

OFFICE OF THE CLERK AND RECORDER

Gilbert Ortiz

Pueblo County Clerk and Recorder

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Testimony of Gilbert Ortiz
IN SUPPORT OF SB 147, PROHIBIT FALSE ELECTION INFO MADE TO DETER VOTING
BEFORE THE HOUSE JUDICIARY COMMITTEE

I believe this bill is necessary due to the fact that Colorado Revised Statutes currently provides no provision that explicitly addresses the activities of individuals and groups who intentionally communicate to targeted socioeconomic voters to actively mislead them into believing false information, which results in them not voting at all or being confused enough to discourage them from voting. While there are powerful laws to protect against voter fraud, voter suppression seems to go unnoticed, but is equally destructive to the practice of our Democracy.

On November 3, 2008 at approximately 7 pm, I was alerted on the phone by Anthony Nunez, Pueblo County Commissioner, that he had received a robo call explaining that his precinct had changed and as a result he had an additional day, until Wednesday, to vote. I thought it may be an anomaly, but I didn't want to take any chances since I had heard of this tactic being implemented all over the nation in the weeks preceding the election. I immediately called my local media contacts and was interviewed reassuring the voters in my county that polling locations hadn't changed, and the election would be carried out as advertised by the polling locations listed in the Pueblo Chieftain.

Tuesday, Election Day, came early, and alongside the usual challenges that Clerks all over the State face, my staff was inundated with phone calls from confused voters questioning their polling location after receiving robo calls the night before. There were many complaints, most of which were at my office's expense, wondering why we would wait until the day before an election to change the location of their Precinct. After some explanation, we were able to reassure the voters and get them on their way to the correct polling location, but the question becomes how many voters were frustrated, and instead of calling my office for the information, just gave up and their vote, the most basic American right, wasn't cast on election day?

Therefore, I urge the Honorable Committee members to vote in support of SB 147. It is important for the individuals and groups who knowingly perpetrate this confusion to know that there are serious consequences when they attempt intentional voter suppression, whereas today, there is no penalty and they can deploy their robo calls against our citizens with impunity.