



DENISE MERRILL
SECRETARY OF THE STATE
CONNECTICUT

Election Performance Task Force
Meeting Minutes
Wednesday, July 20, 2011
10:00 a.m. in Room 1B of the Legislative Office Building

The meeting was convened at 10:06 a.m. by Secretary of the State Denise Merrill. The following members were present:

Kevin Ahearn; Judy Beaudreau; Richard Bieder; Ted Bromley; Steven Carbo; Tony Esposito; Kim Hynes; Shannon Clark Kief; Secretary Denise Merrill; John Murphy; Therese Pac; Urania Petit; Peggy Reeves; Brian Sear; Bilal Sekou; Deputy Secretary James Spallone; Lisa Valenti; Kachina Walsh-Weaver; Shannon Wegele; Carol Young-Kleinfeld

Following introductions, Secretary Merrill noted that Professor Heather Gerken of the Yale University School of Law and an elections researcher will be a part of the task force as well but could not make it today. The need to evaluate election performance in our state became apparent when during the 2010 election cycle, there were problems in several towns. These problems were in large part due to glitches in the election system. Reports have come out and the office of the Secretary of the State convened a forum in January. It came to light that while there are strengths in our system, there are weaknesses that need to be examined. This group needs to look at the system comprehensively and systemically.

Secretary Merrill mentioned that while she was attending a national Secretaries of State meeting, she was exposed to several new technologies and other techniques that other states are employing. She expressed the need to look at the efficiency and cost effectiveness of our election system. Members of this group have been working in the field for many years and bring a variety of points of view. The question that should underpin the group's discussion is what should our election system look like in 5 or 10 years?

The Secretary tasked the group with reviewing current data, looking at new technologies and ideas, and evaluating them. Voter demographics need to be considered too, with an emphasis on those groups that are most disenfranchised, such as newer voters, younger voters and minority voters. The group should review and evaluate the current system—identifying weaknesses and strengths—and make recommendations for how to make the system stronger, improve electoral

outcomes, election participation and racial disparities, identify cost efficiencies and improve voter confidence.

Carole Young-Kleinfeld asked whether the task force's recommendations might extend to legislative activities and Secretary Merrill responded that the group could make recommendations.

Judith Beaudreau noted that these are big goals that may not be able to be accomplished in a short period of time. Secretary Merrill acknowledged that the group will probably need to prioritize.

Tony Esposito stated that we don't know why people don't vote. What doesn't motivate non-voters? He was also concerned about where the money for any improvements would come from and suggested a regional board of elections governing body. This would also help centralize training of people involved in elections. Secretary Merrill agreed with the need to identify why people do or don't participate in elections.

John Murphy stated that people don't vote because they are cynical and don't think their votes matter. He also cited barriers to access and feels that we should get people involved early—in high school and middle school. Young people don't vote so we need to get them involved early so they can see that it does make a difference.

Bilal Sekou asked if the goals of the task force could be provided in writing. He also identified two broad areas in which the group should focus: First on the electoral process itself, but also on the areas of access, opportunity and education.

Richard Bieder suggested that the list shouldn't be called goals because if you don't meet them then everybody gets upset with you. He suggested the term areas of interest. He also mentioned that the group may find helpful the report that the Bridgeport Mayor's Election Advisory Panel produced after the 2010 election. The report can be found online at <http://www.bridgeportct.gov/Documents/ElectionReview%20Panel%20Report.pdf>.

Secretary Merrill mentioned that today's event is being recorded so people can view it online later on. She is envisioning a technology fair in which vendors and people from other states who have tried some of these new things can present to the group. This would take place in August and she hopes that the group would have recommendations by early November.

Deputy Spallone explained that the public can access these meetings online through the Connecticut Network's archives. The office has also created a task force web page that contains materials from today's meeting and a link to the video of today's meeting, as well as information about the task force, a dedicated email address, and future meeting dates. The Election Performance Task Force web page can be found at <http://www.sots.ct.gov/sots/cwp/view.asp?a=3176&q=483618>. The front page of the Secretary of the State's website (<http://www.ct.gov/sots>) also provides a link to the task force page.

Secretary Merrill asked the group to consider what indicators would be for a good election system, as well as what data exists. She listed some data that her staff has located, including the percentage of eligible adults who are registered to vote; the percentage of registered voters who vote in presidential elections versus state and local elections; the participation rate among different age groups; and a breakdown of urban, suburban and rural localities. When it comes to participation rates among racial and ethnic groups, gathering information becomes more problematic. She asked the group where this information might be, as well as if there are other indicators the group should consider.

Peggy Reeves mentioned that the percentage of eligible adults statistic is not entirely accurate because it doesn't exclude noncitizens and incarcerated adults who are felons.

Kachina Walsh-Weaver said that a comparison to other states would indicate whether we are within the median.

Judith Beaudreau suggested the Election Center in Houston, Texas, as a good source. (<http://www.electioncenter.org/>)

Steven Carbo said that Demos uses the United States Elections Project, which is housed at George Mason University, for their voter eligible participation rate. They remove criminal convictions and noncitizens from their figures. (<http://elections.gmu.edu/>)

The United States Election Assistance Commission (<http://www.eac.gov/>) was also mentioned as another potential source for information.

Kim Hynes suggested we compare ourselves with states that have no excuse absentee ballots and Election Day registration.

Secretary Merrill inquired as to whether there are any studies on how much time voters wait in line at the polls. She acknowledged this may relate to the number of polling places in a municipality, but that these pieces of information may be indicators for whether elections are accessible for all. She suggested it might be worthwhile for the group to undertake collecting some of this information.

Bilal Sekou mentioned that there has been some research in this area, and also suggested exit polling as a useful source for demographic information.

Secretary Merrill returned to the idea of a survey to collect some new information, including whether people are required to show identification at different polling locations throughout Connecticut.

Steven Carbo expanded on the idea that voter experience differs throughout Connecticut because there is a difference between the standards as they exist on the books and how they are implemented at the local level. He posed the question of how familiar poll workers are or are not with what Connecticut's standards are. Inconsistent implementation of the voter identification statute is just one example.

Secretary Merrill also would like to explore how much is spent on local elections. Judith Beaudreau mentioned that she could provide this information.

Therese Pac reminded the group that this figure should include Town Clerk election-related spending, such as with absentee ballots. Secretary Merrill suggested that this information could be collected in a survey administered by the Secretary of the State. The survey could also capture whether it is true that municipalities are having difficulty getting poll workers.

Richard Bieder contributed that there doesn't appear to be any rating criteria for the nature of the work that is done by poll workers and that lack of training contributes to a voter's experience at the polls. His report found that there were too many workers at one location in Bridgeport in November 2010 and not enough at another location.

Urania Petit felt that poll workers should be nonpartisan.

Tony Esposito stated that politics is the big elephant in the room. Registrars and training of workers is a party thing. Additionally, he mentioned the inconsistency of the operation within particular towns between the elections and education systems. If the town won't close the schools on Election Day, then students can't be utilized as poll workers, and a limit is put on the space available at polling locations. Secretary Merrill commented that there is a group in Chicago that works on this issue.

Therese Pac mentioned that she has recruited high school students in the last few elections.

Carole Young-Kleinfeld asked how many towns have split shifts for poll workers. This would make it easier to recruit workers if they aren't expected to work 14 hours plus. She also mentioned the disparity in what towns pay poll workers per hour and whether towns hold debriefing sessions with poll workers. Secretary Merrill suggested that this information could be collected in a survey by her office.

Tony Esposito mentioned that all sorts of physical problems exist when establishing a polling place. Secretary Merrill asked whether we have the right number of polling places and whether they are in the right locations. She suggested the group might want to make recommendations around this issue.

Richard Bieder pointed out that polling places change for different elections in some towns. He suggested there is a benefit to keeping things centralized rather than creating regional governing bodies: The Secretary of the State is the principal executive branch official in charge of voting. A lot of the decisions about polling location setup in schools is up to local people; there is a need for centralization to oversee all this, rather than decentralization.

Kachina Walsh-Weaver said that it is critical that there be a definitive laying out of the election process, including the responsibilities of everyone involved and an outline of how they carry out those responsibilities. She stressed that inconsistency contributes to a person's feeling of

whether their vote counts. Secretary Merrill said that exploring standards across towns seems like an idea that people are interested in.

Richard Bieder is especially interested in disparities that exist between wealthy and poor communities and how they are able to fund elections. He then posed the question of whether towns should be expected to pay for elections.

At this point, Ted Bromley and Peggy Reeves gave a PowerPoint presentation that gave an overview of how elections are currently run in Connecticut. The presentation can be found at <http://www.ct.gov/sots/cwp/view.asp?a=3176&q=483700>, along with a presentation entitled, "A Sample of Connecticut Election Performance."

Peggy Reeves commented that the eighteen to twenty-four age range has some of the worst voter turnout. We don't see that increase until the age of 30 when they start to establish roots in a community. Secretary Merrill commented that perhaps young people are right and we should have statewide voter registration and electronic poll books so that people's votes are as mobile as they are. She urged the group to think broadly. Recommendations can be as broad or as narrow as the group wants. Ballots on demand are already possible and much cheaper. She also urged the group to think about how statutes can be updated to better keep up with change.

Brian Sear felt that as far as age group participation, it could come down to equity. As you become part of the system (owning property, children in the school system, etc.), you realize how elections impact you financially or personally. This is a link that escapes some young people.

Bilal Sekou mentioned that it is important to look at different municipalities not only based on size but also along wealth lines. Within cities, even information at the precinct level would provide a lot of insight. Some of the information on wealth can serve as a sort of proxy for the lack of available data on race.

Mr. Sekou went on to say that we really need to think both about process and the broader objective of expanding access and participation in the system. This will get us thinking in terms of election day registration, etc., in addition to just the mechanics of elections. He stressed that the youth component is a really critical issue and suggested the group consider a focus group with young people to get a sense of what is on their minds.

Secretary Merrill asked what the points are in the system itself that are influencing participation? How can we change them and what are the barriers?

Steven Carbo felt it would be helpful to think not only of immediacy but also in a longer time frame. States are moving to systems of automatic registration. When a voter updates the Department of Motor Vehicles with their new address, the voter registration system could be updated as well. In the shorter term, he felt it clear that same day registration helps increase turnout, and that people with higher mobility benefit from this policy as well. He also mentioned that the National Voter Registration Act permits state agencies to grant federal agencies permission to register voters.

Judith Beaudreau mentioned that about seven states have online voter registration.

Urania Petit felt that registration is not the biggest problem—it's participation. If we don't teach people how to vote, they won't vote. Especially in cities like Hartford with high immigrant populations, first time voters can be intimidated by the process. Secretary Merrill pointed out that statutes do not require this sort of voter education.

Kim Hynes commented that Common Cause does work on the ground encouraging underrepresented populations to vote. Anecdotally, a lot of these people report bad experiences at their polling locations. She suggested sensitivity training for poll workers so they know they are there to help these people.

Judith Beaudreau stated that registrars are available to teach anytime and do go into the high schools as well.

Tony Esposito recalled that there used to be a poll worker position called demonstrator when lever machines were used. This is no longer a required position, so some locations have one and some do not. He also brought up the issue of election audits and whether they really perform the function that they are supposed to. Secretary Merrill pointed out that new technologies could address concerns with audit issues.

Kachina Walsh-Weaver stressed the need for accountability.

Richard Bieder made a primary recommendation that there be a new independent review of the process or that standards for a review be established so that the review would be standardized.

Carole Young-Kleinfeld stressed that election day registration is one measure that would increase voter participation. It is heartbreaking when there is a voter who thought they were registered and that person has to be turned away. This especially disenfranchises our young voters when they fill out registration cards at a voter registration fair and then they show up to find out the card was never turned in. Secretary Merrill said we will definitely look at Election Day registration and at new technologies that can help make this happen. She specifically mentioned on-demand ballots and statewide voter registration.

Brian Sear stated that in Canterbury, the voting process has been very smooth. He pointed out that if things didn't work in some towns, it doesn't mean that everything is broken. He also felt that you cannot have too much involvement from the local level because those are the people who see and know what is going on.

Ted Bromley raised the concern that the group account for small, medium and large towns in any of its recommendations. Often, a solution cannot be a one-size-fits-all because of the disparity between towns when it comes to number of voters, resources, etc. Secretary Merrill pointed out that Tony Esposito's idea of a regional voting system would help to take some of the pressure and expenses off of towns.

Bilal Sekou again stressed the need to look at things from a wealthy town/poor town perspective as well as size. He pointed out that early voting has been successful in some states. In places like Florida and North Carolina, the majority of African American voters used the early voting system. This is a good way to boost participation among minorities. Secretary Merrill agreed that early voting is another option that has been discussed often. She pointed out constitutional restrictions that would need to be addressed in our state to enact early voting. Some groups have looked at doing something differently with the absentee ballot process as well. Either would be a longer, more involved process but something we should be looking at.

Therese Pac pointed out the distinction between early voting and absentee ballots. She felt that absentee ballots open up the potential for voter fraud.

Secretary Merrill suggested we use the term mail-in voting rather than absentee. She said there will also be an increased interest in online voting as well. This past session, Senate Bill 939 passed that requires a study of online voting so that will happen.

Richard Bieder pointed out that while some may question the security issues raised with online voting, one of the highest security areas in our lives is who gets onto our airplanes. Now, people can have all the necessary paperwork delivered onto their iPads and use a digital image of a boarding pass to board a plane. We ought to be able to access technology that is secure enough for voting as well.

Bilal Sekou referred to fraud as an 800 pound gorilla that exists when discussing changes to the voting system. He asked whether evidence exists that supports the idea that fraud is rampant in our system or that our system has the potential for rampant fraud. He thinks that we may find that fraud is not as big a problem as some people lead us to believe. Secretary Merrill asked Professor Sekou if he would see if there are studies on how much voter fraud there is with absentee ballots and voter identification at the polls.

Steven Carbo said that a wealth of information exists. Once someone looks at the evidence, he said, they will see that the current conversations on fraud are not empirically based. He warned that any tightening of the system to catch a few should be balanced with consideration of how many other people end up becoming disenfranchised. Secretary Merrill agreed that the question is the balance.

Kachina Walsh-Weaver urged the group to think about voter confidence. There is always a way for anyone to find their way around the system if they try hard enough, but if the average voter thinks there is a potential for fraud or thinks that an election is being bought, that perception hampers the process.

Deputy Secretary Spallone summed up a couple of legal and constitutional issues regarding early voting, absentee ballot reform and Election Day registration. The state constitution does not need to be amended to pass Election Day registration. However, in terms of absentee ballot reform or no-excuse mail-in ballots, the constitution would need to be amended. It is unusual for a state constitution to contain language addressing this so specifically because constitutional language is generally broad. The Secretary of the State's office supported an amendment that

would have moved this process out of the constitution and into the statutes. This would also include early voting. He was encouraged by the reactions of a lot of legislators on this issue.

Deputy Secretary Spallone also commented that we are having a conversation today about making voting easier and more modern as some other states are rolling back some of these changes. The group should be proud of its effort to try to make voting as convenient and modern as possible.

A task force email address has also been established, electionperformancetaskforce@ct.gov. The public is encouraged to use this email address to submit feedback and ideas.

Clerking the committee is Tina Prakash. Task force members should feel free to email her directly at tina.prakash@ct.gov with any other thoughts.

The next meeting will take place at 10:00 a.m. on Wednesday, August 31 in room 1E of the Legislative Office Building.

The meeting was adjourned at 12:08 p.m.