February 7, 2013

2012 General Election Review:
A Colorado Success Story

Introduction

The 2012 election cycle was the most successful in Colorado history. Through proactive management and innovative solutions, Colorado modernized its election systems, achieved historic voter registration levels, exceeded national voter turnout numbers, and saw record-breaking participation by military and overseas voters.

Colorado voter participation was up in 2012, bucking the national trend.

Nationwide, voter turnout was down in 2012, compared to the previous presidential election—including heavily contested swing states. But Colorado's turnout was up compared to 2008.

Voter Participation[1]			
Change in Turnout (2008-2012)	National	Swing States[2] (Average)	Colorado
	-6.8%	-1.2%	+1.8%

By Election Day, Colorado voter registration reached a record level. A multimedia advertising campaign and mail program by the Secretary of State's office contributed to an increase of 440,888 in the number of registered voters compared to 2008—a 13.7% increase. This far exceeds state population growth, and includes 300,442 new registrations in 2012 alone.

Seventy-one percent of registered voters participated in the 2012 election, an increase of almost 2% over the 2008 election. In the 2008 election, 2,422,236 voters cast a ballot. This number rose to 2,596,353 in the 2012 election. By comparison, national

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[1] Based on preliminary election returns as reported and compiled by the New York Times
[2] Includes data for Nevada, North Carolina, Wisconsin, Colorado, Iowa, Florida, Virginia, New Hampshire, Ohio, and Pennsylvania

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turnout plummeted nearly 7%, to 57.5%. Across Colorado, domestic voters returned 97.7% of mail-in ballots, while military and overseas voters returned 93.6%. Of these, 99.1% of domestic mail-in ballots and 97.8% of military and overseas ballots were counted for the election. According a recently released analysis by George Mason University, at 71.1%, Colorado ranked first in the nation for overall turnout based on voting eligible population, third in the nation for presidential turnout based on voting eligible population, (70.3%), and sixth in the nation for turnout based on voting age population (64.7%).[3,4]

Colorado achieved this impressive voter participation by deploying new technologies and systems such as multi-state data matching, electronic ballot delivery for military and overseas voters, and high-speed Ballot on Demand printers.

Interstate data matching increased registration and improved voter roll accuracy.

Colorado participates in a data matching program that increased voter registrations and more accurate voter rolls. In 2012, Colorado partnered with six other states (Delaware, Maryland, Nevada, Utah, Virginia, and Washington) to implement the Electronic Registration Information Center (ERIC). ERIC is a self-governing, voluntary multi-state coalition that shares voter registration database information for two purposes: to increase total registrations and to make registration rolls as accurate as possible. Conceived by the Pew Charitable Trust, ERIC seeks to reduce persistent errors in registration records resulting from an inefficient and mistake-prone voter registration system. According to PEW's research, over 12% of voter registration records nationally contain some error. PEW also estimates that 51 million eligible voters are not registered.[5]

> "I am so very pleased that you offer an option for us to email our ballot in. It's so convenient and inexpensive. My other American friends here in China who are from other states do not have this option and some will not vote simply because of the hassle, expense, or time restraint (due to mailing issues). I could not be more pleased that I have been able to vote. Thanks!!!!"
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> -Overseas voter

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[3] Voting age population includes all individuals over the age of 18. This number includes individuals who are not eligible to vote, such as non-citizens and convicted felons. Voting eligible population refers to the population that is eligible to vote.

[4] "2012 General Election Turnout Rates," United States Election Project, George Mason University, available from http://elections.gmu.edu/voter_turnout.htm. The results of the George Mason study are subject to change as more election data becomes available. The rankings reflected in this paper are current as of the publication date.

[5] A full description of the ERIC program can be found at http://www.pewstates.org/research/featured-collections/electronic-registration-information-center-eric-85899426022

Participation in ERIC facilitated dramatic increases in voter registration. The Secretary of State used Department of Motor Vehicle data to identify individuals who appeared eligible to vote, but were not registered. Through this technique, the Department of State identified 723,123 Coloradans not registered to vote, contacted them via postcard between September 10-14, and invited them to register online. From this effort, an additional 39,415 voters registered within 30 days, 32,000 of which participated as first time voters. This number itself represented a 5.2% increase in registrations for Colorado, while other states participating in the ERIC project averaged only a 2-3% increase.[6] And because the majority of these people registered online, it saved Colorado's counties time and money.

> "Everyone seemed to love the idea [Ballot on Demand], and it seemed like we had a better turnout from these voters [military and overseas voters] than usual."
>
> -County Election Official

Ultimately, ERIC will fulfill its second goal by identifying people registered in more than one state using other state information, Postal Services change of address information, and Social Security Administration records. Colorado will also check for people moving into the state, and invite them to register. There are currently an additional ten states interested in joining ERIC.

Colorado also participates in another state consortium aimed at finding people who vote more than once in the same election. Spearheaded by Kansas, this multi-state check is also a voluntary program and currently includes 15 participating states who submit their election results to Kansas. Using minimum matching criteria, Kansas determines if anyone voted twice in two different states. The program is expected to increase to 27 states for the next election cycle.

New programs better served Uniform and Overseas Voters, who voted in record numbers.

In August 2012, the Military Voter Protection Project published a report indicating that absentee ballot requests for military voters were on track to result in a significant decrease from 2008.[7] The report stated that "While the number of absentee ballot requests will increase in the coming weeks, especially as the election draws near, the amount needed to meet 2008 levels is staggering…all of the states have witnessed an alarming and significant decrease in absentee ballot requests. It will be difficult to make

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[6] Colorado Elections Division

[7] *"Military Voting Update: A Bleak Picture in 2012,"* Military Voter Protection Project, Chapman University, August 21, 2012.

up the difference in the coming weeks."[8] Colorado was among the states evaluated in the report. Final data regarding participation of military voters is not yet complete. It is clear, however, that in Colorado, efforts to increase military and overseas voter turnout were a huge success in 2012. Compared to 2008, Colorado issued 19.4% more ballots to military and overseas voters and witnessed a 65% increase in the number of ballots returned. In the 2008 election, military and overseas voters returned 69.6% of ballots mailed and 73.5% were counted. In 2012, military and overseas voters returned 93.6% of ballots and 97.8% were counted. According to Eric Eversole, the Executive Director of the MVP Project, "The efforts taken by the Colorado Secretary of State played a significant role in increasing military and overseas voter participation. The online systems and extended deadlines made it easier to request and receive absentee ballots--even if those requests came weeks before the election. Colorado's success was truly extraordinary given the decrease witnessed by many states in 2012."

The Secretary of State launched several programs that helped account for this big increase. Colorado mailed ballots earlier and extended the deadline for receiving ballots to eight days after the election. Mail service outside the United States is often slow and can be unreliable. Extending the deadline for receiving ballots meant that more returned ballots were counted in 2012. In 2008, 61.1% of rejected military and overseas ballots were not accepted because the ballot was returned after the deadline. In 2012, this percentage decreased to 13.8%. Comparatively, 18.3% of domestic absentee ballots were rejected in 2008 because they were received after the deadline but only 9.2% were rejected for this reason in 2012. [9]

For 2012, Colorado deployed a statewide electronic ballot delivery system that greatly increased the speed and convenience of getting ballots to military and overseas voters. This system allowed voters to login and electronically download their ballots, beginning right at the 45 day mark before the election, dramatically increasing time for voters to return ballots. And it increased chances for ballots getting to voters, since mail service is often

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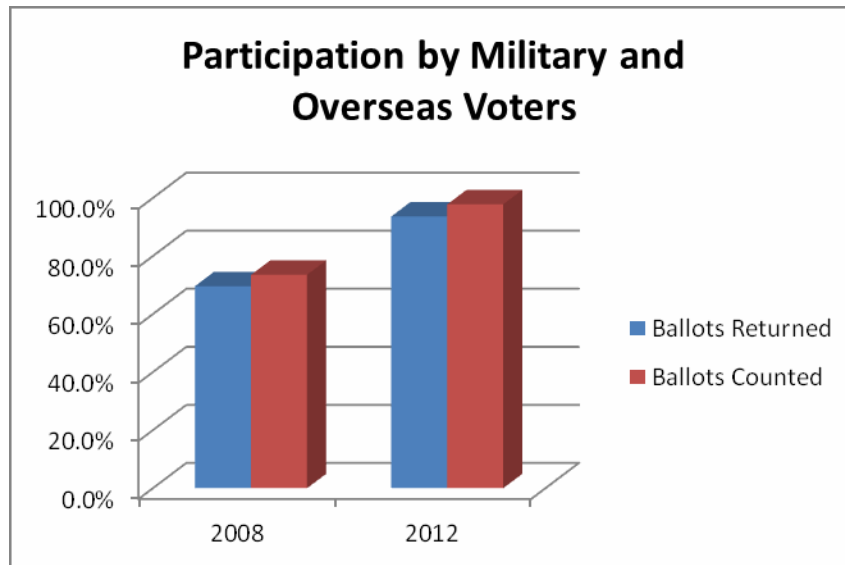> Executive Director,
> Military Voter Protection Project

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[8] Ibid, p.3
[9] Colorado Elections Division

unreliable in some parts of the world. More than 9,000 Colorado voters used this system in 2012.

This was also the first year military and overseas voters could sign up online. In order to be designated as military or overseas—and thus get mailed a ballot early and qualify for the extended return deadline—voters previously had to fill out a paper form. In 2012, Colorado gave voters an online option. Again, this bypassed unreliable mail systems, greatly improving the speed and reliability for military and overseas voters.

Ballot on Demand printers helped counties better serve voters.

Ballot on Demand (BOD) printers helped counties modernize Colorado's election system while saving costs. The BOD system is a specialized, high speed ballot printer.

Early in 2011 Colorado recognized the value of BOD printers and sought funding from the Federal Voting Assistance Program (FVAP). In February 2012 Colorado learned that it would receive funding to purchase BOD printers for every county, even though the federal government planned to provide the funds late in the election cycle. Accordingly, the state managed the delivery, installation, and training for each county, but did not mandate their use for the 2012 election. Despite the narrow timeframe, the deployment of printers helped many counties meet tight deadlines for overseas and military voters, saved costs, and helped counties better respond to unexpected demands for ballots.

In Colorado, ballots are certified 57 days before the general election. By law, ballots meant for overseas voters must be delivered 45 days prior to the election, leaving county election officials a very narrow window to prepare and deliver overseas ballots. Historically, many counties create different ballot formats, such as a PDF document, and then duplicate the returned ballot in order to count the absentee vote. With BOD,

elections officials began producing ballots almost immediately after certification to get them to overseas voters quicker. They also saved time and resources from having to duplicate returned ballots that otherwise would have been printed in a different format.

> "Initially I was not enthusiastic about the BOD minivan parked in my relatively tiny office. My ambivalence has since matured into adoration, principally because none of us expected the mail-in ballot numbers we are experiencing. Now I love BOD. It has saved me about 6 times thus far in this election."
>
> -County Election Official

BOD also allowed election officials to produce additional ballots in response to emergencies in regular voting such as insufficient ballot supply, or malfunctioning electronic voting machines. BOD gave a choice to voters who specifically wanted or needed a paper ballot.

BOD was a decisive factor in increasing turnout among uniform military and overseas voters. In supporting this group, Colorado counties used BOD printers to produce 14,987 ballots, sending over 4,300 ballots to military voters and over 5,600 ballots to non-military overseas voters. Counties also duplicated over 3,600 military and overseas ballots using this resource. These statistics do not include the ballots produced to assist domestic voters. The Secretary of State's office anticipates use of BOD printers will increase in future elections as counties become more familiar with the technology and choose to automate their duplication process. The printers can be used to print all paper ballots for counties, eliminating the need for an outside vendor.

The Secretary of State's thorough preparation helped ensure a smooth election.

Colorado undertook proactive initiatives to ensure a successful election, minimize problems, and maximize participation. The Secretary of State's office also assisted counties that required special help.

Spanish Language Outreach. As part of an effort to increase participation by Spanish speaking Coloradans, the Department of State conducted approximately six interviews for Univision and Telemundo to reach out to Colorado's Spanish speaking population. These public service announcements informed voters how to register and update their registration, and alerted them to election deadlines. Likewise, the Department of State advertised its new voter registration initiative on Spanish-language television.

> "The Online Ballot Delivery program provided by the state and Everyone Counts has been very successful. It has provided many voters with access to ballots that otherwise may not have voted at all."
>
> -County Election Official

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Voter Line Nine. The Secretary of State's office, in cooperation with 9-News, managed the Voter Line 9 effort by staffing a public service phone bank during selected afternoons to help registered voters verify their registration, request mail-in ballots, or find voting locations.

Online Voter Registration. The Department's Online Voter Registration (OLVR) recorded a remarkable number of new and updated voter registration submissions in the weeks leading up to the 2012 registration deadline. From September 1st to October 9th, 230,000 people used OLVR to update their record or register for the first time. Of these, 43,000 were new registrants. The Department's "voter lookup" page received 1.5 million hits on the registration deadline day alone. By reducing paper and data entry, The Department of State saved the counties and the state incalculable resources.

Colorado Online Voter Registrations
(includes new and updated registrations)
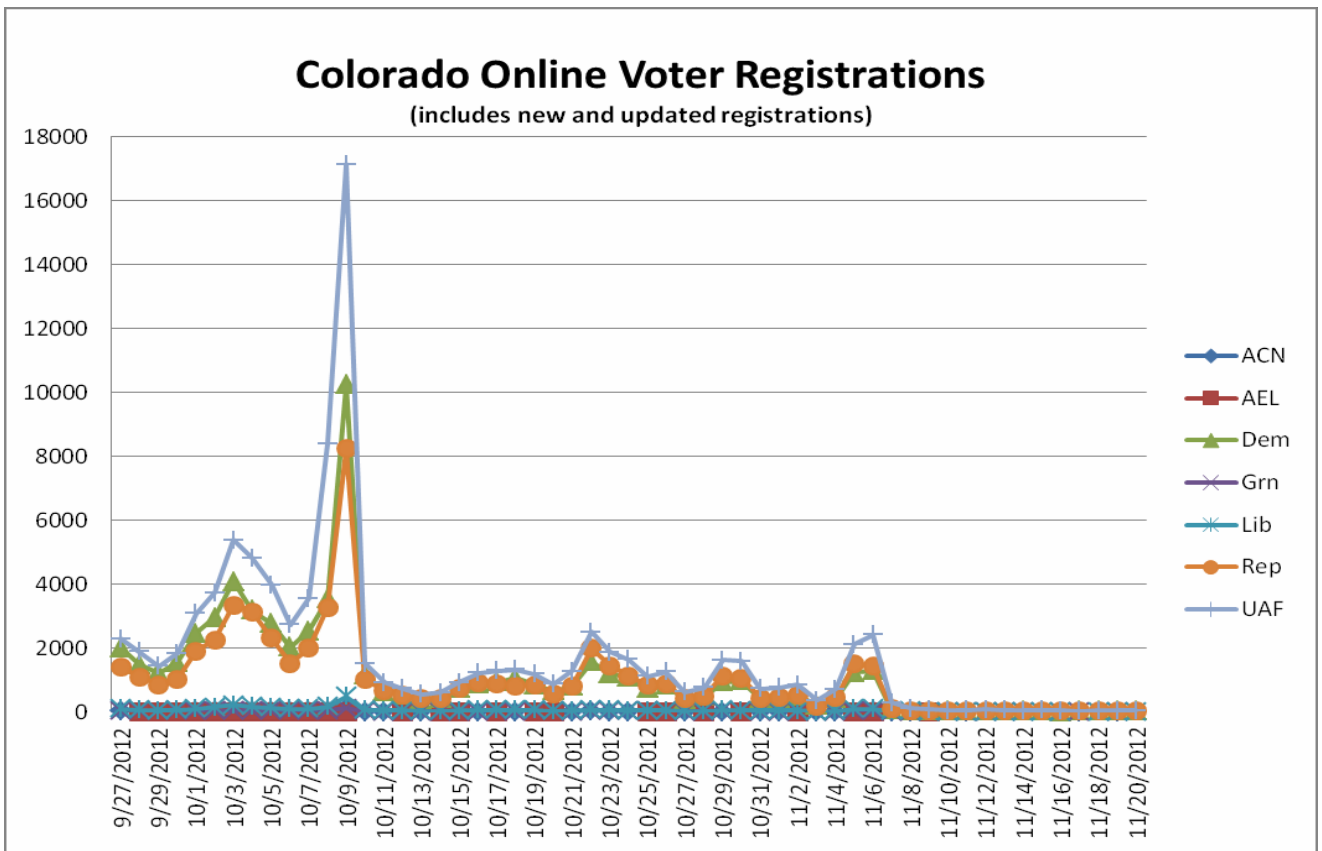
Election Night Reporting. The 2012 presidential election marked the first time Colorado used a consolidated election-night reporting system. Before 2012, Coloradans had to check websites for each county clerk and recorder for election results. For some congressional or state legislative races, this required checking more than a dozen separate

web sites in order to tally results. By 2012, Colorado was among a handful of states that failed to institute a central reporting system for election results.

The new statewide system was paid for entirely by funds from the Secretary of State's office, which also helped connect each of the 64 counties into the system. As a result, on election night Coloradans could visit a single page and see results for state races and multi-county contests. Each county also had its own dedicated page showing county-level races. On election day, as well as the day before and the day after, the site saw over 66,000 visits. Over 17,000 of those visits (26 percent) were by tablet or smart phone. The average visitor spent almost ten minutes on the site and looked at an average of six pages.

> "This is a superb program that has made a significant contribution to my ability as a service-member to vote in Colorado. My service may have taken me away from my home state, but this helps me to remain involved in the community I care about. Thank you!"
>
> -Military Voter

Investigation into Non-Citizen Registration. Colorado also improved the accuracy of its voter registration database by investigating possible registration by non-citizens. Researchers compared Division of Motor Vehicle transactions in which a person used a non-citizen document to the voter registration database. These records where then checked with federal immigration data. Colorado discovered that 437 registered voters were listed as non-citizens in the federal database. After contacting the voters directly, 63 registered voters confirmed that they were not citizens and voluntarily withdrew their voter registration. The remaining 374 voters did not respond to questions from the Secretary of State's office. This effort raised public awareness about the problem, and many non-citizens voluntarily asked to be removed from the voting rolls in a good-faith effort to follow Colorado and federal law. Nonetheless, Colorado still needs a more defined process to ensure only eligible people are registered to vote.

> "I did vote twice because I thought that this is my obligation and duty and if I didn't vote, my situation as an immigrant will be jeopardized…As a permanent resident I am asking you to do investigations about these mistakes that may have serious damages to the future of innocent immigrants and their families."
>
> - Non-Citizen Voter

Training Election Officials. The Secretary of State's office expanded the training program for new county clerks and other election personnel. Election Rule 40, which governs election training programs, mandates that key election officials receive certification through a training program that includes eight core and six elective courses. But in 2012, more training courses were available than ever before. The office provided training uniformly

to all counties, conducted training sessions across the state, and offered an unprecedented level of online access.

Between March and July, the Department of State offered six training sessions across the state. Previously, this amount of training took two years. With expanded online offerings and more in-person training, some officials completed certification in as little as eight months. In total, 279 individuals participated in classroom instruction covering a variety of different topics, including:

- ballot design, which stressed successful principles that produce user-friendly and easy-to-understand ballots;
- ballot delivery for voters confined to medical facilities; and
- instructional materials and methods for successful poll worker recruitment and training.

In 2012 the Department of State expanded on a new and improved online eLearning platform. Online courses save significant time, money, and resources, and make the training more widely available. The online courses included:

- Voter Registration and Voting;
- Advanced Voter Registration and List Maintenance;
- Elections 101;
- Elections Security;
- Logic and Accuracy Testing;
- Issues in Voter Registration;
- Provisional Ballot Basics;
- Ballot Access;
- Overseas and Military Voting; and
- Watchers and Observers.

State support to investigate and resolve specific issues. In 2012, the office designated a full-time employee to investigate complaints of irregularities in elections procedures or equipment. Complaints included malfunctioning voting systems and issues surrounding ballot security.

San Miguel County: Assistance in Preparation. San Miguel County experienced some difficulties in preparing for the general election because of personnel turnover. The Secretary of State's office identified a qualified observer to assist the county. The election went smoothly and the observer provided input on issues to be addressed for future elections.

Teller County: Assistance in Preparation. Teller County also experienced difficulties preparing for the primary election. After a significant error in which a signature line and affidavit were not included on mail-in ballot return envelopes and other concerning events, the Department of State assumed election duties in Teller County. Department personnel focused on immediately fixing problems related to voter registration, ballot accuracy, inventory, security, polling place availability, and Election Day preparation. In addition, they recommended that the Teller County Board of Commissioners hire an outside election administrator to administer the general election. Due to the efforts of the Teller County Board of Commissioners and county election personnel in adopting recommendations made by Department of State personnel, Teller County ultimately administered a successful primary and general election.

The Secretary of State reacted quickly to resolve issues during the election.

As early voting began, issues inevitably surfaced. Department of State personnel responded quickly to these problems, issuing emergency rules or working with county officials to keep the election running smoothly, thus maintaining voters' trust in the integrity of the election.

"Overseas voters found it [electronic delivery] very helpful and convenient! I was pleased to be able to make their ballots available to them so quickly and easily."

-County Election Official

Online Registration Outages. As described earlier, Colorado aggressively increased its efforts at using mobile and automated resources to increase voter registrations, including the OLVR website and a mobile optimized version of the site. The mobile optimized page had an error that resulted in several hundred registrations failing to be recorded. To deal with this issue, the department quickly issued an emergency rule allowing any voter who claimed to have registered by mobile device to vote provisionally on Election Day and these votes were counted. The Department of State not only implemented a new technology that increased registration and participation, but dealt successfully with inevitable complications during implementation.

Adams and Pueblo Counties: Problems with Election Equipment. After a complaint about malfunctioning election equipment, Adams County quarantined two electronic voting machines. A voter complained that the machines were flipping votes on the presidential race. A third machine was quarantined on October 26, 2012 for the same reason. Adams County requested assistance from the Secretary of State's office to resolve the matter.

On October 26, 2012, a Department staff member met with Adams County personnel to verify that the machines were functioning properly. The machines were recalibrated and validated for future use.

Another complaint involving electronic voting machines came from Pueblo County. On November 1, 2012, a voter at Pueblo West Library claimed a machine pre-selected a presidential candidate before she touched the screen. After the early voting period ended on November 2, 2012, Pueblo County removed the memory cards and sealed and stored the early voting machines in their elections warehouse. The Secretary of State received the complaint on November 2 and sent representatives to Pueblo County to address the issue.

On November 5, the machines were tested in an attempt to duplicate the problem. Representatives from the Secretary of State's office, Pueblo County, the Republican and Democratic parties, and the media were present and were offered the opportunity to test the machines. The problem could not be duplicated. At the conclusion of the testing, memory cards were removed, the machines were re-sealed, and chain-of-custody logs were completed. The Early Voting machines were not used on Election Day.

"Outstanding job in making the voting process so incredibly accessible and easy! I believe you are a leader for the nation especially in regard to the integrity of the process which I think is key. Thanks so very much for making this possible for people like me who between military deployments and now government contract work overseas for the last "8" years. I really do not see ANY improvements needed, fantastic!!"

-Overseas Voter

Douglas County: Ballot Problems. In Douglas County, a candidate for RTD District G was not on the ballot in one of the proper precincts. The affected candidate notified the Secretary of State's office and the Douglas County Clerk and Recorder. Though too late to reprint mail-in ballots, the Department of State and Clerk's office solved the problem by sending a separate mail-in ballot with the RTD race to voters who should have had a chance to vote on it, and printing and distribution of correct ballots for the precinct on Election Day.

Boulder County: Access for Watchers. In Boulder County, a plaintiff sued the county for greater watcher access during the signature verification process. The Secretary of State's office assisted in negotiating an appropriate settlement that enabled watchers better access to view the verification process while ensuring that their presence would not intrude on or delay the process.

Larimer County: Signature Verification. The Democratic Party filed a lawsuit against Larimer County to get access to the list of mail-in ballot voters whose signatures were rejected. The county was concerned that providing this list prior to the election

would result in calls to voters who already addressed the issue and therefore could be construed as harassment.

The Department of State mediated a common-sense resolution where the county provided both political parties the appropriate list after the election. All properly cast votes were counted and voters with signature discrepancies were given the opportunity to rectify the problem.

The Way Forward

The 2012 election cycle was an immense success. By employing innovative initiatives to identify eligible voters and give them access to the election, Colorado saw a remarkable increase in voter registrations and participation, including unprecedented participation by uniform military and overseas voters. By investing time in detailed and deliberate preparation for the election, as well as by maintaining the flexibility to react to inevitable complications, Colorado not only managed a fair, open, and honest election, but set the standard for future elections in the state and around the country. By allowing voters to self-correct information, and by developing solutions for better registration list maintenance, Colorado took great strides in increasing election integrity.

Nonetheless, there remains much work to do. Going forward, the state should continue to focus on both access to voting and accuracy in the registration rolls. To this end, the state should refine its procedures for maximizing accuracy in the voter registration system, including periodic reviews of non-citizen data and continued participation in ERIC.

To continue increasing registrations and participation, the state should also work to refine and expand the use of OLVR as well as the methods developed under ERIC to identify and reach out to unregistered voters. The state should also evaluate Uniform Voting Systems to make problems or complications arising within election cycles predictable and routine to address.