



Testimony
of
Melanie L. Campbell, Executive Director and CEO
Submitted for
"Voting Rights Forum: Preserving Democracy - What Went Wrong in Ohio?"
Chaired by
The Honorable John Conyers
Ranking Member, Committee on the Judiciary
U.S. House of Representatives
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Thank you, Congressman Conyers for hosting this forum on "Preserving Our Democracy" to deliberate on what went wrong in Ohio. My name is Melanie L. Campbell, Executive Director and CEO of the National Coalition on Black Civic Participation, Inc. For more than 29 years, the National Coalition has brought together national, state and local organizations to address the disenfranchisement of Black voters. Through our signature programs---*Operation Big Vote*, *Black Youth Vote*, *Black Women's Roundtable*, *Voices of the Electorate* and the *Unity Voter Empowerment Campaign*---the National Coalition trains and engages African American leaders and activists in the best practices to reverse the decline in civic engagement.

The National Coalition has been preparing for the 2004 Election since the 2000 Election debacle when, according to Caltech/MIT, an estimated four million to six million votes were lost, of which 1.5 to three million were lost due to "registration mix ups," including names missing from voter rolls and clerical errors. Further, it has been reported that over 1 million African American votes were left uncounted four years ago.

In January 2001, the National Coalition convened the *Voices of the Electorate Election Reform Task Force* to respond to this tragedy in our nation's democracy, resulting in the creation and institution of the *Know Your Rights/Election Protection (KYREP)* program, many refer to as Election Protection (EP). The National Coalition's primary partners for KYREP include: NAACP LDF, LCCRUL, PFAWF, Common Cause, AFL-CIO, Black Leadership Forum, Congressional Black Caucus Foundation, National Newspaper Publishers Association, National Bar Association, The Advancement Project, National Urban League, NAACP and over 60 other participating organizations.

Over the past 3 years, the Election Protection program has been fine tuned and expanded to assist voters in all 50 states primarily through the Election Protection Hotline, 1-866-OUR-VOTE. The National Coalition partnered with LCCRUL and PFAWF to fund the upgraded EP Hotline in 2004.

The National Coalition also incorporated EP into its *Unity '04 Voter Empowerment Program*. Unity '04 was able to reach an estimated 15 million people through its partnerships with the Tom Joyner Morning Show, Black Entertainment Television, UniverSoul Circus, the National Pan-Hellenic Council, National Urban League, Black Youth Vote, 100 Black Men of America, National Council of Negro Women, Citizen Change, Rock the Vote, The People's Agenda, NAACP National Voter Fund, Citizenship Education Fund, National Black Firefighters, Center for Community Change, Count Every Vote and over 130 participating organizations.

Unity '04's media partners, The Tom Joyner Morning Show, BET and the National Newspaper Publishers' Association, provided significant in-kind support to the EP effort to brand, nationally, the **1-866-OUR-VOTE** hotline, as well as assist in recruiting over 6,000 lawyers to volunteer as legal support for the national and state legal command centers and to serve as poll monitors.

The National Coalition focused the majority of its voter protection field efforts in 14 primary states including Alabama, Arkansas, Florida, Georgia, Illinois, Louisiana, Michigan, Mississippi, Missouri, North Carolina, Ohio, Pennsylvania, Texas and Wisconsin.

WHAT HAPPENED IN THE 2004 ELECTION?

The National Coalition and its partners were concerned that the 2004 Election would be a repeat of the 2000 Election. This concern was not unfounded, as we are all aware in this proceeding, that the Help America Vote Act of 2002 was never fully funded and states were given too many loop holes to "opt out" of implementing key elements of the bill including establishing statewide databases of registered voters. We witnessed discriminatory distribution of voting equipment in minority communities or voting machines malfunctioning or not functioning at all. Indeed 2004 was a mirror image of 2000—disenfranchising millions of voters.

The National Coalition learned early in the year, that our fears that the provisional ballot would be the sleeper issue to further disenfranchise voters were not unfounded as the 2004 Election cycle unfolded in the primary elections. While provisional voting was designed to ensure that no voter would be turned away without casting a ballot, HAVA left it up to state law to determine what constitutes a valid provisional ballot and whose votes will be counted. This fail-safe measure to protect voters was an illusion.

In too many cases, provisional ballots only amounted to providing many voters with a feel good measure by poll workers who were too overwhelmed by the unprecedented turnout in the Black community to provide voters with the information on where their correct precinct was located. This was substantiated by the EP Hotlines that received over 50,000 poll locator calls alone.

What Happened in Ohio? CONFUSION.....

The Ohio Coalition on Black Civic Participation established the Ohio Election Protection Coalition (OEP). The OEP was led by Ms. Petee Tally in Columbus, Ohio. The coalition partners included the Ohio Conference NAACP, Ohio APRI, Ohio CBTU, Ohio League of Women Voters, Coalition of Labor Union Women, Ohio Alliance for Retired Americans and Columbus Urban League-Young Professionals Association, Project Vote, the Advancement Project, America's Families United, Coalition on Homelessness and Housing in Ohio, People for the American Way Foundation and the Lawyers Committee for Civil Rights Under Law.

Our Ohio EP field operations focused in the major urban centers of Akron-Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo and Warren-Youngstown.

What Happened in Ohio? Simple stated—confusion, confusion, confusion. The National Coalition believes that the confusion voters faced in Ohio was in itself an act of voter suppression whether it was intentional, as many have charged against the Ohio Secretary of State Kenneth Blackwell, or unintentional, with poll workers being untrained, giving bad information to voters or minority precincts having machines breakdown or not having enough machines for high voting precincts. Ohio indeed in many ways mirrored the Florida debacle of 2000.

The Ohio Election Protection Coalition reported that the voter problems in Ohio proved to be a significant factor in the casting and counting of votes in Ohio. We saw everything from a last minute change in provisional voting law, giving voters affected by late absentee ballots the right to cast provisional ballots, to long lines at polls, causing some voters to leave without casting their vote.

On Election Day, Judge David Katz shocked the electorate when he issued a court order giving all Ohio voters who requested but did not receive absentee ballots, the right to cast provisional ballots at their polling places.

The Ohio Coalition's media efforts prior to and on Election Day were key to helping to inform voters of the constant change in Ohio Election Law that continued throughout the weeks leading up to and including Election Day.

The Unity '04/Election Protection Hotline 1-866-OUR-VOTE received over 17,000 calls from Ohio voters needing assistance with a significant amount of them needing help finding their polling place. Further, the National Coalition collaborated with Common Cause Education Fund, the Reform Institute and others on an additional national voter information hotline---**1-866-MYVOTE1**, which received over 2200 calls in Ohio.

MYVOTE1 reported that “voters in Franklin County Ohio encountered long lines at polling places as well as reported precincts that did not have enough voting machines in minority precincts and confusion over polling place locations.”

The Ohio Election Protection Coalition poll monitors in Cuyahoga, Summit and Franklin counties reported extremely long lines on Election Day. Due to electronic voting machines breaking down or an insufficient number of machines, voters reported waiting for 3 hours or more to cast their vote. Many voters left the polling sites without voting. In Youngstown, Ohio, a voter waited three hours to vote while in other parts of the state poll workers gave voters 5 minute time limits on how long people can take to cast their votes. In Mahoning County there were machine breakdowns and misrecordings that caused voters to incorrectly cast votes for a candidate that was not their intended choice.

These problems and many others you will here today from others reflect the need for the federal, state and local government to continue the process of reforming our election system. The Ohio Coalition on Black Civic Participation will be continuing to work on reform in the state of Ohio and plans to call on the state legislature to correct the flaws in the Ohio election system.

With all the challenges and obstacles voters faced in Ohio and all across the country, the good news we celebrate today is that young people voted in record numbers with over 4.6 million more voters under 30 casting their ballot. We celebrate the fact that the non-profit community filled in the gap to help voters know their rights and protect their rights where our government failed to reform the system they promised to correct. We celebrate the spirit of our democracy when voters stood in lines for hours without being deterred, determined to have their vote and their voice heard.

I believe our nation is at a cross roads and that those who believe in the power of collective organizing will continue to find ways to build even stronger coalitions to educate, inform, motivate and agitate on a national, state and local level, until our election system is brought to its full potential guaranteeing it is fair, inclusive and free of barriers to participation for all Americans.

Thank you, again, for this opportunity for the National Coalition to participate in these significant proceedings today.

For more information on the National Coalition on Black Civic Participation please visit our website @ www.bigvote.org.

