



## Legislative Testimony

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### **Written Testimony Opposing Senate Bill 239, An Act Concerning Auditing of Signed Statements of Electors Prior to Voting**

Senator Flexer, Representative Fox, Ranking Members Sampson and France, and distinguished members of the Government Administration and Elections Committee:

My name is Kelly McConney Moore, and I am the policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I submit this testimony in opposition to Senate Bill 239, An Act Concerning Auditing of Signed Statements of Electors Prior to Voting. We strongly encourage the Committee to oppose this bill.

Senate Bill 239 requires registrars in each municipality to track people who, rather than vote using an ID, do so by submitting a sworn statement as identification. The bill also requires registrars to submit reports of anyone who fills out that form incompletely or inaccurately to the Secretary of the State shortly after elections. By singling out people without governmental ID, this bill preferences voters who have an ID. The data due to be collected by this bill could also potentially be used to target voters without ID, potentially even setting them up for prosecution because of simple errors.

Voter ID requirements and preferences deprive many people of their right to vote, reduce voter participation, and stand in direct opposition to our value of including more Connecticut residents in the democratic process. People who lack government ID are disproportionately low-income, people of color, the elderly, and people with disabilities.<sup>1</sup>

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<sup>1</sup> Sari Horwitz, "Getting a Photo ID So You Can Vote Is Easy. Unless You're Poor, Black, Latino or Elderly." Washington Post (May 23, 2016), available at [https://www.washingtonpost.com/politics/courts\\_law/getting-a-photo-id-so-you-can-vote-is-easy-unless-youre-poor-black-latino-or-elderly/2016/05/23/8d5474ec-20f0-11e6-8690-f14ca9de2972\\_story.html](https://www.washingtonpost.com/politics/courts_law/getting-a-photo-id-so-you-can-vote-is-easy-unless-youre-poor-black-latino-or-elderly/2016/05/23/8d5474ec-20f0-11e6-8690-f14ca9de2972_story.html).

Eleven percent of American citizens lack governmental ID.<sup>2</sup> Strict voter ID requirements can reduce turnout by 2-3 percentage points – which equates to tens of thousands of votes in our state.<sup>3</sup>

Risking any of these terrible outcomes is simply not worth it to compile a report and search for problems that are almost certain not to exist. Voter fraud is incredibly rare.<sup>4</sup> Even those few rare instances are almost always unintentional mistakes.<sup>5</sup> In short, this change to the law is not necessary and could inordinately burden the right to vote for people lacking governmental ID. For that reason, the ACLU-CT opposes Senate Bill 239, An Act Concerning Auditing of Signed Statements of Electors Prior to Voting, and urges this Committee to do the same.

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<sup>2</sup> “Citizens without Proof: A Survey of Americans’ Possession of Documentary Proof of Citizenship and Photo Identification.” Brennan Center for Justice (2006), *available at* [http://www.brennancenter.org/sites/default/files/legacy/d/download\\_file\\_39242.pdf](http://www.brennancenter.org/sites/default/files/legacy/d/download_file_39242.pdf).

<sup>3</sup> “Issues Related to State Voter Identification Laws” at 48. Government Accountability Office (Sept. 2014), *available at* <http://www.gao.gov/assets/670/665966.pdf>; *see also* Philip Bump, “Voter ID laws in Kansas and Tennessee dropped 2012 turnout by over 100,000 votes.” Washington Post (Oct. 9, 2014), *available at* [https://www.washingtonpost.com/news/the-fix/wp/2014/10/09/gao-voter-id-laws-in-kansas-and-tennessee-dropped-2012-turnout-by-over-100000-votes/?utm\\_term=.98af0620fca6](https://www.washingtonpost.com/news/the-fix/wp/2014/10/09/gao-voter-id-laws-in-kansas-and-tennessee-dropped-2012-turnout-by-over-100000-votes/?utm_term=.98af0620fca6).

<sup>4</sup> Justin Levitt, “A Comprehensive Investigation of Voter Impersonation Finds 31 Credible Incidents out of One Billion Ballots Cast.” Washington Post (Aug. 6, 2014), *available at* <https://www.washingtonpost.com/news/wonk/wp/2014/08/06/a-comprehensive-investigation-of-voter-impersonation-finds-31-credible-incidents-out-of-one-billion-ballots-cast/>.

<sup>5</sup> *Id.*