



## Opponent Testimony for SB 439

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American Civil Liberties Union of Kansas

Senate Committee on Federal and State Affairs

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Committee Chairs and Members of the Committee,

Thank you for the opportunity to present testimony today. My name is Aileen Berquist. I am the Community Engagement Manager and lobbyist for the ACLU of Kansas. We are a nonpartisan, non-profit organization that works to preserve and strengthen the civil rights and liberties of every person in Kansas.

The ACLU of Kansas opposes SB 439. Voting should not be made more difficult for Kansans—and striking registered voters from the rolls because of inactivity does just that. This bill would penalize people who don't vote regularly, forcing them to reregister and potentially disenfranchising them if they don't register in time.

Voting in this country is difficult. From registering to finding candidates in local elections and finally casting a vote, the system is complex. Because it is so complex, many organizations work for months before every election to simplify the process for the everyday voter. They hold registration drives to help people with application questions. They create explainer documents about the issues on the ballot. There are videos and fact sheets updated **every year** explaining how to vote appropriately by mail, find a polling place, and when to ask for a provisional ballot. This bill would needlessly complicate an already complicated system.

Between 35 and 60 percent of eligible voters don't vote in any given election.<sup>1</sup> Some people only vote in presidential elections. Others only vote in presidential elections when they feel the fate of the country is at stake. Removing them from the voter rolls is unnecessary and sets up a very feasible scenario where a voter is ineligible to vote on election day because they were purged from the voter rolls. And in Kansas, where voters must register 21 days before an election, they would have no recourse. If a Kansas voter goes through all of the hurdles described above, they should not show up on election day and be told they cannot vote.

Voter roll maintenance is justified, and the NVRA outlines the specific reasons for removing someone from the rolls: upon an individual's request, criminal conviction, mental incapacity, death, change of residence or initial ineligibility. Not voting frequently does not meet these requirements and would serve no purpose but to remove eligible voters from the rolls and limit their ability to participate in elections. The supposed benefits gained by purging infrequent voters are limited, and they weigh heavily against the very real possibility of disenfranchising eligible voters. We request that this committee not pass this bill, and instead focus on legislation that expands and simplifies access to voting.

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<sup>1</sup> <https://electionlab.mit.edu/research/voter-turnout>, <https://projects.fivethirtyeight.com/non-voters-poll-2020-election/>