17A. 7/821—1.3(7) Petition for Modification/Amendment to Rule 821-2.16 (47, 48A)—Form of Official Iowa Voter Registration Application

Filed with:	Voter Registration Commission c/o State Registrar of Voters Iowa Secretary of State's Office 321 E. 12th St. Des Moines, Iowa 50319
Date:	October 30, 2013

Dear Commissioners:

On behalf of the League of Women Voters of Iowa and the ACLU of Iowa, please accept this petition pursuant to Iowa Code Sect. 17A.7 and Iowa Admin. R. 821—1.3(7). We respectfully request modification/amendment to the existing rule 821—2.16 ("Form of Official Iowa Voter Registration Application").

Iowa Code Sect. 47.8(2) confers jurisdiction over the subject matter of this petition to the commission.

1. **Question 3 is confusing voters and should be deleted.**

There is a serious problem with Question 3 at the top of the new voter form, in the newly created "Qualifications" box. In registering voters, the League of Women Voters of Iowa has found that qualified voters are marking "No" to the question, "If you have previously been convicted of a felony, Have your rights been restored," thereby inadvertently and incorrectly indicating they are not qualified to vote when they are qualified. We understand from correspondence with the Secretary of State's office that county auditors have also brought the problem to the attention of the Secretary of State.

In bringing this matter to the attention of the Secretary of State, we were reassured to learn that registration of voters who had erroneously marked "No" to question 3, but who were either (1) qualified electors without felony convictions, or (2) Iowans with convictions whose rights had been restored, were still being processed. It was explained by the Secretary of State's office that an automated process is already in place to verify voter registrations against a statewide list of individuals with felony convictions whose right to vote has not been restored. Unless a voter was flagged by that system, their registration was processed.

It is important to mention how much we have appreciated the Secretary of State's efforts to protect voters while the current form is in use.

In light of this information regarding the automated cross check with the unqualified felon list, it appears that there is no utility provided by the additional inquiry into a voter's criminal history. Given that the various iterations of this inquiry confuse legitimate voters unnecessarily, question 3 should be deleted in its entirety.

In order to advise Iowans that a person is disqualified from voting after a felony conviction unless their rights have been restored by an Iowa Governor, we find that it is sufficient that the Registrant Affidavit section requires voters to affirm under penalty of perjury that they have not been convicted of a felony or have received a restoration of rights.

However, if the Commission prefers to further advise Iowans of this fact, a simple statement near the qualifications box, rather than a question, would be more appropriate to avoid confusing voters. An example of suitable phrasing would be the following: "In Iowa, you are not qualified to vote if you have been convicted of a felony without first receiving a restoration of the right to vote. You may apply to the Governor to restore your voting rights."

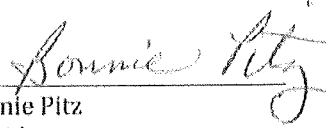2. **Font size should be made uniform and legible.**

Additionally, in registering people to vote, the League of Women Voters of Iowa has found that the smaller text throughout is not legible to some voters. Therefore, we also ask that the Commission make all font uniform and legible in size.

We believe these changes will clarify the voter registration form and protect access to voter registration in the state of Iowa.

Thank you for your consideration of this petition.

Sincerely,

/s/Rita Bettis
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