



**Testimony in support of**  
**H.805/S.459 An Act fostering voting opportunities, trust, equity, and security**  
**Submitted to the Joint Committee on Election Laws**  
**By Nancy Brumback, LWVMA Legislative Action Committee Vice-Chair**  
**May 19, 2021**

The stated mission of the League of Women Voters is: Empowering voters, defending democracy. This bill, dubbed the VOTES Act, does both, and the League of Women Voters of Massachusetts urges this committee to favorably vote the bill out of committee without delay, to make its provisions available in time for this fall's municipal elections.

Our democracy and its bedrock of public trust in free and fair elections is under attack as never before. It is crucial for Massachusetts to stake out a position and set an example as a state moving to increase—not decrease—access to the polls and secure elections. The times demand that Massachusetts goes on record as enhancing the ability of all citizens to vote.

The pandemic-related changes the legislature enacted last summer led to record voter turnouts in the fall primary and November general elections. Voters like the option of voting by mail; 1.5 million of 3.6 million ballots cast last November were mail ballots and another 844,000 were cast by in-person early voting. Voting by mail is an option voters now expect; that genie is not going back in the bottle. Local Leagues doing election work during this spring's town elections repeatedly had to tell voters that they needed to request an application for a ballot if they wanted to vote by mail. After only the two fall elections, voters were already expecting to automatically receive an application for a mail ballot. There is no indication at all that mailing every voter an application for a mail ballot last fall led to any voter fraud or double voting.

Codifying the in-person early voting periods before primary and general elections will remove uncertainty about those dates, increase the ability for people to vote in person, cut down the lines on Election Day itself, and give voters more options on when to cast their ballots.

The VOTES Act will also implement same day voter registration in Massachusetts, a reform already adopted in 21 states. Same day registration gives voters the chance to correct any errors in their registration information so they can vote; in many states a large percentage of voters using same day registration are doing just that, not registering for the first time. No eligible citizen should show up at the polls on Election Day and be turned away because of a typo in their address.

As we shift the methods voters use to cast their ballots, we also need to adjust how local election officials process those ballots. We need to make permanent the changes to allow election officials to record mailed ballots as they are received, though not to tally them until Election Day. Such provisions as allowing voters to permanently (until they change their mind) request a mail ballot be sent for every election will cut the application paperwork at town clerks' offices. And we need to fund local election offices to adequately do this critical work.

The security of our elections will be enhanced by the adoption of more frequent and risk-limiting audits. The requirement that Massachusetts join the Electronic Registration Information Center (ERIC) will clean



up our voting rolls. And this bill also contains a provision to implement automatic voter registration as it was intended in the initial law.

The provision in this bill to require officers at correctional facilities to make voting information and materials, including absentee ballot information, readily available to eligible voters who are in pre-trial detention or serving misdemeanor sentences is a matter of equity. These incarcerated people are eligible to vote under Massachusetts law. They deserve the opportunity to do so.

The League of Women Voters of Massachusetts, with 47 local leagues from Cape Cod to the Berkshires, urges this committee to report the VOTES Act favorably and without changes. Let's pass this in time for the fall elections.

We are not Georgia or Florida or Texas or too many other states. We are Massachusetts. We believe in increasing the access to our elections for all eligible voters. And in these frightening times for our democracy, we need to make that clear.