



NAACP

DENVER

July 26, 2012

[Email: scott.gessler@sos.state.co.us]

Mr. Scott Gessler
Colorado Secretary of State
1700 Broadway, Suite 200
Denver, CO 80290

RE: *Opposition to Proposed Rule Changes to the Colorado Election Rules*

Dear Secretary Gessler,

My testimony at the Rulemaking Hearing, Monday July 23, 2012 mirrors the following comments:

The Denver Branch of the NAACP opposes your proposed new rules 12.4.1(d) and 13.19 targeting “Inactive-Failure to Vote” electorate as restrictive legislation limiting qualified voters access to the electoral process.

The NAACP (National Association for the Advancement of Colored People) is the oldest civil rights organization in the nation celebrating 103 years in existence. Our primary purpose is to fight discrimination and ensure equality among all. The Denver Branch of the NAACP specifically opposes proposed new rules 12.4.1(d) and 13.9 as a form of voter oppression which will limit the ability of African-Americans, Latinos, seniors, students, military personnel and working adults from casting their votes in any upcoming elections.

As the Secretary of State, it is your role to ensure fair elections among Colorado voters not to presumptively limit voter participation. As the Secretary of State, you cannot exceed the authority given to you by the Colorado Legislature by circumventing the current law that allows the Clerk and Recorders to send Mail-in Ballots to voters—regardless of whether they voted in the last election. Preventing the Clerk and Recorders from sending mail-in ballots to voters overreaches the scope of your authority and diminishes the ability of African-Americans, Latinos, seniors, students, military and working-class Americans from exercising their right to vote. Eliminating the mail-in ballot option not only

inconveniences eligible voters but resembles Jim Crow laws that utilized grandfather clauses and poll taxes as tactics to eliminate the presence of African-Americans at the polls.

The proposed new rules 12.4.1(d) and 13.19 would adversely affect every citizen, regardless of their race, age or gender who is considered an "Inactive/Failure to Vote" electorate. This translates to unlawfully purging eligible Colorado voters and kicking them off of the voting database --thereby disenfranchising thousands of eligible voters.

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