

March 16, 2023

The Honorable Jane Nelson
Secretary of State
P.O. Box 12887
Austin, TX 78711

Via email: secretary@sos.texas.gov

Dear Secretary Nelson,

We are non-partisan, grassroots organizations who work across this state to support free and fair elections in Texas. Our democracy is built upon our universal freedom to vote, and that principle is further enshrined in the governance of our state when the framers wrote in the Texas Constitution that “all political power is inherent in the people.”¹ As you embark on your tenure as Secretary of State following your confirmation this week, **we are writing to suggest several ways the Secretary of State can improve Texas voters’ access to their fundamental right to vote, and ask that you commit to adopting them.**

In your testimony to the Senate Nominations Committee on February 27th, 2023 – you said that “it is important that we teach our young people about their important right [to vote]” and that voters become “encouraged, not discouraged” from participating in our elections. Unfortunately, millions of Texans have not been able to fulfill this goal, and exercise their political power that Article 2 consecrates, a result of systemic barriers erected by lawmakers and the chronic underfunding of our state’s election administration.

The most urgent decision you face as newly confirmed Texas Secretary of State is affirming that Texas will remain in the Electronic Registration Information Center, commonly known as ERIC. It is important for the office of Secretary of State to mitigate, not validate, misinformation about the non-partisan member organization created and managed by state election officials and which has been a critical tool in registering more eligible Americans to vote.

Texas lags behind the rest of the nation in turnout, and continues to lead as one of the hardest states in which to vote according to research conducted by States United Democracy Center and Northern Illinois University. As such, we believe your office faces a unique opportunity to act on the critical need for election reforms that help every eligible voter cast their ballot. **We have compiled a list of immediate changes that you could make under your existing authority as Texas Secretary of State.**

Election Administration

- Increase oversight of voting machine manufacturers and testing of voting machines to prevent glitches and design flaws from affecting voters. (Reports in 2022 indicated some voting machines did not accurately reflect voters’ preferences due to a design flaw on the machines’ touchscreens).²

¹ Tex. Const. Art. II.

² Méndez, María. "No, Texas Voting Machines Aren't Switching Your Votes". *The Texas Tribune*, 2022, <https://www.texastribune.org/2022/10/28/texas-voting-machines/>. Accessed 10 Feb 2023.

- Track and disclose monthly the number of poll watchers who take the required training, as well as the pass and fail rates, with results provided on the statewide and county levels. We suggest also updating training to prevent spread of disinformation by poll watchers.
- Improve data sharing between agencies to ensure registration records include all relevant voter ID numbers for vote-by-mail verification.

Modernize Voter Registration

- Release a county-level breakdown of the number of voters who have registered to vote at the Texas Department of Public Safety on a monthly basis, as well as the method of registration (in-person or online transaction, e.g.).
- Release on a monthly basis the number of high school voter registration forms requested, submitted, and accepted on a statewide and county level basis.
- Send each high school enough printed voter registration forms sufficient to register every eligible student at that school.
- Provide clear guidance for how college and high school campuses can set up voter registration events.
- Promote a culture of civic engagement by creating a system of awards for people, groups, high schools, and college campuses that perform excellent voter registration work.

Vote by Mail

- Implement evidence-based design best practices for vote-by-mail applications, mail ballots, and carrier envelopes to reduce voter confusion. Design changes may include increasing font-sizes, left-aligning text, and reducing language complexity.
- Publish comprehensive voter education materials that provide clear instructions for completing mail ballots.
- Track and publish online for each election the number of VBM ballots that have been rejected and the reason for rejection, with numbers reported both on a statewide and county level basis.
- Improve data sharing between counties and SOS about rejected or defective VBM applications and ballots to enable faster updates to the VBM online tracker so that voters can timely cure their VBM ballots and applications ahead of the correction deadline.

Curbside Voting and Accessibility

- Improve and expand on training for election judges and poll workers to increase compliance with the administration of curbside voting, including requirements for standardized, effective, and visible signage at every early voting and Election Day polling location.
- Amend poll worker training to require a “runner” to assist with timely curbside voting administration.
- Substantially bolster the support your office provides counties regarding curbside voting, including advocating for increased funding to allow for more community outreach and improved voter awareness of curbside voting. This work is in dire need, especially in communities of color which face disproportionate challenges by existing inequities for curbside voting.
- Ensure that counties have an ADA Coordinator on staff to ensure regular compliance with the [ADA Checklist for Polling Places](#) across Texas’ 254 counties, and who has the responsibility to implement polling place remediation ahead of the election period.

We were heartened by your stated commitment to increasing voting access and helping young eligible voters exercise their right to vote. We ask that you work to carry out that commitment by publicly pledging to adopt the set of recommendations laid out in this letter. We look forward to working with you and your office to ensure that our state can move forward in our shared commitment to serving the people of Texas.

Sincerely,

ADL - Austin Region

ADL - Southwest Region

Battleground Texas Engagement Fund

Clean Elections Texas

Common Cause Texas

Every Texan

Houston Area Urban League

March to the Polls

MOVE Texas

Our Vote Texas

Public Citizen

Sierra Club, Lone Star Chapter

Texans Against Gerrymandering

Texas Civil Rights Project