

January 23, 2008

Dear Honorable Members of the General Assembly,

We, the undersigned organizations, are writing to urge your support of a statewide precinct-based polling place election for the upcoming 2008 primary and general elections. We believe this is the best solution to ensure that all Coloradans have access to voting.

We recognize the difficult situation facing our county clerks. Whatever solution is adopted, county clerks will be burdened with a short timeline, limited resources and an enormous task ahead. The Legislature must act swiftly and surely to give our clerks the guidance and direction they need to move forward and ensure a fair, accurate, and accessible election.

Nothing is more sacred in a democracy than a citizen's right to vote. It is the consensus of the following organizations many of whom work with traditionally disenfranchised voting populations, that we keep all voting system options available to voters in Colorado.

Our groups offer the following comments:

1. **Coloradans like options for voter participation:** Currently, voters can choose to vote by mail, vote early, or vote on Election Day. These options provide for the greatest flexibility and ensure that all Colorado voters can vote.
  - More than 55% of Colorado voters chose the polling place in previous general elections. Vote by mail may be popular, but it is not used by the majority of Colorado voters.
  - Polling place elections are familiar to Colorado voters and county administrators.
  - Polling place elections can be held with paper ballots, and host one accessible voting machine for voters with disabilities.
  - Polling places must be compliant with ADA accessibility requirements
  
2. **Vote by mail should not be the exclusive option for Coloradans this year:** Our groups support vote by mail as an option for voters. Vote by mail can increase voter turnout in low interest elections, and provides an alternative for voters who cannot make it to the polls on Election Day.
  - Our primary concern is that already underrepresented voting populations will be disenfranchised by an exclusive mail program. Voters who move frequently, who do not have a home address, or who are not familiar with vote by mail could be left out of the process. This burden will fall hardest on minority, low income and young voters.
  - Colorado is not ready for an exclusive mandatory vote by mail program. Colorado must make numerous modifications to ensure voter protections including

but not limited to: mailing ballots to all registered voters, not only active voters; creating 'service centers' to provide a voting alternative for voters with disabilities and any voters who do not vote by mail; and changing our ID requirements for first time voters registered by mail.

## **We believe the Legislature can act to make a precinct polling place election work:**

### **1. Support HB 1155 with two amendments**

We support HB 1155 to give the Secretary of State additional authority to re test and modify the certification results announced in December 2007. We recognize the pressing need to get our voting equipment up and running for the 2008 primary and general elections. To be compliant with HAVA we must ensure that every polling place has a fully accessible voting system for voters with disabilities.

#### **Recommendations:**

- Require the Secretary of State to test and/or demonstrate how problems revealed by the decertification have been resolved or mitigated to cause him to rescind or amend any decision. Any recertification must ensure the highest level of confidence that existing standards are not weakened.
- The retesting should be open to the public.

### **2. Increase Post Election Audits**

Because we are putting back into use voting systems that have at one time been deemed inadequate for certification, we must improve our security and pre and post election testing. Colorado does have a good post election audit, but it must be improved to ensure greater confidence in the accuracy of the vote count. Statistical audits can ensure with at least 99% confidence that a full manual recount would not alter the outcome, and do so with the greatest efficiency of effort.

### **3. Fund our Counties**

Regardless of the type of election chosen, the real challenge for counties will be in planning for an election with such a short timeline. Our counties are desperate for funding to allow for:

- Improved training and recruitment of temporary workers and election judges
- Voter Education and Outreach (this is critical for a successful election)
- Technology upgrades, training, and other modifications necessary due to certification/ recertification

### **4. Address voter registration database issues**

While a statewide voter database can be useful in the future, our current SCORE system is untested and unproven with numerous technological problems. Introducing this new system statewide on a major Election Day could subject our state to disastrous consequences. We should require counties to maintain their existing county-based voter registration systems to avoid Election Day problems with the SCORE system.

Colorado leaders have the opportunity to provide guidance to ensure that the 2008 primary and general elections are fair, accurate and accessible for all. Voting is our democracy's most sacred right. For most Americans it is the only time they voice their opinions about the direction of our state and nation. Colorado voters have entrusted you with their vote. They expect you to ensure that their voices will be heard and their votes will be counted. We urge you to consider these recommendations carefully and work to make every Coloradan's vote count.

Thank you. Please contact us with any questions or further requests for information,

Sincerely,

Jenny Flanagan, Colorado Common Cause

Kristen Thomson, People for the American Way

Dusti Gurule, Latina Initiative

Bill Vandenberg, Colorado Progressive Coalition/Colorado Progressive Action

Cathryn Hazouri, ACLU Colorado

Barb Van Hoy, Citizens Project

Faith Gross, the Legal Center for People with Disabilities and Older People

Rosemary Harris, NAACP – Colorado Springs Branch

Steve Fenberg, New Era Colorado

Joe Richey, Democracy for Colorado

Kirpal Singh, Colorado Public Interest Research Group

Cary Lacklen, Coloradans for Voting Integrity

Linda Meric, 9 to 5 Working Women

Harvie Branscomb, Colorado Voter Group

Ben Hanna, Colorado ACORN