

HB2057 regulation of remote ballot boxes

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HB2057 Relating to advance voting ballots; regulating the use of remote ballot boxes for the use of such ballots

Opposition written testimony

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We are submitting opposition testimony to HB2057 which seeks to eliminate the use of ballot boxes outside of the county election office.

Many people today think that voting is their right, that it has always been their right as something laid down in the Constitution. It is interesting to note the actual history of voting which began as something only white, male, landowners could participate in. Access to the ballot box has not been a power freely or widely distributed. The 15<sup>th</sup> Amendment passed in 1868 guaranteed the right to vote to Black men. While the 19<sup>th</sup> Amendment passed years later in 1920 extended voting rights to women, it took the Voting Rights Act of 1965 to ensure those rights extended to Black women. Finally, the 26<sup>th</sup> Amendment in 1971 established the voting age as 18.

Time and time again, groups of people petitioned their government to gain full participation in their representation. Time and time again it took what amounted to a political act of God – that is an amendment to the Constitution – to extend voting rights across the population. The moral arc of history has bent toward making it easier for people to vote. Indeed, the moral arc has been toward removing barriers to voting. Despite all the movement at the Federal level, implementation has always been left to the states and that is why we are here today.

Many counties in Kansas have taken steps to make it easier for people to vote. One of those methods is remote drop boxes. That is fantastic news given that the leadership of the United States Post Office has publicly announced that its long-term plan to reduce costs would be accomplished in part by delaying the delivery of first-class mail.<sup>1</sup> The point must be made that the widespread availability of ballot boxes is necessary ***because*** it is more difficult for individuals to determine the timeline for mail to be delivered than to deliver a ballot to a local, secured drop box.

The Johnson County Election Office has verified the following information from the 2021 election:

- All of the drop boxes are uncovered and opened 20 days prior to an election, which by Kansas law is when advance mail ballots are sent to the voters. All drop boxes are closed and locked at 7 pm on election day.
- Seven (7) drop boxes were installed in the early-mid October of 2020 when they were provided by the Kansas Secretary of State Office. The drop boxes at the Johnson County Election Office have been in place since the parking lot was reconstructed in 2017. Some form of a drop box

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<sup>1</sup> Brian Nalor, The Postal Service is slowing the mail to save money. Critics say it's a death spiral. <https://www.npr.org/2021/10/08/1044016873/postal-service-slow-mail-save-money>

had been in place at the Jo Co Election Office for years/decades – as a drop slot in the building. Similar to a book drop at a Library.

In the 2021 General Election, 14,917 ballots came in through the 8 freestanding ballot boxes. (Ones not associated with a polling place.) A quick glance at the official final results from the election shows that the total number of ballots cast was 111,761. Doing the math reveals that around 13% of ballots came in through ballot boxes.

It is not a good use of time to speculate as to *why* 13% of the population chose that method to return their ballot. The fact remains that for those 14 thousand voters, the ballot box was the method that made the most sense for them. For 13% of the population, the ballot box was the least restrictive method of voting.

House Bill 2057 specifies that the only allowable ballot box “shall be located inside the [county election office] premises and shall be continuously observed by an employee of the county” essentially during business hours.

When one compares the difference in ease and access to voting from what currently is in place in Johnson County and what this bill seeks to enact, the bill can only be seen as a means to suppress voter participation.

This bill cannot be addressed apart from related a bill that seeks to restrict accepting ballots after 7 pm on Election Day. Both bills would result in disenfranchising thousands of voters. We urge you to vote no on House Bill 2057.