



February 12, 2014

**Testimony on SB 269 –
Local Government - Municipal Elections -
Voting Offenses, Penalties, and Enforcement
Education, Health, and Environmental Affairs**

Position: Favorable

Common Cause Maryland and the ACLU of Maryland support SB 269, which would extend to municipal elections the offenses and penalties established under state law for voting fraud.

The suite of misdemeanors that state law prohibits includes two critical areas of offenses. The first set is fraud by the voter; impersonating someone to vote, voting under a false name, and similar activities. The second set covers attempts to sway another person's vote, either by fraud, threat, intimidation, or deceit. These two sets of violations are critical assaults on our democratic process and undermine the integrity of elections.

Maryland unfortunately has a history of attempts to influence a voter's decision through fraudulent activity, but there is no standard protection against this behavior under municipal law. In 2006, a sample ballot was distributed that indicated the candidate belonged to – and was endorsed by – the opposing party. In 2010, voters in Prince George's County received robo-calls telling them that they no longer needed to vote.¹ These cases expose a weakness in our existing election law, as neither case could be prosecuted under standard municipal law.

Municipal elections are typically won by a small margin of votes. The pool of registered voters is small and turnout can sometimes be low, making every vote that much more critical. Municipal voters need and deserve the same protections that are provided under state law for state and county elections.

SB 269 is important to protect the integrity of our elections, and we urge a favorable report.

¹ "Deceptive Election Practices and Voter Intimidation: The Need for Voter Protection," July 2012
(<http://www.commoncause.org/atf/cf/%7Bfb3c17e2-cdd1-4df6-92be-bd4429893665%7D/DECEPTIVEPRACTICESREPORTJULY2012FINALPDF.PDF>)

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