

Public Hearing Testimony: Alice Tregay, Voter Registration/Education Coordinator, Rainbow/Push Coalition - 06/03/04

STATEMENT BY ALICE TREGAY, COORDINATOR – VOTER REGISTRATION/EDUCATION RAINBOW/PUSH COALITION

The right to vote, the most basic and precious aspect of our democracy, must be protected at all costs. It has been an arduous and often twisted path to guarantee equal electoral access for all of our citizens. This hard fought right should never be treated with carelessness or insensitivity.

Yet, every election cycle, hundreds of voters show up at their polling places only to be told that their names are not on the official registration records. Or, they are informed that their registration has been challenged in the canvass process and they must show two pieces of identification, one with a home address.

In our hurried world, it is difficult enough to convince our citizens to register to vote and to cast a ballot on election day. When we start throwing obstacles in the way of this process, it will only discourage full electoral participation by all of our citizens. It particularly impacts the poor and unsophisticated who are often intimidated by a system that puts up bureaucratic hurdles and barriers.

Although I understand the motivation to keep voter records clean and current, and the requirement to maintain a voter registration system, mistakes are made, particularly in a city or jurisdiction with voters numbering in the hundreds of thousands. The percentage of errors may be small, but the number of disenfranchised voters can be hundreds or even thousands.

In the past, when these errors were made, voters had to take extraordinary steps to reinstate their voting rights. Too often, they became discouraged, confused, and angry, forfeiting their vote. No one should lose their right to cast a ballot because of a clerical error or bureaucratic roadblocks.

Fortunately, as part of the Help America Vote Act, we have taken a substantial step in providing a safety net for those unfairly caught up by mistakes in the electoral system. But, as the first test of Provisional balloting clearly demonstrated, we need to do some patchwork on that safety net.

In Illinois, for the March 16 Primary Election approximately 10,200 applied for Provisional ballots. Of this number, only 1,700 or 17 percent were actually counted.

Admittedly, a large number of these persons were not valid voters. But equally true is that many legitimate voters were denied their vote because of additional errors or too stringent regulations that resulted in the rejection of Provisional ballot applications.

In Chicago, more than 1,200 Provisional ballots were rejected because the voters went to the wrong precinct polling place. I have been assured by officials of the Chicago Board of Election Commissioners that for the November 2 General Election judges of election will be given training and instruction on assisting such voters in locating their proper polling place. Special maps and telephone hotlines for polling place assistance will be part of this program. Hopefully, this will eliminate this problem.

In both Chicago and suburban Cook County several thousand Provisional ballots were disallowed because voters did not properly complete the affidavit for ballot.

Here, again, reform is mandated and the Illinois legislature is working to ease the amount of information needed on the Provisional Ballot Affidavit to make it valid. We should not disenfranchise people because of petty regulations or rules.

Additional and improved communication is needed between the Secretary of State's office, the largest source of new voter registrations, and the individual election authorities to ensure that voter registrations are received in a timely manner and that none are lost. Also, the Illinois State Board of Elections must ensure that it forwards any voter registration forms under the National Voter Registration Act in a timely manner to the individual election authorities. This will help guarantee that all proper voter registration records will be in the polling places on election day.

Provisional voting is a step in the right direction. But we must further refine and expand this law so that no voter is disenfranchised because of a record snafu or because of the fact that a voter does not come to the polling place loaded with all types of identification. We need to intensify the training for judges of election so that they will assist voters in properly filling out the Provisional ballot applications. The election authorities must be ready and equipped to respond quickly to persons who have questions concerning their voter registration and eligibility to cast a Provisional ballot.

We want no accidents in the administration of the Provisional balloting safety net.

Finally, and I thank your Chairman, Rev. Buster Soares. He will especially appreciate this – the Bible says that if you build a house on sand, when the storms come, the rain falls, and the wind blows, that house will not stand because it is built on a shaky foundation.

The same is true of HAVA. It is built on a shaky foundation, the 10th Amendment – states rights. Under HAVA, Congress doesn't even have the power to fix our electoral system.

The problem is this basis and this fundamental: The American people do not have a citizenship right to vote. That's why I support House Joint Resolution 28, which would put the affirmative individual right to vote in the U. S. Constitution.

Thank you.