

**STATE OF COLORADO**  
**Department of State**

1700 Broadway  
Suite 200  
Denver, CO 80290

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**Wayne W. Williams**  
Secretary of State

**Suzanne Staiert**  
Deputy Secretary of State

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October 3, 2018

D. Eric Lycan  
Dinsmore & Shohl  
Lexington Financial Center  
250 W. Main Street, Suite 1400  
Lexington, KY 40507

**Re: *BeRegistered's voter registration activities in Colorado***

Dear Mr. Lycan:

I write to express frustration and disappointment with BeRegistered's voter registration efforts in Colorado, and to ask that you take steps to avoid confusing already-registered voters in this state.

Colorado boasts one of the highest voter-registration rates in the nation. That success is partly attributable to thoughtful efforts by private organizations to register eligible voters, so we appreciate BeRegistered's shared interest in voter registration. But since your client's mailers hit Coloradoans' mailboxes recently, our office has received a concerning number of inquiries from current voters who, having received the mailer, now question their registration status. Confusing voters is a problem any time of the year. When it happens just before a major federal election, it's unacceptable.

I know that members of our Elections Division have communicated with you about the issues we identified, most notably the fact that the mailer appears to have gone to many already-registered voters—including at least one member of our elections staff. I also understand that BeRegistered intends to send additional follow-up mail pieces to each person who received the original, regardless of whether that person either (1) responded to the original, or (2) is already registered. Our office is concerned by this proposed conduct because it will lead to additional voter confusion.

In order to limit confusion for Colorado voters, I ask that BeRegistered take the following steps:

- (1) Compare your vendor's mailing list with our state's most recent public voter file and remove all registered voters before sending follow-up mail pieces; and
- (2) Amend or eliminate the final mail piece titled "Time is Running Out," to avoid the incorrect impression that there is a registration deadline in Colorado—there is not.

Our goal is to provide accurate, reliable, and helpful information to voters so that they can exercise their right to vote. I look forward to hearing from you about the steps BeRegistered will take to help achieve that goal.

Regards,

Suzanne Staiert  
Deputy Secretary