



Honorable Mac R. Fisher
Riverside County Superior Court, Department 6
4050 Main St
Riverside, CA 92501

July 4, 2010

**Re: Riverside County Democratic Central Committee, et al., v. Barbara Dunmore,
Riverside Superior Court Case # RIC10012986**

Dear Judge Fisher,

The League of Women Voters of Northwest Riverside County (LWVNRC) writes in support of the petitioners in their lawsuit versus Barbara Dunmore, Riverside County's Registrar of Voters.

We firmly believe that all 12,563 sorted ballots that remained at the Moreno Valley Post Office on June 8, 2010, past the Registrar's deadline of 8:00 pm, should be counted and all legitimate votes added to the final tally.

The League of Women Voters is a nonpartisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. As a nonpartisan organization, we neither support nor oppose candidates; we do, however, advocate in support of public policy positions adopted after study.

League members have a great interest in this case. Founded by activists who secured voting rights for women, the League has worked for 90 years to promote the values and processes of representative government. Clearly, the right to vote is at the heart of our system of self-governance and must be inclusive, efficient and trusted.

Also, in 2002 the League of Women Voters of California and its local Leagues were major proponents of Proposition 43 - Right to Have Vote Counted. The constitutional amendment, which passed by a large margin, explicitly authorizes county elections officials to ask the court for an extension of a post-election deadline to allow additional time to count votes and explicitly authorizes courts to approve such a request.

In 2002, League members and California voters feared a repeat of the confusion surrounding the 2000 Presidential Election re-count in Florida, wherein thousands of

votes were not counted because a recount could not be completed by a deadline. This constitutional amendment is our safeguard to assure adequate time is allotted to guarantee the inclusion of all validly cast votes.

However, it is important to note that there are few similarities between this case and other controversial election outcomes in the recent past. No new voting methods are involved, nor were there lack of adequate voting instructions, or the arduous task of trying to determine the intent of the voter after the fact.

In this case, 12,563 citizens simply intended to vote and did so in good faith and in a timely fashion. But, because of a stated 'miscommunication' between the Moreno Valley Post Office and Riverside County's Registrar of Voters (ROV), these citizens may be denied participation in the election's outcome.

LWVNRC would suggest that these voters should not be disenfranchised because of an administrative error that occurred between two government agencies on or before Election Day.

Administrative errors are a fact of life; memos are overlooked, files are misplaced, telephone and email messages are misdirected and so on. In some instances, deadlines may consequently be missed. But in most cases, the problem is addressed, corrections are made and the projects go forward until they are completed.

This administrative error or 'miscommunication' can be easily remedied by allowing adequate time for the neglected 12,563 votes to be counted and the work of the ROV to be completed.

On the local level, much of League's time is spent addressing its original goals - educate voters, encourage them to register and vote. We fear if voters cannot trust the integrity of the final step, they will become cynical and apathetic, eventually choosing not to vote because they suspect their vote may not be counted. If that were to be the case, the foundation of our representative democracy would be at risk.

In support of the petitioners, LWVNRC respectfully submits that the court direct the ROV to correct any errors prior to election day, instruct the ROV to count the neglected votes and provide adequate time for the process to be properly completed.

Thank you for your attention,

Joan Donahue, President
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