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Remarks to the Presidential Commission on Election Administration

Good Morning. My name is Matt Crane, I am the Clerk and Recorder for Arapahoe County, Colorado. Thank you for providing me the opportunity to speak with you this morning. Arapahoe County borders Denver County to the south and to the east. Arapahoe County has approximately 375,000 total voters. Arapahoe County includes urban and rural farming communities. The party affiliation breakdown is basically one-third Democrat, one-third Republican, one-third Unaffiliated. Because of the balance in our voter registration numbers, the national media and political campaigns designated Arapahoe County as a top swing county in a swing state.

Arapahoe County conducted the 2012 General Election using 32 Vote Center locations. This was the first time Arapahoe County used the Vote Center model for a General Election. The reason for the change to Vote Centers was due to the increased number of mail ballots cast. In 2008, approximately 72% of those who voted cast a mail ballot. In 2010, nearly 80% cast a mail ballot. It did not make sense to continue operating 200 polling places with 1,500 election judges when 80% of voters were voting by mail.

A benefit of transitioning to a Vote Center election model was the anticipated decline in provisional ballots. Other Colorado counties had reported that once they transitioned to Vote Centers, the number of provisional ballots had dropped considerably from polling place totals. The main reason for that is because people could no longer vote in the wrong precinct. However, provisional ballots did not decrease in Arapahoe County in 2012. The number of provisional ballots actually increased. The provisional ballot totals for General Elections dating back to 2008 are as follows:

- 2008: 6,662 Provisional Ballots Cast
- 2010: 6,927 Provisional Ballots Cast
- 2012: 7,485 Provisional Ballots Cast

The three major reasons for provisional ballots being issued in 2012 were the following:

1. 4,013 voters requested a mail ballot but still appeared on Election Day to vote.

In speaking with mail ballot voters at Voter Centers, there were many reasons why voters who had requested a mail ballot showed up on Election Day to vote:

- They voter did not realize they signed up for a mail ballot;
- The voter forgot to cast their ballot before Election Day;
- They voter made mistakes on their ballot;
- The voter moved and did not update their voter registration record;
- Most alarmingly, many voters said they received calls instructing them to disregard their mail ballot and go to a specific Vote Center to vote a provisional ballot.

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While some of these issues will always be present, I do anticipate that some will be mitigated in the future by recent legislative changes in Colorado mandating that all active voters receive a mail ballot.

2. 1,522 voters moved to a new address and failed to update their voter registration record.

The recent legislation I have already mentioned should allow for cleaner voter registration lists by allowing counties to realize a greater impact from National Change of Address data. Arapahoe County is also focusing on more voter engagement, including expanding our use of social media to interact with our citizens. It is my hope that through greater voter engagement and education, citizens will better understand the voting process and the importance of keeping their voter registration record accurate.

3. 1,011 voters were not registered in Arapahoe County.

People attempted to vote in Arapahoe County when they were registered in another county or not registered at all in the state of Colorado. Voters may not have understood that they can only vote in the county in which they are registered.

Under the new legislation, Colorado counties will have to be very careful to ensure that voters know they must go to a Voting Service and Polling Center in the county in which they are registered.

The increased number of provisional ballots also affected the wait times at some Vote Centers, especially during the peak hours. 60% of Arapahoe County Vote Centers had a wait time of 30 minutes or less. At these locations, the percentage of ballots cast as provisional averaged less than 12%. Where locations had a wait time of an hour or more at some point during the day, the number of provisional ballots cast was 12% or greater. At the location with the longest wait time of 2.5 hours, the number of provisional ballots cast was approximately 28% of the total ballots issued. There is no question that the increased number of provisional ballots cast had a direct correlation on the time voters had to wait.

Because of the new legislation in Colorado sending mail ballots to all active voters, I am hopeful that the number of provisional ballots will decrease. To help improve our Vote Center operations, I will also be increasing election judge training from 3 hours to 40 hours. I will work with the political parties in my county to recruit election judges who are better able to utilize the technology now required for Colorado elections.

I would now like to discuss other issues that impacted our Election Day operations:

1. Watchers

Watchers play an important role on our elections process. However, the behavior of some watchers continues to be an issue on Election Day. I am concerned that watchers do not receive adequate training to understand what is acceptable in a polling location and what is not. Watchers are not supposed to interfere with the voting process at all, however, it is all too common that they attempt to interact with election judges, which in turn slows down and confuses the process in the polling location.

2. Elected Officials/Party Dignitaries interacting with people in line waiting to vote

This happened often in 2012. While these officials were not technically electioneering, a case could be made that their mere presence and interaction with voters had the same effect as electioneering.

This generated many complaints to which election judges had to respond, taking them away from helping process voters.

3. Political Parties/Outside Groups creating confusion

Wait times were increased at some locations because, as Governor Hickenlooper noted in the Denver Post after the election, campaigns were directing voters to a select few Vote Centers. This was particularly frustrating as we told the parties in advance of Election Day that we would be posting the Vote Center wait times on-line and to consider that information in their Get Out The Vote efforts. Our busiest Vote Centers often had other locations with 2-3 miles with little or no wait times.

As I mentioned earlier, a very troubling aspect during the election was disinformation. Mail ballot voters were encouraged to ignore their mail ballot and go to a specific Vote Center to cast a provisional ballot. On Election Day, I helped issue provisional ballots for a time at CentrePoint Plaza in Aurora. This location had the longest lines on Election Day. A voter came up to my station and said she needed to vote a provisional ballot. When she filled out the provisional ballot envelope, I noticed her address was quite a distance from that Vote Center. When I asked her if she worked near that location, she said no. When I asked her why she decided to come to CentrePoint to vote, she stated that she had received a phone call from someone telling her to disregard her mail ballot and go to CentrePoint to cast a provisional ballot. When I told her that she could have voted her mail ballot and dropped it off at any one of 12 Vote Centers between her home and CentrePoint, she broke down in tears. She drove approximately 15 miles, passed 12 Vote Centers, and waited in line for over an hour, for no reason. Unfortunately, it was not uncommon to hear voters say they received calls telling them their mail ballot wouldn't count and to go vote a provisional ballot. I am not sure how this kind of disinformation can be stopped, but it seems to be becoming more and more of an issue.

Thank you again for providing me the opportunity to address this Commission. I hope you find this information valuable. I am happy to answer any questions the Commission may have.