

Honorable members of this committee,

I'm Janyce C. Katz, an Ohio attorney by profession and former volunteer leader of many organizations. But, today my thoughts are those of as a simple taxpayer and voter who is very concerned about preserving our democratic system and our precious right to vote.

Sub HB 294 and its implications trouble me. It gives every indication that it will make voting more difficult, especially for those who want to vote but for whom voting for many reasons, like holding several jobs and caring for a home and children at the same time, may be difficult.

We should make it easier, not harder for people to vote.

We also should better educate our citizens and our children about their federal, state and local governments, how they and how various specific departments and offices work. Before voters begin voting and ballots go out, we need to better inform voters about the issues and policies as well as the qualifications of the people running for office. And, we should better help them see through the negative advertisements, to look at what a candidate or an issue will do or not do IF voters give them the chance.

Unfortunately, SubHB 294 will not improve our voters' knowledge about voting or their access to vote.

Even though for many years I focused personally and through organizational work on the importance of educating voters and making voting easier, not harder, and would rather continue lauding its importance, I must digress for a moment.

Remember elementary school where the all of us learned there were two ways to win.

Way one is to work very hard to become the best possible athlete, scholar, student, or candidate for student council or class president.

Way two is to somehow undermine the competition and then automatically become the best choice. For example, making sure the kid who should win has a defective computer (or back when most of us were in school – pen) and cannot write the answer correctly. Maybe a little something in that kid's milk at lunch and the kid becomes ill, goes home and, voila, no more competition. Or, somehow get

the kid the wrong question to answer and let that kid go off on a brilliant response to the wrong issue. Or, as happened in one of my law school's classes during my first year, some fellow students got the questions ahead of time and came to the final exam in civil procedure prepared with the correct answers. The professor found out about these super prepared students after the examination was finished. Because he had used for our examination the same examination he had given seven years earlier to other students without changing a word, and because this examination had been passed down over the years to various students' friends to use to prep and no one had broken into his office to steal the test questions and multiple students used the test, he was lenient. Everyone who would have received a grade above a D minus received a "pass". Not one person failed that class.

Elections are similar to these school victories.

For a while now we have heard about stolen votes during the 2020 presidential campaign. There were strange stories about dead communists from South America and bamboo ballots somehow being infiltrated into voting machines that perhaps weren't even legally in a specific swing state. But somehow that dead commie had managed to get the bamboo ballots changing the vote from one candidate to the other stuffed into those voting machines and got those voting machines into the states that hadn't arranged to use them. None of the sixty plus courts who heard cases about this alleged voter fraud found any significant fraud. Nor did they find any dead commies, bamboo ballots or mysteriously moved into a state voting machines. These stories of voter theft did undermine confidence in the security of ballots once cast and the integrity of the results. Perhaps that was what was supposed to happen when the squawking about voter fraud and dead commies started.

We all know that elections are won in several ways – by being the best candidate with the best ideas, the candidate who works hard, schmoozes with all sorts of constituents, kisses babies, of course when there is an extremely dangerous, spreadable disease – no kissing-, raises enough money to run good ads etc.

Then there is the other candidate with no useful ideas, just loyalty to self and perhaps to party. This person wins by undercutting the opponent. Perhaps the plan involves dumping tons of money or getting others to put lots and lots of money into extremely negative advertisements that disgust people who might have voted for

the candidate and they stay home. Or, something nasty about their opponent that may or may not be true pops up suddenly and gets into the hands of a reporter interested in breaking this major news just at a time when people are firming up who they want to vote for or if they even want to bother to vote. Same result, lots of people stay home or vote for the candidate with no ideas because that candidate seems better than the other one. As all of you know, there are multiple other ways to cheat to ensure victory.

All of us know that there is a less exciting but used often by both parties, a tool that makes winning super majorities all so much easier. Say the word “gerrymandering” and you have a guaranteed supermajority, especially if the lines are drawn just so precisely. Here in Ohio, we tried to correct that problem to get a fair vote in each district, but the constitutional amendment just couldn’t be properly implemented in 2022, so we still have gerrymandered districts.

SubHB294 seems to be another means to “help” one side win, as it appears to be targeted at limiting the votes of certain groups of people who just might not vote for that side. That is, unless that side has a compelling agenda and plan for the future that would be of interest to that particular group of people. There seem to be a few helpful new provisions of laws, such as in R.C 3501.29(B) requiring not only polling places but also board of election to be accessible to disabled individuals. But, then R.C. 3501.29(C) eliminates access by vehicle – the ability for someone to drive a person who has difficulty walking or standing and wants to vote – the vote in the car provision. It doesn’t happen often, but certainly it is helpful to those who need it.

That seems to be the gist of the improvements suggested, however, to make voting more difficult for people, thereby discouraging them from voting. That’s the cheating way of winning elections – cripple your opponents’ chances of winning because a good number of their likely voters might not be able to vote for them. Here are a few of the issues:

Eliminates the last day of early voting, reallocating the lost hours during weekdays, but not during the final weekend;

Codifies a confusing early voting schedule with variable weekday hours during the final week of early voting;

Limits Boards of Election to 3 drop boxes, only allows them to be set up at the county board office, and only permits their use starting 28 days before an election;

Eliminates curbside voting provisions that were in the original HB 294;

Continues the prohibition of grandchildren dropping off absentee ballots and creates new criminal penalties for unauthorized ballot returns;

Requires citizenship status to be listed on Ohio driver's licenses.

There is a commandment in the Bible given by the Almighty to Moses to tell the people – it was do not put a stumbling block before the blind (Leviticus 19:14). One can be a textualist and read it as limited to only a block and a blind person, something quite rare. Or, one can give that a broader reading and see that what it means is not to deliberately try to trip someone else up or to just let someone fail or fall for your amusement or to get an advantage out of that person or out of others because that person stumbles if you could possibly prevent it.

SubHB294 is that stumbling block. It makes voting harder with all sorts of provisions that could trip up someone trying hard to be a responsible citizen.

That “road block” was designed to eliminate voters while pretending to make elections safer.

For that reason and also to really protect everyone's right to vote and protect our democratic system, please consider voting down SubHB294.

Thank you for reading this and hopefully deciding Ohio needs laws to make voting easier not more difficult.