

A DECLARATION OF CRISIS

OCTOBER 2007

A CALL TO ACT NOW TO SAVE OUR UNITED STATES

AMERICAN PEOPLES' CONGRESS

THE VOTERS' BILL OF RIGHTS

From unreliable electronic voting machines and millions of uncounted ballots, to partisan election officials and 10 hour waits at the polls, it's clear our electoral system is in dire need of an overhaul. To build a more just, secure and robust democracy, support the following 10-point **Voters' Bill of Rights**:

1. Eliminate Rigged Voting Mechanisms — Hand Counted Hard Copy Paper Ballots are Most Reliable

It's demonstrated indisputably that no type of voting machine produced is "tamper-proof." All mechanisms available today can be rigged, whether lever voting machines, computerized electronic machines, optical scan devices, even systems that offer "paper trail receipts" reflecting your vote as cast but which can actually vote for the other candidate in the tally — the final vote count. The only real tamper-proof system is voting by paper ballots with votes physically marked by the voter, and those votes tallied counted by hand with non-partisan oversight conducted under oath with federal penalties for misconduct in the election vote counting. Hand counted paper ballots protect our elections.

This must be our national standard for democracy.

2. Replace Partisan Oversight with Non-Partisan Election Commissions

It's time to overhaul our federal, state, and local election agencies to guarantee fair elections. We must replace the current system of partisan election administration, in which partisan secretaries of state, county clerks, election commissioners, and other partisan officials are able to issue rulings that favor their own political parties and themselves, with a non-partisan, independent system of running elections. We must end the practice of

contracting out fundamental election functions, such as the maintenance of voter lists, to private corporations. We must also insure that independent international and domestic election observers are given full access to monitor our elections.

3. Celebrate Democracy: Make Election Day a National Holiday

People should not be forced to choose between exercising their right to vote and getting to work on time. While the laws of 30 states guarantee the right to take time off from work to vote, many workers and employers are unaware of these laws. Holding national elections on a national holiday will greatly increase the number of available poll workers and polling places and increase overall turnout, while making it much easier for working Americans to go to the polls. Election Day is already a holiday in Puerto Rico in presidential election years, and many Puerto Ricans celebrate and make Election Day a fun and festive party with a purpose. It's time for the United States to follow Puerto Rico's lead.

4. Make it Easier to Vote

Many citizens are discouraged from voting by unnecessary bureaucratic hurdles and restrictions. We must simplify and rationalize voter registration so that no one is again disenfranchised for failing to check a superfluous box, as occurred in Florida, or for not using heavy enough paper, as nearly occurred in Ohio. We must require voter registrars to sign affidavits promising to submit any registrations in their possession in a timely manner. We must eliminate police intimidation, language, physical disability, extra-legal requirements of personal identification, and other barriers to voting. To ensure that all qualified voters are able to vote, we must follow the lead of states like Minnesota and Wisconsin by replacing restrictive voter residency requirements with same-day voter registration, allowing qualified voters to register at the polls on Election Day itself.

Our current system forces millions of voters to wait up to 10 hours to vote. This is unacceptable, and it disenfranchises those who cannot afford to wait. To increase access to the polls, all states must provide sufficient funding for enough early voting and election day polling places to guarantee smooth and speedy voting. To ensure equal access and minimize the wait at the polls,

election authorities must allocate resources based upon the number of potential voters per precinct. We must put an end to the government-backed practice of allowing partisan activists to challenge the voting rights of individual voters at the polls. Instead, the government must invest in campaigns designed to educate voters about how they can exercise and protect their right to vote.

5. Count Every Vote!

Voters must know that their vote will count and make a difference. Every recent presidential election has been marred by the discounting millions of spoiled, under-vote, over-vote, provisional and absentee ballots. This discounting of votes has disproportionately impacted people of color, especially African Americans, and is a fundamental voting rights and racial justice problem. Election officials must ensure that every voting precinct and wards is adequately staffed with sufficiently trained personnel and professional supervision; that old and unreliable voting machines are done away with; that absentee ballots are mailed with a sufficient time for delivery; that all ballots, including provisional ballots, are counted; and that provisional ballots count for statewide and federal contests regardless of where the vote is cast. Election officials should wait until after any recounts have been completed to provide final certification of election results.

6. Re-Enfranchise Ex-Felons & Non-Felons

The permanent disenfranchisement of former felons, a practice that falls outside of international or even U.S. norms, is an unreasonable and dangerous penalty that weakens our democracy by creating a subclass of four million excluded American citizens. The practice has also been used to purge voter lists of hundreds of thousands of citizens never convicted of any felony. Because the criminal justice system disproportionately penalizes African American males, this disenfranchisement is racist in its impact and is constitutionally suspect. Those states that permanently disenfranchise felons (Florida, Virginia, Nebraska, Mississippi, Kentucky, Iowa, Alabama, and Arizona) must amend their laws and practices to restore full citizenship to ex-offenders.

7. IMPLEMENT INSTANT RUN-OFF VOTING (IRV) AND PROPORTIONAL REPRESENTATION (PR)

We must replace our current “first-past-the-post” system with Instant Run-off Voting (IRV). Unlike our current system, which forces voters to reject

their preferred candidate in favor of a “lesser evil” who may have a better chance of defeating the candidate they most fear, IRV allows them to choose both. In this way, it eliminates the so-called “spoiler” and “wasted vote” effects and gives voters a more democratic set of choices. Under IRV, voters simply rank candidates in order of their preference (first, second, etc.). If a candidate wins a majority of first choice votes, that candidate is the winner. If no candidate gets a majority of first choices, the lowest vote-getting candidate is eliminated, and his/her votes are given to the candidates whom the supporters of the eliminated candidate chose as their second option. Counting continues until one candidate has received a majority. IRV therefore not only allows voters to voice their real preferences; it also ensures that the will of the true majority, not a mere plurality, produces the winner of each election. In addition, IRV makes it possible to conduct the runoff count without the need for a separate and expensive runoff election. Instant Runoff Voting is used successfully around the world, including Ireland, Australia, and most recently, San Francisco.

The right of representation belongs to all citizens. Our winner-take-all elections award representation to the largest factions and leave everyone else, often the majority, unrepresented. The winner-take-all system unnecessarily restricts choice, polarizes politics and limits political discourse. We must adopt Proportional Representation (PR) for legislative elections to ensure the fair representation of all voters. Millions of Democrats in Republican areas and Republicans in Democratic areas are unrepresented in our system, and the majority of Greens, Libertarians, and other independents are unrepresented at all levels of government. Our system should provide fair representation to all voters, in proportion to their numbers.

8. Replace Big Money Control with Public Financing & Equal Air-Time

In a system where the amount of money a candidate spends is directly related to their likelihood of winning, it is not surprising that voters think politicians are more concerned with big campaign contributors than with individual voters. We must follow Maine’s lead by establishing a nationwide system of full public financing for all ballot-qualified candidates. We must require the broadcasting corporations that license our public airwaves to provide air time for debates, and free time for all ballot-qualified candidates and parties.

9. Guarantee Equal Access to the Ballot and Debates

In our current electoral system, independent parties such as the Greens and Libertarians face a host of barriers designed to limit voter choice and voice. Ballot access laws and debates specifically designed to exclude independent party candidates discourage voting and undermine the legitimacy of our elections. In most cases, the established parties have never themselves met the signature requirements they impose on independent parties. We must eliminate prohibitive ballot access requirements, and replace the partisan Commission on Presidential Debates with a non-partisan Citizens Debate Commission.


10. Abolish the Electoral College and Enact Statehood for the District of Columbia

It is time to end the safe state/battleground state dichotomy and make all votes equal, no matter the state of the voter. We must amend the Federal Constitution to replace election of the President by the Electoral College with direct election by the voters. At the same time, for so long as the Electoral College persists, we must amend our state laws and constitutions to allocate each state's electors proportionately to the popular vote.

It's also time to end the disenfranchisement of the over half million Americans who reside in the District of Columbia. DC residents deserve the same political rights enjoyed by citizens of our nation's fifty states, namely full voting representation in both houses of the U.S. Congress, as well as legislative, budgetary, and judicial sovereignty. Washington D.C. is the only existing majority African American federal jurisdiction, and the denial of DC voting rights is thus inherently racist. Furthermore, the denial of DC voting rights can't be defended on the basis of population size; the majority white State of Wyoming has a smaller population. It's time to grant statehood to the District of Columbia.

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