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Politics

State election officials sent the wrong ballots to early voters in Southwest Alaska

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[This story has been updated with additional information on Saturday from the Alaska Division of Elections.]

More than 90 voters in Dillingham, Aniak and King Salmon were given incorrect ballots for the November election.

Voters who had cast early in-person absentee ballots in Dillingham, King Salmon and Aniak had been erroneously given ballots for the fourth judicial district, despite the fact that the communities are located in the third judicial district, Division of Elections Director Carol Beecher said Saturday.

Ballots with the incorrect names of judges up for retention votes were sent to “several absentee-in-person voting locations,” Beecher said. That led 85 voters in Dillingham, one voter from King Salmon and five voters from Aniak to cast incorrect ballots, according to a tally shared Saturday.

Beecher said the division is in the process of contacting all affected voters. She said the voters will be given the opportunity to cast a new ballot at the early-absentee voting location or vote on Election Day.

“If they choose not to re-vote, their ballots will still be counted, except for the incorrect Judicial District Superior Court and District Court judge retention votes,” Beecher said.

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Alaska's communities are divided into four judicial districts. Most of House District 37 is located in the third judicial district, which also covers Anchorage and other parts of Southcentral Alaska. A handful of communities in the northern reaches of House District 37 are in the fourth judicial district, which covers Interior Alaska and parts of Western Alaska.

Voters in each judicial district determine whether to retain the judges serving in that district. Judicial retention votes often receive little attention. But this year, a conservative Christian advocacy group is campaigning against the retention of Anchorage Superior Court Judge Adolf Zeman, who serves in the third judicial district.

Among the Dillingham residents who cast the incorrect ballot is longtime state Rep. Bryce Edgmon, who is running for reelection. He said he typically votes to retain all judges, but it took him several days to realize that the names of the judges he had voted on were not those he had expected.

"It dawned on me afterwards, but it's not something that a lot of people, including myself, are intimately familiar with," said Edgmon, who cast his ballot several days before election officials realized the problem. "In the aftermath, after seeing the opposition to Judge Zeman, I realized — 'Wait a second, isn't he in my judicial district?'"

"It's a nuance that I regret not picking up on on the spot, but I was in a hurry. I voted quickly," he said. "This is the first time I've ever had to worry about the ballot page not being correct."

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for ballot errors made by voters. The American Civil Liberties Union of Alaska and other voting rights organizations sued the state in 2022, after it rejected thousands of mail-in ballots for errors like the lack of a witness signature.

State officials have previously said that without legislative action to create a ballot-curing process, they are not allowed to provide an avenue for fixing inaccurate ballots, even when a simple error is identified by the division ahead of Election Day. Republicans in the Legislature earlier this year thwarted an effort to pass a bill that would have created such a curing process.

Ruth Botstein, legal director of the ACLU of Alaska, said in an email that there is “no statutory provision providing for ‘notice and cure,’ so there is no process under state law to notify eligible voters of errors in their ballot and allow them to fix their ballot before Election Day.”

Botstein said that the ACLU “is pleased that the Division of Elections is, in this instance, taking necessary steps to provide” impacted voters with new ballots.

“Ensuring that every eligible voter can cast their vote, and that their vote is properly counted, is the core of the Division of Elections’s responsibility under the Alaska Constitution and our laws. While we are pleased with the Division’s action here, we remain concerned that this is part of a pattern of widescale disenfranchisement of rural Alaskan voters,” Botstein said.

Beecher said the error did not affect absentee ballots sent by mail to voters who requested them. Records show more than 600 voters from House District 37

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“The error on the ballot order form will be corrected so this does not occur in the future. For the General Election day polling places, we have confirmed that each precinct only has the correct ballots for their respective Judicial District. This issue will not impact the ability to certify elections,” Beecher said.

This is Beecher’s first time overseeing a general statewide election since she was appointed to the position last year by Alaska’s Lt. Gov. Nancy Dahlstrom. Both Dahlstrom and Beecher did not respond to interview requests. The Division of Elections Nome regional director, Jeremiah Angusuc, is also a recent hire. He was appointed to the position earlier this year, and oversees voting in Southwest Alaska, Western Alaska, Northwest Alaska and the North Slope.

Angusuc said by phone on Friday that “corrective actions have already occurred.” He declined to give specifics, referring all questions to Beecher. The division’s public relations post has been vacant for more than a year.

“I’m not sure what else I could say, so I’m going to be pretty vague,” Angusuc said. “I know that’s not what you’re looking for — you want something eye-catching to get clicks and likes for folks to buy your paper.”

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Other areas divided between multiple judicial districts include House District 36, which covers a vast swath of the Interior; House District 30, which includes parts of the Mat-Su and the Interior; and House District 39, which includes parts of Western Alaska, including Nome.

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House Speaker Cathy Tilton, a Wasilla Republican, said during a radio interview last month that Republicans in the House majority had blocked legislation earlier this year that would have improved voting access for rural residents, including by creating a ballot curing process, because it would have tilted the results of Alaska's competitive U.S. House race in favor of Democratic incumbent Rep. Mary Peltola, who is from Bethel, as she faces Republican challenger Nick Begich III.

"I think all this points to next session of the Legislature, that it has to be a priority issue, that we look at the problems that rural voters, rural communities, communities that vote by absentee, are having to face, and that we have to do something about it," said Edgmon. "It has to be a big issue next session."

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