



Secretary of State Jason Kander
Election Review
August 4, 2015

Kansas City – Improper Registered Overseas Voter

Background

Article VIII, Section 2 of the Missouri Constitution requires that all qualified voters of the state meet three basic requirements in order to vote. First, all voters must be United States' citizens. Second, all voters must be 18 years of age by Election Day. Finally, all voters must reside in Missouri.

Military and overseas voters, as defined in Section 115.902, RSMo, are also qualified to vote in Missouri as long as they are or have been residents of Missouri and consider themselves residents of Missouri.

These voters may utilize a Federal Postcard Application ("FPCA") in order to register to vote or request an absentee

ballot in Missouri under Sections 115.908 and 115.910, RSMo. This application requires voters to affirm their eligibility to vote in Missouri.

During the 2014 November General Election cycle, the Kansas City Board of Election Commissioners ("the Board") received an FPCA from an overseas voter in Canada that affirmed that, though she was a United States citizen, she had never resided in the United States. This affirmation was a recently added section of the FPCA. Under Section 115.191, RSMo, local election authorities have the discretion to investigate voter qualifications at any time.

Results

The Board reached out to the Secretary of State's Office to alert them to the issue. The Board then contacted the voter who confirmed that she had never resided in the United States. The voter also indicated that she thought she was eligible to vote.

The Board reviewed the voter's FPCA and concluded that she was not eligible to vote. The Board did not send the voter the requested absentee ballot. As a result, the voter was contacted and her name removed from the voter roll.

The Secretary of State's Office referred the issue to the Jackson County Prosecuting Attorney on July 30, 2015 as it pertained to an alleged violation of Section 115.135, RSMo, which entitles a person to register to vote only in the jurisdiction within which he or she resides.

The referral informed the prosecuting attorney of the allegations and encouraged her to take any action that she deemed appropriate.