



State of Connecticut

CONNECTICUT GENERAL ASSEMBLY
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

Sen. Martin Looney, Senate President Pro Tempore
Sen. Bob Duff, Senate Majority Leader
Rep. Joe Aresimowicz, Speaker of the House of Representatives
Rep. Matthew Ritter, House Majority Leader
Sen. Len Fasano, Senate Minority Leader
Rep. Themis Klarides, House Minority Leader

May 6, 2020

Dear Leaders:

As we all work under your leadership to ensure the safety and well-being of the citizens of Connecticut during the COVID-19 pandemic, we cannot overlook the importance of safeguarding the electorate's essential right to vote. All of our work – at every level of state government – depends upon a free and unfettered voting process for all registered voters, regardless of political party, economic stratum, voting district or health status.

The right to vote is one of the most sacred of American rights, enshrined in both our federal and state Constitutions. Given the uncertainty of the pandemic's trajectory, we have grave concerns that, without expanded absentee ballot access, many Connecticut residents will not be able to vote safely, confidently, and legally in either our primaries or the November general election.

Fortunately, legislative solutions exist. In relevant part, Article Sixth, Section Seven of the Connecticut Constitution empowers the General Assembly to "provide by law for voting . . . by qualified voters of the state who are unable to appear at the polling place on the day of election . . . because of sickness." The current statutory version of this reason for absentee ballot eligibility, however, is significantly more restrictive: it allows an elector to vote absentee only if unable to appear because of "*his or her* illness."¹ We suggest a change in the statute that would allow a voter to obtain an absentee ballot due to illness, including reasonable fear of contracting or spreading illness.

By expanding the relevant statutory eligibility to the limits contemplated by our Constitution, we can ensure that Connecticut voters, many of whom will reasonably fear sickness with COVID-19, may exercise the franchise during a pandemic without having to choose between their health – or the health of those they love – and their vote. The disenfranchisement of those who chose health would be unacceptable. In the words of our Supreme Court, where there is disenfranchisement, "a grievous wrong is done to the citizen," and "[w]hen it is done to any great extent, the system is put in serious jeopardy of being so used as to defeat its real ends."²

We therefore respectfully urge you to put a vote on a bill expanding absentee ballot access on the House and Senate agenda for later this summer (or as soon as it is safe to convene). Since we already have a statutory obligation to vote on a "Deficiency Bill," it is our strong recommendation that all members of the General Assembly also be called, during the same session, to vote on a change to Conn. Gen. Stat. § 9-135 that aligns the statute with the Constitution on this matter.

¹ Conn. Gen. Stat. § 9-135(3) (emphasis added).

² *Flanagan v. Hynes*, 54 A. 737, 738 (Conn. 1903).

We request that this vote be taken on the floors of both Chambers in a transparent and expeditious way. We are hearing loud and clear the express wishes of our constituents on this matter: that the sanctity of the right to vote, and our democracy, must be protected. We agree, and believe our obligation is to do all we can to comply.

Respectfully,



Rep. Christine Palm (36th)



Rep. Matthew Blumenthal (147th)