



U.S. Representative Marcia L. Fudge

Testimony

Senate Judiciary Committee Field Hearing: *Ohio Voting Laws*

May 7, 2012 at 9:30am – Carl B. Stokes U.S. Court House

- Thank you, Chairman Durbin, and to our Ohio Senator, Senator Sherrod Brown, thank you. Thank you for holding this timely and important field hearing today in my home district, *the 11th Congressional District in the great state of Ohio.*
- Mr. Chairman, the people of Ohio have spoken. Last year, a coalition of voting rights advocates delivered more than 300,000 valid signatures in opposition to Ohio House Bill 194.
- This action, as carried out by the people of Ohio, satisfied the requirement necessary to place a referendum on the November 2012 ballot to repeal House Bill 194.
- According to its proponents, the bill “makes numerous efforts to ensure the integrity of the elections process and to simplify the process.”
- ***This statement could not be further from the truth.***
- Ohio House Bill 194 represents a reversal of voting rights in the state of Ohio. *It represents confusion. It represents disenfranchisement.*
- If House Bill 194 officially becomes law, it would *reduce access* to voting by *shortening* the early voting period. It would *decrease* the responsibility of poll workers to direct confused voters to their correct precincts. This bill would make it *more difficult* for citizens to cast absentee ballots and *complicate* provisional voting. House Bill 194 *even eliminates the incredibly popular and effective* early voting on Sundays.

- After House Bill 194 was signed by the Ohio Governor, House Bill 224 passed both houses of the Ohio General Assembly.
- House Bill 224 is a bill that aims to improve voting for our servicemen and women and oversees voters. House Bill 224 also amends parts of House Bill 194. One of those amendments eliminates in-person voting the weekend before an election, thus adding to the problems facing Ohio voters.
- Recently, the Ohio General Assembly reached a “*cross-roads*” of sorts. The legislature introduced Senate Bill 295 to repeal House Bill 194.
- There are two very significant problems with Senate Bill 295. *First*, it is an attempt to remove the referendum from the ballot, and thus override the constitutional right of voters to decide the fate of House Bill 194 in November.
- *Secondly*, this bill would not completely repeal House Bill 194. It would not fully restore early in-person voting because of the subsequent amendment made to House Bill 194.
- Today, many questions still remain. How will the Ohio Legislature untangle this mess? How will Ohio ensure that the confusion already created won’t manifest itself *before and on Election Day* in November? What must be done to ensure that the constitutionally guaranteed right afforded by the referendum process is protected?
- Ohioans and every citizen across this nation need to know there is a concerted effort underway to limit, suppress and undo the *uninhibited* right to vote. This sophisticated, organized and well-funded effort is sweeping across America. From Ohio to Wisconsin, down to Florida and across to Texas, ***the franchise is under attack.***

- ***The plan is clear*** – prevent certain pre-determined segments of the population from exercising their right to vote. Students, the elderly, the disabled, minorities and low-income voters are ***all targets***.
- According to the Brennan Center for Justice, 41 states introduced 176 restrictive voting bills since the beginning of 2011. A total of 74 bills are pending in 24 states.
- ***The franchise is under attack.***
- The tactics being used today are not new. What we called a poll tax 50 years ago, is now voter photo-ID laws. Instead of the physical threats of the 50s and 60s - ***the billy clubs and the dogs***- unnecessary and confusing laws are being used to prevent turnout in targeted communities.
- The Election Protection Coalition reported disturbing examples of recent deceptive tactics and voter intimidation. In Milwaukee, fliers were distributed telling voters they cannot vote if they have not paid their parking tickets. Reports of armed gunmen intimidating, mocking and misinforming voters at heavily Latino precincts were reported in Arizona. *And right here in Ohio*, there were reports of fliers falsely providing that Republicans vote one day and Democrats vote the next day.
- ***The franchise is under attack.***
- Suppressive state laws only perpetuate these deceptive tactics. The men and women elected to represent voters are only adding to the confusion with bills like Ohio's Senate Bill 295 and House Bill's 194 and 224.
- The right to vote is among the most important rights we enjoy as Americans. As said best by my friend Congressman John Lewis, ***"This right is almost sacred."*** Because of its

importance – because of the power behind the vote – it is the ***one right*** most often compromised. And for the same reasons, ***it is the right we cannot allow to be denied.***

- Dr. Martin Luther King once said, ***“The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy.”*** We are living in a time of great challenge and controversy. The most vulnerable among us are ***once again under attack.***
- Chairman Durbin and Senator Brown, again, thank you for holding this hearing today. Thank you for your efforts to protect the franchise – I stand with you. ***We must continue to protect the right to vote.***
- I yield back the balance of my time.