



LEAGUE OF WOMEN VOTERS®  
O F R H O D E I S L A N D



May 8, 2020

The Honorable Nellie M. Gorbea  
Secretary of State  
State House  
82 Smith Street  
Providence, RI 02903

VIA MAIL AND EMAIL

Chairwoman Diane Mederos  
Rhode Island Board of Elections  
2000 Plainfield Pike  
Cranston, RI 02921

Dear Secretary Gorbea and Chairwoman Mederos:

The ACLU of Rhode Island and the League of Women Voters of Rhode Island appreciate the actions that your agencies have taken to address the COVID-19 crisis for the June 2<sup>nd</sup> Presidential primary. By taking such steps as moving to a predominately mail ballot and eliminating the witness/notary requirements for the casting of such ballots, you have helped ensure that residents of Rhode Island do not need to choose between exercising their fundamental right to vote and protecting their health.

Before you make decisions on how the September primary and the November general election will be held, which we know will also need to be made soon, there is another important upcoming issue that your offices must grapple with: the process that candidates must use to garner the requisite number of signatures in order to qualify for the ballot. We have already received inquiries from a few candidates who, for the same reasons that you have endorsed changes to voting practices for the June primary, are concerned about their ability to collect the necessary signatures in this age of the coronavirus.

Under current law, as you know, signatures must be gathered through one-to-one physical contact. A person collecting and submitting signatures must aver under oath that they were witnessed in his or her presence. While the Governor's strict stay-at-home orders will have been partially lifted by the time of the ballot signature process, there can be no question that there will still be significant restrictions on close contact among individuals, and that this specific election law requirement, which in normal times might not seem that onerous, could be a major obstacle for some candidates. Failure to act will place the health, safety and welfare of some Rhode Islanders – both candidates and interested voters – in jeopardy. We therefore believe it is essential that accommodations be made to address this issue, just as they have been made for June's voting process.

Fortunately, this is an issue that has already cropped up elsewhere and been proactively addressed by executive agencies, legislatures or the courts. A range of solutions has been adopted, including reducing

the number of signatures that must be gathered, authorizing the collection of electronic signatures, and (the least helpful in our view as a stand-alone solution, because it still requires a great deal of non-social distanced contact) extending the time period for collecting signatures. For example, Florida, New Jersey, and Utah have allowed nomination petitions to be signed and verified electronically. New York has reduced the number of signatures required to qualify for the ballot, and Vermont has entirely suspended its signature requirements for elections in 2020. Michigan appears prepared to both authorize electronic signatures and extend the deadline for signature gathering.

Except as noted above, our organizations are not at this point endorsing or not endorsing any particular methods, but we firmly believe it is critical that changes be made and that candidates know sooner rather than later what the process is going to be. Since it appears extremely unlikely that this matter will, or can, be addressed by the General Assembly in a timely fashion, it falls on your agencies to fashion a solution to the situation that can be addressed via executive order, without the necessity of court action. We therefore respectfully ask you to do so in an expeditious fashion.

Thank you in advance for your prompt attention to this, and we look forward to hearing back from you about it at the earliest opportunity.

Sincerely,

Steven Brown, Executive Director  
**American Civil Liberties Union of Rhode Island**  
128 Dorrance Street, Suite 400 – Providence, RI 02903  
sbrown@riaclu.org

Jane W. Koster, President  
**League of Women Voters of Rhode Island**  
One Richmond Square, Suite 220 A-W – Providence, RI 02906  
janewkoster@gmail.com

cc: The Hon. Gina Raimondo, Governor of the State of Rhode Island  
Stephen Erickson, Vice-Chair, Rhode Island Board of Elections  
Rob Rock, Director of Elections, Office of the Secretary of State  
Robert Rapoza, Executive Director, Rhode Island Board of Elections  
Jason Martiesian, Office of the Secretary of State