

Government Administration and Elections Committee JOINT FAVORABLE REPORT

Bill No.: HB-5173

Title: AN ACT PROTECTING THE PRIVACY OF VOTERS.

Vote Date: 3/23/2018

Vote Action: Joint Favorable Substitute

PH Date: 2/26/2018

File No.:

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SPONSORS OF BILL:

Government Administration and Elections Committee
Rep. Mitch Bolinsky, 106th Dist.

REASONS FOR BILL:

This bill address the fear citizens have that certain voter information can lead to their identities being stolen. The birth date, driver's license numbers, social security numbers, and signatures are all personal identifiable information that can lead to someone's identity being stolen.

PROPOSED SUBSTITUTE LANGUAGE LCO # 3149:

Only a voter's birth year shall be withheld as Personal Identifiable Information unless otherwise decided upon by the Secretary of the State.

RESPONSE FROM ADMINISTRATION/AGENCY:

Denise Merrill, Secretary of State: The Secretary of State is in support of HB 5173. She believes that voters should not have to worry about the personal information being sold or their personal safety being at risk when they should be worrying about which candidate to choose. She is concerned that a voter's birthdate is essential information for identity theft and the voters list is one that is easily accessible and readily available to identity thieves.

Michael Brandi, Executive Director, State Elections Enforcement Commision (SEEC):

SEEC has concerns regarding HB 5173 and is unsure of the negative effects the bill will have on the agency and their ability to "obtain information about an elector's bona fide residence or a campaign contributor's personal identifiable information".

Judicial Branch, State of Connecticut: The proposed bill addresses previous concerns that the Judicial Branch had regarding juror lists. Section 1 (a)(2)(C) adequately addresses their concerns.

Colleen Murphy, Executive Director, Freedom of Information Commission (FOIC): The FOIC opposes HB 5173 for the reasons that transparency with information deters and prevents voter fraud and election officials are held accountable and carry out their duties in accordance with the law. “Creating classes of individuals, come of whom can, some of whom cannot, access public records is problematic and subject to abuse and manipulation”. Dates of birth are essential in verifying voter eligibility, and guarding against voter fraud.

NATURE AND SOURCES OF SUPPORT:

Liza Andrews, Director of Public Policy and Communications, Connecticut Coalition Against Domestic Violence (CCADV): The CCADV supports HB 5173 because it seeks to increase voter privacy by “curtailing the availability of the state’s voter file”. Particularly, the agency is in support of subsection (b)(3) which will allow a voter to submit to the Secretary of the State a signed statement requesting nondisclosure of their information on the voter file. This bill would protect victims of domestic abuse from having their personal identifiable information available to those who might have been their aggressors.

Laura Cordes, Executive Director, Connecticut Alliance to End Sexual Violence (CAESV): The CAESV supports HB 5173, especially section 1 (b)(3) that would allow voters “to request that their information be withheld from public disclosure if they believe it is necessary for their own safety or their family’s safety”. The agency feels that certain voter information being public aids and abets sexual offenders in locating their victims.

Jane Eyes, Vice-President for Public Issues, League of Women Voters of Connecticut (LWV): The LWV supports HB 5178. The agency is dedicated to the use of voting procedures that are secure and ensure the integrity of voter confidence in all aspects of registration. The LWV shares concerns with those who are concerned about voter information getting in the hands of domestic abusers, sexual assaulters, stalkers, or traffickers to those who are simply concerned about their privacy. They do have a few suggestions to make. “Line 24 would require full date of birth: Most social service agencies or other local government agencies are interested in focusing on clients of specific age groups, and would require only year of birth, “may be disclosed” rather than “shall be disclosed”” and, “Lines 38-39 would not allow copies of a signature to be made. There are situations where registrars of voters must communicate with other CT towns, and a scanned signature helps clarify a voter’s identity, their relocation or a former name. Line 39 would read “be copied, except for official voter registration purposes” rather than “be copied”.”

Luther Weeks, Executive Director, CTVotersCount (CTVC): CTVC opposes HB 5173. The agency believes that this bill will be a “death blow to the heat of public verifiability”.

Rose Lodice: Ms.Lodice supports HB 5173 and does not wish to have her birth date made public information.

Carol Rizzolo: Ms.Rizzolo supports HB 5173 and does not wish to have her birth date made public information.

Alyssa Siegel-Miles: Ms.Siegel-Miles supports HB 5173 and does not wish to have her birth date made public information.

Claudia Sorrentino: Ms.Sorrentino is in support of proposed HB 5173.

Sarah Darer: Ms.Darer is in support of HB 5173. As a mother whose daughter's voter information was shared on a database for everyone to see, Ms.Darer stresses the importance of redacting certain voter information.

Mary Ann Costanzo: Ms. Costanzo supports HB 5173 and does not wish to have her birth date made public information.

NATURE AND SOURCES OF OPPOSITION:

Kaley Lentini, Legislative Counsel, American Civil Liberties Union (ACLU): The ACLU opposes HB 5173 for the reasons that people should not be required to give up their right to privacy in order to exercise their right to vote. Also, the agency believes that every citizen should have access to what voter registration is available. ACLU believes that the language surrounding "Journalistic purposes" is loose enough to leave room for multiple interpretations and possible abuse. The agency is, however, in support of a voter being able to sign a statement that "nondisclosure of the voter's name and address from the official registry list is necessary for the safety of the voter or the voter's family".

Eric Gjede, Counsel, CBIA: The CBIA opposes HB 5173. The agency understands and appreciates some of the voter privacy concerns this bill address, however, is afraid that much greater is at risk. As written, the bill would allow for government employees and the public for purpose of primary, election or referendum to access this information. The public also requires this information for grassroots issue advocacy. CBIA believes that allowing the public to access as much information as the government, it protects the citizens from policymakers.

Michele Jacklin, Co-Chair of Legislative Committee, Connecticut Council of Freedom of Information (CCFOI): The CCFOI opposes HB 5173. The agency claims that the bill is "unconstitutional, unnecessary, vague, and would not accomplish its key objective, which is to make it harder to steal CT voter identifications". The agency believes that an unintended consequence to this bill could be voter suppression because only political campaigns and committees, scholars and journalists would be given access to the information. "The bill also bars the disclosure of a voter's driver's license number, identity card number and social security number. That information is already non-disclosable." The agency believes that provision is superfluous.

Steven Donen: Mr.Donen opposes HB 5173 for the reason that the information in question by the bill is public in other government documents such as local tax offices and phone directories. Mr.Donen is the owner and president of S. D. Associates who provide a "wide range of computer-related products and services that utilize telephone numbers, ethnic and gender codes, and additional voter history. This bill would make it very difficult for Mr.Donen to stay in business.

Reported by: Christian Tynan

Date: 4/5/2018