

Lukens column: Voter suppression, Oregon style

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Oregon is a shining beacon of voter inclusion and empowerment. Or so we're supposed to believe.

True enough, the state pioneered vote-by-mail, which has allowed us to vote from our kitchen tables. It surged ahead with a "motor voter" system that registers people to vote whether they want to be registered or not. There's even [a push in Salem](#) to eliminate that barrier to voting commonly referred to as a postage stamp.

If voting in Oregon were any easier, we'd do it in our sleep.

But even as state policymakers, particularly Democrats, baste themselves ritually with praise for their participatory inclusiveness, the Legislature's majority party has tried to engineer an act of voter suppression so brazen and so hypocritical, it should be served up to anyone who questions the maxim about absolute power corrupting absolutely.

The previous paragraph isn't particularly subtle. But it's more subtle than [Senate Bill 761](#), which has metastasized in the Senate Committee on Rules with the complicity of committee chair and Senate Majority Leader Ginny Burdick, D-Portland.

The bill involves what are known as e-sheets, or electronic sheets, for initiative and referendum petitions. Traditionally, voters have signed petitions at the urging of signature gatherers, who tend to brandish their clipboards in high-traffic public areas. If you visit Bend's downtown library regularly, you've run into them.

A [2007 law](#) made signing a petition much easier by allowing the use of e-sheets, which can be downloaded from the internet, printed and signed at home and returned in the mail. Signatures on such sheets are verified just as those on traditional petitions are, effectively preventing fraud. The validity rate of e-sheets, at 98%, exceeded that of regular sheets by 12 percentage points in 2018. In [testimony submitted in opposition](#) to SB 761, Andrea Chiapella, legislative director of the Secretary of State's Office, shared these numbers and told the rules committee that her office is "not aware of any abuses."

So let's take stock. Fraud isn't an issue. And, as Chiapella wrote Monday, e-sheets expand "the ability to participate in the petition process, particularly if a person lives in a rural community or is home bound." What problem, then, is crying to be solved here?

Initially, the supposed problem was a set of rules adopted under the tenure of former Secretary of State [Jeanne Atkins](#), a fundamentally nonpartisan soul (wink, wink) who chaired the Oregon Democratic Party upon leaving the secretary of state's office. These rules govern the distribution of e-sheets within newsletters and the like. Rather than downloading and printing an e-sheet, a registered voter could simply tear out the one included in, say, [Today's OEA](#), a magazine regularly distributed to thousands of people by the state teachers union, the Oregon Education Association.

This example isn't hypothetical. The teachers union did distribute [a signature sheet for the](#)

[petition](#) that became Measure 97 in the spring 2016 edition of Today's OEA. Measure 97, which would have imposed a massive gross-receipts tax, went down in flames.

The newsletter rules adopted under Atkins' watch were not considered a problem by either of her successors, Republicans Dennis Richardson and Bev Clarno. Surprisingly, though, they are now a big problem for ... the OEA! Testifying in support of SB 761 on March 13, the OEA's Kelli Horvath claimed the union's own mass distribution of e-sheets "showed us the concerns and opportunity to really abuse the system." Never mind the facts presented by the Secretary of State's Office, which completely contradict Horvath's vague claim.

It couldn't have been more clear even in March that the real "problem" addressed by SB 761 is the very distribution model that helped the OEA three years ago. Sending out zillions of preprinted signature sheets was great when the OEA stood to gain. But it isn't now that an overwhelmingly Democratic Legislature, elected with public employee union support, is doing things to which voters might object. Especially those rural voters who aren't likely to run across a signature gatherer.

Dan Meek, representing the Oregon Progressive Party, was right two months ago to call the bill ["the epitome of voter suppression."](#)

But Burdick's committee was just getting started.

On Monday, the rules committee held a public hearing on an amendment to SB 761 that would prohibit the use of all e-sheets until 2023, even those printed out and signed by individual voters. The OEA, naturally, sang the amendment's praises, and this time Horvath was joined by representatives from fellow union heavyweights SEIU and AFSCME.

Good-government groups and members of other parties objected vehemently. In submitted testimony, the League of Women Voters said the proposal "is reminiscent of poll taxes." Sal Peralta of the Independent Party called it a "highly cynical political maneuver intended to make it harder for initiative petitions to qualify for the ballot."

As for the timing of the amendment, Sen. Brian Boquist, R-Dallas, observed that the four-year e-sheet hiatus was proposed "just after a revenue bill has passed." That bill, dubbed the "Student Success Act," is a scaled-back version of the gross-receipts tax for which the OEA rounded up support three years ago by distributing signature sheets in its magazine. Now that some people are making noises about sending Measure 97 Lite to the ballot, the union and its allies in the Legislature seek to kill not only newsletter distribution of e-sheets, but e-sheets themselves.

It's a dubious credit to Burdick and her Democratic colleagues on the rules committee that they have enabled, even supported, such hypocrisy without blushing.

Even if SB 761's legislative journey ends now, as it should, the fact that such a hypocritical push to suppress voters progressed as far as it did should fill fair-minded Oregonians with disgust.

— Erik Lukens is editor of The Bulletin.