

CHAPTER IV

THE RANK AND FILE

While the number of regular employees in the election offices varies somewhat in proportion to the size of the city and the number of registered voters, the ratio of the number of employees to the number of registered voters differs widely.

Office Employees. It is highly significant that the cost of permanent employees in the election office varies from as high as twenty cents per registered voter in such cities as New York, Chicago, and Cleveland, where election administration is conducted on a strictly political basis, to as low as one to seven cents per registered voter in Detroit, Milwaukee, and Minneapolis, and other cities where the office force is not looked upon as political patronage. The offices which are best managed are in the latter rather than the former group. The employment of a large office force for the conduct of elections is inexcusable. The work is highly seasonal in character, and should be performed largely by temporary employees. In one office which is particularly efficiently managed, with a small number of employees in ratio to the number of registered voters, the chief clerk told the writer that it was hard to keep up the morale of the force because of the absence of work during the off season, and accordingly he had arranged with the city to turn over certain miscellaneous tasks, such as editing city documents, to the office to be done during spare time. By way of contrast, when the writer approached the election office of Jersey City, which has slightly over 200,000 registered voters, he was informed by the registrar of voters in charge of the office that neither he nor any of his eighty-five clerks would have any time to give out any information because of the pressure of work. At that time the next election was six months away, and while the pay roll of

the office may have included eighty-five persons, less than a dozen were actually on duty in the office.

Number and Salaries of Regular Office Employees in the Election Offices of the Largest Cities, 1930¹

City	Number of registered voters	Number of office employees	Total salaries	Average salary	Annual cost per registered voter (cents)
New York.....	1,568,305	96	\$315,086.75	\$3,282.15	20.5
Chicago ²	1,264,234	117	239,387.85	2,046.05	18.9
Los Angeles County.	853,676	25	58,367.48	2,334.69	6.8
Detroit.....	522,842	12	32,570.68	2,714.22	6.2
St. Louis.....	300,653	14	28,399.00	2,028.51	9.5
Baltimore.....	295,929	18	35,200.00	1,955.55	11.9
Cleveland ³	312,900	23	67,594.73	2,938.89	21.6
San Francisco.....	227,979	27	67,522.20	2,871.19	29.7
Milwaukee.....	184,530	2	5,700.00	2,850.00	3.1
Minneapolis.....	218,840	5	7,860.00	1,172.00	3.6
Rochester, N.Y. ⁴ ...	159,617	10	18,666.00	1,866.60	11.7
Portland, Oregon ⁵ ...	148,454	4	6,168.00	1,541.50	4.2
Syracuse ⁶	130,350	2	1,820.00	910.00	1.4
Omaha.....	84,029	5	7,749.96	1,549.99	9.3

¹ Data supplied by the election offices, or taken from their annual reports. In several instances it has been necessary to use the county in which the city is located, since the same office has charge of elections throughout the county. The work of the election offices is not perfectly comparable, for some offices have greater duties with respect to the registration of voters than others, and in some cases certain election functions are performed by other offices. The offices of Newark, Jersey City, Philadelphia, and Pittsburgh are even worse offenders than those included in the table, but because of the division of election work into two or more offices and the difficulty of securing data, these cities have not been included.

² The statistics include, in addition to Chicago, the following suburbs of Chicago, which are under the jurisdiction of the election office: Chicago Heights, Cicero, Berwyn, Summit, and Evergreen Park, with a combined registration of 55,635.

³ The statistics are for Cuyahoga County. The number of registered voters in Cleveland was 224,284.

⁴ Monroe County. The number of registered voters within the City of Rochester was 106,303.

⁵ Multnomah County.

⁶ Onondaga County. The number of registered voters in the City of Syracuse was 83,452. It should be noted also that a substantial part of the office work is done by the two commissioners, whose salaries are not included in the above.

The state election laws usually provide certain legal qualifications for office employees, ordinarily including citizenship, residence, and bipartisan representation. The provision for equal division between the two dominant political parties

tends to increase the party machine control over the office. In most cities the office force is recruited from the ranks of professional politicians, with little attention to clerical ability. There are a few exceptional election offices, notably Detroit, Omaha, Milwaukee, San Francisco, and Los Angeles, where the employees are competent. No private organization would attempt to get along with the type of employee usually found in election offices. The actual qualifications of the office employees of many election offices today are accurately pictured in the following quotation, from a letter of the chief clerk of a large election office:

I well remember some experiences a few years ago before we had our present form of commission and method of conducting elections; it would be difficult to imagine a more incompetent and drunken lot of loafers anywhere than the nondescript outfit that was put on registration and election work, with a few exceptions.

The employees of the election office practically everywhere are appointed by the election board or officer in charge, and are subject to removal at any time. In only a few jurisdictions are they placed under the local civil service system.¹ Spoils politics is the rule. In only a few states is it specifically provided by law that the office employees shall be selected upon the basis of nominations by the party machines, but this is the common practice by reason of the fact that the election boards themselves are selected by the party organizations, and are consequently willing to obey the orders of the machine. In many places the subservience of the election commissioners to the party machine is so complete that no appointment, removal, or promotion is made without "orders."²

¹ The entire office force of the election offices in Milwaukee, San Francisco, and Los Angeles is under civil service, and part of the office force in Boston, New York, and Detroit.

² A former chief clerk of a large election office stated to the writer: "I might as well tell you the truth about the matter. Everybody knows that appointments, removals, and promotions are not handled by the election commissioners. They do only what they are told to do. If a new employee is to be appointed, a promotion to be made, or anything else to be done, the commissioners don't count. It's the organization that counts. Every clerk in this office has some party

Usually the office employees are evenly divided between the members of the election board, each member having control of the appointment and removal or discipline of his own members, subject, to be sure, to orders from the party organization. Because of this even division of spoils, the number of employees is frequently a multiple of the number of commissioners, regardless of the amount of work to be done. In a few states the election law specifies that the office employees shall be divided equally between the two dominant political parties—a provision which stresses party representation and organization control. As a result it is common for extra employees to be taken on in pairs, regardless of whether two clerks are needed, and quite commonly work is assigned by pairs, with two persons doing the work which normally would be performed by one. Where an equal division between the parties is required by law, both parties watch closely the personnel of the office, and if for any reason it becomes unevenly divided, the party with the lesser number of clerks insists upon additional appointments until an equal division is secured.

The qualifications for election office employees under civil service systems are distinctly higher, though in one city the chief clerk jokingly remarked to the writer that the principal experience of the majority of the clerks prior to entrance into the office was baseball.³ If there is a local civil service system the employees of the election office should be placed under it, and in the competitive class. This is unquestionably the most feasible step that can be taken to remove the election office from politics and to improve the personnel.

Ordinarily there is no fixed term for election office em-

leader behind him, and if the clerk dies or leaves the office, that leader gets busy with the organization and sees to it that the place goes to another one of his men. By custom every place in this office belongs to one of the local leaders, but some of them have several places and a few haven't any at all."

³ In New York City the election office is partly under the civil service, but in practical operation positions in the classified service are filled only by transfers and no appointments are made from competitive lists.

ployees. They may be removed at any time, and frequently this occurs when the commissioner through whom they were appointed ceases to be a member of the board. The rate of turnover of election employees, however, is not high. In many offices most of the employees have served for years. This is easy to understand, since the personnel is selected by both party organizations, and a change in administration does not ordinarily occasion removals.

Data on the salary scale of election office employees in the principal cities have been given above. The particular salary scale depends to a large extent upon the relation of the election office to the body which fixes the rates of compensation. If both are a part of the same political machine the result is usually a high salary scale. In a few states the salary is prescribed or limited by statute. This is usually unfortunate because the rate of pay is inflexible, has little relation to the type of work or qualifications required, and is frequently either too low or too high.⁴

The temporary employees are recruited in much the same manner as the regular force. In most cities they are selected through the party organizations and are uniformly incompetent. Their average ability is well illustrated in the following statement made to the writer by a high election officer in a large city:

We get a lot of persons as extra help who have no clerical ability. Some of them can hardly read and write. But most of the time we can use them somewhere, for we have manual work to be done on the booths and the equipment. We try them out and make an effort to

⁴The salary of the employees of the Baltimore election office is definitely fixed by state law. It varies from \$1700 to \$3500 annually, and is quite high for the qualifications required (Acts of 1924, Chap. 466). The high salary scale was explained to the writer to be due to the fact that the state legislature fixes the salaries and the city pays the bill. On the other hand, the registration commission of Philadelphia is seriously hampered by the state law which fixes the maximum compensation which can be paid to the regular employees. It ranges from \$3675 annually for the chief clerk down to \$1200. Only four clerks are provided for under this scale, and all others must be paid not to exceed four dollars per day (Personal Registration Act, Sec. 43). The commission finds it difficult to secure and keep competent persons.

use them somewhere. Before the last election we had one person who wouldn't do any manual labor and who couldn't do clerical work. I called up the ward leader who brought him and told him we couldn't use that man. "Yes you can," he said, "I knew that fellow won't work, but I can't place him anywhere else and you will have to keep him. He is the best precinct captain in my ward." We had to keep him.

A few exceptional offices use ordinary business methods in securing extra help, employing without regard to party affiliation or organization recommendations, and find that they can secure competent persons without difficulty. Under ordinary conditions there are many persons with clerical experience, especially women, who are available. There is a great difference between the type of persons who are sent in by the party machines and those who may be hired through advertisement and selection without regard to political affiliation.

As a general rule the election board or commissioner has full power and discretion in the employment of extra help, and it is only because of the domination of the election board itself by the party machines that these positions are political spoils. The wage for extra help varies from three dollars to six dollars per day. In St. Louis, curiously enough, the salary paid to regular and temporary employees is exactly the same—six dollars per day. Fifty cents per hour is a very common rate.

The temporary employees are taken on and laid off according to the requirements of the election office. A few offices make an effort to secure persons who have worked in the office on previous occasions, but this is not usually done. The cost of extra help varies with the amount of work to be done, the size of the permanent force, and the political exigencies.

Precinct Officers. The precinct election officers determine the character of the elections. The number used in each city varies from a few in the small city to an army of over ten thousand in New York City and Chicago. The bulk of the actual work of holding elections is in their hands, largely without central

supervision and inspection. If they are corrupt and are controlled by unscrupulous political machines bent upon winning elections by fair means or foul, elections will be stolen and malpractices of one kind or another will prevail. If they are incompetent, elections will be conducted in a slipshod, careless, and irregular manner, and mistakes will be prevalent. It is their duty to carry out the provisions of the state law (which they do not know or understand), and to protect the sanctity of the ballot box. Yet it is well known that the great majority of election crimes are actually committed by the election officers themselves. Without the connivance and consent or active participation of the precinct officers, elections cannot be stolen. The greatest single problem of election administration is that of securing honest and capable precinct officers, who are essential to a satisfactory election administration. The problem is by no means simple, especially in the face of a strong political machine and traditions of sharp practices or worse. It is hardly possible to emphasize too greatly the importance of securing satisfactory precinct officers.

Number and Compensation. The number of officers used in each precinct varies in the several states from three to ten. Generally speaking, too many officers are required by law, and too little flexibility is provided to adapt the number to the work of the particular precinct or to the particular election. The absurdity of the situation is most strikingly pictured in some precincts where there are not enough voters in the precinct to man the polls. Precincts can be found in practically every state with less than a dozen voters, which are required according to state law to have a full quota of precinct officers. A few states provide for a precinct board of fewer officers for precincts having less than one hundred registered voters, but such states still require from three to five officers to handle the work which should be done by one person, or, at the most, two.

The number of officers used in each precinct should be determined by the number of the voters of the precinct, the importance of the election, and the amount of work to be

done, all of which can be pretty accurately predicted. In the general elections, at which a long ballot is used, slowing up not only the counting of the ballots, but also the casting of them during the day, more precinct officers are needed than in minor elections, often with very short ballots. Another inflexible feature of the election laws is that the same number of officers are generally used throughout the day and through the count. A few states provide for the use of extra clerks to assist in the count or for a separate counting board (discussed in detail below), but this is exceptional. Many election boards sit around all day with little to do until the rush toward the close of the day. There is no reason for such stupid inflexibility. It may be accounted for largely by the practice of prescribing in minute detail the machinery and procedure in the state election laws. It seems to be assumed that any discretion in this direction is liable to be abused by the county or city officers in charge. A desirable and important improvement in our election laws would be to strike out all provisions governing the number of officers to be used to the precinct, permitting the city or county officer in charge to hire the number of persons required, according to the nature of the election and the size of the particular precinct. Not only that, but it should be possible for the local officers to arrange to put on extra persons toward the close of the day to take care of the rush period and to assist in the count. This would be entirely feasible, particularly as such service would not interfere with the regular employment of the persons so hired. It is not without precedent. The present use of additional counting boards in several states is a precedent for such action, as is the employment in Boston of two extra clerks who go on duty at six P.M. By supplementing the regular precinct officers toward the close of the day the rush period would be handled more smoothly.

In Canada only two officers are used for each board. In Canadian cities the size of each precinct is ordinarily much

larger than in this country, sometimes containing several thousand registered voters. Where such is the case, several boards, the number depending upon the size of the precinct and the number of votes anticipated, are used in each precinct. This practice is superior to that followed in this country in several particulars. It permits greater flexibility, and calls for fewer election officers. The conduct of elections may be much more closely supervised. Responsibility is much better fixed, for the deputy returning officer on each board is in charge, and is responsible for his actions and those of the clerk under him. Election frauds and sharp practices in Canada are practically unknown. It is significant that the Canadian practice does not call for partisan representation on the election boards. The administration appoints the returning officer for each district, who in turn appoints his deputies, and each deputy chooses his clerk. The parties are permitted to have watchers, but these watchers are not put on the election board and paid a salary from the public treasury. It may be noted also that the ballots in Canada are very short in comparison with those in this country, and the problem of counting is much simpler.

The salary paid to precinct officers, as indicated in the table below, varies tremendously. Why should Jersey City and Newark pay their election officers twenty-five dollars per day, while Louisville pays only three dollars? Probably both extremes are unwise. To pay over ten dollars per day for election officers makes a plum of the position, eagerly sought after because of the salary, and does not necessarily attract capable persons. But a wage of three or four dollars per day makes the position unattractive to capable persons and hampers the officers in charge. A reasonable compensation, between these two sums, depending upon the general scale of wages in the locality, would seem to be better public policy. The experience of many cities indicates that competent persons can be secured for a salary of five dollars to ten dollars

ELECTION ADMINISTRATION

Number and Salary of Precinct Election Officers in Selected Cities¹

City	Number	Titles	Salary	Notes
Atlanta	6	3 managers 3 clerks	\$8 5	
Baltimore	6	4 judges 2 clerks	12 12	
Birmingham	6	1 returning off. 3 managers 2 clerks	2 2 2	
Boston	8	4 inspectors 2 special insps. 1 clerk 1 warden	11 6 13 13	Go on duty at 6 P.M.
Boulder	5	3 judges 2 clerks	10 5	An extra counting board is used in large precincts at the general election.
Chicago	5	3 judges 2 clerks	10 10	Double pay for presidential election.
Cleveland	6	4 judges 2 clerks	10 10	
Denver	5	3 judges 2 clerks	10 10	An extra counting board is used in large precincts.
Detroit	3-7	1 supervisor 2-6 inspectors	16 16	
Grand Forks	5	1 inspector 2 judges 2 clerks	4 4 4	In small elections only 3 officers used: one judge and 2 clerks.
Indianapolis	5	1 inspector 2 judges 2 clerks	12 12 12	
Kansas City	6	4 judges 2 clerks	6 6	
St. Louis		1 inspector	10	
Los Angeles	6	2 judges 3 clerks	10 10	Only 4 officers used in municipal elections, in precincts of less than 100 voters, and if voting machines are used.
Louisville	4	2 judges 1 clerk 1 sheriff	3 3 3	
Memphis	8	1 officer of el. 3 judges 2 clerks 2 registrars	2-3 2-3 2-3	
Milwaukee	5	3 judges 2 clerks	14 7	The clerks do not assist in the count.
Minneapolis	5	3 judges 2 clerks	8.37 same	Plus 10 cents per hundred votes. Three extra clerks used in heavy elections.
Newark	4	1 judge	25	
Jersey City		1 inspector 2 clerks	25 25	

¹ Information secured from the election office in every case.

Number and Salary of Precinct Election Officers in Selected Cities (Continued)

City	Number	Titles	Salary	Notes
New York City.	4	4 inspectors	11	Two extra clerks used when voting machines are not used.
Omaha.....	10	1 inspector 5 judges 4 clerks	5 5 5	Four of these officials go on duty at 3 P.M. and conduct the count.
Philadelphia... Pittsburgh.....	5	1 judge 2 inspectors 2 clerks	20 10 10	
Portland.....	10	1 supervisor 1 chairman 4 judges 4 clerks	4.50	Two boards, a counting and casting board.
Richmond, Va..	5	1 chief 2 judges 2 clerks	10 7.50 7.50	
Rochester, N.Y. Syracuse.....	4	4 inspectors	10	Two extra clerks if paper ballots used, except in primary.
Salt Lake City	4	3 judges 1 registrar	3 3	Also 50 cents extra for overtime. In precincts of over 300, registered voters, a counting board of 4 officers is used.
Springfield, Ill..	5	3 judges 2 clerks	6 6	
Seattle.....	3	1 inspector 2 judges	50 same	Cents per hour. If paper ballots are used, 2 extra clerks.

per day (provided suitable means are used to recruit them), and there is no reason why the cost of elections should be made unduly high by paying excessive salaries to precinct officers.

In many states the salary paid to precinct officers is fixed by statuté. This would seem to be entirely unnecessary and unwise. There is considerable variation in the going wage scale in different parts of every state, and the rate of pay should be fixed rather by the city council or the county board with reference to local conditions. This is already the practice in a number of states and works quite satisfactorily.

Qualifications. The election laws of every state require certain qualifications of precinct election and registration officers, usually including length of residence in the state, city or county, and precinct, ability to read and write, qualified as an

elector, and good character. These requirements, with one exception, have little influence upon the character of the appointments. Other factors are more important, particularly the initiative of the election office, the prestige of the position, traditions, custom, and the character of the political organizations. The requirement of residence in the precinct, however, has unsuspected and far-reaching consequences. Upon first thought it would seem to be a reasonable and wise provision, but in actual operation it greatly hampers the selection of capable and responsible precinct officers. This is particularly true of the poorer sections of the large city. In many precincts of any large city it is difficult to get a sufficient number of satisfactory persons to volunteer to serve as precinct officers. Many election commissions, therefore, have found it necessary to accept the nominations handed in by party organizations, whether or not the acceptance of such lists is required by state law. In a few cities, particularly Detroit, Omaha, and St. Louis, residence in the precinct is not required, and the election office has been able to recruit competent persons from the city at large without regard to precinct lines and later to assign them to precincts. In these cities it has been found desirable to break up precinct cliques under the domination of the precinct political workers by bringing in outsiders to serve on the precinct boards.⁵

The state election laws in practically every state provide that the precinct officers shall be divided between the two major political parties. In some states the law provides for an absolutely even division, but in most states an odd number of officers is used in each precinct, and the party in control of the election machinery is permitted to appoint a majority of the officers. Bipartisanship, which is discussed elsewhere, is particularly strong in election administration. It is commonly

⁵ Mr. Oakley E. Distin, Chief Supervisor of Elections of Detroit, in a letter to the writer, stated:

"We feel that we have a very high class grade of election officials in Detroit, but found it desirable long ago to break up neighborhood boards to prevent any attempt at collusion."

believed that elections would be highly corrupt and fraudulent without the policy of placing official representatives of both parties on every election board. The fundamental philosophy is that, because of the opposition of each party to the other, the party representatives will see to it that no frauds or malpractices are committed. A significant corollary to the doctrine of bipartisan representation on the election boards is that, in order to secure real representatives of the two parties, it is necessary to permit the parties themselves to select their representatives. This principle has resulted in turning over the election personnel to the political parties to be used as patronage, and has permitted unscrupulous party organizations in some large cities to place crooks, thieves, and persons with criminal records on the election boards purposely to corrupt the election. The practice of bipartisan representation places the most bitter partisans in charge of elections—the very persons who are personally and often very vitally concerned with the outcome of the election. Common sense would dictate that such persons should be prevented from having anything to do with the conduct of elections, and that the election officers should not be active partisans. The theory that each side will watch the other is not valid, for many election frauds are committed with the mutual connivance of the election officers of both parties. The opposition of the two political machines to each other, particularly in large cities, is often a myth, and can never be relied upon in any precinct to safeguard the ballot box. The practice of political organizations of making deals with each other is very common. Another important consideration is the fact that the direct primary elections in many states have become more important than the final election, the nominees of the dominant party being practically assured of election. This transfers the real contest from the election to the primary. The principle of bipartisanship as a means of safeguarding the purity of the ballot box breaks down altogether in the direct primary elections, for in the precincts where frauds are likely to be com-

mitted the attitude of the officers of each party is often to pay no attention to the counting of the ballots of the other party, agreeing mutually to let each other have an entirely free hand. Unless watchers are present, the election officers are free to do as they please. Bipartisan election boards serve no purpose in non-partisan elections, except where the election is non-partisan only in form. Ordinarily the two political parties withdraw from non-partisan elections within a few years after this form of ballot is adopted,⁶ and where such is the case, no valid defense can be made for the use of bipartisan election boards in such elections.

In a few states the bipartisan requirements of the state law have been tempered by the opinions of the attorney general of the state or by other means, and with wholly beneficial results. In California the attorney general has ruled that where it is impossible to secure the proper number of officers from each of the two major parties, the election may be conducted without such representation. As a result, in Los Angeles and San Francisco, little attention is paid to the party affiliation of applicants for election positions, and persons are appointed upon the basis of fitness alone. This is particularly true of San Francisco, but in Los Angeles the election positions are the perquisites of the county commissioners within their respective districts. In many communities it is difficult to secure representatives of the minority party to serve on the election boards, owing to the limited number of persons belonging to the minority party, and in such cases it is customary for other persons to be selected. This has not led to election frauds. It is now pretty well established in the minds of capable observers that honest, upright citizens, not actively identified with party machines, regardless of party affiliation and the representation of the two political parties, are needed on election boards, and that the turning over of the election machinery to the party machines to be used as patronage is highly

⁶ This statement may be challenged, but it has been the observation of the writer.

conducive to election frauds. Bipartisanship, with its attendant practice of permitting the party organizations to name the precinct officers, turns over the personnel to the precinct captains, who in many districts are unscrupulous and will make use of this power to place on the boards persons who will steal the election and carry through any orders which may be given to them. The fact that more than three hundred election officers in Chicago had police records, which was brought out in a hearing conducted in 1930 before the county judge, is ample proof of this statement.⁷

The qualifications required for a satisfactory precinct election officer are not unusually high. A bank clerk is likely to make a better officer than a bank president, and a person with only a high school education may be more suitable than a college professor. The essential requirements include the following: character—honest, respectable, reputable, law-abiding; clerical ability—fair or better, with special attention to penmanship and arithmetic; personality—able to handle voters with courtesy and dispatch and to get along with fellow officers; intelligence—able to understand and carry out simple printed instructions. The methods of selection now in general use disregard all of these requirements. The best qualified persons, or even persons of average qualifications, are not brought into the service; on the contrary, the very persons who, by any decent system of selection, would be weeded out, are appointed. The typical defense of the character of precinct officers, made to the writer on many occasions, is that they are above the average run of citizens—respectable and of fair ability in the better precincts, less respectable and of less ability in the poorer precincts. The common appraisal by persons outside of the election office, persons who do not feel called upon to make a defense, is quite different; it is that the officers are far below the average of the precinct in which they serve. Particularly is this true in the worst precincts where the corrupt officers are the servile tools of the

⁷ See Chap. IX.

political machines. Persons posted on election matters know well that nine out of ten election frauds to-day are caused by corrupt election officers.

Selection. The well-nigh universal method of selecting precinct officers is appointment on recommendation by the party machines. This is prescribed in a few states by the election law itself, but elsewhere custom, tradition, and the subservience of the election boards bring about the same result. The common defense of this practice offered by election commissioners is that they would be unable to get enough people to serve if they did not accept persons recommended by the party organizations. "What in the world would we do," queried an election commissioner to the writer, "if the party organizations did not hand in lists of persons who are willing to serve? Why, you don't realize how hard it is to get people to serve on election boards." Notwithstanding this assertion, a number of election offices appoint precinct officers without any party recommendations whatsoever, and find little difficulty in getting people to serve, once it is known that the election office itself, and not the precinct politician, makes the actual selections.

This delegation of the power of selection to the political parties, and hence to the precinct captains, works out most unfortunately. It goes without saying that the persons appointed are chosen with little or no consideration of their qualifications, but rather with a view to their usefulness to the precinct captain. The positions on the election and registration boards of the precinct constitute a large item of political patronage, and are effectively used by the well organized political machine. The total number of precinct officers in New York City in 1929 was 13,644,⁸ while the number in Chicago was over fifteen thousand. In most states there are from five to seven officers for each precinct, and, in some cities where elections are held frequently, the annual earnings per

⁸ Board of Elections of New York City, Annual Report, 1929, p. 12.

officer are quite high. In Chicago, in some years, it runs as high as one hundred dollars.

The general practice of the precinct politician in selecting these officers is well summed up in the following statement made to the writer by a successful precinct captain:

I always give the jobs to the persons who can swing the most votes for me. I usually figure on from four to ten votes for every position on the election board. Sometimes I appoint a person because he comes from a family with a large number of voters, or is related to a large number of voters in the precinct. This is usually sufficient to get all of them to vote, and vote the right way. Occasionally some family or group of voters are getting dissatisfied and I have to give them something to keep them in line.

The formal procedure for appointing precinct officers varies considerably from state to state, but the principal features may be stated. In the largest cities, and elsewhere to a certain extent, the prospective precinct officer is required to file a written application, giving the required information, such as name, age, address, length of residence in the city and the precinct, occupation, and party affiliation. As a general rule, the items cover the legal qualifications for the position and are used to make sure that the applicant is legally qualified, rather than to ascertain whether he would make a suitable officer. In a few cities the written application is scrutinized to judge the penmanship of the applicant, and the occupation is used to give preference to persons of clerical experience. The occupation and the name of the employer, if used with discrimination, serve to indicate much about the clerical ability and the general standing of the applicant. For example, in Detroit many bank clerks are used. They are a very satisfactory class of election officers, and can be secured because of the fact that election days are legal holidays.

Philadelphia employs one of the most pernicious systems possible for the appointment of registration officers. Appointments are made upon the basis of formal petitions, which must be signed by the applicant and five witnesses, who must be

registered voters of the same party and residents of the same precinct. The petitions must be sworn to before a notary by the applicant and one of his signers.⁹ Theoretically this procedure secures a guaranty of the integrity and standing of the applicant in the precinct, and also make it possible for the party voters not controlled by the political machine to secure appointment. Actually the procedure is so difficult that only the political machine will take the trouble to get the necessary signers and to file petitions in many precincts, especially in the worst sections of the city. The registration commission does not have the power to seek out and recruit competent persons. Respectable citizens, who would be willing to serve if appointment could be secured merely by filing a written application, are unwilling to take the trouble to canvass their friends for signatures, go before a notary with one of the signers, and finally submit the petition to the commission. The term of the precinct registration officer is only one year, and new petitions must be submitted every year. This procedure operates to discourage competent and respectable citizens from serving.

The election officers in Pennsylvania, consisting of one judge and two inspectors, are elected by popular vote at the general fall election every two years.¹⁰ The two clerks are appointed by the inspectors. This system of popular election of the precinct election officers is thoroughly vicious, and, no doubt, accounts in part for the fraudulent elections which have existed in the state for years, particularly in the larger cities. It might be supposed that the practice is salutary and safeguards the purity of the ballot box, and in actual practice it does work satisfactorily in the better sections of large cities and is generally satisfactory in rural sections and smaller communities, but in the machine controlled wards of large cities it is the worst possible system. The machine can easily

⁹ Personal Registration Act. Sec. 7.

¹⁰ Election Laws, Chap. 15, Sec. 1. This practice also prevails in a few other states.

place in these offices any persons they may desire, for the average voter has little or no interest in the position, but it can not be held to any responsibility for crooks, thugs, and thieves who may be popularly elected. It is fundamentally unsound to place such a minor office on the ballot. It effectively prohibits any possible control over precinct officers and makes it impossible for civic organizations or conscientious officers in charge of elections to secure honest and capable officers. Persons who would make satisfactory precinct officers will not ordinarily announce their candidacy and solicit their friends for votes. The candidates of the political machine are usually unopposed. There is no dignified way by which the patriotic citizen may volunteer his services to serve as an election officer.

In a few states the law requires applicants to appear at the election office to be "examined" before appointment. The examination in reality is usually nothing more or less than a written application. In New York City an actual examination is required of persons who have never served as election officers, but there are several loopholes through which an applicant may escape examination. He may be appointed to fill a vacancy at the polls, and thereafter be appointed without examination because of previous service. The election office makes no attempt to verify the statement of the applicant in regard to previous service, and any person desiring to avoid the examination can allege previous service. The examination, after all, is loosely given and has little if any merit. A pamphlet of election instructions is sent to new applicants, and they are examined upon their knowledge of the election laws derived therefrom. The examination is farcical, with only a negligible number of candidates (1 to 2 per cent) being rejected. Official investigations made some years ago revealed that the answers to the questions were circulated and even left on the table at which the examination was being given, that copying the answers was permitted, that papers were graded without even a glance at the answers, and that from 1909 to 1912, out of a

total of 28,310 persons examined, only twenty-three, or less than one person in a thousand, failed to pass.¹¹ The examination has never been more than a qualifying test, designed to prevent the party organizations from appointing palpably unfit persons, and it is pretty generally agreed, both in the election office and by outsiders, that it serves little purpose. In 1911 New Jersey enacted a law providing a non-competitive examination for precinct officers, administered by the state civil service commission.¹² Examinations were held in every county in the state, but were limited to persons recommended by the organizations of the two major political parties and to other persons who submitted a petition for examination signed by five voters of the same party affiliation in the precinct. The examinations were merely a qualifying test, and provision was made for appointment of election officers by the judges of the court of common pleas in case any precinct failed to have a sufficient number of persons qualify. Applicants were required to have resided in the precinct for one year. The examination was to cover the following: ability to distinguish colors, to read, and to add and subtract correctly; penmanship; knowledge of the election laws; health; eyesight; and character. Appointments were made by drawings from the list of eligibles.

At the start the law worked satisfactorily, but after the first year difficulty was encountered in getting a sufficient number of applicants to take the examinations. Party organizations soon learned that few or no independent applications would be made and that they could disregard the examinations and have their candidates appointed by the judges of the court of common pleas. The annual report of the state civil service commission in 1911 contained the following statement:

¹¹ Commissioner of Accounts (Raymond B. Fosdick), Report of a special examination of the accounts and methods of the Board of Elections, December 28, 1910, and a second report with the same title by Commissioner Leonard M. Wallerstein, September 4, 1915.

¹² Session Laws, 1911, Chap. 183.

As a rule the examinations were conducted smoothly and with little difficulty. Many of the candidates were men who had formerly served as election officers under the old law. It was frequently remarked by observers who were acquainted with local conditions that these were the better class of old election officers, and that the entirely new candidates who presented themselves were, as a rule, of a better class than many who had formerly manned the polls on purely political appointment.

In later reports the commission pointed out the lack of candidates and other difficulties encountered in operating the law. In 1916 the legislature failed to make an appropriation to conduct the examinations, but the commission went ahead without funds,¹³ and in 1920 the law was repealed.¹⁴

The New Jersey experiment was unsuccessful because of the following substantial defects in the law: first, too much emphasis was placed upon a formal examination; second, examinations were virtually confined to candidates submitted by the party organizations; third, a loophole was provided by which the organizations could have their candidates appointed without taking the examinations; fourth, residence in the precinct was required; and fifth, the civil service commission was given no power either to seek out desirable candidates and to encourage them to take the examination or to adapt the examination procedure to the situation as it developed. The New Jersey experience, therefore, does not conclusively prove that the merit system cannot be applied to the selection of precinct officers, but it does indicate that too much emphasis should not be placed upon a formal examination.

In rural sections and smaller cities appointments are usually made upon the basis of personal acquaintance, and there is no particular difficulty in securing satisfactory persons without any formal or detailed procedure. Sometimes appointments are made after consultation with the precinct political

¹³ Civil Service Commission, Annual Report, 1917.

¹⁴ Session Laws, 1920, Chap. 349.

workers, though usually without delegating the actual selection to them. In many rural sections, however, the precinct political captains dictate the appointments fully as much as in any large city. In many communities where the political party organizations have declined in strength and no longer control appointment of precinct officers, the actual selection is made either by the members of the city council or by the county commissioners, depending upon state law, and these positions have come to be looked upon as a personal perquisite of such officers. Selection by councilmen or county commissioners is usually made with an eye to building up a personal machine, and with usually little attention to the qualifications necessary for the position. City clerks and county auditors or clerks in charge of elections in many states have complained to the writer about the poor type of precinct officers appointed by the councilmen or commissioners. This method of selection involves a personal patronage instead of political patronage, but the results are only slightly better. The officer in charge of the elections in the city or county should have the power of appointment. He can be held responsible for his appointments and will be more careful of his selections.

The election commissioners of St. Louis, within the last several years, have made appointments without regard to party nominations, and have evolved a significant technique of selection. The commission has the power to compel service, and when new officers are required a panel of citizens who are residents of, or employed within, the ward is made up and notices are sent out requesting them to appear at the election office for examination. The applicant makes out a formal application when he comes in, and this is checked by an office employee. The applicant is then interviewed by one or more members of the commission. In most cases the commissioner has little difficulty in passing upon the qualifications of the applicant. Persons of obviously poor clerical ability and those who are personally unfit are quickly rejected. The occupation

and business connections are used as an indication of the standing of the applicant. Informal contracts are made with the largest business firms to supply an agreed number of their employees. Since the state election law does not require residence in the precinct, but simply the appointment of persons who reside or work in the ward, the precinct officers of the down-town wards are drawn largely from persons who are employed in the ward but reside outside.

This system has worked with a high degree of satisfaction. At first a few citizens objected to being compelled to serve, but this has largely stopped. There is no longer any question of the honesty of the conduct of elections. The only dissatisfied group is composed of the politicians, who speak with disgust of the "silk stocking" precinct officers. The change was made without any statutory revision, except the repeal of the requirement of residence within the precinct.

The method of selecting precinct officers in Omaha is somewhat similar to that in St. Louis, except that no panel of prospective appointees is made up. When the present system of election administration was started in Omaha, the single election commissioner called upon the best citizens of the city to serve on the election boards, particularly in the "river" wards where the political "gang" had its stronghold. The election commissioner was a man of vigorous personality and refused to excuse even his best friends from service. He told the leading citizens that it was their duty to serve and thus put a stop to the election frauds and irregularities. The story is told that in one precinct a politician arrived at the polls with the intention of "bulldozing" the "high-brow" election officers. When he found that the cashier of a leading bank, the manager of a large wholesale house, and a prominent attorney were the judges of election, he hastily quit the room and remarked to a henchman, "That's a h—l of an election board." No longer is it necessary to recruit the leading citizens for positions on the precinct election boards, but substantial, respectable citizens are selected without party recom-

mendations and without attention to precinct or ward lines. The power to compel service has not been used within recent years. No formal system of examination is given for the relatively few new election officers required each year. They are recruited largely from voluntary applicants and from personal acquaintances of the election commissioner and his assistants.

In Detroit a high wage is paid to the members of the precinct election boards—sixteen dollars per day. Since it is well known that the selections are made by the election office itself, without regard to party recommendations, the voluntary applications are sufficient to fill all vacancies. No regard is paid to party affiliations and little to precinct lines. Many of the banks are glad to have their clerks serve, since election days are bank holidays and election service exempts one from jury service. The candidate must appear in person at the election office to make out an application, giving among other things his occupation and the name of his employer. The clerk in the election office interviews the applicant and makes a note of rating upon the application record. Appointments are made largely upon the basis of occupation, standing of the employer, penmanship, and personal appearance.

The experience of these three cities provides proof that it is possible to divorce election administration from machine control, and secure competent persons to serve as precinct officers. If the requirement of residence in the precinct is abolished, if adequate salary is paid, and if it is generally known that the election office and not the party machine makes the appointments, little trouble will be encountered in securing competent persons. None of these cities relies upon a formal examination. Personal interviews are used to weed out persons with an objectionable personality and those who are otherwise unfit. This procedure is essentially sound and is more suitable than a written examination upon the duties of election officers, such as is given in New York City.

The prospective election officer should not be expected to

know the election law; this he can learn after appointment and through experience. The most desirable type of citizen will not be willing to study the law and to take an examination on it to secure the position. The recruiting process should test the reputation, clerical ability, and integrity of the applicants rather than their knowledge of the election law. Formal examinations are unnecessary and are likely to keep away the most desirable persons. A written application covering the legal qualifications and also the occupation, name and address of employer, references, and a few other items is more suitable and less objectionable. If it is used in conjunction with a personal interview by a member of the election commission or the chief clerk, ample information will be secured for making proper selections.

The procedure of application and selection should be made as convenient and easy as possible for the respectable citizen who is willing to serve for patriotic rather than partisan reasons. He should be required to come in person to the election office only once. There is no point in requiring old election officers to file new applications every year or every two years, as is frequently done. The election office should keep the original application and record of appointment on file, as well as a simple personnel record, and thereafter make reappointments without the bother of new applications. Form notices may be used to ascertain whether old officers are willing to serve again. In various other ways the position of election officer could be made more attractive to the citizen. Trips to the election office for supplies and salary, and other hardships, should be avoided.

The term of the precinct officers varies from one to four years. It is not a matter of great importance what the term provided by law is, though a longer term is desirable; but the turnover of election officers does matter. Whether the term is one, two, or four years, an attempt should be made to hold every precinct officer for at least four years. Frequently a good election officer is willing to serve continuously year

after year, and every effort should be made to retain the services of such persons.

In a number of states the election law requires that the names of the prospective appointees be advertised and a formal session held to hear objections. This procedure is expensive and of little value, since few objections are ever raised. It would seem to be a better procedure to stress careful selection of precinct officers rather than to provide methods for protests. If some provision for the latter is deemed necessary, a more feasible and less expensive method would be to require the election office to post a list of prospective appointees a week before the appointments are made, and to permit any citizen or organization to scrutinize the list and to file complaints, which would be heard before final appointments were made. If the election board is given the power to make removals and will exercise this power upon complaint, there is little need for this procedure. In about half of the states the appointing officer is specifically given the power of removal, and in most other states it is implied. It is, however, unusual for election officers to be removed.

Discipline. It is not at all easy for the election office to bring the necessary pressure to bear upon the precinct officers to make sure that they comply with the law and instructions, and conduct the elections and registrations properly and courteously. Precinct officers are often negligent and discourteous, and frequently perform their work in a slovenly and irregular manner. Some years ago the office of the superintendent of election of the State of New York examined the registration books of various counties and found a very large number of clerical errors and omissions. In Chicago it is not uncommon for the precinct officers to omit filling in the data on the second page of the registration books. If the election office could exercise effective discipline in cases of this kind the whole tone of election administration would be improved. At the present time little discipline is exerted over precinct officers, especially where the party organizations are strong.

The principal means of disciplining the precinct officers is the threat of criminal punishment for violation of election laws. This is largely ineffective, since it is very difficult to secure convictions and only rarely is any attempt made. The possibility of criminal punishment is so remote that it has little effect upon the conduct of precinct officers. It is necessary to develop other means which may be used more freely.

In Chicago the election commissioners are appointed by the county judge, and the precinct officers are legally officers of the court. The county judge by reason of this fact may punish the precinct officers for contempt, if it is proved to his satisfaction that they are guilty of misconduct or failure to perform their duty. It is not necessary to prove their guilt before a jury. In former years this power was used extensively and effectively, and instilled a desirable fear in the precinct officers,¹⁵ but it was permitted to lapse almost into disuse. It has been recently revived, however, by the present county judge.¹⁶ In the hands of an energetic judge, this constitutes a powerful weapon for disciplining precinct officers. It may be objected to, however, on the ground that contempt of court should be restricted to purely judicial procedure.

In a few cities the election office has resorted to the device of withholding the salary of the precinct officers, or threatening to do so, as a means of securing compliance with certain provisions of the law and instructions. This has always had excellent results. In Columbus, for example, the precinct officers in former years never returned the supplies, such as ink, pens, and pencils. A few years ago the election office threatened to withhold the salary of any board which failed to return the supplies, and since that time they have been returned in every case. Other cities have had similar results from the use of this threat.

It would be entirely feasible and practicable to authorize the election office to refuse to pay the salary of any precinct

¹⁵ This was particularly true of the administration of Judge Orrin C. Carter.

¹⁶ Judge Edmund K. Jarecki.

board or member for failure to perform in any respect their duty as election officers. A provision of this kind would be much more effective than a threat of criminal punishment, for it could be applied without the formality of a trial and could be used more freely. It should not displace in any way the present lengthy penal provisions in the election laws, but should provide a supplementary means of discipline. Hearings before the election commission should be conducted in a summary manner and its findings should be final with respect to whether the salary should be paid or forfeited. The pay of all precinct officers should be held up for a week or ten days following an election or registration. This would permit the election office, before mailing the officers' compensation, to check over the records to ascertain whether any officer or board had failed to comply with the law or to perform the required work, and also to entertain any complaints.

Election and registration records should always be checked over on their return to the main office, in order to make sure that they have been made out properly. Any officer failing to comply with the law and instructions should be called in and required to explain his failure, and to make corrections wherever possible. If precinct or field officers know that their work will be inspected and that negligent work will not be accepted, there will be little trouble encountered on this score. This is probably the most effective means of securing thorough and careful work, especially if the election office has the power to withhold salary. Most offices at the present time make no sort of inspection of the work of precinct officers, thus inviting negligent and irregular work.

Summary and Conclusions. Most of the existing ills in the organization and personnel of election and registration administration are caused by the degradation of the service to spoils politics. The registration and election officers, from top to bottom, are frequently incompetent and sometimes corrupt. The bitterest and most unscrupulous partisans are placed in

charge, whereas public policy should indicate that they keep hands off. The most fundamental reform in the administration of elections and registrations is to take it out of the hands of the politicians. This is easier said than done. The principle of bipartisanship has broken down wherever it has been tried. It is based upon an assumption which is usually untrue—that the two party machines are actively opposed to one another. It is common for the dominant political machine, particularly in the wards of a large city where election frauds occur, to control the party organizations of both major political parties.

As long as the chief election officers of the city or county are selected and controlled by the political machines, no progress can be made. It is difficult to devise any law which will definitely and surely take the administration of elections and registrations out of the hands of the party machines. The most feasible steps in that direction are: first, provide for a single election commissioner or place the administration in the hands of one of the regular officers of the city or county; second, do away with all requirements of bipartisanship all along the line; third, eliminate the requirement of residence in the precinct for precinct officers; and fourth, place full power and responsibility for the administration squarely upon the chief officer, with the hope that he will shoulder this responsibility and refuse to turn over the office to the political machines.

Technical advancement in election administration will probably come through greater state supervision. The state election laws are ineffective as a means of securing uniform and thorough administration, and should be largely displaced by administrative regulations and instructions, issued by a professional state office in charge of elections and registrations. The gross mismanagement of elections and registrations, which is always brought out in election contests, indicates that the present methods of supervision and control exercised by a decentralized administration are ineffective.