

Opponent Testimony to The Senate Committee on Federal and State affairs for
HB2086 March 20, 2023

Chairman Thompson, Vice Chair Kloos, Ranking Minority Faust-Goudeau and
members of the Committee.

Thank you for the opportunity today to offer my objection to HB2086. As the
duly elected Sheriff of Johnson County, KS, I, am concerned with the lack of
criminal penalties for any violation of this bill.

For the past two years, my office has been investigating numerous citizen
complaints about election issues. Throughout our investigations, we have
found approximately 11 statutes that have been violated, with no penalty
attached for violation of these statutes. It has placed us in a position of
identifying willful violations of statutes by the Secretary of State and the
Election Commissioner of Johnson County.

These complainants were advised to contact the Secretary of State's office
who did not respond to their complaints. They were then directed to the
former Attorney General's office that also failed to respond to these
complaints. The alleged violations occurred in Johnson County, KS. As Sheriff, I
have a duty to investigate citizen complaints to a successful conclusion.

We have identified these violations occurred and submitted them to our DA's
Office, who cannot prosecute when there is no criminal punishment stated in the
Statutes. There absolutely needs to be criminal penalties associated with violation
of election statutes. The Secretary of State's office has failed in their responsibility
to respond to election issues leaving the citizens of Johnson County with no
avenue for enforcement.

Calvin Hayden, Sheriff, Johnson County, KS