Watching democracy in action

By Sharon J. Arkin

At the suggestion of our own Simona Farrise and as administered by Julie Kane of Florida, AAJ initiated its V-PAC, a Volunteer Political Action Committee. The V-PAC is designed to encourage trial lawyers to contribute time and effort to fostering and promoting pro-consumer elected officials. For attorneys who have solo practices, who are in small firms or who simply don’t have the financial wherewithal to make large financial contributions to AAJ’s “regular” PACs, the V-PAC provides everyone with an opportunity to contribute and be recognized and appreciated for that contribution.

V-PAC’s first initiative was to recruit trial lawyers to engage in voter protection projects for the presidential election. Coordinated by the Obama campaign, V-PAC volunteers were provided with training and assigned to polling places across the country, focusing on swing states. I don’t know how many AAJ members volunteered, but I do know that we had an impact.

I was assigned to Las Vegas. Other California attorney volunteers were also in Vegas, as well as Florida and other swing states. I know from talking to others that the Florida experience was very traumatic – voter fraud and intimidation were rampant and relentless. Even in Vegas, monitors at some polling places reported misuse of identification requirements and poll workers too frequently requiring improper use of provisional ballots by voters who were entitled to vote a regular ballot.

The experience was unforgettable, even though I had a very peaceful (not to say boring) assignment. First, training was provided by experienced voter protection lawyers. We were told how the process works and what to look out for. As a poll observer, we were not allowed to interfere or interject ourselves when an issue arose with a voter. We were trained to observe and report. A “boiler room” hotline number was provided and when an “issue” arose, we called the boiler room and were advised what to do and how to proceed.

The “Team Leader” (i.e., the election official in charge of a particular polling place) was our point of contact and the person responsible on behalf of the county to assure that the rules were followed. Fortunately, Cynthia, the Team Leader at the polling place I was assigned to, was everything we were told an ideal Team Leader should be: Calm, courteous, helpful, knowledgeable about the rules, and consistent in their enforcement. When a voter turned up who was not in the right precinct, the poll workers looked them up on a computer and not only directed them to the correct precinct where they were to vote, but provided addresses and directions. If there was no record that the voter had registered to vote, and even if the voter did not have any confirmation at all of registration, the voter was allowed to vote provisionally. When we raised issues about the conduct of a Romney poll watcher assigned to the precinct, it was handled professionally and courteously and resolved without fuss.

Because the Team Leader handled things correctly, it turned out to be a very long day without much “action.” We reported to our polling places by 6:30 a.m. and could not leave until the polls closed (at 7:00 p.m.) and the machine votes and the poll book signatures were counted and reported.

Although I did not have much in the way of controversies to engage in (which, actually, was fine by me!), I did have a front row seat to watching our democracy in action. The polling place I was assigned to was in a neighborhood of working poor. Over the course of the long hours of that day I watched Americans of every stripe, age, experience, ethnicity and political persuasion participate in our political system. I watched hotel, casino and restaurant workers in their housekeeper, maintenance and server uniforms come in to vote before and after work. I watched elderly people in walkers and wheelchairs make enormous efforts to cast their ballots. I watched whole families arrive, with children in strollers and older children watching the younger ones while mom or dad voted.

Seeing these Americans making a commitment to do the work of a real democracy was humbling and inspiring. It was an honor. Every politician should spend some time in the polling place I was at so they can see who America is really all about.

We can take nothing for granted. When you see a request for volunteers from V-PAC, respond. Ask to help, make the effort. It will not only be good for the country, it will be good for your heart.

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