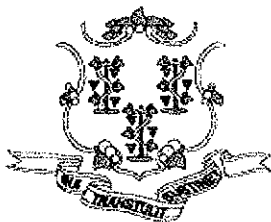


RICHARD BLUMENTHAL  
ATTORNEY GENERAL



SUSAN BYSIEWICZ  
SECRETARY OF THE STATE

## State of Connecticut

August 1, 2008

Mr. Roger Johnson  
Director  
Department of Veterans Affairs  
V.A. Connecticut Healthcare System  
950 Campbell Avenue  
West Haven, CT 06516

Dear Mr. Johnson:

Thank you for your letter of July 29, 2008, in which you explain your efforts to alleviate the important concerns that we have repeatedly expressed concerning veterans' voter outreach efforts at the federal veterans facilities in West Haven and Newington.

Although we are encouraged by the measures you have undertaken and plan to undertake in the future to assist veterans in registering to vote, we remain concerned that your plan fails to address three major issues -- the upcoming primaries on August 12, the use of absentee ballots and education for voters on new voting machine technology. We once again underscore our willingness to meet with you to discuss these and other remaining issues.

First, although you discuss steps to assist veterans in voting in the general election to be held in November, we are concerned that you have not addressed veterans' voting needs in connection with the primaries scheduled to be held in 48 municipalities on August 12—less than two weeks away. We are deeply concerned that veterans at VA facilities will not be adequately prepared to participate in these important primaries. There are a number of statutory time frames for registering to vote before the primary and for applying for and returning absentee ballots to the towns. Under Connecticut law, persons wishing to vote in the primary must register to vote by having their application postmarked or delivered to their registrar of voters by **August 7, 2008**. Conn. Gen. Stat. Sec. 9-23g(d)(2). Absentee ballots may only be provided to registered voters, and must be applied for **and** returned by the voter to the local election official in accordance with Conn. Gen. Stat. Sec. 9-140b.

Given these mandatory and extremely short time constraints, we believe that the Secretary and her staff must be allowed to visit the facilities to meet with veterans early next week to ensure that all who wish to be are registered and able to vote in the less than two weeks remaining before the primary. In view of the fact that you have agreed

to allow the Secretary to participate in voter registration efforts for inpatients and residents within your facilities prior to the November election, we assume you will similarly permit the Secretary to do so early next week for the primary.

Second, you state that you intend to canvas every inpatient and resident **on Election Day** to offer assistance with absentee ballots as needed. While there is a limited statutory process for certain patients in certain facilities to obtain emergency absentee ballots and vote on Election Day, this process involves several important steps and mandatory requirements. It is unclear whether you plan to assist eligible patients take advantage of this process on Election Day or whether your facilities would be covered under these statutes. If you do plan to invoke these statutes, and they do apply, you should have the Secretary conduct training on this emergency absentee procedure.

Absentee ballots are commonly obtained in accordance with section 9-140b of the Connecticut General Statutes, which requires that absentee ballots must be obtained, completed and mailed or returned in person by the applicant to the clerk of the municipality **prior to** the election or primary: it must be returned in person by the day before the voting, or mailed in time for it to be received by the clerk no later than the close of the polls on election day. Thus, under usual circumstances, providing veterans with absentee ballots or assistance with these ballots on Election Day would be futile.

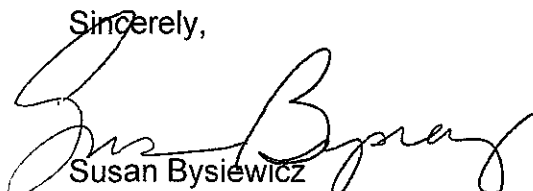
To avoid the unintentional disenfranchisement of numerous veteran voters, the Secretary agrees with your suggestion that she and her staff will provide training to all your volunteers and staff who will be in any way involved in election-related activities to ensure that accurate and up-to-date information is disseminated, and will assist in your voter registration and education efforts. The Secretary will send appropriate posters and educational materials to assist in these efforts. Deputy Secretary of State Lesley Mara has contacted Sharon Croteau of your staff and will work with her to identify mutually-convenient dates for such training activity.

Third, based on the Secretary's experience in recent elections, we believe that it is critical for her to provide veterans with a demonstration of the new voting technology—both the paper ballots used with scanners and the new telephone key pad voting available at the polls for voters who are unable or uncomfortable with filling out the paper ballots-- prior to the day of the election. While there are volunteers available at polling places to assist voters in using voting machines, given the historic number of voters we anticipate will vote in the presidential election on November 4, it is critical that we ensure that voters are familiar with the new voting technology and feel comfortable using the alternative methods before they arrive at the polls to vote. We urge you to permit the Secretary and her staff to bring both types of voting machines to the facilities next week before the primaries and again in October before the general election.

Finally, given our mutual goal of ensuring that our state's veterans are provided a full opportunity to vote, we welcome the opportunity to meet with you personally at the earliest opportunity to resolve any differences that may remain.

Thank you once again for your letter. Please contact the Secretary at (860) 509-6268 to arrange for her and her staff to visit your facilities early next week to ensure that veterans are prepared to vote in the August 12<sup>th</sup> primary. We look forward to working cooperatively with you in this important effort.

Sincerely,



Susan Bysiewicz  
Secretary of the State



Richard Blumenthal  
Attorney General