

July 12, 2021

The Honorable Charles Schumer  
Majority Leader  
United States Senate  
322 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable Mitch McConnell  
Minority Leader  
United States Senate  
317 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Richard Durbin  
Chairman, Committee on the Judiciary  
United States Senate  
711 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable Charles Grassley  
Ranking Member, Committee on the Judiciary  
United States Senate  
135 Hart Senate Office Building  
Washington, D.C. 20510

Dear Majority Leader Schumer, Minority Leader McConnell, Chairman Durbin, and Ranking Member Grassley:

I am the Director for the Division of Elections at the Colorado Department of State and have worked closely with and for Republican and Democratic Secretaries of State. I also serve on the executive board for the University of Minnesota's Humphrey School of Public Affairs election certification program. Formerly, I was President of the National Association of State Election Directors and served on the Executive Committee of the Government Coordinating Council, created by the United States Department of Homeland Security when election security was designated critical infrastructure.

I write in my personal capacity, not on behalf of the state of Colorado, to share my heartfelt support for the confirmation of Myrna Pérez to the United States Court of Appeals for the Second Circuit.

I have known Myrna for the better part of 15 years. During that time, we have frequently worked together to improve Colorado's election systems. We have also, on occasion, found ourselves on different sides of legal issues surrounding voting and election administration. Whether or not our positions have aligned, Myrna has always been deeply constructive, collaborative, thoughtful, and solution oriented. Having witnessed these and many of her other strengths firsthand, I firmly believe she has the appropriate temperament to be an exceptional federal judge.

Myrna and I began working together closely when I joined the Colorado Department of State as Director for the Division of Elections. At the time, Colorado was out of compliance with federal election law, most notably Sections 5 and 7 of the National Voter Registration Act (NVRA), and faced several threats of lawsuits. Myrna was in a strong position to sue our office. Doing so would have gained her publicity but might have also led to a worse overall outcome for voters. Instead of taking us to court, she offered her assistance. Myrna worked closely with us on ways to get into better compliance with the NVRA and other federal election laws. She devised strategies to help the state meet its legal obligations and used insights from other jurisdictions.

Throughout the entire process, Myrna was immensely helpful, conscientious, and devoted to the protection of voting rights. Her clear goal was to help us get into compliance—not score political points. She wanted to do what was best for our voters and best for democracy more broadly. By the end, she had become our friend and colleague, and her work to get Colorado into compliance would later inform strategies for other jurisdictions facing similar challenges.

Given my experience with Myrna, I feel uniquely suited to comment on the strengths that would make her an excellent jurist. Myrna is, first and foremost, an incredibly bright attorney. What's more, she is realistic, reasonable, and deeply respectful of different points of view. She holds herself to the highest professional standards and is focused solely on the betterment of our democratic process. I have found that these traits allow for agreement upon evidence-based, productive solutions to real-world problems.

Myrna has exactly the kind of personality, temperament, and intellect one needs to be an excellent federal judge. I can't think of someone more qualified or more prepared to undertake this responsibility. For all of these reasons, I strongly and respectfully urge her confirmation to the Second Circuit.

Sincerely,  
Judd Choate