

S.B. 27 – Too Broad as Drafted to Evaluate

**Government Administration and Elections Committee
Testimony – February 13, 2015**

**Luther Weeks
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Chairs and members of the Committee, my name is Luther Weeks. I am Executive Director of CTVotersCount, a webmaster, and election integrity watchdog.

I have three objections to S.B. 27 as drafted.

First, as written the bill is way too broad, likely unconstitutional, and would shut down the Internet as we know it. It would make it a crime to publish any information about an elector contained in any record of the registrars of voters by any private entity, criminalizing publication of the name of any elector, candidate, or elected official.

- As a blogger, I frequently post articles about the activities of registrars of voters, elected officials, and other individuals who may or may not be electors.
- As a webmaster, I maintain a town committee website, listing the names of town committee members, elected officials and candidates. As written, S.B. 27 would make that illegal.
- As a watchdog, the Connecticut Citizen Election Audit publishes official documents obtained from the Secretary of the State and registrars, which necessarily contain the names of registrars who sign the documents.
- Any online news media would be criminalized. For example, the Hartford Courant and CTNewsJunkie post articles online, often with the names of public officials or citizens likely to be electors.
- Facebook would be criminalized as they require all members to use their real names and allow them to optionally publish their birth dates and town of residence.
- I would criminalize any web by commenting under my real name, or mentioning any elector.

Second, I suspect the intent might be to prevent posting of information obtained from voter lists, including voting history, even though that information is public information.

- **Public access to voter lists is an important check - that only qualified individuals are registered and that people that did not vote, are in fact listed as not voting.**
- In 2008, a UConn study reported that at least 300 dead voters were inappropriately registered in Connecticut. This bill would prevent posting of similar studies by Yale, Conn College, the media, or watchdog groups. This bill would have prevented the Hartford Courant from publishing online the response from the President of the Registrars of Voters Association of Connecticut.

Finally, I suspect there is a positive intent behind the bill, such as preventing the release of information such as driver's license number, date of birth, phone, email, and social security number. Yet, some items should necessarily be public and widely available so that watchdogs, media, and the public can have confidence in our elections. Without knowing what might be proposed in a workable, detailed bill, it is difficult to provide testimony to the Committee that would articulate the benefits of keeping some information off the web vs. the risks to democracy of suppressing that information. The public should have another opportunity to comment on a more fully formed bill.

Thank you,

S.B. 27 S.B. 601 – Prepared Remarks

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Chairs and members of the Committee, my name is Luther Weeks. I am Executive Director of CTVotersCount, a webmaster, and a Certified Moderator.

I have three objections to S.B. 27 as drafted.

First, as written the bill is way too broad, likely unconstitutional, and would shut down the Internet as we know it.

Second, Public access to voter lists is an important check - that only qualified individuals are registered and that people that did not vote, are in fact listed as not voting.

Finally, without knowing what might be proposed in a workable, detailed bill, it is difficult to provide testimony to the Committee that would articulate the benefits of keeping some information off the web vs. the risks to democracy of suppressing that information.

The public should have another opportunity to comment on a more fully formed bill.

I oppose S.B. 601. It is intended to reduce work for officials in counting and accounting for multiple votes for cross-endorsed candidates. However, the bill would do little to reduce work for officials and have unintended, negative consequences, especially for voters.

The first thing to note is that our current optical scanners likely cannot meet the certification requirements of this bill. If the certification requirements are interpreted to de-certify our scanners, then until they are replaced, the only legal method for voting in Connecticut would be paper ballots and hand counting.

In any case, S.B. 601 fails to do what the title implies, “eliminate overvoting for a candidate”. It would require a more error prone process than we have today.

It would result in a less positive voting experience for voters and for poll workers as voters are told they have “done something wrong” and need to vote again.

Time savings, if any, would be minimal and offset by increased time explaining the problem to voters, replacing their ballots and added hand counting of more ballots.

This change will be unnecessary, with electronic election night reporting, all calculations would then be handled automatically, relieving moderators of the allocation task.

Several times in the past I have testified against similar bills, pointing out similar concerns. I encourage you to drop this bill as your predecessors have so wisely done.

Thank you.