



6815 Euclid Avenue  
Cleveland, OH 44103  
(216)702-3034  
mike@allvotingislocal.org

TO: Senate Government Oversight and Reform Committee

FROM: Mike Brickner, Ohio State Director, All Voting is Local

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RE: House Bill 41

To Chairman Coley, Vice Chair Uecker, Ranking Member Schiavoni, and members of the Senate Government Oversight and Reform Committee, my name is Mike Brickner, Ohio State Director for All Voting is Local, and I submit to you interested party testimony on House Bill 41.

All Voting is Local launched in 2018 as a collaborative effort housed at The Leadership Conference Education Fund, within its project, Access Democracy, in conjunction with the American Civil Liberties Union Foundation; the American Constitution Society; the Campaign Legal Center; and the Lawyers' Committee for Civil Rights Under Law. In Ohio, our campaign has worked on several key initiatives, including coordinating nonpartisan election protection for voters; providing public education to voters with disabilities on their rights; and recruiting poll workers to ensure elections run smoothly.

In terms of the voter experience, HB 41 would improve Ohio's early voting process substantially. One of the primary benefits of the expansion of early voting in 2006 was the decrease in long lines on Election Day. However, those same long lines have appeared yet again at early voting centers, as voters have waited hours in some counties/elections to cast an early ballot. For instance, in 2016, over 2,000 voters cast an early in-person ballot on the Friday before the election, leading to longer wait times and lines that stretched around the block. Two *Cincinnati Enquirer* reporters tracked their time to cast a ballot that day and were able to do so in 2 hours and 50 minutes.<sup>1</sup> HB 41 would help to streamline the process by eliminating the need for early in-person voters to complete an absentee ballot request form or fill out an identification envelope. Importantly, HB 41 was also amended to allow early in-person voters the option to continue to use the last four digits of their social security number as identification.

Another way that the legislature could help to address long lines for early in-person voting is to adopt an amendment to examine whether counties should be permitted to have multiple early voting sites. The ability for county boards of elections to determine what best fits their needs is

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<sup>1</sup> "Hamilton County breaks early, in person voting record," *Cincinnati Enquirer*, November 6, 2016; <https://www.cincinnati.com/story/news/politics/elections/2016/11/06/who-said-early-voting-lacked-enthusiasm/93401184/>.

incredibly important. For example, the current debate over moving the Athens County Board of Elections from downtown Athens to a location in an industrial park highlights this need. Opponents claim that moving the site will make it more difficult for Ohio University students and downtown residents to vote early. Proponents say county residents who may have to travel as far as 27 miles one-way to cast an early ballot need additional parking options.<sup>2</sup> Certainly, these concerns could be addressed with multiple early voting sites in the county to serve the needs of various communities. This is but one example, and other counties may have different needs. Creating a commission to study this issue is a wise and cautious approach to craft policies that would work best for all counties in the future.

Another issue that deserves your consideration is to change state law to allow voters to return their completed absentee ballots to their polling place on Election Day. Currently, voters may only return absentee ballots to their local board of elections office, which results in confusion and some voters are forced to cast a provisional ballot.

In the November 2018 election, I saw this firsthand as one of the leaders of nonpartisan election protection in northeast Ohio, also facilitated by the Cleveland Branch of the NAACP and Lawyers' Committee for Civil Rights Under Law. Throughout the day, we received multiple calls from poll monitors and voters who wished to return their completed absentee ballot to their polling location but they were told to return them to their board of elections or cast a provisional ballot. The vast majority of these voters used public transportation and some had disabilities, preventing them from traveling long distances or driving. Nearly all of these voters eventually opted to cast a provisional ballot. Allowing voters to return their absentee ballots to their polling place can be done with few burdens on election officials while removing a stubborn barrier to voters making their voices heard.

HB 41 includes some improvements for both voters and election officials, and could be strengthened by the inclusion of these amendments. I am happy to answer any questions you may have.

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<sup>2</sup> "Athens residents express concern over potential Board of Elections move," *Athens Post*, December 4, 2018; <https://www.thepostathens.com/article/2018/12/athens-county-board-of-elections-move>.