



Good Afternoon Chair, Vice-Chair, and Members of the Committee:

My name is Ty Hardaway. I am Vice Chair of the Board of Supervisors of Elections for the City of Gaithersburg, and I am here in opposition to SB 878.

I joined my city's Board of Supervisors almost a decade ago because I have long believed in accessible, fair, and open elections. I feel it is my responsibility as a citizen to protect the sanctity of elections. Gaithersburg's Board of Supervisors of Elections has a long history of operating fair and open elections and has voluntarily implemented procedures through the years, such as mail-in voting and providing all election materials in English and Spanish, to ensure all of our residents have the information and access to enable them to participate in municipal elections. We are strong advocates for voting rights, but this bill would impose unnecessary oversight and increased costs for municipal elections.

This bill would give the Circuit Court for Anne Arundel County, instead of local County Courts, the authority to determine whether protected class voting by race occurs, and significantly limits information the Court may consider in making this determination. Under the Bill's criteria, a finding of racially polarized voting could be made solely on the extent to which protected class voters have been elected to office.

The Bill grants the Court significant authority to alter elections, and even the structure of government, including the imposition of district-based elections, rank choice voting, elimination of staggered elections, and the increase in the size of the legislative body.

Additionally, under the pre-clearance provisions, local boards of elections would need approval even for minor changes to polling places and drop box locations. For every election, Gaithersburg's Board of Supervisors of Elections has always evaluated our polling places and drop box locations to optimize accessibility for all of our residents. A Court in Annapolis does not have the knowledge or history of our neighborhoods, voting trends, or demographics the way our local Board does.

Although Gaithersburg's election ordinances also contain a robust complaint procedure and resolution process, the City has never received a complaint alleging denial of voting rights. When our local residents suggest changes to improve the election process, the Board listens and works to better our system in an inclusive and transparent manner.

We oppose SB 878. But we believe that a viable Voting Rights Bill could be developed with further study. The Gaithersburg Board of Supervisors of Elections would eagerly participate in shaping a future Bill.

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