

Annual Report 2018



Always Reach for the Stars...

**BUT MAKE A DIFFERENCE IN
ALABAMA TODAY**

by registering to vote and obtaining a government-issued photo ID.

**Dr. Mae Jemison,
NASA Astronaut**



Left to Right: Secretary John Merrill, Allie Grace Merrill, Mrs. Cindy Merrill, & Brooks Merrill

The Merrill Family

Not registered to vote? Have an Alabama driver's license? Visit www.alabamavotes.gov to register through our online system!

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Secretary of State John H. Merrill

January 1, 2018

Dear Citizens of Alabama:

Welcome to our 2018 Annual Report.

In this year's issue, we've covered another wide variety of topics, which includes our 2017 International Adoption Day celebration, the implementation of the pilot program for online business filings, and an update on the usage of Electronic Poll Books.

I am honored to serve as your Secretary of State. Let's continue to make Alabama the greatest state in the union!

Sincerely,

John H. Merrill
Secretary of State



International Adoption Day 2017



The Secretary of State's Office celebrated the selfless endeavors of six families at the 2017 International Adoption Day celebration on January 27th. The ceremonial commendation commenced with a welcome and introduction from Secretary Merrill, which was followed by a moment of prayer led by Kenny Hoomes, the Associate Pastor of Montgomery First Baptist Church. Beasley Allen Attorney Andy D. Birchfield served as the guest speaker to deliver words of encouragement before the distribution of the certificates, which were signed by Governor Bentley and Secretary Merrill. The families enjoyed delectable refreshments provided by Ann Amster of Children's Hope, as well as a private tour of the Alabama State Capitol.

"I want to congratulate the Braddock, Busenbark, Powell, Powers, Schwindling, and Starzl families for their precious additions," Secretary Merrill stated. "The adoption process should be as quick and easy as possible, and through our Authentications Division, we have made great strides to ensure that each family receives the services they need in a timely manner."

Fourth International Adoption Day:
January 29, 2018

Have you adopted an international child? Want to participate in our next International Adoption Day celebration? Call the Authentications Division at 334-242-5325, and we'll add your family's name to our guest list!

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NASS Medallion Award Ceremonies 2017

“The NASS Medallion Award allows individual Secretaries of State to recognize outstanding service and dedication to furthering the mission of the National Association of Secretaries of State (NASS) within the states.”

-www.nass.org

2017 Medallion Award Recipients:

AL Sheriffs Association Executive Director
Bobby Timmons

Political Columnist, Commentator, & Historian
Steve Flowers

Former Associate Director of the
AL Law Institute
Penny Davis

Former Director of the AL Department of
Archives & History
Dr. Edwin C. Bridges

Baldwin County Probate Judge
Tim Russell



www.nass.org



Presentation Date: January 23, 2017

Mr. Bobby Timmons has served the Alabama Sheriffs Association for the last 43 years, and he currently serves as the association's Executive Director. In previous years, Mr. Timmons worked as a Birmingham Police Officer, Jefferson County Deputy Sheriff, and special assistant to Sheriff Mel Bailey. He was also a Member of the Alabama House of Representatives from 1970 to 1974 and Law Enforcements Liaison to Governor Don Siegelman. He has owned and operated the McCaleb Timmons Agency in Birmingham, Alabama since 1962.



Presentation Date: March 3, 2017

Mr. Steve Flowers was elected as a State Representative from Pike County in 1982 and was re-elected four times. He received a resolution passed by the House of Representatives naming him the "Most Ethical Member of the House" in 1988, and he was named the "Outstanding Freshman House Member" by Alabama Magazine, as well as the "Most Outstanding Member of the Alabama House of Representatives" by the Alabama House in 1992. Mr. Flowers has also analyzed Alabama politics for national television audiences on CBS, PBS, ABC, and the British Broadcasting Network and writes a weekly column on Alabama politics that appears in over 60 Alabama newspapers with a 450,000 circulation rate.



Presentation Date: March 16, 2017

Ms. Penny Davis earned her Bachelor's, Master's, and Juris Doctor's degrees from The University of Alabama between 1970 and 1978. In 1979, she became the Associate Director of the Alabama Law Institute, where she retired in 2016. Her skills range from civil and commercial litigation, legal research and writing, and family law, amongst other fields, and she received the Award of Merit and the Lifetime Service Award from the Alabama State Bar for her many accomplishments.



Presentation Date: March 28, 2017

Dr. Edwin C. Bridges served as the Director of the Alabama Department of Archives and History for 30 years and is currently the Chairman of the Alabama Bicentennial Commission's Steering Committee, which coordinates the commission's initiatives. He is also distinguished as the author of *Alabama: The Making of an American State* and co-author of *Georgia's Signers and the Declaration of Independence*.



Presentation Date: October 2, 2017

Judge Tim Russell has served as the Baldwin County Probate Judge for nearly eight years and was a Scabbard and Blade Member in the ROTC Honor Society, Captain of the U.S. Army, Vietnam Veteran, Fifth Army Casualty Officer, and Executive Officer of the 482d Replacement Detachment. He's also a life member of the American Legion, the Vietnam Veterans Association, the Military Officers Association, and the Disabled American Veterans, as well as Commissioner of the U.S.S. Alabama Battleship Commission. Under Judge Russell's leadership, Baldwin County is the first county in the State of Alabama to fully implement electronic business filings and electronic Poll Books.

Since taking office on **January 19, 2015**, Secretary Merrill has honored **16** people with the **NASS Medallion Award** for their service to the state.

Online Business Filings



Alabama Secretary of State John H. Merrill is excited to announce a new online filing tool for businesses to submit filing documentation online to the Secretary of State's Office and the County Probate Judge's Office. This project has been completed in collaboration with **Baldwin County Probate Judge Tim Russell**.

"Baldwin County is pleased to be the first in another area. We pride ourselves on being an example to the other 66 counties in the state as to how to efficiently and effectively serve the needs of all our residents," said Judge Russell.

Under the leadership of **Probate Judge Victor Manning, Jackson County** agreed to join the online business filings system on December 7, 2017. As additional counties express interest, they will be added at that time.

"If we have an opportunity to provide expedited services to keep Alabamians at work and reduce red tape, we want to take advantage of those opportunities," said Secretary Merrill.

When Secretary Merrill was campaigning, he learned that state filings were **delayed more than 30 weeks** from the time of receipt. Since taking office, the efforts made by Secretary Merrill and his team have removed years of excessive red tape, which was constricting the procedure. The most significant change has been a new requirement that all checks must be deposited on the date received in the office of the Secretary of State. These changes to the process allowed staff to reduce the delayed processing time down to same-day processing on all business filing documents that are filed with the office.

Despite bringing the processing time for documents filed with the Secretary of State's Office to same-day processing for **more than 80 consecutive weeks** with 25% fewer staff and **\$1.7 million dollars in savings**, Secretary Merrill was not satisfied that we were doing enough to expedite these bureaucratic processes.

"We needed to continue to modernize the process if we wanted to truly use all of the resources available to us. The next step was taking the process online to empower Alabamians to spend more time focusing on the development of their business, which in turn will bring more economic growth to our great state," said Secretary Merrill. "We want the people of Alabama to know that Alabama no longer moves at the speed of government, but now it moves at the speed of business."

This process is currently available for **domestic limited liability filings**. Following a brief trial period, additional services will be added: **Domestic Business/Nonprofit Corporations, LPs, LLPs, LLLPs, and Professional Associations**.

All of the electronic services offered by the Secretary of State's Office can be found on the website at **sos.alabama.gov** under the Business Services app icon.

Legislative Agenda 2017



Governor Kay Ivey signing the closed primary and Electronic Poll Book legislation.



Secretary Merrill explaining the usage and purpose of the Electronic Poll Books.

Two bills from the Secretary of State’s Office were passed in the 2017 Regular Session, which includes:

HB 282

Defines the Crime of Moral Turpitude for voting.

Sponsored by:

Representative Mike Jones and Senator Cam Ward

SB 108

Prohibits voters from switching parties between the primary and the run-off and allows for the utilization of electronic poll books.

Sponsored by:

Senator Tom Whatley and Representative Arnold Mooney

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Electronic Poll Books

The average person lives a busy lifestyle. Between working a full and/or part time job, managing bill payments, and taking care of loved ones young and old, modern conveniences that make life's every day tasks more efficient are welcomed with open arms. In a digital age where technology replaces the bygone methods of the past, why not implement a new system that can make one significant aspect of life a little simpler, such as casting a vote on **Election Day**?

Election Day is both an exciting yet chaotic time, but how often have registered voters decided to skip a trip to their polling place simply because long, burdensome lines await at the check-in tables? In order to eliminate this issue, Secretary Merrill has introduced the implementation of **Electronic Poll Books**, which allows poll workers to check the names of each registered voter through an online system. Therefore, this new method not only processes the voters at a faster rate since there's no longer a need to sift through a mountain of pages to locate a person's name, but it also eliminates the possibility of the poll workers highlighting an incorrect name by mistake. Additionally, this system allows county officials across the state to instantly update a voter's information at any time.

The Pilot Program for the Electronic Poll Books was launched during the **General Election on November 8, 2016**, where all of Alabama's 67 counties were given the opportunity to try the system. 25 counties participated in the Pilot Program. As a result, **Mobile County** processed over **650 voters an hour** with only four Poll Books on site, and **Jackson County** processed its voters in a mere **27 seconds per person**.

Secretary Merrill is working to provide and distribute Poll Books to the counties in the upcoming elections. For additional information on the implementation and usage of Poll Books and its Pilot Program, contact **John Bennett, Deputy Chief of Staff/Communications Director**, at John.Bennett@sos.alabama.gov.



Constituent Services

Executive Division

•Treating the Office Budget Like Your Household Budget

~Upon taking office on January 19, 2015, the office (all Divisions included) consisted of 48 employees. As of **December 2017**, the office consists of **36 employees**, excluding the Secretary of State. Since January 19, 2015, **29 employees** have either resigned, transferred, retired, or have been released.

~**Phased out the Personnel Division**. Today, office personnel duties are assigned to 1 existing staff member. **Personnel costs were reduced approximately \$60,000** by not having to fill a staff position with this singular responsibility.

~For the period of **January 19, 2015 to December 2017**, **expenses were reduced by \$1,973,939.36**.

~In April 2015, **four divisions of the Secretary of State's Office relocated to the Alabama State House**, which will save taxpayers nearly \$270,000 over a four-year period.

~Beginning with the FY2016 State Budget (October 1, 2015 – September 30, 2016) and at the request of Secretary Merrill, the office **no longer receives a State General Fund Appropriation for Administrative Services**. The amount the office **gave back to the state is approximately \$1.3 - \$1.8 million dollars**.

~Secretary Merrill's first letter in office was written to the Chief Examiner of the Alabama Department of Examiners of Public Accounts to request a formal audit in regards to the financial administration of the office. Secretary Merrill is **working to turn around nearly a decade of audit and financial issues** in the office.

~Although not required, Secretary Merrill issued a 9-page response to the Chief Examiner's audit (for the period of October 1, 2009 through January 19, 2015) that outlined his plan of corrective actions to remedy the seven financial deficiencies. The plan is aggressive and includes a plan of corrective actions to cure several concerns that persisted since another audit (for the period of January 16, 2007 through September 30, 2009) was issued.

•Increasing Transparency

~In 2015, 2016, and 2017, Secretary Merrill **visited all 67 counties** at least once to discuss voter registration and voter photo I.D. delivery with 350+ individual visits in 2016 alone and 414 visits in 2017.

~**The option to request Public Records/Information became available online**.

~**Instructed a 24-hour turn around time** to respond to all Public Records/Information requests.

~**Informational releases are sent out to the media on a regular basis**.

~**Quarterly Reports are issued and placed online** at the conclusion of each 3-month period to inform the public of the highlights of each prior quarter.

~**An Annual Report is published and placed online and printed** at the conclusion of each year to inform the public of the highlights of the prior year.

~To comply with the Alabama Open Meetings Act, **meeting minutes have been placed online** for boards, committees, or commissions where the Secretary of State is responsible to serve as an administrator.

~**Concise descriptions of the funds** administered by the Secretary of State are **placed online**.

~A concise description of the **fees provided by law or rule have been placed online**.

~A description of the **boards, committees, and commissions the Secretary of State serves on are placed online**.

~The **Probate Judges Advisory Council was created to work with Alabama's Probate Judges** and meet the needs of Alabama's counties in their interaction with the Secretary of State's Office.

•Establishing Expectations

~Secretary Merrill requires **Annual Ethics training for all staff once a year**.

~**Personnel policies were established** to ensure certain personnel aspects are properly administrated, and the first personnel handbook for Secretary of State employees was composed to ensure comprehensive employee compliance, expectation, and accountability standards are met.

~**All employees are evaluated annually** on the accomplishment of duties. In previous years, some employees were not issued evaluations.

~Secretary Merrill requested that all staff position descriptions include the statement "Delivers service to the citizens of Alabama with a servant's and helper's heart" in order to measure employee citizen service. Alabama's taxpayers

and citizens deserve the best, and Secretary Merrill expects his staff to perform as the best.

~Division Heads meet once a month with the Chief of Staff to establish and strengthen real **team building and informational sharing** that were major organizational deficiencies upon Secretary Merrill entering office.

~Division Heads are required to teach the application of **cross-training** to staff to build comprehensive staff abilities, which will benefit their ability to help citizens.

•Legislation

~**Nine bills** sponsored by the Secretary of State's Office were passed in the **2015** Legislative Sessions, and **11 bills** were passed in **2016**. **Two bills** were passed in the **2017** Legislative Session.

Finance Division

•Treating Your Money with Respect

~Purchases made by the office are **required to receive approval prior to purchase**. In previous years, a loose purchasing process allowed many purchases that were duplicative, contrary to state purchasing procedures, and/or wasteful.

~Payments made to any Division of the Secretary of State's Office are required to be **deposited in 1 day**. Prior to this, payments were held as long as several weeks or 7 months before deposit, increasing the chances for NSF charges to be assessed to the issuer. **This one requirement to deposit payments in 1 day has, as a by-product, resulted in all the Divisions of the Secretary of State to quickly complete citizen transactions.**

~On several occasions when vendors conducted business with the state through the Secretary of State's Office and did not fully fulfill their role, the Secretary requested and received **monetary adjustments, which benefited the state.**

~For the first time, **establishing procedures related to the proper administration of bad checks** has been issued by the Secretary of State's Office.

~**The lack of proper attention given to one Secretary of State fund** that was not coded revenue (for deposit therein) for over half a decade has been corrected.

~A provision has been inserted into all new contracts that requires a vendor to reduce their invoiced expenses for failure to perform in an adequate fashion.

Elections Division

•Serving Those Who Serve Us

~Military voters can now receive and transmit their ballot securely and electronically from anywhere in the world. Previously, military members needed access to a printer and mail service to participate in the election process.

•Promoting Alabama's Voice in the National Presidential Conversation

~Secretary Merrill enthusiastically advocated Alabama joining the **SEC Presidential Primary** in June 2015, thus moving Alabama's primary election date to March 1, 2016.

~From August 2015 to February 2016, **10 presidential candidates visited Alabama** multiple times.

~Due to the promotion of the SEC Presidential Primary, 1.25 million voters cast ballots during the March 1, 2016 election, making it the largest turnout (40.68%) in a gubernatorial or presidential primary election.

•Voter Registration

~Since Secretary Merrill took office on January 19, 2015, **878,537 people have registered to vote in Alabama as of December 2017, which sets the total to 3,332,898.**

~**Online Electronic Voter Registration and a voter registration mobile device app were unveiled** for the first time in Alabama's history.

~**The Secretary of State Voter Registration and Photo Voter ID Mobile Unit** works throughout the year by attending numerous statewide community events in all 67 counties at least once per year. The unit can be sent to any community and/or household at any time, 7 days a week, in all 67 counties.

~**Alabama Head Football Coach Nick Saban, Auburn Head Football Coach Gus Malzahn, World Boxing Heavyweight Champion Deontay Wilder, former NBA Star Charles Barkley, NASA Astronaut Dr. Mae Jemison, and Miss Alabama 2017 Jessica Procter** assisted with encouraging voter registration by promoting Alabama's Photo Voter ID Law in the state.

~In July 2016, an informational **video concerning voter registration was uploaded to the SOS YouTube channel.**

•Working to Ensure Voter Roll Integrity

~Under the authority of state legislation requested by Secretary Merrill, Alabama joined both the ERIC (Electronic Registration Information Center) and the Interstate Voter Registration Crosscheck program in October 2015 **to ensure Alabama joined a union of states that work together to crosscheck voter rolls to reduce duplication of names in Alabama and across state lines.** On July 1, 2017, a second mailer was sent to 78,372 Alabamians who weren't registered to vote but have a driver's license or non-drivers I.D.

•Increasing Transparency

~Beginning with the March 1, 2016 statewide primary election and leading to the November 8, 2016 statewide general election, **each county's elections results were placed online in real-time on the SOS website, resulting in 100% participation of all Alabama's counties.**

~The Alabama Election Fairness Project (an agreement signed between the Attorney General, State Bureau of Investigation, & Secretary of State) was established to ensure more fair elections in Alabama.

~**Fair Campaign Finance Reports are under constant review.**

~The **Fair Ballot Commission information is linked to the website** so Alabamians can find information on proposed state constitutional amendments, which oftentimes are hard to understand.

~For the first time in Alabama's history, **citizens can purchase voter list information online.**

~**The Alabama Elections Handbook is available online** for the first time to eliminate publishing costs and increase viewer use beyond state and county election officials to be accessible to the general public.

~An informational calendar for all state and local elections is available on the website, including local tax referendums.

~Online information regarding the State Boards and Commissions is updated annually.

~A search feature in the Acts of Alabama online database was implemented to make it easier to find information in the text of a legislative act.

~In order to increase transparency, all Secretary of State staff salaries were posted online.

•Assisting Alabama's Counties

~**The Secretary of State's administration of the Help America Vote Act Grant Program was reorganized** to more adequately serve Alabama counties (whose local government is closer to the people) to:

~More quickly respond to county requests for use of the grant funds,

~More quickly issue approved grant funds to counties, and

~Provide capital asset inventory and surplus guidelines to the counties related to grant funds purchases that are required under federal regulations.

~**The office continued to assist Alabama's 67 counties** to pay for Handicap Accessible Voting Machines software and maintenance until December 2016.

~Letters were sent to 1,298 new county officials concerning the requirement to file their reports with the FCPA system.

~The SOS Office released five instructional videos on the usage of the FCPA online filing system in June 2017.

~The Candidate Filing Guide was updated and is available for viewing online. A printed version of the filing guide was released later in the year of 2017.

•Registrar Training

~The Secretary of State Office's Elections Division held a **Board of Registrars training session**, which involved nearly 200 participants and continues to conduct training sessions with Alabama's election officials. The office also maintains and provides a Board of Registrars Handbook.

~A 3-year training program for members of all the County Board of Registrars was initiated.

~As of June 27, 2017, the SOS Office, in conjecture with Auburn University, provided Registrar training with continuing education credits for the first time.

Business Services Division

•Helping Alabama's Businesses

~Secretary Merrill's instruction to deposit funds in 1 day caused **all new domestic entities filing for the first time to be issued within 1 day of their Business Entity Number, which is available on the website.** This process is a tremendous help to a new business where banks, lenders, and others can verify the existence of a new domestic entity.

~Upon being informed that the state law provision on the payment of an "expedite" fee related to certain business filings was being processed in 3 business days, **the expedition of the filings to be accomplished in less than 24 hours** was immediately ordered, as the state law requires. On June 23, 2017, the Secretary of State's Business Services Division completed same-day business filings for one year. This has continued for more than **80** consecutive weeks.

~Secretary Merrill instructs the Uniform Commercial Code (UCC) sub-division (of the Business Services Division) to accomplish its recordation and filing activities in the time period required by state law (to be fulfilled in 2 days). After a period of adjustment, **the UCC sub-division is consistently accomplishing its public duties mostly the same day but no later than the next business day.**

~Secretary Merrill instructs the Business Entities sub-division (of the Business Services Division) to accomplish the recordation and filing activities required by state law for the Secretary of State to fulfill (such as foreign filings, agent changes, name reservations, corrections to name reservations, certificates of existence, and mergers & conversions) in the time period required by state law (to be fulfilled in 7 days). After a period of adjustment, **the Business Entities sub-division is consistently accomplishing these public duties mostly the same day but no later than the next business day.**

~Secretary Merrill instructs the Business Entities sub-division (of the Business Services Division) to accomplish the recordation and filing activities required by state law, which are issued first to the county Probate Courts (such as all domestic filings) and thereafter sent to the Secretary of State in the time period required by state law (to be fulfilled in 7 days upon the Secretary of State receiving). This activity was aggressively remedied due to the fact that there have been time periods where the tasks were not accomplished until 7 months after the Secretary of State received the domestic filings from the counties. Since July 1, 2016, **domestic filings are filed mostly the same day but no later than the next business day.**

~Due to domestic entity filings being accomplished at the county level, the office is working with Alabama's counties to establish an "online filings system" for domestic entity filings.

~Since the above domestic entity online filings system is not mandatory to be used by all Alabama's counties, **an "online pre-filings system" was established for citizens to voluntarily use to form domestic entities.** The online pre-filings system started by only allowing domestic LLCs to be administrated, but the system was expanded to all domestic entities (LP, LLP, LLLP, domestic corporations, and domestic non-profit corporations) in July 2016.

~The online Business Services forms were updated on the new SOS website. Some forms had not been updated in a decade.

~A **new process was established to handle fraudulent business filings** submitted to the SOS Office.

Government Support Division

•Coordinating Activities and Saving Money

~**The process for ordering House of Representatives Journals and State Senate Journals** for each Alabama Legislative Session was restructured. The journals are hard-back bound. Approximately 80-140 sets of House Journals and 80-140 sets of Senate Journals have been ordered each year. By coordinating the activity, only 61 sets of House Journals and 36 sets of Senate Journals are needed, which will reduce the costs paid by the state.

~**The process for ordering the Acts of Alabama is better coordinated.** By state law, the hard-back bound acts are required to be sent to over 1,000 recipients statewide. By simply paying attention to the mailing and distribution list through its constant updating, the acts are sent to the proper recipients, avoiding wasteful mailings that lack the proper address.

~The process for providing the pamphlet Acts of Alabama has been eliminated, and the Acts of Alabama are already available on the SOS website. A 2009 state law repealed this process, but the activity was never ceased.

~The SOS Office expanded the digital filing system to include reports issued from other state agencies, such as the Alabama Indian Affairs Commission and the Alabama State Board of Registration for Foresters.

Information Services Division

•Providing Services and Saving Money

~This division assisted with the establishment of **the Online Electronic Voter Registration system** with existing staff, rather than farming out the online development costs to a third party.

~The **Homeowners' Associations Electronic Database** was established for citizens to search and retrieve documents related to homeowners' associations that were established after January 1, 2016, as required by state law. Existing staff accomplished the work.

Authentications, Trademarks, and Lands Division

•Recognizing Alabama's Families

~To highlight and honor Alabama's families, the first **International Adoption Day Celebration** was held on January 29, 2015, the second ceremony was held on February 5, 2016, and the third was held on January 27, 2017. The ceremonies highlight Alabama's families and help citizens understand the process and role required of the Secretary of State's Office. The fourth ceremony will be held in January 2018.

~The SOS Office worked with Maxwell Air Force Base to assist them in the authentication of their international military pilots' training completion documents.

Alabama Athlete Agents Commission

•Modernizing and Saving Money

~**This division modernized the process for accepting payments to the State of Alabama from Athlete Agents** seeking licensing from a paper receipt method to an electronic validation with existing hardware at no additional cost to the state.

Probate Judges Advisory Council

Secretary of State John Merrill established the Probate Judges Advisory Council in 2015 to ensure that elections and corporate filings are administered appropriately, accurately, efficiently, and as effectively as possible at the county and state levels. The Advisory Council held its first meeting on Tuesday, January 13, 2015 at Ross Bridge Resort to establish criteria and goals for the year and continued to hold meetings throughout 2016 and 2017.

The eight-person council is a bi-partisan collection of Probate Judges from counties all over the state that advise Secretary Merrill and keep him informed about issues that need improvement in the counties and at the state level. Current members of the council include the following Probate Judges:

Eldora Anderson - Perry County
Tammy Brown - Cullman County
Bill English - Lee County
W. Hardy McCollum - Tuscaloosa County
David Money - Henry County
Steven Reed - Montgomery County
Ryan Robertson - Cleburne County
Tim Russell - Baldwin County

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Secretary Merrill Travels Around the Country



The following list contains a select few of Secretary Merrill's visits from around the United States in 2017.

1.) Event: National Association of Secretaries of State (NASS) Winter Conference

Location: Washington, D.C.

Month: February 2017

Purpose: To meet with other Secretaries of State from around the country in an effort to increase knowledge and exchange ideas on running fair and secure elections, as well as learn to effectively extend state services to the citizens.

2.) Event: Elections Assistance Commission Standards Board

Location: San Antonio, Texas

Month: April 2017

Purpose: To increase knowledge and exchange ideas with other attendees on running fair and secure elections within the state.

3.) Event: U.S. Global Leadership Coalition

Location: Washington, D.C.

Month: June 2017

Purpose: To increase knowledge of how to influence a positive change in the world as an elected leader.

4.) Event: NASS Summer Conference

Location: Indianapolis, Indiana

Month: July 2017

Purpose: To meet with other Secretaries of State from around the country in an effort to increase knowledge and exchange ideas on running fair and secure elections, as well as learn to effectively extend state services to the citizens.

5.) Event: Bipartisan Benefits of Interstate Data Sharing Panel

Location: Tallahassee, Florida

Month: December 2017

Purpose: To speak with other elections officials on improving interstate data-sharing initiatives, such as the use of the Electronic Registration Information Center (ERIC).

6.) Event: Japanese Emperor's Birthday Celebration

Location: Atlanta, Georgia

Month: December 2017

Purpose: To bring greetings from Alabama to the Japanese Emperor and strengthen our state's cultural relations.

7.) Event: Council of State Governments Conference

Location: Las Vegas, Nevada

Month: December 2017

Purpose: To meet with leaders from the executive, judicial, and legislative branches from all across the nation in an effort to increase knowledge and exchange ideas on methods to improve state government.

Alabama's Crossover Voting Law

In the State of Alabama, primary elections serve as the preliminary process where candidates are nominated to represent either the Republican or Democratic Parties. Throughout the years, both parties have periodically required voters to vote with consistency to avoid the process of crossing from one party primary to another and then engaging in the other party's election, which can intentionally influence the vote totals for candidates in the nomination process.

Secretary Merrill directed his team at the Alabama Secretary of State's Office to work with State Senator Tom Whatley and State Representative Arnold Mooney to support their efforts in the full implementation of their proposed legislation, which would avoid any disruption in the electoral process. The office also contacted county election officials in all 67 counties to engage them in planning and research efforts to ensure the law was efficiently implemented.

Historically, state law has permitted the political parties to determine who may participate in their respective primary elections. Since 1983, the Democratic Party prohibited crossover voting in its primary run-off election. A voter could not legally vote in the Republican primary election and then vote in the Democratic primary run-off. The Republican Party adopted a similar rule in 2016, which prohibited a person from crossing over from the Democratic Party primary election to the Republican Party primary run-off election.

This law, Act No. 2017-340, went into effect during the August 15th Senate Special Election for the previously vacant U.S. Senate seat. It states that "if an elector votes in a primary election, he or she may vote in a subsequent primary run-off election only if he or she voted in the primary election of the same political party for which the run-off election is being held." The party designation was in effect for the Senate election in 2017 and may change every election cycle, if desired. The actual voting process for Alabama voters did not change during the August 15, 2017 primary. However, voters who returned to the polls for the primary run-off on September 26th were only allowed to cast a ballot for the same party they chose during the August 15th primary. If a voter did not participate in the primary, he or she selected a party for the first time during the primary run-off held on September 26th. This process did not effect the General Election on December 12, 2017, meaning that regardless of their choice for the primary election, all voters could select either candidate for the General Election.

On the morning of September 26, 2017, reports from several voting locations indicated that some poll workers were assisting or allowing voters who cast ballots for Democratic candidates in the primary to vote a Republican ballot in the run-off. Such an act is considered voter fraud, which is a Class C felony and carries a sentence of not less than one year and one day and not more than ten years imprisonment and may include a fine not to exceed \$15,000.

"When I campaigned for office," Secretary Merrill stated, "I made a promise to the people of this state to ensure that any instance where someone reportedly violated the law would be investigated, prosecuted, and indicted to the fullest extent of the law. We will continue that practice, and all reported incidents will be investigated."

Secretary Merrill identified the local chief election official - the Probate Judge - as the proper authority to determine whether those listed were willful in their intent, negligent, or erroneously reported in each county where the incident occurred. The Elections Division of the Office of the Secretary of State then delivered a report of those 674 names to the 41 affected Probate Judges and requested each of them to review and complete a comprehensive report by November 6, 2017.

Beginning Tuesday, November 7, 2017, Secretary Merrill and members of the Elections Division began reviewing these returned reports from each county. The team combined the responses into a report, which indicated 140 confirmed occurrences of crossover voting. Secretary Merrill then personally called and discussed with each of the remaining 20 county Probate Judges to determine what action they recommended be pursued in the 140 confirmed violations of the crossover voting law. These recommended actions could have included additional levels of investigation, which could have ultimately lead to suggested or recommended prosecution.

After these reviews and the conversations were completed, there were no instances where a local Probate Judge deemed it necessary to pursue additional investigations that could potentially lead to prosecution. Without the introduction of new information, the matter was closed. Reports from Probate Judges on the 534 voters that were initially listed on the report were found to be errors by either the poll worker, another election official, or the voter. Probate Judges found evidence to attribute the errors to Poll Workers or Registrars through scanning errors.

Secretary Merrill received the reports and the recommendations made by the Probate Judges and agreed that this information and the names of the crossover voters should be documented and recorded for future reference. Secretary Merrill also encouraged the Probate Judges to continue to work to modernize the election check-in process through the utilization of equipment like the electronic poll book that not only expedites the procedure but removes the possibility of error through the check-in process.

"We recognize and deeply appreciate the time, energy, resources, and commitment made by our elections teams in each county and each county's dedication to safe, secure, credible, and fair elections in their communities," Secretary Merrill said. "The recommendations made by our Probate Judges are enthusiastically received, and it should be noted that the Office of the Secretary of State will not forward the names of the crossover voters for prosecution by the local District Attorney or the Attorney General. We want to commend our outstanding local election teams for the educational instruction provided to voters and elections workers in the primary election on August 15, 2017. 589,175 Alabamians participated in the primary election that day, and 480,270 voted in the run-off election on September 26th. Only 674 individuals were reported as having crossed over from the Democratic Primary and illegally voted in the Republican run-off. After a thorough review, 140 voters were actually determined as having actually crossed over, which means that only .03% of all those that voted were identified as crossover voters. In other words, 99.97% of all voters cast ballots that were error-free and without any concern of impropriety."

Inactive Voters List

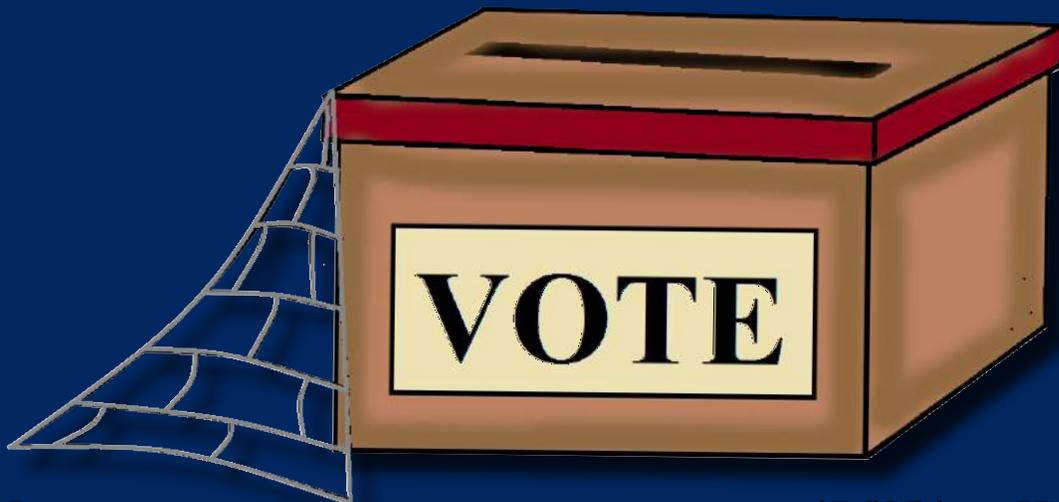
Beginning in January of 2017, as required by the National Voter Registration Act (NVRA), the Alabama Secretary of State's Office began a process of contacting all 3.3 million registered Alabama voters. This process, also required under state law, is a two-part mailing program to contact voters and give them the opportunity to verify or update their voter registration information. Additionally, this process provides for the removal of voters that fail to respond to the mailer for that four-year election cycle and do not participate in any election during that same four-year period.

The process began with non-forwardable postcards that were mailed to every registered voter in Alabama. The postcard asked the recipient to review their registration information, and if the information was accurate, they were asked to retain the card. If the information was incorrect or needed to be updated or if the voter on the card no longer lived at that residence, the voter was asked to mark "return to sender" on the card and place it back in the mail. When the voter placed the card back in the mail, each postcard was delivered to the local county board of registrars office. At that time, it was scanned into the system and recorded that the card was returned.

A second postcard followed the first mailing but was only sent to the registered voters whose cards were returned to the sender. This postcard was allowed to be forwarded to voters that may have had a forwarding address on file with the post office. These postcards informed voters that the initial mailing was marked "return to sender" and that they should either update their information or contact the registrars office to have their name removed if they were no longer located in the state. Voters were and still are able to update their information through the Secretary of State's online voter registration platform or the [Vote for Alabama](#) app (available for Android and iOS devices). Voters who did not respond to this mailing or who had their postcard returned to the sender were marked as **inactive**. An inactive voter registration status means that a voter is able to vote as a normal voter on election day, but they will also be asked to update their voter registration information when they visit the polls on election day.

Voters that wish to check their registration status can do so in a multitude of ways. To check your status electronically, visit <https://myinfo.alabamavotes.gov/VoterView/Home.do>. To check via phone, call the Secretary of State Office's Elections Division at 334-242-7210 or your local board of registrars office. Contact information for all registrars can be found at <http://sos.alabama.gov/alabama-votes/board-of-registrars-all-counties>.

It is important for voters and members of the media to keep in mind the intent of this process, which is required under federal and state law. We are to provide the opportunity for Alabama voters to update their information and help maintain accurate voter rolls that help the state conduct elections effectively and efficiently for all of Alabama's citizens.



U.S. Senate Special Election 2017

With the appointment of Senator Jeff Sessions as the United States Attorney General, a special election was necessary to determine the person Alabamians would select to represent them in the U.S. Senate. The Alabama Code 1975, Title 36-9-8, gives the Governor exclusive authority to call and set the dates for special elections. The initial proclamation from Governor Robert Bentley set the special primary election for Tuesday, June 5, 2018, but the date was later changed to August 15, 2017 by Governor Kay Ivey. As a result, the election schedule was set to the following:

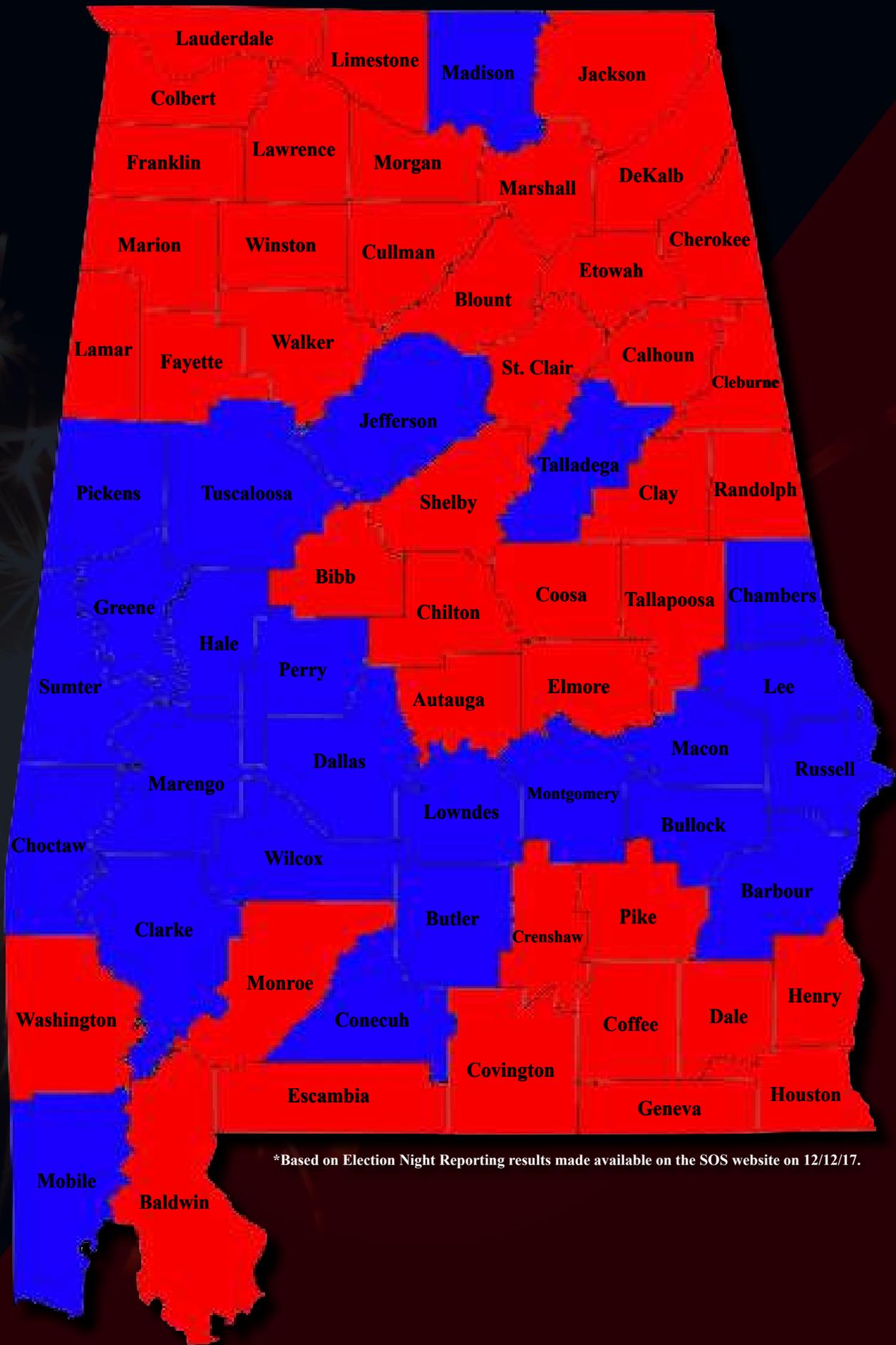
Election Dates:

- Primary: Tuesday, August 15, 2017
- Run-Off: Tuesday, September 26, 2017
- General: Tuesday, December 12, 2017

Republican Roy Moore and **Democrat Doug Jones** stood as the remaining candidates for the General Election. Jones was named the winner with **673,896** votes, as opposed to Moore's **651,972** votes. **22,852** votes were write-ins. The Secretary of State's Office provided the results live to the public on the SOS website for Election Night Reporting.

After receiving the certified results from all 67 counties, the election was officially certified by the State Canvassing Board, which consists of Governor Kay Ivey, Secretary Merrill, and Attorney General Steve Marshall, on December 28, 2017 at 1:00 p.m..

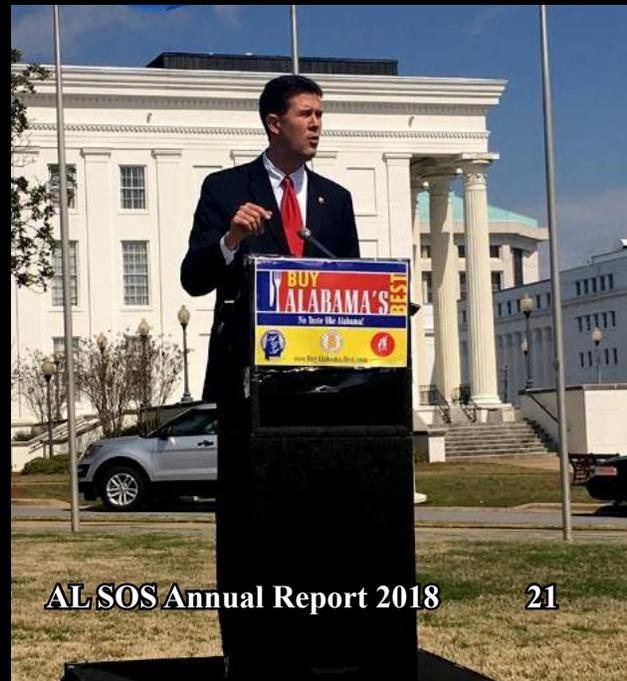
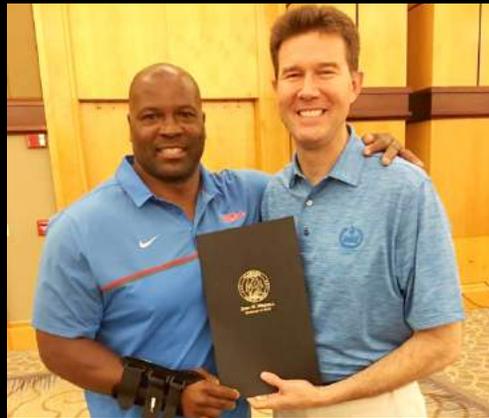




*Based on Election Night Reporting results made available on the SOS website on 12/12/17.

A Year in Photos 2017





Office of the Secretary of State
Alabama State Capitol
P.O. Box 5616
Montgomery, AL 36103-5616



LET'S MAKE
Alabama
ALL IT CAN BE!

JESSICA PROCTER, MISS ALABAMA, 2017

How to Register to Vote Online:

- Visit www.alabamavotes.gov
- Select "Voter Registration"
- Click "Online Registration"
- Then select "Begin Voter Registration Application"

*Note: You will need a valid driver's license issued by the State of Alabama to register online.

How to Obtain a Free Photo Voter ID Card:

- Visit www.alabamavotes.gov
- Select "Photo Voter ID"
- Download and complete the Photo Voter ID application

*Note: If you have the following, you are not eligible for a photo voter ID:

- Valid driver's license
- Valid non-driver ID
- Valid Alabama Photo Voter ID
- Valid state issued ID (any state)
- Valid federal issued ID
- Valid US passport
- Valid Employee ID from Federal Government, State of Alabama, County Government, Municipality, Board, Authority, or other entity of this state
- Valid student or employee ID from a college or university in the State of Alabama (including postgraduate technical or professional schools)
- Valid Military ID
- Valid Tribal ID

*

REGISTER TO VOTE AND GET A PHOTO ID TODAY!