



September 16, 2025

TO: Colorado Department of State, Rulemaking Policy Analyst

FROM: Dr. Jeanne Clelland, Alternative Voting Methods Task Force Member, League of Women Voters of Colorado

RE: Proposed Rulemaking re SB25-001

My name is Dr. Jeanne Clelland and I am a Professor of Mathematics at the University of Colorado Boulder. I am a member of the League of Women Voters and a member of the LWVCO Alternative Voting Methods Task Force. LWVCO was a key stakeholder in the development and passage of SB25-001, the Colorado Voting Rights Act, and has a strong interest in the successful implementation of this legislation. I also served as a consultant to the Colorado Independent Legislative Redistricting Commission in 2021 regarding the criterion of district competitiveness; in this role I made extensive use of election data collected by the Secretary of State and became aware of significant deficiencies in the extent and quality of the election data available at that time. As such, I would like to share some general comments regarding the data collection provisions of this bill. While not the specific focus of the proposed amendments included in the September 16 hearing agenda, these considerations are critical to the overall legislative intent of SB25-001 of improving elections administration in Colorado.

The data collection described in Part 3, "Statewide Election Information" is of the utmost importance for effective enforcement of COVRA's vote dilution claims, because this data forms the basis for quantitative assessment of racially polarized voting, which is the key element of most such claims. To that end:

- Regarding section 1-47-301 (II): "Election results at the precinct level, if any, for state and political subdivision elections":

The words "if any" must not be used to excuse the collection of this data; election administrators must be required to provide this data for all elections. Additionally, it should be made explicit that "elections" includes primary and runoff elections. Primary elections in particular are often the most legally probative elections for vote dilution claims, particularly in jurisdictions where a white majority votes similarly to a racial minority in general elections, but the racial minority may prefer different candidates from the white majority in primary elections.

- Regarding section 1-47-302 (I) (b): "Election district and precinct boundaries, if available":

The words "if available" must not be used to excuse the collection of this data. Accurate geographical information regarding precinct boundaries is an absolutely essential ingredient for the data analysis required to prove vote dilution claims. It is almost impossible to gather this information retroactively after counties update their precinct boundaries for subsequent elections - which large counties do frequently - and it is essential that this information be collected along with precinct-level election results for every election.

Thank you for your consideration of these factors in the rulemaking process surrounding the implementation of SB25-001. Please contact me if I can be of future assistance.

Thank you,

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