

S.B.265 – Need More Training, Not Less

**Government Administration and Elections Committee
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Chairs and members of the Committee, my name is Luther Weeks, Executive Director of CTVotersCount, a Certified Moderator, and a Computer Scientist. Since 2008, I have frequently served in and led polling places on election days and primary days.

Experience Pertinent to this testimony, I have worked in and led polling places at least eight times, led Election Day Registration twice, and led the central counting of absentee ballots five times. I have taken and passed Moderator Certification, six times. I have taken and passed two sections of Registrar Certification - Election Day section and the Recanvasses, and Post-Election Audits section. I have personally observed approximately 159 post-election audit counting sessions across Connecticut, led citizen observers who reported on over 700 post-election audit counting sessions, and officially and otherwise observed about a dozen Recanvasses across Connecticut.

As a member of the national *Election Verification Network*¹ and moderator of the national *State Audit Working Group*, I have been actively involved in the development of and evaluation of election audit laws in a dozen states and participated in designing, observing, and executing post-election audits in Rhode Island, Virginia, and Colorado. I have also participated in the development of the *Principles and Best Practices for Post-Election Audits*² and *Recount Principles and Best Practices*³, both endorsed by leading national good government groups.

We need more, not less, training for election leaders:

Moderator Training Should Continue to Be Required Every Two Years

The current training is about right for polling-place moderation as far as it goes, nevertheless it does not prepare one to lead a polling-place. It really takes 1) working a polling place, optimally as an Assistant Registrar 2) successfully passing Moderator Certification 3) Being a Moderator, and then 4) Being Certified Again. In my experience nothing can fully prepare you for moderating a polling-place. No matter what, that first time moderating is challenging no matter one's previous experience and training. Once you have done it, you absorb details more being certified that 2nd time.

Even with all my experience and training, I always learn something important when I am recertified.

Moderator Certification Does Not Sufficiently Cover Several Critical Areas

It Certifies one to be a Head Moderator, but that is not covered sufficiently or at all. It is a completely different, yet very critical job. The recent meetings of the Committee on Contested Elections provide evidence in support of the need for Head Moderator Certification.

It Certifies one to lead Absentee Ballot Counting, but that is not covered sufficiently or at all. It is completely different. At least 75% of the requirements for absentee counting do not apply to leading a polling place and vice-versa.

It Certifies one to hand-count ballots in polling places, yet provides little of any training in hand-counting ballots. Usually that is not a big problem when there are a hand-full or less of hand-counted ballots, but frequently there is a need, after a 17-hour day, to organize tired officials to hand-count hundreds of ballots. E.g. New Haven, November 2018, Bridgeport November 2010 and many less publicized occasions across the state, after almost every election.

¹ <http://ElectionVerificationNetwork.org>

² <https://electionaudits.org/principles>

³ <https://ceimn.org/sites/default/files/recountprinciplesbestpractices2014.pdf>

Possible Solutions for Gaps in Moderator Training

Create standard procedures and forms for reliably hand-counting and double-checking those counts. Add those procedures to the Moderator's Manual and include some discussion and questions in the Moderator Certification.

Create a separate Central Count Absentee Counting Moderator Certification and require that of all central count leaders.

Create a separate Head Moderator Certification and require that of all head moderators. (There is more to say about that below.)

Other Critical Areas That Require No Certification and It Shows

Election Day Registration. There is no training for leading Election Day Registration, it is 80% distinct from polling-place moderation. The law says it is the responsibility of the registrars. Perhaps in the smallest towns, with a single polling place they can manage it along with their other duties, yet in most towns it must be delegated to others to lead. There should be separate, certified training for leading Election Day Registration. In my experience, local registrars do the training, yet there is likely a lack of consistency across the state.

Recanvasses. There is no training for recanvasses. Recanvasses are legally under the authority of Head Moderators. My observation of recanvasses both representing candidates, slates, and unofficially is that there is little consistency between municipalities, this is especially obvious to observers in the case of cross-municipality recanvasses. It is apparent that neither officials and official observers (those that represent candidates and slates) understand the law or the Recanvass Procedures. I am hardly alone in this conclusion. Many aspects of the law and procedures are routinely not followed with few observers the wiser. Our democracy and confidence in our democracy are the losers, in addition to likely occasionally certifying the incorrect candidate or slate.

Post-Election Audits. As Executive Director of the Connecticut Citizen Election Audit, which observers and independently reports on our post-election audits, Our observations show that they are poorly conducted, with no uniformity, no training to speak-of, inadequate procedures and oversight. About half the time the audits are conducted with inadequate, questionable methods leading to inaccurate or at least questionable results. What is needed is for officials at all levels to take responsibility for the audits, create more effective procedures, training and oversight. See the Citizen Audit reports at <http://CTElectionAudit.org>

Finally, Some Comments on Anticipated Objections

This will be costly. Yet, economical in comparison to the costs of elections and miniscule in proportion to the cost of election campaigns and the value of our democracy and confidence in democracy. In most cases, given the lack of training now, these reforms will pay for themselves in better managed, more efficient operations.

Registrar Certification Covers These Items. Having passed the Registrar Certification sections covering most of these areas, I can attest that they are insufficient. Note also that Registrar Certification is only required of Registrars, not Deputies, not Moderators, not Head Moderators, and not EDR leaders.

Local Registrars Can Effectively Teach These. Some can and likely do cover some of these well. Both the training and the organization of these functions can and does vary significantly across Connecticut. And experience shows these functions are frequently not done well and not done uniformly – only detailed, uniform, formal training can help to change that.

Thank you