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To: Senate Committee on Federal and State Affairs
Date: Monday, March 20, 2023
Re: HB 2086, *An Act Concerning Elections ...*
Neutral, In-Person Testimony

Thank you to the Chair and the Committee for this opportunity to discuss this bill.

Sec. 23. KSA 25-433 (e) and Sec. 28. KSA 25-1122 (e)(1)

“Signature verification may occur by electronic device or by human inspection.”

Signature verification is a critical part of security of mail-in ballots, but how can verification by an electronic device be tested? How reliable is the process to test this verification?

Sec. 28. KSA 25-1122 (j)

20 (j) If a person on the permanent advance voting list fails to vote in
21 ~~four two~~ **four** consecutive general elections ~~held on the Tuesday~~

Four consecutive general elections would be eight years! Shouldn't two cycles be fair without some feedback from the voter? "Inactive voters" could enable shenanigans.

Sec. 28. KSA 25-1122 (k)(1)

(k) (1) Any person who solicits by mail a registered voter to file an application for an advance voting ballot and includes an application for an advance voting ballot in such mailing shall include on the exterior of such mailing, and on each page contained therein, except the application, a clear and conspicuous label in 14-point font or larger that includes:

(A) The name of the individual or organization that caused such solicitation to be mailed;

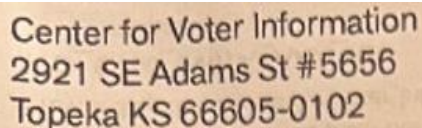
(B) if an organization, the name of the president, chief executive officer or executive director of such organization;

(C) the address of such individual or organization; and

(D) the following statement: "Disclosure: This is not a government mailing. It is from a private individual or organization."

This is a very good idea. In 2022 one organization sent 1.5 million mailers (voter registration or advance ballot applications) to Kansans [out of a total of 85.5 million nationally].

In known cases this DC organization used a PO box here in Topeka disguised as a suite number so voters would think this was coming from a Kansas organization:



Center for Voter Information
2921 SE Adams St #5656
Topeka KS 66605-0102

This organization has caused confusion in many states with their massive mailings and sometimes incorrect fields in the filled-out forms:

My research:

<https://watchdoglab.substack.com/p/did-855-million-mailings-from-one>

Examples from several states (see problems in Fairfax County, VA and Florida):

<https://watchdoglab.substack.com/p/example-mailings-from-non-profits>

There should be a similar disclosure requirement for any online non-State-of-Kansas web site processing voter registration and advance ballot requests on every page of the website: *“Disclosure: This is not a government website. It is from a private individual or organization.”* One web page should show the other information required above for mailings.

Other matters

Why can a DC non-profit buy Kansas voter data 68 times from 2020-2022 for unknown purposes? At \$200 a copy, few Kansans can afford to buy data more than a few times a year. Should such out-of-state purchases be restricted like in some states? My research <https://watchdoglab.substack.com/p/george-soros-foundation-to-promote>

Voter Data / Election Data Quality Improvement

Citizen reports about problems in voter files. There needs to be a defined process for citizens to give county clerks/election commissioners documented problems found in voter files. Testimony from a hearing here in Kansas last year identified several data problems that have existed at least back to 2006 when HAVA required a single statewide system. Years ago I gave up reporting most problems to county clerks because the reports were mostly ignored without comment. *Without a feedback loop problems are never fixed. Data quality builds trust in the process.*

Consistency between election systems.

- Precinct election results in Excel files should be reported the same way for all 105 counties -- not one way for 101 counties, and four separate ways for large counties.
- The precinct names/labels used in the voter file do not match the precinct names/labels used in the election results in many counties – this has been true since 2006. Anyone should be able to analyze statewide election results by precinct in the context of voter demographic data. This can be done for some counties, especially the larger ones, but only after manually matching the precincts. *There needs to be a process by which suggestions from the public can be considered.*

Timely release of voter history and other election-related files. Voter history is a key data element used to analyze elections. Unfortunately, there is no requirement for timeliness in such reports by county clerks. In mid-February 2023 there were still 18 counties that had not completed this task from last November’s election. Apparently, there is no deadline and no reporting requirement. One must buy the data for \$200, no matter how incomplete, before one can learn what is missing.

Thank you for your consideration. I'm available to answer questions or provide additional information.

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