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Division of Elections Found Some Irregularities in District 15 Absentee Ballot Count

AUGUST 27, 2018, JUNEAU – The Division of Elections, in preparing for the 2018 primary election and in its initial review of absentee ballot applications, discovered some irregularities that prompted a second round of review of all absentee ballots from House District 15. This review only involves the application and the ballot envelope. The division will not be reviewing and counting the votes until tomorrow.

One irregularity was a high number of absentee ballots from House District 15 returned as undeliverable. In every election, some absentee ballots mailed out by the division are returned by the post office as undeliverable. The division makes efforts to contact those voters and get them new ballots, but there are always some voters the division is never able to reach. What raised suspicions in this election cycle is that of those voters that the division was not able to reach over 50 percent (40 out of 70) were from House District 15.

Another irregularity was seven absentee ballot applications received for House District 15 from people who state records indicated were deceased. For these applications, the division did not send ballots to those persons.

The division's second round of review of absentee ballots from House District 15 revealed that there is no reason to be concerned about the vast majority of absentee ballots from the district. The division reviewed various records and confirmed that most absentee voters had long voting histories at their addresses and their signatures matched division records over many years.

But other ballots raised concerns that the person identified as the voter either did not actually vote the ballot or was no longer living in House District 15. The division has been diligently investigating those concerns.

After identifying all such ballots, the division attempted to contact the voters on the phone to confirm whether they actually voted and where they were living. Some of the phone numbers were no longer in service or no one picked up the phone. Among the voters that the division

was able to reach, some confirmed that they had indeed voted, but two of the voters contacted said they had not voted in the 2018 primary election. The division will not count the ballots voted in those two voters' names.

In light of the remaining questions over some of the ballots and the close race between two candidates in the Republican primary in House District 15, the division will do the following when it counts absentee ballots for House District 15:

- * All absentee ballots from the district will be kept with their envelopes rather than commingled. This will ensure that any votes later identified as improper can be subtracted from the vote totals.
- * The division will first count the absentee ballots that do not raise authenticity concerns and then determine the candidates' vote totals including those ballots.
- * The division will then count the absentee ballots that do raise authenticity concerns, but about which the division does not currently have evidence to merit rejection, to see if those votes would affect the outcome of the primary election.
- * The division will have a provisional count on the election completed tomorrow, but the final count will not be certified until Saturday.
- * The division will continue to evaluate the legitimacy of those ballots until the deadline for certification of the election result on Saturday.

When there are questions about a ballot, the Alaska Supreme Court has said the law favors counting the ballot so that voters will not be disenfranchised without good reason. For this reason, the division will not reject ballots without clear evidence that the voter identified on the ballot did not vote the ballot or that the ballot is otherwise improper.

"The integrity of our elections is vital to our democracy," said Division of Elections Director Josie Bahnke. "The division will continue to look into this matter throughout the week and remove any ballots that we determine should not be counted."

The division briefed the candidates and the Alaska Republican Party today on the matter. The division will certify the election results on Saturday, September 1 as required by statute. A candidate or group of voters may request a recount or file an election contest if they wish to challenge the result in court. Any challenge will need to be resolved quickly because the division needs to know the winner of the primary in time to print ballots for the general election.

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