



Office of the Town Clerk

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January 9, 2008

The Honorable Senator Kate Brown
900 Court St. NE, S-323
Salem, OR 97301

To The Honorable Kate Brown:

I am writing at the request of the Oregon Ballot Freedom Project to share my experience with cross-endorsement or "fusion" voting.

As Town Clerk of Norwalk, Connecticut, the sixth largest city in the state with a population of near 85,000 residents and 45,000 registered voters, I have overseen several elections in the past six years which candidates were cross-endorsed by multiple parties. For several years Norwalk had an active Independent Party which frequently cross-endorsed major party candidates (both Democrats and Republicans). More recently the Working Families Party has cross-endorsed several Democratic candidates for state and local offices. Both the Independent Party and the Working Families Party also have run their own candidates for municipal office at the same time.

In fact, this year the Connecticut General Assembly enacted new legislation that expands the opportunities for minor parties to cross-endorse other candidates. As a result of this new law, during 2007 municipal election there were thirteen cross-endorsed thirteen candidates for local offices compared to just one cross-endorsement in 2005. The sharp increase in the number of cross-endorsed candidates did not have any measurable impact in terms of cost or staff hours required to hold the election.

Because Connecticut law also required minor parties to collect nominating petition signatures for most cross-endorsements, there was an increase in the number of nominating petitions that our office was required to verify this year. However, minor parties are required to gather nominating petitions when they run a separate candidate as well, so the increase in petition signatures would have occurred whether the minor party cross-endorsed candidates or ran its own candidates.

Importantly, Connecticut also recently changed from lever voting machines to optical scan voting machines. Our voting machines are programmed to recognize "double-votes" to ensure that every vote is counted and no vote is counted twice. On the occasions when a voter does cast a "double vote" for a candidate running with more than one nomination, our voting machines record the vote as a *single vote* for the candidate, as the voter's intent is clear in such a case. No votes are disqualified or lost. By Connecticut statute that one vote is attributed to the minor party line.

This "double vote" occasionally occurs on paper absentee ballots as well, which may be especially relevant to the Oregon vote-by-mail system. Of course, we run these absentee ballots through our optical scan machines, and the machines are again able to accurately and seamlessly count the votes as a single vote for the candidate.

In Connecticut, there are certain legal requirements concerning the design of our ballot, and it is one of the jobs of the Town Clerk to ensure that these requirements are met. Cross-endorsed candidates must appear on our ballot in a manner consistent with these statutes. This is a minor technicality, to be sure, and one that may not even be relevant in states that use a different ballot design than Connecticut's.

In summary, having had responsibility for administering elections in the Town of Norwalk for the past 6 years, I have seen an ebb and flow in the use of "cross-endorsement," in local and state elections. There is little to no added burden in terms of election administration when parties use cross-endorsement. Certainly our office has not been required to add staff or spend additional resources as a result of cross-endorsements.

I hope this provides at least a little real-world experience on the technical side of allowing a "fusion" system. I am confident that my counterparts in Oregon will not find it burdensome to institute this relatively modest change in electoral practice.

Very truly yours,



Andrew S. Garfunkel CCTC
Norwalk Town Clerk