

**Testimony of Steven R. Donen of Cromwell, CT
Concerning
HB 5173 An Act Protecting the Privacy of Voters**

**Government Administration and Elections Committee
Connecticut General Assembly
February 26, 2018**

Good afternoon, Senator McLachlan, Senator Flexer, Representative Fox, Representative Devlin and other members of the Government Administration and Elections Committee. My name is Steve Donen, I am a resident of Cromwell, Connecticut and I am here to oppose HB 5173 An Act Protecting the Privacy of Voters.

For thirty years, I have been the Owner and President of S D Associates, a small business in Hartford that provides a wide range of computer-related products and services to agencies of local, state and federal government, nonprofit organizations and political campaigns.

Among the services we provide are the development and enhancement of voter files in various states, including Connecticut. We improve the quality of addresses on these files using sophisticated mailing software and then we enhance these files with such information as telephone numbers, ethnic and gender codes and additional voter history to make this information more valuable to candidates and committees. We then produce mailing lists and telephone lists to these candidates and committees as well as to other companies in Connecticut and across the country that design and produce direct mail and conduct polls and make calls to voters.

This bill as written would prevent any private organizations such as my company and numerous other companies in the state such as commercial printers from acquiring voter information from the state or a local registrar which has always been public information and puts all consultants who are working for a Connecticut candidate or committee at risk of being charged with a felony.

This proposal is clearly an overreaction to the Presidential Advisory Commission on Election Integrity, know as the Kovacs Commission, which last year sought voter information from 50 states as a resource for its work. The Commission was formed in May of 2017 and disbanded on January 3rd of this year after state officials refused to cooperate with its request for information. The Commission stated that the data would be stored in the Office of The Vice President and elected officials of both parties expressed concern with regard to how the data collected would be used.

I take the Secretary of the State of Connecticut at her word when she indicates that she received numerous expressions of concern from Connecticut voters about how this request and how data that resides in town halls and in Hartford is used and could be abused. But the information on these files does not include Social Security numbers, which is the piece of information most misused to jeopardize peoples' identities.

The information on the file is simply voters' names, addresses, dates of birth and the party affiliation of voters; information voters know is part of government records because they provide it when they register to vote. They know that that information is publicly available just as they know that information on their homes is available in the local tax office and their telephone numbers are listed in local directories.

The concern expressed when the Kovacs Commission was in the news is no different than when an article about jury selection is in the paper and voters are reminded that voter rolls are part of the jury selection process.

In Connecticut, we are a leader in Freedom of Information and the records maintained by our government are and should be available to the public except where there is a legitimate expectation of privacy such as information on citizens' health or to protect public safety. Our Open Records Laws are an important right and protection. Voter records do not fall into such a category.

By limiting access to voter information to governmental agencies or political parties or committees, this bill restricts individuals or companies with a legitimate interest in using this information from participating in the political process guaranteed under the Free Speech Clause of the First Amendment to the U.S. Constitution. Without a guarantee that the voter information used by a direct mail firm, pollster or printer was provided by an authorized source, it also puts many small business owners at risk of becoming felons.

I will tell you that running a small business in Connecticut is very difficult, with high energy costs and the high cost of healthcare among the many problems that we face. Please don't make it harder by passing this bill.

Thank you for your attention and time today.

