

The Presidential Commission on Election Administration

August 8, 2013 Public Hearing, Denver Colorado

Election Officials Panel Member: Sarah Ball Johnson, Colorado Springs City Clerk

Good morning and welcome to Colorado. I applaud each of you for serving on the commission. I am the Colorado Springs City Clerk, which is the second largest city in Colorado, has a population of 438,000 and conducts all mail ballot elections. During my one year as City Clerk, I conducted two mail ballot elections, and conducted council redistricting to develop a new council district map. I worked at the Kentucky Board of Elections for 17 years and spent 8 of those years as Executive Director. My extensive background in election administration has provided me with many first hand experiences in drafting/implementing election legislation, and conducting elections.

I appreciate the opportunity to mention several pertinent items relating to your mission topics.

PCEA Mission Topics: Ballot simplicity and voter education

- The number of offices or items on a ballot directly correlates to the length of time it takes a voter to vote the ballot.
 - Long ballot=longer time to vote. For example, a Florida county's November 2012 ballot was three 14 inch 2-sided ballots with 3 columns on each side printed in a small font.
 - Short ballot=shorter time to vote. City of Colorado Springs 2013 Municipal Election was an 11 inch one-sided ballot with three columns and a medium to large font.
 - Many jurisdictions limit the time in the voting booth if other voters are in line to vote. For example, Kentucky law allows 2 minutes to vote. Which often results in the need for more voting equipment, but lack of sustained funding prevents continued improvements.
 - Jurisdictions should regularly conduct a thorough review of the offices/ items placed on a ballot and the timing of the election to ensure a vote by the people is the optimal solution and which election cycle it should occur in. These decisions are often very political and fraught with pitfalls, but must be considered if we are to improve the voting experience and process.

- Ensure proper funding for voter education and development of easy-to understand forms and ballot design.
 - Due to the continued funding issues affecting all jurisdictions, voter education and election form design is often woefully underfunded or not funded at all. Unfortunately, election officials do not control our own budgets and have to make tough choices on how to spend limited funds.
 - A review of jurisdiction laws concerning ballot printing requirements, and other pertinent rules, with a focus on understandability, should be regularly conducted. For example, some state law requires a certain font or wording scheme that leads to voter confusion or difficulties in printing ballots.

- Citizen initiated referendums or legislative referred questions are examples of ballot wording in which the election official does not control. It is a good idea to work with the groups or the legislative body to work on understandable language to aid the voter in making their decision.
- Design for Democracy, Dana Chisnell's "Field Guides", and the US Postal System Mail Piece Design Group, and others have developed design guidelines and recommendations for improving forms and informational items.

PCEA Mission Topics: The adequacy of contingency plans for natural disasters and other emergencies that may disrupt elections.

- Many jurisdictions were quick to address election contingency planning in the post 9/11 world by enacting laws and procedures. However, many of these plans have never been used or been evaluated over time.
 - It is vital these plans are reviewed prior to each election for updates and changes in procedure due to the varying types of disasters that may occur.
 - In Kentucky, our plan for stopping an on-going election was very detailed on procedures for closing down the polling places, securing the voting equipment and transporting items back to the county clerk for storage. However, it was written to assume the poll workers were able to transport the items, and that the county clerk office was open. What happens if it is a bomb threat and poll works cannot get back in building, if the roads are closed, ect?
 - Colorado Springs has the unfortunate experience of having two devastating wild fires in June of 2012 and then in July of 2013. During the special municipal August election, we crafted an education outreach and procedure for those homeowners who lost their home in the Waldo Canyon Wildfire to vote by absentee ballot and other special provisions. We do have a contingency plan, but it did not address some of the special concerns of a post-wild fire situation.
 - Many contingency plans tend to focus on big natural disasters and not on the other more common types of disasters. What happens when there are power failures, machine breakdowns, poll workers not showing up, pens not working, and may other types of disasters.
 - While the National Election Associations regularly have election contingency planning on their agendas to learn from the post-natural disaster jurisdictions, but not on the more common simple disasters.

I appreciate your work on these and the other important mission topics for the commission. The right to vote is a fundamental right that we must all appreciate and work to make accessible and open to all citizens. However, we must agree that a "one size fits all" approach is not prudent and that proper, sustained funding for election offices is a vital element to conducting elections.