

# EXHIBIT 20

**Proponent Testimony**

**Submitted by: Dana Walch**

**Ohio House of Representatives Policy and Oversight Committee**

**Tuesday, December 10, 2013**

**2:00 P.M.**

Chairman Dovilla and members of the committee, thank you for allowing me a few minutes to share my thoughts on Senate Bill 238. My name is Dana Walch and I currently serve as the Deputy Director of the Franklin County Board of Elections. I have also previously served as Director of Elections for the Ohio Secretary of State's office.

I am not here today representing the views of the members of the Franklin County Board of Elections or the Ohio Association of Election Officials. I am simply here to offer proponent testimony on this bill as an individual election official with 15 years experience.

I believe this bill is a positive step for election administration in Ohio for a number of reasons. First, eliminating that period of time known as "Golden Week", when someone can register to vote and then vote at the same time is a step that has been endorsed by the bi-partisan trustees of the Ohio Association of Election Officials. This professional organization equally comprised of members of the Democratic and Republican parties has been studying this issue since 2010. Eliminating the week in which someone can register and then vote on the same day is also a concept that was passed by the Ohio House just a few short years ago.

Second, historical in-person absentee data in Franklin County show that only a small percentage of voters actually vote during the first week of absentee voting. In General Elections since 2006, when no-excuse absentee voting became most widely used, only 8% of those casting a ballot early in-person did so during the first week. By comparison, 53% of those casting a ballot early in-person did so in the final week before the election. Another 21% did so in the fourth week of the five week period, meaning that 74% of voters casting an early in-person ballot did so in the final two weeks of the five week period. This compares to only 16% on average doing so in the first two weeks of the current five week period.

Next, eliminating this first week of the five week period still allows for 28 days of early in-person absentee voting...plenty of time for people to be able to cast a ballot. In fact, this still keeps Ohio as the most liberal state in the Midwest for casting an early in-person absentee ballot. Also, if this bill passes well in advance of the 2014 primary election, there is plenty of time to inform voters of the change in timing so they can plan to vote during the new timeframe. In addition to providing this four week period to vote

early in-person, Ohio also allows voters to request an absentee ballot by mail and vote that ballot any time convenient for them from the comfort of their home, without requiring any excuse in order to do so.

Finally, eliminating the period in which a person can register to vote and then cast a ballot on the same day does a great deal to enhance the security of our absentee process. Under the current scenario, boards of elections must go through a lengthy process of holding a "Golden Week" ballot until we gain confirmation that the newly registered person truly is who they say they are. We must first send the voter an acknowledgement notice (like we do every voter when they register). Then, if that acknowledgement notice gets returned to the board as undeliverable, that voter's ballot is considered challenged. Boards are then required to send the voter a confirmation notice. If we do not get the confirmation notice back by the 10<sup>th</sup> day following the election, that voter's ballot might not get counted.

Just so you know, I am a big fan of the U.S. Postal service. I think they generally do a great job getting people their mail in a timely fashion. But with the steps necessary in what I just described, and the tight timeline in which it needs to take place, it can be very difficult for all of this to get done in a timely fashion. Mail does get lost or delayed. This current process sets our system up for circumstances in which an undeliverable acknowledgement card could get returned to us after the election and thus allowing an unqualified voter to cast a ballot. Also, delays in the mail could cause a confirmation card to not be returned to us by the 10<sup>th</sup> day after the election and thus putting a legally cast ballot in jeopardy.

The current system of having to hold the ballot until the person's identity can be confirmed simply creates another category of provisional ballot. Election officials already get beat up enough over how many provisional ballots get cast. Let me assure you, election officials of both political parties take every step possible to get people not to have to vote a provisional ballot. Unfortunately, keeping this provision as-is only creates another category of provisional ballot that adds to confusion with our election system.

I want to make it clear to the members of this committee that I am a strong proponent of our absentee process here in Ohio. I was proud to take part in numerous discussions with members of the Ohio General Assembly while I was with the Secretary of State's office to advocate removing the former reasons needed to vote via absentee ballot. I was an advocate of no-excuse absentee voting long before it passed in 2005. I remain an advocate of no-excuse absentee voting today but do encourage you to pass this common-sense piece of legislation that still allows for more than adequate access to voting prior to the election while also increasing the security of our electoral system.

I believe it is time to pass this measure which has been supported by the bi-partisan trustees of the Ohio Association of Election Officials, by our former and current Secretary of State, and was supported by members of both political parties in the Ohio General Assembly just a few short years ago.

Does voter fraud occur as much as some people say it does...no. But it does occur. And when we know that there is a procedure in place that could possibly lead to fraud, shouldn't we take every step possible to thwart it before it happens? The process as it currently stands with allowing people to register and then vote on the same day is ripe for potential fraud. We should do everything we can to stop this before it happens. I think passing this piece of legislation does just that.

I thank you again for allowing me to speak with you today and would be most happy to answer any questions that any of the members might have.