

# STATE OF COLORADO

## Department of State

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**Mike Coffman**

Secretary of State

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Deputy Secretary of State

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April 4, 2007

Denver delegation to the Colorado General Assembly  
State Capitol  
200 East Colfax  
Denver, CO 80203

Dear Member:

As Colorado's chief election official, my top priority is to ensure the integrity of our state's elections. I therefore wish to comment on the Denver Election Commission's (DEC) move to make 117,000 voters "inactive" and respond to reports that some lawmakers are considering a change to the law that required the DEC to take such action.

C.R.S. 1-2-605(2) states that an "active" voter who misses a General Election shall have their status changed to "inactive." The purpose of this law is to protect the integrity of a county's voter registration lists. Without this law, a county runs the risk of mailing a ballot to an address where the registered voter no longer lives. Making voters who miss a General Election "inactive" is an important fraud preventative measure, especially prior to a mail ballot election.

I strongly urge lawmakers to reject any attempts to weaken this law.

It is important to note that "inactive" status does not remove a voter from the county registration files. On the contrary, an inactive voter is still registered to vote and maintains all their voting privileges. However, the county will not automatically send inactive voters a ballot in a mail ballot election. The inactive voter must first affirm that they are still residing at their address and wish to remain active. This affirmation comes in the form of a postcard sent by county clerks to all inactive voters, who may return the postcard to the clerk's office to remain active.

If an inactive voter does not return the postcard, he or she may still vote in an upcoming election, either in person, or, if in a mail ballot election, by going to the county clerk's office and casting their ballot there.

I share the concerns of many that thousands of Denver voters were unable to vote at the polls in last November's election due to mismanagement. My office is proactively working with Denver officials through the Election Watch List initiative to ensure that voters are not again subjected to such unreasonably long wait times.

I applaud the Denver City Council and the DEC for choosing to send all active voters as of November 2006 a mail ballot for the January special election, regardless of whether they voted in the November election. I also support the DEC's recent decision to send a *second* postcard to inactive Denver voters in the coming weeks. This additional step will provide Denver voters with a *third* opportunity since November to keep their status active.

As lawmakers representing the voters of Denver, I urge you to oppose any efforts to weaken our election laws and instead concentrate on informing your constituents that a second postcard may be arriving in their mailboxes, and that this postcard should be returned if they want to remain active.

It is critical that election officials from the City and County of Denver do all they can to restore voter confidence in the system. The DEC's additional efforts to contact inactive voters are important in helping restore this trust. However weakening laws that help protect the integrity of Colorado's election process in order to accommodate for a county's mismanagement of an election will do nothing to improve voter confidence.

Sincerely,

Mike Coffman  
Secretary of State

cc: General Assembly Leadership  
Colorado County Clerks  
Denver Election Commission