

RE: HB2086

Chairman Proctor and the House Election Committee:

I am here to oppose a section of a new statute in House Bill 2086. The issue I have is with Section 3, lines 31-36 on page 1.

The job of the election commissioner and county clerks of Kansas is to provide a safe and secure election experience. Safe and secure would include all areas of the election, including all computer or computer driven equipment. Within the computer would be the hard drive. Verifying this item is safe and secure before, during, and after the election is essential. It would be imperative the systems are the same before, during, and after all elections. If this is the case, why would the secretary of state need to give written consent to take an image of the hard drive?

Tina Peters, the Mesa County Colorado clerk and recorder, did her job in the fall of 2020. Tina lawfully made images of her county hard drives before the 2020 election. She also made images of the hard drives shortly after the election when the election machine company told her there would be software updates to the machine. She made sure her constituents were protected. Once the images were compared, certain files and computer logs had been overwritten. Thus, no forensic investigation could have been done. If she had not taken the first hard drive image, then no one would have known files were illegally deleted.

So, my question is, why would we not want to have an image of the hard drive? Why do we not want to be transparent? Why would the secretary of state need to give consent to take an image?

I would highly recommend the committee remove section 3, lines 31-36, on page 1 of the statutes revision.

Thank you.

Brett Anderson