

Dear Honorable Member of the General Assembly,

I am writing in support of the Draft, An Act Concerning Absentee Voting at the 2020 State Election and Election Day Registration, Section 1, specifically Section 9-135 lines 19-23.

I am a long time resident of Coventry and a member of Temple Bnai Israel. At the temple, I am a on a committee called Tikkun Olam where we have been working with other organizations (Windham NAACP, Windham Interfaith Community Group, Federation of Eastern CT and The League of Women Voters) to allow absentee voting for the November election.

In addition, I have been in contact my State Senator and with William V. Dunlap, professor of constitutional law at Quinnipiac University School of Law. In an email to me, Professor Dunlap wrote:

Senator Champagne's response to your letter about absentee ballots is demonstrably wrong. He says that the Legislature does not have the authority to authorize mail-in balloting, but the Constitution explicitly grants the Legislature that power.

Article Sixth, section 7, declares, "The general assembly may 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 absence from the city or town of which they are inhabitants or because of sickness, or physical disability or because the tenets of their religion forbid secular activity."

The Legislature has already exercised the power that the senator says it does not have. Section 9-135 of the General Statutes authorizes absentee voting but limits it to those who are on active service in the armed forces, out of town, serving at another polling place, or unable to appear on account of religious reasons, physical disability, or "his or her illness." That "his or her" appears to exclude those who are not yet ill but who fear being infected by others who may be working or voting at the polling place. If the Legislature included those words, "his or her," in an earlier version of the law, it certainly has the power to remove them now, thus arguably authorizing the issuance of ballots to those who fear becoming ill at the polls. It could easily go much further and explicitly authorize absentee ballots for every voter for the duration of the pandemic. It could even do what many states have done and allow every voter, for any reason at all, to have a mail-in ballot in all future elections. Arguably that is better left to a regular legislative session with more time for consideration and debate.

We are speaking of your constituents and their well being! Please pass this most relevant Act.

Respectfully submitted,

Carol F. Polsky