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TO: President Wagner; Pro Tem. Manning, Dem. Leader Lieber, Rep. Leader Knopp, Speaker Rayfield, Speaker Pro Tem. Holvey, Dem. Leader Fahey, and Rep. Leader Breese Iverson

CC: Oregon State Legislators and Staff

Re: 2023 Protect Our Democracy Agenda

Dear Legislators,

We live in challenging times, and you will be asked to tackle a multitude of problems during the next legislative session. My mission as Oregon's Secretary of State is to build trust between the people of Oregon and state government so public services can make a positive difference in peoples' everyday lives. Building trust is as important now as ever, and the rising tide of anti-democracy forces in this country erodes trust and threatens our freedoms.

Today I am sending you my 2023 Protect Our Democracy agenda, which calls for targeted investments in how we run elections to ensure that they remain free, fair and secure. As you weigh your choices and decide which priorities to focus on this legislative session, please remember that without investments in our elections, we will not have the necessary public trust to address the challenges that Oregonians face today. This agenda is not in competition with other priorities; it is foundational to them.

Over the last two years, 21 states<sup>i</sup> have passed laws restricting our most fundamental political right — the right to vote. Seven states<sup>ii</sup> have passed election interference laws that open the door to partisan tampering in elections or threaten the functions of election administration. Today, about six-in-ten adults say they are not satisfied with the way democracy is working in America.<sup>iii</sup> This erosion of trust presents a serious threat. I will remind you that we are just two years removed from a violent insurrection in our nation's capital, in which seven people lost their lives.

Despite these headwinds, trust and participation in Oregon's elections remains high. Nearly 70% of Oregonians report confidence in how our elections are conducted,<sup>iv</sup> and Oregon's turnout numbers from the 2022 General Election lead the nation.<sup>v</sup>

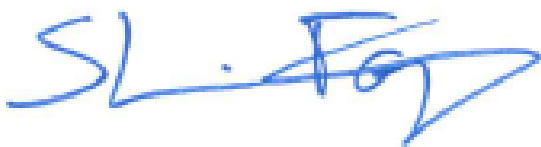
Oregonians are voters! Anti-democracy forces haven't changed that, in large part thanks to the pro-democracy laws we have passed with bipartisan support over the last forty years, starting with Vote by Mail and continuing through the Election Worker Protection Act of 2022. Many of the laws first

championed in Oregon — laws that were crafted and supported by many of you — have spread throughout the country, strengthening U.S. democracy from Vermont to California.

Of course, we are not immune to the problems faced by elections administrators around the country. False information, unfounded lawsuits based on conspiracy theories, and the erosion of trust remain challenges in Oregon. But thanks to our history of pro-democracy policy, we can lead by showing the rest of the country a better way forward.

Now is the time to reinforce what works well in Oregon elections, while investing to make needed improvements before the 2024 election. In the 2023 Legislative Session, I am once again calling on you to lead and prioritize critical investments in our democracy. I thank you for your support.

Sincerely,



Oregon Secretary of State Shemia Fagan

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<sup>i</sup> Brennan Center, Voting Laws Roundup: October 2022, accessed December 28 <https://www.brennancenter.org/our-work/research-reports/voting-laws-roundup-october-2022> and Voting Laws Roundup: December 2021, accessed December 28, <https://www.brennancenter.org/our-work/research-reports/voting-laws-roundup-december-2021>

<sup>ii</sup> Ibid

<sup>iii</sup> Pew Research, On July Fourth, how Americans see their country and their democracy, accessed December 28 <https://www.pewresearch.org/fact-tank/2022/06/30/how-americans-see-their-country-and-their-democracy/>

<sup>iv</sup> The 2120 Initiative, Perceptions of Elections + Voting Rights in the Pacific Northwest, accessed December 28 <https://static1.squarespace.com/static/5f302b311b5ab20990978415/t/6362fb4122bd0adb334cba/1667431421268/Elections+%2B+Voting+Rights+in+the+PNW+Nov.+2022.pdf>

<sup>v</sup> Oregonian, Oregon voter turnout improved slightly in the fall election, ranks tops in nation for now, accessed December 28 <https://www.oregonlive.com/politics/2022/12/oregon-voter-turnout-improved-slightly-in-the-fall-election-ranks-tops-in-nation-for-now.html>



## **2023 Protect Our Democracy Agenda**

### **Investing in Free, Fair and Secure Elections – SOS Budget & SB 165**

Election systems are critical infrastructure, but we don't fund them like critical infrastructure. This year, we are asking the Legislature to fund investments in the Oregon Elections Division to increase staff in our investigations unit, improve oversight of voting systems, increase capacity and coordination in public records, and combat false election information. These requests are part of the Oregon Secretary of State's budget request.

SB 165 will begin to address funding deficiencies at the county level. Over the years, local elections offices have relied on county funding and unpredictable federal funding to operate. There has been little state-level leadership in providing stable funding at the local level – even while state-level laws have dramatically increased the complexity of local operations.

SB 165 would initiate a study to determine funding needs at the local level and lay the groundwork for recommendations in a future legislative session.

### **Expanding Access to Our Democracy – HB 2107 & LC #2862**

Oregon's Motor Voter law continues to modernize voter registration in Oregon by providing a secure, simple and convenient way for more Oregonians to become registered voters. Since the law took effect in 2016, we've added almost 1 million eligible voters to the registration lists.

HB 2107 would build on the success of Motor Voter by expanding automatic voter registration to the Oregon Health Authority. Approximately 171,000 people on the Oregon Health Plan are eligible to vote but are not registered. This measure would provide them with a secure and simple option to become registered. The bill also includes a pilot project with the Oregon Department of Corrections to test automatic voter registration for adults in custody when they are released and regain the right to vote.

LC #2862 will also expand access to our democracy by increasing the number of available languages for the State Voters' Pamphlet. We are proposing adding Traditional Chinese, Khmer, Mien, Romanian and Somali to ensure the communities who speak those languages can participate in our democracy.

### **Election Security – SB 166**

Democracy is built on trust. That trust has eroded, and restoring it is a top priority. But we can't just ask for trust. We must demonstrate it. We must earn it.

SB 166 includes 3 pillars for security that will help restore public trust in our elections systems. First, it affirms the right to vote a secret ballot. Second, it increases penalties for threatening or harassing an elections worker. Third, it improves election security at the local level by requiring local security plans to be consistent with best practices, including physical and cyber security, and provides the Oregon Elections Division with the necessary time to evaluate the threat environment counties face.

### **Successful Implementation of Campaign Finance Reform**

Campaign finance reform is an ongoing statewide discussion and has been introduced in many variations over the years. Oregonians have said time and time again they want campaign finance reform. I support it.

We don't know when reform will pass or exactly what it will look like. One thing we do know is that Oregonians don't just want reform to pass — they want the reform to work. That requires successful implementation at the Oregon Elections Division. So, part of my agenda is ensuring that campaign finance reform considers the resources, infrastructure, and staff needed in the Oregon Elections Division to successfully implement change.

### **Updates to Election Laws – SB 167**

The Oregon Association of County Clerks and the Oregon Elections Division have identified important technical fixes that will ensure the proper implementation of state election laws.