



**GAE Committee
Public Hearing
March 10, 2021**

**TESTIMONY OF SECRETARY OF THE STATE DENISE W.
MERRILL REGARDING:**

- **S.B. No. 353, AN ACT CONCERNING MUNICIPAL ELECTIONS**
- **S.B. No. 753, AN ACT CONCERNING THE COUNTING OF INCARCERATED PERSONS FOR PURPOSES OF DETERMINING LEGISLATIVE DISTRICTS**
- **S.B. No. 1014, AN ACT CONCERNING A MUNICIPAL ELECTION MONITOR FOR THE 2021 MUNICIPAL ELECTION AND THE 2022 STATE ELECTION**
- **S.B. No. 1017, AN ACT CONCERNING ELECTION ADMINISTRATION**
- **S.B. No. 6212, AN ACT CONCERNING THE CONFIDENTIALITY OF THE RESIDENTIAL ADDRESS OF CERTAIN PROTECTED PERSONS IN ONLINE MUNICIPAL RECORDS**
- **H.B. No. 6575, AN ACT CONCERNING RISK-LIMITING AUDITS FOR ELECTION RESULTS**
- **H.B. No. 6578, AN ACT CONCERNING PARTICIPATION IN THE ELECTORAL PROCESS**

Good morning Chairmen Fox and Flexer, Vice Chairs Haskell and Thomas, Ranking Members Sampson and Mastrofrancesco, and members of the committee. My name is Denise Merrill and I am the Secretary of the State of Connecticut. I would like to address several bills before the committee.

- **S.B. No. 1017, AN ACT CONCERNING ELECTION ADMINISTRATION**

S.B. No. 1017, **AN ACT CONCERNING ELECTION ADMINISTRATION**, features several changes that would make the administration of elections easier for local election officials and make navigating that administration easier for voters.

One of the most visible, and popular, responses to holding the 2020 amid the COVID-19 pandemic was the introduction of secure absentee ballot drop boxes. These secure drop boxes were paid for by federal CARES Act funds and manufactured to the highest national security standards by a vendor that has been manufacturing drop boxes for other states for decades.

Federal funding allowed my office to purchase and deliver at least one and as many as four secure absentee ballot drop boxes to each of Connecticut's 169 towns and cities. These drop boxes gave voters a safe way, without person-to-person contact, to return their absentee ballots themselves and not have to rely on the United States Postal Service. Although there are no usage numbers, anecdotally, town clerks have reported that the drop boxes were widely used and "selfies" of voters delivering their ballots to the drop boxes across social media last fall attest to that phenomenon as well.

Unfortunately, the authorization to treat absentee ballots returned by secure drop box identically to absentee ballots delivered by mail expired with the 2020 election. The secure absentee ballot drop box provision would make these secure drop boxes a permanent, convenient part of Connecticut elections.

The electronic signature provision would require the development of a system under which Title 9 forms could be signed and submitted electronically. That would allow for absentee ballots to be requested electronically, as well as opening the online voter registration system to an increasing number of people who are eligible to vote in Connecticut but do not possess a Connecticut Driver's License. This system could be as simple as allowing emailed endorsement forms to my office or registration forms to the registrars of voters, or as complicated as a database that stores images of signatures for future use on another election-related form.

This bill also requires that centrally-counted absentee ballots be included in any post-election audit, allows my office to create a voting system that would allow print disabled voters to independently cast absentee ballots, and would help to change all towns' municipal election calendars to a November general election.

Finally, this bill includes several administrative changes that my office has proposed before, including adjusting state statutes to conform with a federal court ruling that in practice we are already following, changing the timeline for military and overseas ballots in the event of a special congressional election on the advice of the federal Department of Justice, creating a process by which the Secretary of the State can audit redistricting changes to ensure that the changes are properly made at the local level and require those changes to be made if necessary, and allowing the Office of the Governor to transmit the writs for special election to the town clerks by electronic means instead of requiring their delivery by State Marshals.

I support this bill.

- **H.B. No. 6578, AN ACT CONCERNING PARTICIPATION IN THE ELECTORAL PROCESS**

I proposed this bill to make it more convenient for Connecticut citizens to participate in our democracy, to choose the people who will represent them in government, and to make their voices heard.

Section 1 of this bill allows people who are on parole to register and vote. Connecticut law currently allows people on probation to once again exercise their right to vote, but not people on parole. This bill would bring Connecticut in line with the 18 states and the District of Columbia, including all our neighbors in New England, that allow voting rights to reattach automatically when people's period of incarceration comes to an end.

A real problem we often face when we try to get every eligible voter to register and every registered voter to vote, is in getting people to know at what point in the process of leaving the criminal justice system they regain their right to vote. This bill would remove the confusion over parole versus probation and simplify the restoration of voting rights to the physical release from prison.

Reattaching voting rights to people as they leave their period of confinement doesn't just alleviate confusion that can dampen registration, it also will help people to reintegrate into the civic life of their community. Voters who exercise their right to vote sooner are more likely to become lifetime voters.

This section would also bring how people who were convicted of federal or out-of-state crimes in line with how people who were convicted in Connecticut law are treated with regard to the restoration of voting rights after a period of confinement. Currently, only individuals with federal or out-of-state convictions are required to pay fees before their voting rights are restored; individuals who were convicted in Connecticut have their voting rights restored regardless of whether any fees or fines are outstanding. Only seven states (all in the Deep South except for Connecticut and Arizona) use court debts alone to prevent an individual from voting, and only Connecticut treats individuals differently depending on the jurisdiction in which they were convicted. Current law is both unfair and confusing to voters.

Sections 2 and 3 codify our existing automatic voter registration, streamlines the process to make it more convenient for voters, and allows the expansion of the program to other Voter Registration agencies under the National Voting Rights Act (the so-called Motor Voter Act).

Since Automatic Voter Registration implementation was begun administratively in August of 2016, more than 550,000 new Connecticut voters have used Automatic Voter Registration at the DMV to register, and more than 700,000 voters have made changes to their registrations. In addition to easing registration, Automatic Voter Registration also provides local election officials with more up to date information, leading to cleaner, more accurate voter rolls. Codifying, streamlining, and expanding this process will make it even easier for eligible voters to register and will significantly expand the number of voters who are able to cast their ballots and make their voices heard on Election Day.

Sections 4, 5, 6, and 7 eliminate the anachronistic “challenger” designation in Election Day polling locations from Title 9. Although challengers currently still exist in statute, they have not been used in many years. This designation is a vestige from a time when everyone in a town knew everyone else in a town and has no real use in our modern election structure.

Moreover, the challenger designation is not necessary, as every person lawfully inside a polling place, including people who are not poll workers but are “unofficial checkers” appointed by registrars to communicate with local political parties, can challenge someone who is attempting to vote in that polling place, so long as the challenge is not made indiscriminately, and the person issuing the challenge knows, suspects, or reasonably believes the challenge is valid.

These proposals are voter-centric reforms that will help ensure that every eligible Connecticut citizen who wants to register and vote can do so conveniently, without unnecessary obstacles.

I support this bill.

- **S.B. No. 753, AN ACT CONCERNING THE COUNTING OF INCARCERATED PERSONS FOR PURPOSES OF DETERMINING LEGISLATIVE DISTRICTS**

This bill requires incarcerated persons to be counted at their last known address prior to incarceration, if known, rather than in the location of their correctional facility, for the purposes of determining legislative districts after the decennial census. As in the past, I am testifying in support of this concept. Counting incarcerated persons in the community in which they lived prior to incarceration will give more accurate population counts in both Connecticut’s major cities, and in the towns that host our correctional facilities, and will result in legislative districts that more accurately represent the communities from which they are drawn. This bill is time-sensitive as the decennial redistricting following the census is scheduled to take place this year.

I support this bill.

- **H.B. No. 6575, AN ACT CONCERNING RISK-LIMITING AUDITS FOR ELECTION RESULTS**

I proposed this bill to investigate and test the possibility of instituting a system of post-election risk-limiting audits. Our current audit procedure audits a fixed number of precincts, regardless of the margin in any given election. Although there are multiple ways to conduct a risk-limiting audit, in general risk-limiting audits determine the number of ballots to audit based on the margins of a given election in order to determine that the results of an election tabulated by the machines match the ballots filled out by the voters to a level of statistical certainty. Statisticians and computer scientists have advocated for risk-limiting audits as a more precise method of testing the accuracy of election tabulators.

This bill would create a study committee to determine the feasibility and practicability of Connecticut implementing risk-limiting audits, including needs related to equipment, procedures, and statutes. This bill would also create a pilot program to test one or more methods of risk-limiting audits in the 2021 municipal elections. The final report would be due to this committee prior to the 2022 legislative session.

I support this bill.

- **S.B. No. 1014, AN ACT CONCERNING A MUNICIPAL ELECTION MONITOR FOR THE 2021 MUNICIPAL ELECTION AND THE 2022 STATE ELECTION**

This bill would extend a successful program in Bridgeport where an election monitor hired by my office was onsite in Bridgeport City Hall to work with the registrars and town and city clerk to ensure that the 2020 election was administered properly, smoothly, and in accordance with Title 9. An extension of this program has been requested by voters in and representatives from Bridgeport. In order to continue this program, the legislature must appropriate funds to pay for the costs associated with it. This program cannot be administered within available appropriations.

I support this bill pursuant to sufficient appropriations.

- **S.B. No. 353, AN ACT CONCERNING MUNICIPAL ELECTIONS**

This bill would make the default municipal Election Day in November in odd-numbered years. It would also allow towns that choose to continue to hold their municipal elections in May of odd-numbered to do so, after approval by a supermajority of the municipal legislative body. Making this change would eliminate voter confusion, boost municipal turnout, and make a more efficient use of resources in my office.

I support this bill.

- **H.B. No. 6212, AN ACT CONCERNING THE CONFIDENTIALITY OF THE RESIDENTIAL ADDRESS OF CERTAIN PROTECTED PERSONS IN ONLINE MUNICIPAL RECORDS**

This bill would expand access to the Safe at Home program to people protected by a protective or restraining order, as well as allowing people in the Safe at Home program to request that their address be redacted in municipal records that are displayed online. This bill would make survivors of sexual assault, stalking, and people that are protected by protective and restraining orders safer.

I support this bill.

Thank you.