

**Denver Election Commission
200 W. 14th Avenue Commission Meeting Room
Second Floor Conference Room**

**October 19, 2004
4:00 p.m.**

Present: Sandy Adams, Commissioner
Susan Rogers, Commissioner
Wayne Vaden, Commissioner
Victoria Ortega, City Attorney's Office
Bonnie Clarke, League of Women Voters
Carolyn Metzler, Denver Republicans
Frank Sullivan, Denver Democrats
Brittany Morris, CRL Associates
Julie Connor, City Council District 7 Office
Karon Majeel Hatchett, Executive Director
Rocky Rushing, Staff
Anthony Rainey, Staff
Alan McBeth, Staff

Commissioner Adams called the meeting to order at 4:08 p.m.

I. Approval of Minutes

Commissioner Adams moved that approval of the minutes of the September 21, 2004 Election Commission Meeting be tabled until the next meeting. Commissioner Vaden seconded the motion, which passed unanimously.

II. Old Business

A. Election Update: Early Voting, Absentee

Ms. Hatchett reported that all Early Voting locations are operational. She mentioned that the Commission encountered some technical difficulties (including problems with modems) on the first day of Early Voting (10/18/04) and that all were corrected on that day. Hatchett noted that there was an "operations error" today at one site. Staff corrected that problem. She also noted that 2,100 people voted early on 10/18/04 and that Sample Ballots are being supplied to Early Voting sites.

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Commissioner Adams asked how it was that modems failed. She asked if they had been tested before being put into use. Hatchett responded that all modems were tested, but of 30, two failed on site. Commissioner Vaden asked how much Early Voting sites cost. Hatchett responded that each costs \$600.00 per day. Commissioner Vaden indicated that the cost per vote for early voting is approximately \$3.00.

Commissioner Adams asked about the status of Absentee Ballots, and was directed to the Commission's recent news release on the situation. Ms. Hatchett indicated that following a large number of calls from voters on Absentee Ballots not received, staff began a trace. It revealed that the vendor did not mail 13,000 Absentee Ballots. She indicated that the Commission will mail those ballots from here, as soon as supplies arrive from the vendor. That mailing will commence on Thursday, October 21, 2004.

Commissioner Adams called for a correction in the news release. It indicates that a Provisional Ballot may be counted in place of an Absentee Ballot. Ms. Hatchett indicated that a Provisional Ballot will only be counted if the Commission receives no Absentee Ballot from the voter. Commissioner Adams asked how many Absentee Ballot instructions were mailed with an "August" date as the suggested date to mail the ballots. Adams inquired if the number is 30,000. Ms. Hatchett responded that she did not know. Commissioner Rogers commented that the date is correct in the Spanish version of the instructions.

Commissioner Vaden asked about the status of voter registration data entry. Hatchett responded that Bill Brennan's crew finished data entry on October 15, 2004, and that now staff is checking the database for duplicate names and other changes. She noted that on Tuesday (10/19/04) the file is to be sent so that

Registration Books can be printed. Commissioner Vaden asked for the total number of registered voters in Denver. Hatchett responded that she did not know the exact number, but could have a report with this information run immediately. Vaden indicated that he wants to know the number of Republicans, Democrats and Unaffiliated voters. Mr. Rushing left the meeting and returned with a report indicating the statistics requested

City Attorney Ortega asked about lists of ineligible voters from the county corrections department. Ms. Hatchett responded that the Commission has flagged 1,800 state felons, and for these voters, Registration Books will be marked "MUST VOTE PROVISIONAL." These votes will not be counted if the voter remains on the Department of Corrections list at the time of the election. Commissioner Rogers indicated that there might be voters who are not felons, but who have the same name and date of birth as a felon. Ms. Hatchett directed the Commissioners to the Secretary of State's flow chart on processing of felons.

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III. New Business

A. Common Cause v. Davidson

Regarding "Common Cause v. Davidson" Ms. Hatchett reported that the judge in the case has ruled that current "voter ID" requirements will stay in effect. The judge also ruled that voters who requested Absentee Ballots may be given a Provisional Ballot to vote at Early Voting and at Polling Place voting, and that Provisional Ballots cast in the incorrect precinct will be counted only for presidential and vice-presidential candidates.

B. SOS Rule Changes

Ms. Hatchett indicated that there has been a Secretary of State rule change that Emergency Registration can be done at the polls. If a voter's name is not in the Registration Book, but the voter claims to have registered at a voter registration drive, that voter must be given a Provisional Ballot, the affidavit of which will be marked so that it is processed as an Emergency Registration. On the Provisional voting in an "incorrect precinct" issue, Commissioner Rogers noted that if it is the Commission's fault that a voter went to the wrong precinct, we can duplicate the Provisional Ballot so that all of the voter's choices are counted.

Commissioner Vaden indicated that a city web site now allows voters to find their correct precinct and polling place. Ms. Hatchett indicated that she wants a news release on how to find and use this web site function. Commissioner Adams indicated that there should be a link between this web site and the Commission's web site. Commissioner Rogers indicated that the Commission is attempting to link its web site to all political parties' and other organizations' web sites. Ms. Hatchett thanked Julie Connor (City Council District 7) for all of the work she did in facilitating getting the parking meters around the Commission's office bagged for parking at Early Voting.

Mr. Rushing indicated that the Commission provided the data used for the "polling place" locators on the web. He also noted that the Commission has a telephone function that allows voters to find out their polling place location by indicating the number of their address and their date of birth.

Regarding the "linking" of web sites, Commissioner Vaden indicated that people cannot go from the Commission's web site to the "new" site that provides precinct and polling place information. He asked if such a link is possible. Mr. Rushing responded that it would be done.

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IV. Announcements and Comments by Commissioners, staff and guests

Frank Sullivan asked whose names appear on the "felons list." Ms. Hatchett responded that the names are of incarcerated and paroled prisoners. The names come from the Colorado Department of Corrections. She noted that all such names will be tagged "MUST VOTE PROVISIONAL" in the Registration Books. Sullivan asked who removes this "tag" when incarceration or parole is completed. Commissioner Adams responded that these people must re-register to vote. Ms. Hatchett indicated that she has asked the Secretary of State if "alleged" felons have a cure, and is awaiting a response.

Mr. Sullivan asked how it is that the vendor (Sequoia Printing) made such a large error in not mailing

13,000 Absentee Ballots. Commissioner Adams responded that the vendor got two lists of absentee voters from the Commission. One had 30,000 names on it and the other had 13,000 names. The vendor mistakenly thought the larger list included all of the names on the smaller list, and only mailed ballots to the voters on the larger list. Adams attributed the result to poor communications.

Carolyn Metzler asked if there is any way to determine who the voters are on the list of 13,000 whose absentee ballots are scheduled to be mailed on October 21st. Ms. Hatchett indicated that she would research the question.

Ms. Hatchett indicated that there are now 21 people working in the phone room, and that the average wait time for callers is eight minutes.

Regarding questions about absentee voters who opt to vote by Provisional Ballot at Early Voting and the polls, Commissioner Adams explained that the computer system is set up so that only one vote per voter is counted – even if the voter submitted an Absentee Ballot and a Provisional Ballot.

Frank Sullivan asked if people who purchased lists of absentee voters were provided with both the “13,000 names” and the “30,000 names.” Ms. Hatchett responded in the affirmative.

Commissioner Adams indicated that Commissioner Vaden has gotten volunteers for the phone room from the Police Department, Career Service Authority, the City Attorney’s Office, the Public Office Buildings Department and the Clerk and Recorder’s office. Vaden indicated that many are working four-hour shifts at no cost to the Commission.

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VI. Adjournment

Commissioner Vaden moved that the Commission go into Executive Session on an employment matter. Commissioner Rogers seconded the motion, which passed unanimously.

Commissioner Rogers moved that the meeting be adjourned. Commissioner Adams seconded the motion, which passed unanimously.

THE DENVER ELECTION COMMISSION

Sandy Adams, Commissioner

_____ Susan Rogers, Commissioner

Wayne E. Vaden, Commissioner

Attest:

Karon Majeel Hatchett, Executive Director

Date: _____