



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

Submitted by Gretchen Knauff
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Good Morning, Senator Slossberg, Representative Morin and members of the Committee. Thank you for the opportunity to comment on **Raised Bill 939, An Act Concerning Elections Related Statutes.**

The Office of Protection and Advocacy for Persons with Disabilities (P&A) is a state agency that was established to defend the civil and human rights of persons with disabilities. Since December 1999, P&A 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.

Section 52 of Raised Bill 939 makes simple changes that could potentially have a large impact for people with disabilities. In 2006, Connecticut changed its voting systems from lever machines to a dual system of optical scan machines and the IVS phone voting. The Connecticut General Statutes, however, have not been updated to recognize these voting systems, creating problems with enforcement related to these voting systems.

In the summer of 2009, P&A was contacted by a voter with a disability who had filed a complaint about his experience at the polls during the 2008 Election. When he arrived at the polls, the IVS phone system was not set up. He had to return to the polls 4 hours later when the phone system was finally set up and he could vote. He submitted a complaint to the State Elections Enforcement Commission (SEEC) regarding the improper set-up of the IVS phone voting system at his polling place but the SEEC responded that they did not have the statutory authority to follow up on the complaint because the state voting statutes had not been updated to include the IVS phone voting system. In a subsequent meeting with SEEC and the Office of the Secretary of the State, SEEC reiterated its position and reported that a statutory change was

necessary before future complaints involving the phone voting system could be addressed by the agency. This problem would continue to happen again and again unless the statutory language was updated. During the 2010 legislative session, language was proposed that would have remedied the enforcement issue. Unfortunately, it did not pass.

The language in **Section 52 of Raised Bill 939** mirrors the language proposed during the 2010 legislative session. Again, it will remedy the problem experienced by our client and any future complaints by voters with disabilities who have difficulty accessing the polls. It also addresses any future changes or additions to voting systems in Connecticut by requiring Registrars of Voters to ready "each voting system approved by the Secretary of the State for use in the election" rather than naming specific types of voting machines or systems. This language strengthens the election statutes and allows for improved enforcement of the rights of voters with disabilities.

Again, thank you for the opportunity to comment on **Raised Bill 939, An Act Concerning Elections Related Statutes**. I would be happy to answer any questions.

Thank you.