

## **Mi Familia Vota Education Fund Testimony- SOS Rules Hearing, 7.23.2012**

Mi Familia Vota Education Fund is a non-partisan and non-profit organization works within the Hispanic community to educate voters on issues that affect our families and to promote civic participation of the community. One specific focus of our work is with infrequent voters. Our testimony is directed to the proposed rule to not mail ballots to inactive/fail to vote (IFV) voters, many of whom are infrequent, Latino voters.

The Colorado Supreme Court has recognized the right to vote as a fundamental right of the first order, preserving all other rights. Colorado law encourages maximizing access to voting and increased voter participation. According to many sources, failing to mail ballots to inactive/fail to vote voters would disproportionately impact voters within communities of color. We saw this directly from the Denver Elections Division maps prepared in the Fall of 2011. The first map shows the distribution of IFV voter across Denver and the second map shows the distribution of residents by ethnicity across Denver according to the 2010 Census.

If these two maps are overlaid, it is clear that the IFV voters affected by the Secretary's Order are predominantly Hispanics and African-Americans. There is a near direct correlation between those Denver neighborhoods with a Hispanic or African-American population greater than fifty percent and those Denver neighborhoods with IFV voters of thirty percent or greater. In contrast, in Denver neighborhoods with a white population greater than fifty percent, the number of IFV voters is generally twenty percent or less. Accordingly, eligible electors in predominantly Hispanic or African- American neighborhoods have a significantly higher likelihood of being impacted and potentially disenfranchised by the Secretary's proposed rule than eligible electors in predominantly white neighborhoods. Undeniably, a discriminatory result would occur from the Secretary's rule.

Therefore, MFV strongly urges not to disenfranchise Hispanic eligible electors by instating this proposed rule.

Thank you.