



State of Connecticut

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Denise Merrill
Secretary of the State
165 Capitol Avenue
Hartford, CT 06106

Dear Madam Secretary:

It has come to my attention that there are alarming and serious problems regarding delays, compliance with state statute, and election protocols involving the third-party mail house your office hired to mail absentee ballot sets for the August 11, 2020 primary election.

I have heard from town clerks raising disturbing and unsettling concerns about the disenfranchisement of voters. Ballots have been delayed not once, but twice, violating state statute. There are also significant concerns about how the mail house is labeling envelopes and using – or not using – certain required identification numbers that are necessary for ballots to be processed.

As a result of these issues, the Connecticut Town Clerks Association has raised concerns about voter disenfranchisement. The Town Clerks Association is also advising all towns to begin processing all applications in house beginning today to prevent the Secretary of the State's office from processing requests through your new third-party system, in favor of protecting the voting process. As the President of the CTCA wrote in an email to members, "The workload will be greater, but it is the only way we can be certain that voters are not disenfranchised."

The issues that I have specifically heard about over the last 24 hours include:

- A significant delay in mailing of absentee ballots. State law required the mail house to send ballots out by July 21, 2020. Only after they failed to meet this deadline was notice sent to town clerks that the mailings were sent July 27, 2020. And only after people continued raising questions did your office indicate that only some ballots were mailed July 27, 2020, and the remainder will be sent in the coming days.
- Some town clerks do not have any list of who was mailed a ballot, therefore if someone calls town hall asking for an absentee ballot because they have not received one in the mail yet and they will be leaving home for a period of time, towns do not even have the information to confirm if their ballot was sent yet and cannot provide a ballot.
- Confusing and conflicting instructions regarding the opening of outer absentee ballot envelopes issued by the mail house.
- The envelope labeling system from the third-party mail house is not in compliance with state statute.
- There is missing information from the inner envelopes including completely dropping the serial number from the inner envelope. I've been told inner envelopes only contain the voter ID and barcode is present. There is information missing which is needed for processing the return.

- An issue was discovered with scanning the returned absentee ballots back into CVRS. The barcode on the mail house envelope is set-up to read the serial number assigned to the envelope. However, CVRS is programmed to scan the voter ID number. When the barcode is scanned on the mail house envelope an error message will appear on the screen.
- The only address on the inner envelope is the mailing address, therefore if you mailed the AB to an address within your city or town, it is safe to presume that is the voter's voting (residential) address; however, if the ballot was mailed to summer home, college student, etc., you are unable to ascertain from the envelope the voter's residential address.
- The only instructions the voter will receive are printed on the inner envelope. And, the instructions refer to an outer "serial number" envelope that does not exist. (No separate sheet of instructions.)
- There is no box for the designee to sign when delivering the ballot in person to the Town Clerk's office.
- The mailing of ballots from the mail house included military voters whose ballots have already been previously sent to her or her earlier either by email or mail.

Given these alleged issues that have been shared with me by town clerks, I have the following questions that demand your immediate attention:

- 1) When did your third-party mail house send out absentee ballots? To which towns were ballots sent? Which towns did not have their ballots sent out? When will each and every town have their ballots sent?
- 2) Has the third-party mail house complied with all relevant CT election laws, including Section 9-140 of the General Statutes?
- 3) Have you instructed any election official not to comply with any CT law relating to elections as a result of the mail house issues?
- 4) When did you become aware of each of the issues raised by town clerks and who did you share this information with?
- 5) Have you reported these issues to the Governor's office?
- 6) Have you reported these issues to the Attorney General?
- 7) Have you reported these issues to the Chairs and Ranking Members of the Government Administration and Elections Committee?
- 8) Have you reported these issues to any legislative leaders? I have had no communication from you on any of these matters.
- 9) What are you doing to address the issues raised by town clerks?

I am alarmed not only by the alleged issues, in particular the breach of statutory duty, but also by your lack of communication on what has been going on. Earlier this week lawmakers voted to approve a bill that would expand absentee balloting in the November General Election. That vote was based on assurances from you and your office that the absentee ballot process was running smoothly for the August primary election. You never once indicated to me that there were issues in the system being reported. Withholding vital information from lawmakers before a vote expanding an absentee voting process is unacceptable.

Sincerely,



Len Fasano
Senate Republican Leader