



June 15, 2005

Honorable Bill Harris
Chairman
Senate Rules Committee
Ohio Statehouse
Room 201
Columbus, Ohio 43215

Dear Senator Harris:

I am writing to express SEIU's concerns about HB 3, currently under consideration in the Senate Rules Committee.

SEIU firmly believes that elections are the very essence of our representative democracy. Our members are very concerned about the integrity of the voting process and want to work to restore public faith in the mechanisms of our democracy.

An objective review of the 2004 general election experience in Ohio demonstrates that the largest problems facing our election system today is not voter fraud, but is the voter's inability to cast their vote and have confidence that it will be counted. Long lines, inadequate numbers of voting stations, uneven enforcement of rules and regulations, exacerbated by frequent and contrary directives from Secretary of State's office are at the core of what's wrong with our system. SEIU believes that the goal of any election reform legislation should be to broaden access to the electoral process to all eligible voters and remove barriers from participation.

We are disappointed, therefore, with HB 3, the legislation currently before this committee. In our view, HB 3 falls short of ensuring that all of Ohio's voters have a full opportunity to cast their ballots and to have their votes count. In important respects, this legislation moves backwards. Specifically we are concerned about provisions in the bill that would require voters to cast a provisional ballot in some circumstances when under current law voters would have the right to cast a regular ballot. These circumstances would include, a returned voter registration confirmation, a registration received by mail without ID, or a change of address within a voting precinct.

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Senator Bill Harris

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To ensure broad access to the electoral process SEIU believes a registered voter should be allowed to cast a regular ballot in any polling place in the county where they are registered and not be limited to their assigned precinct. Furthermore, we would urge lawmakers to consider allowing early voting, available on a daily basis at least 15 days prior to Election Day and institute true no-fault absentee balloting. These measures would help address long lines and lengthy delays experienced by voters at some polling places.

Lastly, we oppose provisions in HB 3 that place additional hurdles and restrictions that discourage voter registration efforts. Having to register in each county where you want to register voters and having to return registrations directly to the county of the registrants residence, or face a felony charge would have an inappropriate chilling effect on legitimate efforts to bring more Ohioans into the democratic process. The handful of examples of fraudulent voter registrations during the last election cycle (none of which led to fraudulent votes) does not justify these harsh restrictions.

As mentioned above, the core problem in Ohio's election system is systemic barriers to participation, not fraud. If the legislature is going to introduce these restrictive practices, they *should at least provide evidence of the problem they are solving*. Any restrictions on the **right** to vote should have to be justified by very strong evidence, though no such evidence has been offered.

Today, this state has the technology to ensure that our diverse and growing population enjoys the most accurate, accessible and nondiscriminatory voting system in the world – one that should instill pride and confidence in every American. Legislation must not undermine existing protections for voters. SEIU urges you to adopt legislation that removes the barriers to full participation in the electoral process, not make it more difficult for eligible voters to cast their vote and have it counted.


Sincerely,



Chris Collins
Legislative Director

cc: Members of Senate Rules Committee

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|  | <p>RULES COMMITTEE 126th General Assembly</p> |
| | <p>Witness Form</p> |

TODAY'S DATE: 12/6/05

NAME: BRIAN DAVIS

ADDRESS: 1668 WOOD RD.
Cleveland Hts, OH 44121

TELEPHONE: 216/432-0540

ORGANIZATION REPRESENTING: Northeast Ohio Coalition for the Homeless

TESTIFYING ON BILL NO.: HB 3 - voting changes

TESTIFYING AS (CHECK ONE):

- PROPONENT
- OPPONENT
- INTERESTED PARTY

ARE YOU A REGISTERED LOBBYIST? YES NO

ARE YOU SUBMITTING WRITTEN TESTIMONY? YES NO

COMMENTS:

Brian Davis
Northeast Ohio Coalition for the Homeless
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Testimony before the Senate Rules Committee December 2005—House Bill 3 Voting Changes

The Northeast Ohio Coalition for the Homeless does not support additional obstacles added to the most fundamental rights of our democracy: voting.

NEOCH is a non-profit charitable organization operating in the City of Cleveland with a mission of amplifying the voice of homeless people. We administer a number of programs that serve homeless people including a voice mail system, a housing assistance program, a street newspaper, and a legal assistance program. We see 25,000 homeless people in Cleveland and nearly one-third of the population needs help with obtaining identification. One issue of relevance for this proposed legislation is that NEOCH has some experience in assisting homeless people with obtaining identification.

No matter if you are homeless or housed it is not easy to get identification in the post-September 11th world. Those that wander from shelter to family to the sofas of friends have an even more difficult time. The birth certificate is the basis for all forms of identification. There is no national standard for the issuing of a birth certificate, and a few states make it nearly impossible for a homeless person to get a legitimate copy of their own birth certificate. In our collaboration with service providers in Cleveland, we can demonstrate nightmare scenarios in which homeless people wait six, eight or ten months to receive a birth certificate. The assistance with obtaining a birth certificate is expensive and for many takes a great deal of time to finally receive a legitimate form of identification.

There is no standard in the fee for a birth certificate or standard for the time required for another state to respond. A son or daughter born on a military base or a U.S. citizen born in Puerto Rico have nearly an impossible task just to get identification. For some it is easier to travel to their place of birth in order to retrieve a birth certificate, but that is certainly prohibitive for homeless people. This delay makes it difficult to find housing, a job, receiving assistance, and now the proposed legislation would make it difficult to cast a ballot in Ohio.

Our government should not penalize people with denial of the opportunity to vote or that threat for being poor or having to flee a domestic violence situation. Donna fled her husband in the middle of the night in August with her children and the clothing on her back. She could not safely leave her house with her identification, and because she was born in California would have had to vote by provisional ballot in the November election if this legislation were enacted. She is certainly made to feel punished by the State for seeking safety, and Donna needs supported in her struggles not segregated into a separate class.

James is a veteran of the first Iraq War, and comes from a military family. He was born at an American base in Germany to a decorated veteran of the U.S. Army. James became homeless after struggling with a health issue for years, and had all of his identification stolen in the shelters. He has petitioned both the Defense Department and the State Department for his birth certificate and each say the other is responsible. He cannot get a job without ID, and with this legislation he will have to file a provisional ballot and hope that he is counted.

Having registered thousands of homeless people, and having helped hundreds over the last year to vote, NEOCH does not see that the identification requirement as an improvement to the process. There is no reported fraud that would require this legislation. It will certainly slow down the voting process, which was problematic in the 2004 election, and it will create a second class of voters forced to cast provisional ballots. It is already a struggle to get a homeless person to feel that they are a citizen with all the rights of every other citizen while they wait in a shelter, and this proposed legislation further alienates a growing segment of our population. We urge the committee to look at how difficult it is for citizens to obtain identification. We urge the committee to remove this identification requirement until there is at least uniformity in the issuing of birth certificates. Do not penalize people for being homeless and being born in another state.



December 7, 2005

Honorable Bill Harris
Chairman
Senate Rules Committee
Ohio Statehouse
Room 201
Columbus, Ohio 43215

Dear Senator Harris:

On behalf of SEIU's 25,000 members in Ohio, I write to express concern over the impact of certain provisions of HB 3 on Ohio's working families. SEIU is encouraged that the legislature is taking up the important issues of election reform. However, we are concerned that a 435-page substitute bill that has only been publicly available for one day is being rushed through the legislative process. A substitute bill that at its core is about the right of every citizen to vote. Also, at a time when photo ID requirements are facing legal challenges, most notably in Georgia, it appears Sub. HB 3 is moving in the wrong direction. Sub. HB 3 moves to restrict access to the right to vote, while Ohio should be looking at real reforms to expand access and make elections voter-friendly.

An objective review of the 2004 general election experience in Ohio demonstrates that the largest problems facing our election system today is not voter fraud, but is the voter's inability to cast their vote and have confidence that it will be counted. Long lines, inadequate numbers of voting stations, uneven enforcement of rules and regulations, exacerbated by frequent and contrary directives from Secretary of State's office are at the core of what's wrong with our system. SEIU believes that the goal of any election reform legislation should be to broaden access to the electoral process to all eligible voters and remove barriers from participation.

Sub. HB 3's new voter ID provision is striking in that it completely misses the mark in addressing the issues Ohio faced in recent elections. While there is no evidence of widespread fraud in Ohio, there is widespread evidence of voters being denied access to their right to vote. The mere potential that fraud might occur in any given election does not warrant the uneven and dire cost of denying eligible citizens the right to vote.

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A recent COHHIO/League of Women Voters study found that in over 9 million votes cast in the 2002 and 2004 general elections, there were only 4 proven cases of voter fraud in the entire state.

Voter ID requirements will serve to disenfranchise voters without appropriate identification and by exacerbating lines at the polls which already have been proven to discourage eligible voters. As voter access continues to be a major problem in Ohio, SEIU does not support creating additional hurdles by adding identification requirements.

In addition, the requirement that a voter must submit a provisional ballot if the address where the voter is registered does not match the address on the ID they present undermines the rationale behind provisional ballots. The provisional ballot exists to ensure that every voter that affirms their eligibility to vote is able to cast a ballot. Addresses among youth and low-income populations change frequently and forms of identification may not be updated in time for the election.

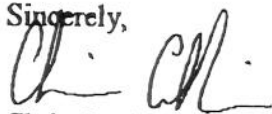
SEIU also has serious concerns that the lack of attention in the bill to poll worker training will mean these new provisions will be executed inconsistently and incorrectly across the state.

SEIU is disappointed that Sub. HB 3 misses an opportunity to address real election reforms. Early voting and Election Day Registration are proven methods of easing the glitches that occur on Election Day. Early voting allows greater access to working families that do not have flexibility over when they can make it to the polls, get children to school and commute to work. Election Day Registration eases problems with provisional ballots by allowing voters to register on the spot. Additionally, HB 3 fails to address issues of inadequate poll worker and voter education which would do more to further the integrity of the vote than unnecessary ID requirements.

Lastly, we oppose provisions in HB 3 that place additional hurdles and restrictions that discourage voter registration efforts. Having to register in each county where you want to register voters and having to return registrations directly to the county of the registrants residence, or face a felony charge would have an inappropriate chilling effect on legitimate efforts to bring more Ohioans into the democratic process. The handful of examples of fraudulent voter registrations during the last election cycle (none of which led to fraudulent votes) does not justify these harsh restrictions.

Today, this state has the technology to ensure that our diverse and growing population enjoys the most accurate, accessible and nondiscriminatory voting system in the world – one that should instill pride and confidence in every American. Legislation must not undermine existing protections for voters. SEIU urges you to adopt legislation that removes the barriers to full participation in the electoral process, not make it more difficult for eligible voters to cast their vote and have it counted.

Sincerely,



Chris Collins
Legislative Director
SEIU Ohio State Council

cc: Members of the Senate Rules Committee