

# Legislative Testimony

## In Opposition to SB4

Senate Committee on Federal and State Affairs

January 23<sup>rd</sup>, 2025

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### *WRITTEN ONLY*

Chairman Thompson and Members of the Committee:

My name is Rashane Hamby, and I am the Director of Policy and Research at the American Civil Liberties Union of Kansas. The ACLU of Kansas is a nonpartisan, non-profit organization with more than 35,000 supporters across the state, working to preserve and strengthen the civil rights and liberties of every person in Kansas. I write to express my strong opposition to SB4 proposing to eliminate or curtail the existing three-day mail processing window because SB4 risks undermining a well-functioning system that is both accessible and secure, particularly for voters who depend on mail-in ballots.

### **Advanced Voting Is Safe, Secure, and Efficient**

For the past 30 years, every registered voter in Kansas has had the option to vote by mail, making advanced voting a trusted pillar of our electoral process. In the most recent election, 10% of all Kansas voters cast their ballot by mail—a clear demonstration of both confidence in the system and the convenience it offers. During that time, mail-in voting has consistently proven to be:

- **Safe:** Security measures like signature verification and robust tracking have helped ensure that mail ballots are protected from fraud.
- **Efficient:** Voters, including those in rural areas, benefit from the convenience of voting by mail, and local election offices can effectively process ballots, even during high-turnout elections.

It is precisely because mail-in voting works so well that local election officials have opposed efforts to repeal or reduce the mail processing window. Restricting this widely used method would only undermine the careful and accurate work of election and postal employees, who have demonstrated time and again their commitment to secure and accessible elections.

### **Risk of Disenfranchisement**

Removing or reducing the mail processing window would penalize voters for mail delays that are entirely out of their control. Election administration and mail service—especially in rural and western Kansas—simply take time. Unfortunately, SB4 imposes a standard of “immediacy” on voters and postal workers that is unreasonable. This move is out of touch with how physical mail travels, how Kansans live, and how our democracy functions. Ultimately, it would silence Kansas voters by letting fewer valid votes count.

Furthermore, there is strong bipartisan support for maintaining the mail processing period. Attempts to end it have failed repeatedly in the legislature because members across the political spectrum recognize its importance in protecting the votes of all Kansas citizens. The only impact of repealing this protection would be to count fewer Kansans’ votes.

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### Data Supports Current System

According to the *2022 EAVS Data Brief for Kansas*, our state's mail-ballot system demonstrates:

1. **High Return Rate:** At 85.9%, the return rate for mail ballots reflects an accessible process that helps those unable to cast a ballot in person—whether due to disability, work schedules, or rural location.
2. **Minimal Rejection Rate:** Only 1.1% of returned mail ballots were rejected, underscoring the reliability of signature-verification procedures and the care that election officials take in processing each ballot.
3. **Broad Acceptance and Strong Voter Confidence:** 96.4% of all returned ballots were ultimately counted, demonstrating a balance of security and accessibility that encourages civic engagement.

Reducing or eliminating the mail processing window would jeopardize these successes. Votes delayed in transit—even if mailed on time—would simply be discarded, depriving eligible Kansans of the franchise

In light of the *2022 EAVS Data Brief for Kansas*, it is evident that our state's existing mail-ballot system is both secure and accessible. For decades, advanced voting by mail has helped Kansans participate in our democracy without compromising election integrity. The mail processing window is a key safeguard that ensures voters are not disenfranchised due to mail delays.

By eliminating or reducing this commonsense protection, SB4 threatens a proven, successful model—and ultimately reduces the number of Kansans whose votes will be counted. I respectfully urge you to **oppose SB4** and stand with the overwhelming bipartisan consensus that supports a fair and accessible voting process.

Thank you,

Rashane Hamby

Director of Policy and Research