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Testimony to the Commission to Study the Conduct of Elections in Maine
Farmington, Maine
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Thank you for the opportunity to speak tonight. I am Alison Smith of Portland. I attended two of the three earlier hearings, and I am happy to come once again and witness Maine's active and engaged citizenry.

I joined the League of Women Voters about 25 years ago, and through this nonpartisan organization I have come to be involved in a number of core democracy issues such as voting and campaign finance reform. I have served on League boards in Connecticut and Maine, and I served on the League's national board as well.

Since 1995, I have spent a great deal of time working both as a volunteer and professionally to pass, implement, defend, and strengthen the Maine Clean Election Act and related campaign finance reforms. Because Maine was the first state to pass a comprehensive public financing system for state candidates, I have had the opportunity to speak with people all over the country about our law and about election and campaign finance systems in general.

This work has given me the chance to view Maine's unique political culture through several different lenses, and I want to share a few relevant observations with you.

First, as many have pointed out at prior hearings, Maine has a high voter turnout rate compared with the rest of the country. This fact has historically been the source of great pride among both the citizens and the elected leaders in our state.

Second, Maine is known throughout the country as having a well-informed electorate. Again, when compared to other places, Maine people generally have a good understanding of their choices on Election Day. I was a bit skeptical when I first heard this, but I have been told the same thing by academics, national pollsters, and many others over the years, and I believe it to be true.

Third, community engagement is at the heart of political engagement. Research conducted by the League of Women Voters of the United States in the mid 1990's concluded that the difference between voters and non-voters was community involvement. People who participate in community groups and endeavors are more likely to think that voting is important, and more likely to vote. During my term on the League's national board, we undertook further research to probe more deeply the connection between community and political engagement. The idea was to try and identify barriers to community involvement in order to develop new ways to encourage

people to get involved, to strengthen their communities, and ultimately to participate in their own self-governance.

Maine people are ahead of the curve when it comes to community involvement. The collection cans that appear next to cash registers when a neighbor gets sick, the bean suppers that raise money for heating assistance – so many clubs and groups of good-hearted people make our communities what they are. And Maine people step up to fill hundreds of unpaid and underpaid positions in municipalities every year, serving on boards of selectmen and town councils, school committees and library boards, volunteer fire departments and so much more.

So, it makes perfect sense that Maine people think voting is important, and that we vote. We have a stake in our communities, so we have a stake in our democracy, too.

Attending two earlier hearings of this commission reinforced everything I believe to be true about Maine people.

We care about our communities. We stand up for what we believe. We know what we're talking about. We value our voices, and we value our neighbors' voices, too. We want to stand up and be counted. We show up and we vote because we care. We will stand up to protect our vote, and we'll stand up for everyone else's right to vote, too.

Democracy is not a spectator sport – that is a much-copied slogan that the League printed on bumper stickers and a lot of other things years ago, and it is as true today as it ever was. Participation is the heart of our democratic system. It simply won't work without it. Maine people get it.

At these hearings, I hope that you have seen what I have seen, and that is that Maine people are dubious about the assumptions that spurred the formation of this commission. Remember, we vote. So, we are familiar with what goes on at our polling places. The specter of fraud raised over and over during the 125th Maine Legislature just does not fit with our collective experience. We empathize with the wardens and clerks who make our elections happen, and we appreciate their commitment to facilitating open and fair elections. They are doing what so many others in our towns and cities do: stepping up and performing a vital function that is central to our civic life.

It is telling that despite some skepticism about why Maine needs this commission, people have willingly come out to participate and to be heard. That's because the right to vote is so fundamental and so precious that it must always be vigorously protected. We all have a stake.

I have added the following remarks after reflecting on the hearing in Farmington.

It was chilling to hear the testimony tonight from the student who was investigated for voter fraud for no reason and the very understandable reaction of his parents to the letter they received from Maine's Secretary of State. The action taken by the Secretary of State to single out students for investigation despite having no evidence that anything was amiss is deeply troubling. It's not enough that all of the students were exonerated in the

investigation. And it's not enough to acknowledge that the United States Supreme Court has ruled that students may register and vote where they go to school as Commissioner Willey did at tonight's hearing. The repeated questions about driver's licenses, car registration and other laws totally unrelated to voting continue to confuse what is a very simple fact: Students who are eligible to vote here have the right to vote here, just like everybody else.

I was also somewhat troubled to hear another student rationalize his own participation in voting by making the case that he is prepared and knowledgeable. That's terrific, of course, but no eligible voter needs to prove that they have any special qualification to vote. It's enough to be at least 18 years of age, be an American citizen, and live in the town where you register. That is all that matters. Where you grew up, where you got your drivers license, where your family lives, where the car you drive is registered, whether you are well informed or not, whether you are new to town or a lifelong resident – none of these things interfere with the right to vote. If you are eligible, you have the right to vote.

While these hearings have reinforced Maine people's strong overall satisfaction with our voting laws, they have also raised a bright red flag about the singling-out of students for special treatment under both election and motor vehicle laws. There is much shameful history in our country when it comes to discrimination against particular populations in elections, and we have strong laws to prevent exactly the sort of unequal treatment that has marked the current Secretary of State's tenure.

I hope that this commission will conclude that it is up to the Secretary of State to provide robust and unequivocal protection for every eligible person's right to vote. The letter cited by the student who was one of the 206 who were the subject of the Secretary of State's investigation was, as the student testified, intimidating. It was sent to his parents' out-of-state address, it contained information about complying with Maine motor vehicle laws, and it included a form that would allow the student to remove himself from the voting rolls here in Maine. There is no way to interpret this as anything other than discouraging out-of-state students from exercising their right to vote in Maine.

What's worse is that although every single student investigated was found to have registered and voted lawfully, the continued conversation about students and voting perpetuates the idea that somehow there is a big problem here.

The only problem that I see is the reluctance of our state's highest election officials to lay this issue to rest and clearly state that the only qualifications needed to vote are to be an American citizen, at least 18 years of age, and a resident of the town in Maine where the person wishes to vote. Students deserve an apology, and with a presidential election just weeks away, they deserve to be reassured that the act of registering and voting in Maine will not open them up to special scrutiny when it comes to enforcement of other Maine laws.

Discouraging eligible voters from voting: this is utterly inconsistent with the Maine I know and the political culture I've experienced since I first voted here more than 30 years ago.

Years ago I represented the League of Women Voters on Maine's State Plan Advisory Committee for the Implementation of the Help America Vote Act of 2002. Appointed by then-Secretary of State Dan Gwadosky, I served alongside Commissioner Cohen and others in order to sort through the challenges of creating the state's first centralized voting list and providing accessible voting equipment to every polling place in the state. We had far less to do than similar committees around the country, simply because Maine's voting laws already complied with most of the new federal mandates.

Back then Maine was indisputably a leader in the realm of election and voting laws. I believe those laws and the incremental improvements that have been made over the years have served our state and our voters well. Our continued high voter turnout is just one indication that this is so.

As I said at the hearing, what we have here in Maine is something that people from all across the country want. Deep civic engagement and high voter participation should be the source of great pride, as should the forceful show of support for Maine's voting laws that Mainers have provided in these hearings. I hope that this commission will not make a single recommendation that would move us in the opposite direction.

Take pride in our state and our participatory political culture. Look around the country, and understand just how special and valuable it is. Do everything you can to ensure that it continues, starting with clearing the unfortunate and unnecessary cloud over student voting.