

**Testimony of Mimi Plevin-Foust
Regarding Sub HB 458
Eliminate August special elections except
for US House nomination Act
Local Government and Elections Committee**

Chair Gavarone, Vice Chair O'Brien, Ranking Minority Member Maharath, and Government Oversight Committee Members: I am a writer, a mom, and an Ohio citizen submitting this testimony to express my serious concerns regarding many of the provisions in Sub HB 458. What started as a simple bill to limit special elections in August has, within a few days, with little to no debate, been expanded to a 157 page document that contains quickly-added provisions that will lead to serious voter suppression in our state, if this bill passes. As a parent, I am very concerned that more voter suppression and its results will increase the brain drain of educated young people who choose to leave Ohio, including my daughter and her friends.

According to the Election Law Journal's recent article, "The Cost of Voting in American States", Ohio was ranked 41st out of 50 states in terms of ease of voting – in other words, we are already ranked in the bottom ten out of all 50 states (<https://www.liebertpub.com/doi/10.1089/elj.2022.0041>). Laws like Sub HB 458 will make voting here even harder.

On June 1, 2021, more than 100 political scientists, sociologists, and government scholars published a warning that bills like Sub HB 458 that limit voting rights will quickly change our country into a democracy in name only, with disastrous, decades-long consequences for our state and nation's economy, freedoms, safety, and the essential human dignity that American soldiers have fought and died for and our faith traditions hold sacred for every one of us. (<https://www.newamerica.org/political-reform/statements/statement-of-concern/>)

Election experts and officials and America's highest courts agree that the 2020 election was the most safe and secure in our country's history with record-breaking voter participation, and Ohio's 2022 elections was reported to take place without problems as well. Frank LaRose's recent reports on Ohio's election improvements to the Election Assistance Commission show the multiple ways our voting process was secured and access improved, despite the threat of foreign hackers and the worst pandemic in 100 years.

Why, then, are Ohio legislators proposing a bill that was intended to address August special elections but now has been expanded to make it harder for Ohioans to vote while doing little to provide greater security? Many of Sub HB 458's provisions, especially the far stricter limits on types of legal ID for registering or voting, seem designed to make voting more difficult for voters from all parties including many seniors, overseas and military voters, rural voters, low-income voters, and disabled voters.

While I oppose limiting the reasons for August special elections which could harm school districts, I am most alarmed by Sub HB 458's other provisions that make registering to vote or voting itself more difficult. These include cutting ten days off the time in which absentee ballots can be counted which will disenfranchise many military and overseas voters, and reducing access to and hours for

using drop boxes. I also strongly oppose any effort that might reduce local control of each county's independent, bipartisan Boards of Elections or override statewide election officials.

Instead, I suggest the following specific changes to Ohio elections to help create a truly "Secure and Modern" election system in Ohio, based on best practices from states that have high voter turnout vetted by experts.

I. Make voter registration or change of registration easy and automatic.

I propose that all Ohio residents renewing their driver's license, registering a vehicle, applying for a state-issued license or state identification document be **automatically** registered as a voter or have their existing voter registration updated, if applicable, at the new address provided.

In other words, let voters "opt out" rather than "opt in" when they go to the BMV. Encouraging voting should be an important goal of any modernization legislation. Nineteen states plus Washington DC have already instituted this policy with positive results.

Also, **automatically change a voter's registration address** when a voter files a change-of-address form with the Post Office. Many voters don't drive and many forget to change their voting registrations when they move. In fact, this may be the largest group of voters of all ages and political persuasions who have to vote with provisional ballots. Almost all of us have to move at some point: Add a provision to Sub HB 458 to prevent people who move from being disenfranchised.

II. Standardize ID requirements for all types of voting.

I propose that Sub HB 458's provision to allow online application requests for an absentee ballot be modified to require the same variety of IDs as are currently allowed in Ohio.

Limiting legal forms of ID makes voting less accessible and more confusing. In fact, according to the ACLU Voter ID Legislation Fact Sheet, all voter ID requirements not only deprive many Americans of the right to vote and are discriminatory, but they are also a "Solution in Search of a Problem". Here's why:

- In-person fraud is vanishingly rare. A recent study found that, since 2000, there were only 31 credible allegations of voter impersonation – the only type of fraud that photo IDs could prevent – during a period in which over one billion ballots were cast.
- Almost all instances of in-person, impersonation voter 'fraud' result from an elections worker or a voter making an honest mistake.
- Bad actors are busy committing identity theft or scamming seniors – they're not civic-minded enough to try to vote.
- Voter ID laws waste taxpayer dollars, costing states millions to implement, including the costs of educating the public, training poll workers, and providing IDs to voters.
 - Texas spent nearly \$2 million on voter education and outreach efforts following passage of its Voter ID law.
 - Indiana spent over \$10 million to produce free ID cards between 2007 and 2010 (<https://www.aclu.org/other/oppose-voter-id-legislation-fact-sheet>).

III. Enhance access to drop boxes.

I propose that county Boards of Elections (BOE) use geography, distance, population and population density to determine the number of drop boxes for their own county and designate those locations. They should include not only election boards but also public libraries, post offices and government buildings where the boxes will be supervised by current employees. This expansion helps both urban and large rural counties where voters may have trouble getting to the BOE; it helps all kinds of voters.

While the U.S. Postal Service is one option for delivery of vote by mail ballots, it's critical to have drop boxes throughout the state so Ohioans can return their ballots safely, on time and without postage costs. In addition, there may be federal funds that were given to Ohio for recent elections that could still be available to pay for additional drop boxes.

In Colorado, Oregon and Washington, voters can use hundreds of drop boxes located at schools, libraries, post offices, government buildings, shopping plazas, stores, and community centers in urban, suburban, and rural communities. Their elections are models for both security and high voter turnout.

Limiting the hours that one dropbox per county can receive ballots to working business hours, as proposed by Sub HB 458, will seriously harm voters who work during normal business hours and countless other voters.

IV. Early voting hours. Although I recognize that County election officials have requested that the Monday before Election Day be removed from the schedule of early voting hours, I strongly recommend that those six hours of early in person voting removed from the Monday before an election be added to the existing weekend hours for early voting, preferably on the preceding Sundays.

V. Require any changes that would make Ohio's voting systems the world's safest and most secure. You can do that by following the globally approved security standards outlined in H.R. 2722 - the SAFE Act (Securing America's Federal Elections Act), which was passed by the U.S. House of Representatives in June 2019

(<https://www.congress.gov/bill/116th-congress/house-bill/2722>). These standards include:

- Mandatory voter-verified paper ballots for each voter, preferably hand-marked paper ballots. If a machine is used, a paper print-out of each ballot must be provided and checked by the voter and saved for audits.
- Providing voters with disabilities the opportunity to vote with privacy and independence, producing a voter-verified paper ballot.
- Risk-limiting audits for each county after each election.
- All voting machines, their components and processes, manufactured in the U.S.
- No modems or connections to the internet including poll books.

- Preventing hacking through ensuring all voting systems including poll books are continually updated to best cyber-security practices.

Election integrity and transparency are vital to establishing trust from Ohio voters. The best practices listed above should put to rest any future concerns or rumors about Ohio's election procedures and results.

As the 100 political scientists, sociologists, and government scholars warned in their June 1st letter to all Americans, when elections are no longer accessible, free and fair, the consequences of democracy's breakdown are a disastrous downward spiral that can take decades or even generations to reverse. We see the results in fake democracies like Russia, Iran, and Belarus where, as these experts warn, "violence and corruption typically flourish, and talent and wealth flee to more stable countries, undermining national prosperity. It is not just our venerated institutions and norms that are at risk—it is our future national standing, strength, and ability to compete globally."

For all these reasons, I urge you, as a concerned citizen and mom, to use the best practices in voting security and voter access outlined above to help more Ohioans vote in truly secure elections that will actually strengthen our democracy and help our state thrive.

Thank you for your time and attention. It's greatly appreciated.

Respectfully submitted,

Mimi Plevin-Foust