

August 18, 2014

Honorable Scott E. Gessler
Secretary of State of Colorado
1700 Broadway, Suite 250
Denver, CO 80290

Re: Proposed Revisions to the Election Rules, 8 C.C.R. 1505-1.

Dear Secretary Gessler:

I am the Voter Protection Director for the Colorado Democratic Party. In this capacity I am the organizer for our Voter Registration Drive. I am writing based on experience overseeing our Voter Registration Drive to suggestion revisions to proposed rule 14.4.6 and to amplify comments already submitted by Martha Tierney on behalf of the Colorado Democratic Party.

Our Voter Registration Drive seeks the same end as Colorado's county clerks do – completed forms that are legible, accurate, complete, and can be processed as efficiently as possible. To this end we have found that highlighting certain key pieces of information on the form, such as required identification, significantly reduces the chances that an applicant will omit the required information in the course of filling out the form.

We are aware that some county clerks use scanning equipment that renders highlighted areas on forms as a dark mark that is difficult to read in digital form when the document image is uploaded to SCORE. Where this is the case, a Voter Registration Drive could instead highlight the text next to the blank for the required information rather than highlighting the blank itself, so that the information supplied by the applicant would remain legible after being scanned. Or, a Voter Registration Drive could make a small highlighted mark in the margin of the form to call attention to required information, without marking either the blank or the explanatory text. Either of these approaches would address the legibility concern due to scanning equipment without increasing the incidence of omissions on forms and thus creating more work for county clerks. Unfortunately, both of these approaches would be precluded by Rule 14.4.6 as currently proposed, to the likely detriment of Colorado's county clerks.

I urge your office to revise Rule 14.4.6 to allow highlighting in the margins of Voter Registration Drive forms. Such an approach should address the concerns the rule seems intended to address without the collateral consequences the rule as currently proposed may create.

Thank you for your consideration.

Sincerely,

Michael J. Weissman