



LEAGUE OF WOMEN VOTERS OF CONNECTICUT, INC.®

1890 Dixwell Avenue, Suite 203
Hamden, CT 06514-3183

203-288-7996 Fax 203-288-7998 www.lwvct.org

**Judiciary Committee
March 17, 2014 Public Hearing**

Comments Submitted by Alison Rivard, Vice President, Public Issues

Comments On:

HB 5568 (Raised)

AN ACT CONCERNING ATTEMPTED FRAUDULENT VOTING

The League of Women Voters of Connecticut is a statewide organization with over 1600 members committed to effective public policy and the active involvement of citizens in their government. We appreciate the opportunity to submit comments on HB 5568 before you today.

The League believes that the political process must be open to all citizens and that the right to vote with confidence in the election process must be guaranteed for all. In support of these goals, LWVCT supports election procedures that include mandatory training and supervision of all election workers to assure uniform compliance with federal and state laws; assistance to voters for whom English is not their primary language; and identification of voters at polls to prevent fraud.

Protecting the integrity of our elections is vital, and we understand the problem with the current law that does not cover attempted voting. The League is concerned, however, that HB 5568 mandates draconian penalties of imprisonment and disenfranchisement for a person who “attempts to fraudulently vote,” when not every instance of improper attempted voting is a criminal matter. Moreover, the bill **fails to include any provision for mitigating circumstances.**

Our concern is heightened by the examination of voter fraud claims and actual cases surveyed in the Brennan Center for Justice report *The Truth About Voter Fraud*. The report concluded that “voter fraud is very rare, voter impersonation is nearly non-existent and much of the problems associated with alleged fraud in elections relates to unintentional mistakes by voters or election administrators.” The case of Cynthia Alicea cited in the Brennan Center report, a 23 year old prosecuted and tried for fraudulent voting when she had filled out a second election day registration form at the direction of poll workers, who then forgot to discard the first form-- but who never voted a second time--is chilling. She is quoted in the Brennan Center report as saying because of her ordeal “She’s inclined not to vote ever again.”

Adding protections that cases of alleged fraudulent attempted voting require a thorough investigation by the State Elections Enforcement Commission, must meet a high standard of criminal intent, and allowing for consideration of mitigating circumstances could help avoid entrapping CT residents who inadvertently attempt to vote at the wrong polling place or under the wrong circumstances, or who receive misguidance from poll workers.

This bill in its current language raises the potential for discouraging sincere efforts at exercising voting rights in the context of often bewildering laws and requirements in different jurisdictions in which the potential voter finds herself. Students and others who move frequently, citizens for whom English is not the first language, and those who lack the computer savvy to research voting requirements online are examples of voters who can be caught in misguided efforts to exercise their voting rights.

Thank you again for the opportunity to comment on this bill.