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Voting reforms have made elections worse

By Joseph Richey
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The Colorado Election Reform Commission (CERC) was created in the last legislative session to study possible election reforms. It has now adjourned after three months. Several election bills are already being considered in the legislature, and more will follow as a result of the CERC's recommendations.

It was unfortunate that not one knowledgeable election-integrity advocate with a critical technical perspective was appointed to the CERC. Few technical facts informed the political decisions that were made. Some commissioners acknowledge that their report is incomplete and that important issues were not covered.

The CERC report continues Colorado's pattern of responding selectively and inappropriately to the

heavily federally funded Help America Vote Act (HAVA) of 2002.

HAVA was expected to improve our elections. Billions of dollars were spent in its wake.

Colorado's special interests — including election technology vendors, county clerks, secretaries of state, and members of numerous commissions — overreacted to perceived opportunities of HAVA. Resulting changes deformed our means of casting, interpreting, tabulating, and auditing voter intent — the crucial procedures by which voters' collective will is measured. Elections became less transparent, less verifiable, and less accountable.

High tech climbed into bed with local bureaucracies and locked them into labyrinthine laws, unfavorable contracts, and expensive technical complexity to replace simple, accessible, re-countable sheets of paper and ballot boxes. Disabled voters were supposed to benefit from this change

to electronic voting, even as experts point out that DRE (electronic) voting machines are almost incapable of showing evidence of failure. All voters are increasingly confronted with some form of faith-based voting ("trust but don't verify").

Voters lost key protections in recent years. Judging by some of the CERC's recommendations, the trend continues.

If all the recommendations become law, many Coloradans will be voting through 2013 on voting equipment that was never fully certified. All others voting by mail are already relinquishing their rights to see eligibility confirmed and ballots cast and counted. The legislature might drop existing law requiring potentially verifiable paper voting records, whereas at one time our law required full-sized verified paper ballots. According to CERC recommendations, paper ballots in some parts of the state won't be back until 2014. We

also regret the prospect of abandoning the meaningful tradition of voting on Election Day in familiar precinct polling places and substituting mandatory mail-in balloting and centralized voting centers.

Because Colorado's government is among the most financially strapped in the country, the HAVA money is spent and no federal funds can be banked upon, some officials will argue that Colorado can't afford all the familiar democratic safeguards and options. They will say that we must downsize voting options, while paying more to outsource our democracy. They will insist that the highly computerized and centralized version of voting is most efficient for the clerks who run elections, and what some Coloradans say they prefer, so all must accept it.

County clerks, aided by powerful lobbyists, yell fire whenever elec-

tronic voting systems they have adopted are "outed" for their inadequacies, high cost, and vulnerabilities. Colorado should not be made victim to alarmist tactics or bullying from any side of the aisle when defining what is technologically and fiscally feasible in our election law regarding where, when, and how we vote.

Voters should ask their legislators to consider transparency, accountability, accuracy, reliability, and accessibility before unknowingly compromising these principles in favor of superficially researched claims of efficiency or lower cost. Citizens need to demand that their elections be publicly owned and operated.

Bills and legislator contact information are at www.leg.state.co.us.



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