

Democracy For America – Cambridge

Questionnaire for Secretary of the Commonwealth race

Please return your answer to the following questionnaire by March 7, 2006. Your answers will be posted on our website at <http://www.dfacambridge.org>. You may send your responses to info@dfacambridge.org.

Answers submitted by John Bonifaz, Democratic candidate for Secretary of the Commonwealth of Massachusetts

Your thoughts on the Secretary's office

- How would you encourage competitive elections and more community involvement in policymaking?

The most important responsibility of the Secretary of the Commonwealth is to serve as the state's chief elections officer. As Massachusetts Secretary of State, I will fight to strengthen our democracy and to create a model for free and fair elections for the country.

Massachusetts ranks second to last in the nation with regard to competition in its state elections. Competition and debate are critical to any healthy democracy. To encourage competitive elections in Massachusetts, I will fight to overhaul our state's campaign finance system and to create a system of full public funding of our elections so as to end the dominance of big money interests in our electoral process. I will also work for redistricting reform to ensure that our districts are drawn in a fair and transparent manner, without any special advantage to incumbents in power. We also need to make voting easier to encourage greater voter turnout which, thereby, enhances the competitiveness of our elections. As Secretary, I will fight for the enactment of Election Day registration across the state, a model reform that already exists in six states (with a seventh, Montana, beginning this year) and has led to greater political participation.

When voters are more engaged and when elections are competitive, greater community involvement in policymaking will follow. Under our current system dominated by big money forces, too many people feel locked out of the political process. By returning voters to power and ensuring that ours is a government of, for, and by the people, citizens will become more involved in policymaking with greater trust that their voices will be heard, regardless of economic status.

- Please describe how your previous administrative experience qualifies you for the position of Secretary of the Commonwealth.

In 1994, I founded the National Voting Rights Institute, a national non-profit organization dedicated to protecting the right to vote across the country and fighting for the integrity of our electoral process. From 1994-2004, I served as NVRI's executive director, building the organization from the start-up phase into a prominent legal and public education center recognized throughout the nation. Since 2004, I have served as NVRI's general counsel and am now on financial leave from my position there to pursue my candidacy for Secretary of the Commonwealth. In both my role as NVRI's executive director and as general counsel, I have demonstrated my leadership and management abilities and my commitment to carry out a vision for our democracy. I have also overseen an expanding annual budget for the organization and understand the challenges that growing non-profits and small businesses face in our economy.

- What are your top priorities for improving the functioning of the office of the Commonwealth of Massachusetts?

As described above, my top priorities include making Massachusetts a leader for the nation in the way we conduct our elections, with the aim of fulfilling the promise of political equality for all. I will also make, as top priorities, greater corporate accountability and greater accessibility for small businesses seeking to register and operate in Massachusetts.

- How could you improve the Secretary of the Commonwealth website to allow citizens to get the information they need to more readily participate in the political process?

The Secretary of the Commonwealth website ought to demonstrate a commitment to an open and transparent government, accessible to all. As such, the website ought to be better presented and organized. A redesign should be undertaken with input from Massachusetts citizens and leaders in the field. Some initial ideas for improved functionality include:

- Redesign the structure of the website based on the overall responsibilities of the office. Currently, the home page consists of a large list of SOS divisions. This makes it cumbersome to find information on specific areas of interest.
- The site should include a short list of common links (voting information, historic preservation facts, etc.) prominently displayed.
- Form downloads should be made available in other formats beside the proprietary PDF and MS Office formats. For example, forms could be offered in open document format as well.
- Regardless of download format, more electronic submission of forms should be encouraged and facilitated.
- Documents should be better organized. Currently, there are large lists of documents in various areas throughout the site, which makes it difficult to navigate to the correct form.
- The site should offer RSS (Really Simple Syndication) feeds and email notification of new content, to keep citizens informed of changes.

Voting Access

- Do you believe that the low percentage of citizens being registered and voting today is a serious threat to our democracy?

Yes, democracy is threatened when people are alienated from the political process and do not participate. The integrity of any democracy depends upon the trust of its people. When voters feel excluded and locked out, when they believe their voice and their vote does not count, when they lose faith that their government listens to them, and when they do not have candidates to vote for, then the very foundation of our democratic process begins to lose legitimacy. A vibrant and healthy democracy requires active political participation by voters, and any chief elections officer should be concerned with low voter turnout in our elections.

- How would you work together with other Secretaries of State across the country to ensure better voting access in every state?

I will press for a Voters' Bill of Rights, ten new guarantees to broaden our political process and ensure better voting access. (See www.johnbonifaz.com) These guarantees include making voting easier via Election Day registration, absentee ballots for all, early voting, and election holidays; overhauling the campaign finance system and creating a system of full public funding of elections; and setting a standard for the nation that we will not contract with any private voting machine company that does not provide a paper trail, access to the source codes and the data within the machines, and opportunity to publicly own the machines. In my work with NVRI, I have helped to build a coalition of secretaries of state across the country

committed to ending our system of unlimited campaign spending. (The current Massachusetts Secretary of State has not signed on as a member of that coalition.) With this background, I will work to organize a coalition of secretaries of state ready to fight for better voting access in every state.

- How will you ensure that minorities are not wrongly disenfranchised at the polls in Massachusetts?

As Secretary, I will ensure that every jurisdiction in Massachusetts is complying with federal and state anti-discrimination law with respect to elections, including the Voting Rights Act of 1965. Massachusetts currently faces US Justice Department investigations of alleged voting rights violations in its four major cities: Boston, Lawrence, Springfield, and Lowell. As Secretary, I will not rely on the Bush Justice Department to enforce the Voting Rights Act of 1965. I will ensure that the Secretary of State's office is leading the way in enforcing this landmark voting rights law. Voters must be able to participate in the electoral process free of discrimination and I will be vigilant in demanding that. Further, the right to vote is universal; it does not speak only one language. We must ensure that language minorities are provided bilingual ballots and proper assistance at the polls, as is required by the Voting Rights Act.

- What are your thoughts on same-day voter registration? Registration online via the internet?

As stated above, I am a strong proponent of same-day voter registration. I testified last year in support of a state legislative bill to enact same-day registration on a uniform basis throughout the state. I also have endorsed the Massachusetts Town Clerks Association bill to create an Elections Task Force to study how same-day registration and other important reforms could be implemented in Massachusetts. I also support online registration, consistent with the focus of making voting easier.

- The 2004 election brought to light suspicions that Diebold and other companies which make electronic voting machines are not providing 100% accurate voting machines, or that they are not providing municipalities with sufficient control of the machines and the related source code to provide confidence of accuracy. What will you do to alleviate these concerns, and ensure that our voting machines are 100% accurate?

As stated above, I will create a standard for Massachusetts and for the nation. We will not contract with any private voting machine company that does not guarantee the state a paper trail, access to the source codes and data within the machines, and opportunity to publicly own the machines. Our right to vote includes the right to have our votes properly counted, and until we have these guarantees with electronic voting machine companies, we cannot trust these machines to properly count our votes.

- What recommendations do you have for supporting the disabled (blind, deaf, physically disabled, etc.) to vote if electronic voting occurs?

These machines need to have the audio capability needed to serve the blind, as well as Braille capabilities for the blind. In the alternative, the machines could be located in a private space to allow for speech recognition software to be used to interact with the equipment. It is important to note, however, that without the guarantees cited in the last answer, these machines cannot be reliable for any voters, including disabled voters.

Ballot Access

- What are your thoughts on instant runoff voting in party primaries? If instant runoff voting becomes available in party primaries, what will your office do to educate Massachusetts voters?

I support instant runoff voting in party primaries (see our Voters' Bill of Rights). IRV is an important measure to expand voter choice and ensure that voters' voices can be heard via the ballot box. If IRV were to become available, I would work to oversee a comprehensive public education program to ensure that voters understand how the system works and the expanded choices it provides. To assist in carrying out this initiative, I would study similar public education programs that election officials and advocates have employed in other jurisdictions where IRV has been implemented.

- What is your opinion on public financing systems like the 1998 Clean Elections law?

I have been a longstanding proponent of public financing systems like the 1998 Clean Elections Law. I served as lead counsel for a coalition of voters, candidates, and public interest organizations in defense of Massachusetts Clean Elections Law when the legislature refused to fund the law despite a clear voter mandate to do so. We filed suit in state court and won a landmark Massachusetts Supreme Judicial Court ruling forcing the state to provide the necessary funds to all 2002 certified candidates. The states of Maine, Arizona, Vermont, and Connecticut all have public financing systems for their state elections and, as a result, people are running for office in these states who never would have dreamed of running before – and many candidates (including incumbents) who previously ran under the private fundraising system are opting into the public financing system. Massachusetts ought to join these states and help lead the nation in enacting this model reform across the country.

- Where do you stand on allowing candidates to run as the nominee of more than one party?

I support fusion as another means of expanding voter choice and voter expression on Election Day. Fusion – by which candidates may run as the nominee of more than one party – gives voters greater power in expressing their candidate choice. I serve on the steering committee of the ballot initiative campaign to make fusion possible again in Massachusetts.

Other Responsibilities of the Secretary

- What are your thoughts on open document formats? Do you think the state can adopt an open document format for its official documents, and what will you do on this issue?

As Secretary of State, I will press for the adoption of open standards based data formats – including the Open Document Format for office automation – for software used by Commonwealth government organizations. Open standards insure that data formats are fully documented and available for use by any person or company without licensing fees.

I will not allow Microsoft or any other corporate entity dictating how our electronic archives are stored.

While these changes cannot be made overnight, we must take practical steps to ensure the integrity and accessibility of digital public information. Use of open standards based data formats will foster government transparency and accountability, ease citizen access to public information, create greater competition for government business, improve interoperability between applications and organizations, and ensure the archival integrity of digital information.

While I support the adoption of the Open Document Format (ODF) for office automation software, created by the IT industry consortium OASIS, I do not endorse the 2007 ODF compliance deadline proposed by the Romney administration in August 2005. We need to ensure that the software requirements of the Commonwealth's disabled community are sufficiently met by available ODF compliant software. We also need to provide practical guidance and affordable solutions for state agencies and municipalities. These are not simple issues and it is not enough for the Secretary of the Commonwealth to promulgate legal requirements or policy advice. He or

she must work collaboratively with agencies and municipalities to determine reasonable and effective practices for the creation and retention of digital documents.

I also reject a proposed amendment to Section 4 of Senate Bill 2256 that would transfer information technology policy making authority from the executive branch to the Secretary of the Commonwealth and an IT advisory panel. Instead of creating more friction and bureaucracy, our government needs to work collaboratively and implement clear and sensible solutions. The cities and towns of Massachusetts do not need a centralized authority or committee to dictate their use of information technology. They need flexible and dynamic guidelines that will allow for a diversity of solutions and open the door to greater efficiency and transparency in Massachusetts government.

- How will you oversee the Massachusetts Historical Commission in a way that both respects the heritage of Massachusetts, and tells our history in an honest way?

As the Chair of the Massachusetts Historical Commission, I will work to ensure that we honor our historic landscape and maintain its vibrancy for our communities. I will also aim to connect the heritage of Massachusetts to the present-day and to broaden public education efforts that highlight the work of ordinary citizens who fought to create a more inclusive society. I will press for greater public access to our historic treasures and to preserve historic sites in ways that best serve local communities. In my own neighborhood of Jamaica Plain, one of Massachusetts' greatest historic sites faces potential destruction in the near future: the Pinebank Center overlooking Jamaica Pond. The Pinebank Center is one of the jewels in Frederick Law Olmsted's Emerald Necklace park system and it has the potential, if preserved and restored, to serve as a community center for Jamaica Plain and surrounding neighborhoods. As Secretary, I will work to create public-private partnerships that ensure that such treasures as the Pinebank Center remain with us for generations to come and provide new space for our communities to come together.

- What are your thoughts on how the Secretary of the Commonwealth should manage the Corporations Division in order to protect the public interest?

As Secretary, I will fight for greater corporate accountability. In my oversight of the corporations division, people will come first. As an attorney who has taken on Texaco and Unocal for environmental and human rights abuses in the developing world, I am well aware of the need to hold corporations accountable when they violate basic decency standards and laws. I will press to ensure that corporations that are principally based in Massachusetts and doing business here are accountable to the workers and the people of the Commonwealth. I will challenge corporations that try to avoid accountability here – even though they are principally doing business in our state – by stating they are incorporated elsewhere. I will also scrutinize all mergers of Massachusetts corporations to ensure compliance with the state securities act and to ensure that shareholders are properly informed of all of the consequences of such mergers. In the area of small business development, I will work to make it easier for small businesses to register and operate in the state, consistent with my commitment to make government more accessible.

- How can the state protect confidentiality of Massachusetts residents, with respect to vital records, voting records, and other information which the state controls?

As Secretary, I will fight to protect the privacy of Massachusetts residents with respect to vital records while at the same time ensuring transparency in our government operations. It is imperative that the public have access to public records and equally imperative that such records not be misused for political purposes by public officials. To promote the public trust with the handling of public records, it is critical that there be an open and transparent process for how the

public may access public records and how the privacy of Massachusetts residents can be protected.

- How can you use your powers of enforcement of lobbying laws to ensure that citizens have the maximum information about the way special interests are trying to affect the legislative process?

I will fight for greater disclosure from lobbyists as to the purposes of their lobbying and will publish periodic reports on the impact of monied interests on our legislative process. Where lobbyists have violated existing law, I will fight for vigorous enforcement of the law. I will also work for a complete overhaul of our state's campaign finance system to remove the undue influence that lobbyists and monied interests have in our political process.

- Will you work to make sure that same-sex couples wishing to marry in Massachusetts have the same access to marriage licenses which opposite-sex couples have?

Yes. Gay marriage is a human right and, as our state's highest court has ruled, it is constitutionally protected. I will uphold the law with respect to access to marriage licenses and ensure that all constitutional protections are provided in the process.

- If you were elected, what persons or institutions would you expect to sue in your first year?

I would fight to protect the right to vote and to ensure compliance throughout Massachusetts with federal and state voting laws, including the Voting Rights Act of 1965. I would also fight to ensure greater corporate accountability and I would closely scrutinize any corporate merger involving a Massachusetts corporation to ensure compliance with the state securities act. I would expect to sue any institution violating such voting laws and laws regulating corporations, provided they refuse to settle such matters out of court upon being shown the evidence of non-compliance.