



March 11, 2013

House Rules Committee
Oregon State Capitol
900 Court Street NE
Salem, OR 97310

RE: Oppose HB 3344 as written; Relating to challenged ballots

Chair Garrett and Members of the Committee,

When a signature challenge occurs, the Clerk mails to the elector a letter stating that the ballot has been challenged and that the elector has until the 10th day after the election to provide whatever information is necessary to count the ballot. This could include a missing signature or a new registration card with a matching signature.

Currently the list of electors whose ballots have been challenged is confidential. This ensures that the only correspondence that the elector receives is from the Clerk's office with specific instructions for how the elector can respond to the challenge.

Oregon electors have had an expectation of privacy and confidentiality in this process. If HB 3344 passes, for those voters whose signatures are challenged, this expectation is lost. The electors name would be public and subject to contact by third party groups. In the 2012 general election, a political campaign initiated robo calls to voters implying they were not correctly registered. Election Officials were contacted by confused and angry electors as a result of these calls. Publicizing the list of challenged voters could result in this same kind of voter confusion.

When the challenge letters are mailed to electors by the Clerk's office it is done in an equitable manner. Every voter who has been challenged is mailed the same letter and given the same information on the steps to take to resolve the challenge. If the list was public and there were not controls on how the information was used, the elector might receive inaccurate information from the entity that purchased the list.

The concern of the Association is adding elements of inconsistent messaging being delivered to the voter with political motivation to a confidential, administrative process. If political entities could purchase the list they could pick and choose which voters to contact based on party affiliation.

And if there were no controls on when the list became public it is possible that an entity that purchased the list could have the means to contact the voter before the voter received the official communication from the Clerk's office. So instead of being additional information provided to the voter it would be the only contact the voter would have received at that point.

OACC urges the committee to oppose HB 3344 as written.

Sincerely,
Oregon Association of County Clerks