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## WHY I SUPPORT HB-15-1193 - UPHOLDING ELECTION WATCHERS' RIGHTS

My experience, as detailed below, demonstrates the need for clarifications in LAW. " I support HB15-1193 because **it will clarify that watchers can "witness and verify each step and all activities in the conduct" of any election activity on private premises.**

**My "Twilight Zone" Visit to Sunny Acres Oct 23, 2014 as a Media Election Watcher.**  
By Nancy Wenlock, on behalf of the *Prairie Times*.

**"YOU MUST STAND BEHIND THE BLUE TAPE ON THE FLOOR"**. This was my introduction to being an election watcher at Sunny Acres (a group residential facility in Adams County). **That blue tape was at least 20-30 feet away from the table set up for voters. How was I supposed to witness and verify anything from 30 feet away?** Donetta Davidson was the person ordering me. She had been hired by Karen Long, Adams County Clerk and Recorder, as an election consultant. (I did not find out until later that Donetta Davidson was and is still the Executive Director of the CO County Clerks Association.)

**Ms. Davidson kept me from getting to the Vote Center later, and she also tried to intimidate me when she said that HIPAA laws were broken and implying that I had done this, saying it's a felony.**

There was no one voting in the Vote Center so I asked Ms. Davidson where the other election judges were. She said they were in another building helping bed-ridden residents. I got directions and proceeded to that other building.

**The first thing I witnessed was that two election judges were helping two residents with their ballots on a one-to-one basis.** I introduced myself to the election judges (staying outside the room they were in and outside the immediate voting area to honor voter privacy) and **I was met with open hostility by them. The election judges tried repeatedly to close the door to the conference room being used as a voting room.** I was polite but insistent that the **door remain open** so that the voting process could be witnessed and verified. At no time did I observe any guardians of these residents. There was no one helping them with their ballots EXCEPT the 2 election judges.

**One of the election judges was all panicked after I introduced myself and she raced into another room saying she was going to "call Rusty". The other election judge was very rude and refused to give me her last name after introducing myself (despite the fact that judges' names and party affiliations are public information.) The whole atmosphere was belligerent.**

**There was no indication that this area was an official voting area. No signage, no flags, no nothing.** Also, I did not hear the election judges tell the residents that they could choose to be assisted by an election judge from their own political party if they wished. The residents were simply wheeled in or guided to that conference room and one by one, were voting, **while an election judge hovered over the person completely able to see (and therefore could influence) the entire ballot with name and all personal information as well as how that person voted.**

I went down the hall to take some notes and then **an administrator of the facility arrived and loudly and rudely told me to leave.** I introduced myself calmly, showed her my credentials and tried to explain about election watching. She wanted none of it and told me again to leave. **She also accused me of lying about who I was.** My understanding was that she wanted me out of that building. I told

her I would leave and proceeded to leave. **Ms. Davidson had arrived with this administrator and Ms Davidson accompanied me out of the building. While in the elevator, Ms. Davidson said to me "it's a violation of HIPAA laws and that's a felony", as though I had broken some law.**

I went to my car, had my lunch and then went back to the main building where the "Vote Center" was in the basement. (Earlier, Ms. Davidson had suggested that I take some pictures there so I decided that I would do that before leaving the campus.)

However, when I walked up to that building, Ms. Davidson, who was outside on a bench talking on a phone, jumped up **with a look of panic on her face and said, "They won't allow you in there!" This was from the very person responsible to ensure election integrity and protocol was followed.** I said, "Who won't?" and she mumbled something about the "administration".

I went to the Reception area that I had visited first, but instead of being friendly like she was before, the Receptionist told me I could **not** go to the vote center. **She jumped up and physically stopped me from going to the stairs.** She told me to wait in the library across the hall until an administrator came to talk to me. **Then she got onto the phone to call someone in a hurry.**

I waited in the library for 12 minutes. Then I went back to the Reception area and asked to go down to the Vote Center. **The administrator was waiting there. Also Ms. Davidson was there. No one had come to "talk to me" in the library.** The administrator would not let me go to the Vote Center. When I asked her what the problem was, she said, **"You are!" When I asked the administrator what she is using to keep me out of the voting area, she said "HIPAA laws"** (which have nothing to do with Election Watchers). When I said that I don't think HIPAA laws apply to my watching the election judges, she blurted out, **"The election judges DON'T WANT you to watch them!"** As soon as she said that, I said that that was interesting, and I was going to leave now. **I turned to leave.**

**That's when a policeman came in and ordered me off the premises right then, upon threat of arrest. He said I was on private property and if I didn't leave immediately he'd put me in handcuffs. (I was already on my way out).** Then he stopped me to look at my media badge and he made a derogatory comment about my credentials after asking me if I freelance, to which I answered yes. At no time did he ask me anything.

**They had called the police and then kept me ON THE PREMISES until the police got there. They did not ask me to leave at any time while I was in this building.** As I walked out, the policeman also said that they might want to press charges. The administrator said that yes, they might want to press charges....

The whole experience was shocking in its hostility. At no time did I approach any of the residents or attempt to learn how they voted. I was polite, introduced myself to everyone and showed them my badge which was hanging around my neck at all times. But the reaction and the vitriol made it feel as though I was in "The Twilight Zone." I made a full complaint to the Secretary of State. Nothing was done. (The complaint is attached along with the response from the Sec of State's Office.)

**It is imperative that the rights of election watchers are upheld and clarified in the law.** Otherwise any church, or private premises where voting takes place can order anyone connected with the election off the premises. This makes a mockery of free and fair elections. **PLEASE SUPPORT THIS BILL.**