



Our mission is to end discrimination based on sexual orientation and gender identity, and to ensure the dignity, safety, and legal equality of all Kansans.

www.KansasEqualityCoalition.org • 6505 E. Central #219 • Wichita, KS 67206 6 (316) 260-4863 • fax (316) 858-7196

Testimony of Thomas Witt, Executive Director
Kansas Equality Coalition
House Committee on Elections
In Support of SB388
February 15, 2012

Good morning Madame Chair and members of the committee. I am here today to speak in support of SB388, and I thank you for the opportunity to do so.

The current system of training of election workers is done county-by-county. There do not appear to be any standardized methods for their training and evaluation. We believe it is critical to the conduct of safe and fair elections that workers in all areas of our elections process be fully trained.

Documents proving citizenship must be evaluated prior to registering new voters. For some voters, this will be a simple and straight-forward process. A new voter, born in Kansas, with a Kansas birth certificate and with current Kansas identification matching that birth certificate, will have documents familiar to most persons working in elections. However, not all Kansas voters have Kansas birth certificates; many Kansas voters were born out of state, and a few, while natural-born United States citizens, were born overseas on US military installations, or to U.S. parents who were abroad at the time of birth. Other voters will have birth certificates and other documents proving citizenship that do not have their current name as shown on their identification. Reasons for this are adoption, marriage, and divorce. These voters may be required to provide a paper-trail proving a link between their current name and the name shown on their birth certificates. Some voters, under the new statutes, may be required to sign affidavits providing an explanation of discrepancies in documents.

Recent revisions to Kansas election laws, rules, and regulations governing voter registration have increased the complexity of the registration process. Not only is the process more complex, but more people are now involved in that process. Employees at the Division of Motor Vehicles and its local offices, the Department of Social and Rehabilitation Services and its local offices, all Medicaid offices in Kansas, first and second class city clerk offices, the Department of Health and Environment—Women, Infants and Children (WIC) Program and its local offices, deputized voter registration outposts in Kansas, and county and district attorneys, will all play a role in evaluating documents presented for voter registration.

Because of the incredibly wide diversity of documents, including those from out of state, we believe it is imperative that all workers processing voter registration be familiar with this variety, and be trained in how to evaluate those documents with which they are unfamiliar. Not having this type of training in place could put new voters at risk of being disenfranchised, not because they are unqualified to vote, but because an untrained election worker rejected otherwise valid documents proving citizenship.

Workers must also be able to provide accurate information to voters on what documents are needed, and how to acquire documents such as free Kansas birth certificates and free identification for the purpose of voting. There have been recent news reports of confusion in agencies responsible for providing these

documents to voters, including voters being turned away from a Wichita driver's license bureau while attempting to apply for free voter identification.

Election workers will also now be called upon to compare the physical appearance of a voter to that voter's photo ID, both at the time of registration and at the polling place. The process by which the election board worker shall evaluate appearance, as defined in the current statute and its rules and regulations, is insufficient, and includes no objective standards for considering specific discrepancies in appearance. This lack of standards grants an election board worker wide latitude to reject otherwise valid identification for no reason. Election workers must be trained in how to conduct these visual evaluations, and how to account for discrepancies in a way that does not disenfranchise voters.

For reasons of transparency and accountability, we believe these training standards should be uniform statewide, and that all training materials be considered public records. Election workers should be tested on their proficiency in implementing those policies they are responsible for applying and enforcing. Should they not be able to demonstrate proficiency, workers should not be allowed to participate in the process of voter registration nor in the conduct of an election.

Finally, we believe, again in the interest of transparency and accountability, that election worker test results and evaluations be considered public records, and that all materials are available for public inspection prior to any election.

Because of a miscommunication with the Office of the Revisor, SB388 is missing one section:

Sec 1(c): All training materials, test results and evaluations shall be an open record for the purposes of K.S.A. 45-215 et seq., and amendments thereto, and available for examination prior to any election.

We ask that, should the committee work SB388, that this language be included in the bill.

Thank you for your time and attention. I am happy to take questions.