

TO: The Connecticut Legislature
Government Administration and Elections Committee

FROM: Will Brady

DATE: 26 March 2013

RE: **TESTIMONY REGARDING RAISED H.B. No. 6670**
An Act Concerning Supervised Absentee Voting, Applications for Absentee Ballots and Duties and Responsibilities Assigned to Moderators.

I wish to thank the Committee Members for considering and hearing my testimony on this matter.

I also want to thank the Department of Mental Health and Addiction Services for their support of this initiative but I present my testimony as a private citizen. My views do not necessarily represent the perspectives of either DMHAS or Connecticut Valley Hospital.

My testimony today, quite frankly, is that citizens who live in institutional settings are denied the same voting opportunities as other citizens. In particular, I advocate for expanding their options in exercising that right by being able to use mail-in ballot. I believe, as the statute stands today, individuals who live in institutions are forced to adapt from the way they may wish to vote, to meet restrictions imposed by law.

Helping people to be able to vote is part of my job. I work as a Patient Rights Advocate at Connecticut Valley Hospital and have done so for 20 years. One of my workplace responsibilities is to ensure that both long-term and short stay clients/patients who receive services at CVH can both register and be able to vote.

According to voter registration records in the City of Middletown, around 200 people at CVH are registered to vote. Over the years, the number has varied, with interest waxing and waning, depending upon what positions are up for election any given year.

I am troubled that, in the 21st Century, there are those who still maintain prejudices about the abilities of individuals in places such as CVH. I still get questioned as to whether or not people at CVH are "capable" of voting; there are others who – without any evidence – inaccurately imply that patients at CVH would be victims of "...*undue influence or fraud*..." unless they were supervised. In both instances, these points of view may, in practice, serve to restrict or limit the rights of a citizen to be able to vote, merely because they live in an institutional setting.

In 1993, when I was first assigned to assist with voting initiatives on campus, the practice had been to escort the Registrars to every single unit or ward. The supervised balloting effort was a lengthy, cumbersome and intrusive.

In 1996, after merger of CVH with Fairfield Hills and Norwich Hospitals, the patient population increased dramatically. Patients who did not want to vote complained that the practice of escorting Registrars around to assist those who wanted to vote constituted violations of their privacy. CVH then discontinued the escort of Registrars in favor of two on-campus supervised balloting sites. As the need arose, supervised balloting is now conducted in four different locations on campus.

The practice of mailing absentee ballot applications to home towns was always conducted with short term patients. A small number of patients who continued to remain registered at their family's voting address also availed themselves of this voting option.

Patients at CVH can have a variety of reasons for asking a ballot be mailed to them.

- Some, due to emergent clinical reasons, are not able to participate on the days the Registrars have been scheduled to come to campus, but still want to be able to vote.
- Others, quite capable of making independent decisions, dislike meeting with strangers and can get offended that their ability to vote by mail privately (as they would if living outside the hospital) has been compromised by some outside stranger – albeit an authorized one – looking over their shoulder while they vote.

After the merger with Cedarcrest Hospital, and another increase in the resident population, we saw that more patients asked if they could have ballots sent to them directly; preferring to fill ballots out in privacy and send them in independently.

I, too remain concerned about ensuring the election and voting process for residents at CVH remain free from intimidation, fraud or abuse. To that end, only a small number of staff at CVH are involved in voting efforts. In addition there is – and long has been – an official liaison from CVH with the City of Middletown. The liaison's tasks include:

- Ensure that any staff involved in the voting process refrain from expressing their opinions about candidates or issues, and refrain from wearing or otherwise displaying partisan materials
- Remain clear that the "voting process" is only about registering and assisting in getting absentee ballot applications filled out and returned to city hall
- Coordinating the scheduling of all Supervised Balloting times and sites with the Registrars of Voters and with clinical staff to minimize disruption of ongoing therapeutic activities
- In advance of Supervised Balloting, coordinate with municipal officials to obtain and post for public distribution, all official election materials (i.e. sample ballots) as authorized by the Connecticut Secretary of State.
- Each ballot application already has been assigned a unique number by the Town Clerk.
- Working with the Town Clerk's office to distribute Absentee Ballot Applications and return any completed applications to City Hall.
- As part of this process, the CVH liaison is required to keep the Town Clerk's Office aware of all who have received each uniquely numbered application by means of a list that includes a recipient's name, legal address, date of birth and the specific numbered ballot application received by the person. The list maintained by the CVH liaison is submitted to the Town Clerk with a complete list submitted to the Town Clerk the first business day after applications can no longer be submitted.
- Any and all CVH staff working with the Town Clerk and the Registrars is educated on how to properly follow this process.
- After the distribution deadline all un-used ballot applications are destroyed.

We already have to document information about recipients of Absentee Ballot applications must be maintained anyway, By virtue of this CVH has been able to accurately track not only how many people have asked to vote, but in what manner they asked to be able to vote.

We can discern:

- How many have participated through Supervised Balloting,
- How many people have asked to have ballots directly mailed to them,
- Whether or not anyone wanted to go to a polling place
- And how many of those who have registered to vote, chose not to.

To be clear, I am not asking that the Supervised Balloting process be eliminated at CVH, or any other facility to which the conditions referred to in RB 6670 might also apply. A good number of the long-term residents enjoy the chance to participate in the Supervised Balloting process, even if someone (the Registrars) is reviewing their completed ballots.

Further, all incoming mail sent to patients at CVH (for both long-term and short stay) is already delivered to them directly. Direct service staff have a long history of respecting rights already protected in other parts of the CGS (17a-546a and 17a546b) i.e. that every patient shall be permitted to communicate by sealed mail with any individual, group or agency and the hospital underwrites the cost of sending regular mail out from the facility.

The crux of my concern here is that people in a hospital such as CVH, be permitted to have the same options in the way they personally wish to vote as would any other citizen who has registered to vote.

This would include for those who, for a range of reasons are unable to participate by getting to the polls yet who are at an institutional facility, that they could take part in Supervised Balloting but if they so requested, would also be able to receive absentee ballots directly to them by mail so they can enjoy the right to cast their vote in privacy.

Thank you for your time and consideration in this matter.

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