

Good morning Chairperson Fudge and members of the Subcommittee on Elections. Thank you for the invitation and opportunity to address this committee regarding voting rights and election administration in Arizona.

During my nine years as an Arizona State legislator for District 23 I have been actively engaged in improving Arizona's election laws. I evaluate election bills based on four criteria: First, does it enhance and protect the integrity of elections; second, does it empower voters; third, does it enable voter participation; and finally, does it maintain the consistency of the administration of elections. To be clear I do not believe election policy should be a partisan issue. I have a strong history of fighting for these principles that often cut across partisan lines.

For example, in 2012 in an effort to stop voters from being disenfranchised by having candidate elections during unfamiliar timeframes when turnout is dismal, I championed legislation that requires all candidates to run in the fall of the even year, when voter turnout is strong, an obvious win/win for everyone. After the Presidential Preference Election (PPE) debacle in 2016 when there was mass voter confusion and unacceptable wait times to vote, I convened a special meeting of my Elections Committee to question then Secretary of State and then Maricopa County

Recorder, fellow Republicans, to understand what happened and who was responsible. In 2017 I held the Republican controlled Maricopa Board of Supervisors accountable after learning they were operating under an outdated intergovernmental agreement from 1955, allowing the board of supervisors to abdicated many of their important and statutory obligations regarding the administration of elections. And in 2018 in the face of republican party establishment opposition I introduced a bill to prohibit precinct committeemen from voting no more than two proxies at a political party meeting. This was done for the same reason I introduced the ban on ballot harvesting, both are ripe for manipulation. Any convenience that the harvesting of *proxies* or *ballots* may offer can never be allowed to compromise the integrity of our elections as a whole because when that happens we have surely lost our Republic. As these examples demonstrate, I have been a strong and unwavering non-partisan advocate of a fair and impartial electoral process.

Arizona is and has been on the forefront of efforts to increase voter turnout and participation all the while protecting the process from fraud. Sadly, as the saying goes, no good deed goes unpunished, resulting in some of those efforts to increase voter participation, specifically the enactment of mail-in voting to be abused by ballot harvesting. My bill, successfully banning the practice of ballot harvesting, which allows third parties to collect or “harvest” the mail-in ballots of individual

voters, is a major step forward in maintaining the ability of Arizonan's to participate in the electoral process via the mail without fear of it being manipulated.

Many political operatives and activists have criticized this common sense prohibition, claiming it unduly burdens voters by making it more difficult for them to return their mail-in ballot. This claim is simply not supported by the facts and it invalidates the premise that ballot harvesting is even necessary. Arizona's mail-in system is a voluntary one, whereby voters voluntarily elect to receive their ballot via the mail, fill it out and return it within the generous 27-day early voting period. It is counterintuitive to think a voter would sign-up to participate in a process presumably for its benefits, (in this case the convenience of having their ballot mailed to them) then criticize the very process as burdensome when mailing it back in the prepaid envelope that accompanied their ballot.

Again, it is difficult to believe someone who uses the mail to pay their bills and send and receive other correspondence would only struggle when it came to mailing back their ballot and not struggle with their other mail. In my opinion mailing a ballot back is the easiest of the options, but it certainly is not the only option available. Arizona allows for many other methods of returning a mail-in ballot. For example, ballots can be dropped off at any authorized election office or vote center prior to election day or they can be dropped off at any polling location on election

day. However, opponents of my anti-ballot harvesting bill continue to argue that the bill burdens voters, despite the fact that in the ninth circuit court of appeals decision upholding the law, they note that not a single voter testified at trial that H.B.2023 made it significantly more difficult to vote. In fact, the bill was in place for the 2016 election, where voter turnout was a roaring 74.17 percent. I too can attest to never hearing from a voter who utilizes the ballot harvesting process tell me without it they would be unable to participate in the election process. Remember, voting by mail is only one of the many ways Arizona allows voters to vote. It is easy and convenient to vote in Arizona. If you are not voting it is because you do not want to.

Arizona should be commended for adhering to its constitutional responsibility of enacting laws to secure the purity of elections and guard against abuses (Ariz. Const. Article VII, Section 12) often in the face of unsubstantiated and frankly offensive claims of voter suppression and racial motivations.

The proponents of ballot harvesting have failed to provide any meaningful evidence, statistical data or direct testimony during the legislative process as well as at trial, that breaking the chain of custody and entrusting a third party to collect a voters mail-in ballot is in the public's best interest. We are unfortunately forced to

conclude that only outside forces and special interest groups have a vested interest in protecting the practice of ballot harvesting. We as legislators cannot allow for the potential of lost ballots, undue influence or fraud to taint our electoral system. Voting is the most direct method to impact government and the process should be protected to ensure voters can have confidence in the system and outcomes. I ask you, what is the outcome of an election worth if nobody believes in it? The risks are high and our democracy is only as strong as our fair and free elections. The solutions are painfully simple, secure our elections, protect the process from cheating and enforce our current laws. My bill, banning the practice of ballot harvesting gets us one step closer to that goal. Thank You.