Government Administration and Elections Committee
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Chairs and members of the Committee, my name is Luther Weeks, Executive Director of CTVotersCount, a Certified Moderator, and a Computer Scientist.

Transparency, Ballot Security, and Public Verifiability are the basis for justified confidence in our elections. So much more important now that many question the integrity of our elections.

As I testified in 2016 and 2015, existing law and a new law providing for interrupted counting lasting up to 48 hours have serious flaws:

- First, the new law for interrupted counting did not provide any method for the public, candidates, or parties to be notified when counting was to resume.

  This is a serious flaw which allows counting and paperwork to be legally accomplished without public observation. Public observation of the counting is a strong protection against error and fraud in election results. This omission risks election integrity and eliminates public credibility.

- Second, since the inception of optical scanners in 2007 the law has never recognized that ballots are cast in polling places. That portion of the law still assumes, apparently, that we are still using lever machines.

  Again, a serious flaw which leaves several opportunities ballots to be opened, changed or replaced without detection. Connecticut has one of the weakest ballot security and chain-of-custody laws and practices in the country.

  Studies show that so called, tamper-evident seals, can be compromised in less than a minute by professionals and amateurs alike. Strong, detailed seal protocols would help – Connecticut has none. Ballots should be locked in ways that prevent undetected access by single individuals. In the majority of Connecticut municipalities ballot storage can be easily accessed undetected for hours by multiple single individuals.

Attained is suggested text to provide a workable notice of resuming counting and just a start at increasing ballot security.

It is long past time for Connecticut to begin a path toward full transparency, public verifiability, and protecting our paper ballots, upon which justified confidence in elections is based.

Thank you

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Sec. 9-309. Procedure for announcing result; exception for 2020 state election. Temporary interruption of canvass after transmission of preliminary totals to secretary. Security of tabulators and other materials.

(a) Upon the close of the polls, the moderator, in the presence of the other election officials, shall immediately lock the voting tabulator against voting and immediately cause the vote totals for all candidates and questions to be produced. The moderator shall, in the order of the offices as their titles are arranged on the ballot, read and announce in distinctive tones the result as shown, giving the number indicated and indicating the candidate to whom such total belongs, and shall read the votes recorded for each office on the ballot. The moderator shall also, in the same manner, announce the vote on each constitutional amendment, proposition or other question voted on. The vote so announced by the moderator shall be taken down by each checker and recorded on the tally sheets. Each checker shall record the number of votes received for each candidate on the ballot and also the number received by each person for whom write-in ballots were cast. The moderator shall make a preliminary list from the vote totals produced by the tabulators and shall prepare such preliminary list for transmission to the Secretary of the State pursuant to section 9-314. After such preliminary list has been transmitted to the Secretary of the State, the canvass may be temporarily interrupted, during which time the moderator shall using numbered tamper-evident seals (1) return the keys for all tabulators to the registrars of voters, (2) seal the tabulators against voting or being tampered with, (3) prepare and seal in individual envelopes for all (A) write-in ballots, (B) absentee ballots, (C) approved containers with polling place cast ballots with hand counted ballots and write-in ballots in separate envelopes, (D) moderators' returns, and (D) (E) other notes, and worksheets or written materials used at the election, and (4) store all such tabulators and envelopes in a secure place or places directed by the registrars of voters. The moderator shall record all seals applied and return such list to the registrars of voters.

Such temporary interruption shall end no earlier ten nine o'clock a.m. on the day after the election, primary or referendum and not later than two hours after the registrars of voters has published a notice of the date, time and location that the canvass will be resumed at the main entrance of the city or town hall, the office of the registrar of voters, and prominently on the home page of the official municipal web site. At the end of such temporary interruption, the moderator shall receive such keys from the registrars and shall take possession of and break the seals on all such tabulators, storage containers, and envelopes, for the purpose of completing the canvass. The moderator shall record all seals removed and return such list to the registrars of voters. The result totals shall remain in full public view until the statement of canvass and all other reports have been fully completed and signed by the moderator, checkers and registrars, or assistant registrars, as the case may be. Any other remaining results of the votes cast shall be publicly announced by the moderator not later than forty-eight hours after the close of the polls. Such public announcement shall consist of reading both the name of each candidate, with the designating number and letter on the ballot and the absentee vote as furnished to the moderator by the absentee ballot counters, and also the vote cast for and against each question submitted. While such announcement is being made, ample opportunity shall be given to any person lawfully present to compare the results so announced with the result totals provided by the tabulator and any necessary corrections shall then and there be made by the moderator, checkers and registrars or assistant registrars, after which the moderator shall using numbered tamper-evident seals (1) return the keys for all tabulators to the registrars of voters, (2) seal the tabulators against voting or being tampered with, (3) prepare and seal in individual envelopes for all (A) write-in ballots, (B) absentee ballots, (C) approved containers with polling place cast ballots with hand counted ballots and write-in ballots in separate envelopes, (D) moderators' returns, (E) other notes, and worksheets or written materials used at the election, and (4) store all such tabulators and envelopes in a secure place or places directed by the registrars of voters. The compartments of the voting tabulator shall be closed and locked. The moderator shall record all seals applied and return such list to the registrars of voters. In canvassing, recording and announcing the result, the election officials shall be guided by any instructions furnished by the Secretary of the State.