Good morning. I am going to go ahead and convene today’s Public Hearing Meeting for GAE Committee. A few things to keep in mind, we ask that the first hour of Public Hearing testimony is typically reserved for members of the General Assembly or government officials, then after the first hour we will switch over to the list of the public and we will go back-and-forth if there is still members of public officials still speaking. We ask that you please be considerate of our time and the time of the members of the public and if possible keep your comments about three minutes long. We will have the opportunity to ask questions and if need be we can follow-up with questions both today and after today’s hearing. There are other hearings going on in the building so some members you may see coming and going at various times. I also ask that you refrain from applauding or making outbursts of any sort when a speaker has spoken.

First on today’s Agenda is Representative Liz Linehan. Good morning, Representative.

Good morning, thank you and I am here with my colleague Senator Abrams and she
will be speaking with me as well but there is no two chairs and we didn’t want to share, [Laughter].
Chairman Fox, Chairwoman Flexer, Vice-Charis and Honorable Committee Members, I am here to express my opposition to House Bill 5611 AN ACT CONCERNING THE CHALLENGING OF INCARCERATED PERSONS FOR PURPOSES OF DETERMINING LEGISLATIVE DISTRICTS.

The Committee bill as written seems to add the prison population to census numbers and we’re really here today to confirm that this doesn’t actually change the census numbers or will be used for other purposes. So while I understand the underlying intent of this Legislation and agree with it, I have to strongly oppose this Bill if it does change those census number for other purposes because it would have a significant negative impact on Cheshire’s state aid and operating budget. Cheshire estimates that if enacted it would result in a 30 percent reduction in our Education Cost Sharing Grant. Cheshire is home to the state’s second largest prison consisting of 45 buildings, covering 424 acres and housing about 2,500 prisoners. The state prison has worked hard to be a good neighbor but housing these facilities in Cheshire provides no significant economic benefit. In fact it is quite the opposite. The Pilot payment for state property that Cheshire received for fiscal year 19 is 28.02 percent of the statutory requirement with an underfunding of approximately $3 million dollars. With the reduction to Pilot coupled with the approximate 30 percent reduction in ECF funding if this bill passes, Cheshire could see a significant loss which would cause irreparable damage to our education and operating budget. As these are just...
estimates which do not include any cuts to Cheshire in the Governor’s budget or plans from the Legislature, simply speaking this may be the straw that breaks the camel’s back and such large cuts were severely affect the children of Cheshire. And additionally with the passage of this Legislation other towns that have prisons and as Senator Abrams will testify, possibly colleges will be affected as well. I reached out to the introducer of this legislation in an effort to accomplish the philosophical intent but to have it be affect upon 100 percent Pilot reimbursement to create almost a net zero effect on prison towns. At this point we have solidified any agreement but I will continue to work toward that end. If this Committee sees fit to send this Bill out without substitute language, I think it would accomplish all the goals of the communities involved. And I would like to ask Senator Abrams to add some words.

REP. FOX (148TH): Good morning, Senator.

SENATOR ABRAMS (13TH): Good morning. First I would like to thank you all for thinking outside the box in looking for different ways to approach things and I certainly understand, I think, what the intention of bringing a Bill like this forward would be. However I share the concerns for particularly the Town of Cheshire that my colleague has already spoken about and also for the many other towns in our state that have prison facilities in there. Typically also college have been counted towards the city in which they are, that they exist, and so I wondered for other facilities like that how a Bill like this might be considered towards counting student populations when looking at creating
legislative districts. So I know that you are all trying to just think of the best way to accomplish your goals and I appreciate that and I hope that you will consider the points that we bring up today.

REP. FOX (148TH): Thank you very much, Senator and Representative. Any questions. Senator Sampson.

REP: SAMPSON(16TH): Thank you very much, Mr. Chairman. I want to thank you Senator Abrams and also Representative Linehan for bringing this information to the attention of the Committee. I also represent Cheshire in full disclosure and we call became aware of this a few days ago and I want to let you know that I personally share your concern. I am never going to support anything that does damage to a town that I represent and I think there is a great concern, all across the state, we have quite a few different prisons in different parts of the State and I think that other communities are going to be impacted just as much. So I am confident that we can work together with the Chairs and the Ranking Members here to kind of come up with a plan that may accomplish the intent of the Bill without doing that damage, and you’ve got my word to work on it.

SENATOR ABRAMS (13TH): Thank you, Senator. I have a list of the other facilities in the State that may be affected by this just, not the colleges, but I can certainly get that information for you also and I would be more than happy to share it with the Chairs and if they would like to share it with the rest of the Committee.

REP. LINEHAN (130RD): Rather, the proposed Legislation originally was very broad. Now I saw
today, just this morning, that the Committee Bill looks like and that is different and so we just want to make sure that in that language are we saying, and if you have that answer I would love to hear it, does this somehow actually effect the census numbers or because your bill seemed to hash it out a little better saying that you take the census numbers and then add the prisoners back to wherever their towns were, so that looks like that’s strictly for greater legislative purposes. Our concern is to find out whether or not those numbers will be utilized somewhere in determining state aid. Traditionally that’s what’s been happening, the Town of Cheshire, this legislation has been coming up for year. I have testimony from the Town of Cheshire dating back to 2011 and possibly even before that. So this has always been a concern of ours, however we are really interested in working together to ensure that the intend of the legislation that we can achieve that goal without doing irreparable harm to our communities.

SENATOR ABRAMS (13TH): And I just said, I’m sure you’re all aware of the Pilot Program, how underfunded its been and the impact that’s had on towns like Cheshire and Meriden and Middletown, all that I represent and I’m sure towns that you represent as well. So that kind of brings into focus the underfunding of Pilot also when you consider this Bill. Thank you.

REP. FOX (148TH): Any further questions or comments? Just a quick followup, can you just clarify the comments you made about the difference between the collages and the prisons?
SENATOR ABRAMS (13TH): Well although I haven’t read the Committee Bill yet, so I’m not sure as it just came out this morning while I was running down here. But typically the colleges have been counted in the census in the towns that lived in, so if you have like, you know, Yukon students are counted towards that. In my case in my district we have Wesley and all those and Senator Lesser’s part of the District but in the town that I represent and so if you’re looking at not counting the numbers in the prisons towards the census I just wondered if you’d considered about colleges and where they would fall in all that cause there is other similar kind of situations that exist throughout the State. Does that answer your question?

REP. FOX (148TH): It does, yes. Thanks.

REP. LINEHAN (103RD): And was part of your question about the fiscal impact?

REP. FOX (148TH): It was probably what Senator Abrams discussed, yes, yes. And Representative Linehan I think you talked about what is the female population of Cheshire, the actual prison facility there, approximately.

REP. LINEHAN (103RD): At last check is was around 2,500 but that fluctuates. Do you know what the maximum capacity or?

REP. LINEHAN (103RD): I don’t. I can get that information for you.

REP. FOX (148TH): Sure, that would be great. Thank you. Any further questions or comments from the Committee. Seeing none, thank you very much for
your time. Up next is Karl Kiluff followed by Representative Kurt Vail.

MR. KILDUFF: [Inaudible-off mic] problems that we have regarding Committee Bill 604 AN ACT REQUIRING EXECUTIVE AND LEGISLATIVE REVIEW OF CERTAIN QUASI-PUBLIC AGENCY CONTRACTS. For decades CHFA has accomplished our goals as an issuer of Federal Private Activity Bonds as well as an allocator of the Federal Loan Income Housing Tax Credit Program. We have maintained a AAA Bond Rating status since 2001 including during the 2008 financial crisis.

We are concerned about the focus in this Bill as results to consulting contracts that have the unanticipated consequence of diminishing CHFA feasibility to respond to changing market place. A critical component of our lending success is the use of unrelated third-party consultants to help the Authority evaluate capital markets, structure the issuance of debt, and maintain housing assets. These consultants are selected through a public procurement process which provides transparency and allows CHFA to evaluate approaches that will best suit the Authority’s needs. This Legislation will have the unintended consequence of potentially leaving the authority without a necessary consultant or create a delay in procuring consultant which will be detrimental to the Authority when it is trying to access capital markets and convey fiscal strength and confidence that the Authority’s AAA Bond Rating requires.

You have my written testimony which provides greater detail in terms of the types of consultants of greatest concern and thank you for your
consideration. I am available to answer any questions should you have any.

REP. FOX (148TH): Thank you, Mr. Kilduff, good to see you again. Any questions or comments for Mr. Kilduff? I have a quick question if I may, Mr. Kilduff. Can you speak again, just explain for us the idea of the financial implications that may have on your organization for the lending?

MR. KILDUFF: CHFA, most of our lending is through the Federal Private Activity Bonds and while Connecticut is a small state, we are one of the largest issuers of this type of debt in the country so that puts us as a heavy user of this resource which provides the primary vehicle for single-family mortgages for first-time home buyers. As we are going through the process of issuing debt, we have a financial advisor, much like the State does to help evaluate what are bonds are. We also use other consultants to help determine what bonds should we be calling, what bonds we should be refinancing. Security and Exchange Committee requires us to use a third party if we use a derivate instrument such as SWAP which is one of the vehicles we use to make sure we’re delivering the lowest interest rate possible to a first-time home buyer so we need to have these consultants in place as the housing market evolves so that we can respond accordingly when we are issuing debt. CHFA is in the marketplace pretty frequently because we are issuing the private activity bonds so we are regularly dealing with our rating agencies and engaging these consultants in order to help us position our debt.
REP. FOX (148TH): Thank you very much. There is a threshold in this Bill of, I believe $50,000 dollars and would CHFA have the position on the threshold of being raised or lowered or is there a ballpark range that you would be comfortable with or is that not even part of the concern at this point?

MR. KILDUFF: The dollar amount is of concern for the larger consultants that we utilize in issuing debt and they would trigger this threshold. I know there was a Bill previously that mirrored some of this language and there was an exemption for financial services and contractors associated with federal compliance. That language we were comfortable with last year and if that was to resurface in this Bill that would address some of our concerns or a sharper definition of what a consultant means in the context of both employment contracts and separation agreements.

REP. FOX (148TH): Thank you that’s very helpful. Any further questions or comments for Mr. Kilduff? Seeing none, thank you for your time today, sir. Next Representative Kurt Vail followed by Representative Candelora. Go ahead, Representative.

REP. VAIL (52ND): Good morning Chairman, ranking members France and Sampson and all the distinguished members of the Government Administration and Elections Committee. I want to thank you for the opportunity to testify in support of House Bill 5043, AN ACT CONCERNING THE ADOPTION OF ATLANTIC STANDARD TIME.

In essence I submitted written testimony, I testified last year on behalf of the same cause and more than happy to answer your questions but I
actually have an expert on this issue that flew-in last night from Colorado just to testify on that and if I could have the indulgence of this Committee I would like to give my time to him, the remainder of my time to him and his name is Scott Yates.

MR. SCOTT YATES: Thank you very much to Members of the Committee and thank you Representative Vail. I did fly in last night from Colorado so thanks to United Airline for a direct flight from Denver and thanks to my Lyft driver this morning that knew the difference between the LOB and the Capital Site. I actually got to the right building.

REP. VAIL (52ND): On time as well.

MR. SCOTT YATES: Yeah,[laughter]yes. Thank you very much for your time. I have, I don’t know six or seven pages of testimony that I think that you have. I’m happy to read from it but, you know, probably the time is better spent with me just telling you that this is a great issue for the Committee to be taking up. The government imposes a change in the clocks twice a year on the entire populous and its really just kind of glitch in the way that we operate the clocks and it’s a deadly glitch. There are people that die every year from heart attacks, car accidents, strokes, epileptic seizures, workplace accidents go up. This is, you know, this is a legitimate health and policy issue and its been treated in the past as something that is kind of quirky little issue about the time, but the more research that gets done the more it becomes clear that this is a totally legitimate public policy issue and I think it is the kind of thing, especially young people today as saying, you know,
why do we have this change and if we don’t have a good reason why are we still doing it and so taking a step to try to fix this glitch in the clock is something that not only fixes the problem which is a good thing, but also in a bigger sense I think restores a little bit of faith in government that the government is trying to do things the right way and if we can get this sort of fundamental thing right then we can go on and get other things right.

I mean one of the most common things people say is, “Why are you talking about this when we have so many other important issues” but really it’s hard to imagine a single issue that directly affects more of your constituents than the imposition of a time change twice a year. I mean I often say if somebody snuck into your house and moved your alarm clock so it went off an hour earlier than you were expecting you would be pretty made about that and yet the government does it twice a year and without any really solid justification. I would be happy to go into the reasons that we do still have it but, you know, and I’m happy to keep talking about it as long as you like but I understand that there may be some questions, so I’m happy to just respond to the questions directly.

REP. FOX (148TH): Representative Vail did you have?

REP. VAIL (52ND): I want to get down on one keep and I just want to mention too that this similar legislation is in five, four of the five other New England States we have and its being heard around the State and I have actually submitted testimony in New Hampshire. We have a very similar bill up there and its gaining traction so we’re all trying to work
together to try to figure out how to do this. Obviously if Connecticut were to move into, the point is to move into the Atlantic Time Zone and then eliminate Daylight Savings so that we have that hour in the afternoon as opposed to evening cause of the seasonal affective disorder which we’ve talked about in the past. People go to work in the morning in the dark, they come home in the dark, it’s kind of depressing. At least this way we would be able to come home in the light, still go to work in the dark and so there is some movement across New England to do this and I, he could probably answer your questions but I am here to answer any too if you need. Thank you.

REP. FOX (148TH): Any questions or comments? Senator Haskell.

SENATOR HASKELL (26TH): Thank you both very much for your testimony. I’m fascinated by this issue and I appreciate your expertise. I have a question because I represent a community in which many people travel to and from Manhattan everyday for work and I am concerned that you mentioned some initiatives going on in other states but it would seem perilous for Connecticut to move forward without New York’s participation. In other words the commuter might board the train in Westport and arrive in New York an hour earlier than they had left.

SCOTT YATES: Sure, it’s totally a legitimate issue and I might say a couple of things about that. The first is that New York this year has a Bill that looks like it will probably pass that is very similar to the Bill from Massachusetts from last year which is just to create a study committee and
it’s hard to imagine that the New York study committee is going to find anything different than the Massachusetts study committee which found that there are clear health benefits and clear benefits for all of the citizens to remain in Daylight Savings Time all year around. So I think there is a pretty decent chance that if all of the New England States move together as this bill envisions that New York will notice that and not want to be left behind in this sweep of history and will catch up to that. You know, I don’t want to speak for Representative Vail, I know he left New York out specifically but I think it might be an appropriate addition to this Bill if Representative Vail is willing to do that to say that this Bill would be contingent on New York also passing change to permanent Daylight Savings Time.

REP. VAIL (52ND): And again I’m certainly open to that concept and this Bill was drafted, they did a study group in Massachusetts and they recommend doing just what this Bill does. They also recommended, because there is concerns about the early kids gettin on the bus early in the mornings and it’s gonna be dark out and they addressed that issue well saying that we start school a little too early anyways but that’s another issue all together but that was part of their recommendation. So this Bill is drafted specifically based on the Committee in Massachusetts’ findings that they passed a law, they then didn’t pursue it, I think they are pursuing it now in legislation like this, but this was designed after that study.

SCOTT YATES: And if I could just add one thing to just kinda politically, it’s true Connecticut is
closely tied to both Massachusetts and New York, Arizona is, you know, a much bigger state so it seems like it is further apart but Arizona’s economy is tied very directly to California’s economy and there was a state legislator in Arizona who proposed, Arizona of course is the only state in the Continental United States that stays on Standard Time year around and there was a representative that proposed a bill that said that we should switch with California so that we avoid that confusion that comes twice a year and he was so flooded with constituent response say, no, we don’t care about the confusion we like not having to change the clocks twice a year, that’s what we like. This legislator actually went up and held a press conference killing his own bill which maybe the first time in the history that a legislator was proud of killing his bill in public. So, if on the oft change that this happens in Connecticut without New York, yes there would be confusion and yes I think the constituents of Connecticut would still be happy with the not having the time change imposed on them twice a year.

REP. FOX (148TH): Thank you very much for your answers, I learned a lot, so I appreciate you being here. Any questions or comments? Representative France.

REP. FRANCE (42ND): Thank you, Mr. Chairman. One I guess I read in your testimony you talk about the history of how it started, of course the lore was that it was done for farmers, they wanted the extra hour in the evening. I guess how did we get here, across the world in fact, you know most of the world does this and it’s different across the world
actually in how they do it. So could you talk to that particular briefly on how we got here and why we think the way we do?

SCOTT YATES: The particular thing and if there are any school children in attendance, I hesitate to talk about this too much for fear of making cynics of them before their time, but we have a New Englander to blame for the reason that we all think it is because of the farmers and the New Englander is Lincoln Filene up in Boston who was running a large department store and he thought that people would be more willing to shop after work if there was more daylight at the end of the day but he knew that if he came into the legislature and said I think we need more daylight for people to stop in my store that wouldn’t go very far so he hired literally a PR firm that came up with the idea that we should give, we should say it’s for the farmers because everybody loves the farmers. The farmers have always hated the change for Daylight Savings Time, they hated it back then for reasons that are much different for the hate now. I testified in Nebraska, a big milk production state, and the dairy farmers hate the change because the milking machines are set on a clock now and so for a couple of weeks each year the cows are all messed up because the milking is goofed up. So that’s the reason we continue to blame the farmers is because effective PR work from 100 years ago from Boston.

In terms of your question about what is going on around the world, yes it does happen. The real story why we started was because we were keeping in sync with Germany during World War I. There is a theory that was a purely political move by Germany
to distract from the fact that they were doing so badly in the war and students of history know about the Turnip Winter in Germany and this was related to that, a distraction from that. And so yes, Europe does have Summertime but the European Parliament just in recent months took up the issue and is not putting it member countries of the EU saying that it is no longer a requirement for the EU for you to switch the clocks twice a year into what they call Summertime. So it is clear it is on its way out in Europe. Other places, I’m in touch with a guy who is leading a similar effort in Australia, they are trying to get rid of Summertime there. There is makes no sense because of the seasonal issues and then, you know, the sweep of history, this is the fifth year I’ve covered it, the level, the number of bills around the country, the intensity of the bills, the degree to which they are passing through legislatures is more than ever and of course in California this last election they passed a Constitutional Amendment to amend the constitution to be able to take the first step to being able to get rid of the clock switching in California passed with 60 percent even though it was a muddled mess, people were not sure what they were voting on, it still passed with 60 percent of the vote. So it’s clear in the sweep of history, clock changing twice a year is on its way out. It’s just a question of, you know, who’s going to be leading on that and who’s gonna be lagging on that.

REP. FRANCE (42ND): Thank you for that. I guess the final question, there was a change in the timing of when we moved our clocks under President Bush. Did you see the research, is there any impact to that,
that would confirm, you know, some of the points that you’re making are related to the health impacts and others by making that change?

SCOTT YATES: There were some energy impacts that were positive and switching them to, you know, for Connecticut will be year around Standard Time, you would think of as year around Daylight Savings Time would have some additional energy savings but just for a couple of weeks, sort of around the edges of when we switch in and out. But as far as the health effects go, no, I mean it’s the changing of the clock that is the most dangerous thing. That’s the thing that causes the workplace accidents and traffic accidents, the heart attacks, the strokes, the seizures and so there is just no way to, to basically give, you know, a jolt of jetlag to an entire populous at anytime of the year and not have negative health effects from that.

REP. FRANCE (42ND): Thank you very much. Thank you, Mr. Chairman.

REP. FOX (148TH): Any further questions or comments? Representative Vail.

REP. VAIL (52ND): With your indulgence, I listed to Representative Linehan and Senator Abrams before. I represent the District with the biggest, I think it is Bill 5611, I obviously would oppose that Bill. I represent Somers, they are already down in Pilot money, it’s a big thing there so I just wanted to piggyback on their comments and say that I would definitely be opposed to that bill as well. Thank you.

REP. CANDELORA (86TH): Thank you, Mr. Chairman and Ranking Members. I am here to testify in support of 6047 but request that there be some modifications. This Bill was obviously submitted by Representative Young in response to an issue that occurred in the Stratford race in which ballots were mixed in that race.

I was one of four members that served on the Contested Election Committee in the House of Representatives to try to address this issue. What I am requesting of this Committee do is to take a look at the process in which we look at contested elections for state reps and state senators. Currently those are the only two races that lie within our own jurisdiction to review the legitimacy of whether somebody was properly elected. Having gone through this process I frankly am concerned about having our own body reviewing those elections and I believe that it is more prudent for the Supreme Court and the Superior Court of the Judicial Branch to be looking at that issue. When the Supreme Court ruled on this particular case, they asked us to look at it in “Judicial Fashion” and right now we have a report that has two competing standards coming out that, in my opinion, really divert from what our well-established Connecticut Law is. I think we had many challenges, we worked very hard to put together a scenario that would be most fair to gather evidence for the parties but the proceedings that we have for the State of
Connecticut, the parties really lacked the ability to have representation, lacked the ability to call witnesses, lacked the ability to have subpoena power all those things in which they would have in a Court of Law that I think is important for people to have that proper redress. And so I am requesting that this Committee take a look at this Bill, while it is trying to serve, to correct a particular ill that occurred in the Stratford election I think there is a much broader problem that is starting to blossom out of this process having served on it and I would appreciate your consideration in this matter. Thank you.

REP. FOX (148TH): Any questions or comments? Senator Sampson.

SENATOR SAMPSON (16TH): Thank you very much, Mr. Chairman. Thanks for being with us today Representative Candelora. Thank you very much for brining this issue to the attention of the GAE Committee. You mentioned that you have a concern about this being in the hands of the Legislature rather than the Judicial Branch and I hear that concern. Can you maybe explain to us how that and why that is?

REP. CANDELORA (86TH): Well I think my understanding is originally back in the 1800’s and when our Constitution was adopted the Legislature felt that the Executive and Judicial Branch should not be reviewing elections of our own officials. I think there was a lack of trust between those branches that dates back to England and Parliamentarian Rules. Under those rules the Chamber that ultimately seats the Representatives, in this case,
is the body that review whether or not an election was valid and so it sort of is a long-standing tradition. It has been very rarely invoked I think in the State of Connecticut. The only one that we found was going back to 1985, actually when Senator Hartley at the time had first gotten elected but there, that contested election really didn’t go the distance so there is very low precedent in how to conduct ourselves and I think, as I watched this process play out and, you know, unfortunately it was playing out by the time Bill submittals were done, that I am realizing that it’s something that our Legislature needs to act on.

SENATOR SAMPSON (16TH): Thank you very much and I completely agree. I mean to me when you have an election this close and there is something in doubt, you need an impartial hand not a political motivated body involved in making the decision. I’ve heard a lot of people talk about the resolution to this and some folks seem to be saying that the only way it can be done is by Constitutional Amendment but I noticed in your testimony you mention that there is a Statutory Resolution.

REP. CANDELORA (86TH): Well I think, in my opinion, I think that the Constitution sets forth the parameters of which giving the authority of the House of Representatives to determine how they deal with the qualifications of those that are elected and I think that we as a body could delegate that authority to the Superior Court, to the Judicial Branch by Statute. In the recent Supreme Court case that dealt with this particular matter, the Court did note, and I’m just gonna read it to you, “Our review of the Dressler factors leads us to conclude
that the Election Clause affords the State House of Representatives exclusive jurisdiction over the plaintiff’s election challenge in this case particularly in the absence of Legislation sharing that jurisdiction with the Courts in some way.” So I think the Courts have recognized that we have done that in Statute in our Municipal Laws giving the Judiciary jurisdiction over these cases I think we could possibly, probably do that under our Laws.

SENATOR SAMPSON (16TH): So, in short do you think that the Legislature delegating the authority to the Judicial Branch satisfies the Constitutional requirement?

REP. CANDELORA (86TH): I do and I think the concern of not doing it, what has evolved since the Decision of the Contested Election, the report that we put out which was a 2-2 decision on how we proceed, there has been a subsequent Motion for Reconsideration with the Supreme Court and in that they are citing a Due Process Violation and I am sympathetic to it because, in part of the report that I did not support, it is setting a Burden of Proof on the complainant to prove their case. It is also a requirement to prove the intent of the voters and if you read this Motion for Reconsideration the argument is they under our statutory construct of the right to vote in private that contestants wouldn’t have the ability to prove how somebody is gonna vote. But on top of that because they lacked the ability to call witnesses and to cross-examine these parties, we can’t give them Due Process and it was something that I think all four of us on this Committee talked about making sure we do provide some sort of Due Process but I think it is very
difficult to be able to do that. A simple example that we struggled with as well, the attorneys aren’t filing Appearances in these cases so they can’t represent their client before us. There was some concern under Practice Book Rules that the attorneys by merely coming before the Contested Elections Committee become parties or become witnesses to the proceedings and then become disqualified in subsequent judicial proceedings. And so those impacts and those barriers are created because of our Practice Book Rules which were adopted subsequently to Rule 19 that was adopted in those rules. So, I just see a lot of issues that have arisen and given the fact that we are now seeing editorials criticizing the decision that we came out with and saying that we should have a new election, it doesn’t bode well for the appearance of this entire Chamber that we are sitting as judge and jury on an election when logically the layperson would think in should be in the courts.

SENATOR SAMPSON (16TH): I completely agree. I mean if nothing else we need to have the confidence of the voters that the elections in this State are held in a fair manner and when you have an issue like this it is resolved in a way that is impartial. Do you know of any Legislation that is before this Committee or any other place that might be a vehicle or have the intent that we just discussed?

REP. CANDELORA (86TH): So I like saw this particular piece of Legislation that got written and I thought this is an opportunity for me to come and talk about this issue but it was my understanding that Senator Kelly has submitted a proposal to address this and I would certainly urge this Committee to raise that
Resolution or Bill which ever format they want to put that in, so that we could have this dialogue because I think it is important for both Chambers to begin this process before we have any other elections.

SENATOR SAMPSON (16TH): Thank you, yeah the Senate Joint Resolution 13 I think it is and I am aware of it also. His proposal is a Constitutional Amendment but based on our conversation I think that there is the possibility that maybe with a little conversation, if that’s not amenable to some parties maybe a Statutory change that is made in that Bill might make sense also.

REP. CANDELORA (86TH): I think that given the protracted litigation that we are seeing and the continued sort of debate on how this needs to work, I think it is incumbent on us to create some sort of vehicle and a Public Hearing to start having this dialogue regardless of what happens in the Stratford race moving forward because as we just saw in the papers yesterday there was an issue with hand-ins and how some individuals were able to vote and frankly what was disconcerting to me was our Secretary of State was very quick to jump into that race and say that she is going to file an SEVC complaint yet there has been complete silence out of that office trying to address this issue which is very real and I think while she may intend it, it is creating the appearance that there is clear partisanship coming out of the Secretary of State’s Office whether that is the case or not, it is creating that appearance certainly for the public.
SENATOR SAMPSON (16TH): Thank you very much Representative. I really appreciate you taking the time today. Thank you, Mr. Chair.


REP. LABRIOLA (131ST): Do you know when the House is going to vote on the Report that is coming out of your Special Committee. I’m just thinking because you mentioned that there is going to be this Motion for Reconsideration at the Supreme Court and it sounds like it would be best, most fair if the House waited to see what the Supreme Court does with that Motion to Reconsider.

REP. FOX (148TH): If I could just interject for a second, but I think, all due respect to Representative Candelora, Representative Labriola I think we’re off topic. We’re here today for the Bill before us 6047, I don’t mean to cut you off Representative, I mean I just want to be sure that we stay on topic on the Bill before the Committee without being off in too many.

REP. LABRIOLA (131ST): I just had the one question.

REP. FOX (148TH): Understood, please proceed.

REP. CANDELORA (86TH): I think that the leadership on both side of the aisle are discussing when that Resolution would occur and obviously I think everybody in the building is taking it very seriously, not taking this issue lightly and we are trying to come up with an appropriate resolution to that matter, but I think as I said and I appreciate the fact that the Bill we are talking about is dealing with different color ballots for the
District and like I said I came here today because I think if this ends up being the vehicle, so be it. But I think it is important maybe going forward for us to have a more robust dialogue on how to address this issue.

REP. FOX (148TH): Any questions or comments?
Representative France.

REP. FRANCE (42ND): Thank you, Mr. Chairman and back on that point I noticed in your testimony the Elections Committee found that is was already standard practice to have colored ballots. Could you expand on where that practice codified in some policy from the Secretary of State or from any other way or was it just the way things have always been done and secondarily what happened here that that practice wasn’t followed?

REP. CANDELORA (86TH): So it’s a great question because it isn’t a uniformed codified practice. I am not even sure it’s recommended. I think in my District in Durham I do share a place polling with the 101st with Representative Kokoruda. Our ballots are the same color but I know in Stratford they have traditionally had two different color ballots. What had happened was one of the gubernatorial candidates had, the Lieutenant Governor slot had become vacant and they were delaying on whether or not they were going to stay on the ballot which delayed all the printing of the ballots and when Stratford got their ballots back they were both the same color and they decided well we don’t really have time or want to spend the money to have new ballots printed that were different colors so we’ll just be very careful when we do our elections and this is what had
resulted. I do think the underlying Bill would make some sense to address that issue going forward but broadly I also have a concern going forward if issues arise in other situations like in Hamden we should be looking at this more broadly rather than just trying to protect, correct one in particular incident.

REP. FRANCE (42ND): And thank you for that and the perspective. I guess the one question do we really need to do this legislatively or is this something the Secretary of State could issue as a policy for polling places that are in the situation where you could have two spots? I guess I don’t understand whether there is truly a need for the Legislature to give this direction as opposed to the State of State who oversees elections issuing that as a policy for polling places that have two different districts.

REP. CANDELORA (86TH): I think it is a good point and I think guidelines are important. The concern that I would have in this particular situation is if we legislate it and we don’t have two color ballots but there is no mistake in an election does somebody have an appealable issue? So that would be the flip-side to this. The other thing, you know, I guess what a district could do, in particular, I take Durham, you know, they could just make all the, actually Stratford is a better example, they could take all the ballots from the 120th and all the ballots for the 122nd and have them in two different colors regardless of which polling place so it wouldn’t impact the bottom line. So if the legislation is written I would make sure that a town would have that ability which I think it does. You know I think it is a good standard that town should
be following but not all towns do necessarily follow it and it is a good point because I don’t know what impact that would have if we do mandate it and it is not followed.

REP. FRANCE (42ND): Thank you very much. Thank you, Mr. Chairman.

REP. FOX (148TH): Any questions or comments? Thank you for your time Representative. Up next is Councilman Larry Gurish[Phonetic] followed by Senator Martin Looney followed by Representative Pat Miller. Is Councilman Larry Gurish here? Not seeing him present, Senator Martin Looney present? Justin Miller, sorry, Justin Farmer?

JUSTIN FARMER: Good morning. I first want to start off.

REP. FOX (148TH): Can you say your name for the record please?

JUSTIN FARMER: Yeah, my name is Justin Farmer. I am a Councilman from Hamden. I just first want to mention the fact I wear noise cancelling headphones, I have Turrets and I am sensitive to the noise so I hope you all don’t think I’m disrespecting you with my presence. So thank you Ranking Member Fox and Flexer when she gets here and other Distinguished Members of the GAE Committee. I am here to speak on behalf, in favor of Proposed Bill 553, hold on, let me bring up my notes. I am here to speak on behalf of 5316 I believe.

So, as I said, I’m a Councilman from Hamden. I happen to represent some of the poorest people in town and the richest people in the town of Hamden. Prison gerrymandering effects my community. It has
effected my community. First before I go into the points that I wrote, I want to speak on the issue of how we quantify these numbers. I think it is important that we acknowledge the fact.

REP. FOX (148TH): Excuse Mr. Farmer. Can I ask quick what Bill you are here on? I don’t think its on the agenda. Is it 5611?

JUSTIN FARMER: Yes.

REP. FOX (148TH): Okay, thank you.

JUSTIN FARMER: We all know that there are racial disparities in our Country and we all know that plays out in an institutional way and as a municipal leader I think it is important to mention the fact that my community also suffers from not having the resources from Pilot. We suffer from not having the proper representation for ECF. So as we talk about these inmates in community numbers and how they are counted in the census and how they are counted in terms of voting rights and how you have representation in our Democracy. I think it is important to talk about this specific Bill speaks to these individuals and community members being counted in the communities that they belong in and are part of but those numbers should, and eventually should be represented in the communities that they reside in because we also have community members, and we also have kids that we need to educate, and we also have bills that we have to pay and there is an equity in that. So I just wanted to speak a little bit to this issue. I happen to be a Legislative Counselor in Hamden. It’s no surprise to us that many of our prisons are disproportionately filled with black and brown
people despite crimes amongst races being relatively the same and yet almost insult to injury we take the community members voices at the same time as amplified by others. We have built up communities in suburban communities profiting off of the injustices in communities of color, building prisons, providing jobs guarding those prisoners and now we are taking the right to vote, not only that we are taking it but we are literally giving it to someone else. Now in our case, the inmates don’t have the privilege of being able to vote while they are incarcerated but in many European countries that is the thing that they do and in Maine and Vermont we allow for our citizens to vote in their elections while they are incarcerated.

The proposed Bill doesn’t necessarily take a look at the institutional injustices but it does restore justice to the families and inmates that are affected while they are in prison. By the time I was ten I had three family members who were incarcerated, two of those family members, a decade later when we changed laws around the war on drugs, three strikes, my family members wouldn’t have touched the legal system but it took as a while to realize the injustices of how those laws, how the intent of those laws and how they played out affected my community. As we talk about restorative justice, I think it is important fact that we are honest about this conversation, when we don’t count people where they are supposed to be, we are disenfranchising communities and we are making a choice to say that other people are more important than other communities. I thank you all for your time and I ask you to please, to please send this
Bill out of Committee but also think hard on these numbers. Allow them to be counted for other census as well as implementation for Pilot and other programs because our communities are in a deficit, we are deeply in need of it. Thank you and I appreciate the time you all have allowed me.

REP. FOX (148TH): Thank you Mr. Framer for your testimony. Are there any questions for Mr. Farmer? No questions? Thank you very much for your time today, sir. Up next is Councilman Larry Gurish available, not present. Representative Phil Young? Senator Gary Winfield? Number one seed on the Public List Sue Larson, followed by Tim Beeble. Good morning, Ms. Larson.

SUE LARSON: Representative Fox and Members of the GAE. My name is Sue Larson and I am President of the Registrar of Voters Association of Connecticut. Since there are many new members of the GAE I would like to introduce ROVAC to you. We represent the Registrars of Voters in Connecticut. Most of what we do is educational. Twice a year we hold conferences that we do for educational purposes and we propose legislation to make better, fairer, more transparent elections. So that’s why I’m here today to provide information on a few of the Bills from those of us in the trenches of the election process.

SB 266, last year a bill similar to this was proposed for only State elections. This went against the values of Registrars that feel that all elections are crucial to Democracy so we are supportive of this current Bill SB 266 and we thank the Committee for changing the Bill to include all elections. Students do have the most difficult time
accessing voting and by allowing us to work with local officials we are firmly committed that we can find the best solution on this issues. LOVAC would also like you to take into consideration that EDR is another part of the election process for students. We have proposed a concept on the Bill which will be at a different Public Hearing but we would like you to consider that along with this SB 266 to allow EDR and polling locations on campuses.

Also I would like to talk on HB 5817. I would like to eliminate unofficial checkers all together. Technology has changed enough that it is now time for use to start Pollbooks. Pollbooks would give political parties immediate access to who has been checked in so that you no longer have to have unofficial checkers trying to listen in all the time as to what’s goin on. They will have accurate, concise and timely data all the time.

On HB 5335, this Bill makes sense. Registrars do not want to be judge and jurist over party issues so we are definitely in favor of this Bill.

REP. FOX (148TH): Thank you are there any questions for Ms. Larson. I have a few questions if I may. Can you please again just clarify the distinction you made in Bill 266, in last year’s bill I think you made a distinction?

SUE LARSON: Last year’s Bill had polling locations on campuses for only state elections. This Bill, according to the way its worded is for all elections including the municipal elections which we are definitely in favor of.
REP. FOX (148TH): Okay and so the idea behind that, so did last year’s bill did it include public and private intuitions do you recall.

SUE LARSON: I don’t, I think, if I remember correctly it was a population of students.

REP. FOX (148TH): Another quick question has to do with House Bill 5817 the official checkers still. Can you just give me an idea, the concept behind the official checkers, when it began and how long its been going on and the role they play in your mind if there is one or planning more.

SUE LARSON: I don’t know exactly when the unofficial checkers started but basically it was to both parties to get an idea of voter turnout and for their bases whether or not, you know, any parties getting any. A party could get the information saying we’re doing really well but we need to make more phone calls or we’re not doing really well, we’ve got to get our campaign people out. It is basically to help the political parties to get their base out. What happens is usually 48 hours prior to an election the political chairmen of their parties will let us know if an official checker is going to be at the polling places, they give us a list of names so we know ahead of time, we will give them official voter lists so they can have the same data that we have and they will sit behind the checkers so when the voter comes in and for example, I went up to the voter and I said, Demming Street 350, Sue Larson. The checker would then go check me off and hopefully the unofficial checker sitting behind would hear it also and that is the way it is supposed to work. So it’s supposed to be a
simultaneous hearing of the voter introducing themselves to be checked off.

REP. FOX (148TH): Thank you and isn’t there some value to the process we have in place still?

SUE LARSON: I’m not questioning the value, I’m, what I’m saying is technology is there for better value so that instead of the unofficial checker, every hour or two hours however they want the runners to do, take the list and say here’s the latest information. They can get it instantaneously off the electronic pollbook.

REP. FOX (148TH): I think my understanding of the process is some of that is not necessarily going on at all. Like we have 169 towns and some work better than others so I think some towns are having difficulties with this actual process, the checker process the Bill has raised, I think.

SUE LARSON: Well we’re hoping that you will consider Pollbooks for the State. Right now the Secretary of the State is still looking at different qualities and quantifications to what a pollbook should look like, what company to work for. We would like that to move a little faster because there are about 30 towns that are using pollbooks and it’s working really well with our towns and our political parties.

REP. FOX (148TH): Okay, thank you very much. Any other questions or comments? Senator Maroney.

SENATOR MARONEY (14TH): What is the approximate cost of the pollbooks?
SUE LARSON: Well the company that I work with it’s about $2,000.00 dollars and then we buy our own laptops and so they are dedicated and that is approximately, it depends on your town as to how technically superior you want to be on the capabilities of the laptops. You can go $300.00 dollars, you can go $900.00 dollars.

SENATOR MARONEY (14TH): So would the pollbook be purchased by the individual towns as opposed to the State purchasing?

SUE LARSON: Yes, right now. But that again, I’m you know, I don’t know if the Secretary of State would want to put that in a budget at a future time or not but I know we purchased ours.

SENATOR MARONEY (14TH): And it would be one per town then, you would need one poll, 2,000 you would need one per polling location or?

SUE LARSON: It depends on the size of the polling location. You can have one per polling location or you can have three and it depends on the election too. For South Windsor our smaller ones we use just one, in our larger ones for a presidential we use three.

SENATOR MARONEY (14TH): Okay, thank you.


REP. MASTROFRANCESCO (80TH): Thank you very much, Mr. Chairman. Thank you very much for coming out to testify. You know, elections are very important and the integrity of our elections are extremely important to everybody so I appreciate your
testimony. In reference to Senate Bill 266, do you happen to have, has the Association done a study at all on what the cost would be for our municipalities to implement?

SUE LARSON: It, again, this is something I think the local officials will have to look at because there is different ways of accomplishing this. You can set up a brand-new polling location, you can redistrict so that, you know, without having to add a new district. There’s multiple ways. So if you’re talking about redistricting of course that mean some, there probably isn’t going to be any additional cost. If you’re talking about a new district then you’re gonna talk the cost of the tabulator, the AVS machine, you’re gonna talk about ballot boxes those kinds of equipment and stuff and again given that the Secretary of the State has purchased extra tabulators, there may be a way of the Secretary of the State helping us out a little bit again and poll workers, you can shift poll workers from at least like checkers or number of ballot clerks, you can shift those over to a new location so it would be hard to come up with a dollar value. But it all depends on how your local officials want to do this so you can talk maybe zero costs to maybe $15,000 - $16,000 dollars.

REP. MASTROFRANCESCO (80TH): Okay, thank you and then just one more question, obviously the study wasn’t done by the Association for cost and I understand that probably is very complicated. Has the Association done a survey with the other Registrar of Voters in each town to get there senses that this is something that they would want?
SUE LARSON: When we took the survey it was mostly based on the previous years Bill cause we thought that Bill was going to be carried forward so we haven’t taken a survey on the Bill that is all elections.

REP. MASTROFRANCESCO (80TH): And when they do a survey do they survey every town?

SUE LARSON: As part of our fall conference we do a survey so that we have an idea of what are membership would like to propose for elections or what we need to either oppose or support. So that was done in the fall at our September conference and that is how we take our surveys.

REP. MASTROFRANCESCO (80TH): Okay and then just one more quick question. Your Association, is it regionalized or are the members from everybody, all the Registrars in the State of Connecticut or is it a certain region?

SUE LARSON: No, it’s all. So our members, there is obviously 169 towns and we have 167 that are paid members.

REP. MASTROFRANCESCO (80TH): Thank you very much for your testimony today, I really appreciate it.

REP. FOX (148TH): Any further questions or comments? Ms. Larson one more further question. Representative France.

REP. FRANCE (42ND): Just a follow up, you said that there were 30 towns that had implemented these pollbooks, do you have feedback on, I guess how long they’ve had them, success, interactions or any thing like that from the Association?
SUE LARSON: In writing or just in conversation? In conversation and most of us are very happy with the pollbooks but most of us have, we don’t have like what Hartford has, ours is a little different, it is laptop with a pollbook. Hartford I believe is using the LHS on pollbook where you insert your driver’s license, it is a little different than what most of us are using.

REP. FRANCE (42ND): I guess one of your points was your request to consider, you know, coming up with that solution it would be helpful to the Committee to have as much information as you can provide, the towns that have implemented, how long they have been implemented and the different types of as an informational for the Committee to be able to understand better what the implementation is.

SUE LARSON: Sure, I can get that information for you very easily.

REP. FRANCE (42ND): Thank you.

REP. FOX (148TH): Any questions or comments? Representative Santiago.

REP. SANTIAGO (130TH): Thank you, Mr. Chair. Thank you for coming up to testify. I just have a couple of questions. I agree with Mr. France that I think we need to have more studies on that. I mean one of the things that I would be worried about is computers being hacked especially in presidential elections as with happened with the last one. I think that if they all have different systems how would you, who is gonna pay for the security so that they don’t get hacked and I think that having something written, I guess I’m old fashioned, having
something written that you know it’s not going to be changed is something that is more stable as to who is voting whereas if you have a 169 different systems across the State who’s going to pay for that. And you also have to worry about the rural areas where they don’t have computer access or the antennas are not in those areas where they can have computer access as easily so that is what I would be worried about. I think you either need to do some kind of a study so that everybody is using the same thing, the cost is the same and what the security is gonna be like so that this type of system doesn’t get hacked.

SUE LARSON: Well first off as far as all of us using different pollbook techniques that is because there isn’t one specified by the Secretary of the State’s office right now. So right now we are the trial. We’re doing the study as far as which ones are working and which ones are not, or what are some of the issues that we’re dealing with. That’s an ongoing this as far as the registrars are concerned. So until the Secretary of the State actually comes out and says this is what I want, all of us are trying different techniques and different contracts on pollbooks. The second thing is we always have the paper copy there in the polling place. We would not go without it. Right now it is still under law that we would have to do an official voter check-off but even if we went with pollbooks, we would still have that paper copy there. So we’d never give that up. We want secure, safe elections just like everyone else does so we would make sure on that. And as far as security goes, the company that I know we’re working with and even LHS security is very
important to them so they have, they’ve got security in place and we’re all very confident in using them. That is as secure as some of the other programs that we’re working with, with the Secretary of the State on right the EMS System.

REP. SANTIAGO (84TH): Well thank you for that. And I think one suggest that we do in Meriden because I represent Meriden, everybody sits right at the same table, nobody sits behind each other so everybody hears the name when it is pronounced then the person comes in to vote and that way everybody hears the same name. So if you’re having people sit behind you, of course, you’re not going to have that same effect, so. But thank you for coming in to, I would be interested in seeing how this study is gonna be in the future and what the Secretary of State is gonna come up with. Thank you.

SUE LARSON: Sure, but I would make one comment on the fact that you’ve got your unofficial checkers sitting at the table, they are not poll workers so they don’t take the same oath of office and so they really shouldn’t be sitting where the poll workers are. They should be behind them because as I said, they are unofficial and the people that are sitting at the table should be the poll workers, they are trained workers for that particular day and so, having them sit at the table is not correct.

REP. SANTIAGO (84TH): I understand that but there is nothing written that says that unofficial checkers should not sit with the official checker because in Meriden they all get trained at the same time so they all know what they are supposed to do and that unofficial book is important to the party to get
that information. So every time there is a different, so you do it your way, for us in Meriden that’s the way it works, so thank you for coming down.

REP. FOX (148TH): Any further, Senator, Representative Haddad.

REP. HADDAD (54TH): Thank you very much for your testimony on Senate Bill 266 which is of interest in my town which is Mansfield for obvious reasons. But I wanted to ask you just one thing about the language of the Bill, and I do really just to flag if for this screen Committee but also just to make sure that I’m not misunderstanding purpose or intent of the Legislation. It says here that the separate voting district should be established if the institution has, I’ll abbreviate a little bit, an equivalent enrollment in excess of 3,000 at any campus of such institution. Would it matter to you at all if that language was tweaked to clarify that what we’re really trying to talk about here are colleges and universities that house that many students?

SUE LARSON: That would be a good addition, a good change to the Bill.

REP. HADDAD (54TH): Right, cause an enrollment can include both on campus and on campus student bodies and I just want to clarify, this isn’t intended to take an off-campus student who lives, I mean you wouldn’t have precincts served or geographic voting precincts I guess, we want to maintain the idea of geographic voting precincts right? So I really want to say is that when the institution housing houses enough students that there is a voting precinct
provided for that geographic region that includes those dormitories?

SUE LARSON: Right, I live near MCC and that is a commuter college so, yeah we wouldn’t want to setup a polling place where everybody is, you know, their hometown, they are bonified residence is in South Windsor, East Hartford, whatever, yeah.

REP. HADDAD (54TH): Right, thank you very much I appreciate that clarification.

REP. FOX (148TH): Thank you Representative. Any further questions? Senator Sampson.

SENATOR SAMPSON (16TH): Thank you very much Mr. Chairman and thank you so much for being here. First question off the top is how does the Registrars of Voters determine whether or not they are going to support or oppose any particular legislation, do you guys poll the members or?

SUE LARSON: Yes, we take a survey, usually at our fall conference, you know, the types of issues we think is going to come up in the next legislative session.

SENATOR SAMPSON (16TH): Yeah, it just the reason I ask is my recollection is that this same issue came up last year and the Registrars were opposed and now in favor. I’m just curious why the change of heart.

SUE LARSON: Last year’s Bill was for state elections only. This Bill is all elections and that is important to all Registrars.

SENATOR SAMPSON (16TH): I notice there’s a threshold I the Bill for 3,000 students. I don’t know who
came up with that number, does that seem like an appropriate number, is it?

SUE LARSON: We’re gonna do whatever you decide as the Legislative Body, you want 3,000 you want 5,000 we’ll go along with that. The whole premise is that we have a seat at the table with our Legislative Body and we work out the details on how that’s gonna get done.

SENATOR SAMPSON (16TH): Understood, to me whenever I see a number like that I just feel like sometimes we are separating people, and you know, if you go to an institution that only has 2,900 students guess what, you don’t have the same access that someone does. So I think it is very important that when we make change it applies to very one equally.

SUE LARSON: Sure, you change the number we’ll go along with it.

SENATOR SAMPSON (16TH): Of course. You said that the cost obviously is a factor that I think is going to play out over the course of this session. Do we have any idea of the cost?

SUE LARSON: As I said a little bit earlier it all depends on how this is implemented. You could redistrict and have a polling location on the campus or you can setup a brand new, you know, redistrict so that’s it a brand-new polling location, depending on how you want to do that it what the cost is gonna be. You’re always gonna have the minimum of seven poll workers because that is the minimum you have to have at every polling location. So that is gonna be a recurring cost. The cost that is going to be the one-time cost all depends on again, how you put this
together, the tabulator, the ballot box, the AVS machine and, you know, all the equipment that’s needed. That’s all the kinds of things that may be a one-shot deal once you’ve gotten set up.

SENATOR SAMPSON (16TH): Do we know how many of these schools we’re talking about?

SUE LARSON: That I don’t know.

SENATOR SAMPSON (16TH): Using that 3,000 number. So we don’t even know how many that is. How much does it cost to set up a polling location typically?

SUE LARSON: Well if you want to talk about the………..

SENATOR SAMPSON (16TH): Just to staff it.

SUE LARSON: To staff it probably about from $10 to $20,000 dollars.

SENATOR SAMPSON (16TH): And that’s the cost to the municipality?

SUE LARSON: Yes.

SENATOR SAMPSON (16TH): Have any of the municipalities that would be effected, again I guess we don’t know how many schools this effects anyway, I think we should really flush a lot of this out before we even get too much further but to me that’s the hard thing. I mean for me it’s hard to say yes or no. I don’t know how anyone could make a commitment that they are in favor of something without having at least an idea of what number of schools. Any municipalities come forward to say that they would be willing to bear this additional burden?

SUE LARSON: That I’m not sure.
SENATOR SAMPSON (16TH): And how about the schools themselves since I guess they’re gonna be required to partner with the towns in these cases, have any of them?

SUE LARSON: I haven’t heard of any because this is not a Bill that we’ve proposed so we didn’t do the research behind it in order to get the information but, you know, we’re supportive of the concept of this.

SENATOR SAMPSON (16TH): Oh, yeah and look I mean to me I am, but there’s a lot of things floating around here about increasing access to voting. I think we’re all in favor of that be we want to do it in a way that maintains the integrity as you mentioned, that’s both key and most important to me and I just want to do it without adding a financial burden on our town without having their direct consent at the same time. So thank you very much, I appreciate you being here. Thank you, Mr. Chairman.

REP. FOX (148TH): Any further questions or comments? Seeing none, thank you for your time. Representative Phil Young, followed by Mr. Tim Beeble, followed by Representative Gary Winfield, Senator Gary Winfield, I apologize.

REP. YOUNG (120TH): Good afternoon.

REP. FOX (148TH): Good afternoon Representative, thank you for being here.

REP. YOUNG (120TH): Thank you Chairman Fox, Vice-Chair Winkler, Ranking Members and Committee Members. I am here in favor of Bill 6047, AN ACT TO DIFFERENTIATE VOTING DISTRICTS BY COLORED BALLOTS WHEN THEY ARE SERVED AT A SINGLE POLLING PLACE.
Some of you might be aware that we have a little snafu in the last election whereby roughly 75 people were given wrong ballots in my, the 120th District creating a problem of which still is under contention. So we’re trying to figure this out. What I’m looking forward to here is to try to solve the problem and make it easier so it never happens again. I want to be positive that our polling places and the people that work at them work extremely hard as you just saw, trying to do it right but human error is part of it. So my trying to reduce that human error by giving two different ballots two different colors it might be easier so that the mistakes are not made. It’s purely just trying to make their jobs and lives easier so that problems don’t happen. That is really simple, straightforward and something that we can do that really doesn’t cost anything and might make the elections come out easier. So any questions, I would be happy to take em.

REP. FOX (148TH): Thanks, Representative Young. Any questions? So Representative Young you indicated earlier, just where did this idea come from, something you thought of or something you’d seen done elsewhere?

REP. YOUNG (120TH): This is something they have previously done in my District but this time there was problems with the ballots because of the third-party governor’s race so they didn’t get to the printers on time. I understand that but lets make sure these things get done in the future so that there aren’t problems with this. So this was something that was done informally before but I
would like to codify it to make sure that it’s done now. So like I brought it up myself.

REP. FOX (148TH): So you said it was done but never codified you say?

REP. YOUNG (120TH): Right.

REP. FOX (148TH): Just something on an informal basis.

REP. YOUNG (120TH): Yes and I don’t know exactly how many towns this happens in but probably quite a few.

REP. FOX (148TH): Okay, any further questions for Representative Young? Thank you very much for your time today, sir. Next is Tim Beeble, followed by Senator Gary Winfield, followed by Elizabeth Becker. How are ya? Welcome back.

TIM BEEBLE: Thank you. Chairman Fox, Vice-Chairman Winkler and Members of the GAE Committee. My name is Timothy Beeble, I am Registrar of Voters in the Town of Bethel and a member of the ROVAC Legislative Committee. I hereby submit this testimony in opposition to House Bill 6045 - An Act Concerning Election Day and Primary Day Registration.

The Primary process provides members of a Political Party the opportunity to select their nominee for the general election without interference from non-party members. In many cases, a major party does not hold a Primary because the incumbent office holder is endorsed by their party and is not challenged. If there are several candidates who are vying for nomination from the opposing party, a Primary allows party members to select their nominee without interference. Once the parties have selected their
nominees, all electors have an opportunity to vote for their candidate of choice in November.

While the major political parties should be concerned by the potential interference in their selection of nominees as introduced by Primary Day Registration and Political Affiliation, the cost of Primary Day Registration must be borne by the municipality. HB 6045 would require each municipality’s Registrars of Voters to hire additional Primary Day staff to process new registrations, as well as administer balloting at the Primary Day Registration site. This proposed legislation comes at a time when municipal budgets are being cut due to, in order to offset losses in state aid. Furthermore, our municipal budgets will be finalized well before HB 6045 could be enacted. Some primaries are held for minor offices. In 2016, Bethel held a single party primary for Judge of Probate. That day, we had 633 ballots cast for a 19% turnout. One of our districts had only 27 ballots cast. Again we had to man that district but HB 6045 would require our Town to bear the cost of additional Primary Day staffing to take new registrations and party affiliations, as well as issue ballots for such minor offices.

The deadline for municipal citizens to become newly registered electors and affiliate with a party is noon on the day before the Primary. That is 18 hours before the Primary Polling Places open. Currently, our State laws provide ample opportunity for citizens to become electors and affiliate with a political party without having to mandate that municipalities bear the cost of Primary Day Registration as proposed by HB 6045. Furthermore,
anyone who misses the registration deadline of noon on the day before the Primary, can still register and vote in November for any of the candidates appearing on the ballot. Thank you for allowing this testimony.

REP. FOX (148TH): That’s the alarm, so please wrap-up.

TIM BEEBLE: Yes, I do also, outside of my submitted comments, I want to draw attention to Lines 52-54 of HB 6045 and I know that you may very well push out of Committee a Technical Corrections Bill and I think there is something in here that we do need to correct and it isn’t new proposal language, it is existing language in the Law. So when you go for election day registration, you have to prove who you are, well one of the things that, you’re allowed a utility bill, so let me just read, “A utility bill that has an applicant’s name and current address and that has a due date that is not later than 30-days after the election” so again it’s telling you how late the due date can be but it’s not saying how early the due date can be. It’s very unlikely that you ever have a bill that is due after 30 days anyway. But the intent here is really to make sure that the bill isn’t too old, so you could comply with this language and present a utility that is ten years old and so I believe what you need to correct this to be is that it’s a utility that has a due date that is not earlier than 30 days before the election, so you’re changing not later to earlier than and after to before. So again no one can present a bill that is decades old. Thank you.
REP. FOX (148TH): Thank you very much. Any questions for Mr. Beeble? Can you please again just clarify the point to me again about the Probate Court election in your testimony.

TIM BEEBLE: When we had a Probate Court election, this was when Joe Egan had reached his maximum 70 years so there had to be a special election for a new Probate Judge and only the Republicans had a primary and it is difficult enough to get people to come out to a primary but when its for such as seat as Judge of Probate the turnout is always going to be very low and in this case we had to, of course, hold the primary and staff all Districts including one District that has only 500 people in it and that one District had only 27 people actually cast a ballot. And of course, I should say it only has 500 people in it but not 500 affiliated, there’s probably half unaffiliated and maybe a quarter are Republican but again 27 came out. But what I’m saying not only do we have to staff the primary but if this bill passes we also have to staff election day, primary day registration.

REP. FOX (148TH): Thank you very much. Any further questions of comments for Mr. Beeble? Thanks for testifying, sir.

TIM BEEBLE: Thank you.

REP. FOX (148TH): Up next is Lisbeta Becker, followed by Antionette Spinelli.

LISBETA BECKER: Good aft or good morning Representative Fox and Members of the GAE Committee. My name is Lisbeta Becker, I am a Registrar of Voters for the Town of Glastonbury and I am a member
of the ROVAC Legislative Committee. Thank you for this opportunity to testify on Senate Bill 265. I submitted by testimony so I’d just like to make one point. In that regards the Senate Bill 265 regarding moderator training every week we would contend that every four years is sufficient for this reason. We conduct training before every election. We have extensive training materials and it is one of our primary responsibilities. So at least once a year we are required to train all poll workers. We cover the ballots, the tabulators, ballot and tabulator security, voter rights, election procedure, actions to take in emergencies and all other details related to conducting a successful election.

We’re also currently working with the State Certification Committee to standardize our training materials when we conduct our annual or sometimes in some cases we conduct training twice a year when there is a primary and before a general election. So to conclude I think as Registrars I think we’re on the frontline of education.

REP. FOX (148TH): Thank you very much. Any questions for Ms. Becker? I have a few questions if I may. The position of Moderator is that a paid position?

LISBETA BECKER: The moderator?

REP. FOX (148TH): Yes.

LISABETA BECKER: Yes, we pay all of our poll workers and we just have different rates.

REP. FOX (148TH): And is there any idea, you know what this costs to a town approximately? For the moderators [Cross-talking]?
LISABETA BECKER: For the Moderator training? So it’s really driven by how many districts that you have. So in Glastonbury we have seven districts and you are required to have for seven districts, you have seven moderators plus we would have to have two that would be alternate moderators plus we also have two head moderators. So for every other year the price has gone up. We pay our moderators to go to the training and then there is the fee for training which I think has gone up to $60.00 dollars per person. And then we ourselves go to every training every other year too.

REP. FOX (148TH): How long is the training approximately?

LISABETA BECKER: So it depends if it’s a recertification or if it’s a new moderator. Recertification is anyway from three to four hours and when it is for a new moderator, it might go to five because they will take the time to go through the tabulator with them.

REP. FOX (148TH): So that’s the trickiest part of the training?

LISABETA BECKER: I think it is. We made a change in Glastonbury about three years ago. We have our moderators come in and work with us on the certification of the ballots and memory cards so that we make sure that they’ve had the hands-on experience. We also, and again, this is just, you know in the Town of Glastonbury, we’ve had what we refer to as Election Technicians. We have four of them and they travel around all of our polling locations to address any kind of problems that might come up on election day, and they are paid.
REP. FOX (148TH): How many moderators do you have that kind of reup, that are repeat moderators, I guess, is it fairly consistent in Glastonbury?

LISBETA BECKER: Actually it is although you’ll have turnovers. We had some turnover and so we, in doing the outreach, you really look to what kind of person they are and our moderators come from all kinds of different backgrounds. A lot of them are newly retired which is really good, so we have somebody who was an actuary, we have someone who is a retired lawyer. So I think the most important thing that we look for in a moderator is somebody that knows how to keep calm when dealing with different issues that come up because they are running the show. You have all the other people there who are trained in their positions and they are really making sure that if there is a problem they take care of it.

REP. FOX (148TH): Thank you very much. Any questions or comments for Ms. Becker? Representative France.

REP. FRANCE (42ND): Excuse me, I have one question. Thank you Mr. Chairman, I have one question. I notice in your testimony you statement, supports return to a four-year cycle could you give some background where we used to have a four-year cycle and it changed and what motivated the change to what it is today?

LISBETA BECKER: So I think we had a four-year cycle the year that I started as a Deputy Registrar so I can only speak for the time, but I do know that it changed and I think the change was due to the fact that they viewed it, I really don’t have an exact answer for that. I think that they thought that we
all needed more training on a regular basis. But I would argue in the interim we have really stepped-up what we do annually. I mean I brought some examples of some of the, you know, our training materials are pretty extensive right now as it is for the Town of Glastonbury and I think other people have really stepped-up since they’ve put in, instituted this two-year versus four-year and have provided additional training material particularly on this tabulator and reading the tape.

REP. FRANCE (42ND): So I paraphrase, it sounds like your supposition is that at the time they perceived a lack of training being done and so their answer was to require every two years but now the position is the Registrars are providing a higher level of training and so maybe the two-year interval is no longer required and go back to the four?

LISBETA BECKER: Right, that’s part of it and actually when Certification of Registrars come into place too so, I mean we’ve gotten more extensive training and in due course with that we’re able to train our moderators on an annual basis I think better.

REP. FRANCE (42ND): Thank you very much. Thank you, Mr. Chairman.

REP. FOX (148TH): Thank you Representative France. Any further questions or comments? Seeing none, thank you very much for your time. Up next we’re gonna switch back to public officials, Representative Dillon who has arrived, followed by Antoinette Spinelli. Good afternoon, Representative.
REP. DILLON (92ND): Good afternoon, Mr. Chairman and Members of the Committee. I am here to testify in support of a Proposed Bill 5611 which would count incarcerated persons for the purposes of census from the home in which they resided rather than at the prison.

This is actually not a new original topic with me as some of the old timers will remember former Representative Dyson, Senator Winfield whom I’m working with and actually previously Representative Hurdle when he was on Judiciary has mentioned this issue, this anomaly, when it comes to the way people who are incarcerated are counted for the purposes of census. Our Statute’s very clearly say that you are not a resident of that town if you are incarcerated and you are deprived of your freedom but, and yet, for the purposes of redistricting individuals are counted in those towns, so what this Bill would do is not specifically it is silent on the issue of whether or not it would affect any distribution of dollars whatsoever. The principle at stake as a lot more to do with whether or not an individual is fairly counted at the area that they live and whether or not the towns that they were domiciled are fairly represented. Thank you.


SENATOR SAMPSON (16TH): Thank you, Mr. Chairman and thank you very much for being here Representative. So I was disappointed because I wanted to ask you if you were aware of any of the conversation earlier about the potential fiscal impact but it sounds like we’re not sure. It’s something that only coming to
light at this point. Was that a consideration in years past when this was proposed if you recall?

REP. DILLON (92ND): It really varies from year to year but I really believe, you know, a lot certainly on my part in the past very often it had to do with sort of the civil liberties kind of issue and one person, one vote and making sure representation was accurate. It really was not necessarily drive by money.

REP. FRANCE (42ND): Right, I understand. I was just curious if that had ever been brought up before whether there’s anyone ever been concerned about the way towns received, you know, State Grant money in previous iterations of this Bill.

REP. DILLON (92ND): Oh yes, people are always worried about [Laughter]. I don’t know who decided to get rid of the county system as a reform in the 1970s but we now have a lot of towns that are sort of little bubbles that sometimes are not terrifically efficient and so that really puts them to a certain extent to a mercy of the State. There is no intervening governmental apparatus for good or for ill and so, oh yes, people do think of money.

SENATOR SAMPSON (16TH): Right and I understand and I certainly don’t want to second guess the motivation of the Bill at all but just a couple of things. I mean these folks are represented by the Legislators that represent the districts where the prisons currently are and I am trying to wrap my head around the notion of how to handle this. We’re going to use what to determine the address. Looking at the Bill it looks like it is the previous address before they
were incarcerated. What do you do if that is not known?

REP. DILLON (92ND): I really don’t know. I would certainly go back and research that but that is unusual. It’s more likely overwhelmingly we have the town of last residence.

SENATOR SAMPSON (16TH): Right understand and I don’t know if there is population of people who are in the country illegally in our prison system and whether or not they are counted anyway.

REP. DILLON (92ND): I think for a while and I don’t know if that is still true, many local lock-ups and state correction facilities were renting out rooms so to speak to the Federal Government, for money, for the incarceration of people who were apprehended and I imagine that very well be the case. I don’t know that.

SENATOR SAMPSON (16TH): Right, I mean the idea of using the last residence is an assumption that’s what that person calls home but they are in fact residing, eating, sleeping, spending their entire life in the town they are counted in now, who is to say that they would return back to that town that they once lived in?

REP. DILLON (92ND): Well, I assume you are not suggesting that would voluntarily want to stay in the correctional facility, right?

SENATOR SAMPSON (16TH): I am not suggesting that at all. But what I am saying is that.

REP. DILLON (92ND): I’m just trying to decide what you’re getting at.
SENATOR SAMPSON (16TH): Well, I’m just saying it’s a matter of fact that if you are going to consider someone a resident of a certain town, that is where they eat and sleep so they are a resident of that town. I mean I grew up in Meriden and I now live in Wilkin. I mean I’m not suggesting that people are going to choose to be in a prison environment but I am just suggesting that doesn’t necessarily mean they will return back to the place from whence they came. If I move again in the future, I am not necessarily going back to Meriden and if, God forbid, I ever ended up in prison, when I got out of prison, I don’t know that I would go back to the town I came from. I just think it’s a supposition that’s the way that we ought to count them when in fact they don’t reside in the town that you would be counting them in.

REP. DILLON (92ND): Representative, I’m sorry, Senator I am actually speaking right now because of the courtesy of the Chairman and I did not bring my notes with me. I came in to look at the sign-up list. If I had had that with me, I would have the site with me but it seems to be that our Statutes are quite clear that a person who is incarcerated is not considered a resident. Now if that is no longer true, I stand corrected but that is my recollection of that. Second, I know this is a dicey area. My son is in law school, he was adamant about having his name taken off the voters list and I always forgot to do it and he would say I have no intention to return which of course for a mother was horrifying [Laughter] but what he was doing was quoting the law at me, you know, and saying, you know, I’m at NYU now and I think I’m gonna stay in
New York City and work. So I very much understand. I don’t think it’s totally anomalous that my son is going to get an apartment off campus but it could happen but generally speaking I believe our Statutes are clear, you’re not considered a resident.

SENATOR SAMPSON (16TH): And you are absolutely right, this is a dicey area but please understand my questions are simply an attempt to get at understanding exactly how we would do this in a way that I see as legitimate. I think that it is very hard to, you know, people serve a long prison sentence sometimes and, you know, that creates another question, what about someone who is serving life in prison. I mean they are never returning back to the town that we would be counting them if this Legislation passed. How are they to be considered a resident of that town if they will never go back there.

REP. DILLON (92ND): Well that’s true for a lot of people. I’ve actually been, I’ve spoken before the lifers up at McDougall and actually that’s a pretty cheerly place all things considered and so there is an Aide Hospice there, they care for people who are lifers who have a terminal illness so they have a very mission driven staff. It’s actually pretty positive. I suppose that’s where a lot of other conditions have nursing’s, I don’t know. I understand you’re trying to piece out the issue here and it just seems to me that, you know, if you’re not a resident of the correctional facility and you don’t plan on returning if you ever lived there that you should be counted as from the town where you originated.
SENATOR SAMPSON (16TH): Well one more question really. You mentioned one person, one vote. I mean the current law if you are an inmate in a correctional facility you don’t have the right to vote. Is this proposal in conjunction with another proposed Bill that is before us that actually affords that right to inmates? I mean is this all part of that plan?

REP. DILLON (92ND): No, if it is I am not aware of it. It is true that in Maine and Vermont and Puerto Rico that people can vote in prison. But in Connecticut, actually Connecticut has quite restrictive voting. You have to change the Constitution to vote early, if you work nightshift it’s pretty tough and hard I know for some of my constituents and so no, its not anticipated that, there is no companion.

SENATOR SAMPSON (16TH): Understood, thank you very much Representative. Thank you Mr. Chairman.


SENATOR HASKELL (26TH): Thank you Representative for your leadership on this issue not only in this session but in the many previous session in which this issue has come up. You want to return briefly to the question of residency and whether in your opinion, you can be considered of a town if you don’t have the freedom to eat, sleep, do as you choose basically and sort of, with your help determine what exactly what it means to be a resident in a town and what it means to be incarcerated and the difference between the two?
REP. DILLON (92ND): Thank you Senator. I was originally hanging my hat to an extent on our own Statutes. But it absolutely true if you are deprived of your freedom that I suppose if you are disabled and you’re in a facility you can’t walk around either but in theory you can get better and the concept of deprivation of freedom is quite different actually from someone who is ill it would seem to me. So the, I would say yes, it is substantially different. There are a number, this conversation really started well, I shouldn’t say that because I don’t know. It started within my knowledge when a legislator who is much senior to me who has now left, no longer involved in the building, but still is involved with correctional issues Representative William Dyson had felt very strongly that there was a gap really between the representation and the people and that if you were incarcerated you should be counted and he really started the conversation.

SENATOR HASKELL (26TH): As I understand it Representative the motivation behind a Bill like this one is not so much, not a concern with the over representation of towns with a prison population but in fact the underrepresentation of communities that have been negatively impacted by our Criminal Justice System that see undo levels of incarceration or at least increased levels of incarceration compared to neighboring communities. Could you speak briefly the result from that underrepresentation whether it is from a Democratic Republic point of view, lack of a voice in this building or whether it is Federal or State resources going into those often economically distressed communities?
REP. DILLON (92ND): Thank you Senator. There’s no question that partly because of the way that we wrote our laws and a number of other issues. People from denser communities were more likely to be arrested. For example if you possessed marijuana within 500 feet or originally I think it was 1500 feet of a school, of a daycare center, you were subjected to severe penalties. Obviously in areas, that was an artifact of that particular law that people in intercities were more likely to be arrested for possession let’s say in New Haven, in my District, on one side of my District than on the other side so that if you were near the Elbow where I live, that you would not necessarily be picked-up but if you were further down on the other side of the park you would be, or if you were at Woodbridge you wouldn’t. So people were more likely not only to be arrested and to be incarcerated as a result so it certainly it gives some standing before the law it seems to me and it diminishes their voice. But I wouldn’t assume there isn’t an automatic benefit. Let’s say if someone said to me you’re trying to get more for New Haven, yes but we also have a prison so that I can’t begin to tell you how it is going to net out. I wouldn’t do that. We did start having the conversation when we had very overcrowded prisons and it started to look very weird that these little bulges in some communities. But really the principle itself is what’s driving it because I can’t necessarily predict what the outcome would be. It wouldn’t, I think it would be linear but I’m not positive.

SENATOR HASKELL (26TH): Absolutely, well thank you so much for your testimony. Just one final question
and that is the matter when somebody leaves a term or incarceration when they begin with hopefully the next successful chapter in their life, it is my understanding based on the statutory language that this Committee is considering that they could immediately register to vote in the new place which would then change their voter registrations and so they would no longer be registered in the district in which they lived prior to incarceration, is that correct?

REP. DILLON (92ND): I would have to look at that and we could certainly work on that and also it would really depend on what their status was when they got out because some folks can’t automatically become voters even when there is a parole issue as well.

SENATOR HASKELL (26TH): In fact I think one is being considered by our Committee today.

REP. DILLON (92ND): I’m really impressed with the Bills your Committee is taking up. It’s a real leadership Committee.

SENATOR HASKELL (26TH): Thank you so much for your testimony, Representative.

REP. FOX (148TH): Thanks Representative. Next Representative France.

REP. FRANCE (42ND): Thank you, Mr. Chairman and thank you Representative for coming here today and your testimony. It is certainly informative. Question, are you aware of a Federal Law Suit the WACP has filed against this very issue last year?

REP. DILLON (92ND): No, I’m not, sir.
REP. FRANCE (42ND): Since you are not aware I guess it would, the next question I was going to ask you was what was your opinion give that there is Federal, a court case, would it be prudent to wait for the outcome of that court case since they will probably give direction to the State in that decision. What is your opinion on that?

REP. DILLON (92ND): No, to be honest I don’t know exactly what the fact pattern is there and although I have an idea or what remedy they’re seeking. I’d like to change the law, I’m really kind of conservative in infusing the coercion the Court to get a certain outcome. Sometimes you may find yourself wishing you hadn’t done it and so on the other hand the alternative is trust your elected officials which is not always appetizing either so I am aware that it is an imperfect choice. I would not avoid doing my duty because there is a lawsuit before a court somewhere. We could always trim it if it is out of compliance.

REP. FRANCE (42ND): No, I appreciate that. I agree that the Legislative Branch ought to do its job and not wait for the Judicial Branch to tell us what to do so I fully appreciate that perspective. I guess my point would be to look at what the issues that were raised to insure that we’re covering those issues in this proposed legislation I would point to that. Thank you very much.

REP. DILLON (92ND): I would be happy to do that going forward if it successfully comes out of Committee which I hope it does. Thank you.

REP. FOX (148TH): Any further questions? Thank you for your time, Representative. Up next Antionette
Spinelli and has Essie Labrot with her as well, followed by Steve Guveyon, followed by Ed Gomes. Good afternoon.

ANTOINETTE SPINELLI: Good afternoon. Thank you for affording us the opportunity to present testimony in support of House Bill.


ANTOINETTE SPINELLI: My name is Antoinette Spinelli, I am the Waterbury Town Clerk and President of the Connecticut Town Clerks Association and with me today is Essie Labrot, West Hartford Town Clerk. We are here to support House Bill 5610, AN ACT CONCERNING REPLACEMENT OF A CANDIDATE ON A BALLOT. The Connecticut Town Clerks Association strongly supports the revisions to Connecticut General Statutes 9-460 as outlined in this Bill. You have our testimony before you. We just want to bring up some of the points.

Current law allows parties to fill a vacancy 24 days prior to an election with the Certification being received 21 days prior to the election. Absentee ballots begin going out 31 days prior, so right there that is the problem. This 2018 highlighted just what could happen in a state-wide office. We had a minor party have a vacancy. They were only running one office so their entire line was blank for a time. We had a re-indication that they were going to fill the vacancy. Created a large amount of time in between before we were able to then print a second ballot. Many of us were issuing paper ballots, many voters receive those ballots without the candidates’ names on them. Once the vacancy was
filled we were under a huge time crunch to get the ballots printed. We only have two vendors that we use in the State to print ballots, we had every town in the State needing to print ballots and I know there were some speakers before us who referred to the time being an issue in their towns that had some situations that they didn’t have the time to print the ballots. So we really believe that this Bill will go along way in helping us to do our job and also helping with the amount of errors that could come up between having these different ballots and the counting, the hand counting of these ballots, the replacement candidates and thank you.

REP. FOX (148TH): Any questions? Would you like to present testimony as well, Ma’am?

ESSIE LABROT: I just wanted to know in terms of the volume that we do in absentee ballots in my town in particular, we issued over 4,000 absentee ballots so on that first day when the ballots are available to go out we issued almost 800. So in towns of my size, this is significant and the error rate, we certainly don’t want any errors at all but it is a very manual process and we’ve had such close elections, every vote does matter and every little mistake could be a real problem.


SENATOR SAMPSON (16TH): Thank you very much, Mr. Chairman. And I am so sorry I hope that the question I am going to ask has not already been answered by you guys and I thank you very much for being here. One of the towns I represent is Southington and we had an issue this year where a candidate dropped out a few weeks before election
day so they are after me for sure to try to come up with some sort of resolution and it seems to me that what is before us in this Bill is the thing most people say is the only real solution which is to make a real deadline, a drop dead date, if you’re not on the ballot, I’m sorry you missed your chance. The only question I really have about that is the determination of that day. I don’t even know what the Bill in front of us says, 42 days or 46 days, yeah. Is that the right day? Can we do it any later than that and still make it feasible by changing other aspects of the Law?

ANTOINETTE SPINELLI: So we thought that 46 days is reasonable because the party then has three days to get the Certification to either the town clerk depending on what office it is or the Secretary of the State so that brings you to the 42 days ahead which will give the town clerk the time to set the ballot, to put the names on the ballot, get that proofed, over to the printed, have the printer send us back the proof, you know and then have the delivery of the absentee ballots in enough time to begin issuing on the 31st day. So we felt that this was a reasonable time.

SENATOR SAMPSON (16TH): Thank you. Is that typical in other states for the absentee ballot availability 31 days, 32 days.

ANTOINETTE SPINELLI: I don’t know personally.

ESSIE CABROT: There are so many variations with early voting and no excuse in other states that 30 days does somewhat I can recall seem to be the right.
SENATOR SAMPSON (16TH): Thank you very much. I mean this is new territory for me and I just based on what you’re saying does make a lot of sense. If you’ve got that 30 days that the ballot has to start going out really, 46 days is not even a stretch of time, that sounds like a pretty tight timeline for all that needs to happen. So thank you very much I appreciate shedding some light on it. Thank you, Mr. Chairman.

REP. FOX (148TH): Any further questions or comments? Can I ask a quick question for clarification, if a candidate were to pass-away as opposed to?

ANTOINETTE SPINELLI: There is a provision in 9-460 as well for.

REP. FOX (148TH): Which this Bill would not impact.

ANTOINETTE SPINELLI: And you could, you know, we would be open to their being some language in here for exceptions such as that. We would be open to it being closer but I don’t think it would, you know affect so many towns on a regular basis.

REP. FOX (148TH): What is that language again if the individual passed away, what Statute is that.

ANTOINETTE SPINELLI: 9-460 does reference that withdrawal and if a candidate passes away.

REP. FOX (148TH): Thank you very much. Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH): Thank you, Mr. Chairman. Welcome, it’s so nice to see a familiar face. Thank you very much for coming and talking, I appreciate it. How would this affect a primary? Is
there any guidelines for a primary, would it be the same provision?

ANTOINETTE SPINELLI: The language in the primary is a little different but we are also proposing a change for primary as well from, let’s see, I think it was 32 from 24 hours it looks like, yeah. There is language in this same Bill that will also push the deadline for primary to allow us time to get the ballots because primary absentee ballots go out 21 days before the primary so you can have it a little closer.

REP. MASTROFRANCESCO (80TH): Okay and I saw in here in case of a death, it was 32 days?

ANTOINETTE SPINELLI: It’s the party endorsing [Cross-talking].

REP. MASTROFRANCESCO (80TH): Was it 32 days?

ANTOINETTE SPINELLI: It’s town Committee I’m reading. That was 32 days but that its town committee. I think it doesn’t, it just distinguishes a vacancy in this Statute I believe. It says, dies, withdraws such name for any reason become disqualified to hold office. So under 9-460 it is for any reason but we would suggest that if you want to amend that language to do an allowance for a death, accommodate for that.

REP. MASTROFRANCESCO (80TH): You are not suggesting that they increase the days for that, you’re suggesting keeping it a 32.

ANTOINETTE SPINELLI: You could keep it, yeah.

REP. MASTROFRANCESCO (80TH): Okay, thank you very much.
REP. FOX (148TH): Thank you very much for your time today, appreciate you coming here. Up next I have Steve Guveyan, followed by Ed Gomes, followed by Gus Marks-Hamilton. Good afternoon, sir.

STEVE GUVEYAN: Good afternoon. I am Steve Guveyan, Connecticut Petroleum Council testifying in opposition to House Bill 7084 which is the Venezuelan Divestment Bill. Our Association is made up of oil and natural gas industry, many large companies like the Exxon’s, Shells. These kinds of Bills have a direct impact on us and they have a direct impact on the State employees in this State.

What the Bill says is, it gets us very close to totally divesting from the State Employee Pension Fund any stock or bond of an oil or gas company that does business in Venezuela. It is a very unusual grouping of parties in this Bill. The parties in the Bill are the Government of Venezuela, oil and gas industry and the Connecticut State Employees who get a pension. It is a very unusual grouping. So if you do business in Venezuela and the State Treasurer divests oil and gas stocks then if anybody, if you are a company like Exxon or Shell or Haliburton or Schlumberge your stock could be divested from the State Pension Fund so the State Treasurer would have to find a different stock or bond to make up for what he is selling. The pieces don’t really fit very well. The State Treasurer as the fiduciary has the responsibility to get the best return he can for the State employees. He has a legal responsibility to do that, the highest legal and financial responsibility to do that. This is saying, you know, we may look at political concerns going on in other countries, we may take a look at social
policies going on in other countries and we would be the first ones to admit that what is going on in Venezuela right now is horrendous. I can’t think of any country in the world that is going through a worse humanitarian and political crisis except maybe Syria than the Country of Venezuela. The International Monetary Fund has said inflation is running at one million percent. I don’t know how we can even wrap our heads around a number like that when in this country we run about two percent. The stores don’t have anything on the shelves, it’s just a terrible place to be.

Our point is this bill is not a good way of dealing with Venezuela. I don’t think the Maduro Government in Venezuela is gonna listen to what the Connecticut Legislature thinks it should or should not do and our main point is that if you end up divesting oil and gas stocks and bonds from the State Pension Fund here, what does it really hurt. You know our point is that is going to hurt the State Employee Pension Fund more than anybody, even more that it is going to hurt us. For that reason we express our opposition. The Treasurer does have the responsibility to get the best return possible but once you start picking and choosing based on non-fiduciary reasons then every treasurer can have a different opinion about what is important and what is not. So we like the strict reading of the current law which holds him to a fiduciary responsibility and therefore argue against the Bill and ask for it’s rejection. Thank you.

REP. FRANCE (42ND): Thank you, Mr. Chairman. Are you aware of either percentage or dollar holdings of the State Employees that would fall under this provision?

STEVE GUVEYAN: No, we would have to wait for the next year-end report to come out from the State Treasurer. We’ve done it before and then we look at oil, all the oil and gas holdings and they’re in the past it was a different divestment Bill than this. It was a broader Bill. It was in the many, many hundreds of millions of dollars. This is a more scaled down Bill dealing with just Venezuela but until the new report comes out, I can get you a number, but I have to wait for the new report to come out.

REP. FRANCE (42ND): And in the past based on the previous I understand is not a different language in the Bill what was the percentage number of the total holdings?

STEVE GUVEYAN: It was, I don’t want to give you a number without being factually sure. It was under ten percent, most pension funds, just like most mutual funds break it down my sector so there was section in oil and gas. I want to go back and get a very precise number and I can get that for you if you like.

REP. FRANCE (42ND): I was just curiosity was a scale but I guess the next, you come up with a fiduciary responsibility that is impressed upon the Treasurer that is generally a licensing an obligation they have, does the legislature really have the authority to override that fiduciary responsibility in your opinion?
STEVE GUVEYAN: In our lawyer’s opinion you do, it would not be a good decision but if you were to pass a law saying that he doesn’t have to go strictly by that, he would only have to consider that, you do have the power to do that. State employees may not be happy about that but you do have the power to do that.

REP. FRANCE (42ND): That’s interesting because I would have thought the answer would have been different because of the fiduciary responsibility so I thought it would have been overridden because they are beholding to those that have that responsibility to. So interesting that we have that authority to override what I thought was always the common practice. By doing this and picking effectively the winners and losers if you will of what a Treasurer or any other fiduciary agent is could use as their but how would that affect the returns or the ability to satisfactorily diversify the portfolio as it were?

STEVE GUVEYAN: So when you buy oil and gas stocks, what you really get is long-term growth so the Exxon’s, the Shells, the Schlumberge you get long-term growth, you also get dividends and that is why a lot of more moderate to conservative investors like oil and gas stocks. You’re getting, you don’t get the super growth you’re gonna get out of a young fast-growing technology company but at the same time those kinds of companies don’t offer dividends. So for more moderate to conservative investors they what both halves of it and that is what you get. So if you give up those stocks, the treasurer would have to find something analogous to that. I don’t know what that would be, but something analogous.
Second point about diversification, the whole idea of a pension fund like a mutual fund is to be diversified, you don’t want to put all the eggs in one basket so some will be in banks and finance, some will be in technology, some will be in real estate, etc., etc. If you knock out a whole sector then the question is where do you make up for that because there are only a limited number of sectors so you could increase the risk by allocating more money to each of the other sectors but as we have heard from treasurers around the country they don’t want to do that because it increases the risk. So the more sectors you have to chose from the more you can diversify and cut the risk and again the dividends start giving you that extra boost which is why they do like oil and gas companies. That’s why a lot more conservative investors even outside of the State Pension Fund like oil and gas companies, it’s a long-term source of income.

REP. FRANCE (42ND): Thank you very much. Thank you, Mr. Chairman.

REP. FOX (148TH): Any further questions? Can you tell me a little bit about your organization?

STEVE GUVEYAN: We’re headquartered right down the street. We’re part of the American Petroleum Institute headquartered in Washington, D.C. a trade association made up of very large companies like the Exxon’s, the Shells’ the BP’s and the Chevron’s. We are individual refiners, pipeline companies, it’s bigger players in the oil and natural gas business. It is not the family owned business say that is not individual service stations, its really the large gas and oil international players.
REP. FOX (148TH): And of those entities, is how many would a Bill like this affect, all of them?

STEVE GUVEYAN: Anybody who does business in Venezuela so certainly Haliburton, GE-Baker-Hughes, Schlumberge, Exxon-Mobil has been in and out, Conoco-Phillips has been in and out. We’ve got a number of companies and it includes supply companies as well. So even if you’re not a major oil company but you supply drilling bits or something that goes into that process your impacted based on the definitions of the Bill.


ED GOMES: Good afternoon Senator Flexor who is not here and Representative Fox and members of the Government Administration Elections Committee. I want to thank you for allowing me to speak. My name is Ed Gomes and I would like to speak in favor of Bill 479 AN ACT DESIGNATING ELECTION DAY AS A STATE HOLIDAY.

As a former labor representative and a Senator I have always advocated for working people and the first thing I would like to address regarding election day as a state holiday is giving everyone a freer chance to vote. People do want to vote and participate. We need to make it easier for them to vote. People have to get up early, take care of children, go to sleep late sometimes due to working more than one job. What I’m trying to say is that their time during the day is not always up to them and is not controlled by them. They have to get up
and take care of their children, get their children off to school, go to work, some of these people work two jobs. Some work at minimum wage jobs, work two jobs and don’t see the light of day until late at night. The reason why we are saying that we make this election day a holiday is because of the simple fact that when people are off, everybody will come to vote more often. I come from Bridgeport and you know improving the voter turnout now is very important to major cities in this State. The voter turn outs are low for certain reasons and one of the reasons is that people don’t have the time to get to the polls because of other things they have to do. When we talk about making this election day a holiday it’s not that we’re gonna gain another holiday in the State. Right now we have in the Month of February we have what we call President’s Day, it’s a Federal Holiday which covers Washington’s Birthday and Lincoln but in this State we also have a State Holiday just for Lincoln. Now if we were to consolidate and recognize the Federal Holiday then we wouldn’t gain another holiday if we made this election day a holiday. People need to get out and vote. People need to have the right to get out and vote. Some of the reasons why they can’t get out and vote is because of the way they have to work. And like I said some people work two jobs because of lack of better than minimum wage jobs, they wind up in jobs that do not sustain their family which on an ordinary job of 40 hours a work week. Last year, I think it was last year, we had a Bill called On-Call Scheduling which some of these companies are scheduling people to the extent that it just controls their whole life, switch their schedules around every day, every week, don’t give
em a 40-hour work week. This was done in order not to give these people benefits. I don’t think there is much more argument I could make for the simple fact that this is not, it doesn’t take a Brainiac or somebody very smart to figure out the fact that we could have a holiday that everybody could get out and vote without duress. Other than that, there are a few other bills in there that I would like to advocate for that concerns elections.

One of them would be S.B. 25 AN ACT RESTORING ELECTORAL PRIVILEGES TO FELONY CONVICTS WHO ARE OUT ON PAROLE. Another one is AN ACT CONCERNING ELECTION DAY AND PRIMARY DAY REGISTRATION. AND 5611 which I heard them speaking about just a little while ago, these are prisoners who are in prison and they are being used for the purposes of determining legislative districts by counting them as voters rather than incarcerated persons. The arguments I heard going on here were the simple fact that they were, I heard somebody say that well, where they reside is where they eat, sleep and do whatever they want to do including vote. Well that is where you reside, you reside at the residence, this is the residence where you eat, sleep and everything and as long as you don’t break the law you will always reside there and you have a choice of voting or not voting as a resident. When you break the law you no longer become a resident because you become a prisoner and when you become a prisoner you are not allowed to vote and I one of the extreme arguments I heard today stated that well if you’re a lifetime, if you get a life sentence, you’ll never vote and you will never, there is no argument about counting you as a resident. That is a ridiculous argument
because if you have life imprisonment you are never going to vote and you’re a nonentity when it comes to voting at all. So I don’t know what to say about that argument. If you’ve got questions or anything, I’ll answer em.


REP. FRANCE (42ND): Thank you, Mr. Chairman. Thank you Senator for coming out here. One question, you had mentioned I think this Bill proposes adding this as a new holiday, you had mentioned potentially swapping out a holiday if you merge the two but if we didn’t do that, and we added it, it would be effectively a 14th holiday for state employees. Would that have to be renegotiated through contracts given your experience in labor.

ED GOMES: The reason I was making that argument there is Lincoln’s Birthday is actually celebrated twice in this State, on President’s Day and Lincoln’s Birthday. The reason I say we don’t have to add a holiday is if we recognize the Federal Holiday which is President’s Day then we can pull the other holiday with the election day holiday process. We don’t gain a holiday.

REP. FRANCE (42ND): I guess the second half of that would be are those specific holidays part of the negotiated agreement with the union membership on which holidays they are in your experience and would we have to go back to them and approve a change to those specific 13 holidays that are currently in contract?
ED GOMES: Well anything that is of a contractual nature of course has to be negotiated but I don’t see a problem with it, the union is facing the fact that on a Federal basis they are already recognizing President’s Day for Lincoln and Washington. I don’t see a problem there. I know it wouldn’t be a problem for me if I was back on my job, that’s what I used to do for a living.

REP. FRANCE (42ND): No, I guess that is more than just the proforma that would have to be negotiated and the rank and file would have to accept the change, is that your understanding?

ED GOMES: Not only the rank and file that would be for whoever they worked for and the union. It’s just like the Federal Holidays, there were just put into place and not something that was negotiated between the union and the company. It was something to be recognized but not negotiated.

REP. FRANCE (42ND): Certainly I appreciate that. It’s obviously not my expertise and what’s specifically in the union contract and whether it would open up a negotiation or require that. The, I guess the other aspect of it certainly we can put that in the State Law and it would apply to state employees but it wouldn’t necessarily apply to every private business in the State, so what is your position on that. If we had a State Holiday there is no requirement for a private business to recognize state holidays, for instance the company I work for only offers ten holidays not the thirteen that are recognized for state employees, so how would that effect your goal of trying to open up the?
ED GOMES: You’re saying how would this affect the State Holiday?

REP. FRANCE (42ND): No, sir what I’m saying is that the requirement in the State Law would certainly apply to state employees and their holidays but as I understand it there is no requirement for a private business to recognize that as a holiday for their employees and so how would that effect the broader base which many of the people I think you were talking about who are, you know, working and challenged to get into the polls, working two minimum wage jobs, that private employer is not required to recognize the holiday so how would you?

ED GOMES: He’s not required to recognize any holiday that hasn’t been negotiated between the union and the company or not required if you don’t have a union to recognize it as a holiday.

REP. FRANCE (42ND): Right, right I understand. I’m trying how would that resolve the issue that you are trying to solve which is trying to make it easier or more conducive for the average person to come vote by creating this holiday? How would that be, reach your goal is what I’m trying to get at?

ED GOMES: All I can say until the issue comes up, it would have to be a matter of negotiating on an individual basis.

REP. FRANCE (42ND): Thanks very much.

ED GOMES: But the holiday itself right now is recognized as a state holiday so it’s not taken away from the nature of it being a state holiday because we’d call it election day.
REP. FRANCE (42ND): Right, I understand. I was trying to get to what your goal was which was to make it easier for people to get there by creating this holiday and, you know the point I’ll make also is that many companies across the state give their time off, my own company gives me two hours of time if I need to, many companies offer that time for that purpose. It’s not 100 percent certainly but that’s what I was trying to get at was the point that we could create a state holiday and have it out there, we would close schools and you know, certainly clear the polling places but it wouldn’t necessarily be a benefit to the average citizen of our State because the private company has no obligation to follow what that was. So I was trying to get at that point what your thoughts were on that.

ED GOMES: Well when you were talking about you get two hours in the day to go vote and everything, if you check those figures out you’ll find that very few people get that entity and that special privilege, very few companies.

REP. FRANCE (42ND): Thank you very much, sir.


SENATOR HASKELL (26TH): It’s wonderful to see you Senator, thank you so much for taking the time to be here today.

ED GOMES: So good to see you.

SENATOR HASKELL (26TH): I really do.

ED GOMES: I really marvel at the idea of you sitting in that seat
SENATOR HASKELL (26TH): Well thank you very much. [Laughter].

ED GOMES: I say I love it, I love it.

SENATOR HASKELL (26TH): Sometime I do too, sir. It’s wonderful that we both have such a passion for expanding voting rights and opportunity although we may be at different ends of the spectrum. I have a question about making election day a state holiday. I think it is a wonderful idea, it is something I’m inclined to support but I’m concerned for individuals who rely on public transportation to get to and from the polls, some of our public transit options might be negatively impacted by the fact that it is a holiday. As somebody with experience not only in this building but also as a labor organizer, do you have any concern that bus schedules, train schedules might be impacted by the creation of a holiday?

ED GOMES: I don’t look at everything but that’s a new one on me because I never look at the issue that trains won’t run, busses won’t run, public entities delivering people back and forth. I don’t know the difference between a holiday and a regular day.

SENATOR HASKELL (26TH): Not a problem at all. Something I think that this Committee ought to consider, would you agree going forward if busses and train schedules were negatively impacted because of the holiday.

ED GOMES: Yes, just because we don’t think of it as being a problem doesn’t mean it isn’t going to be a problem. Some problems have to be settled on their
own, you know and not all together what we first proposed, you know.

SENATOR HASKELL (26TH): Absolutely. Well thank you for your testimony. Thank you, Mr. Chairman.


REP. MASTROFRANCESCO (80TH): Thank you and it’s a pleasure to meet you, Senator.

ED GOMES: Everybody doesn’t say that [laughter].

REP. MASTROFRANCESCO (80TH): Is your intention on the holiday, force a holiday to help increase voter turnout?

ED GOMES: Yes like I stated Bridgeport has a low voter turnout and this would improve the turnout. But not only that it’s because it would give more people the right to turnout, not the right but the accessibility being able to get out and vote. Some people just don’t vote because the accessibility isn’t right there in front of them and the thing that, I don’t know how to deal with any other thinking except a person that’s working for a living, that’s what I’ve done. I’ve got 55 years in the labor movement and that’s all I think of. When I was up here it’s what I thought of. The first thing I thought of was any Bill that came up here that concerned anybody, is how is this gonna help there people support their families.

REP. MASTROFRANCESCO (80TH): Is it your belief that they just can’t get time off of work and they, like you said are working two jobs and they can’t get to the polling places?
ED GOMES: Yes, believe it or not, some of the things that are happening now with people who are working now, everybody talks about, I get a big kick when they talk about federal politics or state politics they talk about the middleclass. Everybody is worried about the middleclass. The hell they are, these one percenters up here, they have control of 90 percent of the money and they’re worried about the middleclass. We work, you’ve got the middleclass so to speak and you’ve got the working class. There is no middleclass anymore. There is the higher stage of the working class but that’s all we’ve got. And I worry about working people, these working people who have to get to their jobs, support their family, take care of their family and vote and I think there is a hindrance the way election days are setup for people to try to get to the.

REP. MASTROFRANCESCO (80TH): Would we consider how about a primary day, would a primary day be a state holiday as well because of the same concept?

ED GOMES: I think, I don’t think it would work too much for a primary date cause the primary date concerns parties and you’re talking about the Democratic Party Primary, the Republican Day Primary, what we’re talking about is election day, general election day.

REP. MASTROFRANCESCO (80TH): I was just concerned, it still open for voters regardless so what party you are affiliated with, you are a voter and you have the right to vote, that’s all I was referring to on that. I was just trying to get your thoughts
on if we’re making a state holiday for election day would you for primary day?

ED GOMES: Then you’re talkin about creating another holiday.

REP. MASTROFRANCESCO (80TH): I’m not saying I’m in favor of it, I’m just trying to figure out why is it different from election day to a primary day, it’s still voting rights.

ED GOMES: I was just concerned with getting election day holiday without us gaining, having the responsibility of gaining another holiday and have it work for something rather than just being a holiday.

REP. MASTROFRANCESCO (80TH): Got ya. Okay thank you very much for answering my questions.

REP. FOX (148TH): Thank you, any further questions. Thank you for your time today, sir. Good seeing you.

ED GOMES: Thank you, nice seeing you guys.


GUS MARK HAMILTON: Good afternoon Representative Fox and Distinguished Members of the GAE Committee. My name is Gus Marks-Hamilton and I am a field organizer with the Connecticut ACLU Smart Justice Campaign. I am here to support S.B. 25, an important Bill that increase the power of all our state citizens who have a say in our Representative Democracy.
Voting is a basic human right and an indicator of community health and wellbeing. A study by the Florida Parole Commission in 2010 found that formerly incarcerated people who had their voting rights restored were less likely to return to prison. As you probably know Florida recently returned the right to vote to 1.4 million of its citizens in a statewide ballot initiative.

Connecticut’s Previous Commissioner of the Department of Corrections, Scott Semple, said in December, that allowing people on parole to vote is an important step in their return to a normal and productive life. People serving a sentence of probation in Connecticut have been able to vote since 2002 but people under parole supervision, meaning that they have been released from prison and are serving the remainder of their sentence under community supervision are denied the right to vote. People serving parole are current living, working and paying local, state and federal taxes yet they are disenfranchised from their democratic right to vote. S.B.25 would remove the confusion over parole versus probation by allowing people to exercise their right to vote. There are approximately 4,600 people on parole in Connecticut a group larger than the population of 35 individual Connecticut towns. Every New England State except for Connecticut allows people on parole their constitutional right to vote along with Indiana, Illinois, Pennsylvania, Oregon, North Dakota, Missouri, Ohio and Utah from where our new Commission of the Department of Corrections hailed and where voting rights are automatically restored to people upon their release from prison. It is important to add that laws disenfranchising people because of felony
convictions disproportionately disenfranchises people of color. In may states these laws were intended to have this racist effect. Felony disenfranchisement became particularly widespread when white lawmakers codified felony disenfranchisement laws that explicitly targets African-Americans to diminish their electoral strength. Also on a personal note, as someone who was lost the right to vote due to a period of incarceration, regaining my voting privileges when I was eligible and then the act of voting itself was a special and significant moment for me. I felt more invested in and connected to my community and to the State I was born and raised. I was proud to stand in line with the other members of my town as we participated in this core right of our American Democracy. I encourage the Committee to support S.B. 25 and thank you.


REP. WINKLER (56TH): Perhaps you would know, so you don’t lose your citizenship due to felony convictions historically do you have any idea how the idea of losing the right to vote, you know, because you, I don’t know, stole something, how they got connected?

GUS MARKS-HAMILTON: I do not. I do know that the Supreme Court has ruled though that simply being incarcerated does not mean that you lose your Constitutional rights. I would encourage the Committee to think about in-prison voting. I believe that is the Bill that is in being considered
this year but right now I just here to talk about S.B. 25.

REP. WINKLER (56TH): Thank you, Mr. Chairman.


SENATOR HASKELL (26TH): Thank you so much for your testimony, it’s greatly appreciated your sharing not only your expertise in this matter but also your personal experience. I wonder if you might be willing to talk just a little bit more about the importance of stepping into a voting booth and feeling reassimilated with your community? I am deeply concerned about the problems with the recidivism that plagues our criminal justice system far too often people leave a period of incarceration and return only a few weeks, months, years later. I believe this bill which would expand the right to vote to individuals who are on parole would help to re-assimilate them into their community by saying, we as elected officials, as community members, as friends and neighbors trust you to make that all-important decision in the voting booth. I wonder what that meant to you when you were walking back into that voting booth having regained your right to vote.

GUS MARKS-HAMILTON: Thank you for saying that Senator Haskell. Like I said earlier there are a number of states that automatically restore someone’s rights one they have been released from incarceration but they don’t make that distinction that if you are on parole even though you could be employed, and you’re paying taxes, your federal, local and states taxes you’re still denied the
opportunity to participate in choosing who your state Representatives are. For me, I came from, my family was physically engaged. When I grew up my father was the Chairman of the Zoning Board of Appeals in the town I grew up in so I grew up with the knowledge that being a participatory member of your community was an important thing and when I had the opportunity to regain my voting privileges, that was a priority for me and in the discussions I’ve had with other members of our Smart Justice Cohort which is all made up of formerly incarcerated people, we acknowledge that voting for them is an important part of their transition and part of establishing normalcy after being incarcerated.

SENATOR HASKELL (26TH): Thank you very much, sir. Thanks for being here today. Thank you, Mr. Chairman.

REP. FOX (148TH): Thank you very much, Senator. Any further questions? Can you answer a few quick questions for me? Can you please tell me a little bit about the Smart Justice, can you please tell me a little bit about that program?

GUS MARKS-HAMILTON: Smart Justice is a national and local campaign here in Connecticut dedicated to reduce mass incarceration and eliminate the racial disparities that exist in the state’s prisons and jails.

REP. FOX (148TH): It’s a national program you said?

GUS MARKS-HAMILTON: It’s national and we have a chapter here in Hartford.
REP. FOX (148TH): You mentioned directly a specific study, can you just give me a little more information if you have it?

GUS MARKS-HAMILTON: It was a study done by the Florida Parole Board in 2010 that was able to identify the people who have been released from prison and on parole, when they have their voting rights restored to them their recidivism rates were actually lower than people who did not have their voting rights restored.

REP. FOX (148TH): Is that included in your testimony, a copy of the study was?

GUS MARKS-HAMILTON: Yes it is. There is a separate, also submitted by ACLU but I can get that information to you.

REP. FOX (148TH): That’s very helpful and there’s a final question, can you describe the process that you went through personally to regain your voting rights?

GUS MARKS-HAMILTON: When I was released from parole onto probation I went to, I was living in East Lime and I went to my town clerk’s office and registered.

REP. FOX (148TH): And timeframe wise?

GUS MARKS-HAMILTON: I think it was six months after I was released and I was employed during that six months.

REP. FOX (148TH): Okay, thank you very much. Any further questions? Seeing none, thank you for your time today. Next, Senator Matt Lesser, followed by Josh Rubin, followed by Luther Weeks. Good afternoon, Senator.
SENATOR LESSER (9TH): Good afternoon Chairman Fox, Senator Sampson, Representative France and Honorable Members of the Government Administration and Elections Committee. I am Senator Matt Lesser, former, longtime member of this Committee and missing it very much these days and like my friend Senator Gomes I am here to testify on several Bills that I am definitely in support of H.B. 5818 and H.B. 6045 concerning fixes to election day registration, Senate Bill 25. My main testimony here is focused on Senate Bill 22.

I was very disturbed to find out last fall that Connecticut is just one of seven states that disenfranchises people who have not paid fines to the State of Connecticut following their release from incarceration. The U.S. Congress passed the 24th Amendment abolishing poll taxes and it is my belief that requiring someone to pay fines prior to regaining the right to vote is in effect a poll tax. This does not burden people with the ability to pay, but it does burden people who don’t have the ability to pay and disproportionately affect lower income folks in our State. There are only seven states that still have this practice. I am surprised that there are any and I think that we are the only one in the region that not only has one and at the very least I think it is important that the GAE Committee take a strong step to say that this should not be the case. This is certainly not a revenue generator for the State and we shouldn’t be baring people from voting due to their lower income. Thanks to the Committee for its time and for considering this proposal.

SENATOR SAMPSON (16TH): Thank you, Mr. Chairman. Senator Lesser welcome back to the GAE Committee. Just figured I would engage you in a tiny bit of dialogue on this subject just for the sake of it because we have several bills before us. You mentioned that you were in favor of Senate Bill 25 also which would restore electoral privileges to people on parole. There is also one that would allow people currently serving in prison to vote and then the first Bill, Senate Bill 22, the one you just spoke in favor of was about people that owe fines. You know, just looking at the history of Connecticut how all of these changes came to be. I mean our original Constitution basically took voting rights away from people convicted of felonies and then gradually over time we restored them to people once they, you know, completed their sentence and so forth. The way the Law is right now, my position is that it is pretty clean. It’s, you know, once you’re convicted of a crime you lose your right to vote but once you’ve served your sentence you get your right to vote back. And to me these three Bills are just variations on ways to say you’ve served some part of your sentence. I’m just curious to know, you support 22 and 25, where do you come down on that. I mean at what point do you believe that someone should have the penalty because of their crime and what point their rights should be restored?

SENATOR LESSER (9TH): I think that people who have, who are clients of our Criminal Justice System have a strong interest in public polices of the State. I
think voting works when more people vote and I think my general bias is more towards more people voting than fewer people voting. As to where to draw the line, I don’t serve on this Committee currently and I am happy to defer to the members of this Committee on where to draw the line. But my specific concern in the Bill that I introduced was Senate Bill 22 because I felt that it was outrageous that we would be denying low income people, who committed crimes, the ability to vote while also allowing higher income people the right. I think the idea of drawing it on the basis of their income is outrageous and I think it is something the U. S. Congress and the States thought they were doing away with when they ratified the 24th Amendment to the U. S. Constitution.

SENATOR SAMPSON (16TH): I look forward to debating that on the floor. I don’t see it anyway as a poll tax or discriminatory towards people based on their means its simply a distinction between people who did not complete their sentence versus have completed their sentence. If part of the penalty that they must provide is to pay a penalty in dollars then that is just like serving the time they might have to serve in different circumstances. So, you know, I really want to engage this dialogue in a way that is constructive. I heard some previous testimony, there is a lot of accusations about class warfare and racial disparity and so forth but I don’t think that is any part of this issue whatsoever I think it is basically a debate on whether or not we believe that is part of the criminal justice system. If you, should the criminal justice system provide a penalty for
someone who commits a crime and should that penalty include this or not?

SENATOR LESSER (9TH): Well I think regardless of what the Committee does on any of these Bills there will certainly be penalties associated with committing crimes. The question is whether or not people lose their right to vote as well and I think the most fundamental right you have in a Democracy is the right to vote. So taking away that right is a pretty strong statement that you are disenfranchising not just as a voter but as a citizen. So taking away someone’s citizenship rights, you know, I’m sure Senator you’ve done a lot of research into the history of 13th Amendment and the specific language there about exempting people who are incarcerated and have that in many ways a continuation of some of the vestiges of slavery. I wouldn’t want to have that discussion here today. I would want to focus really narrowly on the specific issue of people who are impoverished in Connecticut who are not able to vote simply because of their status as impoverished.

SENATOR SAMPSON (16TH): Right. Taking away someone’s liberty to eat and sleep where they choose to and have the freedom of movement by being imprisoned, I mean I’d say that is a pretty significant penalty also. So again, I look forward to having this conversation on the floor. I just want us to have some sort of understanding that we’re not gonna do this based on a race and we are not gonna do this based on accusations that there is some group of white legislators or something like that is trying to put people in a position cause that has had nothing to do with anything. The
founders of our State Constitution put this in there that you would, as a penalty of being convicted of a felony, that you would lose your right to vote and I’m not one to take my position lightly and make large changes to how we handle certain things. I believe the criminal justice system has to have penalties for it to work properly. But I look forward to talking to you about it more.

REP. FOX (148TH): Any further questions? So I have two. Oh, Senator Haskell.

SENATOR HASKELL (26TH): Thank you, Senator Lester for your testimony and for your leadership on this issue. I’ll note that it is unfortunate that it is a forum today of white legislators talking about this. I think perhaps a different Committee Hearing but an unfortunate reality of this building, something that we should all work to change. Just want to clarify the issue and specifically the Bill that you are testifying about today. Somebody of greater means and somebody of lesser means are released from incarceration at the same time and they both face fines. One is not going to be able to pay and one is going to be able to pay, therefore one person will have their voting rights restored and one person won’t. Is that correct?

SENATOR LESSER (9TH): That is my understanding of the Law.

SENATOR HASKELL (26TH): So therefore I have trouble not seeing this a continuation of our long and troubled history which includes both poll taxes in the United States given racial considerations aside from a wealth point of view we are depriving certain people the right to vote based on the amount of
dollars in their bank account. Is that how you see it, sir?

SENATOR LESSER (9TH): I couldn’t put it better.

SENATOR HASKELL (26TH): Thank you, Senator. I just wanted to make sure I fully understood the issue. Thank you, Senator.


REP. MASTROFRANCESCO (80TH): Thank you very much for your testimony. Actually just a comment to the Chair. I am kind of taken back, you know, I was a new legislator, as I sit here I hear people talkin about white legislators, racial remarks, so I just want to make a comment to the Chair if we can refrain from calling our colleagues white legislators. I would appreciate it. I am somewhat offended to be quite honest with you, okay. Thank you very much.

REP. FOX (148TH): Thank you, Representative. So I’ve got two questions for you on this point and so I don’t expect you to be an expert on the underlying subject matter, and so if you don’t know the answer that’s fine. The current legislation as written provides that privileges will be restored upon the payment of all fines in conjunction with the conviction. The idea of fines in conjunction, do you know is that just like include civil liability do you know?

SENATOR LESSER (9TH): I don’t know if it includes civil liability but I believe it also includes out-of-state fines and federal fines that may not be assessed even by the State. So because the language
is so broad my understanding it is hard to know exactly how many people it could cover but it could be quite a few.

REP. FOX (148TH): Ok and then secondly, is there currently is there a minimum for the fine like if it is someone who gets released and they owe a hundred bucks and then the next person released owes $5,000 dollars, is there a minimum or is it, are you aware if it’s the fine in general?

SENATOR LESSER (9TH): I don’t think that is in the language of the Law so I don’t think it speaks to that.

REP. FOX (148TH): Okay, thank you very much. Any further questions? Representative France.

REP. FRANCE (42ND): I want to kinda dive into this question about fines and your ascertain that the well-off would have their restorative value and the less well-off financially would not, do you have any data to back up that premise in the sense that my understanding of how fines are adjudicated are within and proportionate to the means to the people to pay when the courts determine fines. So I guess I’m questioning the assertion that you’re making and if you have any data to back that up, your position.

SENATOR LESSER (9TH): You’re and just to clarify Representative France I want to make sure I understand correctly you’re saying you believe that the Department of Corrections imposes fines on prisoners based on a sliding scale based on their ability to pay cause I’m not aware of that?

REP. FRANCE (42ND): No, the Department of Corrections doesn’t assign fines it would be the
Judicial Branch, the Court, who assigns a fine associated with any particular penalty in a court of law but generally they wouldn’t assign a penalty of financial means unless there is a financial component to the crime and generally there is a benefit that is derived from the individual to incur a financial cost. Do you have any data to back up your assertion that there are individuals that are less well-off who cannot afford the fines that are being levied by the Judicial Branch and the Court System to support that assertion?

SENATOR LESSER (9TH): Well first of all, Senator France I would take issue with I think your characterization that I don’t know that I would agree with it that, first of call the Department of Corrections does assess fees with association with the cost of incarceration and my understanding that is not done with regard to an inmate’s ability to pay and I believe that may impact someone’s ability to have their electoral privileges restored. Second, I would also point out that because of the broad scope of the Law as it exists today, it can cover other states which have entirely different practices than we have in Connecticut. There is no way to know exactly how many people are not able to register to vote or may have inadvertently violated the law simply by not being aware. I served on this Committee for many years, I wasn’t aware of this provision of the Law until I read about it in the newspaper article in November, so I think it’s hard to know exactly how many people are being disenfranchised by it but the fact that there is a single person out there, that’s one too many in my opinion.
REP. FRANCE (42ND): And I thank you for that. I appreciate the answer and I was not aware that the fees that we’re talking about were ones that would have included anything associated with their incarceration. My understanding of the premise was that restitution type of fees out of the Court System not including Corrections. On a second note dealing with individuals who are on probation or parole one has their voting rights restored and one does not, if they violate the conditions of parole or probation many times they are taken back to a hearing and could end up back in prison what would your, based on that going back, how would you then return them to I guess being taken off the voter rolls since they are kind of in the current state would have been still not had their voting rights restored, how would you manage that process?

SENATOR LESSER (9TH): Yeah, my understanding is that Senate Bill 25 would allow them to have their voting rights removed if they were returned to an incarcerated state. You know, there are states I think Vermont allows everyone in the state to vote regardless of whether or not they are incarcerated and you know that is certainly one option you could pursue but I think the Bill before you would say that if you violate your parole, you’re incarcerated again, you’re removed from the voting rolls.

REP. FRANCE (42ND): Thank you very much.

REP. FOX (148TH): Thank you, Representative. Anything further? Thank you very much for your time and testimony today.

SENATOR LESSER (9TH): Thank you, Mr. Chairman.
REP. FOX (148TH): Next I have Josh Rubin, followed by Luther Weeks, followed by Kevin Doan. Good afternoon, Mr. Rubin.

JOSH RUBIN: Good afternoon, Chairman Fox and Distinguished Members of the Committee. My name is Josh Rubin and I am a New Haven voter and a student at Yale Law School where I intern in the Rule of Law Clinic. Thank you for the opportunity to testify in support of Senate Bill 22.

S.B. 22 would fix a striking inequity in Connecticut’s electoral system. Connecticut Law currently discriminates a particular class of individuals with prior felony convictions. Right now if you live in Connecticut and you have a prior felony conviction from another state of the federal government then you cannot vote until you’ve paid your fines, paid any fines in connection with that conviction. But the same requirements to pay fines does not apply to individuals with Connecticut felony convictions only to those with out-of-state or federal felony convictions. By making some individuals pay fines before voting Connecticut Law currently conditions the right to vote on a person’s ability to pay. This statutory scheme is deeply inconsistent with Connecticut values as a second chance society. This law is unique to Connecticut. We’re the only state that singles out a group of people based on where they were convicted and makes them pay fines before voting. The law is also confusing and widely misunderstood. When my clinic colleagues and I first read it last year it took two lawyers and three law students to figure out what it meant and once we deciphered the statue we discovered we weren’t the only ones confused. Over
the course of our research last semester, we learned that different Registrars of Voters across the State have different interpretations of how broadly this requirement to pay fines applies and when voting officials are confused you can bet the voters are too. Today the Legislature has an opportunity to make the Law both simpler and more just. S.B. 22 would eliminate the requirement that anyone pay fines before voting. This is a common-sense fix because there is not good reason for Connecticut to draw a distinction between people based on where they were convicted. That is especially true here where any revenue from the fines paid would go to other states or to the federal government not to Connecticut. The right to vote is fundamental and cannot be predicated on a voter’s wealth or ability to pay. The U.S. Supreme Court upheld that principle when it struck-down poll taxes as unconstitutional. We should honor that principle in Connecticut by abolishing any requirement to pay money before voting. There are several good Bills being discussed today. S.B. 22 is a common-sense fix to a perplexing and deeply troubling system. I urge the Committee to pass S.B. 22 or to incorporate it into any voting rights Bill considered by this Committee and by the Legislature as a whole. Thank you and I am happy to answer any questions.

REP. FOX (148TH): Thank you very much, Mr. Rubin. Any questions for Mr. Rubin? Senator Sampson.

SENATOR SAMPSON (16TH): Thank you, Mr. Chairman. Just a question since you’ve been delving deep into this proposed Bill, does it apply to just fines that are levied by our correctional system and Judicial
Branch or does it include restitution made to a victim?

JOSH RUBIN: It’s a question we share and no Court has ruled on that and I would say it goes to the fundamental ambiguity of the Law as written that it is unclear.

SENATOR SAMPSON (16TH): I’m talking about the proposed Bill not the law.

JOSH RUBIN: The proposed Bill removes the language which says, “Upon the payment of all fines in conjunction of the conviction” so there would be no requirement to pay.

SENATOR SAMPSON (16TH): Understood, so but the question I have is there a distinction made about restitution made to a victim versus a fine that is applied for the commission of a crime?

JOSH RUBIN: I know there is a distinction in other contexts between fines and fees and as far as I am aware the language here would clear that up.

SENATOR SAMPSON (16TH): So in your opinion, Senate Bill 22, if passed, would eliminate the requirement that someone either pay a fine or restitution to a victim?

JOSH RUBIN: Prior to getting the right to vote restored, yes.

SENATOR SAMPSON (16TH): Understood. Do you see a concern about that distinction? I mean the purpose here is that like you expressed and some of the other folks in this room have expressed, I value my right to vote as paramount. I don’t know that all people that leave prison consider it to be so
important but I assuming that they do, this would be an incentive to pay back a victim of a crime if the restitution was still required and I think it’s an important distinction to make whether they are going to pay, you know, a $500 dollar fine to Connecticut for something of they owe someone, you know, a certain amount of money because those stole it from them.

JOSH RUBIN: Sorry if I was unclear. My understanding of the Law currently is that only fines to prior out-of-state or Federal felony convictions are required prior to getting your right to vote restored. So there is actually no instance of an individual having to pay fines to Connecticut or other fees before getting their right to vote restored currently.

SENATOR SAMPSON (16TH): Understood, so what you’re saying this is only an issue for out-of-state.

JOSH RUBIN: Or Federal, Federal.

SENATOR SAMPSON (16TH): Understood. The only other comment I would make is that you used the word discrimination also. I would just encourage anyone that is interested in pushing this Legislation forward to just stop using that word. I mean when you commit a crime you’re making a choice to commit that crime and the penalty for that bad choice might end you up in prison, a fine or the loss of your voting rights. No one is discriminating against anyone in that particular case. The law and we have a Rule of Law in this country. It is written in a certain way. We can talk about modifying it based on what happens in our world but to describe it as discrimination I think is just unfair to people who
believe in the Rule of Law and I think it’s inappropriate and I also don’t think it helps the dialogue for people like me who believe in that Rule of Law to see your perspective. So I would just caution you.

JOSH RUBIN: I appreciate the concern. I would point to what the Supreme Court has held on this which is that in 1966 the Court said that voter qualifications.

SENATOR SAMPSON (16TH): That poll tax is something that is not even remotely relevant to the notion to paying a penalty for committing a crime as a personal choice. Thank you, Mr. Chairman.

REP. FOX (148TH): Any further questions? I have a quick question if I may. Earlier you mentioned procedurally can, do you have any idea how process is arrived at procedurally with the Registrars Office like when someone shows up to vote is there a database they look into or do you have any information on the factual process on determining whether someone has a fine or not.

JOSH RUBIN: I would have to defer to them on that.

REP. FOX (148TH): Any further questions? Thank you very much for your time and good luck in school. Up next Luther Weeks, followed by Kevin Dillon followed by Ashley Hall.

LUTHER WEEKS: Chairman and Members of the Committee my name is Luther Weeks, Executive Director of Connecticut Voters Count, a Certified Moderator and a Computer Scientist. For two elections I led the election day registration team in Glastonbury. Today I have submitted five pieces of testimony on
six Bills, I will focus my three minutes on H.B. 6045 and H.B. 5818 addressing election day registration and after that I would be pleased to address any of my written testimony. I thank the Committee for proposing these Bills which would cure a serious civil rights violation that is in fact happened in 2014, 2016, 2018. I think Connecticut is very lucky or maybe not we haven’t ended up in court.

Voting rights and civil rights demand that all citizens and voters be treated equally and have an equal right to vote. The main objection to similar bills in the past has been from officials who are challenged by the difficulties in complying with the cross-check requirements in the Law after eight p.m. Those cross-check requirements are also the prime cause of the long, slow EDR lines. I prefer H.B. 6045 as it would extend the election day registration to primary elections. That would be an important component of increasing citizen participation in elections. I don’t think there is as much of a burden as it has been portrayed in previous testimony. There is a solution to maintain cross-check after 8:00 p.m. The solution lies in the Law passed in the last few year that allows officials to defer some counties up to 48 hours after the polls close, Section 9-309. Those Statues in the EDR Statues need some adjusting to accommodate these changes. Attached is text I’ve provided. It has been summarized as H.B. 6058 submitted by Representative Fox. I would hope that EDR ballots case after 8:00 p.m. give registrars until 9:45 a.m. the next morning to call back if the cross-check requires it and allow counting EDRs
after 10:00 a.m. There is another problem with Section 309 that has always been there. I’ve also addressed that in that text. It contains no mechanism or requirement for the public candidates or parties to know when the counting will resume. At worst the existing Law is misleading, excuse me. Yeah, worse it opens the door for officials to count in secret. That is a bad idea and would violate the Connecticut Constitution. To be clear, I ultimately would prefer that Connecticut eliminate the cross-check altogether and join the vast majority of states that have EDR in which allow voters to register at their polling place. I just also want to add that I agree with Representative Candelora on the idea of having a discussion whether the Constitution and the interpretation of it for close elections or contested elections is done in the right way now. And I would say, you know, in the U.S. in the case of presidential elections, I think congressional elections the government, the body has the choice in the final say of whether to seat someone or not. But the courts have say all along before that, to make adjustments in the election so things can be done in a much more efficient basis and possibly a less partisan basis but that is not really the history of our country but I would be in favor of having that discussion. Thank you.

REP. FOX (148TH): Thank you very much Mr. Weeks for coming in. Any questions for Mr. Weeks? I have a quick question. Can you please again just clarify or repeat what you discussed the 9-309 the 48 hours language.

LUTHER WEEKS: The which?
REP. FOX (148TH): The 9-309 for the 48 hours.

LUTHER WEEKS: Yeah, that was a Bill that was passed, I don’t know, four-five years ago that allowed Head Moderators, Moderators rather to just record the tapes on the election night but they could defer all the other closing activities for up to 48 hours. I am in favor of that in some cases, there is a lot of hand-counted ballots to be counted something like that, it is a good idea and it could apply to EDR very well but the problem with that Bill, right from the beginning, and I argued against that when it was passed. I have been here year after year opposing text to correct it, it provides no mechanism for the public, the candidates to fine out when that counting is continued within that 48 hours. So I as a Moderator could close my polling place up, seal up the ballots, soon as everybody leaves the polling places, well now I’m gonna continue that counting. There is no way for the public to know when that is going to occur. There is some easy fixes to that. Basically say that it can’t occur until a particular time and can’t occur until you post the time it’s gonna occur, you know, an hour two hours’ notice that type of thing. But that should be cured. It should be cured by EDR, it’s a solution to the challenges the registrars have but we can’t have voters in one town standing in line for hours and hours and then say you can’t register to vote. Where as the town, the next one over, just because they supply enough people or because of maybe different demographics or different situations in that town they are able to handle anybody that shows up at that polling place for election day registration. So, you know, I think we
gotta cure for that and avoid that risk of appropriate challenge to our Laws.

REP. FOX (148TH): Thank you very much. Any further questions for Mr. Weeks. Seeing none, thank you for your time, appreciate it. Next Kevin Dillon, followed by Ashley Hall followed by Emily O’Hara. Kevin Dillon present? Ashley Hall followed by Emily O’Hara. Good afternoon.

ASHLEY HALL: Good afternoon, Mr. Chairman and Members of the Committee. My name is Ashley Hall. I’m a JD Candidate at Yale Law School and I am also from the Rule of Law Clinic and the Clinic is currently representing the Connecticut State Conference and the NAACP in their support of House Bill 5611 which could potentially an end to a potentially unconstitutional prison gerrymandering practice in the State of Connecticut.

The practice of prison gerrymandering essentially is counting people who are incarcerated as residents of prisons instead of residents of their home community and the effect of that distorts the political voices because primarily people who are incarcerated are coming from urban cities and communities of the most populace cities but are largely African-American and Latino and they are being moved to rural white parts of the state and therefore there is a discrepancy in interest and it is also important to consider the harm that is happening to the home community. These people who are being incarcerated do not live in isolation, they have families and friends who they are leaving behind and so these family and friends are losing individuals to mass incarceration but are also losing their political voice when people who


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should be counted in their districts are moved and counted elsewhere. And it also instructive to know and one of the crux of this issue is the fact that incarcerated persons are not truly resident of these prison districts. They do not interact with the outside communities, they have not chosen to live there, they do not have the choice to participate in civic live, they can’t frequent public roads, go to public parks, their children can’t even attend public schools there simply by virtue of them being incarcerated there. And further, Connecticut Law seems to indicate that people who are incarcerated are also not residents of these prisons.

Connecticut Law have for some people who do retain the right to vote while incarcerated, they do still need to vote in their home residence unless they can prove for some specific reason they should be voting in the prison district and so there is an inconsistency there and this Bill could potentially remedy that. And we would like to acknowledge that this Bill would be following the line of legislation that has already been passed in other states and this would include New York, Maryland, Delaware and California and the Supreme Court has already upheld that this is a Constitution practice and so we have brought a law suit against the State of Connecticut and the Connecticut State Conference of the NAACP is a current plaintiff in that case and we are challenging the constitutionality of this map because it does violate the 14th Amendment of one person, one vote because it does distort equal representation and representational strength of the home community and therefore we urge the Committee today to pass this legislation to potentially put an
end to this litigation and save lots of time and money that could restore equal protection rights.


SENATOR HASKELL (26TH): Thank you so much for your testimony, I found it incredibly enlightening and clarified some key questions that I had. I just have one sort of point of clarification, if an individual is arrested and not released, but has not yet been convicted of a crime, he or she still has a right to vote is that correct?

ASHLEY HALL: Yes.

SENATOR HASKELL (26TH): Now, my understanding is they are usually taken, in my community, they are transferred to Bridgeport Correctional there. There are hundreds of people there who have not been convicted of a crime who are awaiting trial or simply in the midst of a legal batter. Now those individuals, say they were residents of Westport, my hometown but were brought to Bridgeport, the State of Connecticut considers them to be Residents of Westport, is that right?

ASHLEY HALL: Yes so it depends on the census data. So the State of Connecticut does rely on census data in order to fashion their districts and when the census is conducted, at times they do count people who are in prison temporarily or for a very short period of time as being resident of those districts so there is no recalibration by the State of Connecticut.

SENATOR HASKELL (26TH): I guess my question though is what ballot they would receive? Would they
receive a ballot for the 26th Senate District in Westport or in Bridgeport District?

ASHLEY HALL: Okay, yes for those who can still vote, they would have the ballot in their home district so not where they are being held temporarily.

SENATOR HASKELL (26TH): So in other words there is almost an inconsistency in the Law that as soon as you are convicted of a crime, even if you are in the very same cell that you were in yesterday, you then lose your residency in the previous district and become a resident, so-called, even though you don’t have the ability to participate fully or freely in the community, you then are considered a resident in your place of incarceration. But just one day prior to conviction you were a voting member of the previous place of residence, is that correct?

ASHLEY HALL: That’s correct and we do notice the inconsistency in the Law which is why we urge the Committee to pass the proposed Legislation today.

SENATOR HASKELL (26TH): Well, thank you so much for your work. Thank you, Mr. Chairman.

REP. FOX (148TH): Any further questions? Representative France.

REP. FRANCE (42ND): Thank you for your testimony. I appreciate it and I agree with the Senator it is enlightening to understand the principles behind. The one question I have would be for those that don’t have an address, so particularly it would be homeless in general but what would your position, assuming we pass Law here, what would your remedy be for them. Would they be counted where they are
housed in the prison or would you have some other remedy for those that didn’t have a residence or an address prior to conviction and incarceration?

ASHLEY HALL: So we found to be kind of the outliers and it is instructive to look at the State to have already passed this legislation and they actually do approach it in a number of ways and so I think it would be instructive to look at what they do. So at times they can reallocate the people who don’t have a last known residence equally amongst the districts but there are also other ways to approach that and we do print some written testimony and we would be happy to explain the Committee further references.

REP. FRANCE (42ND): Excellent, thank you very much. Thank you, Mr. Chairman.

REP. FOX (148TH): Any further questions? So can I ask a few questions, you mentioned earlier the involvement of your organization with the NAACP law suit, is that the law suit that Representative France mentioned earlier do you know?

ASHLEY HALL: Yes it is.

REP. FRANCE (42ND): Where in the process is that law suit right now?

ASHLEY HALL: So I, currently the State has Filed a Motion to Dismiss and we filed in opposition to that and so the Judge is deciding whether or not to dismiss the case. So we are waiting the Judge’s decision.

REP. FOX (148TH): Okay, and earlier you mentioned a few other states that have similar bills can you repeat the names if you have them anywhere?
ASHLEY HALL: Yes, so there’s Maryland, Delaware, New York and California.

REP. FOX (148TH): Was New York relatively recently?

ASHLEY HALL: Yes it was.

REP. FOX (148TH): Okay and just two questions. How would in those states be aware or not in Connecticut’s proposed Bill how do you suggest out-of-state residents be counted?

ASHLEY HALL: So out-of-state resident would not be counted as within the State and I think, I don’t want to mislead you, I think it would be a good idea to kind of look to what each state does because they do treat them differently. So when there are situations where there are outliers, from out-of-state or there isn’t a last know residence within the State there are different ways they do approach continuing to count those individuals but making sure that there is equal representation amongst the Districts.

REP. FOX (148TH): Okay, just one final question, clarification maybe for the question but the first part of the Bill effects state institutions how are federal institutions counted?

ASHLEY HALL: So, we are, so I guess we’re focused on State just for I wouldn’t say that the State of Connecticut focuses on the population of Federal prisoners as being counted in the State because they are from out-of-state and so I think the main concern here is with state institutions and how the people who are incarcerated in state institutions are goin to be adjusted in order to draw the districts in Connecticut.
REP. FOX (148TH): Okay, Any further questions?
Thank you very much for your time today, appreciate the input. Next Emily O’Hara, followed by Senator Winfield.

EMILY O’HARA: Good afternoon, Chairperson Fox members of the Government Administration and Elections Committee, thank you for the opportunity to testify here today. I am testifying in support of HB 5818, AN ACT EXTENDING THE HOURS OF ELECTION DAY REGISTRATION and HB 6045, AN ACT CONCERNING ELECTION DAY AND PRIMARY DAY REGISTRATION as well as Senate Bill 266 AN ACT REQUIRING POLLING PLACES AT INSTITUTIONS OF HIGHER EDUCATION. I submitted my testimony for you to read but what I really want to do is talk about my experience not only as a youth activist involved in voting but also as a student at the University of Connecticut.

I have been working on the New Voter Project on and off since my freshman year of college. I am now a junior at UConn and I have seen firsthand the difficulties of students trying to get to the polls. We registered 2,000 students to vote, our unofficial number was 2,083 but we expect it to be higher that is just ConnPIRG’s number and that is ten percent of the UConn on campus student body. With those students registered it was a deluge on election day. We were soaking wet out there helping people get to the polls, we had busses running and students would see the lines for the busses and would turn around and would chose not to go to the polls. Conversations after election day in my classes, but also in classes of engineering students, or math majors, future educators were conversations of excitement that they had the chance to vote but also
conversations saying, well my schedule is just too busy, or I couldn’t wait for the bus because I had meetings, I had office hours with faculty, overall, you know students have difficulties getting to the polls whether they had a busy schedule or they just couldn’t find time after registering at home to register on the same day and wait in the line for election day registration. So that is why I am in support and I am representing ConnPIRG and we are in support of these Bills. I believe that we are the system here on democracy where it works best when everybody participates and we have a significant population of Connecticut’s future at the University of Connecticut. The goal of my campaign as I continue to run it is to institutionalize the process of civic engagement so that students can interact with it actively and positively so it is not a job, it is a duty that they want to go to the polls and vote. It is clear that UConn students want to participate because on election day at the Mansfield polling location we saw an increase of around 90 percent from the previous midterm in voter turnout. Students are, you know, engaging in conversations on campus whether like I said whether they are poly sci students talking with their professors so there is clearly a demand and I believe that is a demand that we need to fill and we need to meet as best as possible. So again ConnPIRG supports these proposals and looks forward to working with the Committee throughout Session. I thank you for the opportunity to testify here today.

REP. FOX (148TH): Any questions for Ms. O’Hara? I have a quick question, currently you are a student at UConn?
EMILY O’HARA: Yes, I’m a junior.

REP. FOX (148TH): How are students currently notified of their current voting locations?

EMILY O’HARA: They are notified through the mail once they are registered. So through the mail or they can look it up online.

REP. FOX (148TH): The little postcard typically that we get?

EMILY O’HARA: Um-hum and that takes anywhere from three to six weeks to get there, usually three to four though.

REP. FOX (148TH): Okay and your experience, you find this process somewhat frustrating?

EMILY O’HARA: It was frustrating in the sense that there were long lines. I was at the polling site at 8:00 p.m. and there were students in line waiting to see if they could even register because of a number of circumstances.

REP. FOX (148TH): Physically where is that poll location in relation to campus?

EMILY O’HARA: It’s from the center of campus it roughly a 15-minute walk, 10 to 15 minutes. We have busses so it’s at the high school next door. We would like to see that significant population of students be able to have a central location on the campus to vote.

REP. FOX (148TH): Okay. Any further questions?

Representative Haddad.

REP. HADDAD (54TH): I wanted to thank you for your testimony and coming up here today. Like you, you
know, a lot of us who live and vote in Mansfield were concerned about some of the things we saw in terms of, you know, the lines. Not so much for me at the polling location where I think although in passing years that line has been quite long particularly for students at the student check-in table but for election day registration, it was a serious concern. We heard a previous person testify about the elimination of the cross-check which I think most people would agree is one of the parts of election day voter registration that significantly delays these individual voter’s ability to actually get to cast their ballot. Would you agree with that testimony that if we eliminated the cross-check that that process would be expedited and that more students would have the ability to vote in a timely fashion?

EMILY O’HARA: Do you mean when they’re in line for election day registration already?

REP. HADDAD (54TH): Yeah.

EMILY O’HARA: I would agree, yeah just because that’s where the most significant line was at 8:00 p.m. was the election day registration line. I myself struggled to get my absentee ballot in just because of time. I was registering other students but I think that is where the problem is in the election day line so I would agree.

REP. HADDAD (54TH): Thank you again for your testimony, we appreciate you coming up here and talking to us.

REP. FOX (148TH): Any further questions? Thank you very much for your time and testimony, I appreciate
it. Have a nice day. Next Senator Winfield, followed by Steve Schrag, followed by Olivia Walker. Good afternoon Senator.

SENATOR WINFIELD (10TH): Good afternoon. Chair, Ranking Members thank you for having me. I’ll be relatively brief and I’m willing to answer any questions. First let me say I’m going to testify on Senate Bill 25 and House Bill 5611. I want to start off by saying, because it has been asked before about a different Bill, I put in a Bill to allow for voting of all people who are incarcerated in the State. I believe that right should never be infringed. It should not be taken away. There is punishment, they are in jail. I also think that for many years we have attempted to deal with the issue of prison-based gerrymandering. The thing that we’re trying to do is deal with the representation part. I know that there is a question about funding that deals with ECS and other things. That is not what we’re trying to deal with so I had a meeting a little bit earlier today with some of the people were testifying before you earlier and we are, if this Bill proceeds, going to be working together to deal with their issue but to also deal with what we’re really trying to get at here which to make sure the representation goes where it belongs. So I’m in there because you’ve got people who’ve been much more articulate than I can ever be, I wanted to express my support and be available and questioned on the two Bills or even the other Bill.

SENATOR HASKELL (26TH): Thank you Senator Winfield for your leadership on this issue. I’m excited to work together on a variety of proposals to expand access to the ballot and insure access to the ballot. My question is how you think our approach to criminal justice might change if incarcerated individuals are given the right to vote. I can imagine no group of people more impacted by State policies than those who are under the 24/7 supervision of state employees but do you think that expanding the right to vote to these individuals who are currently incarcerated might have the impact of a more humane or more just Criminal Justice System?

SENATOR WINFIELD (10TH): Certainly it has a potential to impact who gets elected and as I’ve seen through my time here that has absolutely everything to do with what comes out of this building. You know things that at one point that were impossible suddenly become possible because you have one, two or three different people here and also changes how you have to respond to the people who, depending on how you do this, they are now a part of your district or who are a part of your district but removed. So I think it has a huge impact. I also think that, you know, we don’t govern only those who are in prison and so if we don’t only govern those who aren’t in prison then we shouldn’t be allowing only those who aren’t in prison to vote and the other thing is, you know, the way the system is setup, if you haven’t committed certain crimes you still have the right to vote but because the way it works you don’t get to vote because nobody is aggregating all this stuff so if
we’re gonna have an honest conversation it affects people who still should have the right to vote too.

SENATOR HASKELL (26TH): Thank you very much Senator for your testimony. Thank you, Mr. Chairman.

REP. FOX (148TH): Thanks, Senator Haskell. Any further questions? I would like to as you a few short questions. Without putting you on the spot in S.B. 25 would it be your position to apply to all felonies or would there be a difference as to certain felonies that?

SENATOR WINFIELD (10TH): My individual position?

REP. FOX (148TH): Correct, yes.

SENATOR WINFIELD (10TH): My individual position is that everyone should have the right to vote regardless of the felonies that they created, they’ve engaged in.

REP. FOX (148TH): Okay and you mentioned earlier you had some discussion with other individuals in here this morning including Representative Linehan and Senator Abrams who opposed the Bill. You indicate conversation with people concerning the Bill.

SENATOR WINFIELD (10TH): I had direct conversation with them. I know part of their conversation is about funding including ECS. I had a conversation about how the formula actually works, that’s ongoing conversation. We setup a meeting and we believe and I would be happy for you to check with them, we believe that we could come to an agreement.

REP. FOX (148TH): Okay, thank you very much. Any further questions? Thank you for your time and
testimony. Up next is Steve Schrag, followed by there’s Aleks Kajstura, followed by Tim DeCarlo.

STEVE SCHRAG: Good afternoon, thank you for the opportunity to testify today. My name is Steve Schrag and I am active in the Coalition for Occupational Safety and Health. It is estimated that currently Connecticut spends $7.1 billion dollars on contracted outside services. The current vetting process for contracted services is quite limited. When you apply for a job a smart employer would ask for references. We should do the same thing for all potential recipients of public money. In 2017 there were a number of fatalities where workers died on the job. Currently it doesn’t appear to be any part of anybody’s DAS or anyone else’s vetting process to figure out if these employers who violated the law including to the point of workers who lost their lives are excluded or even looked at whether they should get public resources. You have in front of me a map of where the fatalities and where the violations were in the State of Connecticut in 2017. A number of these business may very well get State contract. I think that when we give public money away we should look carefully about who we give that money to. If they don’t have a good safety program we should really question if we should be giving them public money.

In addition on that map there is a list of businesses who got high fines from OSHA, quite a number throughout the State where they had serious violations. Again currently it does not appear the State of Connecticut asks the question are these good corporate citizens and should we be giving
money to these businesses. My own personal experience is I work for a CEUI, I work for a State employee union and our members at Naugatuck Community College identify a construction company that was doing work on campus. They were doing practices that both appeared to be unsafe for the workers there as well as for the students and other people who were on campus. When I did a little research I found out that they had a bad Health and Safety history and that their general contractor had a bad Health and Safety history all of whom had OSHA violations. When I contacted DAF they told me that is not part of any criteria when we let State contracts. That seems to me to be a deficiency. Another example, and something not just strictly a State contract, but in my community we face some challenges regards to citing of a recycling center, a large recycling center that’s gonna bring 20,000 garbage trucks into the south end of Waterbury, the company and the affiliates associated with that all have OSHA violations. When we ask DEEP do you look at this at all when you at whether they should get a permit, their actual track record, it’s not part of their criteria. Now I know that is not specifically part of HB-6664 but it is something the [Inaudible-03:47:49] of the problem is that we have these cones here where they don’t look at other things. When we give public money away or public permits we should look at that. We need to pinch every penny twice before we spend it. We should give public resources to good corporate citizens and HBV-6664 is a good start. Thank you for your time and consideration.

REP. FOX (148TH): Thank you very much Mr. Schrag. Questions for Mr. Schrag? So I have a few questions
if I may, you mentioned in your testimony you made reference to serious violation, can you give me some information as to what you would consider or deem a serious violation?

STEVE SCHRAG: Well OSHA has a criteria between serious and willful. Serious means it’s not just a paperwork violation, worker’s health and safety is at risk. So for instance, some of the, there were actually, I could get you the list. I will get you the list of all the fatalities and OSHA violations here but the companies and the nature of the violation.

REP. FOX (148TH): That would be helpful.

STEVE SCHRAG: They do have criteria, serious willful which is the employer new about it, repeat when it’s a repeat and then other which is just a paperwork violation.

REP. FOX (148TH): And you’re proposing, that it be at the serious level or what about the repeat level?

STEVE SCHRAG: Well actually if you look at the Bill, the Bill is just a disclosure Bill. Disclose one or more violations, I think the public has a right to know if someone is a good corporate citizen when they get public money and I think just asking the question of whether they in fact follow the law or not is not unreasonable.


REP. FRANCE (42ND): Thank you, Mr. Chairman. You indicate in your statement this would be a good starter. Are there other areas that you would
advocate for as being criteria before a company or corporation in the State of Connecticut would get public funding for contracts?

STEVE SCHRAG: Actually this does not have any debarment response, this is not preventing anyone from getting anything, its just requiring a disclosure. So yeah, I would look at a lot of other kind of things that public policy cares about whether it is the environment or other things like that. This Bill does not cover that. This only covers OSHA violation.

REP. FRANCE (42ND): I guess, you were saying it was a start that is why, what other areas would you - so environment would be one, are there other broad areas that you would consider important?

STEVE SCHRAG: I could imagine consumer fraud, I could imagine a number of other areas where they violated the law we should ask the question should they get public resources. I think we should encourage businesses who follow the law and I think part of that is if they want to get public contract we should encourage them, if they follow the law then they get those contracts. If they don’t follow the law that is not who we should be encouraging. It actually put those businesses that follow the law at a disadvantage because they are doing the right thing and other businesses are not and still can take public resources.

REP. FRANCE (42ND): Thank you very much.

REP. FOX (148TH): Are there any further questions? Seeing none that you for your time today, appreciate it. Up next I believe it was Arvia Walker but I
believe Aleks Kajstura is in place, I believe, followed by Tim DeCarlo, followed by Randy Collins. I apologize for mispronouncing your name.

ALEKS KAJSTURA: I’m here. That’s all right, it’s Aleks Kajsutura.

REP. FOX (148TH): Thank you for being here.

ALEKS KAJSTURA: Thank you for having me and for the opportunity to testify. So I am here to testify in support of Bill 5611 to count incarcerated people at home. I think a lot has been covered recently in the Hearing so I’m just gonna give just a little bit of background in addition to what’s been covered and then jump to some of the questions that haven’t been fully answered that I could help with hopefully.

So there were questions about whether or not this would impact funding and Senator Winfield just mentioned he had talked to the Representative and Senator that were concerned about the funding impact earlier and so the reason why funding won’t be affected is the mechanism through which the State uses census data. So what happens is the census is taken. The census has their own rules for who they count where and then State agencies, local governments they all take that data from the Census Bureau and use it for their own purposes. One of the things that the data gets used for is by the Connecticut State to redistrict state and local, state districts, congressional districts. The towns also take that data separately and use it to apportion city councils for example. So we have Enfield which has a large concentration of prisons with a large incarcerated population that is counted there by the Census Bureau what they do is when they
set up their city council lines they know that all the people that are incarcerated there are likely not from town so they exclude that population. So what they do is they already adjust their lines and just as that doesn’t impact the redistricting on the State legislative level it wouldn’t impact funding or anything else like that just because they are completely different data sets and nobody go back to see, oh how what that data used and then reuse it like we use redistricting data set to them like allocate Pilot or school formula.

There was a question as to whether or not, what to do with folks whose last address isn’t known, and again it is unlikely to happen because the DOC keeps track of people but the Bill already provides that if the last known address is not known people will get kinda of allocated to the State at-large so they would be represented not by a Representative in any district just kind of be counted towards the State total but they wouldn’t count toward any district because you don’t know where they live and the same thing would happen to people who are incarcerated in the federal prisons. There is a provision in the Bill that the State will ask the Bureau of Prisons for a list of addresses from the Bureau and the other states that have passed similar bills, if the Bureau was not willing to share that information but if they were, or not, the same thing would happen, they would either be not counted if they were out of state or counted at large.

REP. FOX (148TH): Thank you very much. Any questions? Let me ask two quick questions. One can you give me some information on, you’re here on behalf of the Prisons Alliance Institution?
ALEKS KAUSTURA: The Prison Policy Initiative and we’re a national nonprofit. This issue was actually one of our, one of the major issues that we started with when we were founded.

REP. FOX (148TH): And that was when?

ALEKS KAUSTURA: That was 2001, I believe.

REP. FOX (148TH): You’re saying it gained momentum in all these states?

ALEKS KAUSTURA: It has, yeah and Maryland and New York have already implemented it, Delaware and Connecticut and sorry, California in those states the first time it will be implemented will be with the oncoming census.

REP. FOX (148TH): How many hiccups have you seen in Delaware and New York or is it too soon to even say?

ALEKS KAUSTURA: Maryland and New York, no it went fairly smoothly. Each state had a different approach.

REP. FOX (148TH): In what way if you don’t mind me asking?

ALEKS KAUSTURA: Oh sure, so the state’s dealt with kind of the addresses, the minutia of geocoding addresses which is mapping an address onto a map, so like taking one main street and seeing where like that census block fits and what district that would fit into. In I believe it was New York DOC, the Department of Corrections just gave them an address list, seven addresses deep so if the first address wasn’t good the option of going down the list to see whether the last known address and the DOC also kept track of if the family of person who was
incarcerated moved, maybe that is a better address
to count them at and the way the state dealt with
those kinds of questions was just internal to their
rules. But there weren’t, the law was implemented
without any issues in the end.

REP. FOX (148TH): Okay. It sounds as if your opinion
is that the funding issue is not as big an issue as
some may believe it to be in terms of counting?

ALEKS KAJSTURA: I mean I’m not going to discount
problems that Connecticut might have with its
funding formulas but in terms of what this Bill
addresses is representation purely and I know, you
know, there is of course resources that get
allocated based on representation. That is why
representation is important, right? You have one
person one vote because each person should be
represented equally in government and with that
comes policy choices about where to allocate
resources and all that but in terms of straight
funding formulas there is no impact at all.

REP. FOX (148TH): Okay, Any further questions?
Representative Haddad.

REP. HADDAD (54TH): Thank you. At some point during
your question and answer period with the Chairman I
sort of said, “Oh, maybe she knows the answer to
this” so I will ask the question of you. So, you
know and I don’t know if you know how it works with
college students. College students, the colleges I
understand gives the Census Bureau an institutional
count of the number of student who reside in the
institutional housing at college but that the Census
Bureau reconciles that against the actual forms for
that college student’s family that they might be
completing at their place of residence to make sure that student isn’t counted twice. Because with a college student the argument could be made that they live at home or they live at the institution, right. And so, I mean is that, can you shed any light on that.

ALEKS KAJSTURA: It’s my understanding that double-count problem for college students persists. I’m not sure to what extent the Census Bureau does crunch those numbers. I do know that statistically they are double counted. I don’t know to what extent.

REP. HADDAD (54TH): Again the assertion made to me, cause I have a college in my district, it has 15,000 students at it. My District is 23,000 people so this is kind of important to me that that reconciliation occurs and I just didn’t know if that would be a model to be used here is that’s something that is routinely taken by the Census Bureau, it may or may not be.

ALEKS KAJSTURA: Yeah, I’m not sure.

REP. HADDAD (54TH): Let me say one other thing which points out the absurdity of counting prisoners where they are in prison is in addition to having a large college in my District I used to have a prison in my District and on April 15th of 2010 that prison had 1,000 prisoners in it. Before we actually went through the redistricting process in the State of Connecticut that prison closed. Those prisoners were no longer there but they remain as part of the count of my District. So, you know, it just seems to me that because of, not just because, you know, the issues we talked about here but because the Department of Corrections can very quickly move
those prisoners against their will without their permission, that it just seems to make sense to me to come up with some other way of counting them that is more fair and balanced and I think the suggestions you’ve made make sense to me. Thank you.

REP. FOX (148TH): Thank you Representative. Any further questions or comments. Thank you very much for your time and testimony today. Appreciate you being here. Next Tim DeCarlo, followed by Randy Collins, followed by Shawn Foley. Good afternoon, Mr. DeCarlo good to see you again.

TIMOTHY DE CARLO: Good afternoon, Representative Fox and Members of the GAE Committee. My name is Timothy DeCarlo and I am the Registrar of Voters for the City of Waterbury. I am Chair of the New Haven County Registrar of County Voters Association and the Chairman of ROVAC Legislative Committee. I am here today to testify in opposition of House Bill 5818 as well as House Bill 6045.

The purpose of these Bills would make modifications to the current time which Election Day Registrations throughout the state. Currently Election Day Registration in Connecticut takes place between the hours of 6:00 a.m. and 8:00 p.m. No new registrations are processed after 8:00 p.m. Currently under Connecticut State Statue 9-311 and 9-440, The Head moderator shall file a preliminary list of the voter totals produced by the tabulator no later than midnight on Election Day. If new electors are coming in and continued to be created after the election is concluded this ultimately will delay the time in which the results can be reposted
to the Secretary of the State’s Office. Because the current end of night reporting system requires town to only send results of the entire town, it is very possible large cities like Bridgeport, Stanford, Hartford and college towns like Mansfield and Middletown may be delayed in reporting its final results to the Secretary of State’s Office well past 12:00 a.m. the following election.

Due to the fact that the results may not be reported until well into the next day following an election, it is possible that recounts will not be declared or discovered until the Monday following the election. This would be in violation of current State Statute 9-311. Therefore if either bill is to be sent out of committee, ROVAC asks that the statutes that require the time in which to submit results, declare a recount and call for certification of an election to be adjusted in order to accommodate the change for Election Day Registration if it continues past 8:00 p.m.

Connecticut does not run elections with high-end technologically or advanced voting systems, which we learned after the 2016 Presidential Election may not actually be a bad thing. Our voting tabulators run on 20th Century technology and makes them extremely difficult to hack into and cause harm which ensures the public accurate results.

However there is a downside to using older technology to run elections. In the City of Waterbury, where I am a Registrar, it takes over 3,000 manual entries in order finish the election tallies and report the results to the Secretary of the State’s office. When we see high turnout as we
did in 2016 and 18 and most likely will see again in 2020, reporting accurate results takes time, to submit under the current system that the State of Connecticut provides to Registrars.

The likelihood of not knowing who has won an election in a state-wide race in Connecticut until well into Wednesday or possibly Thursday could possibly become a reality if Election Day Registration continues past 8:00 p.m. This would also impact when results are know in large cities such as Stanford and New Haven as well as the college towns like Mansfield. This manly is due to the fact that the technology that is used does not allow for fast pace of results.

ROVAC does support HB 6059, which makes changes to Election Day Registration. This bill is what we’ve done in the City of Waterbury since Election Day Registration in 2013. Waterbury has never turned a voter away at 8:00 PM. ROVAC would greatly appreciate to testify on behalf of this bill should it come up for a public hearing.

I thank the Committee for the time to testify this afternoon. ROVAC is committed to working to strengthen elections in Connecticut and therefore are more than willing to work with any parties to create JFS language that the Committee would wish to do so on this pending legislation.

And while I have a few seconds, I would like to point out one thing I heard a lot of confusion on today which is the cost for EDR. The cost check for EDR, when a citizen comes in to become an elector they fill out the information. When they’re looked up in the system at that point if a call needs to be
made that voter continues on. They are made a voter, they get the ballot, they continue it. The phone call is an after effect. Getting rid of the cross-check is not going to speed up a line, you are just removing one aspect but that process still goes on. That ballot stays to the side until 8:00 p.m. and if we don’t hear back from that town it is brought in to Central Counting or to the polling place. The voter is never retained until we hear back, that does not take place. I just wanted to make sure that was on the record.

REP. FOX (148TH): Thank you very much Mr. DeCarlo. Any question or comments? Representative Haddad.

REP. HADDAD (54TH): I understand what you just said about the cross-check. Who makes the phone call?

TIMOTHY DE CARLO: So when you have your election day registration location, the call is going from the location, it should be going to the Registrar of the opposing town, cause I have gotten calls from Mansfield, we would then call our poll to make sure they hadn’t voted and then say you’re all set.

REP. HADDAD (54TH): Are they the same people who are registering people to vote on election day?

TIMOTHY DE CARLO: No, it depends. I mean there is no strict staffing and that is one of the things that ROVAC would like to have a staffing level on for EDR but the way that we do it in the City of Waterbury is the people that are entering into the centralized voting system are not doing anything other than entering into the system. People who are handing out ballots are doing nothing but handing out the ten ballot styles that we have.
REP. HADDAD (54TH): We had, just by the way, I think we had something close to 1,700 people register to vote on election day in the last election at our townhall. How many staff hours do you think it would take to just do the phone calls to do the cross-check?

TIMOTHY DE CARLO: To receive the phone calls from the communities that we’re calling as well as to make the phone calls to those communities, I guess what I’m suggesting is that the staff time required to conduct that cross-check is what has limited the number of people available to help people through the line and complete the process and there is no doubt in my mind that that cross-check significantly delays the pace of the line.

REP. HADDAD (54TH): I understand exactly what you’re saying and I think in many communities where you’re processing a half a dozen election day registrants that should not be a problem but in communities like New Haven or Mansfield where there are literally hundred if not thousands of people who are going through that process, I think that in reality, the practical of that is that it delays.

TIMOTHY DE CARLO: I do understand what you are saying. I’m the fifth largest city in the State and I haven’t had, I mean I have people in their dedicated role and we get the calls in, you know, it never, in the Presidential Election we did over 954 registrations, that is not counting the 1,000 people that were active and inactive that needed to be moved from the location and brought to a polling location and, you know, that being said, at eight o’clock there wasn’t a sole in line. Never in my
experience in doing this since it started in 2013, it’s never caused a backlog, it just hasn’t. So that has been my experience and.

REP. FOX (148TH): Thank you Representative, any further questions or comments? Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH): Thank you Mr. Chair and thank you for coming. Could you give me a distinction between cross-check between an instate and an out-of-state?

TIMOTHY DE CARLO: There is no out-of-state cross-check. So when somebody comes in on election day, we look them up in the system. If they are active or inactive in another town that we make a call to that other town to find out if they voted in that town or if they’ve restored themselves. The first-time election day registration happened in 2013 that is exactly what happened. We had a case of that where somebody voted in one town and attempted to vote in a second.

REP. MASTROFRANCESCO (80TH): And how did you know that, by their drivers’, by their ID?

TIMOTHY DE CARLO: By the fact that they are crossed off. You are calling the other town to have them taken off the Checker’s Book. So if I am calling Wolcott to tell them that somebody voted in Waterbury, if that person goes to Wolcott they are crossed off the Checker’s Book now in Wolcott has having voted in another town.

REP. MASTROFRANCESCO (80TH): Okay, thank you very much.
REP. FOX (148TH): Thank you. Quickly if you can, I don’t mean to say quickly but your testimony and your response that you kind of discussed a number of different times the EDR process as a whole? Can you just give us a concise statement, if I walk in to vote and to register just to kind of explain in one concise statement?

TIMOTHY DE CARLO: Sure. I mean so I’ll tell you exactly how I do it in the City of Waterbury. People walk in, they are brought right to a central kiosk. The first thing we do is to check that they are a Waterbury voter.

REP. FOX (148TH): This is in the townhall?

TIMOTHY DE CARLO: In City Hall, yes. We use the entire front floor of the City Hall. So when people come in the first thing we want to do is see if they are a registered voter for the City of Waterbury because if they are active or inactive they can’t do election day registration. They have to go to the polling location.

REP. FOX (148TH): If they are inactive what happens?

TIMOTHY DE CARLO: If they are inactive they restore themselves at the poll. But what you don’t want are those folks in line because they are bottlenecking the line at that point and when they get to the window, it like, Oh you need to leave now and go to your polling place and restore yourself or a lot of people don’t realize that they are registered. So what happens is you’ll say, you know, so we give them a piece of paper telling them exactly what they
need to do and to move them along so that the line doesn’t bottleneck.

REP. FOX (148TH): And how do they restore at the polling location.

TIMOTHY DE CARLO: They fill out a voter registration card stating they are who they say they are, they give the form of identification under HAVA if its state or federal elections and they are written in the back of the book, they are given a poll ballot and are all set.

REP. FOX (148TH): Great.

TIMOTHY DE CARLO: And then they get a letter afterwards confirming that has transpired. But then they go through that. They fill out the voter registration card, they get in line. We are at that point asking them that they have the identify because election day registration is different than regular registration in Connecticut. You have to prove identity as well as residency. When you register in person, or through the mail or on-line your identity is your Social Security number, the last four of your Socs or your drivers’ license number and the letter that we mail to you proves your residency as long as it doesn’t come back undeliverable. So you need to prove residency on the day of the election which is different. Once you get all that you get up to the window in Waterbury, we put you in the system, all of a sudden it shows that, oh you’re registered in another town. We are going to pull that voter registration from that town, we’re gonna put everything in the system, we’re gonna have somebody call that town and in the meanwhile you’re moved down to the next window. I
have ten ballot stalls in Waterbury so you are given the proper ballot, you go into our vault, we also use, without our town clear we wouldn’t be able to do this, she gives up her office and her staff to us. They go into the vault, they fill out the ballot, put it in the envelop, seal the envelop, put it in a bin and then that bin is brought to Central Counting to be processed. The ballot once it arrives in Central Counting it is treated just like an absentee, it is taken out of the envelop and separated so you don’t see how the person voted. Then it comes back and everything is fed through a tabulator in Central Counting aspect. If it is done in a small town and they count them at the polls, you are not going to get election results until all the EDR and absentee go through the same tabulator as the poll tabulator. So that depends on which way you do it. EDR is tabulated just like an absentee so either Central Counting like we do in Waterbury or like my friend’s in Bethlehem, they do it at the polling location.

REP. FOX (148TH): Okay and you said a number of times, like we do in Waterbury, makes me imply that there is no consistent standard across.

TIMOTHY DE CARLO: There, well the Secretary of State’s Office gives a handout out to all of us, it is a universal handout. It comes with a formula, optional to use for staffing levels. It comes, you know, with suggestions. Not everybody has, I know that I have coming. My staffing levels vary depending on the election. Presidential I hired 27 people, mid-term I hired, this municipal I’ll hire six, that’s all I’ll need and so we all do it a little differently because of the fact our
population is so different. I have a very high population of renters and sometimes they can bounce between apartment to apartment so it is very likely that I am going to see a high influx of people come through. Same with any city. So the way I do it usually is more like how many of the largest cities do it. Smaller towns they don’t need all of the staffing and all of the things that we. In some towns, some very small towns with one polling place you may only need two staffers in order to do election day registration to do the whole kit-and-caboodle because there is no line there, so it really is, you have to adjust it. I saw what I had coming in this past, you know, election so we ramped up like it was a presidential and we ran it like it was a presidential. There is nothing in State law that said I had to, I just knew that having an individual who was running for Congress that came from my City that was going to get a lot of interest in a lot of people and it did. So, you know, that’s why we staffed the way we had.

REP. FOX (148TH): Changing gears briefly, during your testimony you mentioned that the timeframe for, you want the timeframe adjust [Cross-talking].

TIMOTHY DE CARLO: So right now, it depends on what we’re looking at. I mean if we are going to have the election day registration continue after eight o’clock, with everyone who is in the line at eight o’clock going forward, every citizen is becoming an electorate it is going to, when you have and we have seen areas where there is this huge long line at that point we are going to have to figure out, I think with the Secretary of State’s Office and this Committee what we want the reporting mechanisms
because exactly what is going to happen is, and that’s why we have the testimony today is because we are not going to have, the results are not going to come in. The technology we have is limited. The way things are put together is limited and so we want everyone to know that if the Committee and the General Assembly moves forward with these concepts that is the reality that in hot races like presidential and in really close senate races and state rep races we are not gonna know, everything is gonna be delayed including whether or not there is a recanvas, a recount so that kind of has to be adjusted otherwise we as Registrars are in violation of State Law and we’ve seen especially in this State, it has been a while but over in the 2nd Congressional there had been many nail biter races in 2006 by 80 votes, so a lot of things could be up in the air because of the way things are given to us and for us to report back so we just want the Committee and the General Assembly to keep that in mind that should they move forward with this, this is, with the current way everything is structured, this will be the outcome and so we feel it needs to be adjusted so that we’re not in violation of State Law.

REP. FOX (148TH): Thank you very much. Any further questions or comments? Thank you for your testimony today, appreciate you being here. Next Randy Collins, followed by Sean Foley followed by Brennon Mendez. Good afternoon, Mr. Collins.

RANDY COLLINS: Good afternoon, Representative Fox, Members of the GAE Committee. My name is Randy Collins. I am here today on behalf of Connecticut Conference of Municipalities. I have submitted
testimony electronically, I think it is posted on-line. I want to mention House Bill 5818 AN ACT EXTENDING THE HOURS OF ELECTION DAY REGISTRATION Bills.

CCM has some concerns with these Bills in relation to how they may delay the tabulating election results. We know there have been instances of long election day registration lines. We’ve met with the Secretary of the State’s Office and we are hoping that, you know, if we can work on some additional planning in conjunctions with the Secretary of the State’s Office done in advance of elections then municipalities can, you know work with the election officials’ staff adequately to address some of these concerns and we are looking forward to have those conversation with the Secretary of the State.

I did want to talk about Senate Bill 266, that is related to college polling locations on college campuses. This Bill is very problematic for our towns and cities as it raises a number of questions on how this would actually be implemented, how when you have multiple towns, if you look at the University of Hartford, that campus straddles three towns. Are we requiring three campus, three towns got to have locations on that campus? Look at the Town of Fairfield. You have Sacred Heart, Fairfield University those districts coincide. Those universities which are now private universities can I mandate that they provide an adequate building that has accessible parking, ease on and off the campus, you know, if they have to staff up until at least eight o’clock if not longer, you know, janitorial staff, security staff are they going to eat that cost, will that be reimbursed. There’s a
lot of questions I think have to be addressed right now. I know the Connecticut Conference for Independent Colleges and so this is something we can do. You know, if there is a large voting population at a university center, you know, the towns, the registrars can work with that campus and, you know, provide that location that is successful to both but to mandate it that’s saying regardless of where your voting districts are you either create a new voting district to meet this or, you know, change your voting districts or create an additional polling place which is ROVACs expense of upwards of $20,000 dollars. That’s a lot of money for a lot of different towns and again it’s a 3,000-population threshold, fulltime students, residential students. We were happy to see the change from and it didn’t quite reflect in my testimony but last year’s Bill that had it every other election to at least there is consistency that would be at every election but again there are significant concerns on how this would be practically implemented. I’m happy to take questions.

REP. FOX (148TH): Any comments or questions for Mr. Collins? Senator Haskell.

SENATOR HASKELL (26TH): Thank you very much for your testimony. I think it sounds like we agree on the general aim of the Legislation and its enlightening to hear some of the administrative hurdles that might result in the Committee acting favorably on a Bill like this one. I’m wondering what can be done to increase for towns to work with college campuses and administrators to make sure students do have a voice in local, in local elections because having heard from many college students who don’t have
access to a car a townhall even if its just a few miles away might as well be in Siberia. It really does, I think, have a negative impact on youth participation in elections when polling locations are not readily accessible to young people.

RANDY COLLINS: I think its something that we could look at in terms of, I live in West Hartford now, and over my West Farms Mall I constantly see University of Hartford, St. Joe’s busses that are bringing kids to West Farms Mall to West Hartford Center, you know, if there is a big demand, could we provide some level of bussing or transportation that could work with students. We also have to see how many students, you know, at a particular college are actually registered in that town. I don’t know, when I went to college I never changed my registration. I always maintained my Connecticut residency although I was in New York. So it would be interesting to see how many students at Fairfield University of Sacred Heart are registered in Fairfield but if there is that large demand to students on a campus that are registered locally I think as I said that the college says hey we have this issue, is bussing available. That would be something, providing a bus would be significantly less burdensome than creating a new polling location and changing that for all of your residents who now go to that campus. Go to the University of Connecticut. There is constantly construction. Which building are you looking for? There are a lot of different issues like I said. We don’t want to discourage your current residents from voting by saying, hey you got to go to a college campus, find a parking spot, find the building and then come off.
Say the college wants to renovate that building are they required to provide the same exact location year after year. I’ve been voting West Hartford for ten years, vote in the same building. I know where to go, it did throw me off one year when we had to park in the back instead of the front but there was a lot of signage.

SENATOR HASKELL (26TH): There was a change in voting location in the Town of Ridgefield which I have the honor of representing during the primary and I know because as many folks that came up to vote were a little confused at first, there were only, you know, about 800 feet away. Changing location though year to year isn’t actually something that is determined by statute right? Correct me if I’m wrong but I believe it was the prerogative of the local officials to decide to alter the location. I’m not sure that our legislation would do anything to say that a campus like UConn had to have voting available in the very same location every year.

RANDY COLLLINS: No it doesn’t say that so, as you said, I would I enforce a private institution to require it. They could say, you know what we didn’t like it there and we want to move it here. I’m at the whim of a private institution to provide me a location. In the case of a Fairfield University, University of Hartford, you know, I need a place with parking, you know, that’s not too far from the building that’s handicapped, you know, ADA requirement but again if they want to renovate that building can they move it to the next one and now I have voters, no you got to go to this one now. I think try to maintain the location, this is more a registrar issue and I know the numerous bills before
the Committee when they can’t agree on a location and periodically that becomes the problem or who gets to determine but I think most towns do try to provide that consistency in locations as ease and consistency is the best thing for voter turnout.

SENATOR HASKELL (26TH): Just to drill down on the issue though would it not be possible for towns to maintain their same voting location as well provide multi-district voting location on campuses? I know there are many polling places in my community where you go and have to identify whether you are from the eastside of town or the westside of town and they have multiple ballots available, wouldn’t it be possible for a town with multiple, for a campus rather to open up a polling location that services the multiple districts in which a student might be represented without have to close the townhall central voting location that has historically been open?

RANDY COLLINS: Now if you’re doing an additional polling location again upwards of that $20,000 dollars in term of tabulating, voting, all the supplies and materials that are required for your local, you know, for your existing polling location you now need to go out and buy those for a new location and you need to staff and I said in the case of Fairfield I would have to do two if I wanted to maintain my current ones, one at Sacred Heart and one at Fairfield University.

SENATOR HASKELL (26TH): So it’s a matter of how much we’re willing to pay basically.

RANDY COLLINS: With so many things up here it is and a lot of times, oh $20,000 dollars that’s not
that much but you know there’s a lot of Bills out here that cost $20,000 dollars, $50,000 dollars, $100,000 dollars and eventually as towns and cities, you know, our revenue is property tax which is progressive. Every time a cost is passed down I either have to make a determination of reduce current services, police, fire, public works or raise my taxes. That’s the only way I have to address some of these costs and it’s getting harder and harder. And as I said we know where the budget, you know, the budget fortunately this year we’re in the black but the next two years and looking outward there is a lot of red numbers coming and is that gonna see a reduction in State Aid and again is this the most cost-effective means to go forward to encourage or to facilitate voting and I think again, can I don’t know. Can I mandate that a Sacred Heart or a University of Hartford you’re gonna do this, no we’re not? I don’t know what our recourse is if they say we don’t have a facility to meet your needs. I’m not sure what the result, how that would then affect us.

SENATOR HASKELL (26TH): Thank you again for your testimony and thank you, Mr. Chairman.

REP. FOX (148TH): Thank you, Senator. Are there any other questions for Mr. Collins? Thank you very much for your time today, sir. Appreciate you being here. Next is Sean Foley, allowed by Brennon Mendez followed by Arvia Walker. Good afternoon, Mr. Foley.

SEAN FOLEY: Good afternoon Chairman Fox, Members of the Committee. My name is Sean Foley, I am a student in the Legislative Advocacy Clinic at Yale Law School. I am here today on behalf of Common
Cause Connecticut to support four pro-democracy measures on your agenda. First HB-5818 which would permit applicants in line for same day registration prior to 8:00 p.m. on election day to register and cast a vote in that election. Second H.B.-6045 which would apply essentially the provisions of H.B.-5818 to primary day as well as election day. Third S.B. 566 which would require polling places at certain institutions of higher education. And forth, S.B. 479 which would make an election day a state holiday.

The measures for which I express support today directly advance Common Cause’s mission of building a democracy that works for every resident of Connecticut. With voting rights under assault in legislatures and courts around the country, Connecticut—the Constitution State—has both an opportunity and an obligation to expand access to the ballot and reaffirm our commitment to democratic self-governance. We should seize this moment and serve as a model for the nation.

We’ll first talk about Bills 5818 and 6045 in the House. As I said, under current law, individuals who are in line to vote by 8:00 p.m. are permitted to do so even if the polls close while they are waiting in line but under guidance of the Office of the Secretary of State individuals who are in line to register under the same day registration system may not continue to register and vote if 8:00 p.m. arrives. This was a significant problem as many of were aware in many towns across Connecticut in the most recent mid-term elections. My colleague Brennon Mendez who will follow me in testifying today was one of the voters at City Hall in New
Haven who waited for four hours to be able to finally be able to register and vote. As has been discussed today there are questions of resources that caused that problem and that should be addressed separately. But the basic principle is that if a voter stands in line for hours on end on election day to register and participate in our democracy they should be able to do so and this is a quick fix to ensure that anyone in line by 8:00 p.m. to register, may continue that process and cast a ballot even if polls close at eight. Many unlike Brennon were not able to remain in line on election day and had to leave. We are Yale Students with other responsibilities or other resident of New Haven who had children to take care of, or elderly parents or sick relatives to care for, another job to attend. So the principle is that we need to expand access to the ballot and this is a crucial measure for folks who would like to register and vote on election day.

And the same principle for House Bill 6045 also applies. This would also open up a process to voters in the primary which is a crucial part of the electoral process. There are many districts where the primary election essentially ensures the victor in November during the general election particularly in towns like New Haven. I would quickly add that 266 would be a significant measure to ensure that college students may be able to vote. We struggle in this country with youth participation and allowing students to vote on campus at key institutions that meet the qualifications would be a great expansion. And then 479 making election day a state holiday as Senator Gomes testified is a very significant issue
for people who work and who have other responsibilities to take care particularly those with multiple jobs. So each of these measures would expand democracy in Connecticut. Thank you very much for your time.

REP. FOX (148TH): Thank you, Mr. Foley appreciate you being here. Any questions for Mr. Foley? I have a few questions if I can. So what year are you in law school?

SEAN FOLEY: First year.

REP. FOX (148TH): First year, I’m sorry to hear that [laughter]. Can you discuss for me the process of just when the EDR, did you vote by EDR this past year?

SEAN FOLEY: I did not. I actually vote, I’m originally from Pennsylvania and I voted absentee. We also had many close elections in November.

REP. FOX (148TH): In terms of the EDR, someone you see on campus is your colleague all of a sudden during the day it’s two o’clock or three o’clock, I have to register I have to vote and they go over to vote or? Can you explain your experience to me from EDR?

SEAN FOLEY: Sure, Brennon might be able to speak about this although he is speaking on different Bills. One common problem that I heard was many people at Yale are from other states, some tried to vote absentee in other states and because of those state’s own issues, did not receive their ballots and as residents of New Haven then attempted to vote here taking advantage of the same day registration law and then were unable to do so in some cases or
some, you know, had to wait for four hours in line and they were confronted by signs at New Haven City Hall that said the wait time was up to four hours and that they might not be able to vote which discouraged some from even attempting to do so. So it’s a problem both for folks who tried to vote in other states and couldn’t and then tried to vote here and couldn’t also or those who initially intended to vote in Connecticut and for one reason or another missed the initial registration deadline.

REP. FOX (148TH): The idea of election day becoming a state holiday, do you think it would have an impact?

SEAN FOLEY: I’m sorry, I missed the first part.

REP. FOX (148TH): Election day becoming a state holiday, do you think it would have an impact on turnout?

SEAN FOLEY: I do. I think, one as a county we should support the idea of participation in a democracy and I think there are proposals to make it a National Holiday, which I think would be great, but just expresses the principle that we believe in self-governance and having all people have the opportunity to participate. I think Connecticut can take a step forward in that respects by making it a state holiday. As Senator Gomes stated proposals to consolidate dates to make election day a state holiday and swap it for an existing holiday which is one alternative which would be cost neutral effectively or it could be made an additional holiday, the cost considerations would be a factor there but that is a possibility as well. But I think given that Connecticut currently doesn’t have
early voting, although another proposal is to Amend the Constitution to allow it, there’s one day a year effectively where you can actually go to the polls and let people with multiple jobs and many responsibilities can be an extremely taxing additional thing to concern yourself with between the hours of 7:00 a.m. and 8:00 p.m. to make sure that you get out and vote.

REP. FOX (148TH): Any further questions for Mr. Foley? Seeing none, thank you for your time. Good luck in school. Thank you for being here. Next is Brennon Mendez, followed by Arvia Walker followed by Sheri Quickmeier. Good afternoon, Mr. Mendez.

BRENNON MENDEZ: Good afternoon. Good afternoon, Mr. Chairman and Members of the Committee. I am also in the Clinic at Yale, Legislative Advocacy Clinic, and I am here testifying on behalf of Common Cause of Connecticut regarding Senate Bill Senate Bill 25 An Act Restoring Electoral Privileges to Parolees, Senate Bill 22 Restoring Electoral Privileges to parolees despite outstanding fines as well as House Bill 5611 regarding prison gerrymandering. So these three Bills concern the relationship between democracy and the criminal justice system with a shared goal is integrating formerly incarcerated people into civil society as well as taking a first step towards remedying some of the racial disparities that we see persisting with access to the ballot box.

First we support SB 25’s mission in restoring voting rights to people convicted of a felony who are on parole, as is already the case for people on probation. If the goal of placing people on parole
is to facilitate their reentry into society, then it is counterproductive to prevent these people from exercising one of the most basic exercises of civic participation, voting. Connecticut residents on parole go to work, they pay taxes, and raise families in their communities as full members, and they should be allowed to participate at the ballot box as full members and citizens as well. A fair-minded democratic process and criminal justice system should seek to promote, rather than curtail, civic engagement among formerly-incarcerated people. Notably, there is no provision in the Connecticut Constitution that prohibits the Assembly from passing this Bill or either of the two Bills I will speak about later. Sixteen other states and D.C. provide the right to vote for people on parole after being convicted of a felony with the addition of New York’s discretionary system through the Governor’s executive order. One of our neighboring states, Rhode Island, enfranchised folks convicted of a felony on parole and probation back in 2006 and states across the country from here in New England all the way to Montana and Utah have already voting enfranchised this group so Connecticut would not be breaking any new ground by passing this Bill. And as noted earlier by the Councilman from Hamden disenfranchisement of people on parole, after being convicted of a felony, disproportionality impacts African-Americans and Hispanic Latino residents who are over represented in incarcerated populations. Unlike probation which is granted in lieu of incarceration, parole follows once incarceration therefore those populations who are disproportionately incarcerated are also disproportionately affected by the practice by
disenfranchising people who are on parole and not probation. At the time the last census report Africa-Americans composed 41 percent of the State’s incarcerated population while only accounting for 10 percent of the state’s total population and Hispanic-Latino folks, like myself, comprise 29 percent of people incarcerated while only accounting for 13 percent of the state’s total population.

Secondly we support Senate Bill 22 and the goal is no longer conditioning the restoration of voting rights on the payment of fines in conjunction with their conviction. Democratic participation should not be contingent upon one’s ability to pay.

I’ll move on to House Bill 5611, the last one letting prison gerrymandering, not only does it disenfranchise folks and disempower communities largely of color, largely in urban centers but it also artificially insulates the power of majority white districts which hold the majority of prisons in this state. So the five largest prisons in this state are located in Cheshire, East Lyme, Enfield, Somers, and Suffield and these five towns have non-Hispanic white populations that range from 80 percent to 81.9 percent. And in one of the State House Districts that contains one of these towns, they count 3,300 African-American, Latino residents overall even though 72 percent of the African-Americans counted and 60 percent of Hispanic Latinos counted were incarcerated people. We already noted that at the local level there have been steps taken to account for this disparity with the rest of town council districts so I won’t say more about that. And four other states have already passed statues to end the practice of gerrymandering in Maryland, New
York, California and Delaware. And, you know, one potential next step that I would propose to the Committee is using this adjusted information correcting for prison gerrymandering not only for State Legislative and municipal districts but also for Congressional Districts. And I note that the Maryland Statue did in fact do that and it was upheld as constitutional by the Supreme Court in 2012. So in summation these three Bills will serve to restore fairness and justice to the democratic process in Connecticut and are necessary first steps to ensure that Connecticut residents implicated in the criminal justice system are able to exercise the privileges of full citizenship. Thank you for the opportunity to testify.

REP. FOX (148TH): thank you very much Mr. Mendez, appreciate your input. Any questions or comments for Mr. Mendez? I have a quick question. In your testimony on Senate Bill 25 you made reference to a New York discretionary system through executive order. Do you have any information on that?

BRENNON MENDEZ: Yes so instead of, there was no statute in New York in franchising folks on parole but instead so Governor Cuomo passed, or issued an executive order by which he directly grants the right to vote to people on parole and he granted the right to vote to 35,000 people in one full swoop all of whom were on parole and disenfranchised. So I just wanted to make that clear, it wasn’t a statutory solution in that case as in another 14 states that did have a statute.

REP. FOX (148TH): Okay, thank you. Also your colleague Mr. Foley before mentioned your EDR
experience. Can you give us some information on that?

BRENNON MENDEZ: [Laughs] Yeah, so I voted in Connecticut for the first time.

REP. FOX (148TH): Where are you from originally?

BRENNON MENDEZ: I’m from California originally and I did the same day registration at City Hall and the lines were, you know, astronomical. I’m sure you’ve all seen the pictures, you’ve seen the signs saying, you know, if you’re in line past 4:00 p.m. you are probably not likely to vote. Election officials actually turned people away. Lines that wrapped around the City Hall, you know, twice over and only two people, two election official actually registering people. So, you know, it’s a consummate many different factors but I think, you know, the extension of the hours that you can do same day registration to 8:00 p.m. would be statutory fix as well as, you know, increasing their resources for election administration in these areas.

REP. FOX (148TH): Thank you and first of all I want to thank you for voting. Secondly was there a reason why you waited to the day of?

BRENNON MENDEZ: Yes, I had my, I was registered in California and I had been voting using my absentee ballot, but my absentee ballot just never came from California so for that reason I decided to same day register and I’m really glad that I did because I had quite an interesting experience.

REP. FOX (148TH): Good, well thank you for doing so. Any further questions for Mr. Mendez? Seeing none, thank you very much for your time today.

MAKEYLA ERAZO: Good afternoon. My name is Makayla Erazo. I am a resident of Bridgeport and here today as a law student on behalf of the Civil Justice Clinic and Quinnipiac University School of Law. We support SB25 which would restore voting rights to individuals who are on parole. Although this bill represents an important step forward towards correcting Connecticut’s long history of voter disenfranchisement, we urge the Committee to take a step further and amend the bill to eliminate felony disenfranchisement entirely in Connecticut by restoring voting rights for incarcerated citizens as well as parolees.

Connecticut has a long history of disenfranchisement. Throughout our history, the state has restricted voting rights on numerous grounds including based on race, gender, literacy, English language abilities and criminal record. Historically, as neighboring states have moved to expand the franchise and promote equality, Connecticut has often lagged behind.

Connecticut denied African-Americans the right to vote until 1876, when the state was forced to extend the franchise by the Fifteenth Amendment of the U.S. Constitution. We did not give women the right to vote until required to do so by the Nineteenth Amendment. Until the mid-1970’s Connecticut had a strict literacy and English-language requirement, which disenfranchised minority voters at a
disproportionate rate. The federal Voting Rights Act forced an end to these restrictions in Connecticut.

Connecticut’s current felony disenfranchisement law, like the state’s many previous restrictions on voter eligibility, has a disproportionate impact on people of color. African Americans and Latinos make up approximately 67 percent of the prison population. Despite recent reductions Connecticut continues to incarcerate at the highest rate of any New England state. Somewhat more than 13,000 people are incarcerated in the state, with approximately 3,300 on parole or special parole.

The overrepresentation of people of color in prison and on parole in Connecticut leads to an underrepresentation at the polls, and thus less participation in the democratic process.

Connecticut’s felony disenfranchisement law is the most restrictive in New England. In Maine and Vermont individuals convicted of felonies never lose their right to vote even during their prison time. In Massachusetts, Rhode Island and New Hampshire, people convicted of felonies have their right to vote restored automatically when released from incarceration. In New York, the governor recently issued an executive order giving parolees the right to vote.

Although SB25 represents an important step forward we urge the Committee to adopt the approach of SB53 which would eliminate felony disenfranchisement completely in Connecticut and permit incarcerated citizens to vote. Connecticut has an opportunity to leave behind its history and be a national leader on
this issue. There is a growing national movement to restore voting rights for prisoners, a bill advanced through Committee vote in New Mexico and similar bills pending in New Jersey, Massachusetts, Virginia and Nebraska.

Rehabilitation can be best achieved by treating a person with dignity and fostering connection and engagement with society. Encouraging access to the political process promotes a sense of fairness and the legitimacy of institutions. Resoring the right to vote for prisoners helps restore, helps to restore a person’s social contract with society, and recognizes that those in prison are full citizens capable of rejoining society in productive ways.

Thank you.

REP. FOX (148TH): Thank you very much Ms. Erazo, appreciate you here. Any questions for Ms. Erazo? Kind of a quick question if I can. You mentioned in your testimony that Senate Bill 25 you’d like to in addition to supporting that Bill you would like to expand it somewhat, add an Amendment to provide incarcerated individuals the opportunity to vote while incarcerated.

MAKEYLA ERAZO: Yes.

REP. FOX (148TH): Has the, you’re with the Civil Justice Clinic you said.

MAKEYLA ERAZO: Yes.

REP. FOX (148TH): Have they looked at that procedurally how that would be done in terms of like by absentee ballot, or just how would that be done? Have you given any thought to that?
MAKEYLA ERAZO: No I don’t believe we actually have considered how it would function. But no. No we haven’t considered it, we will provide you when we do.

REP. FOX (148TH): That would be helpful. In terms of the, you mentioned some other states that have done this so are there any states in particular you’re using as a model that you can think of?

MAKEYLA ERAZO: In terms of enfranchising universally Vermont and Maine are the only states that allow all incarcerated people to vote so those would probably be the models to follow.

REP. FOX (148TH): Do you know about timeframe about when that happened to Vermont and Maine approximately?

MAKEYLA ERAZO: I don’t believe that they ever lost their right to vote.


JUDGE ROBERT DEVLIN: Good afternoon. Thank you very much for allowing me to speak in support of Senate Bill 25. My name is Robert Devlin, I’m a Superior Court Judge and I am Chair of the Connecticut Sentencing Commission.

The Sentencing Commission is a permanent Commission under the Law of our State. It was formed in 2011. We have 23 voting members that represent the full
spectrum of stakeholders in the Criminal Justice System in our State.

So I think that Senate Bill 25 which would permit people on parole to vote advances four worthwhile goals. When the Board of Pardons and Paroles grants parole to someone, and they don’t grant it to everybody, but when they grant parole to someone they are making a statement that this person is ready to return to their community and they made an evaluation about that. And so readiness connotes I think in some sense the person, we want these persons to succeed. We want them to get jobs. We want them to support their families. We want them to become engaged citizens in our state. And, you know, in the Sentencing Commission we are very interested in some of the negative collateral consequences that follows someone’s conviction. Someone can be, you know, make a mistake, get convicted, pay a price in terms of punishment but then there’s the other things that affect their lives going forward for years sometimes. Part of the success I think is also the community’s recognition that you’re fully integrated back in our community and look voting is a privilege of citizenship and I think according that privilege to someone who is on parole would, I think, be a good thing. I also think that this Bill sort of fixes an imbalance in our State Law. Both probation and parole are conditional releases in the sense that if you violate the law, violate the terms of your probation, or terms of your parole you can be remanded to custody. The procedure is different if you violate probation the probation officer brings the case back to court and a Judge decides if the
person violated the terms of their probation and what sanction is appropriate. If you’re on parole that happens with respective, the parole authorities themselves have the authority to remand someone to custody. But both situations someone is on the street but they’re sort of conditionally on the street. There’s 40,000 people on probation in Connecticut right now, all of them can vote and we have about 3,300 people, 1,000 people on parole and 200-300 on special parole who can’t. So their situation in terms of their basic conditional release is really not qualitatively different but one can vote and one cannot.

Special parole is now an option that Judges have in Connecticut to fashion a sentence that may involve incarceration plus special parole. There is some ambiguity where the people on special parole can or cannot vote. I mean special parole is different that parole in the sense that it is fashioned by the Court at the time of sentencing. It is not the product of the decision by the Board of Pardon and Parole. I think this statute would fix that ambiguity and finally as mentioned by the other speakers Connecticut stands out as the only New England state that does not automatically restore voting rights when someone completes the incarceration portion of their sentence and this change would bring us more in line with our sister states. So thank you very much for your attention and I’d be happy to answer any questions that you might have.

SENATOR HASKELL (26TH): Thank you very much, Your Honor for your testimony. I also appreciate your work on the State of Connecticut’s Sentencing Committee and it’s enlightening to hear a little bit more about the qualifications and circumstances that you consider when granting parole for an individual. I just want to make sure I understand that there is no situation in which you would grant parole to an individual who poses a serious risk to their community. Is that correct?

JUDGE ROBERT DEVLIN: Well I don’t grant parole but members of the Board of Pardons and Parole do and yes, if someone. Look people that go in front of the Parole Board is not automatic. I mean they have a whole evaluative process where they make that determination and if someone is deemed to be a threat to their community they are not gonna get parole. I agree with that.

SENATOR HASKELL (26TH): Their ability to make decisions about their own life, is that something that would be considered by the Board as well? In other words in assessing that they are not a threat to their community, you would also assess their ability to sort of engage in basic decision making, is that right?

JUDGE ROBERT DEVLIN: They make a comprehensive evaluation of the person and certainly that would be a part of that, yeah. I think there is no limit on the things they consider in terms of the persons appropriate, are they ready to return to their community in an appropriate way.

SENATOR HASKELL (26TH): And you would characterize it as a pretty high bar to meet, is that correct?
JUDGE ROBERT DEVLIN: A reasonably high bar, yeah it’s a high bar.

SENATOR HASKELL (26TH): Wonderful. Thank you very much, Your Honor.

REP. FOX (148TH): Thank you, Senator. Any further questions? A quick question if I can and when I say quick, those are famous last words. Can you just explain or clarify to me the difference between parole and probation?

JUDGE ROBERT DEVLIN: Sure, so someone receives a sentence of imprisonment, they get five years imprisonment. Depending on the type of conviction that they have either after serving one-half of that time or 80 percent of that time they will get a chance to go in front of the parole board to be evaluated whether they are entitled to parole release and the Parole Board can parole or deny it and they can fashion a type of release that’s appropriate. So that’s how parole works and then the person will be on parole for that remaining either 50 percent or 15 percent of their sentence per report. So if someone has received a sentence, one year might be suspended and a period of probation for that year, they would be on probation immediately for that term or Judges can also impose what are called split-sentences is where someone might get a sentence of, you know, five years suspended sentence and then after two years with three years of probation. They serve their two-year sentence and then for three years after that they’d be under the supervision of a probation officer and would have to comply with the conditions of probation. Systemically the people on parole are in
the Executive Branch of government and people in the Judicial Branch of government are sort of systemically different but many similarities between the supervision of both. They use the same vendors in terms of the sort of service they provide people on probation and parole but they are distinct in the sense, as I mentioned, people that violate parole, their parole officer can remand them to custody just on the authority of the parole office. A probation office has to bring the case back to Court and let a Judge decide if someone should be violated or not.

REP. FOX (148TH): In terms of the Sentencing Commission, how long has the Sentencing Commission been perusing this option of something they’ve been studying for a while or?

JUDGE ROBERT DEVLIN: Yeah, we’ve been studying this for about a year. Our Collateral Consequences Committee has been looking at this for about a year, this whole idea about parole. We have, the Commission operates through a series of subcommittees that consider these matters and then they are brought to the full Commission for consideration. This particular proposal was a consensus recommendation by all 23 members of our Commission who endorsed it. It was endorsed by the Board of Pardons and Parole Chairman which is a member of our Commission so they think this is a good idea.

REP. FOX (148TH): So representation on the Board of Pardon and Paroles are on your Board.

JUDGE ROBERT DEVLIN: It is.
REP. FOX (148TH): So I can say they are in support of this concept?

JUDGE ROBERT DEVLIN: They are, they voted for it, yes.

REP. FOX (148TH): Any further questions for Judge Devlin? Thank you very much for your time today, I appreciate your being here, Sir. Up next I have I may mispronounce it, Kennard Ray. Good afternoon, sir.

KENNARD RAY: Good afternoon Representative Fox and to the Members of the Committee. I won’t add anything completely different from what you’ve already heard here today, but I am testifying in support of SB-25, AN ACT RESTORING ELECTORAL PRIVILEGES TO FELONY CONVICTS WHO ARE ON PAROLE.

REP. FOX (148TH): Could you say your name for the record, I’m sorry?

KENNARD RAY: Kennard, Ray.

REP. FOX (148TH): Thank you.

KENNARD RAY: All right, so to the Co-Chairs and the Esteemed Members of GAE, thank you for allowing me the opportunity to speak about why I support immediately eliminating the unfair practice of denying two currently disenfranchised groups. I know we’re only addressing 25 today but I am going to talk about both groups that have been disenfranchised because I’ve heard questions on both of them today.

In Connecticut totally more than 7,000 citizens, the democratic right to vote, these two groups are people being held in pretrial detention, i.e.
community correction centers who have not been convicted and not currently serving a sentence but are being held as they await judgement. This group has not technically lost their right to vote in the State of Connecticut and in places such as California, Alabama, Cook County, Illinois, D.C., Puerto Rico and of course Vermont and Maine all allow these groups to access the ballot through absentee voting and/or other methods. This Bill would directly address this. People who are currently living, working, and paying local, state and federal taxes while serving times of parole. Currently every New England state except Connecticut along with Hawaii, Illinois, Indiana, Michigan, Montana, North Dakota, Ohio, Oregon, Pennsylvania and Utah as well as the District of Columbia allow this group to vote. As a formerly incarcerated person, someone who has worked on campaigns, run campaigns and lobbied here for years, almost a decade, I entered this Bill through this Committee last year and I am happy to see the work being continued.

I don’t have much else today, there’s been so many people that gave great testimony here today. I’d love to hear if you have questions to ask me so I won’t take the full three minutes, I’ll cap it like at two.

REP. FOX (148TH): Thank you Mr. Ray. Any questions for Mr. Ray. Representative Blumenthal.

REP. BLUMENTHAL (147): Thank you for your testimony today and for being here. So you mentioned not only parolees which is what we’re addressing today but also the group of pre-trial detainees and their
ability to vote. Could you expand a bit on what their problem with the voting is?

KENNARD RAY: Sure, so as it’s already been said today this group of individuals have not actually lost their right to vote but there is no process currently in line where, let’s just say, in statute. This is an MOU that exists between the State of Connecticut and the DOC but for years on end it has not been honored.

REP. BLUMENTHAL (147): Thank you, Mr. Ray. Thanks, Mr. Chair.

REP. FOX (148TH): Thank you, Representative. Earlier a witness indicated that the other states, Vermont and Maine are you familiar with their programs at all.

KENNARD RAY: Absolutely, so Vermont and Maine have never barred the right to vote to anyone regardless of their status as long as there’s no convictions that are directly related to voter fraud, you could be in prison for 20 years and they allow those people to vote.

REP. FOX (148TH): So it’s not that they’ve instituted a program to address the issue they just never [cross-talking], interesting. Thanks.

KENNARD RAY: Right. Massachusetts at one time was among that group but there was a certain governor who came in I think in 1998, there was a group of incarcerated people that started a political action Committee and were supporting someone who was running for office and they got shutdown so Massachusetts decided to bar that practice.
REP. FOX (148TH): Okay. You’re wearing a, you here on behalf of entity today, you’re wearing a badge is that for? Are you here on your own or supporting a?

KENNARD RAY: My lobbying firm.

REP. FOX (148TH): Oh very nice, good. Good. Any further questions for Mr. Ray? Seeing none, thank you very much for your time today. Appreciate you being here. Have a nice day. Next up James, either Jester or Seltzer [phonetic], it’s not clear. Brent Peterkin, Courtney Fishkin. Please. Thank you. Thank you for your patience.

COURTNEY FISHKIN: Thank you Mr. Chair, Members of the Committee for hearing my testimony in favor of Bill 5043. My name is Courtney Fishkin. I am here to speak on behalf of New Hampshire Representative Joshua Yokela because he did not find out this hearing in time and had important business to which he could not miss. I personally am in favor of this Bill as well. He had me bring witness testimony which has been given to the Clerk.

New Hampshire has a similar bill in the House right now just passed this week the Committee with an Ought to Pass Motion with all the benefits the 2017 Massachusetts Commission Report has brought to light. These types of Bills are taken more and more seriously each year. The Commission recommends a block of states move to time zones, however the Bill in Massachusetts this year did not make to move contingent on Connecticut moving the time zones too. If Connecticut does not plan for when Massachusetts makes the move, the people of Connecticut that work in Massachusetts may have an unnecessary hardship. Representative Yokela urges this Commission to
support creating a plan to move at least parts of Connecticut with Massachusetts when Massachusetts decided to move time zones. He understands some parts of Connecticut may want to be in sync with New York and others to be in sync with Massachusetts. This is why we’re looking into this, it may take time that would not exist if the Committee waits for Massachusetts to act first. He wanted me to bring this concern to your attention. While I’ll be happy to try to answer any questions, I do not know if I could answer them, but I would be happy to send the questions to Representative Yokela and he would provide you with his answers. Thank you for your time in accepting his testimony.

REP. FOX (148TH): Thank you very much Ms. Fishkin. Any questions for Ms. Fishkin. Do you know if Representative Yokela submitted testimony?

COURTNEY FISHKIN: Yes.

REP. FOX (148TH): And we have that?

COURTNEY FISHKIN: Yes.

REP. FOX (148TH): Thank you. Can you just clarify for me if you know where procedurally where this process is now, where the Bill is right now? Is it out of Committee or? You mentioned in your testimony that they are doing.

COURTNEY FISHKIN: It was at the State House this week.

REP. FOX (148TH): And do you know procedurally where about it is, moved out of Committee, voted on yet, do you know?
COURTNEY FISHKIN: It did move to the Committee with an Ought to Pass Motion. It happened on Tuesday.

REP. FOX (148TH): Great. Okay. So in addition to that testimony you are individually supportive of the concept as well.

COURTNEY FISHKIN: Yes.

REP. FOX (148TH): The primary reason being from an individual perspective.

COURTNEY FISHKIN: I personally suffer from depression and anxiety especially this year when the time changed ended in October. I’ve never had an issue with the time changing until this past fall. It took my body a month to change to the current time zone and it being darker earlier it doesn’t help what so ever. So, that’s my reason.

REP. FOX (148TH): Thank you very much. Any questions for Ms. Fishkin? Seeing none, thank you for your time and patience. I appreciate you being here. Anyone else here wishing to testify who hasn’t been called?

Going once, going twice. I call this Public Hearing to a close. Do we have a Motion to Adjourn this Committee Meeting? Seconded, thank you. Thank you very much. Thank you for your time today.