



LEAGUE OF WOMEN VOTERS® OF OHIO

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LWVO Interested Party Testimony on
SB 22 – REDUCE MINIMUM PRECINCT ELECTION OFFICIALS
Senate Government Oversight and Reform Committee
Jen Miller, LWV Ohio Executive Director
March 4, 2019

Chairman Coley, Vice Chair Huffman, Ranking Member Craig, and members of the Senate Government Oversight and Reform Committee, thank you for the opportunity to offer Interested Party testimony on SB22 on behalf of the League of Women Voters of Ohio.

League members work the polls on Election Day, and quite a few are polling location managers in different parts of the state. When the issue of reducing the minimum number of precinct election officials arose in the 132nd General Assembly, we reviewed the legislation and shared it with them to get their reaction, based on their many years of experience working the polls, balanced with their view as League members who are committed to free, fair, and accessible elections.

Our members who regularly work the polls and manage polling locations agreed that there are indeed times during low turnout elections that they are overstaffed and could effectively manage the polls with fewer people, especially in counties where voter check-in is faster and more efficient thanks to electronic pollbooks. However, they also caution that there are **several potential downsides to having too few people:**

- The total number of poll workers, per state law, needs to include equal numbers from both major political parties, which means reductions can only be made in even-numbered increments.
- There needs to be sufficient poll workers in order to cover restroom or meal breaks and still have partisan balance. One of our members relayed a story from years ago when all the poll workers of one party all went to lunch at the same time, leaving only poll workers of the other party to man the polls – something that clearly must be avoided in order to follow the law.
- There are some circumstances in which poll worker reductions would be detrimental to the proper running of the polls. You certainly don't want to risk having too few workers in a higher turnout election. The same is true for a location that is likely to require additional support even in lower turnout years, such as a nursing home where voters are more likely to need assistance in voting or a community in which people move more frequently and could have a higher usage of provisional ballots – both of which are real examples that resulted in long lines in recent years.

It is important to balance both of these concerns. Yes, it may be reasonable to reduce poll workers in electronic poll book counties in some situations. But we also need to take precautions not to invite the problems listed above. LWV Ohio respectfully suggests this Committee amend SB 22 to:

1. **Address the shortage of poll workers through positive measures.** The entire nation is suffering from a shortage of poll workers, and there are many documented cases of shortages in

Ohio. For example, just days before the 2018 General Election, Montgomery County was short more than 100 Republican poll workers.ⁱ However, reducing the minimum number of required poll workers would prompt other significant problems. This issue can be addressed through a number of ways.

- a. **Provide poll workers the option of working half a day.** The requirement that poll workers work 12+ hours extremely limits the pool of willing and able applicants. A shorter work day would open up the opportunity to college/university students, stay-at-home parents, professionals who can take a half day off, and many others.
 - b. **Provide that the required continuing education of lawyers include the option of election/voting training and administration.**
2. **Ensure that precinct administration and oversight is not partisan** by requiring that administration of the polls at any given time, including lunches and breaks, be staffed by equal numbers from both major political parties.
 3. **Codify the current directive that local Boards of Elections prepare a written Election Administration Plan (EAP)** in which they would systematically plan out all phases of the election to ensure there were adequate resources (poll workers, voting machines, ballots, etc.) for each location, as well as other protections such as requiring a post-election audit to verify results and having pre-thought –out contingency plans in case something does go wrong. *The current state directive to draft local EAPs actually exists as a result of the trial settlement agreement between LWV Ohio and the Secretary of State’s office in 2009.* The settlement also provided that our lawyers at the Brennan Center would review the EAPs. Over the years they improved considerably, and many election officials came around to see them as a useful tool for planning and could even help protect them from future lawsuits by showing what planning went into preparing for the election. *The problem, however, is that directives can change at the whim of each subsequent Secretary of State.*

If this Committee wishes to grant BOEs the discretion to reduce the number of poll workers, then that discretion ought to include “guardrails” to ensure such discretion is used responsibly and that there is an adequate public process for such decisions. While we all hope for the best judgment exercised by our officials, in order to protect the integrity and fairness of our elections, our laws need to include adequate protections.

Thank you for the opportunity to present testimony, and please feel free to contact us with any questions.

The League of Women Voters of Ohio, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

ⁱ <https://www.daytondailynews.com/news/local/poll-workers-still-needed-lot-people-just-canceled/No9RP3hbIFqBn33yxij8qN/>