

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

John Steen
Secretary of State

October 31, 2013

[REDACTED]
[REDACTED]
[REDACTED]


Dear [REDACTED]

Thank you for your phone call and election law complaint regarding the issue that you encountered when voting early in Robertson County. You allege that the poll worker made a mistake which necessitated you filling out the similar name affidavit when in fact you allege that your name on your photo identification matched your name on the official list of registered voters exactly.

We understand your complaint. However, the poll worker was correct. As we understand it, your photo identification name is Nelda Couch Calhoun and your name on the official list of registered voters is Nelda Calhoun (former name Couch). Those two names are not an exact match, although they are substantially similar. Therefore, you should have been required to initial the similar name affidavit and vote a regular ballot. It is my understanding that you did not initial the box, but that you did vote a regular ballot.

As you may know, the legislature passed SB-14 in the 82nd legislative session. Prior to the passage of that bill, a voter like yourself or my mother with a maiden name discrepancy between their approved voter identification and the official list of registered voters did not result in having to sign an affidavit. You and my mother were allowed to sign in and vote without any issue. However, SB-14 changed the law in one important respect. An amendment to the bill in the Texas Senate was offered by Senator Wendy Davis from Fort Worth. This amendment required persons whose name was not an exact match, but was "substantially similar" to sign an affidavit that they were the same person and be allowed to cast a ballot.

Our office has endeavored to make this new legislatively required process as simple as possible by linking the affidavit language to a box on the combination form that the voter will have to initial when they sign in. We regret any inconvenience that implementing this portion of the law has caused voters, but unfortunately, the addition to the statute leaves us no choice in the matter. If you would like to avoid this issue in the future, then we suggest adding your maiden name to your voter registration as a middle name. This is easily accomplished online or by making the change on the back of your voter registration certificate and returning it to the voter registrar in Robertson County. The alternative is to remove your maiden name as middle name with the Texas Department of Public Safety on your driver license, but it is my understanding that that process might involve more steps. Neither change is necessary as you can continue to vote with


Page 2

your names as they are, but unless the law is amended, you will have to initial the similar name affidavit every time you cast a ballot.

Thank you again for bringing this to our attention. I am sending a copy of this response to the Election Administrator in Robertson County so that she is aware of our discussion. Please let us know if you have any other questions or concerns.

Sincerely,



Keith Ingram
Director of Elections

KI:id