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STATE OF KANSAS

Before the Committee on Judiciary

Kansas Secretary of State Testimony for HB 2164

Kansas Secretary of State Kris Kobach
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Chairman King and members of the committee, I am Kris Kobach, Kansas Secretary of State. Thank you for the opportunity to testify on behalf of HB 2164, an act concerning jurors. HB 2164 passed the House, as amended, on February 25, 2013 on a vote of 75-45.

One of the predominant ways that prospective jurors are selected is from the list of registered voters. When a prospective juror receives a notice of jury duty, they may inform the jury commissioner of potential reasons they are not qualified to be a juror. One such reason is that the prospective juror is not a United States citizen. I support HB 2164 as it would require a jury commissioner to provide my office with a list of those individuals who provide information disqualifying themselves from jury duty due to citizenship. My office would then check the list of individuals disqualified from jury service for not being citizens against the voter rolls. As a non-citizen is not eligible to vote, my office would use this information to remove these ineligible individuals from the voter rolls. This bill would provide another valuable tool in the efforts to ensure secure and fair elections. Similar measures have proved valuable in Texas and Florida.

I do ask that the committee consider an amendment to HB 2164. As it currently reads, HB 2164 would require any jury commissioner to submit the required information "in a form and manner approved by the secretary of state and as established by supreme court rule." The Office of Judicial Administration (OJA) has been reluctant to provide information to my office in the past. It is my concern that the current language in HB 2164 would allow the OJA to continue withholding the requested information by not establishing a supreme court rule. Another concern would be if the supreme court rule required that jury commissioner's provide only the names of the individuals who have indicated they are not citizens. To be able to accurately check individuals against the voter rolls, we would need at least the following information: first, middle, and last name; date of birth; address; and last 4 digits of the Social Security number if available. If HB 2164 were amended to strike the language "as established by supreme court rule" it would ensure that the bill would achieve its purpose, requiring jury commissioners to provide my office with the list of those individuals disqualifying themselves from jury duty due to citizenship in a form and manner that allows those individuals to be checked against the voter rolls.

In conclusion I encourage the passage of HB 2164. This bill would facilitate the flow of information across state government, helping to ensure that Kansas remains the model for the nation when it comes to secure and fair elections.