



Legislative Testimony  
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**Written Testimony Supporting Senate Bill 1516, An Act Concerning the Secretary of State's Recommendations Related to Voting and Elections in this State, Senate Bill 1514, An Act Concerning Curbside Voting Accessibility for Electors with Disabilities or Other Incapacities, Senate Bill 955, An Act Requiring State and Local Government and State Contractors to Ensure Individuals with Limited English Proficiency Are Able to Access Public Services, House Bill 7228, An Act Concerning Various Reforms to Administration of Electors in This State, and Senate Bill 1515, An Act Concerning Election Administration Oversight**

Senator Flexer, Representative Blumenthal, Ranking Members Sampson and Mastrofrancesco, and members of the Government Administration and Elections Committee:

My name is Jess Zaccagnino, and I am the policy counsel of the American Civil Liberties Union of Connecticut (ACLU-CT). I am writing to testify in Senate Bill 1516, An Act Concerning the Secretary of State's Recommendations Related to Voting and Elections in this State, Senate Bill 1514, An Act Concerning Curbside Voting Accessibility for Electors with Disabilities or Other Incapacities, Senate Bill 955, An Act Requiring State and Local Government and State Contractors to Ensure Individuals with Limited English Proficiency Are Able to Access Public Services, House Bill 7228, An Act Concerning Various Reforms to Administration of Electors in This State, and Senate Bill 1515, An Act Concerning Election Administration Oversight.

Voting is the foundation of democracy, the right through which all our other rights are protected and preserved. The importance of the right to vote cannot be overstated. The United States Supreme Court has long described voting as a fundamental right,

because it is preservative of all other rights.<sup>1</sup> Voting is “the citizen’s link to [their] laws and government”<sup>2</sup> and “the essence of a democratic society.”<sup>3</sup> If the right to vote is undermined, the Court has cautioned, other rights “are illusory.”<sup>4</sup> Thus, in a democracy, safeguarding the right to vote “is a fundamental matter.”<sup>5</sup> For that reason, the ACLU-CT supports extending voting rights to the greatest number of people, with the only permissible restrictions being those essential to making elections secure and fair. Connecticut’s history with voting rights is long and shamefully suppressive, but with continued efforts to extend the franchise and make it as accessible as possible, we can move forward with a strong electorate and truly democratic elections.

The ACLU-CT is submitting testimony in support of several bills, briefly summarized below. We would also like to bring this Committee’s attention to Senate Bill 1516, Sections 9 through 13 and our suggested amendments.

*Senate Bill 1516, An Act Concerning the Secretary of State’s Recommendations Related to Voting and Elections in this State*

This bill makes several improvements to our voting system, including:

- Technical fix requiring all towns, regardless of the number of districts, to follow the same process for identifying and correcting errors in election returns. This section simply standardizes the process for all towns.
- Streamlining the process of collecting information as required by the Connecticut Voting Rights Act, legislation the ACLU-CT strongly supported. This section would require town attorneys annually report cases of election law violations to SOTS and require that courts make SOTS a notified party in elections cases.

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<sup>1</sup> See *Yick Wo v. Hopkins*, 118 U.S. 356, 370 (1886).

<sup>2</sup> *Evans v. Cornman*, 398 U.S. 419, 422 (1970).

<sup>3</sup> *Harman v. Forssenius*, 380 U.S. 528, 537 (1965).

<sup>4</sup> *WeS.B.erry v. Sanders*, 376 U.S. 1, 17 (1964).

<sup>5</sup> *Reynolds v. Sims*, 377 U.S. 533, 561–62 (1964).

- Allowing SOTS to establish a Translation Advisory Committee to ensure the adequacy of translated election materials for the needs of Connecticut voters.
- Aligning absentee ballot procedures for special elections with other elections, a necessary technical fix.
- Extending the Election Monitor program, where monitors would have an oversight and educational role related to absentee voting, early voting, election day registration, election day voting and polling places, and any special elections before the end of the program. This program is essential to voter education and improving use of early voting and absentee voting.
- Prohibiting access to voter contact information to election-related, scholarly, journalistic, political, or governmental use only. Currently, statute allows election officials to release a voter's address, birth month and year, phone number, and other personal information. This change is essential to protecting people's sensitive information from businesses or individuals.
- Permitting SOTS to request a court decision under Title 52 within 90 days of an election or primary. This would permit SOTS to receive legal clarifications or rulings to preemptively provide guidance on how to fix potential elections problems, preventing potential disenfranchisement on procedural grounds.

The ACLU is concerned about Sections 9 through 13 when it comes to imposing new collateral consequences. These sections prohibit certain elections activities if a person been convicted of, or pled guilty or nolo contendere, a felony involving fraud, forgery, larceny, embezzlement, bribery, or any other criminal offense under Title 9. We understand the importance of enacting safeguards to protect against the corruption of the integrity of elections administration. We also believe in a society where all people, including those who have been convicted or accused of a crime, have equal opportunity to contribute to society and build successful and fulfilling lives. One of the biggest injustices faced by people living with a criminal record are the myriad of collateral consequences flowing from that criminal record, which persist for years, even lifetimes, after a person finishes the punishment they were sentenced to.

Collateral consequences turn any sentence into a life sentence. Historically, the ACLU-CT strongly opposes blanket bans when it comes to people living with a criminal record. The ACLU-CT recommends that the Committee consider a balancing test like the one in Public Act 22-88, which follows an individualized approach and considers evidence of rehabilitation and the amount of time since the conviction. This acknowledges that the longer ago a person violated the law, the less likely their conviction factors into their ability to do their job. The ACLU-CT would be happy to assist this Committee in developing an amendment to implement an individualized assessment approach.

*Senate Bill 1514, An Act Concerning Curbside Voting Accessibility for Electors with Disabilities or Other Incapacities*

This bill is a small but important technical improvement that ensures the 75-foot electioneering perimeter around polling locations includes curbside voting. The bill would add a 20-foot perimeter around curbside voting locations when safely practicable. This improvement would protect curbside voters from improper interference or contact with candidates or campaign workers while a person is voting.

*Senate Bill 1515, An Act Concerning Election Administration Oversight*

This bill would establish a Municipal Election Accountability Board to reign in the lack of accountability when it comes to municipalities administering elections. This bill focuses on early intervention and providing additional support for municipal elections officials.

*Senate Bill 955, An Act Requiring State and Local Government and State Contractors to Ensure Individuals with Limited English Proficiency Are Able to Access Public Services*

This bill would require the adoption of several policies related to translation and interpretation services to ensure that all people have meaningful access to programs and services offered by the state and local government as well as contractors that

receive state funding. The percentage of households that speak a language other than English at home is more than the national average: 23 percent of residents five or older speak a language that is not English at home.<sup>6</sup> That's almost one in four residents. We must ensure excellent language access across the board for our residents.

*House Bill 7228, An Act Concerning Various Reforms to Administration of Electors in This State*

The ACLU-CT supports provisions that allow for the processing of absentee ballots to begin prior to election day (though the actual counting still will only take place on the day of the election) and for people whose absentee ballots were rejected to vote in-person on election day. The bill also appropriates much-needed \$1.3 million to SOTS for early voting purposes.

*House Bill 7221, An Act Concerning Municipal Campaign Finance Filings*

This bill would require all municipal campaign registration and financial disclosure statements to be filed with the State Elections Enforcement Commission rather than with town clerks.

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<sup>6</sup> *Connecticut State Profile*, UNITED STATES CENSUS BUREAU, <https://data.census.gov/profile/Connecticut?g=040XX00US09>.