

Government Administration and Elections Committee

JOINT FAVORABLE REPORT

Bill No.: SB-820

Title: AN ACT CONCERNING A STATE VOTING RIGHTS ACT.

Vote Date: 4/5/2021

Vote Action: Joint Favorable

PH Date: 3/26/2021

File No.:

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

SPONSORS OF BILL:

The Government Administration and Elections Committee

REASONS FOR BILL:

This bill seeks to protect the electoral rights of certain protected classes of individuals. In doing so, this bill would provide individuals with mechanisms to challenge election administration laws, practices and procedures that might impair equal and equitable access to voting. This bill includes preclearance requirements, an expanded list of novel remedies, and provisions designated to ease the process for any subsequent litigation involving electoral disenfranchisement. Many of the bill's goals are accomplished by addressing electoral administration policies at the local level.

RESPONSE FROM ADMINISTRATION/AGENCY:

William Tong, State of Connecticut Attorney General: Attorney General Tong expressed his support for ambitious nature of the bill to protect voting rights. Citing the bill's focus on voting patterns at the municipal level, Attorney General Tong contends that the electoral protection proposed in this bill would guard against disenfranchisement of protected class voters. Additionally, Attorney General Tong cites the provisions in the bill which would allow his office to have oversight in regard to redistricting plans, election methods, municipal organization, polling place logistics and the removal of persons from voter registry lists. Attorney General Tong acknowledged the fact that the Secretary of the State is Connecticut's chief elections official. He expressed his belief that the types of responsibilities that this bill delegates to the Attorney General are better left to election experts, such as the Secretary of the State.

Denise W. Merrill, Secretary of the State of Connecticut: Secretary Merrill's testimony was supportive of this bill. Secretary Merrill made note of efforts across the country to weaken the

1965 Voting Rights Act by making it harder for racial and ethnic minorities to participate in the political process and cast their ballot. Secretary Merrill identified this bill as an ideal opportunity for Connecticut to identify and eliminate inequalities in Connecticut's voting laws.

NATURE AND SOURCES OF SUPPORT:

Tanya Rhodes Smith, Director, Nancy A. Humphreys Institute for Political Social Work, University of Connecticut: Ms. Rhodes Smith emphasized the progress made by the 1965 Voting Rights Act and the need to replicate it at the state level due to concerted efforts to weaken the federal act. In support of the bill, Ms. Rhodes Smith cited statistics from the Brennan Center, including the fact that 253 state-level bills have been proposed to restrict voting rights despite a lack of evidence of fraud. In addition, she made note of several Election Day crises that have occurred in Connecticut, including the late arrival of ballots in Hartford in 2015, extremely long lines in New Haven for Election Day Registration in 2018, and an instance in 2010 when some precincts in Bridgeport ran out of ballots.

Ella Campopiano, Member, ConnPIRG: ConnPIRG expressed their belief that the federal courts have taken actions that have weakened the federal Voting Rights Act of 1965. To rectify the weakening of the federal act, ConnPIRG believes that Connecticut needs to adopt a state-level Voting Rights Act. ConnPIRG cited the Center for Public Integrity, which found that Connecticut voters face some of the most obstacles outside of southern states. Obstacles include long lines, criminal disenfranchisement, the lack of Automatic Voter Registration, and strict absentee voting statutes.

NAACP Legal Defense and Educational Fund (LDF): NAACP LDF applauded Connecticut's efforts to establish the Connecticut Voting Rights Act. LDF's testimony emphasized the current limitations imposed by the federal Voting Rights Act, and the ways in which the Connecticut Voting Rights Act addresses these shortcomings and protects voters of color. In particular, LDF references Section 2 of the federal Voting Rights act, which provides voters with a private right of action against improper voting practices but doing so imposes a heavy burden on the plaintiff in terms of time and cost. LDF believes that Connecticut's Voting Rights provides voters of color with a more affordable, less time-intensive and more efficient framework for litigating any improper voting practices. Additionally, LDF cites the preclearance program established by the Connecticut Voting Rights Act as an appropriate provision for voter protection. The preclearance program would require municipalities with a history of racial discrimination and civil rights abuses to obtain approval from the Attorney General if they wish to make any changes to their election rules and practices.

Kelly McConney Moore, Interim Senior Policy Counsel, American Civil Liberties Union of Connecticut (ACLU-CT): ACLU-CT strongly supports measures that provide voters of color with increased access to voting. In the written testimony submitted to the committee, the ACLU-CT contends that Connecticut's current election practices have a disproportionate impact on voters of color. With the Connecticut Voting Rights Act (CVRA), mechanisms would be established to help eliminate the structural electoral processes that prevent protected classes of people from voting. Additionally, the CVRA would eliminate longstanding practices that have the effect of diluting the votes of people of color. In passing the

Connecticut Voting Rights Act, Connecticut can address its failures in terms of the state's regressive voting rights record.

Callie Heillman, Co-Director, Bridgeport Generation Now Votes: In her testimony, Ms. Heillman cited efforts from 2019 to sue Bridgeport campaign and government officials for voter intimidation and manipulation. The court gave Bridgeport Generation Now Votes very narrow standing, but not enough to obtain appropriate relief. Ms. Heillman believes that a Connecticut Voting Rights Act would make it easier for voters to bring a lawsuit and obtain standing in case involving improper election practices.

Hartford Foundation for Public Giving: In the testimony submitted to the committee, the Hartford Foundation for Public Giving cited the fact that the Connecticut Voting Rights Act is being modeled after similar acts already passed in California, Washington and Oregon. By passing a Connecticut Voting Rights Act, voters would be able to pursue private legal action against voter suppression in a much more efficacious manner.

Aaron Goode: Mr. Goode's testimony highlighted Section 2 of the bill, which would allow for remedies to be identified and implemented in the event that local policies have the intended or unintended impact of suppressing voters. Mr. Goode suggested that the bill incorporate language that allows for instant runoff voting, ranked choice voting and proportional representation.

Campaign Legal Center (CLS): CLS strongly supports the bill, as it would allow for integrated and segregated communities of color to influence elections and elect their candidates of choice. Additionally, CLS made clear that the Connecticut Voting Rights Act reduces lengthy litigation by allowing for a jurisdiction to proactively remedy any alleged violation. The bill would also allow for communities of color to seek out a more expansive list of novel remedies to help enfranchise their communities. CLS expressed strong support for the preclearance requirements listed in the bill, as well as the expansion of election materials to accommodate languages other than English.

Black and Brown United in Action: In their testimony, Black and Brown United in Action emphasized the current oppressive voting practices in the Connecticut. For example, Black and Brown voters encounter issues such as limited English access, long poll lines, harassment while waiting to vote, lack of parking and accessibility to the voting booth and even coordinating their work hours the hours of their polling precinct. A Connecticut Voting Rights Act would provide the necessary tools and mechanism to effectively abolish racial discrimination in voting.

The following individuals submitted testimony in support of SB-820. They cited reasons similar to those stated in the aforementioned testimonies:

Carl Chisem, President Connecticut Employees Union Independent, SEIU Local 511
Yvonne Senturia, League of Women Voters
Teikisha Dwan Everette
Dori Dumas
Ann Gadwah, Advocacy and Outreach Organizer, Sierra Club of Connecticut
Lauren Garrett

Maggie Goodwin
Cheri Quickmire, Executive Director, Common Cause in Connecticut.

NATURE AND SOURCES OF OPPOSITION:

None expressed.

Reported by: Trevor Hoffman

Date: 4/5/2021