



Brian Davis
Northeast Ohio Coalition for the Homeless
3631 Perkins Ave. #3A-3
Cleveland, Ohio 44114
216/432-0540
www.neoch.org briandavis@neoch.org

Testimony before the House Government Accountability and Oversight Committee

April 2017—House Bill 41 to Modify Voting Procedures

The Northeast Ohio Coalition for the Homeless does not support the changes to voting procedures proposed in House Bill 41.

NEOCH is a non-profit charitable organization operating in the City of Cleveland with a mission of amplifying the voice of homeless people. We administer a number of programs that serve homeless people including coordinating all outreach, a housing website, a street newspaper, and a Homeless Congress monthly meeting place for homeless people. NEOCH has worked on registering voters and then encouraging them to vote. We helped the shelters register 1,281 people in Cuyahoga County during the summer of 2016. We assist 23,000 homeless people in Cleveland with one-quarter of the residents of our shelters coming from the suburbs or the surrounding counties. NEOCH helped to create the Identification Collaborative locally which provides funding and assistance to over 3,000 people a year obtain a birth certificate or state identification.

I have been working with homeless people and helping with voting for 22 years, and since 2005 in Ohio the foundation of our democracy (voting) has become a hostage in the struggle between Republicans and Democrats. I am not sure that you heard from our Governor, but we are deeply divided in the United States as outlined in his book *Two Paths*, and this legislation will only continue to divide our state. You might want to check out the book to get some pointers on working across the aisle on a “united path” forward on legislation that helps people vote and will not unnecessarily disenfranchise voters. How about working to make sure that every Ohio citizen is registered to vote? How about working to get every Ohio citizen to cast a ballot either early or on Election Day? Finally, how about working to get every Ohio citizen who wanted to vote but was forced to vote by provisional ballot have that vote count? If we adopted this standard, we could heal this divide in Ohio and many of these barriers to voting could be eliminated. Let’s get back to voting as a fundamental right not a privilege for those who can afford identification or those who can read a government and understand a form.

Typically, legislation is developed after a problem is brought to the attention of lawmakers. Then lawmakers solicit experts to propose solutions and then develop a program or funding for the best solutions to these problems. Voting rules, over the last dozen years in Ohio, are

3631 Perkins Avenue 3A-3
Cleveland Ohio 44114
216.432.0540 ❖ neoch@neoch.org

To organize and empower homeless and at risk men, women and children to break the cycle of homelessness through public education, advocacy, and the creation of nurturing environments
www.neoch.org

developed in the exact opposite way with solutions searching for a problem that statistically does not exist. They are often proposed by a legislator, opposed by the League of Women Voters and other experts, and then myths or exaggerations are touted as the reason for these “improvements” in the legislation. There are so many problems that you could be addressing in Ohio such as the deaths related to the Opioid crisis, the high infant mortality rate or the best strategy to house the extreme rise in families who are losing their housing, but instead the Ohio legislature keeps revisiting voting procedures to fix “problems.” Sometimes those problems were only created by legislation enacted to throw up barriers to voting and ruled unconstitutional by the courts. Every “improvement” proposed just makes it more and more difficult for low income, minority and homeless people to participate in our democratic process.

Every time one party proposes a piece of legislation to “improve voting” without seeking input from the other side, it spawns lawsuits and division. NEOCH has repeatedly sued over disenfranchisement of homeless people. From the original identification proposal, throwing away provisional ballots for minor errors and not following federal procedures when conducting a purge of the registration lists. It does not have to be so complicated and so contentious. We need to get back to working to get every citizen of Ohio to vote. We need to work to allow the local boards to work with voter intent and accept that the threat of five years in jail for voter fraud is a significant deterrent. Give the voters a chance to make an error or at least correct an error because no one is perfect. Don’t pass rules that will make it impossible for segments of the Ohio population to not have an ability to vote. We can figure out ways to help every Ohioan participate in selecting their representatives.

Since you have not sought input from experts on these voting issues, I have to ask a number of questions of the people who developed this “solution” to a problem that I really do not see exists. There are many problems with voting in Ohio that you could address, but this early in person voting is not one of them.

1. Do you understand how difficult it is to get identification since September 11, 2001?

No matter if you are homeless or housed it is not easy to get identification in the post-September 11th world. Those that wander from shelter to family to the sofas of friends have an even more difficult time. The birth certificate is the basis for all forms of identification. There is no national standard for the issuing of a birth certificate, and a few states make it nearly impossible for a homeless person to get a legitimate copy of their own birth certificate. In our collaboration with service providers in Cleveland, we can demonstrate nightmare scenarios in which homeless people wait six, eight or ten months to receive a birth certificate. The assistance with obtaining a birth certificate is expensive and for many takes a great deal of time to finally receive a legitimate form of identification.

There is no standard in the fee for a birth certificate or standard for the time required for another state to respond. A son or daughter born on a military base or a U.S. citizen born in Puerto Rico have nearly an impossible task just to get identification. For some it is easier to travel to their place of birth in order to retrieve a birth certificate, but that is certainly prohibitive for homeless people. This delay makes it difficult to find housing, a job, receiving assistance, or receive

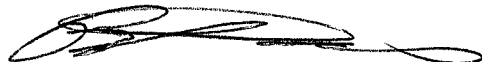
health care benefits. This is to say nothing for the expense of coming up with the \$60 for a birth certificate from Maine and \$9 for a state ID in Ohio. I have never understood if this keeps more people from voting then it reduces fraud. Have you ever done a cost benefit analysis for any of these rules?

2. **You do realize that in person early voting fraud is extremely rare, so why can't a person use their last four digits of the social security number to vote?**
3. **If there is going to be fraud it is in the vote by mail process, but you never seem to pass any rules or audit of the vote by mail process to weed out problems.**
4. **Do you know that many small counties were not following the procedures for tossing provisional ballots in 2014 with minor errors while the large urban counties were being hyper sensitive to these rules?**
5. **Why is there such wide disparity in how many provisional ballots actually are counted throughout the state? Are the rules confusing or are some counties not following the rules when the acceptance rate varies from 10% to 30% in 2014.**
6. **Do you realize that some counties were tossing legitimate ballots because the voter submitted a state ID number on their request for an absentee ballot and then used the last four digits of their social security number on their early in person voting envelope and since those did not match they could not verify that information? How about correcting this problem with our system?**
7. **Do you realize that homeless people cannot correct their ID problems with only 7 days notice? This is an impossible standard. Also, why are you only given seven days notice to correct an ID problem? Why not allow time to correct other ballot problems?**
8. **If you want to reduce paperwork why not allow submission of social security number as an alternative for Election Day voting to be the same as voting by mail?**
9. **Also if you want to cut down on paperwork, why not only have one piece of information to fill out with early in person voting? Currently, you have to complete a request and then an envelope? The problem is that with every piece of information required, there is a greater chance for a mistake.**
10. **Why do you even require identification? Has that cut down on fraud as was the original purpose or has it cut down on legitimate voting?**
11. **What can we do to get more Ohioans to actually vote?**
12. **How do we cut down on the paperwork that a person has to complete in order to reduce errors and ballots being tossed in the garbage?**
13. **You understand the draconian rules that you passed in 2013 made it so that Counties threw away provisional ballots because the individual did not print their name but used cursive and the election official could easily identify the name?**
14. **Why don't you clarify the rules about who can help a voter with their ballot so that a disabled or illiterate person does not have to embarrass themselves by forcing them to ask for help and identify their reason for needing help?**
15. You could spend some time clarifying the verification procedure at the local level and some of the limitation of state and county databases that make verification a problem.
16. **How about spending some time on reducing the time it takes to vote in person? You could pass a law that if the individual has to wait for over a half hour then the local**

jurisdiction has to open additional polling stations including for early voting. This would correct the problems of 2 hour waits on the last weekend before the election in many of the urban counties. You could also allow counties to extend hours if there is a history of long waits on the weekend or open additional places for early voting that can accommodate larger numbers.

- 17. How about a discussion of the value of Golden week to homeless people and busy people who can change their address and vote at the same time?**
- 18. How about putting some funds into enforcing the Motor Voter Bill so that everywhere that an individual is offered public benefits including a homeless shelter they are offered the opportunity to register to vote?**
- 19. State legislators have made voting so complicated, but the training for Election Day poll workers have not kept pace. How about helping with additional funding for more training?**
- 20. Why have you never defined “other government documents” in the original identification law? How about spending some time defining what that means?**

Even within voting there are many problems that you could address without creating new avenues for lawsuit and division. Having registered thousands of homeless people, and having helped thousands to vote, NEOCH does not see that the reason for HB 41 and not allowing a person to use their social security number for early voting. This will harm homeless and low income voters. It is already a struggle to get a homeless person to feel that they are a citizen with all the rights of every other citizen while they wait in a shelter, and this proposed legislation further alienates a growing segment of our population. We urge the committee to look at how difficult it is for citizens to obtain identification. We urge the committee to work to get everyone to vote without these barriers. We urge you to work to simplify voting and not create more confusion.



Brian Davis
Executive Director