



Connecticut General Assembly  
Government Administration and Elections Committee  
Senator Steve Cassano and Representative Edward Jutila

March 9, 2015

TESTIMONY — SB 1051  
“An Act Strengthening Connecticut’s Elections”  
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Chairs Cassano and Jutila, members of the Committee, we thank you for the opportunity to submit testimony in support of SB 1051, An Act to Strengthen Connecticut’s Elections. SB 1051 would ensure that administration of elections is overseen, in each municipality, by well-trained experts, rather than by individuals elected on a partisan basis who may – or may not – know anything about the very detailed processes of overseeing elections. It is this expertise and training, rather than “politics as usual,” that is essential to a fair and properly administered process resulting not only in convenience for the voter but added efficiency for all elections administrators, from registrar to poll worker.

We at Common Cause advocate for the professionalizing of elections administrators across the country. Common Cause is a national nonpartisan advocacy organization founded in 1970 to enable citizens in making their voices heard in the political process. We work – in Washington, DC and 35 state chapters – to ensure that every eligible citizen has an opportunity to cast a vote, free from discrimination and obstacles, and to streamline processes across the country. I’m a voting and elections expert, who has practiced and litigated in this area and, more broadly, in civil rights for over 13 years. As Director of Voting and Elections for Common Cause, I help strategize our work across the country, identifying reforms that not only increase voter turnout but also improve the elections administration system, with an eye toward bettering the experience for voter and administrator alike.

## INTRODUCTION

We applaud Secretary of the State Merrill’s proposal, and this Committee’s introduction, of a bill to transform the officers of Connecticut’s Registrar of Voters from local elected officials selected by town political committees to that of municipal employees appointed locally to administer elections as non-partisan professionals. While Connecticut fares well when it comes to voter turnout – 55% of registered voters in Connecticut turned out in the most recent midterm election, as compared with 36% nationally<sup>1</sup> (the lowest in over 72 years) – the state would do well to

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<sup>1</sup> See <http://www.ctpost.com/printpromotion/article/State-voter-turnout-beats-national-trend-5893875.php>

make improvements to the administration of its elections to ensure a more efficient and voter-friendly system.

Indeed, all states could stand to improve their administrative systems. As many will recall, during the 2012 presidential election, voters across the country stood in line, sometimes for hours, in order to cast a ballot. While many factors contribute to the length of these lines – inadequate polling place resources and the inability to cast votes before Election Day, to name a couple – the inadequate training of polling place workers, and the registrars who oversee this work, directly affects the efficiency of elections, and hurts the experience for voter and administrator.

### **PROFESSIONAL REGISTRARS – RECOMMENDED BY THE PRESIDENTIAL COMMISSION ON ELECTIONS ADMINISTRATION**

A couple of months after his reelection – and after the news outlets noted long lines across the country – President Obama formed the Presidential Commission on Election Administration (“the Commission”), co-chaired by Robert Bauer and Benjamin Ginsberg, the top attorney from his campaign and that of his opponent, former Massachusetts Gov. Mitt Romney. Members of the Commission included a diverse set of leaders from around the country with election administration expertise and/or customer service-oriented business expertise (one such expert hailed from Disney World). The Commission’s charge was limited: to identify best practices in election administration and make recommendations to improve the voting experience. Over a six-month stretch, the Commission conducted four public hearings in a number of cities and states, taking testimony from the general public, experts, and academics. Commissioners also attended meetings of community interest groups, and spoke with academics, election administrators, and others at public forums hosted by think tanks and advocacy organizations.<sup>2</sup>

The Commission’s report, delivered in January 2014, concluded that election administration problems vary from state to state and locality to locality. It made a series of broad-based recommendations to better the experience for American voters. Noting the particular challenges inherent in a system of 8,000 local jurisdictions that administer elections, the Commission targeted its recommendations “at common problems shared by all or most jurisdictions. For the most part, they are of a size that should fit all.”<sup>3</sup> Adoption of the Commission’s recommendations, all of which are commonsense and practical, would greatly improve the voting experience for Americans, generally, and Connecticut is no exception. This is particularly so because the recommendations are written *with both voters and election administrators in mind*.

Primary among the Commission’s recommendations is the professionalizing of elections administrators. As the Commission noted, “[s]ome [election officials and administrators] are appointed and others elected, but almost all are selected on a partisan basis. Critics have argued

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<sup>2</sup> Presidential Comm’n on Election Admin., *The American Voting Experience: Report and Recommendations of the Presidential Commission on Election Administration* 7, 72 (2014) [hereinafter PCEA Report], available at <https://www.supportthevoter.gov/files/2014/01/Amer-Voting-Exper-final-draft-01-09-14-508.pdf>.

<sup>3</sup> *Id.* at 10.

that under this arrangement public confidence suffers, as may the quality of administration.”<sup>4</sup> Because of these very real concerns, the bipartisan Commission recommends that, “[i]n every respect possible, the responsible department or agency in every state should have on staff individuals who are chosen and serve solely on the basis of their experience and expertise.”<sup>5</sup> By and large, this is already happening in most states. And with good cause: increasingly, elections are becoming more modernized and, thus, require knowledgeable administrators with specific training and experience to ensure the process goes off without a hitch. As such, there is “an increasing need for technology acumen, public relations skills, and data savvy.”<sup>6</sup> Without this needed experience and training, those responsible for the oversight of elections will be at sea in an area that, for the sake of our democracy, requires a keen attention to detail and know-how.

## PROFESSIONALIZATION – A BETTER ALTERNATIVE

Under a new model, as proposed by SB 1051, Connecticut’s elections processes are sure to be made more efficient and, as a result, more friendly to both the voter and administrator. When registration rolls are not properly updated, when polling places do not open on time, and when voters wait in line for lengthy periods of time only to learn, when they reach the head, that they are not on the list, they become disillusioned by the process and sit out elections. This is an unacceptable outcome for our American democracy. Given our relatively low levels of participation – Australia and Sweden, for two, boast voter registration of over 96%<sup>7</sup> - there are a number of changes we must make, federally and at the state and local levels, in order to boost turnout and create life-long voters who regularly participate in the decision-making process. While there is no one silver bullet, and indeed a number of electoral reforms are needed in tandem, the move toward professionalizing administrators is key toward making the process less politicized and polarizing and more accurate, streamlined, and efficient.

Local elections officials and administrators are responsible for a great deal in the voting process. They determine who can vote, where they can vote, and how they can vote. Their responsibilities include maintaining voter registration lists, drawing precincts, selecting polling place sites, procuring equipment, recruiting and training poll workers, canvassing the vote, and evaluating and implementing improvements to the electoral process itself.”<sup>8</sup> That list of duties and responsibilities is far too great – and the consequences of their poor execution far too deleterious – to ensure the job to anyone without the proper experience, training, and certification. Indeed, those responsible for the oversight of poll workers, the individuals at the front lines of democracy, must be well-suited and capable for the task at hand. When the ones at the top don’t have the necessary skills and know-how for the administration of elections, then the proper training and education will not be disseminated to those interacting most closely with voters. End result? More confusion, greater wait times, imparting of wrong information, and disenfranchisement. Professionalizing the office of the registrar will avoid these pitfalls and result in a process – from oversight at the top to front-line encounters – that is fair, in comportment with the law, and efficient.

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<sup>4</sup> Id. at 18.

<sup>5</sup> Id.

<sup>6</sup> Id. at 19.

<sup>7</sup> See

[http://www.slate.com/articles/news\\_and\\_politics/how\\_they\\_do\\_it/2008/10/doing\\_democracy\\_right.html](http://www.slate.com/articles/news_and_politics/how_they_do_it/2008/10/doing_democracy_right.html)

<sup>8</sup> Demos, “Millions to the Polls:

## WISCONSIN'S GOVERNMENT ACCOUNTABILITY BOARD – A MODEL

Most states professionalize offices of elections administrators and officials to at least some extent; as an example, Wisconsin's Government Accountability Board (GAB) model is an exemplary one. Established in 2007, and merging the functions of Wisconsin's previous State Board of Elections and Board of Ethics, the GAB administers elections in the state and additionally enforced campaign finance, ethics, and lobbying, all in a non-partisan way. (The board consists of former judges appointed by appellate judges who are approved by the Governor and consented to by the Senate.) As determined in a recent study, the GAB's "decision making has been meticulous, careful, and judicious"<sup>9</sup> and, as such, is a "worthy model" for the rest of the states.<sup>10</sup> Even if states don't re-create this sort of board, they can certainly emulate components. For example, the GAB has taken a more middle-of-the-road approach when it comes to voter list maintenance and early voting options – neither a typically Republican or Democratic one – and conducts studies, taking the advice of experts, before adopting new rules.<sup>11</sup> Registrars on the municipal level in Connecticut, when it comes to overseeing process already put into place at the state level, could similarly benefit from a non-partisan approach, which would come about under SB 1051. Appointment of these officers, along with the mandate that they fulfill experience and training requirements, will ensure a less partisan approach and a more efficient and accurate elections system. Such a system, because of its fairness and accuracy, would help create an electorate with confidence in its state's procedures.

## CONCLUSION

We commend your consideration of this important step to improve elections in Connecticut. With administrators being appointed under a specific set of criteria, and with the added requirement that they must continue to complete training and obtain certification, elections will be greatly improved, resulting in increased confidence among voters. Connecticut's SB 1051 is a step in the right direction toward better the elections process, and we are in full support of its adoption.

We are happy to answer any questions about the professionalizing of elections administrators, and I can be reached at 202-736-5714.

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<sup>9</sup> Daniel P. Tokaji, *America's Top Model: The Wisconsin Government Accountability Board*, (Jan. 16, 2013), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2201587](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2201587).

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*