

Dear Chair Roegner, Vice-Chair Gavarone, Ranking Member Blackshear, and Senate General Government Committee members,

Thank you for the opportunity to provide written testimony in opposition to SB 293, which would require all marked absent voter's ballots to be delivered to the board of elections by the close of the polls on Election Day in order to be counted.

According to the bill sponsors, the intent of this bill is to prevent voter fraud, likely based on the assumption that absentee ballots are less secure than in-person voting. However, the Brennan Center for Justice refutes that assumption (see <https://www.brennancenter.org/voting-mail-and-using-drop-boxes-are-safe-and-trustworthy-ways-vote-thanks-numerous-security>).

Further, Ohio's track record for conducting fraud-free elections has been excellent (see <https://ohiocapitaljournal.com/2025/01/06/after-a-year-of-voter-fraud-concerns-ohios-election-audit-lands-north-of-99-again/>). Sen. Gavarone has argued, "Some people seem to have the opinion that a little bit of voter fraud is find or just the cost of doing business. Not me." (See <https://www.cleveland.com/news/2025/10/gop-senators-move-to-eliminate-mail-in-ballot-grace-period-before-2026.html>).

Is there any concern about citizens living abroad whose ballots are unlikely to have their ballots arrive by Election Day simply because the mail is increasingly unpredictable and unreliable? An Ohio native who lives in Greece told me that, even with the current (reduced) grace period, it is very challenging to get ballots in on time. To be certain they reach the U.S., voters must consider taking on the considerable expense of using a courier.

What of military members stationed overseas – or who might be in the process of moving from one location to another? Or students who attend school out of state?

Can the concern about preventing an extremely miniscule amount fraud possibly be greater than potentially disenfranchising thousands of voters?

The bill sponsors argue that ending the four-day grace period "would align Ohio law with the policy currently in effect in the majority of states." However, as Sen. Bill DeMora has pointed out, Ohio is under the jurisdiction of the Sixth Circuit Court of Appeals, and not the Fifth Circuit Court of Appeals (which has ruled that Mississippi cannot count mail-in ballots arriving after Election Day, regardless of postmark.) Since neither the Sixth Circuit nor the U.S. Supreme Court has yet weighed in on this issue, there is no immediate need to comply with any court order.

According to the Secretary of State's website, Ohio counted about 9,500 late absentee ballots in November 2024, which is 0/86% of the one million mail-in ballots cast in that election and 0/17% of Ohio's overall votes.

Since he took office in 2019, Sec. Frank LaRose has sent more than 600 potential

cases of voter fraud to county prosecutors. Of these 600 referrals, only 138 included allegations of illegal voting, and the remainder had to do with issues like improper registrations. In all, Yost successfully brought six (!) charges against lawful permanent residents. Each of these defendants allegedly voted in two or more elections between 2008 and 2020. (See <https://ohiocapitaljournal.com/2024/10/23/ohio-attorney-general-dave-yost-announces-six-voter-fraud-indictments-two-weeks-from-election-day/>.)

For a reason I cannot fathom, our current president has argued against mail-in voting, even though many of his own voters tend to be older and more likely to use mail-in voting. For another reason I cannot fathom, many of our leaders – all of whom took an oath to defend the Constitution – agree with him.

Considering that fraud is exceedingly rare and mail-in ballots have been shown to be secure, what can possibly be more important than making voting as accessible as possible to make sure the voices of American citizens are heard? Surely voting rights are not absolutely central to any sort of working democracy.

According to the legislative website, there have been two proponent hearings on SB 293. Will the single opponent hearing be followed by an immediate vote? I certainly hope committee members will take more time to carefully consider the potential impact of this bill before voting.

Thanks for your consideration.

Sincerely,

Deborah Cooper