

I am submitting written testimony as NEUTRAL to HB 2599. I am neutral because I do not feel like this bill goes far enough for KORA reform. As someone who has filed dozens of KORA requests over the last 3+ years, I can tell you I am appalled at the fees levied and reasons given for not producing information that should be publicly available.

Most government agencies and employees simply exist to do paperwork or check paperwork for other agencies. This paperwork and these employees are paid for the taxpayer. There is precious little information that should NOT be available to the public but somehow it all seems to be guarded by "national security" or exorbitant fees the average person cannot afford. Considering this is to view items for which they have already paid and should be entitled, I think there needs to be further consideration in removing any/all fees and barriers to a vast majority of all records.

For example, I asked for the 2020 surveillance videos of the drop boxes in the Johnson County, KS for the general election (see attached). The Johnson County Attorney, an unelected, overpaid (\$200,000+/year) employee of the county, told me I wasn't privy to those videos because it would somehow compromise the water, power and cybersecurity of the libraries at which these videos were taken. How a video of an unmanned dropbox outside a public library can impact the security of those utilities is beyond me, but was a cited reason for not producing these items.

Those videos are integral to trusting the election process and should be made available to anyone who wants them to verify the process of retrieving the ballots was done according to the laws and procedures prescribed by the Legislature. I also asked for the ballot transfer forms, ballot images, chain of custody documents, cast-vote records, system log files and a slew of other election-related items and was denied those as well. How can anyone be asked to trust our election process when it's done in a shroud of secrecy. It's also worth noting, my County Commissioner was denied these videos as well despite being a canvasser for the election for which she was requesting these items. So, elected officials are being stonewalled by unelected bureaucrats.

Secondly, the government agencies are charging absurd fees for acquiring information as well. The current Chairman of the Kansas GOP filed a KORA request for the communications between the Secretary of State and one of his employees and was quoted \$55,000 and told it would take 5 YEARS to produce those records. If agencies can just quote outrageous fees and unrealistic timelines for the completion of a KORA request, then what's the point of making one at all?

Lastly, there need to be teeth to the KORA statutes. Right now, the agency can simply say within the 3-day time period, "We got your request" and then there is no mechanism to follow up, force disclosure or hold them accountable if they don't comply sans a costly lawsuit which most people cannot afford. For example, I filed a KORA request to the AG's office on November 16th, 2023 and it wasn't until I filed a KORA complaint to the AG's office over TWO MONTHS LATER that they finally completed my request, but with a ton of redactions/records withheld. The same thing happened with the Johnson County DA. I filed a KORA complaint about the lack of production of the dropbox videos and that was not adjudicated for well over a year at which point it was simply denied after I followed up multiple times with his office.

Our Republic is not a trust-based system. It is about transparency and accountability. Neither of those things are possible with the current KORA statutes. They need to be fully amended so only allow for narrow exceptions from disclosure, minimal (if any) fees and full transparency for the people of Kansas.

Thank you,

Thad Snider