



# STATE OF CONNECTICUT

OFFICE OF PROTECTION AND ADVOCACY FOR  
PERSONS WITH DISABILITIES

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Testimony of the Office of Protection and Advocacy for Persons with Disabilities  
Before the Government Administration and Elections Committee

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February 29, 2008

Good Afternoon, Senator Slossberg, Representative Caruso and members of the Committee. Thank you for the opportunity to comment on **Senate Bill 444, An Act Concerning Certain Revisions and Changes to the Election Laws; Senate Bill 445, An Act Concerning Permanent Absentee Ballot Status; and Senate Bill 447, An Act Concerning Elections.**

The Office of Protection and Advocacy for Persons with Disabilities (OPA) is a state agency established to defend the civil and human rights of persons with disabilities. Since December 1999, OPA has focused on the rights of voters with disabilities through Every 1 Counts, a collaborative project with the Office of the Secretary of the State. Since its inception, the project staff has trained persons with disabilities, Registrars of Voters and other election officials; surveyed all of Connecticut's polling places for compliance with accessibility requirements for persons with disabilities; provided information and technical assistance to callers with voting issues related to disability; participated on the State Help America Vote Act (HAVA) planning committee; surveyed polling places on election day; and advocated for changes to election law and processes that improve the election experience for voters with disabilities.

Senate Bill 447 requires the GAE Committee to conduct a study of the Connecticut election statutes. OPA respectfully requests the opportunity to participate in this study to ensure the rights of voters with disabilities are incorporated, where appropriate.

Senate Bill 445 and Section 21 of Senate Bill 444 both propose permanent absentee ballots for persons who have disabilities that permanently prevent them from going to the polls on Election Day. Each year, voters who qualify for permanent absentee ballot status would be automatically mailed an absentee ballot for each election, primary or referendum.

OPA supports the concept of a permanent absentee ballot with certain provisions safeguarding the rights of voters with disabilities. The definition of a person who is permanently unable to go to the polls must be written to provide clear guidance for physicians certifying that an applicant is permanently unable to go to the polls on Election Day. The application for the absentee ballot and all permanent absentee ballot mailings should include information about a voter's right to be taken off the permanent absentee ballot list and the procedure for such removal. Many voters with disabilities have been prevented from voting at the polls or encouraged to apply for

absentee ballots because of the attitudes of election officials or an inaccessible polling place experience. The bill should require language that informs both voters and election officials that a permanent absentee ballot is a choice, voters with disabilities cannot be required to apply for permanent absentee ballot status and all polling places must continue to be accessible for voters with disabilities. OPA would be happy to discuss our concerns and work on alternative language with both GAE and the Office of the Secretary of the State.

Senate Bill 444 would make technical changes and revisions to the election statutes. After reviewing the proposed changes, OPA has the following comments. We discussed these comments with the Office of the Secretary of the State and they indicated that they would support any changes that would improve the voting process for persons with disabilities.

**Section 10** of S.B. 444 requires the registrar of voters to notify the Secretary of the State at least thirty-one (31) days prior to each municipal, state or federal primary or election of the polling places that will be used for that election or primary. Language should be added that would require the registrar of voters to inform the Secretary of the State if any polling place is in a new location and certify that the polling place is accessible to persons with disabilities in a format prescribed by the Secretary of the State.

**Section 18(a)** adds language to the “Voter’s Bill of Rights” stating that “every registered voter has the right to be informed of the different voting options available and have the right to use the voting system of their choice from the systems available.” This is an excellent addition to the “Voter’s Bill of Rights”. During the last two November elections, OPA asked people with and without disabilities to use the IVS phone voting system and complete an informal survey about the experience. In some polling places, the IVS phone system was not ready for use by voters. In other polling places, voters were told that the voting system takes too long, effectively discouraging them from using it. Some election officials also limited use of the phone system to certain individuals.

Number 9 of the “Voter’s Bill of Rights” states that each registered voter has the right to vote independently and in privacy at a polling place, regardless of physical disability. We respectfully request that the word “physical” be stricken from number 9 so this right is afforded to all voters with disabilities.

**Section 19(a)** would change the current requirement that the registrar of voters provide a certain number of voting machines to a certain number of voting booths per 2,400 voters. Information from voters with disabilities and advocates reflects a lack of privacy for voters who use the IVS phone system and therefore, language should be added to require an accessible privacy booth for each phone voting system.

**Section 23** would add a new requirement for guardrails around the vote tabulating machine to prevent electors in line from encroaching on an elector submitting a ballot and protecting the privacy of the information on the ballot being submitted. Language should be added requiring the registrar of voters to ensure that the path to and around the tabulator is accessible to persons with disabilities in accordance with structural guidelines in the state building code and Americans with Disabilities Act Accessibility Guidelines.

Again, thank you for the opportunity to comment on **Senate Bill 444, An Act Concerning Certain Revisions and Changes to the Election Laws; Senate Bill 445, An Act Concerning Permanent Absentee Ballot Status; and Senate Bill 447, An Act Concerning Elections.** I would be happy to answer any questions.

Thank you.