
HB 680: Testimony as Interested Party
Ohio Senate | Committee on Government Oversight & Reform | July 21, 2020
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Ohio Jewish Communities (OJC) is the statewide government advocacy, public affairs, and community relations voice of our eight Jewish federations and their 150 community, cultural, social, and human services agencies on the front lines helping Ohioans of every faith – and of none – every day. We submit this testimony on their behalf as well.

Background & Statement of Interest

Stemming from both our values and our history, Jewish communities view the responsibility to vote, and to petition and participate in government, as sacred. As a minority faith that was often denied the right to vote in the past, we are committed to protecting that right for ourselves and others. (Even in the United States, many states had religious tests for the franchise and/or for public office¹. In Europe Jews were denied the right to vote for centuries; Romania was the last European country to afford that right to Jews in 1923². Conversely, Jews know too well that disenfranchisement is one of the first moves of tyrants³.) We also feel this obligation from a sense of gratitude towards a country and a system of government that has been benevolent.

For instance, Rabbi Moses Feinstein wrote in 1984 that a fundamental principle of Judaism is

“recognizing benefits afforded us and giving expression to our appreciation. Therefore, it is incumbent upon each Jewish citizen to participate in the democratic system which safeguards the freedoms we enjoy. The most fundamental responsibility incumbent on each individual is to register and to vote.”⁴

Even though as of 1787, the US Constitution forbid religious tests to hold “any Office or public Trust,” Maryland, as one example, still prevented Jewish citizens from holding office by requiring a religious test until 1825⁵.

These experiences inform Ohio Jewish Communities on the importance of every individual vote, and our responsibility to protect this democratic freedom for all Ohioans in this unprecedented pandemic.

As the Government Oversight and Reform Committee considers HB 680, OJC expresses its qualified support with a request for several modest, but very critical, amendments.

These are focused on:

1. Safe voting options
2. Secure online voter registration and absentee ballot requests
3. Innovative Technologies

¹ <https://www.jewishvirtuallibrary.org/new-hampshire-jewish-history>

² <https://yivoencyclopedia.org/article.aspx/Romania#id0ephbi>

³ <https://encyclopedia.ushmm.org/content/en/article/anti-jewish-legislation-in-prewar-germany>

⁴ <http://torahbyemail.blogspot.ca/2008/11/voting-per-rabbi-moshe-feinstein.html>

⁵ <https://msa.maryland.gov/megafile/msa/speccol/sc4800/sc4872/003183/html/m3183-1670.html>

OJC Supports HB 680's Utilization of CARES Act and/or Other Federal Funding for Elections

We support HB 680's authorization of the Secretary of State to use the Election Assistance Commission's grants under the CARES Act to cover the additional costs to our elections, including recruiting and training of election officials, purchasing personal protective equipment for poll workers, modifying polling locations to align with Center for Disease Control and Prevention "Considerations for Election Polling Locations"⁶, and buying processing equipment and technology for the increased mail volumes due to the election. Each of these is essential to maintaining free and fair elections in Ohio.

However, these requirements do not do enough.

Ohio Needs to Do More to Ensure All Ohioans Can Access the Polls Safely in HB 680

We ask the Committee to amend HB 680 to include prepaid postage for absentee ballot applications and absentee ballots, to authorize online absentee voter registration, and allow CARES Act and/or other federal funding for innovative options for safe in-person voting and absentee ballot drop offs. With such amendments included, OJC fully supports HB 680.

Prepaid postage for absentee applications (or as below, an online absentee ballot application) and ballots is essential to ensuring all Ohioans can exercise their right to vote. Even before the pandemic, many other states were already utilizing prepaid postage for mail-in ballots and applications⁷. But with the pandemic requiring Ohio to increase efforts to maintain Ohioans' fair, equal, and safe access to their ballots, these changes would help us meet the challenge Secretary of State LaRose has identified in that "a plan that does not afford every Ohioan an opportunity to vote free of charge would be unconstitutional."⁸

As more Ohioans choose to vote by mail due to safety concerns related to the ongoing pandemic, and with no sense yet as to what the public mood for crowded voting places will be in November, now is the time to provide voters a safe option to exercise their constitutional right. We recognize that the current impact on state revenues is still being calculated. Still, the \$2.1 million⁹ needed can be met using federal funds, such as from the CARES Act.

Moreover, there are simple steps that the Secretary of State can implement to reduce these costs yet still ensure Ohioans can cast their ballot freely.

One such cost saving measure we support amending into HB 680 is online voter registration as envisioned by SB 191, sponsored by Senator Gavarone. We understand the need for maintaining election integrity, and we support the basic identity matching requirements in SB 191 to combat voter fraud. Similar to prepaid absentee-related mail expenses, many other states have some form of online or web-based absentee ballot application process¹⁰.

We also would want already registered voters to be able to fully request an absentee ballot online without the need to print out and mail in the application. Other states' processes to apply for absentee ballots range from web-based portals to email options, with several options that can easily streamline the application process for both Ohio's voters and our county board of elections while keeping costs down. This technology also is an opportunity to increase electoral efficiency related to absentee ballots.

⁶ <https://www.cdc.gov/coronavirus/2019-ncov/community/election-polling-locations.html>

⁷ <https://www.ncsl.org/research/elections-and-campaigns/vopp-table-12-states-with-postage-paid-election-mail.aspx>

⁸ <https://www.cleveland.com/open/2020/03/ohio-secretary-of-state-frank-larose-proposes-pre-paid-statewide-mail-vote-for-delayed-primary.html>

⁹ If 75% of Ohioans vote by mail according to the [Cleveland.com](https://www.cleveland.com/open/2020/03/ohio-secretary-of-state-frank-larose-proposes-pre-paid-statewide-mail-vote-for-delayed-primary.html) opinion article above.

¹⁰ <https://www.ncsl.org/research/elections-and-campaigns/vopp-table-6-states-with-web-based-and-online-absentee-ballot-applications.aspx>

Focus On Emerging (Yet Secure) Technologies to Adapt to COVID-Related Challenges

HB 680 also should prioritize CARES Act funding to implement technology and strategies that can safely streamline the election process. The chaotic primaries around the nation¹¹ underscore the need for Ohio's General Assembly to prevent future chaos¹². While much latitude is already given to the Secretary of State to act administratively to find solutions for challenges of administering an election, especially during the pandemic or its aftermath, the General Assembly can add their voice and support to these efforts.

These could potentially include safe absentee ballot drop off locations, reservation of safe voting appointments, queueing/wait-time technology, and curbside voting options.

Conclusion

Our government's authority is derived "from the consent of the governed."¹³ Indeed, as Congressman John Lewis, whose death we are all still mourning today, has said voting "is the most powerful nonviolent tool we have."

We ask, on behalf of all Ohioans, the Committee make the necessary amendments to HB 680 to protect this bedrock of American government. And, we ask that it be reported to the Senate quickly for full consideration in time for a safe and flawless November general election.

We are happy to answer questions, and we look forward to working with you on this.

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¹¹ <https://www.nytimes.com/article/2020-campaign-primary-calendar-coronavirus.html>

¹² <https://assets.documentcloud.org/documents/6955151/Mke-Turnout-1.pdf>

¹³ <https://www.archives.gov/founding-docs/declaration-transcript>