

To: Senate Local Government and Elections Committee

From: Collin Marozzi, Deputy Policy Director, ACLU of Ohio

Date: December 7, 2022

RE: HB 458 – Opponent Testimony

Thank you Chairwoman Gavarone, Vice Chairwoman O'Brien, Ranking Member Maharath, and the members of the Senate Local Government and Elections Committee for the opportunity to provide opponent testimony on House Bill 458 (HB 458). My name is Collin Marozzi, and I am the Deputy Policy Director for the American Civil Liberties Union of Ohio.



4506 Chester Avenue
Cleveland, OH 44103
P: (614) 586-1959
F: (216) 472-2210

1108 City Park Avenue
Suite 203
Columbus, OH 43206
P: (614) 586-1959
F: (614) 586-1974

acluohio.org
contact@acluohio.org

Dr. Ebony Speakes-Hall, LISW-S
President

J. Bennett Guess
Executive Director

Every Ohioan wants, and expects our election systems to be secure, accessible, and as efficient as possible. Ohio's current voter ID framework delivers on all three of these tenants. However, HB 458 would radically alter the way in which Ohioans cast their ballot and subject every voter to a my-way-or-the-highway, strict photo ID mandate. Requiring a photo ID to vote is an unnecessary obstacle to voting for those without the means or desire to have a driver's license or state ID card. Not only will HB 458 prohibit Ohioans without a driver's license or state ID card from having their vote count¹, it makes several other novel changes to election law that have yet to be vetted by this committee, or any other committee of the General Assembly. Changes including the counterintuitive prohibition on a county Board of Elections operating a 24/7 drop box; the elimination of Monday voting without a corresponding allocation of those lost 6 hours; requiring confined voters to use a driver's license or state ID – something that often isn't available when you're in a jail or hospital; and forcing all absentee ballots to be received by their Board of Elections by the close of polls, instead of ten days post-election, and if they're received after the close of polls, to destroy them.

Election integrity is a two-way street. An election system that erects unjustified barriers to the ballot box creates the same level of anxiety among the electorate as an election system with inadequate security protocols. HB 458 will severely undermine the integrity of Ohio's elections, not only for its radical changes to our election laws, but so too by the process by which it was done. A process, which has exploded a 15-page bill into a 157-page bill and given the people of Ohio twenty-four hours to understand its massive changes and submit testimony to this committee. What is happening here today does not inspire confidence in anyone about the integrity of our elections. It's hard to characterize HB 458 as anything more than a deceptive attack on Ohioans voting rights.

¹ HB 458 also requires photo ID to have an elector's provisional ballot counted. Lines 1864-1877



4506 Chester Avenue
Cleveland, OH 44103
P: (614) 586-1959
F: (216) 472-2210

1108 City Park Avenue
Suite 203
Columbus, OH 43206
P: (614) 586-1959
F: (614) 586-1974

acluohio.org
contact@acluohio.org

Dr. Ebony Speakes-Hall, LISW-S
President

J. Bennett Guess
Executive Director

Since 2019, Secretary LaRose has referred² approximately 630³ individuals to the Attorney General's office for *potential* prosecution for engaging in election fraud. Of the 630 individuals referred to the Attorney General's office, 513 were identified as possibly registering and/or voting as a non-citizen; 102 individuals were referred for potentially double voting; and 14 individuals were referred for possibly being a deceased voter. Zero referrals were for voter impersonation. All the data shows that voter fraud in Ohio is exceedingly rare. Voter impersonation, however, is non-existent. So it begs the question, why impose this prohibitive mandate at the 11th hour, and force Ohio taxpayers to foot the bill?

Given there has not yet been a fiscal impact analysis published, and ancillary data is incomplete, it is difficult to know the scale of HB 458's cost. What we do know, is these "free" IDs are going to cost taxpayers between \$6.50 and \$13 per issued ID. That will add millions of dollars to our state budget to implement a photo ID requirement that won't improve our elections.

It's hard to comprehend how this committee is poised to pass HB 458 after the massive changes accepted yesterday. There has been no time for vetting these novel changes, we have no idea how many voters HB 458 will disenfranchise, we have no idea how much this is going to cost Ohio taxpayers, and we have no reason to believe a bulk of the changes included in yesterday's amendments will improve Ohio's elections. For these reasons, and many more, we urge this committee to reject HB 458. Thank you and I'm happy to answer any questions.

² <https://www.ohiosos.gov/media-center/press-releases/2022/2022-10-17/>

³ An unofficial total of 14,503,705 votes were cast in the 2018, 2020, and 2022 elections. 630 *potential* instances of voter fraud constitutes a .00004% rate of *potential* voter fraud

SAVE AS

SAVE AS

SAVE AS

SAVE AS

SAVE AS

SAVE AS

SAVE AS

SAVE AS

SAVE AS

SAVE AS