Testimony for Raised Bill No SB 233 AA Concerning Elections.

Senators Flexer and Sampson, Representative Fox and Members of the GAE Committee, my name is Timothy De Carlo, and I am a Registrar of Voters from the City of Waterbury, the Chair of the New Haven County ROVAC Association and the Chairman of ROVAC Legislative Committee. I am here today to testify in regards to the Election Day Registration (EDR) section of SB 233.

A section of this proposed bill would make modifications to the current way in which EDR is performed throughout all 169 towns in Connecticut. This bill would allow for a second, optional EDR location, as well as require municipalities to submit to the Secretary of the State’s office an EDR Staffing plan which would mirror the current poll ballot ordering plan which has been in place since 2013. ROVAC supports this measure as we have in years past.

ROVAC believes that these measures would ensure that those who are in line at their EDR location can be processed and admitted as electors without changing the current 8:00 PM deadline. Large cities as well as college towns would greatly benefit from having a second location as this would ultimately cut the waiting time in half.

As mentioned above, this bill would have municipalities reporting their proposed staffing levels to the Secretary of the State’s office, with supporting data as why the current level of staffing is being proposed. Every election is different with regard to turn-out and a municipality will need to hire different levels of staffing depending on the type of election. For example, in 2016 the City of Waterbury hired 27 staffers to run our EDR location. In 2017 we hired 6 and in 2018, 17 staffers were hired. Due to the fact that we had adjusted our staffing levels there were no citizens turned away at 8:00 PM.

Currently Election Day Registration in Connecticut takes place between the hours of 6:00 AM and ends at 8:00 PM. No new registrations are processed after 8:00 PM, SB 233 would change this deadline by allowing every citizen in line prior to 8:00 PM be processed and cast a ballot. ROVAC cannot support this section of SB 233 as it could allow for municipalities to miss state-imposed deadlines for reporting election results in Title 9.

Currently under 9-311 and 9-440, The Head moderator shall file a preliminary list of the vote totals produced by the tabulator not later than midnight on Election Day. Thereafter, the head moderator shall file a complete Head Moderator’s Return with the Secretary of the State by electronic means not later than forty-eight hours after the close of the polls. The head moderator shall also seal and deliver an original Head Moderator’s Return to the Secretary of the State not later than the third day after the primary. This is due to the fact that in a Statewide Election, the Secretary of the State, or in a Municipal Election, the Town Clerk, will need to compile all election results to make sure a recount is not needed.
If new electors are continuing to be created after the election has concluded, this will ultimately delay the time in which results can be reported to the Secretary of the State. Election Day Registration Ballots are not placed into a tabulator until after they have been sent to central counting or processing at the polling place. They must be opened, sorted and then fed into a tabulator. Once this process has completed, the moderator can then close out the election on the tabulator. Because the current End of Night Reporting System requires towns to only send completed results of the entire town, it is very possible that large cities like Bridgeport, Stamford, Hartford, and college towns like Mansfield and Middletown may be delayed in reporting final results to the Secretary of the State’s Office until well past 12:00 AM following the 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 discovered and declared until the Monday after the election. This would be in violation of current state law under 9-311.

Therefore, if this bill is sent out of committee, ROVAC asks that the statutes that require the time in which to submit results, declare a recount and call for the certification of an election to be adjusted in order to accommodate the change for Election Day Registration to continue after 8:00 PM.

Connecticut does not run elections with high-end technologically advanced voting systems, however we learned after the 2016 Presidential Election, that may not be a bad thing. Our voting tabulators run on late 20th Century technology which makes them extremely difficult to hack into and cause harm. Which ensures the public that they will have secure and 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 all results to the Secretary of the State’s office. When we see high turnout as we did in 2016, 2018 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 the Wednesday or possibly Thursday could become a reality if Election Day Registration is to continue past 8:00 PM. This could also impact when results are known in large cities such as Stamford and New Haven as well as in college towns like Mansfield. This is mainly due to the fact that the technology that is used does not allow for fast pace results.

SB 233 would also call for the elimination of the town to town “Cross Check” of active and inactive voters who are currently registered in Connecticut but who are seeking to register and vote in their new town of residence.

Currently if citizen is not registered in the municipality in which they are claiming residency, but are in fact registered in another town, a call is placed to make sure that they have not already voted via absentee or in person for that election. This phone call is what is considered as “the Cross Check”. While the call is being made the citizen’s registration in their new town is being processed. At this point the new voter is given a ballot for their correct district, along with a corresponding envelope to place the completed ballot in. If the voter’s former town has confirmed that the voter did not vote in the former town, the voter will then place the completed ballot and envelope in a ballot box to be counted later. If the former town has not confirmed whether or not the voter has voted, the ballot is set to the side awaiting a response. If by 8:00 PM the former town does not respond the ballot is sent off to be counted.

ROVAC does not support the elimination of the “Cross Check”. Removing this process will not speed up the processing time at the EDR location. The “Cross Check” was instituted as a way to protect against potential voter
fraud as well as to assure the public that every measure is being taken to ensure a fair and honest election is taking place. For these reasons we cannot support eliminating this process for EDR.

In 2012 when EDR became law, the Secretary of the State created a task force comprising of Registrars, Town Clerks as well as members of her office. ROVAC would support re-assembling of this task force to review and submit changes to the EDR process, should the Secretary of the State deem it necessary. ROVAC feels strongly that changes can be made to get everyone processed and registered prior to 8:00 PM, without having to extend the deadline.

I thank you for the opportunity to testify before you this afternoon. ROVAC is committed to working to strengthen elections in Connecticut. Therefore, we are more than willing to work with any parties to create JFS language should the committee wish to do so on this pending legislation.