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## **Citizens Groups Praise Federal Court Ruling; Say Washington Voters Will Be Spared Disqualification on Account of Misspelled Names or Typos**

SEATTLE, WA—After a federal court in Seattle blocked implementation of a controversial new state election law, a coalition of citizens and groups emphasized the potential damage that had been averted.

The challenged law (RCW 29A.08.107) would have barred citizens from voting this fall unless the Secretary of State first succeeded in electronically matching personal data on a registration application – name, date of birth, and a driver’s license or Social Security number – with existing government databases. Now that the “no match, no vote” law has been enjoined, Washington citizens will be able to register to vote as they had for years, without fear of arbitrary mistakes in the matching process.

U.S. District Court Judge Ricardo S. Martinez wrote in his August 1 opinion that the state “failed to demonstrate how an error or omission that prevents Washington state from matching an applicant’s information is material in determining whether that person is qualified to vote.”

“Judge Martinez recognized that under federal law, mistakes or inconsistencies by officials – at whatever level and despite their best intentions – must not be allowed to get in the way of a citizen’s ability to vote,” said Clare Crawford, Regional Field Director for the Association of Community Organizations for Reform Now (“ACORN”), a plaintiff in the suit.

“This is a major victory for Washington citizens,” said Reverend John Boonstra, Executive Minister of Washington Association of Churches. “Judge Martinez’s ruling means that state and county officials can register eligible voters without facing unnecessary roadblocks.”

The lawsuit uncovered the fact that under the “no match, no vote” law, 16% of the state’s applicants were placed in “pending” status due to a failed match, and were unable to vote until the discrepancy was resolved. In King County, the failed match rate was 30%.

County officials were able to address many of the failed matches, but could not resolve them all. One eligible voter’s application was denied because her birth date was entered as 1976 instead of 1975. Another application was denied because the citizen’s married name was used in one database, while her maiden name was used in another.

“The judge’s decision removes a hurdle standing in the way of citizens trying to register,” said Justin Levitt, of the Brennan Center for Justice at NYU School of Law, who represent the plaintiffs. “This preserves the integrity of Washington’s new registration system, by making sure that if you’re eligible to vote, you’re able to make it onto the rolls.”

“Now, citizens in our community can register without worrying about a hiccup from an imperfect matching process,” said Alaric Bien, Executive Director of the Chinese Information & Service Center. “This decision allows Secretary Reed to deliver on his promise to improve the election process for every eligible citizen.”

Paul, Weiss, Rifkind, Wharton & Garrison LLP, based in New York City, and Hillis Clark Martin & Peterson, based in Seattle, also represent plaintiffs as pro bono co-counsel. “This decision represents a critical victory, in Washington and beyond,” said Robert A. Atkins, leader of the Paul Weiss team, who argued the case in court. “It is one of a new generation of cases confirming that courts will look closely at election rules that unnecessarily burden the rights of voters. It’s an important precedent for voters anywhere in the country.”

The coalition of plaintiffs include: the Washington Association of Churches, Washington Association of Community Organizations for Reform Now (“ACORN”), Service Employees International Union, Local 775 (“SEIU”), Washington Citizen Action, Organization of Chinese-Americans (Greater Seattle Chapter), Chinese Information and Service Center, Korean American Voters Alliance, and Filipino American Political Action Group of Washington.

The Brennan Center for Justice at NYU School of Law works to ensure adoption of practical election procedures that foster full and equal political participation. In March, the Center published *Making the List*, an unprecedented survey of new voter registration programs adopted by the states in accordance with federal mandates under the Help America Vote Act. *Making the List* offers the first and still only review of state matching protocols such as the system challenged in Washington.

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