



General Government A Subcommittee
Appropriations Committee
Connecticut General Assembly

February 14, 2025

**Testimony of Campaign Legal Center in Support of Funding the
Connecticut Voting Rights Act and Statewide Elections Database**

Campaign Legal Center (“CLC”) writes to strongly oppose the governor’s budget proposal and implore the General Assembly to continue funding for the Connecticut Voting Rights Act (“CTVRA”), codified at Conn. Gen. Stat. §§ 9-368i et seq., because it will allow the continued enforcement of voting rights in the state and will enable the statewide election database to continue to serve as a national model of transparency and accountability.

CLC is a nonpartisan, nonprofit organization dedicated to advancing democracy through law. Through its extensive work on redistricting and voting rights, CLC seeks to ensure that every American is fairly represented at the federal, state, and local levels. CLC supported the enactment of state voting rights acts in Washington, Oregon, Virginia, Minnesota, and New York, and brought the first-ever litigation under the Washington Voting Rights Act in Yakima County, Washington.

CLC strongly supports fully funding the CTVRA, which has reduced the cost of enforcing voting rights laws and enabled historically disenfranchised communities to enforce their own rights. The federal VRA is one of the most transformative pieces of civil rights legislation ever passed, but litigation under Section 2 places a heavy evidentiary and cost burden on plaintiffs.¹ The CTVRA has applied more efficient processes and procedures to voting rights litigation by clarifying key legal standards and empowered localities and state courts to consider pre-suit and other remedies that better serve historically disenfranchised communities, in addition to providing a default pro-voter rule when interpretation issues arise. The statewide database of publicly accessible election and demographic data created pursuant to the CTVRA fosters transparency, accountability, and evidence-based practices.

¹ Christopher S. Elmendorf & Douglas M. Spencer, Administering Section 2 of the VRA After Shelby County, 115 COLUMBIA L. REV. 2143, 2157 (2015).

I. Protecting voting rights under the CTVRA preclearance provisions is efficient and cost effective.

The CTVRA makes enforcing the rights of voters more efficient and cost-effective through its preclearance provisions. The preclearance provisions in the CTVRA are an innovative, localized solution to address voting policies which deprive voters of the equal opportunity to participate in the electoral process, as they prevent these policies from being implemented in the first place. At the federal level, preclearance under the federal Voting Rights Act prevented hundreds of thousands of discriminatory voting practices from going into effect. This, in turn, prevented costly litigation and the wrongful denial of eligible voters to participate in the political process. Under the CTVRA, preclearance will continue to provide a similarly cost-effective method of rooting out practices which deny voters the equal opportunity to participate in the political process.

Litigating cases to remedy discriminatory election practices can be costly. Such cases typically entail expensive expert testimony, extensive discovery periods, and long trials. When local governments decide to defend their discriminatory voting practices and ultimately lose in court, taxpayers are left to foot the bill for potentially millions of dollars in attorneys' fees and costs, particularly in cases brought under the federal Voting Rights Act ("VRA").² For example, in *Bridgeport Coal. for Fair Representation v. City of Bridgeport*, voters had to spend time and money litigating a vote dilution claim, despite evidence making it clear that voters were denied the equal opportunity to elect their candidate of choice.³ If statewide preclearance had existed at the time, the Secretary of State may very well have prevented this election system from taking effect in the first place, thus avoiding litigation altogether.⁴ Moreover, this one lawsuit cost Connecticut taxpayers more than six figures.⁵ Thus, the budget item enabling the Secretary of State to enforce preclearance more than pays for itself in preventing litigation.

II. The CTVRA establishes a publicly accessible database that fosters transparency, accountability, and effectiveness.

The statewide database of election and voting rights information was created pursuant to the CTVRA and is housed in the Secretary of State's office. § 9-368k(a). It makes available election and demographic data, § 9-368k(c), to enable legislators,

² See, e.g., *NAACP, Spring Valley Branch v. East Ramapo Central School District*, No. 17- cv- 8934, ECF No. 710 (S.D.N.Y. 2021) (awarding a total of \$5,446,139.99 in fees and costs to prevailing plaintiffs for vote dilution case under federal Voting Rights Act); *Montes v. City of Yakima*, No. 12-CV-3108-TOR, ECF 186 (E.D. Wa. June 19, 2015) (awarding a total of \$1,521,911.50 in fees and \$320,461.26 in costs to prevailing plaintiffs for vote dilution case under federal Voting Rights Act); *Yumori Kaku v. City of Santa Clara*, No.17CV319862 (Ca. Sup. Ct. Jan. 22, 2019).

³ *Bridgeport Coal. for Fair Representation v. City of Bridgeport*, No. CIV. 3:93CV1476(PCD), 1993 WL 742750 (D. Conn. Oct. 27, 1993).

⁴ See Conn. Gen. Stat. Ann. § 9-368m(a)(8) (listing districting as an election practice subject to preclearance).

⁵ NAACP Legal Defense Fund, White Paper: Connecticut Voting Rights Act at 5 (March 25, 2021), <https://naacpldf.org/wp-content/uploads/2021.03.25-CTVRA-White-Paper.pdf>.

election administrators, voters, and the public to identify practices that undermine the right to vote, develop ways to improve systems of elections, and ensure those solutions are implemented effectively. Moreover, the database enables the Secretary of State to analyze voting practices under the preclearance provisions.⁶ Without the database, it is difficult to access basic information required to enforce the provisions of the CTVRA, and difficult to assess whether the state's election system is working equitably and fairly. Transparency, accountability, and access are cornerstones of effective voting rights administration, and the database is therefore essential to the CTVRA's success in practice.

* * *

We strongly urge you to continue to fund the CTVRA, which has and will continue to provide efficient and cost-effective protection of voting rights for all voters in Connecticut. Thank you.

Respectfully submitted,

/s/ Kristen Roehrig

Kristen Roehrig, Legal Fellow
Valencia Richardson, Legal Counsel
Campaign Legal Center
1101 14th St. NW, Suite 400
Washington, DC 20005

⁶ See Conn. Gen. Stat. Ann. § 9-368k(a).