



State of Rhode Island and Providence Plantations
Department of State | Office of the Secretary of State
Nellie M. Gorbea, Secretary of State

April 7, 2020

John Marion, Executive Director
Common Cause Rhode Island
245 Waterman Street, Suite 400A
Providence, RI 02906

Steven Brown, Executive Director
American Civil Liberties Union of Rhode Island
128 Dorrance Street, Suite 400
Providence, RI 02903

Jane W. Koster, President
League of Women Voters of Rhode Island
One Richmond Square, Suite 220 A-W
Providence, RI 02906

Dear Messrs Marion, Brown, and Ms. Koster:

Thank you for your letter dated March 25, 2020 with recommendations for potential changes to election processes to ensure voters can cast ballots in a safe manner and have confidence their votes will be counted during the pandemic. As your Secretary of State, I have made it a hallmark of my term in office to ensure that all eligible voters are able to vote in a safe and secure manner. The change to a predominantly mail ballot election gives us an opportunity to increase access to voting, by familiarizing voters with the ease of voting by mail. As Rhode Island prepares to conduct its first predominantly mail ballot election, it will be important to have your continued input into this effort.

First, please know that my office, the Board of Elections and local boards of canvassers across the state are already working collaboratively to address many of the issues raised in your letter. This work is being done under obviously challenging circumstances to ensure voters are able to cast ballots in the manner they are comfortable in the upcoming Presidential Preference Primary (PPP).

For example, the Board of Elections has already addressed (and I have testified regarding) several of the issues you raised. These recommendations have been forwarded to Governor Raimondo for inclusion in an Executive Order to specify updated election dates and processes.

However, your letter also addresses issues that fall under the Department of State Elections Division responsibilities.

First, with regard to who will receive mail ballot applications and bilingual elections materials. My office will send mail ballot applications to all active and inactive voters. As usual, voters in Central

Falls, Pawtucket, Providence, and Woonsocket will receive bilingual elections materials in accordance with Section 203 of the Voting Rights Act.

Second, we have been in regular contact with the US Postal Service to discuss the increased number of mail ballot applications and ballots to ensure they are able to accommodate the volume and ensure voters have time to submit their ballots to be counted. To date, the US Postal Service has assured us that there will be no delays or difficulties on their part in handling the PPP mailings. Additionally, the return envelopes for (1) mail ballot applications and (2) the voted ballots will be postage prepaid. At my suggestion, the Board also recommended to the Governor that she extend the mail ballot application deadline by a week to May 19, thus giving Rhode Island voters additional time to request a mail ballot.

Given the novelty that voting by mail will be to most voters and the current emergency circumstances facing our state, I agree with you that it would be helpful to establish a bilingual election information hotline. I have expressed this to the Board and have instructed my staff to proceed in establishing said hotline.

Third, I share your concerns on the difficulty of predicting in-person turnout on Election Day in polling places. I believe the Board and local election officials can utilize the tools developed by the University of Rhode Island Voter Operations and Election Systems (URI VOTES) Project to plan accordingly. Rest assured that we are taking a conservative approach to the estimating of resources so that we can ensure all voters can exercise their right to vote.

Fourth, as I stated at last week's Board meeting, the current public health emergency requires us to revise the requirement to have a notary or two witnesses on a mail ballot and I support the Board's decision to recommend waiving the requirement for the June 2nd PPP.

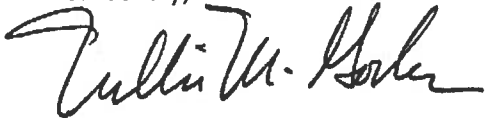
Regarding post-election audits, I agree with your recommendation to conduct a post-election audit of the PPP. Rhode Island is truly a leader in this area with its requirement to conduct risk-limiting audits of election results. I have been impressed by the Board's work in conjunction with Common Cause RI and many other organizations in the pilot audits. I believe risk-limiting audits of the remaining polling place vote tallies are critical to ensure Rhode Island voters have confidence in election results.

Finally, as I stated at the Board's March 26 meeting and have stated publicly before, I will convene a task force co-chaired with Chairwoman Mederos and including a diverse group of election stakeholders to review the administration of the PPP and the voter experience. Going forward, we have already started to think about how to address the June candidate declaration period should concerns remain regarding social distancing. I look forward to including your organizations in these actions as we prepare for our state's September primary election and November general election.

Letter responding to Common Cause RI, ACLU – RI and League of Women Voters RI
April 7, 2020

As our state's founder Roger Williams said in 1644 "...the sovereign, original and foundation of civil power lies in the people..." Elections are the people's most important tool to participate in our democracy and they must continue regardless of the challenges we face as a state and country. I thank you and your members for always being willing to help us improve and make ours a "more perfect union".

Sincerely,

A handwritten signature in black ink, appearing to read "Nellie M. Gorbea". The signature is fluid and cursive, with a large initial "N" and "G".

Nellie M. Gorbea
Secretary of State

cc. The Honorable Gina M. Raimondo, Governor
Diane C. Mederos, Chairwoman, Board of Elections
Stephen P. Erickson, Vice-Chairman, Board of Elections
Robert Rapoza, Executive Director, Board of Elections
Rob Rock, Director of Elections, Department of State