



**Testimony of Danielle Root, on behalf of the Center for American Progress
Submitted to the Ohio House Government Accountability and Oversight Committee
Hearing on S.B 21
May 15, 2018**

Chairman Blessing, Vice-Chair Reineke, Ranking Member Clyde and members of the House Government Accountability and Oversight Committee, thank you for the opportunity to submit testimony on behalf of the Center for American Progress for the record on S.B. 21.

The use of Electronic Poll Books (EPBs) has been shown to reduce wait times for voters at polling locations by improving the speed and overall efficiency of the voter check-in process, compared to traditional paper poll books. The expansion of EPB use by Ohio counties is thus a positive step toward improving voters' Election Day experience. However, the added efficiency offered through EPBs, does not negate the need for adequately staffed polling locations. Although recognizing that reducing the minimum number of poll workers where electronic poll books are used may reduce overhead costs, S.B. 21, in its current form, may have the unintended consequence of undermining voter access and participation.

To protect the right to vote, polling places must be adequately staffed

In addition to checking voters in at polling places, precinct officials fill a myriad of important roles that assist eligible voters exercise their fundamental right to vote. These include: Preparing ballots and equipment for voting; Aiding voters with any problems or questions voters may have while waiting in line; Providing necessary assistance to voters with disabilities and voters who have difficulty understanding the ballot or voting machines; Providing language assistance in areas where high numbers of voters with limited English proficiency can be expected, as may be required under Section 203 of the Voting Rights Act; Monitoring the security and functionality of voting machines and storage of ballots; and carrying out ballot accounting and reconciliation procedures after polls close on Election Day.¹

Polling places also need to be sufficiently staffed to assist voters if EPBs are not working properly, as has been a problem in Ohio. In the past, the state has had difficulties with precinct election officials not being prepared for EPB malfunctions, resulting in long lines. During the 2015 election, 83.8 percent of polling places in Hamilton County reported problems with implementing EPBs, leading to long lines and a court order requiring polling places to remain open for extra 90 minutes. A report by Hamilton County assessing the election problems partially blamed understaffed polling places and

recommended hiring more precinct election officials for future elections.² Polling places in counties that have recently adopted EPBs are particularly likely to experience glitches and malfunctions with EPBs on Election Day.³

Reducing the minimum number of precinct elections officials at certain polling locations risks not having enough staff available to provide these important services. Moreover, staffing a polling location with fewer precinct officials could leave polling places with an insufficient number of back-up officials free to check-in voters if the other(s) is occupied aiding a voter with disabilities or limited-English proficiency, or even using the restroom, causing significant slow-downs and longer wait times for voters.

Understaffed polling places lead to long lines that prevent eligible Americans from voting

Slowdowns in the voter check in process can lead to bottlenecks that create or exacerbate long wait times, especially during high traffic periods. Indeed, inadequate staffing of polling locations is a major contributor to the long lines at polling stations. A 2014 report from the Brennan Center for Justice found a correlation between understaffed polling locations and longer wait times for voters.⁴ Problems with wait times and long lines during the 2006 primary election in Ohio were attributed to a lack of available precinct election officials and inadequate training.⁵ Similar problems with long lines to vote in counties in Virginia and Florida have also traced back to a lack of staffing at polling locations.⁶

Long lines are a notorious barrier to voting that plague polling locations across the country each election cycle, including in Ohio. The Election Assistance Commission and the Presidential Commission on Election Administration recommend an ideal wait time of no more than 30 minutes for voters to cast their ballots.⁷ But in Ohio, wait times have often exceeded the 30-minute limit. In Knox County in 2004, some voters were forced to wait in line to vote for up to 10 or 11 hours,⁸ while in the 2012 election, voters in Ohio reported wait times of 90 minutes or more to vote.⁹ Problems with long lines were again reported during the 2016 election, including an infamous report of a line stretching more than a half mile long at one polling location in Cincinnati.¹⁰

Long wait times keep would-be voters from participating in elections. In Akron, Ohio during the 2012 elections, reports surfaced of voters getting out of line and giving up on voting after waiting for at least 90 minutes.¹¹ According to the Joint Center for Political and Economic Studies “long lines deterred at least 730,000 Americans from voting in November 2012.”¹² These burdens fall disproportionately on communities of color and

low-income Americans. Nationwide, black voters are, on average, forced to wait in line nearly twice as long as whites.¹³ Although Ohio law allocates some time away from work to vote on Election Day, many eligible voters—particularly low-income voters—are unable to do so. Eligible voters with young children must find reliable and affordable child care to supervise young children who are unable to accompany them to the polls. This is especially true if polling place lines are long, which requires additional time away from work or childcare obligations that many Americans cannot afford. Nationally, voting lines were estimated to have cost Americans \$544 million in lost productivity and wages in 2012.¹⁴ No voter should be forced to wait in line for hours to exercise her civic duty and be heard in our democracy. Nor should certain groups have less access and fewer opportunities to cast ballots when they show up to the polls.

And there is good reason to believe that long lines may be a problem in Ohio for the 2018 elections. The United States Supreme Court is currently reviewing a case, *Husted v. A Philip Randolph Institute*, over Ohio’s list maintenance purging practices. From 2011 to 2014, Ohio removed a reported 846,000 registered voters from its voter rolls for infrequent voting, in violation of the National Voter Registration Act, or NVRA.¹⁵ Regardless of how the Court comes out on the case, there may be widespread confusion over voter eligibility and registration status at polling places across Ohio in November. Although fully-staffed polling places are necessary for any election, reducing the number of poll workers now would leave polling locations understaffed and poll workers unprepared to handle an influx of questions and complications from voter purges.

Conclusion

The minor financial savings from recruiting two fewer election officials is negligible compared to the problems voters’ experience from understaffed polling locations on Election Day. We therefore urge members of the Committee to decline to support S.B 21.

¹ Voting Rights Act Amendments 52 U.S.C.S. § 10503 (LexisNexis 2018).

² Laura A. Bischoff, *Report: 8 of 10 polling locations had problems*. DAYTON DAILY NEWS: MYDAYTON DAILY NEWS (Dec. 11, 2015, 5:28 PM), <https://www.mydaytondailynews.com/news/report-eight-polling-locations-had-problems/5VtRg0yzWR9sZexathiq9K/>.

³ *Id.*

⁴ CHRISTOPHER FAMIGHETTI AND OTHERS, ELECTION DAY LONG LINES: RESOURCE ALLOCATION, BRENNAN CENTER FOR JUSTICE (Sept. 14, 2014) <https://www.brennancenter.org/publication/election-day-long-lines-resource-allocation>.

⁵ PLIGHT OF THE POLL WORKER: EFFORTS TO IMPROVE TRAINING AND SUPPORT FOR POLL WORKERS IN OHIO, PENNSYLVANIA, MARYLAND, FLORIDA, AND MICHIGAN, (2006), http://web.mit.edu/supportthevoter/www/files/2013/08/Advancement_Project-Plight-of-the-Poll-Worker.pdf.

⁶ For example, the ten precincts with the longest lines in Florida during the 2012 elections had roughly only half the number of poll workers per voter compared to the statewide average. CHRISTOPHER FAMIGHETTI AND OTHERS, ELECTION DAY LONG LINES: RESOURCE ALLOCATION; Ann E. Marimow, *Long voting lines blamed on high turnout, too-few poll workers and voting machines*, WASHINGTON POST (Nov. 7, 2012), available at https://www.washingtonpost.com/local/dc-politics/long-voting-lines-blamed-on-high-turnout-too-few-poll-workers-and-voting-machines/2012/11/07/c1057972-291d-11e2-b4e0-346287b7e56c_story.html;

⁷ PRESIDENTIAL COMM'N. ON ELECTION ADMIN., THE AMERICAN VOTING EXPERIENCE: REPORT AND RECOMMENDATIONS OF THE PRESIDENTIAL COMMISSION ON ELECTION ADMINISTRATION (Jan. 2014), <https://www.eac.gov/assets/1/6/Amer-Voting-Exper-final-draft-01-09-14-508.pdf>.

⁸ Adam Cohen, *No One Should Have to Stand in Line for 10 Hours to Vote*, NY TIMES (Aug. 25, 2008), <https://www.nytimes.com/2008/08/26/opinion/26tue4.html?mtrref=www.google.com&assetType=opinion>; Christopher Hitchens, *Ohio's odd numbers*, VANITY FAIR (Mar. 5, 2005), <https://www.vanityfair.com/news/2005/03/hitchens200503>.

⁹ ColorOfChange.org Testimony on the 2012 election, PRESIDENTIAL COMMISSION ON ELECTION ADMINISTRATION. <https://www.eac.gov/assets/1/28/ColorOfChange-PCEA-Testimony.pdf> (last visited Apr. 11, 2018); Brad Heath, *Voting issues surface in battleground states*, USA TODAY (Nov. 6, 2012), <https://www.usatoday.com/story/news/politics/2012/11/06/voting-problems-presidential-election/1685783/>

¹⁰ Libby Nelson, *There are 4,000 people in a half-mile voting line in Cincinnati today. This isn't okay*. VOX (Nov. 6, 2016, 5:10 PM), <https://www.vox.com/presidential-election/2016/11/6/13542680/there-are-4000-people-in-a-half-mile-voting-line-in-cincinnati-today-this-isn-t-okay>.

¹¹ Brad Heath, *Voting issues surface in battleground states*, USA TODAY (Nov. 6, 2012), <https://www.usatoday.com/story/news/politics/2012/11/06/voting-problems-presidential-election/1685783/>.

¹² SPENCER OVERTON & JENALYN SOTTO, HOW TO REDUCE LONG LINES – JOINT CENTER POLICY BRIEF, JOINT CENTER FOR POLITICAL AND ECONOMIC STUDIES (Aug. 7, 2016), <http://jointcenter.org/content/how-reduce-long-lines-vote%E2%80%9494joint-center-policy-brief-0>.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ Ari Berman, *As the GOP Convention Begins, Ohio is Purging Tens of Thousands of Democratic Voters*, THE NATION (Jul. 18, 2016), <https://www.thenation.com/article/as-the-gop-convention-begins-ohio-is-purging-tens-of-thousands-of-democratic-voters/>; National Voter Registration Act of 1993, Public Law 31, 103d Cong., 1st sess. (May 20, 1993), available at <https://www.gpo.gov/fdsys/pkg/STATUTE-107/pdf/STATUTE-107-Pg77.pdf>.