

Processing of Durham's Absentee Ballots Delayed by Petition Filed by 11 Durham Residents

The processing of over 1,000 absentee ballots was delayed for hours due to a petition filed by 11 residents of Durham, which they hoped would raise awareness about voter identification issues.

Chandler Blaisdell, Staff Writer

A petition filed by 11 residents of Durham postponed the processing of over 1,000 absentee ballots until after the closure of the polls at 7 p.m. on Tuesday, Nov. 6, a move which delayed Durham's overall count of electoral votes.

The group of Durham residents, among them Republican candidate for the NH House of Representatives, Jeffrey Berlin, filed their petition via NH state law, RSA 659:49, which details the procedures for the processing of absentee ballots. According to RSA 659:49 II, "upon the written challenges of 10 or more voters who are present at the polls no later than 1:00 p.m., the moderator shall postpone the process of all absentee ballots until after the polls close and prior to the counting of all ballots cast in the election."

The group's petition was recognized by Durham town and election officials before 8 a.m. on Tuesday morning, according to Ian Lenahan of the Portsmouth Herald.

Durham Town Administrator Todd Selig expressed worries about how the group of Durham residents would "challenge" these absentee ballots following the closure of the polls. His main worries centered around whether or not the group would choose to dispute the absentee ballots all at once, or individually; Selig estimated that Durham has received around 1,200 absentee ballots from voters.

"If every single one of them [absentee ballots] is challenged one by one, it absolutely will [delay the process], and the fact that they haven't been able to be processed until seven will delay the process too," Selig said.

As the closure of the polls neared, both the electoral officials and the petitioners were in talks to determine how this dispute would proceed, according to Selig.

"We're all trying to work out what that might look like, to try and expedite the process," Selig added.

The group's major concerns centered around voter identification and lack thereof in the absentee ballot process, which Brenda Towne, a representative for the group, believes is a "a hole in the election law" that should be fixed; Towne, an East Wakefield resident, did not sign the petition.

"Anybody who submits an absentee ballot in the state of New Hampshire has not presented identification, so it's a huge hole, it creates two classes of voters. There's voter's that have to present IDs, and there are voters that don't have to present IDs," said Towne.

According to Towne, "We believe that...these are challenges that will all be denied, and so no voter will be harmed...what it will allow us to do is draw attention to say, hey, there's a problem."

Following the closure of the polls, Durham election moderator Chris Regan was handed a document by Towne, containing a list of around 1,100 absentee voters, whose ballots the group was challenging.

In an email between Durham election moderator Chris Regan and Election Law Unit Chief Brendan O'Donnell, shared by Town Administrator Todd Selig, O'Donnell said that moderator is allowed to accept a submission, which may contain a list of all the absentee ballot voters the group is challenging. The moderator may then rule whether or not the submission is "well-grounded."

Regan dismissed the group's submission.

"[The Durham poll workers] have been so gracious and so good and so organized, this has nothing to do with anything like," said Towne, adding that "It was really about having our voices heard about this issue."



Todd Selig

Brenda Towne (left) hands challenge submission to Election moderator Chris Regan (center right)