 o'clock at night, and that's not just my main office, that's
14 my branch office, that increases registration.

15 I have registered as many as 7,000 people one day in
16 my main office downtown prior to a major election. That don't
17 happen all the time but it happens. You know we registered
18 5,000 the last day prior to the gubernatorial election. And
19 keep in mind now, I do all these registration drives and I
20 leave my hours, office hours open late and Yvonne did touch --
21 our office hours as required by law are 8:30 to 4:30. We
22 don't pay attention to that. It's 8:30 to 8:30 or 8:30 to
23 7:00 or 8:30 to 6. My people are there at 8:00 in the morning
24 and sometimes they don't leave until 6 or 7 o'clock at night.

25 I also brought along some other things to show you.

1 I brought some copies of some applications for registration to
2 vote that I'd like to leave with y'all for the record. I
3 brought some copies of some party change forms that I'd like
4 to leave with you for the record.

5 This little form right here (indicating) is a form
6 that I'm not required to do but we do it. And what this is is
7 I send -- every election that we have, I send a booklet like
8 this to the precinct that whenever -- and the Commissioners
9 are required to do this by law and sometimes they don't do it,
10 but they are required -- when you step up to vote, you're to
11 announce your name and then the Commissioner asks you, Ms.
12 Madden do you still live at 1234 Florida Boulevard, and if you
13 say no, what I tell the Commissioners is don't object to that.
14 Let Ms. Madden vote, give her a copy of this, tell her to step
15 up and vote, and fill this out and sent it back to the
16 registrar's office to change her address.

17 As you know, the Voting Rights Act requires one man
18 one vote. So you need to be registered in the area in which
19 you live, not living in this area and driving all the way
20 across town to vote in another area. So that's something we
21 don't have to do but I do it, which makes for the rolls to be
22 cleaner.

23 And you were asking questions earlier today about
24 the absentee ballot. This is the folder that you put your
25 absentee ballots in and if you can see, it's perforated right

1 here. But when you put your ballot inside this folder -- I'm
2 going to leave you a copy of this -- when you put your ballot
3 inside this folder and you seal it, you've got your
4 information on the outside.

5 Now, prior to -- when did we take over absentee --
6 about '84, '85 -- prior to that, you voted in the Clerk of
7 Court's Office and he had 30 employees in East Baton Rouge
8 Parish to allow you to vote absentee and when you walked in,
9 he handed you an ink pen to fill out the outside of your flap
10 with that had re-elect so and so Clerk of Court, to fill your
11 ballot out with. Well, now the registrar's, now that we have
12 absentee, it's done on a punch card type thing. We give you
13 the card. You go fill it out, you finish up what you're
14 doing, you fill out this, and it don't have anything on the
15 ink pens in my office, okay.

16 So you don't know how anybody votes. When the
17 Commissioners who count the absentee ballots that night, when
18 they come back in, they're sequestered like a grand jury. In
19 fact, I have a male deputy and a female deputy from the
20 sheriff's office that sat in that room with them. If one of
21 them needs to get up and go to the rest room, the male either
22 goes or the female goes. Nobody uses the phone or anything.
23 So on that night what they will do is they will detach this
24 piece of paper, put it over here, and then mix all the rest of
25 them up and that way they don't know who it is. Then they go

1 back and open up the ballots, pull them out, feed them through
2 an automatic counter and that takes care of it. So I hope
3 that I've answered your questions on absentee voting. And
4 I'll leave these with you.

5 Let's see. Now, I want to address a few questions
6 that I would like to address. One of them was, and I'm not
7 talking bad about anybody, Mr. Carson gave some statistics
8 with respect to registered voters in other countries. You
9 know let's compare apples to apples. He also said that in
10 some of the other areas, the statistics that he gave was 88%,
11 94%. He said that they're required to register, they're
12 required to vote. Sometimes there's a jail sentence and
13 sometimes there's a misdemeanor. Ladies and gentlemen, this
14 is America. You know if you want to go vote, that's fine, you
15 go do it. If you don't want to, then that's your business
16 too. I can't put a gun to your head to make you register, I
17 can't make a gun to your head to make you go to the polls and
18 vote.

19 Drivers' license in Jefferson Parish. Sam Altebello
20 is the registrar down there and a very close personal friend
21 of mine along with Mr. Poche sitting here behind. The drivers'
22 license office in Jefferson Parish does not do more than the
23 Registrar's office does, the main office. It does more than
24 the other branch offices in Jefferson Parish but not more than
25 the main office. In East Baton Rouge Parish, I have a --

1 right up here in a municipality, there is Zachary, Baker, and
2 Scotlandville. Prior to about 1974, I had an office in
3 Zachary and I had one in Scotlandville, and remember I had one
4 right here in the middle. I'm using this to give you an
5 example.

6 I registered 1.2 people a week at Zachary and 1. --
7 no, a day and 1.3 and 1.2 people a day at Scotlandville and I
8 do 5 a day at Baker. So economically I could not justify
9 keeping Zachary open and Baker -- and Scotlandville open
10 because Baker wasn't five minutes from either one of them
11 geographically. So I closed those two offices and brought
12 those employees down to the main office.

13 In my Baker office, right next to -- just like if
14 you'd walk out this door right here and go in that next door
15 there's a drivers' license office. That drivers' license
16 office don't help me one bit. It might help Sam Altebello in
17 Jefferson Parish but it don't help me one bit. The drivers'
18 license bureau three years ago didn't want anything to do with
19 the registrars of voters, didn't want us in their offices.
20 Now, that they're closing drivers' license bureaus all over
21 this state, they need us for credibility. You want it honest,
22 you're going to get it from me.

23 Now, that the legislature is looking, as I said, at
24 closing drivers' license offices, they're very interested in
25 having us in their particular office. Well, you know, let's

1 throw them a curve. Close the drivers' license offices down,
2 give us some more money and let us do the job, you know.

3 You've got one drivers' license office in Baton
4 Rouge. You don't have any in West Baton Rouge, or you know,
5 you've got to come from three or four parishes to come to
6 Baton Rouge to get your driver's license.

7 Keep in mind what I said in the beginning, we work
8 with reapportionment, we have our own parishes, we know -- I
9 know this parish pretty much like the back of my hand. When a
10 new subdivision pops up, I know what ward and precinct, it's
11 going to go in. I know how much it's going to add to a
12 particular location. I don't know what they have in West
13 Baton Rouge. I don't know what they have in St. Tammany. I
14 don't know what they have in Caddo, but I know what they have
15 in Baton Rouge. So how are you going to put somebody in a
16 drivers' license office to register voters in six parishes.
17 You know, that's some questions that hadn't been answered that
18 I would like answers to.

19 All right. We were talking earlier about statistics
20 as far as yardsticks. Voter turnout in 1988. Louisiana is in
21 the top ten with respect to voter participation in 1988.
22 Louisiana has 65.2. Somebody said South Carolina -- 49.2.
23 And if you would -- this is a book that I got from Mr.
24 Fowler's office. I'll be glad to let you copy it or whatever,
25 but I can't say that I can give it to you for the record. But

1 if you want to look at it, there it is. And it did say right
2 in here that Louisiana made it into the top ten. So we are in
3 the top ten with respect to participation, voter turnout. So
4 there are a lot of good positive things that are going on in
5 Louisiana with respect to registration and this is the book
6 that says that.

7 We're in the top 13 --

8 MR. FONTHAM: If someone is going to read that book,
9 why don't you identify what it is?

10 MR. BANKSTON: Governing the States and Localities,
11 it's a publication of Congressional Quarterly, Incorporated.

12 MR. FONTHAM: Thank you very much.

13 MR. BANKSTON: Louisiana from what I understand is
14 in the top 13 with respect to those who are eligible that a
15 actually registered.

16 Some other points. I heard Mr. Brady come up and
17 say that he had some statistics with respect to those
18 percentages eligible. Well, I have asked Mr. Fowler's office
19 for three weeks prior to coming here -- when I got the phone
20 call to ask if I could come up here, I called Mr. Fowler's
21 office and asked them would they please get me together some
22 statistical data with respect to actual registered and those
23 who are eligible. And I haven't gotten it. But I understand
24 Mr. Brady comes up here and he has it. So you might could get
25 that information from Mr. Brady and I think that Ms. Allison

1 is going to help you to acquire that also from Mr. Fowler.

2 Branch offices are pretty much the same as what
3 Yvonne has talked about. Another thing, I heard the question
4 over here about what have we done for minorities or whatever.
5 I don't know if any of you know Jewell Newman who used to be a
6 former state representative here in Baton Rouge. We have some
7 community centers here in Baton Rouge which gives out food
8 stamps. And at the time that they give out the food stamps is
9 the time that I set registration up over there because that is
10 the time they're going to have most of the people there. And
11 if it is given out one day, I'm there for one day. If it's
12 given out three days, then I'm there for three days. Whatever
13 Mr. Newman and I worked out to try to get people in that area
14 registered to vote, we did that. And it was from 10:00 that
15 morning until 6:00 that afternoon.

16 Also, which I will leave with you for the record is
17 some statistical data. Now, this is just East Baton Rouge
18 Parish. Now, this goes back to 1960 in which we kept
19 statistical information back to 1960 on how many registered
20 voters we had and it goes up to the present time. The date on
21 this last one is 5/6/89. I imagine I can get one a little
22 more recent than that for you if you need it.

23 But, of course, since the advent of computers and
24 since we went on computers -- this report when I first started
25 working in the office took me a week to prepare. When we went

1 on computer back in 1972, it took about ten minutes. So
2 compare this to what I can do now is no time. I mean this
3 took me a week to sit down by myself and I couldn't have any
4 interruptions. I had to do it by myself because nobody else
5 knew how to do it. So we have really come a long ways and I
6 want to leave these statistical reports with you.

7 Also, what I'm going to leave with you is I have a
8 copy of a Parish Work Sheet, November 8, 1988, presidential
9 general election which breaks down the number of registered
10 voters by parish, the number voted, and voted -- the percent
11 voted. I would like to leave that with you.

12 In the East Baton Rouge Parish we have 77.4% of
13 those who are registered go to the polls in that presidential
14 election. And I might point something else out to you. Keep
15 in mind that apathy has a lot to do with how many people turn
16 out. In the last presidential election, you heard about
17 apathy all over the United States. That's all I heard.

18 In some elections when you have a very hotly
19 contested race, then you're going to have more people to turn
20 out. In an election such as a gubernatorial election, you've
21 got state senators running, you've got state representatives
22 running, and you might five or six of them in each district.
23 So those people are generating interest in a particular area
24 and they're getting their people to the polls to vote, for
25 participation.

1 I think that pretty much covers everything that I
2 wanted to present to you. I know you're probably going to
3 have some questions and I'll be glad to answer them. Okay.

4 MR. FONTHAM: Well, I would simply like to say we're
5 behind schedule so I would appreciate it if you would limit it
6 to one apiece. Four or five follow ups and speeches are
7 unnecessary.

8 MR. JONES: For purpose of the record, Mr. Chairman,
9 if we might, I'd like to suggest to you that you ask the
10 registrar to simply leave one copy of each of those documents.
11 I personally would like to see the rest of them circulated so
12 we can see what it is, what the documents are that he's
13 putting in the record. It looks like he's got pads of the
14 same thing. It seems to me that one sheet of each would be
15 appropriate for the record. Other matters could be made
16 available for us.

17 MR. FONTHAM: That's fine for me. If you've got
18 extra copies, you can circulate them. Bill, maybe you could
19 do that.

20 MR. MULDROW: Yeah.

21 MR. FONTHAM: Why don't you just give them to Mr.
22 Muldrow, Mr. Bankston, and you can get back over there and
23 answer the questions.

24 (Mr. Bankston hands some documents to Mr. Muldrow.)

25 MR. MULDROW: Thank you.

1 MR. FONTHAM: Okay. Ms. Madden.

2 MS. MADDEN: Yes, this is a short technical
3 question, Mr. Bankston. What's the procedure for changing
4 address? You mentioned about if I go to the polls. But what
5 if I -- I live at 614 Park Boulevard. If I move to Oleander
6 Street, which is the same precinct, do I have to go in your
7 office and fill out a form or what?

8 MR. BANKSTON: ACO only. Address change only. You
9 can call me on the telephone and take care of that. But if
10 you move from one precinct to another, you have to send me a
11 letter. I have to have it in writing. Okay. That's done in
12 -- an ACO is done in blue ink. An address change is done in
13 red ink. Okay.

14 MS. MADDEN: But I can do that by mail?

15 MR. BANKSTON: Yes, ma'am.

16 MR. FONTHAM: Ms. Richardson.

17 MS. RICHARDSON: Also very quickly but definitely
18 not technical, am I to gather from your testimony, Mr.
19 Bankston, that you're saying as far as East Baton Rouge Parish
20 is concerned present laws and procedures are sufficient to
21 allow for maximum participation?

22 MR. BANKSTON: Well, I think we can always do more
23 and I never close that door. I think the facts that I have
24 given to this committee today are the facts. And one thing
25 that I've learned in being in this business for as long as I

1 have, you give the facts and let them speak for themselves.
2 Now, you know, I think that we can use some type of volunteer
3 program provided that we have the control of it, provided that
4 we don't have 1500 volunteers, and I don't have every
5 representative or every senator, or every councilman, or every
6 school board member coming to me and saying I want you to put
7 five people on as a volunteer.

8 MS. RICHARDSON: So you're not opposed to some
9 change?

10 MR. BANKSTON: I'm not opposed to some provided that
11 we have the input on the proposed law.

12 MS. RICHARDSON: Because of the time, we won't
13 debate the problem, Mr. Chairman.

14 MR. FONTHAM: Mr. Quigley?

15 MR. QUIGLEY: You said that about 86% are registered
16 in East Baton Rouge, which is really terrific. Do you know
17 what's the white and black percentages? Do you know -- is
18 that broken down in your numbers anywhere?

19 MR. BANKSTON: Well, I'll give you the latest
20 statistical report that I have. We have a total number of
21 registered voters of 179,791; total white 130,614; total black
22 48,839. I'm saying that 33%.

23 MR. FONTHAM: What percentage of the eligible blacks
24 and what percentage are the eligible whites?

25 MR. BANKSTON: It's about the same for everybody

1 because I -- example, Exxon, the big Exxon plant here called
2 me one day and says we want you to come out and register the
3 people that work out at Exxon. I said, sure, I'll be glad to.
4 And I said, but understand this, when I come to Exxon, you
5 open the gates of Exxon to the entire public. I don't just
6 come out there for those employees. Registration is for
7 everybody, not just employees of Exxon. Oh, we can't do that.
8 I said, well, I'm sorry, I can't go.

9 So when I say registration is across the board, it
10 should be like that in East Baton Rouge Parish because I go
11 everywhere.

12 MR. FONTHAM: Any other questions over there?

13 MS. REIBOLDT: I just want a little feedback. This
14 is the first I had heard about -- this question today was in
15 an earlier comment, the same day registration, and the idea
16 that we should be able to do this because of the wonderful
17 technological advances that we have. I was wondering if you
18 could -- because that would be great -- I mean that would cut
19 down on your office hours probably too. But it seems that a
20 lot of people do get out or become interested closer to an
21 election but what would be the cost of something like that and
22 is that really a feasible idea?

23 MR. BANKSTON: Well, I'm not for it. I'll tell you
24 that on the record, I'm not for it. I've spoke before a House
25 Subcommittee in Congress and a Senate Subcommittee in Congress

1 against post card, against same day registration. You know we
2 have 229 precincts in East Baton Rouge Parish. I can take one
3 school bus and go from precinct to precinct with 50 on a
4 school bus and vote 14,000 people with one school bus. You
5 see it's too wide open there.

6 The way we have things right now set up is when you
7 come to the registrar's office or you go to a particular
8 location and register and vote, we have a warm body. We send
9 that warm body a registration card at a particular address,
10 and I've had this to happen. I've had people register from a
11 particular address. I've sent that registration card and a
12 man calls me up on the phone and says, Mr. Bankston, John
13 Smith does not live at this address, and he's registered to
14 vote from here. I take that man off because he fraudulently
15 registered from that particular address.

16 Did I answer your question?

17 MS. REIBOLDT: That's okay. I'd like to hear more
18 about it but I know we don't have time -- because it's
19 interesting.

20 MR. FONTHAM: Any over here? Mr. Muldrow?

21 MR. MULDROW: Yes.

22 MR. JONES: I have one too.

23 MR. FONTHAM: Well, speak up.

24 MR. MULDROW: Mr. Bankston, you were referred to us
25 as a possible participant because you have the reputation of

1 having a very innovative, aggressive, productive outreach
2 program, and I think we're all very impressed with what you're
3 doing. However, it's my impression that there are many
4 parishes throughout the state that don't have the kind of
5 resources that your parish has. You're an urban parish that
6 has a multiple staff and considerable resources as well as a
7 long history within your family of experience and ideas,
8 you're a highly motivated person. What is your impression in
9 comparison to your program to other programs in different
10 situations throughout the state?

11 MR. BANKSTON: Well, you know, it was touched on
12 earlier that there is only -- there's six parishes in this
13 state that don't have the registrars in the office. There is
14 19 parishes that registrar and one other employee or two other
15 employees are in the office. You're right, I do. I have 12
16 employees including myself. We do work overtime and any time
17 we go out it is voluntary, you know, but we don't get paid for
18 it.

19 The registrars themselves introduce the legislation
20 that required us to go to all the high schools and the
21 universities in our parishes. We introduced that and we got
22 it passed because it was something that we felt we could live
23 with. There was a number of us that had been doing it for
24 years. There has been 10 parishes, 10 to 12 parishes that
25 were doing it for a number of years and the rest of the other

1 parishes finally saw the benefits from what we had been doing
2 with getting the people registered.

3 I'll give you an example. When I first started, I
4 went to a place called Cheneyville which is a small black
5 community up in the north end of the parish. On July 28,
6 1978, I registered four people. But that didn't make me any
7 difference how many I registered, I was there giving them
8 people the opportunity to come in and register. Now, that's a
9 small community.

10 MR. MULDROW: I guess the point I'm raising in my
11 mind, it strikes me that many of the other parishes, even if
12 they wanted, and I'm sure they all want to do more, are not
13 able to do the kinds of things that you're doing and that's
14 seems to be the basic problem.

15 MR. BANKSTON: Well, I think with the particular
16 legislation that we have proposed this year, the registrars
17 have proposed with Mr. Bruneau's bill it gives the registrar
18 the opportunity to do what you're talking about, to do what
19 I've been doing for years because they have an additional
20 person there that can help them, or two additional people
21 there that can help them.

22 MR. MULDROW: The use of volunteers, you would
23 support that idea then?

24 MR. BANKSTON: Certainly. The concept that we are
25 presenting we will support.

1 MR. MULDROW: Thank you.

2 MR. FONTHAM: Okay. Ben?

3 MR. JONES: Thank you. As I recall, you say you
4 registered 5,000 people the last day for registration before
5 the last presidential election, is that correct?

6 MR. BANKSTON: I think it was, somewhere like that.

7 MR. JONES: All right. Has it been your experience
8 that before major elections that there is a significant
9 increase in the number of people who come in to register to
10 vote?

11 MR. BANKSTON: Most definitely.

12 MR. JONES: Two things --

13 MR. BANKSTON: I could almost call them to the
14 point. Okay.

15 MR. JONES: Two things. One, would that suggest to
16 you greater activity on your part along with whatever else is
17 motivating them to come in to register with satellite offices
18 and things of that sort, and shopping centers and things of
19 that sort, to capture these people who are already somewhat
20 motivated to register as evidenced by the increase in
21 registration that you see coming through your office?

22 MR. BANKSTON: Do I think that is on my part?

23 MR. JONES: Do you think that would be a good idea
24 for registrars to do that?

25 MR. BANKSTON: Well, I think it would be, you know,

1 but I always, prior to major elections like that -- now, keep
2 in mind I've said that, I keep my office open three weeks up
3 until 7 or 8 o'clock at night, three weeks prior to that
4 election. So I register a lot of people in those periods.

5 MR. JONES: Okay. Now, the present law provides
6 that you cut off registration 30 days before the election.

7 MR. BANKSTON: Twenty-four.

8 MR. JONES: Twenty-four days before the election.
9 Since they are apparently already motivated by the politicians
10 who want to get elected with beating on doors or whatever,
11 would that suggest to you that if you shortened the time
12 period, the delay between the cutoff and the election, that
13 you would get even more people registered to vote?

14 MR. BANKSTON: No, that doesn't suggest that to me.

15 MR. JONES: Okay. Well, if the motivation --

16 MR. FONTHAM: The last one.

17 MR. JONES: As a follow up, if the motivation is
18 there weeks before and you have an extra two weeks beyond what
19 you've got now to register, I'm interested to know why you
20 don't think you'd get more people registered?

21 MR. BANKSTON: Well, you've got administrative
22 functions that have to be done in that 24-day period. The
23 books close 24 days prior to election. The easy part is when
24 you walk in that door and register, that's easy. We've got to
25 get you on the rolls, get the rolls prepared for the election,

1 for absentee voting, which absentee voting starts two weeks
2 prior to the election and it runs for a week. So we've got to
3 have our time period when it used to be 30 days, we had 11
4 days to get ready. Now, that it's 24 days, we have about 6
5 ~~days to get ready, to get the book prepared for you to sign~~
6 when you come in to vote absentee.

7 Administratively, we don't have the time anymore to
8 shorten it because of absentee voting. If you want to take
9 absentee voting away, fine. Lower it to 14 days and don't
10 have absentee voting. I don't think you'll get that passed.

11 One point I would like to make. One of the problems
12 that I do see that we do have and, of course, I deal with the
13 Justice Department on a regular basis, is whenever any
14 particular group asks me to conduct a registration drive, ~~what~~
15 I have to tell them right now is I can't do it. I will take
16 your name and your address and phone number, and when I
17 conduct my registration drive, I will let you know, and I send
18 out about 500 letters. But the problem that I see is I've got
19 to get approval from the Justice Department. First, I got to
20 get approval from the local governing authority which takes 30
21 days. Then I got to get approval from the Justice Department
22 in Washington and they take 59 days no matter what.

23 So when you come to me and I say I want you to
24 conduct a registration, sure, I'll be glad to do it but I've
25 got to get all my ducks in a row before I do it. I've got to

1 go to the Justice Department to do it, get their approval
2 before I go conduct a registration drive other than a high
3 school or a university. Does that make sense.

4 To me, that is a problem that I've got to write to
5 the Justice Department to get approval to be able to go to a
6 particular community center or to a church or something to
7 register people to vote and get approval for that. We might
8 have needed that years and years ago but we don't need it no
9 more. It's a barrier. To me, it's a barrier to the people
10 that are requesting for us to go somewhere.

11 MR. FONTHAM: Mr. Bankston, you've been very
12 informative. We appreciate your appearing and bringing all
13 those documents. It will make our report a lot thicker.

14 MR. BANKSTON: Thank you.

15 MR. FONTHAM: Okay. I believe the next speaker who
16 very graciously offered to let Mr. Bankston go ahead of him is
17 Ernest Johnson.

18 STATEMENT OF ERNEST JOHNSON

19 MR. JOHNSON: Thank you very much. My name is
20 Ernest Johnson and I'm here today appearing in behalf of the
21 Louisiana State Conference of the NAACP. I see my graceful
22 Madam President is here serving on the Advisory Committee so
23 I'll do my best.

24 I was interested in Mr. Bankston, he testified
25 before me, and I can assure all of you I had nothing to do

1 with it. As I walked in the door, Mr. Muldrow came over and
2 asked me if I wouldn't mind coming up behind him in that he
3 had to leave, but I'd like to give you a little bit of the
4 other side of the story regarding East Baton Rouge Parish.

5 In 1987, the Lewis A. Martinez Society which is an
6 association of black attorneys here in Baton Rouge attempted
7 as one of our civic ventures, attempted to register voters in
8 East Baton Rouge Parish in the spring of 1987, and to just sum
9 up what Mr. Bankston stated, it is very frustrating for groups
10 to attempt to register individuals to vote.

11 And I would like to say until we achieve 100%, I
12 think that the fight for civil rights or voting rights is an
13 ongoing fight and an ongoing struggle and percentages really
14 don't impress me until you get all the percentages because
15 this country was built on the right to vote, taxation without
16 representation. And I think that for us if we are concerned
17 citizens and if we are concerned Americans should not be
18 satisfied with anything less than all of the individuals in
19 this country who have a right to vote to be able to vote.

20 And if we have rules and regulations that have been
21 in existence for a very long time that is prohibiting those
22 rights of being exercised, I think that we should eliminate
23 them as Mr. Bankston stated at the end of his conversation.

24 But it was very frustrating dealing with Mr.
25 Bankston because all of the old rules came up as he indicated

1 at the end of his conversation that unless a particular place
2 is certified by the Justice Department he could not register
3 people there. We had to go to certain spots that had already
4 been designated. His deputy, only a deputy registrar of
5 voters could come out and register people to vote. And, of
6 course, his deputy registrars only wanted to work from 9 to 5
7 and most people have to work and could not register to vote
8 during those hours.

9 We wanted to do it through the week. No, we wanted
10 to do it on the weekends when people weren't working. He
11 wanted to do it through the week and, of course, it just
12 appeared -- and there were a number of letters. If I had
13 known that he would have been here testifying before me, I
14 would have brought some of the letters that we wrote him
15 during that period of time. We wrote him some very
16 threatening letters because of the fact we just felt that it
17 was obvious an attempt to prevent us from registering people
18 to vote and we felt that it could have been a much higher
19 registration than actually took place.

20 But I must say that it wasn't Mr. Bankston's fault.
21 Because I think that he played it strictly by the rules in
22 terms of everything that he did. I think he said that, you
23 know, you have to be a deputy registrar. We say we have a
24 lawyers' organization so we are certified as notary publics
25 here in the parish so maybe we can do it. He said, no, you

1 have to be a deputy registrar and there wasn't no way you
2 could get to be a deputy registrar even though you were a
3 lawyer.

4 We're not just talking about volunteers. We are
5 talking about people who were certified by the Louisiana Bar
6 Association to represent people in courts and certified notary
7 publics, people who swear and certify to documents all the
8 time. Of course, Mr. Bankston say you're not a deputy
9 registrar so it wouldn't work. And we couldn't go to certain
10 locations because those locations weren't approved.

11 I guess what I'm trying to say is that because of
12 rules and regulations it is very difficult to register the
13 people to vote. I agree with Mr. Bankston that those rules
14 and regulations should be changed but I also agree that the
15 procedure by which we normally register the people to vote
16 should be changed also.

17 And I think if this Committee was really going to
18 look seriously into it, we could look at facts and figures of
19 current -- what's happening currently but I think what we need
20 to do is look at also the historical background involved in
21 the registering to vote, and voting, and exercising that right
22 to vote. And I made some notes in terms of our country from
23 1776 to 1989, that was 213 years.

24 So basically whites in this country have had almost
25 213 years to exercise their right to vote, whether they've

1 exercised that right or not. Black have basically been able
2 to exercise that right really since 1965 and the Voting Rights
3 Act. We had a Voting Rights Act in 1865 but we didn't really
4 do too well with that one. After the troops were taken out of
5 the south and everything, we kind of went back.

6 And so we had to come back with the 1965 Voting
7 Rights Act. So, therefore, we have only really been voting
8 consciously for 24 years. So when you compare 213 years of
9 habit with 24 years of habit, there's really no comparison.

10 So what I'm trying to say is that, see, whites used
11 to go to the courthouse and register to vote all those years.
12 And so consciously whites don't have any problems with going
13 to the courthouse but blacks as far as going to the courthouse
14 is concerned, the only time we used to go the courthouse is
15 when some of our people were put in jail, and we had to go
16 down to try to get them out of jail. Somebody was suing us on
17 a debt and we had to go down there 'cause we really didn't
18 institute too many lawsuits. It was really a white society,
19 it's been a white society, it's still a white society.
20 Although the participation level is getting better and the
21 civil rights, and voting rights, and other rights are
22 improving.

23 But I think we have to have that included in the
24 considerations of having blacks to go to the courthouse or
25 other places that are standardized places that in terms of a

1 habit, or custom, or the way blacks do certain things, it is
2 in their subconscious mind not to go there. So, therefore,
3 there is a fear, there is a fear of the people in going to
4 these particular places.

5 And I think for us to say that we're going to keep
6 the old rules of having them basically to go to the courthouse
7 to register and vote is a denial of that right based upon that
8 history of discrimination that has taken place in the past
9 that is still subconsciously in the people's minds.

10 So why can't we change to a better system where if
11 we do have a sociological problem, or a historical problem of
12 discrimination that is in people's mind where they may have
13 problems going to the courthouse, why can't we say if they go
14 to the drivers' license place, and I'm not trying to push f
15 the people with the drivers' license bureaus versus the people
16 with the voters registration, everybody has got their own
17 little game. I'm here concerned with people, people's rights
18 and voting rights.

19 So if we can make it easier, and I've been informed
20 that in some other states it is a little easier than here in
21 Louisiana, why can't it be a little easier. Why can't if we
22 don't have a psychological problem with driving car, and we
23 don't have a history of discrimination with driving cars, so
24 therefore we will go to the drivers' license bureau easier
25 than we will to the voters registration bureau, then why can't

1 we just go ahead and let people go ahead and register to vote?

2 Now, if Mr. Bankston and all the other registrars
3 are doing such a great job, and they're going to be purging
4 the rolls or whatever, and making sure that people live at
5 those addresses, then we have the checks and balances to make
6 sure that if someone registered that they have that proper
7 address. It can be easier.

8 I'm not going to stand here and bore you with
9 testimony that you probably have heard from both sides over
10 and over and over, but I do want you to think about the
11 history of discrimination that comes into play in this
12 situation and the socioeconomic disparity that comes into the
13 situation, and that really has an effect. Whereas, whites
14 might be able to take off in the middle of the day or some
15 other time, or get somebody to take them to the courthouse,
16 blacks still are at the bottom of that socioeconomic strata
17 and we might not be able to do so during the weeks in terms of
18 going down to register to vote because we still have those 8:00
19 to 5:00 jobs, or the 7:00 to 4:00 jobs, and things of that
20 nature. So we we need to make it easier because the
21 socioeconomic disparities still exist.

22 The Supreme Court recently has ruled in the Jingles
23 case that socioeconomic disparity still exists. History of
24 discrimination still exists. So those type of factors, when
25 you look at the numbers, you have to also think about those

1 factors also. And those factors still exists. So please make
2 it easier. We are pleading today that you consider making it
3 a little bit more easier not only from the standpoint of the
4 registration with what Mr. Bankston is talking about, whereas
5 maybe lawyers or some other kind of people can become deputy
6 registrars or maybe we can set up other places up for
7 registering people to vote, but let's just make it easier for
8 everybody whereby maybe drivers' license would work, or
9 something of that nature.

10 And in behalf of the NAACP, I make that urge to you.
11 Thank you very much.

12 MR. FONTHAM: Okay. Go to it. Get ready, Mr.
13 Johnson.

14 MS. ADAMS: Mr. Bankston quoted a statistic and said
15 that 86% of the eligible voters in East Baton Rouge Parish are
16 registered to vote, which means that 14% of the unregistered
17 voters -- I mean of the eligible voters aren't registered.
18 You mentioned that there was a problem, that you would have
19 liked to have registered a number of people during a recent
20 election, and that was a problem for you, and that you thought
21 you could have increased black participation if you had been
22 allowed to register them.

23 What percentage of the 14% that's unregistered do
24 you think you would have been able to correct, if you had
25 different registration procedures? I mean of the 14%, how

1 many were black and how many could you have registered?

2 MR. JOHNSON: Yeah, let me say this. In terms of
3 Mr. Bankston's figures it would be -- 'cause I didn't come here
4 to challenge him on his 86% -- I don't know where the 86%
5 comes from. I do know that the census figure never counts all
6 of the blacks that are -- in terms of the population of a
7 particular locale, so I don't know whether his 86% is 86% of
8 the "population" in the census report or 86% of the people who
9 actually live in the parish so I don't know nothing about what
10 that percentage is, nor do I know in terms of thousands of
11 people what is the number between the 14% and the 86% in terms
12 of whether that represents 5,000 people, 10,000, 20,000
13 people, 30,000 people because the percentage is misleading.
14 So therefore, I won't deal with the misleading percentage.
15 What I will say is that had we been able to do a more -- in
16 terms of a better job because of the restraints -- if we had
17 not had the restraints, we could have done a better job. So I
18 can say this, that I can assure you that that 14% if it's
19 correct, would have been lower. And so then we are moving up
20 in terms of progress in attempting to achieve a level where
21 all of the citizens in this country have a right to exercise
22 that right upon which this country was built. So until we get
23 to that maximum level, I think that is the reason why this
24 committee is formed and other committees are formed because if
25 we were at a level where all people had a right to vote, and

1 we were at that 100% level, then it would be no need to
2 consider voting rights and things of that nature. So it's a
3 question of moving up and improving.

4 We could have improved -- I'm here to testify that
5 we could have improved had we been able to (1) register people
6 at the times we wanted to which was after 5 and (2) during the
7 week or on weekends, we would have been able to increased our
8 registration. We know that for a fact.

9 Now, in terms of whether it was one percent, two
10 percent, or whether that represents 5,000 people or 10,000
11 people, I haven't put the figures down to be able to respond
12 to you on that.

13 MS. ADAMS: But Mr. Bankston commented that his
14 office is open approximately six months of the year every
15 other Saturday of the year also until 9 or 10 o'clock.

16 MR. JOHNSON: That has no impact. That has no
17 impact in the black community. I'm here to testify it doesn't
18 have any impact.

19 MS. ADAMS: So you couldn't register your folks
20 during those hours?

21 MR. JOHNSON: No, see what Mr. Bankston is doing and
22 guys of his nature, is they play the procedure game with you.
23 See, he has a certain time period open but that doesn't mean
24 anything for people. Why can't it just be easier? You see
25 the time periods that are set is just like the rules and

1 regulations that are set, like those rules and regulations
2 he's saying that should be changed at the end of his
3 conversation, that's another rules and regulations that's been
4 set up. And it's established, it's an established fact.

5 So whatever days he have open, those dates are
6 already planned by him. He didn't go to the people and the
7 people say okay, we want you to have your office open on a
8 certain date and he opened it up in respond to the people. I
9 didn't hear him say that. I heard him say that he had them
10 open at a certain period of time.

11 I know nothing about how he came up with his six
12 days, six Saturdays out the year. You know I know nothing
13 about how they came up with six Saturdays out of the year.

14 MS. ADAMS: Every other Saturday throughout the
15 year.

16 MR. JOHNSON: I know nothing of that.

17 MS. RICHARDSON: Well, just as when Mr. Jim Brady
18 spoke, I declined to ask questions because I said I was a
19 yellow dog democrat. Likewise, whatever similar to that, I'll
20 have to disqualify myself. You did well.

21 MR. BRASS: I don't have any questions.

22 MS. REIBOLDT: Just a couple of comments and
23 questions. Maybe not questions but you might want just to
24 help me clarify. First of all, you weren't here when they
25 were talking about the driver's license situation and there

1 was some good points made in that a lot of those offices are
2 closing, a lot of them have long lines now. And someone asked
3 -- I forget now who it was but -- and I'm sure that you would
4 not want to hinder people of any sort any further in being
5 able to register and if they had to come and stand in a long
6 line now at the drivers' license bureau, this might be further
7 towards putting up a barrier to these people who would have an
8 interest in that way.

9 Also, were you aware of the fact that many of the
10 registrars of voters are not staying in the courthouse,
11 they're going out to the city, to the shopping centers and to
12 the schools, different areas where people requested them to
13 come to and open this up for everyone so it's not always at
14 the courthouse that these people -- where they are.

15 And you know you said that we needed to make it
16 easier in Louisiana. And did you hear when they were talking
17 about the fact that Louisiana is in the top ten of eligible
18 voters that are registered with 77%. So we are doing
19 something right. And I'd just like to tell you that a lot of
20 white folks have 8:00 to 5:00 jobs and it's as difficult for
21 them to get off from work or to request time, and a lot of
22 them have small children at home too that they want to get
23 home to. So we're all torn in different directions. And it
24 doesn't just necessarily apply to black folks.

25 MR. FONTHAM: Are there any questions?

1 MR. BAKER: Yes. Mr. Johnson, despite some
2 disagreement with Mr. Bankston, I understood you to say that
3 you did agree with him that certain changes needed to made in
4 procedures and that he was following procedures, is that
5 correct?

6 MR. JOHNSON: Yes, that's correct.

7 MR. BAKER: One of the changes that he cited as
8 being a real problem to voter registration drives was this 59
9 day period during which the Justice Department takes to give
10 approval for voter registration drives. Do you remember that?

11 MR. JOHNSON: Right.

12 MR. BAKER: And it was his recommendation that that
13 be eliminated. Would you agree with that?

14 MR. JOHNSON: I don't know about eliminating the
15 Justice Department review of voter registration drives or
16 anything else regarding voter registration. I wouldn't agree
17 with that. Now, if he's saying that the 59 days is causing
18 some problem, you know, and he needs a shorter period of time,
19 maybe the review process could be lowered but the period of
20 time that we dealt with voters registration had nothing to do
21 with 59 days and it still was a problem. So he may be correct
22 on that issue, and I'm not trying to disagree with him on it.
23 If he feels the 59 days is a problem, maybe we could look at
24 reducing the 59 days. But I don't think that we should
25 totally eliminate that, I see no reason to do so on that.

1 MR. BAKER: Okay. Also, you're talking about
2 anything less than 100% is not ideal. Would you support a
3 mandatory registration?

4 MR. JOHNSON: Sure. I see no reason why we can't
5 have not. Why not? Why not have that? This country was
6 built on the right to vote and I think if we accept anything
7 less, to me it's a cop-out to say well, you know, we're doing
8 great. Let's do better. You know let's do better. And
9 that's why we're here, we're here to do better and if anyone
10 is satisfied with what we already have, then those people
11 don't want to progress. They want to stay where it is or take
12 us back to where we used to be and it's just not going to be
13 that way. And I think that all of us should come to the frame
14 of mind that we've got to improve and we have to improve the
15 systems that have been in effect for a long time. It's just
16 got to be improved.

17 MR. BAKER: So if there was proposed legislation,
18 you would expect the NAACP to support that mandatory
19 registration?

20 MR. JOHNSON: I would think so.

21 MR. FONTHAM: Okay. Questions on this side?

22 MR. JONES: Yes, I've got some. The first one is
23 this, have you done any litigating in the voting rights area?

24 MR. JOHNSON: Yes.

25 MR. JONES: All right. Can you -- as a follow up to

1 Professor Baker's question it does not appear that the -- at
2 least from the testimony of the President of the Registrar of
3 Voters Association -- it does not appear that the other
4 Registrars feel that they are restricted in any kind of way by
5 any Department of Justice review or anything else prior to
6 conducting voter registration drives and going to the various
7 sites in their parishes to do that. Why is East Baton Rouge
8 Parish different, do you know?

9 MR. JOHNSON: I really don't know. Mr. Bankston is
10 a nice man but, you know, to me he used the rules and
11 regulations and if you listen to his testimony, when it's
12 something that he doesn't like, he says the rules and
13 regulations are not right and when it's something that he
14 wants to continue to enforce, he says "well, that's okay,
15 let's stick with that, I'm going to stay with it." You know,
16 we just get these intelligent people that, you know, like to
17 use rules and regulations the way they want to use them.

18 I think, one, we need to eliminate the fact that we
19 can't, that we've got to have a definite registrar to go to
20 this place or that place, and we need to increase the number
21 of places where you can register to vote, either increase the
22 number places where we can register to vote or go ahead and
23 have mandatory voters registration, post card voters
24 registration or some form of voters registration.

25 I mean the basic idea is to increase voter

1 participation and to eliminate the rules and regulations that
2 limit and restrict people in registering to vote. And I think
3 if we could do those two things in Baton Rouge Parish, we can
4 see an improvement in the number of people who are registered
5 to vote in East Baton Rouge Parish.

6 MR. JONES: Well, you know of no federal case that
7 was brought in this parish that involves a specific order
8 requiring the registrar of this parish to pre-clear under
9 Section 5 the conduct of every voter registration drive, is
10 that correct?

11 MR. JOHNSON: Well, no, and I think what he was
12 saying was that the voters registration drives if you want to
13 change precincts where the people are registered to vote or
14 something of that nature has to be pre-cleared but no, the
15 voter registration drives do not have to be pre-cleared.

16 MR. JONES: I'm fairly familiar with the
17 pre-clearance requirements of Section 5, but you know of no
18 litigation affecting just the East Baton Rouge Parish which
19 deals this question of pre-clearing voter registration drives
20 with the Department of Justice Voting Section, is that right?

21 MR. JOHNSON: No. Right.

22 MS. MCDADE: Jean.

23 MS. ADAMS: Go ahead.

24 MS. MCDADE: I'm going to say something that may
25 surprise some of the members of this Committee but I've sat

1 here all day today and I've heard people refer to barriers
2 that I felt were smoke screens rather than barriers, the
3 reason for passing particular legislation but you have raised
4 one today, just in what you had to say that I think could be
5 considered more valid, perhaps even valid and that would be an
6 emotional or psychological barrier, and the barrier of a fear
7 of where you might go to register. I mean that's something
8 that has given me cause to think but I'm wondering if you
9 think that perhaps having a place, of course, this is a
10 barrier that's not created by those who register, it's a
11 barrier within people's minds, if more satellite locations, if
12 in some way and money is a problem obviously, but if in some
13 way money was available for this lady to establish satellites,
14 permanent satellites in areas that would be not only
15 physically able for people to get there, and emotionally would
16 not cause a problem for them, do you think that might solve
17 the problem and not have another follow up? Do you think that
18 would solve the emotional barrier?

19 MR. JOHNSON: Well, I never speak in absolute terms.
20 I don't think it would solve the problem but I think it would
21 help the problem. I think it would address -- I think it
22 would help the problem. You see, what I'm trying to say is
23 that once we get people in the habit, then I think we can pull
24 back and put everybody on an equal basis. But we haven't, we
25 just haven't achieved the level where everybody, you know,

1 where we're on -- where we got that habit because we still
2 have the same procedures for voters registration that we had
3 prior to 1965. You know, like Mr. Bankston is saying what
4 he's doing now, he may have a few other satellite offices but
5 basically you register down at the courthouse in East Baton
6 Rouge Parish.

7 MS. MCDADE: But I mean if those satellites were
8 publicized and perhaps in the communities where people might
9 have emotional barriers to going to the courthouse, I'm
10 looking at something other than just opening it up to fraud.
11 I mean to me that would close the fraud doors more so than,
12 you know, the deputy registrar. That's just a thought.
13 Because you have for the first time of all the people who have
14 spoken in the committee, in my opinion, you've actually hit
15 something that could be a problem.

16 The second question requires the question that John
17 raised about mandatory registration and that really disturbs
18 me because in the first place, I think to vote is a right, it
19 is a privilege, and if it's mandated, it's no longer a right
20 or a privilege.

21 MR. QUIGLEY: You're saying voting.

22 MS. MCDADE: Secondly -- I'm talking about
23 registration. But secondly, there are religious groups who
24 would then -- and I don't happen to be in that category -- but
25 there are valid religious groups for whom voting to register

1 in their mind is a sin, it's not right. So they -- you may
2 find yourself infringing upon people's religious rights. You
3 know we don't do that in other areas.

4 I can't help but believe that mandatory
5 registration, and you tell me what you think about this, I'm
6 wondering, you know we want, we want people to vote, really
7 caring about that privilege, and really knowing what people
8 are voting for, and voting for a person for a reason, and to
9 me the most dangerous person in the world is the one who walks
10 in the polls and votes, you know, vote, vote, vote. I don't
11 know who I'm voting for, don't know what I'm voting for and I
12 really don't care. And I just wonder if that might be a
13 result of mandatory registration. It seems to clutter up the
14 whole process.

15 MR. JOHNSON: Well, to address the first part of
16 your concern, I think that there should probably be certain
17 exemptions in the rule that would establish the mandatory
18 registration. I think religion would have to be one of those
19 that would have to be considered. I leave that for the powers
20 at be to make those decisions as to what would be the
21 exemptions.

22 On the second part, that individual that you
23 described have the right right now to go into booth and just
24 pull whoever he wants, so I don't think that mandatory voter
25 registration would lead to those type of activities when it

1 comes to the vote because that is that right that that person
2 would have to go in and vote for whomever they want and, of
3 course, since none of us go into -- theoretically go into the
4 voting booth to see who votes. I mean it may be going on
5 right now in terms of people going in and voting so that is a
6 concern but I don't think that is enough concern to eliminate
7 maybe having that type of -- and I only respond to the concern
8 the Professor had regarding mandatory voters registration. I
9 think it should, it needs to be improved, whether it's through
10 driver's license, or whether it's through mandatory, or
11 whether it's post card, I think that we should probably be
12 able to come up with something that can improve this process
13 that we have and get people into the habit of registering to
14 vote and then participating in the system.

15 MS. ADAMS: Mr. Johnson, we do have a few more
16 minutes and I think someone on this side of the table had
17 something they wanted to say.

18 MS. RICHARDSON: Yes, Madam Chairman, it's not a
19 question, but as long as we haven't followed the rule all day,
20 I really don't apologize for making this statement. I really
21 want to say to you, Ernest, that if indeed you have said
22 something has a positive impact on Sandra, you have earned
23 another year in the free job that you now hold. And thank
24 you.

25 MR. JOHNSON: Thank you.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MS. MCDADE: Thank you.

MS. ADAMS: Any other questions?

(No response.)

MS. ADAMS: All right, I understand that Mr. Keller from Orleans Parish is here.

STATEMENT OF LOUIS KELLER

MR. KELLER: I promise you I'm not going to stay as long as Mr. Bankston. My name is Louis Keller and I have a prepared statement I want to make and after I'm through if you have any questions, feel free to ask me. I will do my best to answer all of them to the best of my ability.

Thank you gentlemen for allowing me this opportunity to give you a synopsis of past, present and future operation of my office. I was appointed Registrar of Voters in April 1, 1988 by the New Orleans City Council for the Parish of Orleans. I became the first black Registrar of Voters in the State of Louisiana since reconstruction.

Prior to this historic appointment, on February 6, 1978, I was appointed the first black Chief Deputy in this office since reconstruction. During my tenure as Chief Deputy and now Registrar of Voters, the citizens of this parish have not nor will they ever be deprived of their right to register and vote by reason of their race, color, religion, age, sex, physical disability, national origin, political affiliation or by reason of fraudulent practices.

1 It is my policy as well as that of my predecessor
2 not only to operate this office within the law but to provide
3 assistance to voters on the circumstances where the law is
4 silent and the decision is up to the Registrar. Under these
5 circumstances, the decision has always been and will always
6 be in favor of the voter in order not to deprive him of his
7 right and privileges.

8 The Parish of Orleans comprises the entire City of
9 New Orleans with a 1988 population of approximately 546,325.
10 In contrast, our total voter registration for the April 29th
11 referendum totaled 238,149, consisting of 44% of total
12 population.

13 The breakdown of total registration is as follows
14 for that election: white 105,365 or 45%; black 128,051 or
15 54%; other 2,733 or 1%.

16 Democrats consist of 183,244 or 77%; republicans
17 36,421 or 15%; and other parties 18,484 or 8%.

18 I assumed the responsibility of Registrar of Voters
19 with 22 full-time employees, three temporary employees and
20 seven vacancies. The seven vacancies were due to budget cuts
21 and lack of office spaces.

22 Today the staff consists of 22 full-time employees
23 with five vacancies. The main office and the five permanent
24 branch offices I inherited are still in operation. However,
25 the following operational changes were made to provide

1 flexibility in our daily operation and to increase voter
2 registration. The main office and branch offices. The main
3 office at City Hall operates six days a week Monday through
4 Saturday from 8:30 to 4:30 p.m. Two of the five branch
5 offices operate from 8:30 a.m. to 4:30 p.m. Monday, Tuesday,
6 Wednesday, and Friday; and on Thursday from 10 a.m. to 6 p.m.
7 The other three permanent branch offices operate from 12 noon
8 to 8 p.m. on Thursday nights.

9 Absentee voting, for example. Absentee voting is
10 being conducted in the main office at City Hall and in the
11 Algiers courthouse. The Algiers courthouse is open for voter
12 registration -- for voters in Algiers, ward 15. Prior to the
13 opening of the office, Algiers voters had been crossing the
14 Mississippi River for 68 years to cast their absentee ballots
15 at the Civil Court Building in the Office of Registrar of
16 Voters.

17 Future plans. Since I've been appointed last year,
18 April of last year, in the near future, and I'm happy to see
19 some members of the panel from New Orleans here, so if you
20 have any questions as far as geographic is concerned after
21 I leave, I'm sure I'll be able to help you out.

22 In the future, we will be opening a permanent branch
23 office at the intersection of South Carrollton and South
24 Claiborne Avenue. This branch office will service the
25 populous black neighborhood on both sides of Claiborne leading

1 into Jefferson Parish, the faculty and students, and the
2 community at large surrounding Tulane and Loyola University,
3 the faculty and students and the community at large
4 surrounding Notre Dame Seminary.

5 Work is also in progress in relocating one of our
6 permanent branch offices from 6900 Diamond Road to 5641 Reed
7 Boulevard. This branch office will be located in a New
8 Orleans Public Library. It will afford us the opportunity to
9 install a computer terminal there and to be able to provide
10 centralized service throughout the expanding New Orleans
11 area. So the members of the committee will probably tell you
12 what this is all about.

13 Work is also in progress to relocate another of our
14 permanent branch offices from 2312 Louisiana Avenue to 2020
15 Jackson Avenue. This branch office will be located inside a
16 multi-purpose building. Again, it will afford us the
17 opportunity to install the computer terminal there and to
18 provide faster service to the central city area around City
19 Hall and that area.

20 Work is also in progress to renovate the main
21 office. When the renovation of this office is completed, we
22 will have room for at least six more desks. We hope to have
23 computer terminals on each specialists desk in addition to the
24 administrative staff. So we're planning on hiring more
25 people. Hopefully, that the Government can give us the money.

1 Speaking about voter registration, in addition to
2 visiting our colleges, universities, high schools twice
3 annually, we conduct voter registration drives in major
4 shopping centers, and other locations upon request. Recently,
5 I submitted a proposal to a District Councilman to pass an
6 ordinance that the requirement for eligibility for residents
7 in the New Orleans Housing Project to register to vote. Those
8 currently residing in those projects would have a year from
9 the passage of this ordinance to register to vote. To
10 facilitate this operation, I plan to assign my specialists to
11 spend at least six hours each day, on the scheduled dates that
12 I say to register all those people.

13 Finally, in my brief presentation, and I'm about
14 ready to go and sit down, we published in the New Orleans
15 Times Picayune, a daily newspaper with a circulation of
16 approximately 270,000 readers, the purpose for those articles
17 was to provide general public information on voter
18 registration, the presidential election, and to explain the
19 purpose and procedures for an annual purge and canvass, and I
20 have a copy of these things here for you to see. The reason I
21 did this, I took my time and I sat down at my desk, and I
22 published this because as it has been in the past, our office
23 was stigmatized with anti-voter registration, anti-black and
24 so forth and so on, and canvass and what have you. I found out
25 the general public was not well educated on what a purge is

1 and what a canvass is. As matter of fact, some of the elected
2 officials -- I'm not going to mention names -- don't even know
3 themselves what a purge is and what a canvass is, so what I
4 did, I took the liberty and this is in the Times Picayune,
5 again you're talking about a circulation of 270,000 and the
6 topic, the residents of Orleans Parish to be eligible to vote
7 in the oncoming election. This is one of those I put since
8 I've been appointed. The other one, public notice, annual
9 canvass, one-fourth of the precincts. Now, anybody who did
10 not know or don't understand it can simply read this and I can
11 tell you one thing for sure, I'm so happy to see Mr. Quigley
12 here, I was called by many of my friends who are lawyers
13 called me and told me how they appreciated the article, now
14 they understand what it's all about because they can read it
15 for themselves and know what we are doing. And I think that
16 when voters are informed, they are a better voter and they can
17 participate, they can make rational decisions and I believe in
18 doing that.

19 Here is the one I had on annual purge of the
20 registration rolls. So, therefore, anybody when we're talking
21 about purging the roll or the canvass, all they have to do is
22 refer to this article and, of course, my name at the bottom
23 and everything else. I notice they spelled it wrong.
24 L-e-w-i, it's L-o-u-i-s. You'd be surprised at all these
25 things that are happening

1 Here's one we had on the presidential election, who
2 was the guy's name who ran against Bush, Dukakis, so we put
3 this one in the paper also so that the people will know.

4 But let me say this to you. November 8th is the
5 presidential election. If you are eligible and not registered
6 to vote, won't you register and vote in this election, so this
7 was the first time that the people have had an opportunity to
8 see and read. The registrar is asking them to come out and
9 exercise their right and I can tell you it was real nice.

10 I don't have a copy or a picture of it but if you
11 ever come to my office, it'll be there as long as I'm there, I
12 wrote the Archbishop of New Orleans, Archbishop Schulte, and I
13 asked him to come down, I would be happy to personally
14 register him and he acknowledged my letter and I told him if
15 you'll let me know the exact day and time that you will be
16 coming, I will call the TV stations and the newspapers and I
17 will personally register you myself. And he acknowledged it,
18 so he came to my office and I registered him. They put the
19 picture, I was on Channel 8 news with the Archbishop and, of
20 course, I have the picture in the newspaper, black and white,
21 it's a beautiful picture of myself (laughter). I really
22 didn't know I looked this good. But it was real nice to do
23 that and I received so many compliments from people, elected
24 officials, lawyers, doctors congratulated me for all of that.
25 So I think Mr. Bankston told you everything that he did, and

1 this is basically what I do.

2 Now, the reason for opening the branch office on
3 Saturday is because we find out that there are times the
4 people are not able to come to register during normal working
5 hours. So, therefore, they have six days as opposing to five
6 days and, therefore, they can register. Also, we found out
7 from the study I made that on Thursday night, it is the most
8 opportune time for those people who are black and white as you
9 were referring to who cannot come out during normal working
10 hours, they can come home, eat their supper and watch the news
11 and then still go out before 8:00 and register to vote. And
12 we had done all that.

13 Another thing we did that was very good, as I
14 mentioned to you, is that by putting the branch office in
15 Algiers, 68 years -- I'm repeating myself -- the people have
16 been crossing the Mississippi River to vote and I can tell you
17 with all due respect to party affiliation, an elected official
18 in Algiers said so -- some of them are republicans, some are
19 democrats -- but they all appreciate what I did and we're
20 working very hard to do everything we can for everybody.

21 And I think that -- before I sit down, because I've
22 got to go in a few minutes -- I'm going to put another article
23 in the paper about our handicap program. I found out that so
24 many people in the City of New Orleans -- it will be something
25 just like this one and if you want a copy of it, I'll let you

1 have it, it'll be something like this explaining to them about
2 the handicap program, how they can get involved into it and
3 what we can do for them in the privacy of their home, in
4 nursing homes, and through mail registration as well. It's a
5 very good program. The sad part about it is in Orleans Parish
6 not too many people know about it. It is my intention to do
7 everything I can to make sure everybody is aware of it.

8 If you have any questions on what I said, I know my
9 presentation was brief, but I did that for a reason because I
10 wrote it down and I can do it much faster that way, I will be
11 more than happy to answer any question that you may have
12 concerning my office, what we've done, and what have you but I
13 will certainly leave all of this with you for that reason.

14 MS. ADAMS: Thank you, Mr. Keller. Do you want to
15 start on this side, Robbie?

16 MS. MADDEN: Yes. Mr. Keller, are you personally in
17 favor of some of the proposals that have been made in this
18 legislative session? One of them is called motor voter,
19 another one is volunteer deputy registrars, and the third
20 concept is mail registration. How do you feel about those
21 three ideas?

22 MR. KELLER: The first one would be --

23 MS. MADDEN: Motor voter.

24 MR. KELLER: Yes. That's when you go into the brake
25 taxation I believe.

1 MS. MADDEN: The drivers' license bureau.

2 MR. KELLER: Okay. I thought it was the brake
3 taxation. Is that --

4 MS. RICHARDSON: Those are one and the same thing.

5 MS. MADDEN: Okay. I'd never heard that term. I
6 guess it's the same thing.

7 MR. KELLER: Okay. Now, what I am in favor of,
8 anything at all that will improve voter registration and if it
9 can be proven that this law is going to help improve voter
10 registration, I am for it in this regard.

11 However, there is something that needs to be
12 addressed. Particularly on the issue of voter registration on
13 election day. For example, if John and I commented on this
14 bill last week, for example, if John is allowed to register
15 election day, then that means John desperately wants to vote
16 on election day. Now, he comes to my office at 6, 7:30 in the
17 afternoon and his polling place is 45 mile, 45 minute drive
18 from where he is registering, so therefore by the time he is
19 registered and he tries to go to his poll, then it is going to
20 be too late. The poll will have closed at 8:00. So therefore
21 there has got to be a cutoff period somewhere. Either they
22 have to have it set up whereby the person who wrote for
23 register on election day will also be able to vote in the
24 registrar's office at the very same time because if he tries
25 to go to his poll after 7:30, the chances are he will not be

1 able to make it, or if it's going to be passed, then they're
2 going to have to cut off it at 4:30. I would suggest 4:30 and
3 anybody who registered between 8:00 in the morning until 4:30
4 on election day, then they will have enough time between 4:30
5 and 8:00 when the polls are closed, to get to the poll and
6 vote because I can assure you that anybody who will take the
7 time to register on election day definitely wants to vote in
8 that election. And you tell him that he's registered and then
9 the first thing you know his polling place is closed. So
10 somehow or another in the process of applying this law, they
11 have to do one of the two, either cut it off at 4:30 and give
12 them enough time to get to their polling place or for the
13 polling place in the Office of Registrar of Voters so they can
14 vote until 8:00.

15 MS. MADDEN: And as far as volunteer deputy
16 registrars and mail registration, do you see any problems with
17 those or do you think those would be a good idea?

18 MR. KELLER: The Association is supporting a
19 volunteer deputy bill. Now, this is very -- I think this is
20 going to be a tremendous help to the small parishes. I have
21 some of my senators and elected officials told me, Mr. Keller,
22 you're doing so much, you don't need it. But there are others
23 who do. Some registrars have only one or two people and I can
24 certainly see why it would be a tremendous advantage for them.
25 But as far as Orleans Parish is concerned, we can or we

1 cannot, but I am in support of a volunteer deputy bill. I
2 testified last year before the Council, before the Committee
3 here and if I have to do it again, I will be happy to do so.

4 MS. MADDEN: And the mail registration concept?

5 MR. KELLER: The mail registration concept does have
6 some question and I'm not totally against it but the question
7 is the fact that you don't know for sure whether you have a
8 live body. I would have to see a little bit more information
9 as to the language of it as far as that is concerned. My
10 reasons for saying that is because we had experience with the
11 unlimited term for Dutch Morial and we had a petition where
12 people had signed those petitions. They were registered
13 voters and these things were done with great intentions but
14 the law says that you have to sign the petition yourself.
15 Mary, Sally, and Jane went to the family and signed for
16 everybody and, therefore, we had to disqualify them. It
17 created a lot of problems for me in the Office of the
18 Registrar so mail registration, it would have to be depending
19 upon the law -- I mean the language itself and think if the
20 language is appropriate, then I don't think we should have any
21 problem.

22 MS. ADAMS: Any questions at that end of the table?

23 MS. REIBOLDT: Just one more. What type of
24 complaints have you had in your office regarding the inability
25 of some people to register or have you had any?

1 MR. KELLER: We haven't had any at all that I can
2 recall as far as that is concerned for the ten years I was
3 chief deputy as well as now I've been their Registrar about a
4 year now. I haven't had any and we're not going to have any I
5 can assure you that.

6 MS. REIBOLDT: Good. Help me to understand this
7 because this has been something that I didn't know about but
8 so if a card went home to somebody, or went out, and they can
9 pick up a card and they can register on that card to vote and
10 they sign it, what you're saying is is that one person could
11 register the mama, the daddy, and the brother and sign them
12 all and then when things like recall petitions come in, all
13 you had to check and verify by is the signature that that
14 person indeed did sign the voter -- is that the problem?

15 MR. KELLER: Yeah, the difference between the two, I
16 think somebody was talking about the old system whereby we had
17 the certificate where the person when they first registered
18 and signed the certificate as you may recall, then we had
19 their signature and any other correspondence relating to that
20 registration could be matched with that. And, of course, we
21 also considered the age of the individual. John registered
22 when he was 18, now he is 74. Naturally his handwriting is
23 not the same. But you could see the trend. So in dealing
24 with the mail registration, again as I said before, you have
25 to have some kind of check and balance system here how you're

1 going to be sure that this is the person that is submitting
2 the registration.

3 MS. REIBOLDT: How would you do that?

4 MR. KELLER: I don't know. Again, you have to find
5 out. I think the law would have to be so -- the language
6 would have to be so explicit that there would be severe
7 penalty for someone submitting that kind of information to the
8 registrar but as far as the registrars themselves, as far as
9 my concern I wouldn't have no problem. It would be a
10 question of whether we're going to spend most of our time in
11 "litigation" because people are submitting signature cards for
12 someone that's not registered for that reason. But I'm not
13 against anything that will improve the operation of the
14 Registrar of Voters Office and don't want to toot my horn b
15 I've done a little improvement since I've been there and I'm
16 still going to do that.

17 MS. REIBOLDT: I think you've done a good job.

18 MR. KELLER: Thank you very much.

19 MS. ADAMS: Do you have any questions?

20 MR. KUTCHER: No.

21 MS. MCDADE: It sounds like you have developed a
22 very aggressive approach to reaching people in your area that
23 you are trying to register and I'm very impressed with your
24 approach. I can't help but think of a little incident where
25 in Texas as an Election Judge, we had a nun show up who

1 tried to register to vote in Orleans Parish some 15 years ago
2 and she went to register and she registered republican and the
3 Registrar informed that Mother Superior had told all the nuns
4 they must register democrat and she was very head strong and
5 insisted on registering republican and was in Texas within a
6 month teaching in a Texas school rather than -- so it sounds
7 like you've come a long way in your approach to registration.
8 I thought that was something that was interesting.

9 Same day registration, I have one question that I don't
10 understand about the process. You have a question on here,
11 are you -- let's see -- are currently under order of
12 imprisonment from the conviction of a felony? Circle yes or
13 no. Are you currently under judgment of interdiction for
14 mental incompetence? When people answer that question, is
15 there any attempt on the part of the Registrar of Voters to
16 verify that information?

17 MR. KELLER: No. We stopped that because of the
18 fact that the person raised his arm and swears the information
19 is correct and truthful.

20 MS. MCDADE: In other words, we just assume if a
21 person would kill somebody else or who would be a drug dealer
22 is certainly against lying?

23 MR. KELLER: Yes, and he has sworn to that, the
24 information that he has given is true and correct to the best
25 of his knowledge and he can be held accountable for that.

1 Also, what we have now, as you may have considered
2 the fact that someone before me testified about the central
3 computer system. So, therefore, if you were going to have
4 voter registration on election day, then it's very easy for me
5 to put Mr. Benjamin Jones in the computer no matter why he
6 lives in Louisiana and we find out that the information Mr.
7 Benjamin Jones give us on his registration is the same as here
8 he's in New Orleans in my office trying to register and we put
9 this thing in the computer and we have him registered whatever
10 parish he's from, Monroe. Well, I cannot pronounce that word
11 anyway so let's say Monroe, so we have him right there and
12 then he would have to testify or we would have to either
13 cancel him in Monroe or something like that.

14 MS. MCDADE: So there's no verification done on
15 anything on here, it's accepted on face value?

16 MR. KELLER: No, once he's -- but again we checked
17 him through the computer.

18 MS. MCDADE: It sounds like you've developed a very
19 aggressive system of approach. I commend you for that.

20 MR. KELLER: One thing about the nun. Of course, I
21 wasn't in the Registrar of Voters at that time but when I
22 register -- we don't do it today, but when I registered a few
23 years ago, just a few years ago, I was told that you had to
24 register democrat so we were just so happy to register, it
25 didn't make any difference who it was. But because Louisiana

1 is supposed to be known as a predominantly a democratic state
2 and so they told us before you go there and in those days you
3 have to do everything, you had to cross your "I" and dot your
4 "T". And one of the things we found out when my wife went
5 there in 1965 -- and I'm going to leave -- that she had been
6 turned down three times because she's black. And the fourth
7 time she went there, she sat next to a white lady and she told
8 the lady, said I've been here three times already and each
9 time I came they turned me down. That was not but just a few
10 years ago. And the lady said, well, what we do is you fill
11 the card out the same way I'm going to fill mine out and then
12 let the guy turn both of us down, see. So when he saw them
13 together he said, you're okay, you're registered, and there
14 you are. But we don't have those kind of problems anymore.
15 Someone who doesn't even know how to read or write, we will
16 register that person.

17 And I can say one thing in the City Hall, the
18 Registrar of Voters Office is the only office that you can go
19 in and get information immediately and leave being satisfied.
20 You go to the Bureau of Accounting, Payroll, they tell you to
21 come back, the Mayor is not in today, come back the next day.
22 But not in the Registrar of Voters Office, any time you want
23 any kind of information, you are going to get it right then
24 and there and leave satisfied.

25 MS. ADAMS: Any questions, Mr. Jones?

1 MR. JONES: Yes. Isn't there a significant language
2 minority in New Orleans and if so, what does your office do
3 deal with their special problems?

4 MR. KELLER: We are working on that through the
5 Registrar's -- the Commission of Elections Office and once we
6 have reached that percentage, I'm not sure if it's 2% or 5%,
7 the law requires that they have to publish, print things in
8 their language, but we have not yet reached that level yet.
9 But we're working on it and there are some people who is
10 working on the Mayor's staff right now and they are
11 specifically identifying the Hispanics. They want to be
12 identified for that reason and they are moving very rapidly in
13 that area and it will be coming up sometime in the very near
14 future. I can assure you that.

15 MR. JONES: Do you have a Spanish speaking staff
16 member?

17 MR. KELLER: No, we don't have any problem with that
18 at all, anybody coming in, we don't have any problem with
19 that even if they don't know how to speak. If they have the
20 proper identification and everything we'll register them but
21 we have no problem with that.

22 MS. ADAMS: Thank you, Mr. Keller. Actually when I
23 registered to vote, I was told I had to register as a democrat
24 too. It was not until many years later that I realized I had
25 other options. My grandfather was a ward captain, one of the

1 old regulars. It was many years before I found out I had
2 another choice.

3 MR. KELLER: Right. We make sure. We've had people
4 come to us, believe it or not, and they don't know what party
5 affiliation they want to be but in New Orleans you have to be
6 so careful because you can't tell if somebody is going to set
7 you up. So, therefore, you don't tell them anything. They
8 say, look, if you can't decide whether you want to be
9 republican or democrat, then put down there other and then
10 later on come back and change it to something else but we do
11 not tell them that at all.

12 MS. ADAMS: Thank you. Thank you very much.

13 MS. ADAMS: Okay. I think we have Ms. Bates, last
14 but not least.

15 STATEMENT OF BARBARA BATES

16 MS. BATES: I appreciate the opportunity to get to
17 come and occupy this podium just for a few minutes and tell
18 you about my little parish, my rural little parish. This is
19 my parish right here. Most of you probably know where
20 Orleans, Baton Rouge -- this is my parish right here, St.
21 Helena Parish. Mississippi borders the northern border. East
22 Feliciana borders the western side. Livingston Parish borders
23 the southern part and Tangipahoa Parish the east.

24 VOICE: Take a look at your map. The court reporter
25 needs to look at your map.

1 THE REPORTER: That's all right. Maybe I can figure
2 it out from an encyclopedia or something.

3 MS. BATES: Okay. It's commonly referred to as one
4 of the Florida parishes located in the southeastern part of
5 the State of Louisiana. The State of Mississippi forms its
6 northern boundary line. The Amite River serves to break St.
7 Helena from East Feliciana Parish on its western boundary.
8 Tangipahoa lies on its east boundary while Livingston Parish
9 is connected to the southern boundary.

10 St. Helena Parish is comprised of 420 square miles
11 or 260,000 acres of generally undulating upland interspersed
12 with creek and river bottoms. The parish's main industries
13 are timberland, dairy farming, sand and gravel.

14 As I give you these statements if you want to laugh
15 go ahead and laugh.

16 According to the 1980 census, the population of St.
17 Helena Parish is 10,456, 51.5% of the population is black,
18 49.5% is white. Greensburg, the parish seat, the only town in
19 the parish has a population of 860 people. The village of
20 Montpelier has a population of 250 and the second largest
21 community. We have 19 other very small communities.

22 There are no interstate highway systems in the
23 parish. The nearest exchange is Interstate 55, about 15 miles
24 from the parish seat. It's at Amite which is located in
25 Tangipahoa parish. We have approximately 280 miles of hard

1 surfaced parish roads and only a few gravel roads. There are
2 300 miles of state maintained highways in the parish. There
3 are two motor freight lines serving the area, United Parcel
4 Post and Federal Express. There are no public transportation
5 systems such as bus or taxicab service. The nearest
6 commercial airline will be found In Baton Rouge at Ryan
7 Airport. At one time we had a railroad that ran through the
8 parish. With the advent of trucking systems, the need
9 appeared to have decreased. Today we have no railroad system.
10 It is felt that possibly the lack of railways could be one of
11 the reasons responsible for the retarded economic group in the
12 parish.

13 We have one bank with two branches. We have one
14 drugstore, one hospital, one nursing home, one welfare office,
15 one county agent office, one trade school, one elementary, one
16 middle, one high school since we've consolidated two schools
17 this year.

18 MS. RICHARDSON: That desegregated it, didn't it.

19 MS. BATES: We have no colleges but are within
20 driving distance of Southeastern University, Southern
21 University and Louisiana State University. We have no malls
22 or shopping centers so we can't register the people there. We
23 have one drivers' license bureau and people from Tangipahoa
24 Parish, East Feliciana Parish and Livingston Parish come
25 there. They have some, I don't think they have anymore in

1 Clinton, Louisiana, maybe one in Livingston Parish. In
2 Tangipahoa Parish, one that I know of and it's on the southern
3 end of the parish so people from the northern end of the
4 parish come down to St. Helena parish.

5 When the Parish of St. Helena was first established,
6 along with the rest of Louisiana, all of Louisiana in 1812
7 were Catholics with the exception of St. Helena. Protestants
8 today dominate the parish so even back then we were different.

9 We have a civil court, criminal court, and family
10 court all in for the Parish of St. Helena under the 21st
11 Judicial District Court. Because it's a rural parish, St.
12 Helena has not grown as some of the neighboring parishes. A
13 quiet place, it has much to offer the sportsman, the
14 motorcycle enthusiast and nature lover.

15 In my parish, 72% of the population is registered to
16 vote. I don't know what the voting age population is but I
17 think the census must be wrong because we were in New Orleans
18 one year -- I don't remember what year it was, but three, or
19 four, or five years ago -- and I got a call from Washington,
20 D. C., called me at a meeting and said, "Ms. Bates, why do you
21 have so many registered voters, you don't have that many
22 population?" I said, I don't know. I guess the population is
23 wrong. So anyway we're hoping that we're going to work very
24 close with the Census Bureau and try to get a few more people
25 counted 'cause I really do think that we have a few more. We

1 hope we do anyway so we can get a little more money for our
2 parish.

3 At the present time, we have 7,525 registered votes,
4 50% is black, 50% is white. In 1980, when I took office, the
5 total registered vote was 6,747, 47% black at that time and
6 53% white. I averaged eight parishes with less registered
7 voters and came up that they -- their average was 52% of their
8 population and again, I don't know what their voting age is
9 there. As soon as the census comes out, I guess sometimes in
10 a year or so, we'll try to get them to look at that a little
11 closer.

12 Like I said, I think there was a problem with our
13 population but just say that I had maybe a thousand less
14 registered voters, I'd still have 62% registered. I hope
15 there's not that many dishonest people in the parish but, you
16 know, I just don't know. If I had 12,500 and the same number
17 I have registered now, I would have 60%.

18 We usually have a 40% participation in most
19 elections and we had 77% have voted in the primary of the
20 gubernatorial election in 1987.

21 In 1983, before high school registration became
22 mandatory, I had a registration drive in September and that
23 was before the schools was consolidated so I went to St.
24 Helena High and I registered four, Woodland I registered
25 three, Greensburg none. I went to Lee's Grocery -- let me

1 show you the southern part of the parish, it's way down here
2 This is Greensburg right here, the parish seat, and that's
3 probably the furthest point anybody would have to go to
4 register so that's where I went right there.

5 MR. MULDROW: How far is that?

6 MS. BATES: About 20, maybe 21 miles. Takes you
7 about 30 minutes because there's no traffic. I went to
8 Dixon's Grocery and I got four voters. I had a total of 19,
9 but that was my first experience of going out and doing a
10 mobile registration drive, kind of boring, but anyway 19 is
11 19.

12 In 1986, just before the congressional election, as
13 for a written request for a motor registration I said, well,
14 they're not going to come out. Maybe, you know, these
15 candidates encouraged them to come and register. Well, I
16 received two and I went to a place called Leonard Chapel
17 Church in the fifth district. It's a predominantly black
18 area, had a black candidate running at that time, I got four.
19 I went to the Country Corner Grocery.

20 MR. KUTCHER: Boy, this is grass roots politics.

21 MS. BATES: This is in the Sixth Ward drive, about
22 this area. This district is predominantly a white area. I
23 received seven white, three black.

24 In 1987 for the gubernatorial election, we had a
25 registration drive after office hours at six neighborhood

1 grocery stores and registered 37 people. I'm not going to tell
2 you all the names of the communities listed unless you really
3 want t know because you will laugh.

4 Just before the primary election in 1988, my parish
5 along with nine other southeastern parishes Nat mentioned just
6 awhile ago held a registration extra hours. We were on TV and
7 we published announcements in the papers. We stayed open
8 until 7:00 for five afternoons. I didn't have a single person
9 after 4:30, but anyway I was there. I gave them the
10 opportunity.

11 After the gubernatorial election in 1987, I purged
12 the rolls and removed 15 voters from the roll. That was after
13 the gubernatorial so only 15 did not vote in four years. But
14 you just don't know politics in my area. When they run, they
15 get out and they go from door to door, and they beg and they
16 plead, and put things in the paper asking them to please vote
17 and so I guess this is the reason for the turnout.

18 From the annual canvass in 1987, 94 registered
19 voters were removed so most of them had good addresses. One
20 hundred and 15 voters were removed from the rolls in the 1988
21 purge. We started our annual canvass in January of this year
22 and this was after a special election when tax reform was
23 over. Now, we've removed 235 names from the rolls. But I
24 think the reason that number was that high, we have some
25 addresses that were like Route 1, Amite. That's another

1 thing, in my parish we have Greensburg addresses that's in St.
2 Helena Parish. We Kentwood addresses, that's in Tangipahoa
3 Parish. We have Amite addresses, that's in Tangipahoa. We
4 have Grove Springs addresses, that's in Livingston Parish. So
5 our mailing system is kind of strange. I wish it was more
6 physical, but anyway that's what we have.

7 Well, in addition to sending two cards on the
8 canvass, and publishing their names in the paper, we send a
9 list of the names that we remove to all the public officials.
10 We send them to the sheriff, the clerk, the assessor, police
11 jurors, school board members. We ask for their help and
12 that works a lot. It really does.

13 But the other day after I removed the names, here
14 comes a man in with a list, but anyway we're going to go ah
15 and reinstate them anyway.

16 Before an election, what I'm going to do I'm going
17 to give them this list again and ask them to please go to
18 these people because if they just has Route 1, they still live
19 there but their address is not correct, which legally I can
20 take them off, I don't want to do that. I want them to be
21 registered.

22 MS. REIBOLDT: When they come to vote, do you give
23 them one of those little white things where they can change
24 their or make more clear, one of these little forms when they
25 come to vote?

1 MS. BATES: No, I don't do that but I have asked the
2 Commissioners to check addresses. They are supposed to check
3 them and also they're supposed to ask for their maiden name if
4 they're suspicious that they're somebody that they're not.

5 MS. ADAMS: Do you have any questions?

6 MR. KUTCHER: I've got -- That's a fascinating
7 presentation. I can't tell you how great it is and everybody
8 is real pleased with the effort that you've done. Only out of
9 curiosity, how far do you have to drive to vote in St. Helena
10 Paris?

11 MS. BATES: Oh, we have a -- okay.

12 MR. KUTCHER: It's not related to what we're doing
13 but I'm just curious.

14 MS. BATES: Okay. Here's the voting precinct right
15 here for the town of Greensburg. We have the precinct right
16 in the town. These people have to drive from here to here.

17 MR. KUTCHER: Okay.

18 MS. BATES: Oh, I would say not more than 10, no
19 more than 10, maybe not that far really. It shouldn't be,
20 maybe six. I know and right here is the district I live in
21 and so some of them do have to drive that far. So it's
22 probably six miles.

23 MR. KUTCHER: I was just curious, thank you.

24 MS. RICHARDSON: First, would you say I was
25 patronizing you if say you are a credit to your profession?

1 Secondly, I'd like to know if you made any outreach
2 efforts through churches?

3 MS. BATES: Well, I had this one request, one. When
4 it gets election time, I know that some of the churches do
5 encourage the people to come and register and vote.

6 MS. MADDEN: You have mentioned one grocery store
7 and one this, and one that.

8 MS. BATES: That's the only place we have to go.

9 MS. MADDEN: This is just sort of a frivolous
10 question but is Wee-Dees place in the country still there.
11 I'm sure you don't register people to vote, that's the only
12 nightclub. Is it still there?

13 MS. BATES: It's still here. It does have a grocery
14 store now.

15 MS. RICHARDSON: Is it like Brady's?

16 (Laughter.)

17 MS. REIBOLDT: How many people are in your office,
18 just you?

19 MS. BATES: Two.

20 MS. REIBOLDT: Really what motivates you to do all
21 these things?

22 MS. BATES: I don't know, I just love it.

23 MS. REIBOLDT: Well, you know, there's some concern
24 that that, you know, some places have it better because of the
25 innovative ways that some people, some of the commissioners or

1 registrars come up with and maybe they have more people
2 working in their office.

3 MS. BATES: I'm a working registrar. There's only
4 the two of us. We enjoy one another's company. We work real
5 well together.

6 MS. REIBOLDT: Do you limit yourself to the type of
7 money, the amount of money you have or do y'all go and do a
8 lot of things on your own?

9 MS. BATES: I do it on my own. I never turn in
10 mileage or anything. I like to drive and visit.

11 MS. REIBOLDT: You're a good person.

12 MR. BAKER: Would you want a volunteer registrar?

13 MS. BATES: Yes. I have no problem with that. I
14 don't mind doing it but if they want to do it, if they want to
15 go sit in the stores, the grocery stores, you know I have no
16 problem with that. In fact, it's rather boring for me, you
17 know, to sit there and only get one or two. I wish I could
18 get a lot. But from my statistics, evidently I have most
19 everybody registered.

20 MS. MCDADE: I would just like to say that you are a
21 perfect example of what can be done to reach the maximum
22 amount of people for registration under existing legislation.
23 I think you've done a wonderful job.

24 MS. BATES: I won't take the credit by myself. I
25 have to say that politicians and just word of mouth, you know,

1 encourages people to go. There's not too many things to do
2 in St. Helena Parish.

3 MS. MCDADE: Jim McCrary said that recently. That
4 got him in trouble.

5 MS. BATES: Elections are a big thing in our parish.

6 MS. ADAMS: Any other questions?

7 MR. MULDROW: Do you ever have any trouble,
8 Barbara, covering the office? They're two of you. I'm sure
9 you must take vacations once in a while and get sick and go to
10 New Orleans?

11 MS. BATES: Either one of us can do anything.

12 MR. MULDROW: Uh-huh. So you've never had a
13 problem?

14 MS. BATES: Now, we do not take vacations if there
15 is an election coming up. We try to arrange our vacation or
16 days off when it's not so busy.

17 MS. ADAMS: Any other questions?

18 MS. BATES: I've enjoyed being here. It's been fun.

19 MR. KUTCHER: Thank you. We've enjoyed it too.

20 (Applause.)

21 MS. ADAMS: Okay. If I might, Bill, we don't have
22 any more scheduled speakers so we could -- do you want to open
23 it up?

24 MR. MULDROW: Yeah, let's do the open session.
25 Nobody's signed up with me to speak. Are there any?

1 MS. ADAMS: There's a gentleman here who may be -- I
2 think --

3 MR. BRADY: I'd like the opportunity to offer some
4 statistics.

5 MR. POCHE: I'm from Ascension Parish. There is
6 very little I could cover that's probably not been covered
7 today.

8 MR. MULDROW: Excuse me. Are you the registrar
9 of voters there?

10 MR. POCHE: Yes, I'm the registrar of voters from
11 Ascension Parish. Thank you.

12 MR. MULDROW: Okay.

13 STATEMENT OF ROBERT POCHE

14 MR. POCHE: Y'all have elicited a lot of testimony
15 today. There is one thought that I would like for y'all to
16 keep in mind.

17 MS. ADAMS: Your name, sir?

18 MR. POCHE: Robert Poche.

19 MS. ADAMS: Robert Poche. Thank you.

20 THE REPORTER: How do you spell that by the way?

21 MR. POCHE: P-o-c-h-e.

22 THE REPORTER: P-o-c-h-e.

23 MR. POCHE: Ascension Parish is located right south
24 of Baton Rouge. In my parish, we have a population of
25 approximately 56 or 57 thousand, about 30 thousand registered

1 voters. But unless y'all have some specific questions about
2 my procedures or something pertaining to my parish, that's not
3 really why I come up here today.

4 What I would want to leave with y'all in mind -- for
5 y'all to leave with in y'all's minds, is that y'all have heard
6 some very innovative registrars today from some of the larger
7 parishes who have -- I won't say unlimited resources, but a
8 lot of resources that many of the parishes in this state does
9 not have. I would not like for anyone here to leave with the
10 conception that any registrar who would like to do anything
11 that these other registrars are doing, has the ability because
12 of the financial resources or the personnel to accomplish what
13 some of these other registrars are doing.

14 I think on a percentage scale, each registrar --
15 y'all just heard from a registrar from a rural parish, each
16 registrar does what they are capable of doing. But on the
17 same token, they do not have the opportunity because of -- I
18 can speak from some experience in my parish where you've got
19 everything -- I don't think this was mentioned today and I
20 want to bring this out to you, everything that the registrar
21 does, any funding in the registrar's office or anything like
22 that has to come from the parish, it does not come from the
23 state. Some parishes, as y'all all are aware, are
24 economically strapped today, so it is very difficult for the
25 registrar to solicit funds even as far as for advertisements

1 in the newspapers. And consequently, I want y'all to keep
2 that in mind and not -- I'm not saying I'm trying to defend
3 registrars for not doing some of the things that y'all have
4 heard about today, but the fact that the possibility exists
5 that they just simply cannot do it.

6 I personally do everything that I can in my parish,
7 but I still cannot do some of what the larger parishes are
8 doing, I simply don't have the personnel, don't have the
9 resources. My parish is split by the river. I have to
10 maintain two offices, consequently it poses an additional
11 problem. And many of the other river parishes are presented
12 with the same problem. I wanted y'all to keep that in mind,
13 that the registrars does not -- I don't know of any registrar
14 that in any way is trying to retard registration. All
15 registrars that I have ever spoke to, and I've spoke to all of
16 them, try to enhance registration to the best of their ability
17 in the parishes that they represent.

18 We would like to think that the whole Association
19 has gone on record on numerous occasions in support of
20 registration procedures that would enhance voter registration
21 and still -- y'all also heard today that the registrars
22 because of the fact that we -- anything that would be
23 considered an impropriety, we would get the blame for it,
24 consequently if someone -- and I'm specifically talking about
25 like a volunteer deputy or whatever. We have in the past been

1 in opposition to some particular bill, I want y'all to keep in
2 mind that sometimes that was not in opposition to the concept,
3 it was in opposition to particular language of particular
4 bills. As y'all also heard today, this Association will
5 probably be in support of the volunteer deputy bill this year,
6 one that we have had an opportunity to have some input into.

7 We would like to utilize these deputies with the
8 stipulations that they are responsible to the registrar. Some
9 of the bills that we have seen in past years that we have in
10 fact been in opposition to, left a lot to be desired on the
11 registrar's standpoint as to what we controlled and what they
12 could do or could not do. And we, like everyone else, have
13 heard all the horror stories of what can and can't happen in
14 other states that have these methods of voter registration
15 currently on the books. And you hear very little of the good
16 part, you always hear the bad part.

17 It has always been our contention that we, the
18 registrars, are not trying to legislate. Also it's not our
19 responsibility to prosecute anyone who violates any of these
20 election -- first the registration process or the election
21 process, that comes under the heading of the district attorney
22 and we don't want to get involved in that.

23 In closing, I would like for y'all to keep in mind
24 that all registrars, again, I think do want to get everyone
25 possible registered.

1 I will be glad to answer any questions y'all have.

2 MS. REIBOLDT: I just have one. You say you have
3 two offices?

4 MR. POCHE: Yes, ma'am.

5 MS. REIBOLDT: And how many people are in each
6 office?

7 MR. POCHE: I have three in one office and two in
8 the other office.

9 MS. REIBOLDT: What -- let's see, I lost my train of
10 thought when my hand fell in the water -- 57,000 eligible
11 voters?

12 MR. POCHE: Total population. The eligible voters
13 is unknown to me, we simply don't have that figure.

14 MS. REIBOLDT: How many people do you think that you
15 register daily?

16 MR. POCHE: On an average of what a week prior to
17 election, middle of the summer?

18 MS. REIBOLDT: Throughout the year, do you have an
19 average including all of those?

20 MR. POCHE: Probably in the last five years, we've
21 increased the registration in my parish, including the purging
22 and canvassing and everything that has taken place, we have
23 still increased the voter registration close to 5,000.

24 MS. REIBOLDT: And what were some of those things
25 that you did?

1 MR. POCHE: Again, voter outreach programs that I've
2 initiated that are similar to ones that were in place before,
3 some of them were not. I'd like to think that some of the
4 increase is in reflection of some of the things that I've
5 done. I don't want to just pat myself on the back about it,
6 but again, I think that all the registrars are doing the same
7 thing.

8 MS. REIBOLDT: Thank you.

9 MR. POCHE: I would like to say one other thing. I
10 have had the opportunity to address the legislature in the
11 last four years, and in each case every year in every
12 committee hearing that I went to, I've asked for anyone to
13 tell me the name of any person, not a list of those people,
14 but just one name of any person in the State of Louisiana who
15 wished to register to vote and was not able to do so. And
16 until today they have never come up with one name. I'd like
17 for y'all to keep that in mind also.

18 MR. MULDROW: You mentioned that the voter
19 registrars as an association or individually, I'm not clear
20 which, are supporting one of the bills regarding the use of
21 volunteers and it's your impression that the other bills do
22 not allow control of the volunteers by the registrars of
23 voters, is that correct?

24 MR. POCHE: If you're referring to bills this year,
25 sir, I've not read all of the bills this year. I was

1 referring to bills that had been addressed in the past. I
2 have not read all the bills in this current session.

3 MR. MULDROW: You would be in favor then, as I
4 understand it, of a bill permitting the use of volunteers if
5 those volunteers were firmly under the control and direction
6 of the registrar of voters, is that correct?

7 MR. POCHE: That's my personal opinion, sir, and
8 that's also the opinion the Association has taken this year.

9 MR. MULDROW: What about the motor voter, so-called,
10 bill, what's your impression of that?

11 MR. POCHE: My personal opinion of that, sir, is
12 that -- I personally am not opposed to the concept. all the
13 language of all the bills that have been presented so far have
14 some serious problems with them. I have only had the
15 opportunity to look at one of them this year and only briefly.
16 The problem being is that -- I can cite my parish, to start
17 with. On one side of the river of course I don't have a
18 drivers' license bureau. On the other side of the river, I
19 do. The lines in there as they are across the state, assuming
20 from listening to what everyone else says, very, very long and
21 very, very chaotic at times. So consequently I am concerned
22 that if these people are already working under these
23 conditions to do their work, if we put additional work on them
24 -- and not this year because again I haven't seen the bill --
25 but if there was any additional people or anything that would

1 be installed in these offices to take care of this. But in
2 the past, they had anticipated utilizing the same people that
3 were currently there without any additional help. If that
4 were to be the case, I have some serious concerns as to
5 whether or not these people would have the time to really
6 carefully take this voter registration form and fill it out
7 properly so that the people who were presenting themselves to
8 be registered would in fact be very receptive to going to a
9 separate portion of this line or whatever to take care of
10 their voter registration problem while they were doing this.
11 Just basically, sir, the language of the bills has been
12 terrible and in my respect, but the concept itself I don't
13 have any problem with at all. It's just the logistics of it
14 that I would have any problems with.

15 MS. ADAMS: Okay.

16 MS. MCDADE: Something has entered my mind a couple
17 of times and I really haven't asked the question but I think
18 it bears maybe consideration. About every three weeks or so,
19 there's this little mobile library that comes around my area
20 and it parks within walking distance of my home, and people
21 will go to check out books and then when it comes back in
22 several weeks, they will return those. Is there any problem
23 with perhaps a concept that would allow a mobile voter
24 registration unit that could at certain times go into
25 different areas of the community, maybe into the rural area,

1 and you know with much advertising and letting people know
2 that opportunity is going to be there --

3 MR. POCHE: No, ma'am, there's no problem. In fact,
4 there is currently a law on the books that allows the
5 registrar to do that. The problem is funding. I don't know
6 of any parish that I can currently name you in this state
7 where the parish governing authority, who would be the one to
8 fund this operation, has come up with the funding for the
9 registrar to be able to do that. That would be a great
10 concept, unfortunately it's also an expensive one.

11 MS. MCDADE: It might be less expensive though than
12 some of the other concepts we're looking at as far as
13 bookkeeping and finding a place -- I know when I go to get my
14 driver's license, there's no room to get your driver's
15 license, let alone register to vote. And I'm wondering, as
16 far as economics, it might come close to balancing out. You
17 would have people in authority who would be able to correctly
18 register someone.

19 MR. POCHE: The difference being that it would be a
20 different agency paying for it. If we go to the drivers'
21 license, that's the state paying for it. The mobile van would
22 be the parish paying for it.

23 MS. MCDADE: And the state's broke. That's what
24 Governor Roemer says.

25 MR. POCHE: Yes, ma'am, but the parishes, some

1 parishes are in fact in worse shape than that.

2 MS. MCDADE: That was just an idea.

3 MR. POCHE: It's a good concept, and it's on the
4 books, we can currently do it if we had the resources to do
5 that.

6 MS. ADAMS: Any other questions?

7 MR. JONES: Yes. Do you know of any federal
8 requirement that you clear with the Department of Justice
9 voter registration drives prior to embarking upon them?

10 MR. POCHE: All voter registration -- any time you
11 get out of your pre-cleared voter registration places, you are
12 mandated by law to have pre-clearance from the Justice
13 Department before you go there.

14 MR. JONES: So does that bill that passed providing
15 for registration in high schools have to be pre-cleared with
16 the Justice Department?

17 MR. POCHE: It was pre-cleared through Justice, yes,
18 sir.

19 MR. JONES: Okay, so if you go to a shopping center
20 or anything of that sort, you have to well in advance of the
21 planned setup there, you have to get pre-clearance from the
22 Voting Section?

23 MR. POCHE: Yes, sir. And there's one step prior to
24 that. The first thing you have to do is of course get
25 approval from our parish, and then get it from Justice. In

1 the past, Justice has not always taken the full 60 days, but
2 they very clearly in the past have taken as many days as they
3 deemed was necessary and sometimes it went into the 50th, 51st
4 or 52nd day before we got actual clearance.

5 The problem was mentioned to y'all earlier today
6 that we, as the registrars -- I personally can tell you my
7 experience with this -- I was asked to participate in various
8 functions that were being carried on in my parish, they would
9 have liked to have seen me go out and have a voter
10 registration table set up. The problem being is that normally
11 by the time they approach me about this problem, it was maybe
12 two or three weeks prior to the event and I would be in the
13 same position that was described to y'all earlier. I would
14 explain to these people that I cannot attend that one because
15 of the time restraints that we're placed under, but if they
16 had any interest in participating in a mobile registration
17 outreach program that I would have in the future, I would be
18 glad to contact them and make them aware of where I would be
19 and when so they could participate.

20 MS. ADAMS: Thank you, Mr. Poche.

21 MR. POCHE: Thank you.

22 MS. REIBOLDT: Madam Chairman, I move that we
23 adjourn if we're all done.

24 MR. CARSON: I just wanted -- a question came up a
25 number of times about the statistics about voting age

1 population. Those statistics are so old now that you cannot
2 get accurate information. Right now we're talking about nine
3 years from the last census and so to estimate voting age
4 population on a statewide level can be done with some rough
5 accuracy, but it's an estimate. And to estimate voting age
6 population on a parish level can be done with some complicated
7 formula that some LSU political science professor has, but
8 that information is not available. So all of those requests -
9 - what the registrars can give you are figures on what the
10 numbers of people that are registered are, but you really
11 can't get an accurate -- because we don't have one, it can be
12 gotten but it's an estimate -- we don't have the accurate
13 voting age population numbers. PAR, Public Affairs Research
14 Council, did some statistics on registration and they used
15 estimate of voting age population and just prior to the
16 presidential elections, the percentage of people registered in
17 Louisiana, voting age population, was I think 70.2% but I'm
18 going to get the little booklet and I'm going to send it in
19 and enter it as evidence. It has probably dropped off a
20 little bit because of the purge that was done after those
21 elections, but we've been between 67 and 70% for quite a
22 number of years now, which puts us roughly in the middle of
23 the states. So I'm not saying that's terrible, it's just that
24 that's where we are.

25 But I will forward that information to you also so

1 you'll have it.

2 MS. MCDADE: Are you going to forward it by age
3 breakdown?

4 MR. CARSON: I'll give you what I've got. I'm not
5 sure that it's broken down by age any more than it is by race.

6 MS. MCDADE: Well who gave us statistics earlier
7 broken down by age.

8 MR. POCHE: That's just registered voters, ma'am.

9 MS. MCDADE: Okay, well that's what I'd like to
10 have. He gave us total population, those registered and those
11 not registered. And then I went back and ran some
12 percentages.

13 MR. CARSON: That probably would have been the
14 actual registration figures, but not the voting age
15 population, which you can only get as an estimate right now.

16 MS. MCDADE: Well we were given those figures.

17 MR. CARSON: I can find the name of the professor if
18 y'all are interested. He told us it would cost us \$500 to get
19 those estimates done.

20 MS. ADAMS: Thank you, Mr. Carson.

21 MS. REIBOLDT: I'd like to make a motion to
22 adjourn.

23 MS. MCDADE: Second.

24 MS. ADAMS: Okay, we're adjourned.

25 (Whereupon, the meeting was adjourned at 4:56 p.m.)

REPORTER'S CERTIFICATE

DOCKET NUMBER:

CASE TITLE: Voter Registration Procedures in Louisiana

HEARING DATE: May 12, 1989

LOCATION: Baton Rouge, Louisiana

I hereby certify that the proceedings and evidence are contained fully and accurately on the tapes and notes reported by me at the hearing in the above case before the U. S. Commission on Civil Rights.

Date: May 15, 1989

William L. Haron
Official Reporter

HERITAGE REPORTING CORPORATION
1220 L Street, N.W.
Washington, D.C. 20005

HERITAGE REPORTING CORPORATION
(202) 628-4888