

December 22, 2011

Mr. Frank J. Rego, Chairman  
Rhode Island Board of Elections  
50 Branch Avenue  
Providence, RI 02904

Dear Chairman Rego:

We are writing this letter out of our deep concern that the Rhode Island Board of Elections has yet to promulgate any rules for implementation of the state's new voter ID law. As you are aware, beginning on January 1<sup>st</sup>, 2012 all voters will be required to present identification at the polls. Given the Board of Elections role in the election administration process in Rhode Island, we find your absence of action to be alarming.

There are a few areas in which we believe the Board of Elections should take immediate action derived from the powers given to the board by R.I.G.L. 17-7-5 (6). First, the Board needs to promulgate rules setting out the types of identification that will be acceptable at the polling place. The statute sets out a number of documents that must be accepted, but leaves it to the Board to adopt a more comprehensive list. Second, rules need to be adopted concerning the training of poll workers with respect to asking for proof of identification. The new Voter ID law specifies no fewer than 13 categories of identification documents that can be used, a significant task for any poll worker. Rules are essential to also help clarify such issues as what constitutes a "valid and current" ID, and to establish a clear process for handling disputes that will inevitably arise about whether certain IDs that are provided by voters meet the statutory criteria. The regulations should also address posting of notices in polling places about the law's requirements so that voters are fully aware of what is required of them.

Additionally, if a voter does not have identification, the poll workers who are under the purview of the Board of Elections will be required to provide voters with provisional ballots. Additional rules regarding the handling of provisional ballots will clearly be necessary, including for the training of local boards who are responsible for conducting the signature check that will be used to validate the provisional ballots. The failure thus far of the Board of Elections to develop those rules could potentially disenfranchise eligible voters, in direct contravention of the statute, if provisional ballots are handled incorrectly.

Although we disagree with several of the provisions, the Secretary of State's office has already finished the Administrative Procedures Act process and issued rules for provision of voting IDs. That the Board of Elections has not even begun the process for the all-important functions mentioned earlier is disconcerting. We ask that you immediately begin this process.

Sincerely,

John Marion  
Executive Director, Common Cause

Steven Brown  
Executive Director, Rhode Island Affiliate, American Civil Liberties Union

Derry Riding  
President, League of Women Voters of Rhode Island

Kate Brewster  
Executive Director, The Poverty Institute

Jim Vincent  
President, NAACP, Providence Branch

Jim Ryczek  
Executive Director, Rhode Island Coalition for the Homeless

Ray Sullivan  
Campaign Director, Marriage Equality Rhode Island

Nick Figueroa  
Chairman, Univocal Legislative Minority Advisory Coalition

Kate Brock  
Executive Director, Ocean State Action