

Opponent Testimony
Senate Bill 92
Ohio Association of Election Officials

Chairman Peterson, Ranking Member Forhan and members of the House Government Oversight Committee:

My name is Frankie DiCarlantonio. I am a board member of the Jefferson County Board of Elections and a trustee of the Ohio Association of Election Officials. I am here on behalf of election officials across the state to offer opponent testimony on SB 92.

Let me say from the outset that election officials are acutely aware of the issues underlying SB 92 as it relates to HJR 1 and SJR 2 and potential statewide issues that could appear on the ballot at some point in 2023 or the future. We offer no comment on any of those underlying issues, nor does our opposition to SB 92 relate to those ancillary conversations. Instead, we view SB 92 and offer these comments through the lens of elections administration.

Many of the points I raise may sound familiar to those of you who were here last year, as much of our opposition to SB 92 is rooted in the same reasons we supported HB 458 as it came out of the House. August specials are a costly and inefficient way to run elections. As noted in our testimony last year, the “cost per vote” is dramatically higher in special elections than in normally scheduled elections. Bear in mind, there are no shortcuts just because an election is held in August. We must still recruit and train poll workers, hire additional staff to conduct logic and accuracy testing and process absentee ballots. We still have to staff the board for the extra time we are open for early in-person voting. And we have a myriad of other costs that we incur while running special elections.

While we completely understand and appreciate that the legislature is appropriating \$20M to run this election, that does not negate the fact that this money is an avoidable expense. The state, just like local governments, can always place issues on a regularly scheduled primary or general election and altogether avoid these costs. It only adds insult to injury for Ohio taxpayers that they just bore the \$20M in expenses associated with an unprecedented second primary election last August. Although we do not deny the legislature’s authority to

appropriate state funds as they see fit, it is incumbent upon us, as election officials tasked with being good stewards of taxpayer dollars, to point out the entirely avoidable nature of this expenditure.

Furthermore, please consider that thousands of non-partisan and local candidates will be filing petitions ahead of the August 9th filing deadline, the day after the proposed August 8th election. How are election officials to deal with these petitions in the days after August 8th when they are still certifying and completing the special election? The timelines simply don't work.

The question has been asked: Can election officials successfully run an August election in 2023? In just the past four years, Ohio's election officials have implemented the nation's strongest and most comprehensive cybersecurity requirements. We have shifted at a moment's notice to conduct an all-mail election under staggeringly difficult circumstances. During a global pandemic, we administered the single largest election in the state's history. And we did so with a 99.98% accuracy rate. We administered the unprecedented second primary in 2022 while navigating nearly impossible deadlines and a constantly shifting legal landscape. We administered another statewide election amidst vexatious public records requests designed solely to create chaos in the election process. We administered that same election with constant harassment and even threats of violence against us. And now we are in the throes of implementing substantial changes to our elections law and running a robust voter education program, all while many boards are also conducting a May primary election.

So, in answer to the question, CAN we administer an August election? Absolutely we can. The question you all should be asking is, SHOULD we be requiring election officials to administer an August election? And the answer is emphatically no. It has been suggested that election officials would just be doing their job by running an August election. I would suggest to you that if this is just "doing our job," Ohioans will soon face a very real situation where no one qualified to do that job is willing to do so anymore. To quote an election official from North Carolina, "If the present situation in this country continues, election officials are going to stop saying 'this is no longer sustainable.' They are simply going to stop sustaining it."

No one wants to hear public employees bellyache about how hard their jobs are, but I feel compelled to point out to this body that burnout is real. Attrition is real. No one in the private sector would suggest that it is acceptable for their employees to be forced to work extraordinarily long hours, under mind-bogglingly stressful conditions, with little or no time off to rest and recover, be forced to miss family gatherings, weekend ball games with their kids, and numerous other life events that will pass them by because all they are being asked is to “do their job.” Yet that is precisely what SB 92 will do. Ohio is losing qualified election administrators at an alarming rate. SB 92 will only exacerbate this very real problem. These are your friends and your neighbors. They are human beings. And the demands being placed on them have become unreasonable and untenable.

Let me be clear, I am not attempting to suggest election officials are afraid of hard work or just grumpy because they may have to cancel a vacation this summer. My intent is to demonstrate that repeatedly requiring election officials to work through these difficult circumstances day after day and year after year has real-world consequences. Elections are too important to leave in the hands of individuals with little or no experience. SB 92 represents an unfortunate continuation of policies that are making the administration of elections difficult beyond reason and forcing good people out of jobs they otherwise love.

Before you vote on this bill, I ask you to pick up the phone and call your local elections administrators. Ask them what their professional lives have been like for the past four years. And then ask the question, SHOULD we be requiring them to run an August special election?

Mr. Chairman, this concludes my remarks. I would be happy to answer any questions you or the committee have.

Commented [WR1]: Overly dramatic.