



REPUBLICAN NATIONAL LAWYERS ASSOCIATION

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Military Voters in Minnesota Senate Race have been systemically and unfairly disenfranchised

Washington DC: In a ruling at 5PM today the contest judges in the Minnesota Senate race between Senator Norm Coleman and Al Franken ordered that Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voters [often our serviceman in places such as Iraq] be disenfranchised if their votes were received by election officials after the deadline for normal absentee ballots.

To date, the state, Democrat Secretary of State Mark Ritchie and the Recount Board have all made decisions that collectively and systemically disenfranchise military and overseas voters through decisions and errors that are in no way due to any fault of the voters. Military voters are perceived to favor Republicans and this disenfranchisement effort was encouraged by Al Franken.

Ignoring the 60 day recommended mailing time for ballots to combat zones, and ignoring the 45 day recommended mailing time for ballots to all other military and overseas absentee voters, Minnesota held a primary that guaranteed no more than 30 days for ballot transition time. The Recount Board did not count numerous late arriving UOCAVA ballots, many Ritchie admitted had arrived only a day late, despite the state's error in failing to send the ballots in a timely fashion.

In response to this latest effort by Minnesota to illegally discriminate and systematically disenfranchise military voters in violation of federal law the Republican National Lawyers Association has released a "White Paper" that details Secretary Ritchie and the state of Minnesota's discriminatory and disenfranchising actions. A few highlights:

- Military and overseas voters [whose ballots have been rejected due to late return] have not been provided with a reasonable opportunity to vote, as guaranteed by UOCAVA, and should have their ballots counted.
- UOCAVA prohibits the States from sending absentee ballots to absent military voters at a date so close to Election Day that the voters "fail to receive their absentee ballots in time to vote and return them." Thus, as required by UOCAVA, Minnesota owes these voters some additional efforts to ensure that they can cast a ballot and have it counted despite the state's late primary date.
- [T]he Minnesota Court in the current contest [must] allow counting of those military ballots received one day, or even 15-30 days, after Election Day, if it can be shown that the vote itself occurred before Election Day.
- Unlike the court's comments in today's ruling, this was systemic problem of disenfranchisement involving the state's absentee-balloting procedures.

The complete "White Paper" is available at www.rnla.org/DisenfranchiseMil.pdf . Expert lawyers are also available to discuss the issues in this paper. For more information on the recount and contest visit www.rnla.org/speakers.asp . The Republican National Lawyers Association is made up of over 3500 lawyers and law students who seek to promote open, fair and honest elections at

all levels of American society in a non-discriminatory manner and to provide voting access to all qualified and eligible voters.

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