



## LEAGUE OF WOMEN VOTERS OF KANSAS

### *CONSTITUTIONAL EDUCATION OF VOTERS, DMV AND ELECTION WORKERS*

Senators:

**I am Ernestine Krehbiel, president of the League of Women Voters of Kansas**

As members of this body have emphasized, the importance of a clean, fair election is based on the fact **that voting is our most fundamental right. All other rights rest upon the right to vote in America.**

Based on a comprehensive review of every court case in which a photo ID law has been challenged in other states, the Brennan Center for Justice has evaluated some of the costs states must incur when they implement photo ID requirements for voters. The case law to date has established several basic principles that must be satisfied under the Constitution:

***First, All citizens must be informed that they will need a government provided photo IDs in order to vote. They must be informed:***

- That the requirements for voting have changed.
- Where and how to get the ID free of charge for voters without one
- That not every county has a full service office of DMV so they need to know where to go then.
- What documents they will need to take with them in order to get the government issued photo ID include a birth certificate and a marriage license (if married name is different).
- That their vote will not count on the provisional ballot without showing the election officials this gov. issued photo ID **WITHIN FIVE DAYS** of the election.

***Second, the state must undertake substantial voter outreach and public education efforts to ensure that voters are apprised of the law's requirements IN AN ADEQUATE TIME PERIOD TO BE ABLE TO Get DOCUMENTATION and the procedures for obtaining the IDs to vote.***

- **MISSOURI FOUND THAT IT COST \$6 MILLION TO IMPLIMENT THE LAW AND CARRY OUT VOTER EDUCATION. THE SUBSIQUENT YEARS COST \$4 MILLION.**
- **GEORGIA WAS REQUIRED BY THE COURTS TO SPEND \$1.8 MILLION ON VOTER EDUCATION IN ONE YEAR ALONE.**
- In Georgia, the Federal courts blocked the implementation of the Georgia's government-issued photo ID law, emphasizing the inadequacy of the voter education efforts .It said the state's effort was "not reasonably calculated to reach the voters who are most likely to lack a Photo ID, many of whom may not appear at the polls or the registrar's office during those times."

Georgia had developed paid public service announcements (PSAs) for radio stations, and a letter for voters explaining the rules. In finding these efforts inadequate, the court found significant that

many of the PSAs ran on off-peak hours and on a radio network with a low number of total listeners, and the letter, which was to be distributed at the polls on election day, The court noted that Georgia's DMV centers were **spaced widely apart as they are in Kansas**, were not located in every county, and were primarily in rural areas where **mass transit was unavailable**. Georgia even put in a mobile vehicle for providing IDs.

The court also noted that voters without ID who were forced to vote via provisional ballot could not be expected to travel to election officials' offices with photo ID within the required deadline (five days in Kansas) because **voters who lacked ID would likely find it far more difficult to obtain transportation to DMV service centers to obtain a photo ID than to the polls on election day, itself.**

- The Brennan Center estimates that it is likely cost as much to educate for this change as was for the implementation of the HAVA changes. Kansas received over \$24 MILLION DOLLARS TO IMPLIMENT AND EDUCATE ABOUT HAVA.

***Third, training and education of DMV workers and all election workers who will be inspecting required documents has not been done. What funds will be used?***

- I called eight counties in January at random through out the state and none knew that they were going to have to implement a new voter ID law—not at the election office and not at the DMV.
- **In Kansas NOT every county HAS A FULL SERVICE DMV THAT GIVES PHOTO IDs** and the distance to go to comply with this law is going to be prohibitive for many voters.
- The Courts have ruled that photo IDs must be readily accessible to all voters, without undue burden. At a minimum, Kansas will likely have to expand the number of ID-issuing offices and extend their operating hours to meet this requirement.

***Fourth, This remaining \$300,000 of the HAVA grant money of \$24 million is not only inadequate for voter education and election worker training but it should be being used for the purpose that it was it was granted to the state of Kansas.***

This use of the HAVA money takes money away from its federal grant purpose –to implementing the **Help America Vote Act** which included providing counties with updated incorruptible voting machines.

- Did you know that there are still 40 counties in Kansas using voting machines that cannot be audited? Forty counties use touch screen voting machines that cannot be re-counted.
- Why isn't the HAVA money being used to upgrade the machines in 40 counties, including Johnson, Wyandotte, Leavenworth, Ottawa, Riley, Shawnee and many others.
- Recently, in Pennsylvania, this same brand of machines were found to have been deliberately and fraudulently manipulated during elections from outside for the past three years. They couldn't be re-counted either.
- In Florida, a programmer testified that he was required by his employer to rig machines with no paper trail for audit—one of the two brands of machines that all of Kansas uses—one without a Auditable Paper Trail .