



UNITED STATES COMMISSION ON CIVIL RIGHTS

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July 2, 2019

William H. Gardner
Secretary of State of New Hampshire
State House, Room 204
107 North Main Street
Concord, NH 03301-4989

Dear Mr. Gardner:

The U.S. Commission on Civil Rights is pleased to transmit to your offices our New Hampshire Advisory Committee's [report](#), *Voting Rights in New Hampshire*.

The Commission maintains 51 Advisory Committees - one for each state and the District of Columbia. The role of the Committees is to study civil rights issues in their communities and report findings and recommendations to the Commission. The Commission appreciates the New Hampshire Committee's focused attention to barriers to voting.

The New Hampshire Committee's work on voting rights helped inform the Commission's 2018 [report](#), *An Assessment of Minority Voting Rights Access in the United States*. Last October, the Commission also issued a [compendium](#) of the recent voting rights publications (2017-2018) of our state Advisory Committees, including New Hampshire's.

The Commission requests that your office review the "observations and conclusions" on pp. 23-24 in the report. They are also attached to this letter in a stand-alone document. In response to these observations and conclusions, we advise that you take the steps necessary to protect civil rights in your jurisdiction.

The Commission appreciates your consideration, in the hope of ensuring civil rights protections. We look forward to hearing from you on what actions you will take in response.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Lhamon".

Catherine E. Lhamon
Chair

Encl. New Hampshire Advisory Committee [report](#) (via email only)

cc:

JerriAnne Boggis, Chair, New Hampshire Advisory Committee

**Report of the New Hampshire Advisory Committee
to the U.S. Commission on Civil Rights:**

Voting Rights in New Hampshire

Observations and Conclusions

For the purposes of guaranteeing equal access to voting, New Hampshire does a tremendous amount right. The Committee is encouraged by New Hampshire's consistently high turnout and commitment towards making sure everyone's vote is counted on Election Day. Nonetheless, the Committee finds five areas in which New Hampshire voting procedures could be improved: voter identification, voter registration, voting absentee, training of election officials, and public awareness.

1. Voter ID Laws

The Committee notes the polarizing character of voter ID laws and is aware that the New Hampshire legislature is still, to some extent, experimenting with the limits of these laws to find the most effective and least burdensome way of preventing voter fraud. The Committee is also encouraged to hear that, in the aggregate, the voter ID requirements did not greatly affect voter turnout between the 2008 and 2012 presidential election. Nonetheless, the Committee has found no evidence that voter fraud is being perpetrated in New Hampshire and questions whether the law as it stands is an efficient use of resources. This concern will be even more pressing in upcoming elections starting in 2015, when photographic evidence will be required as part of the affidavit for voters without an ID. The Committee questions whether, in light of little evidence, it is worth the fiscal cost to New Hampshire to purchase cameras that run the risk of potentially intimidating or dissuading voters from coming to the polls

2. Voter Registration

The Committee finds that certain registration procedures are inefficient and cumbersome, and could potentially impact the ability of voters from being able to vote on Election Day.

The Committee recommends updating New Hampshire's centralized voter registration database to facilitate "the purge" and to allow for a mobile voter registration system. Residents of New Hampshire who move close to Election Day should not be forced to reregister in order to vote, especially if moving within the same county. As mentioned above, New Hampshire is the only state that requires voters to register in person. Requiring residents to do so close to the time of an election while they are in the process of moving from one place to another is too burdensome. There should be, at a minimum, a mail in option for residents and ideally, the ability for residents to update their registration online.

3. Voting Absentee

Obtaining an absentee ballot in New Hampshire can only be done in very particular circumstances. Loosening such requirements may improve voter turnout.

4. Training of Elected Officials

The Committee is concerned with New Hampshire's training requirements for election officials, particularly in light of its rapidly changing election laws. Although it is encouraged by the training available to election officials through government and non-government agencies, the lack of any mandatory training for these officials creates risk of misinforming the public about voting requirements and, at worst, makes voters believe they cannot vote.

5. Public Education

The Committee is concerned with two issues pertaining to public education: first, whether the general public is being appropriately informed of the changes to New Hampshire election laws in a timely and clear manner and second, whether there is equal access for non-English speaking New Hampshire voters to these education materials.

The Committee finds that the Secretary of State's media outreach is insufficient to keep up with changing election laws, particularly close to election times.

The Committee recommends that the Secretary of State's office offer all election procedure explanatory documents and training materials in both Spanish and English to account for the state's shifting demographics, and be open to publishing these same materials in other languages as needed.