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SB – 389 Virtual Testimony

Proponent

I stand as a proponent to SB-389, as the security and integrity of every ballot is of the utmost importance. So much so that the CISA act of 2018 oversees the election processes with the guidance of the Election Infrastructure Subsector, as a matter of critical infrastructure and national security. I believe that whatever improvements can be made to ballot authenticity should be highly considered by the legislature as a whole.

I see additional value within this bill as well if it were to be slightly amended. Watermarks could also be specific to the type of ballot for later ease of reporting and review in certain cases. For instance, in the situation of provisional ballots. Mr. Davis Hammet recently received civil injunctive relief from a judge in the Shawnee District Court under KORA public records guidelines that the Secretary of State cannot withhold the list of provisional ballot voters. Subsequently after the ruling the Kansas Secretary of State went out of his way to contact ES&S to have the report scrubbed from the listed reports available through the 'ELVIS' system and they did so on Sept. 13, 2020. In addition, in email exchanges, the KSOS council advised Mr. Hammet that they would not turn this report back on despite them knowing he would be requesting the reports for additional election cycles. The system for this report when it was available prior to the removal by the KSOS was easily accessible, but also erased it within the system in order to process the next election system data for this same report.

Simply put, the authority of the KSOS can be abused to disenfranchise public access to whatever they want to limit despite legislative and court directives set forth. I see it overwhelmingly beneficial to maintain all records of these types of reports that can be utilized and are meant to be held as public information. Ultimately, my view is that any watermark or tare off serial number for ballot records can be a significant tool for generating these reports later that are not necessarily located in a place where they must be removed to proceed with the next election cycle.

This week the Thomas County Board of County Commissioners established a community ran Audit and Advisory Committee, to assist with our local election processes. As a member of that committee and with the procedures to initiate a hand count in our election this next cycle, it would be of great importance to us that we be able to better trust the authenticity of a ballot via watermarks, and if amended to include a tare off serial number, each ballot could be tracked and validated without privacy violations to the voter. As an advocate for election integrity and security this is an amazing opportunity that we can use that makes simple changes to the process without harming the overall function of the

ballot, but merely improving the entire scope of how it can be tracked and protected during the election process and after.

Thank You all for allowing me to submit testimony.

I will stand for questions when appropriate.

Missy Leavitt