May 2023

All Democracy is (Still) Local

The Continued Impact of
County Election Officials on
Kansas Voters' Access

ACLU
Kansas

Contents

Introduction

The constitutional right to vote is at the heart of our democracy, and free and fair elections uphold our system of governance. Recently, there have been new and increased efforts to attack the foundations of our democracy and our ability to have our voices heard, including here in Kansas.

But democracy is not a partisan matter—rather, it's the mechanism by which each of us take part in the decision-making process in our communities. Democracy is the space where we decide our collective values and hold one another accountable to those values. It is the framework that ensures each Kansas voter can have a voice in selecting those who will have the power to make decisions affecting their lives. This necessary accountability and far reaching impact are the fundamental reasons that every elected official should make it easier, not harder, for all eligible Kansans who want to vote.

Elections in the United States are among the most decentralized in the world. There is no uniform national standard for who is eligible to vote, when elections are held, how they are run, nor how easy or cumbersome it is for citizens to participate. This wild variation is found not only between states, but also between counties. Kansas has an especially decentralized system, with each county's respective election official determining how to run elections and whether to proactively protect voting rights in their community.

Since 2018, there have been significant changes to the national conversation around elections and their integrity. Important legal cases have been decided that directly impact the future of voting rights in our state. Meanwhile, Kansas's legislature has pushed the state to join the ranks of more extreme states that have further restricted voter access since 2020.[1] Each legislative session in recent years has seen a broad array of attacks on voter access, from attacks on mail voting and ballot boxes to limitations on advance mail ballots. The most recent attack, a bill that would have removed the three-day grace period for voters to return their mail ballot and have their eligible votes counted, passed the legislature in March 2023. Thankfully, the legislature was unable to override Governor Laura Kelly's veto of the bill during the spring 2023 veto session, and this bill did not become law. But as extremists continue to spread narratives about voter fraud and election security, this recent attempt to undermine eligible voters' ability to participate raises concerns about what some state lawmakers may have planned for future sessions.

In this conflicted environment of attempted voter suppression from the legislature and widespread consensus from Kansans that voting access should be a priority for elected officials, the ACLU of Kansas renewed an analysis of voter access in Kansas that it began in 2018. In 2018, the ACLU of Kansas surveyed 105 election clerks and commissioners across the state, with the intention of determining how the diverse policies and practices implemented at the county level either increase citizen participation or impose unnecessary barriers for citizens to exercise their right to vote. Those survey responses were analyzed and presented in the first edition of *All Democracy is Local: The Impact of County Election Officials on Citizen Participation in Kansas Elections*.[2] That report drew a clear connection between the varying practices by county in Kansas and the respective counties' voter participation, or turnout, rates.

> **Democracy is not a partisan matter**—rather, it's the mechanism by which each of us take part in the decision-making process in our communities.

In 2023, the ACLU of Kansas conducted a survey to ascertain not only how local policies and practices impact general participation and accessibility, but how some counties are going a step beyond the most basic election requirements to create truly accessible, equitable elections for their voters. This survey revealed that the wildly varied access to vote across the state found in 2018 remains, and it creates a reality that continues to directly impact voter participation in each county.

There was a clear inverse relationship between voters per poll and voter turnout, while early voting days and hours had some predictive impact on turnout. Notably, in the counties with the most lagging voter turnout numbers in the 2018 midterm elections, local election officials appear to not have taken those steps to address low turnout in the years since.

Without any change to current state law, county election officials are fully authorized to strengthen democracy in their own counties. This report finds that there are many opportunities for meaningful action to be taken:

- **Increasing the early voting period and the actual number of days within the period**: Counties that started their early voting period 20 days before Election Day, the maximum length allowed by statute, had significantly higher turnout—52.85%—compared to those with periods of 1-14 days, which saw an average of 49.52% turnout. However, even among the majority of counties that begin their early voting period 20 days before Election Day, there are only 14 actual days of early voting offered within that period. This report estimates that if all counties were to maximize the early voting period so that they were open 18 days (every day except Sunday), at least 20,803 additional Kansas voters could participate—a potential 2% increase of the current turnout rate, taking statewide voter turnout from 50.5% to 51.6%.

- **Increasing early voting access outside of business hours**: The overwhelming majority —80%—of Kansas's counties provide exactly zero hours of early voting outside of Monday

through Friday, 8 a.m. to 5 p.m. The greatest impact of providing this kind of access was seen in counties that provided more than 20 hours outside of business hours, where turnout was 53.92%, higher than the state's average.

- **Increasing the number of early voting locations:** Only 22 counties offered multiple early voting locations, with the majority instead reducing the convenience of early voting by requiring Kansans to drive to a further, singular location. Counties with five or more early voting locations saw an average turnout rate of 53.19%, well above the state average.

- **Opening more Election Day locations for less crowded polls:** Voters per Election Day polls had the highest overlap with higher turnout. Eighteen of the 20 counties with the most robust turnout rates in the state also had fewer voters per poll than the state's average. The counties with the least number of voters assigned to each poll, 1 to 499 voters, had an average turnout rate of a whopping 62.47%, compared to turnout in the counties with over 4,000 voters per poll: 36.27%.

- **Ensuring meaningful curbside voting at all polling locations:** Not all Kansas counties appear to meet the election standard of requiring curbside voting availability. Even among the 90 counties that reported they do have some form of curbside voting available, very few have visible signage and some require calling ahead to arrange it in advance. Even in the cases that curbside voting is offered in theory, there is a troubling need for better voter information and for accountability on the ground at the actual poll.

- **Informing voters of permanent advance voting status:** Few Kansas counties inform voters of their ability to apply for permanent advance. Only nine counties indicated that they send out advance ballots proactively.

- **Providing voting materials in languages other than English**: Only four counties meet the federal threshold requiring voting materials in additional languages, but ten counties either provide some non-English

VOTER TURNOUT BY COUNTY, 2022 GENERAL ELECTION

Legend: <30% | 30-39.99% | 40-49.99% | 50-59.99% | 60-69.99% | No data
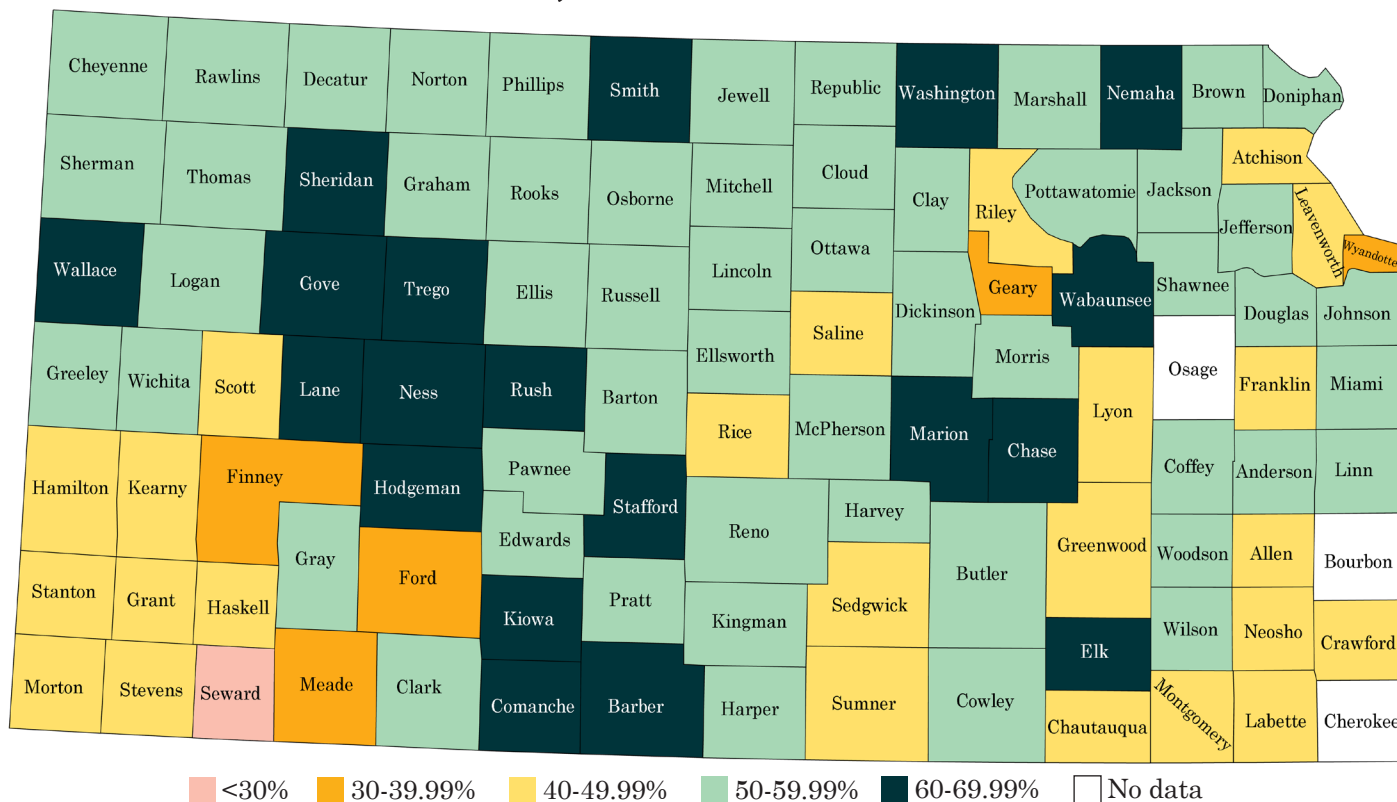
voting materials or translation options, despite not meeting the federal threshold. However, Wyandotte, Johnson, and Sedgwick Counties, the state's most populous counties that also happen to have the largest populations with limited English proficiency, do not provide voting materials in additional languages, despite having the largest populations of individuals with limited English proficiency.

- **Establishing a vote-from-jail program**: Even among the minority of counties reporting an official vote-from-jail program or a working relationship with their sheriff or their staff to ensure individuals can vote, the burden appears to be on the detained person to vote, rather than consisting of a proactive effort throughout the jail to include anyone who is eligible.

Policies expanding access to the vote have overwhelming support from everyday Kansans, according to a January 2023 survey conducted by the nationally renowned pollster Global Strategy Group for the ACLU of Kansas.[5] Overall, Kansans across the political spectrum recognize voting rights are under attack, and they are calling on

elected officials to make it easier to vote: 70% of Kansas voters strongly (51%) or somewhat (19%) agree that elected officials should focus on making it easier to vote in Kansas, not harder. That support is consistent for the specific policy changes recommended in this report.

Statewide, voter turnout in Kansas decreased significantly from 55.76% in the 2018 general election to 50.5% in the 2022 general election, a decrease of 5.26%—this was higher than the national decrease of 4.4%.[3] Of the 102 counties with turnout data for the 2022 general election, 81 saw a decrease in turnout since the 2018 general election, with 24 of them experiencing decreases in turnout above the 5.26% statewide drop (see Appendix A: Turnout Comparison 2018 and 2022).

> **70% of Kansas voters across the political spectrum agree that elected officials should make it easier to vote in Kansas**, not harder.

> This report aims to demonstrate where election officials can improve access for their constituents—and similarly, where **Kansans can call for these respective officials to meaningfully strengthen democracy in their communities.**

For a few of the counties already saddled with the lowest voter engagement in 2018, turnout dropped even more than the statewide 5.26% decrease from 2018 to 2022: Seward County saw a 9.57% drop, Wyandotte County a 10.81% drop, and Ford County an 8.88% drop.

Notably, the five counties with the lowest rates of turnout in 2022—Seward, Geary, Finney, Ford, Meade, and Wyandotte—are also home to populations proportionately more diverse than the rest of the state, with significantly larger communities of Latino, Black, Asian, and Native people than the rest of the state.

While voter turnout is complex and subject to a myriad of factors beyond election administration, including state and national cultural and political dynamics, election officials can nonetheless do far more to ensure that, at least in their county, voters are less negatively impacted by simple administrative circumstances. Ultimately, the majority of Kansas's county election officials are elected officials themselves. This report aims to demonstrate where such officials can improve access for their constituents—and similarly, where Kansans call for these respective officials to meaningfully strengthen democracy in their communities.

Methodology

This report seeks to build on the analysis of ACLU of Kansas's 2018 *All Democracy is Local* report and understand how access to voting has impacted democracy in the Free State the past several years. In February 2023, the ACLU of Kansas sent digital and hard copy surveys to all 105 county election offices regarding their respective policies and practices for early voting, voter notification, and other aspects of election administration. The organization received partial or complete survey responses from 102

counties—a response rate of 97%. This is a marked increase from the first 2018 survey, which had a lack of response from 21 counties for a comparable response rate of 80%.

In this 2023 update, 10 counties did not respond to the survey and received a Kansas Open Records Act (KORA) request. Four of those counties required payment to fulfill the KORA request: Comanche, Riley, Woodson, and Wyandotte. Three counties did not send information at all: Coffey, Jackson, and Osage. These three counties' policies are either not reflected in this report, or are based on information found on the county's websites where accessible.

For statewide turnout data for the 2022 general election, the ACLU of Kansas sent a KORA request to the Secretary of State's office—three counties' turnout numbers were not included in the received report: Bourbon, Cherokee, Osage. Their policies are not included in the calculations related to voter turnout.

Counties were grouped according to a number of aspects: length of early voting period in days, actual count of days of early voting, average voters assigned per poll on Election Day, and county population. Turnout was calculated for each grouping of counties by dividing the total ballots counted for the grouping, as provided by the Secretary of State Office (See Appendix A: Turnout Comparison 2018 and 2022) by the total number of registered voters as of November 1, 2022.[6]

This report references turnout information that can be found in Appendix A: Turnout Comparison 2018 and 2022 as well as early voting and other administration specific information that can be found in Appendix B: 2022 Early Voting By County.

The Case for Early Voting

The COVID-19 pandemic had a significant impact on the use of early voting in the United States. The 2020 election saw the majority of U.S. voters cast their ballots before Election Day for the first time in history—43% via mail ballot, and 30.6% through in-person early voting.[7]

It is a simple fact that Election Day will not always be the most convenient time to cast a ballot. Work, family, health, weather, and access to transportation all play a significant role in voters' ability to be present in-person at a polling location on Election Day. Additionally, Election Day is the busiest day at a polling place, leading to wait times and, often, frustration. Research has shown that long lines at the polls can force some people to leave without voting and even potentially depress future turnout.[8] Expanding early voting makes it easier for voters to overcome these barriers and for them to find a time that works best for them to cast their ballot, ultimately increasing voter turnout overall.

Aside from making voting more convenient for existing voters, substantial impacts on voter turnout have been found associated with early voting. A study by the American Economic Journal found early voting netted increases in ballots cast "equal to 0.22 percentage points of additional turnout per additional early voting day."[9] Over the course of a 20-day early voting period, multiple days of early voting adds up to a lot of voters participating who otherwise may have sat out an election.

Meanwhile, the populations most greatly impacted by early voting include people of child-bearing and working age, women, Independents, and Democrats.[10] And the opposite is also true for specific populations: "[v]oters of color consistently face longer wait times on Election Day," a problem exacerbated by cutting early voting hours.[11]

Early voting can also reduce the stress put on our voting systems on Election Day. Until 2020, the

> **It is a simple fact that Election Day will not always be the most convenient time to cast a ballot.** Work, family, health, weather, and access to transportation all play a significant role in voters' ability to be present in-person at a polling location on Election Day.

average poll worker was a volunteer, most over the age of 61, with roughly a quarter over 70.[12] The COVID-19 pandemic put enormous strain on the election system, partially because the prime age group for poll workers was also especially vulnerable to COVID-19.[13] With continued concerns about COVID-19 and the persistent pressure of election conspiracy theories and unprecedented threats against election officials,[14] our election system is operating under serious strain.

Even before the pandemic and the rise of widespread election conspiracy theories in the United State, election jurisdictions reported difficulty finding enough people to run our elections. The U.S. Election Commission reported that in 2016, "nearly 65 percent of jurisdictions reported that it was 'very difficult' or 'somewhat difficult' to obtain sufficient numbers of poll workers. In 2018, "the proportion of jurisdictions reporting difficulties increased to nearly 70 percent."[15] In Kansas, the Secretary of State's office has reported that recruiting enough poll workers is consistently a priority concern for local election officials.[16]

To ease the strain on poll workers, early voting spreads voters out over multiple days, leading to shorter lines on Election Day.[17] This can reduce

Early voting is increasingly popular in the Free State: in Kansas's 2022 general election, 27% of votes cast were at an early location.

worker stress and workload, and minimize poll worker error. A slower, early election period allows poll workers to identify and correct errors earlier.[18] Our elections rely on this base of dedicated volunteers to run smoothly, and a highly effective way to support them is to expand early voting.

Early voting is increasingly popular: 47.1% of votes cast nationally in the 2022 general election were cast early in-person or by mail ballot.[19] In Kansas's 2022 general election, 40.76% of votes were cast early in person or by mail ballot, with early in-person voting consisting of 27% of total ballots (See Appendix B: 2022 Early Voting by County).

Early In-Person Voting: Days Matter

Under state law, Kansas county election officials can begin the early in-person voting period as early as 20 days before Election Day.[20] This early voting period varies wildly from state to state, and we can look to others to understand the scale of what is possible for maximizing access and ease of administration: Arizona begins early voting 27 days before the election, California begins 29 days before, and Illinois begins the 40th day before its election at its temporary polling locations.[21]

On the state level, every Kansas county also has different policies, and local officials may choose to offer less than the full allowable 20 days of early voting. Thus a Kansas voter's access to early in-person voting in the full 20-day period is still not guaranteed; rather, it is completely dependent upon which county they live in and the arbitrary number of days chosen by the local election official for early voting.

In 2022, 71 of the state's counties implemented an early in-person voting period starting at the

statutory maximum of 20 days before Election Day, and 33 counties offered a shorter early voting period. Twenty-four counties offer an early voting period of about two weeks, or 14 or 15 days before Election Day, and three counties offer an early voting period of less than two weeks. Counties that had the maximum length of early voting periods had an average of 52.85% voter turnout, higher than both the state average (50.5%) and higher than the counties with shorter early voting periods (49.52% and 49.57%).

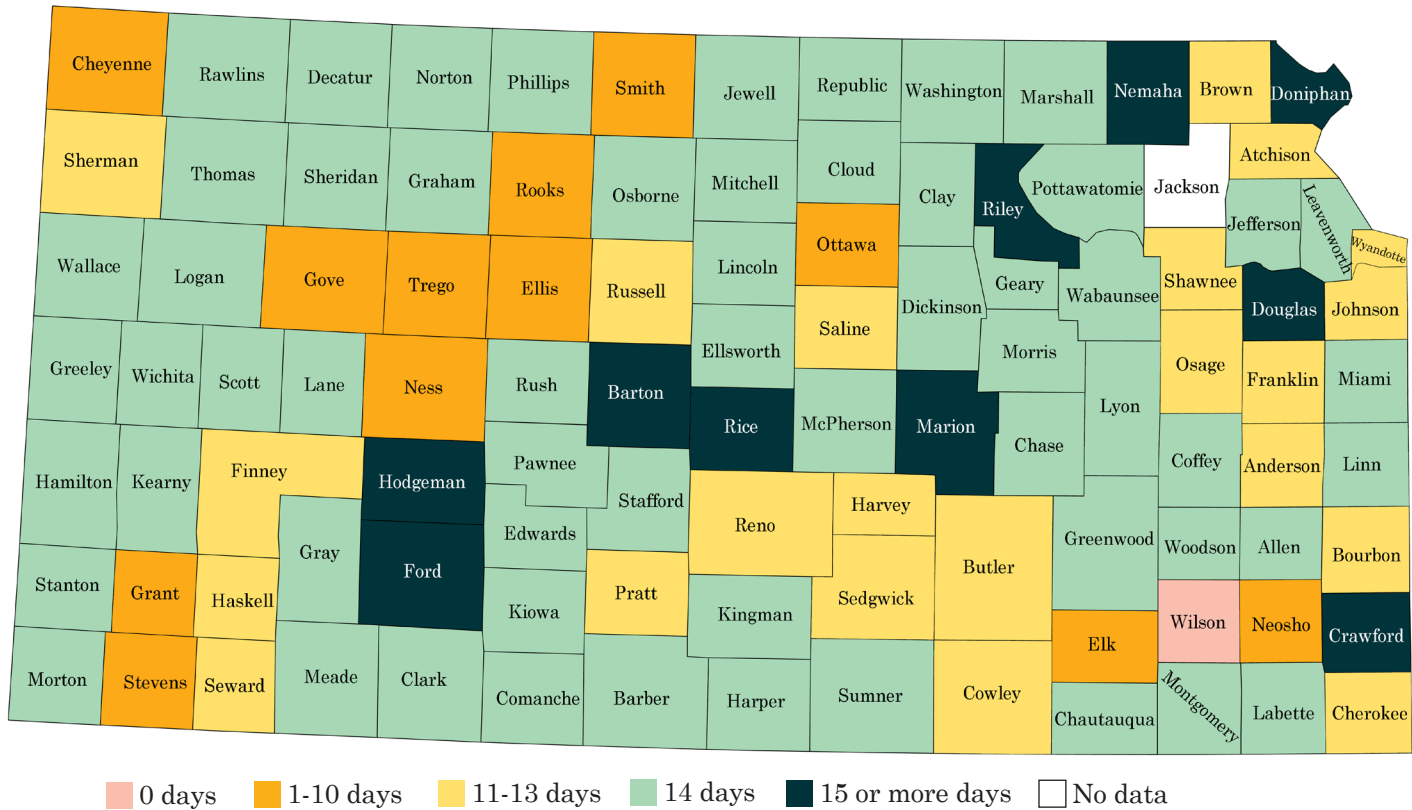## VOTER TURNOUT BY EARLY VOTING PERIOD, 2022 GENERAL ELECTION

Length of Early Voting Period	% of Counties (Number of Counties)	% Voter Turnout in 2022 General Election
1-14 days	13.3% (14)	49.52%
15-19 days	18.1% (15)	49.37%
20 days	67.6% (71)	52.85%

Wilson County was the only county to respond that it offers no early voting whatsoever—Wilson County polls are thus only open on Election Day, despite having over 5,000 registered voters, more registered voters than 54 other counties in the state.

In terms of access, there is an important distinction between early voting period in Kansas counties and the *actual count of days of early voting* within an early voting period. The majority of counties, or 59 of them, that begin their early voting period 20 days before Election Day offer only 14 actual days of early voting within that period—most are closed on Saturday and Sunday. Ten of these counties offer 15 or more days, with the most being 17 days offered in Rice and Douglas County. This leaves 35 counties (32 of which had turnout data provided for 2022) that fall short of an actual count of 14 or more days of early voting within the 20-day early voting period.

A single day of additional access to early voting for all Kansas voters could have a significant impact on their ability to show up to the poll and on statewide voter turnout. If the 30 Kansas

ACTUAL COUNT OF DAYS OF EARLY VOTING BY COUNTY, 2022 GENERAL ELECTION

Legend: 0 days | 1-10 days | 11-13 days | 14 days | 15 or more days | No data

counties with an early voting period shorter than the 20-day maximum began just one day earlier, another 1,706 Kansas voters would have participated in the 2022 general election.[22] If the 32 counties below the common 14-day count of early voting raised their counts to close the respective gap in their counties, it might mean an additional 4,747 Kansans would have voted in the 2022 general election. If all counties maximized the early voting period so that they were open 18 days (every day except Sunday), at least 20,803 additional Kansas voters might participate—a potential 2% increase of the current turnout rate,

taking statewide voter turnout from 50.5% to 51.6%. These are significant numbers of voters in Kansas, given that a number of the state legislative races were decided by margins of less than 100 votes.[23] Over the course of a 20-day early voting period, multiple days of early voting adds up to a lot of voters participating who otherwise might have sat out an election.

Voting Remains a 9-to-5 Job

While it is meaningful to consider the length of early voting period or the days available, it is perhaps more crucial to reflect on the timing of *when* those hours are actually available. The majority of Kansas's early voting locations were open only during regular business hours—82 counties do not provide a single hour of early voting outside of Monday through Friday, 8

> If all counties maximized the early voting period, at least **20,803 additional Kansas voters would participate.**

a.m. to 5 p.m. Thus, beyond the early voting period in their county, a Kansas voter's access is significantly defined by the number of early voting locations and the actual number of days and hours of early voting that are offered within the early voting period. Only 20 counties appeared to offer weekend or at least some weekday hours after 5 p.m. in the 2022 general election, and even most of these offerings were only a smattering, rather than full weekend days of access.

This lack of access outside of business hours is no small barrier, as conflicting work or school schedule was the most common reported reason for not voting in 2022.[24] Given most Kansans' need

COUNTIES WITH EARLY VOTING OUTSIDE OF NORMAL BUSINESS HOURS
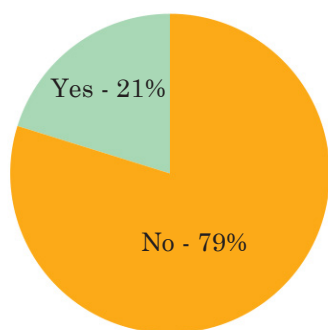
for flexibility, increasing closing hours beyond the 5 p.m. workday cutoff or providing Saturday or even Sunday early voting times could be the most common sense solution presented for voter access proposed in this report. Unsurprisingly, while data is limited given just how few counties provide this flexibility, the impact of the convenience appears significant: the counties with zero hours

VOTER TURNOUT BY HOURS OUTSIDE OF BUSINESS HOURS, 2022

Hours Outside of Business Hours (M-F, 8-5)	% (Number of Counties)	% Voter Turnout in 2022 General Election
0 hours	77.1% (81)	51.78%
1-19 hours	14.3% (15)	47.30%
20 or more hours	4.8% (5)	54.38%

outside of business hours had a turnout rate of 51.78% in the 2022 general election. For the 20 counties that provided any nonzero amount, turnout was 51.37%, also slightly above the state average. But for counties with 20 of more hours of early voting outside of business hours, turnout jumped to 54.38%.

Many Kansans need flexibility to navigate the competing interests of work and family so that they can find time to participate in elections, and while it is unfortunate that this single access issue has been the primary obstacle for so many Kansas voters in having their voices heard, the solution is fortunately a simple one.

Early Voting Location, Location, Location

The vast majority of Kansas counties only offer one early in-person voting location, typically at the County Clerk's office, during the usual Monday through Friday until closing at 5 p.m. While it is incredibly important to extend the number of days and hours that voting is available, providing only one early-voting location limits access for voters in geographically diverse areas. Forcing voters to drive clear across the county to use a single, centralized early voting location can be a big barrier to participation in what would otherwise be a more convenient option to vote.

Twenty-two counties offered more than one early voting location in 2022, often at accessible locations like community buildings, schools, or senior apartment complexes. Those numbers range from two locations (Butler, Gray, Rawlins, and Republic) to sixteen (Sedgwick and Johnson). Meanwhile, one of the most populous and diverse

VOTER TURNOUT BY NUMBER OF EARLY VOTING LOCATIONS, 2022

Number of Early Voting Locations	% (Number of Counties)*	% Voter Turnout in 2022 General Election
1 location	84.8% (89)	51.38%
2-4 locations	7.6% (8)	45.05%
5+ locations	3.8% (4)	53.19%

counties in the state, Wyandotte County, still only has four early in-person voting locations, up from three in 2018.

The most significant impact on turnout appears when 20 or more locations are offered, where average turnout in 2022 was 53.92%, compared to counties with just one location, where average turnout was 50.79%.

Getting the Early Word Out

Simply having early voting locations is not enough—voters need to be made aware they are available, and the custom of voting only on Election Day is still hardwired into our national culture. A majority of counties (84) reported that they inform voters about early voting availability via traditional print media such as newspaper publication. Many also use digital media, like websites (66) and social media (62). Less popular forms of sharing early voting information were radio (19), word of mouth (9), flags (5), flyers (5), and mail or email (5).

However, most counties indicated that they only send out advance voting applications upon request. In contrast, several counties such as Republic, Sedgwick, Wabaunsee, and Wyandotte send out information to registered voters informing them of the upcoming election and proactively include the application form to request an advance mail ballot. This report did not sample the specific contents of the notifications from each county, but there is potential to develop language to more thoroughly inform voters about the early voting process, mail ballot process, and more.

EARLY VOTING GAP REMAINS IN SHAWNEE COUNTY

In 2019, the League of Women Voters and the YWCA of Northeast Kansas approached a number of community leaders, asking them to support increasing the number of early voting locations in Shawnee County. More than 20 nonprofits, churches, unions, and community leaders, including the mayor of Topeka, joined in calling on Election Commissioner Andrew Howell to establish an additional satellite early voting location in central Topeka for weekend voting.

The community made clear its desire to increase voter turnout, represent many points of view in elections and public policy, foster community identity and pride, and enhance community cohesion—but Commissioner Howell took no action. The community groups' follow-up efforts with individual county commissioners and the commission as a whole were also fruitless.

Despite being the state's capitol, Topeka remains the only first class city in the state with just one early voting location. Even with an exceptionally engaged community that has clearly voiced its needs, Shawnee County has for four years now failed to listen. "It's unfortunate that we remain one of the ten largest counties without an additional pre-Election Day voting location," a League representative said recently. "We look forward to the day that our officials take notice and take action."

To be clear, while notification is important, simply telling voters when a poll is open should not be considered a substitute for actually opening that poll for more hours to better suit their busy lives. However, given the context of assessing other administrative practices in this report, it does appear that many counties consider their notification practices sufficient stand-ins for other substantive policies that would more meaningfully serve voters.

Expanding Equitable Access

Crowded Polls, Fewer Voters

While early voting is incredibly important to increase accessibility and participation, a majority of ballots in Kansas are still cast on Election Day: 57.8% in the 2022 general election. Consistent with the theme of this report, because there are no laws regulating the number of polling places per voting population, there are wild variations by county.

On the state level, polling locations in Kansas averaged 1,887 registered voters assigned to them, but that range includes just 284 registered voters per poll in Comanche County to a whopping 5,460 voters in Seward County. Here, it is worth noting that Comanche's turnout rate was consistently above the state average at 61.6% in 2018 and 66.96% in 2022. Notably, Seward

> **18 of the 20 counties with the most robust turnout rates in the state for the 2022 election had less crowded polls than the state's average.**

County has retained its status as an extreme example, cultivating the state's poorest turnout rates of 36.8% in 2018, the state's third lowest, and 27.23% in 2022, the state's absolute lowest.

Registered voters per poll thus had the strongest correlation with voter turnout among the factors discussed in this report, even more so than population. And while smaller, less-populated counties typically have fewer polling locations and fewer voters per polling place, county size

REGISTERED VOTERS PER POLL BY COUNTY, 2022 GENERAL ELECTION

Legend: 4,000+ | 3,000-3,999 | 2,000-2,999 | 1,500-1,999 | 1,000-1,499 | 500-999 | 1-499 | No data
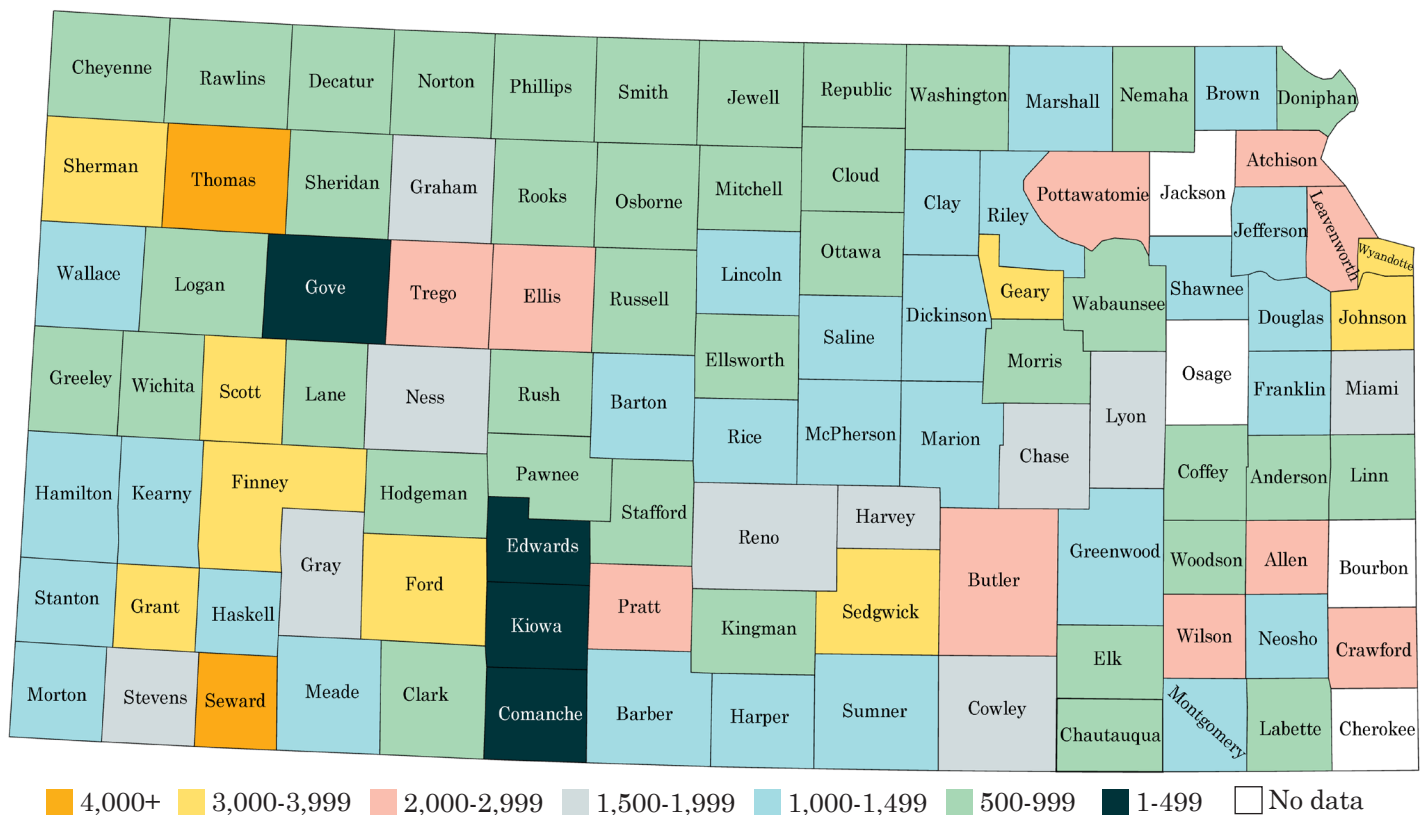
VOTER TURNOUT BY VOTERS PER POLL
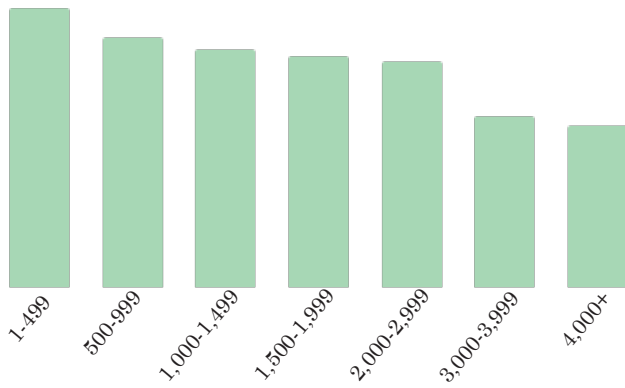
Average voters per poll	% (Number of Counties)*	% Voter Turnout in 2022 General Election
1-499	3.8% (4)	62.47%
500-999	35.2% (37)	56.02%
1,000-1,499	27.6% (29)	53.35%
1,500-1,999	9.5% (10)	51.76%
2,000-2,999	9.5% (10)	50.60%
3,000-3,999	8.5% (9)	38.29%
4,000+	1.9% (2)	36.27%

VOTER TURNOUT BY POPULATION, 2022

County Population	% (Number of Counties)*	% Voter Turnout in 2022 General Election
<5,000	38	55.75%
5,000-9,999	28	54.75%
10,000-24,999	11	48.61%
25,000-49,999	14	48.30%
50,000-99,999	5	49.52%
100,000+	5	52.34%

makes far less of a difference than might be assumed at first glance, as population was far less of a predictor for voter turnout than voters per poll. At the extremes, 12 of the most populous counties had 2022 voter turnout rates lower than the state average, and 17 of the least populous counties had higher than average turnout rates. However, 18 of the 20 counties with the most robust turnout rates in the state for the 20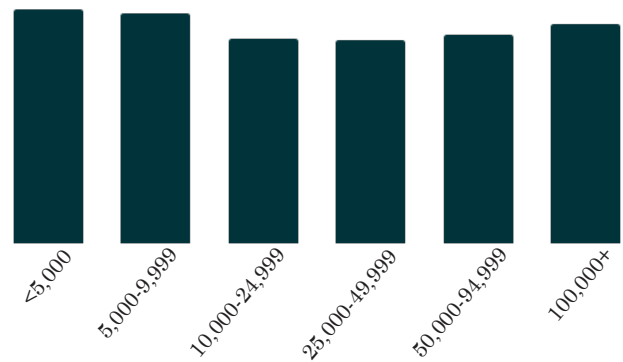22 election had less crowded polls than the state's average. By contrast, half of the counties with the state's 20 lowest turnout rates also accounted for half of the state's 20 most crowded polls.

This pattern remains consistent with 2018 findings, which similarly found that generally, counties with higher voter turnout also had a lower than average number of voters per polling location. The counties with the most crowded polls in 2022 were consistent with 2018 findings as well, with the expected trend of low turnout rates to match. Eight of the 11 counties with the most crowded polls of 3,000 voters or more, had shockingly lower turnout than the state average:

Grant, Scott, and Sedgwick Counties had turnout between 40% and 50%, and Finney, Ford, Geary, and Wyandotte Counties had below 40% voter turnout rates.

Kansas voters, meanwhile, are more than aware that their needs are not being met. Of those surveyed in 2023, 80% supported increasing the number of polling locations across the state.[25]

Generally, polling locations should be placed in areas that are accessible to voters based on the demographic and geographic needs of the community. When those needs are not reflected,

> Kansas voters are more than aware that their needs are not being met. **80% supported increasing the number of polling locations across the state.**

voters may be forced to travel long distances, wait in unreasonably long lines, or enter locations that are not safe or welcoming. Failure to account for the community's needs—or disregarding those needs when voiced or otherwise demonstrated—when selecting polling locations can result in election administration decisions that are potentially illegal.

Finally, while Kansas has not had the extreme level of poll closures as seen in other states,[26] there is nonetheless a similar concern of voter disenfranchisement in Kansas counties that have failed to actively adjust to increasing voter registration numbers in their communities. Seventy-seven out of Kansas's 105 counties have seen an increase in voter registration numbers since 2018. For ten of these 77, that increase was over 9%. Respectively, Wyandotte and Sedgwick Counties saw 9.84% and 9.32% increases in their voter registration numbers and have not exhibited

> A county need not actively close polls to still fail to meet the changing needs of thousands of voters in its community—if it **fails to open those polls in the first place.**

proportionate efforts to adjust Election Day infrastructure. As demonstrated by the overlap in poor turnout and crowded polls in Seward, Wyandotte, Ford, and other examples of extremely crowded polls, a county need not actively close polls to still fail to meet the changing needs of thousands of voters in its community—if it fails to open those polls in the first place.

Curbside Voting: Expectation vs. Reality

In 1998, national voter participation by people with disabilities was 20% lower than for voters without disabilities. Following the expansion of accessibility through compliance with the American with Disabilities Act (ADA), that gap narrowed to 7%. Even with the positive impact of the ADA, voters with disabilities are continually met with barriers to participation, "from lack of poll worker training to simple physical accessibility of the polling place."[27] A 2016 Election Day study by the federal Government Accountability Office found that nearly two-thirds of polling places "had at least one impediment to people with disabilities."[28]

Kansas statute includes a requirement for curbside voting, or voting from your vehicle rather than inside the polling location, and the Kansas Election Standards state that: "A voter requiring assistance due to a disability may receive: 1.

assistance from a person of the voter's choice, 2. assistance from two election board workers of different political parties, 3. ballots outside the polling place within 250 feet of the entrance or at the curb outside the polling place. [KSA 25-2909]."[29] Curbside voting is a vital service for voters with mobility issues and health concerns, especially coming out of a pandemic.

County election officials are responsible for ensuring that all polling locations are compliant with the ADA, and basic compliance is the minimum for making elections accessible to people with disabilities. While more polling locations may have increased access to this service during the COVID-19 pandemic, there is significant room for improvement, and once again, election officials need not worry about popularity—78% of Kansas voters support ensuring curbside voting at all voting locations.[30]

The 2018 version of this report found that only one county formally discussed curbside voting in their training materials for poll workers. In the 2023 survey, eight counties explicitly stated they did not offer curbside voting, in contradiction of the state's election standards.

Of the 90 counties that reported they do indeed have some form of curbside voting available, 29 indicated that they only offer that service upon request. Only two counties indicated that they have visible signage advertising curbside voting at polls. Four reported that they use an outdoor device (a buzzer or a bell) that they believe is easily visible to voters. Finally, four counties require voters to arrange for curbside voting in advance, such as by calling ahead before they actually arrive at the poll.

However, even in the cases that curbside voting is offered in theory, there is a troubling need for better voter information and for accountability. During the 2022 primary election, the Election Protection voter assistance hotline received numerous calls about voters who were simply unaware that they could still vote curbside while quarantining after testing positive for COVID-19 or facing mobility issues. troubling, in several reported cases in counties including Butler,

STUDENTS AND VOTERS IN HAYS CALL FOR IMPROVED ACCESS

In spring 2023, students at Fort Hays State University contacted the ACLU of Kansas for assistance. The previous summer, they had begun working as Student Co-Coordinators of the American Democracy Project, an on-campus program that equips college and university graduates with experience and skills promoting civil discourse and engagement at local, state, and national levels of government. During this work, they found that FHSU voting rates were 64.4%, significantly lower than the national average of 66%, and FHSU was the only Kansas Board of regents school that did not meet the national average.

The students wrote a case for support to open a polling place on campus to address issues of safety, cost, and parking, and they even got buy-in from campus police, administration, and other student and staff groups. They contacted Ellis County Clerk Bobbi Dreiling, who initially seemed receptive and visited two locations but ultimately rejected them as unsatisfactory due to location and then due to availability for special elections. Before Dreiling could visit the students' third proposed location that would better address all of these concerns, however, she had already selected a new polling station, even further from campus than the previous one. The ACLU of Kansas supports the advocacy of the FHSU students and Hays voters and their call on Dreiling to engage in this ongoing and collaborative project to meet the stated needs of her constituents. In addition to a poll on campus, this group of Hays voters would like to see increased voter registration drives, transportation to the early voting location two blocks away, and transportation to the most recently opened voting location.

> In several reported cases in counties that have curbside voting "on paper," voters were informed when they arrived at the poll that **the service was not available when they requested it, and some were even turned away.**

Sedgwick, and Shawnee that have curbside voting "on paper," voters who requested it were informed when they arrived at the poll that the service was not available and some even turned away.

Being physically unable to enter a polling place to cast one's vote, whether because of a disability or illness, is an enormous barrier to participation that effectively implemented curbside voting can remedy. Unfortunately, our survey found again a seemingly randomized patchwork of methods advertising curbside voting, indicating that voters still do not have equitable or consistent access in most counties.

Permanent Advance Voting Should Mean Permanent

Kansas voters with a permanent physical disability or illness can apply to be on the Permanent Advance Voting list, meaning they will receive their advance ballot by mail without requesting it on a yearly basis. Kansans with disabilities are a large portion of the population—the CDC estimates 1 in 4 Kansans can be categorized as having a disability, and 12% of them as having a mobility issue.[31] Permanent Advance Voting is critical to reducing barriers to voting for these Kansans. Even so, the state legislature has made continued attempts to increase the frequency of removing people from the aptly named *permanent* advance voting list.

While only voters with disabilities are eligible for permanent advance voting, any Kansas voter can request an early voting application before each election. Most counties report that they only send out an application when it is requested, placing the administrative burden on the voter. However, Cherokee Elk, Ellsworth, Grant, Kearny, Republic, Sedgwick, Wabaunsee, and Wyandotte indicated that they send out advance ballots proactively, demonstrating an example of what is possible for the rest of the state.

When queried about methods used to advertise the existence of the Permanent Advance Voting Status, a majority of counties state that they either did not advertise or that they relied on word of mouth. Some counties responded that they do outreach to nursing homes, social directors at senior centers, and place articles or ads in the newspaper, but there does not appear to be a universal standard followed in the state.

The proportion of Kansas's population that is over 60 is growing rapidly, estimated to be 25% of the population by 2030. With an aging population comes a population with more likelihood of disability.[32] Increasing awareness of Permanent Advance Ballot Status and actively promoting it will be critical for election officials to ensure that older voters have equitable access to voting.

> Permanent Advance Voting is critical to reducing barriers to voting for Kansans with disabilities. Even so, **the state legislature has made continued attempts to actually increase the frequency of removing people from the aptly named *permanent* advance voting list.**

Voting Materials in Additional Languages

In the 1970's, Congress found that "[t]hrough the use of various practices and procedures, citizens of language minorities have been effectively excluded from participation in the electoral process."[33] Because of this finding, Section 203 of the Voting Rights Act now requires that counties provide voting materials and oral language assistance in a language other than English if the population speaking that language is either more than 10,000 people or is more than five percent of all voting age citizens in the county. Voting materials include printed materials such as ballots, instructions, application forms, and outreach materials.

Nearly 68 million people in the United States spoke a language other than English at home in 2019.[34] More than eight million of those people are voting-age citizens.[35] In Kansas, it was 11.8% of the state's population that spoke a language other than English by the latest census numbers, or 337,772 Kansans.[36] Based on population, only four Kansas counties—Finney, Ford, Grant, and Seward—are required under the federal Voting Rights Act to provide materials and oral interpretation.

Notably though, federal law only requires election materials and assistance to be provided in just one of the languages spoken in addition to English in a county. But as an example, in Garden City, located in Finney County, over twenty languages are spoken.[37] Thus, even within the four counties meeting the threshold that have a proportionately higher concentration of speakers of another language, there remain serious language access needs in those counties that are not met by simply

COUNTIES PROVIDING ADDITIONAL LANGUAGE ACCESS AND POPULATION OF LIMITED ENGLISH PROFICIENT INDIVIDUALS (LEPI),[38] 2022 GENERAL ELECTION
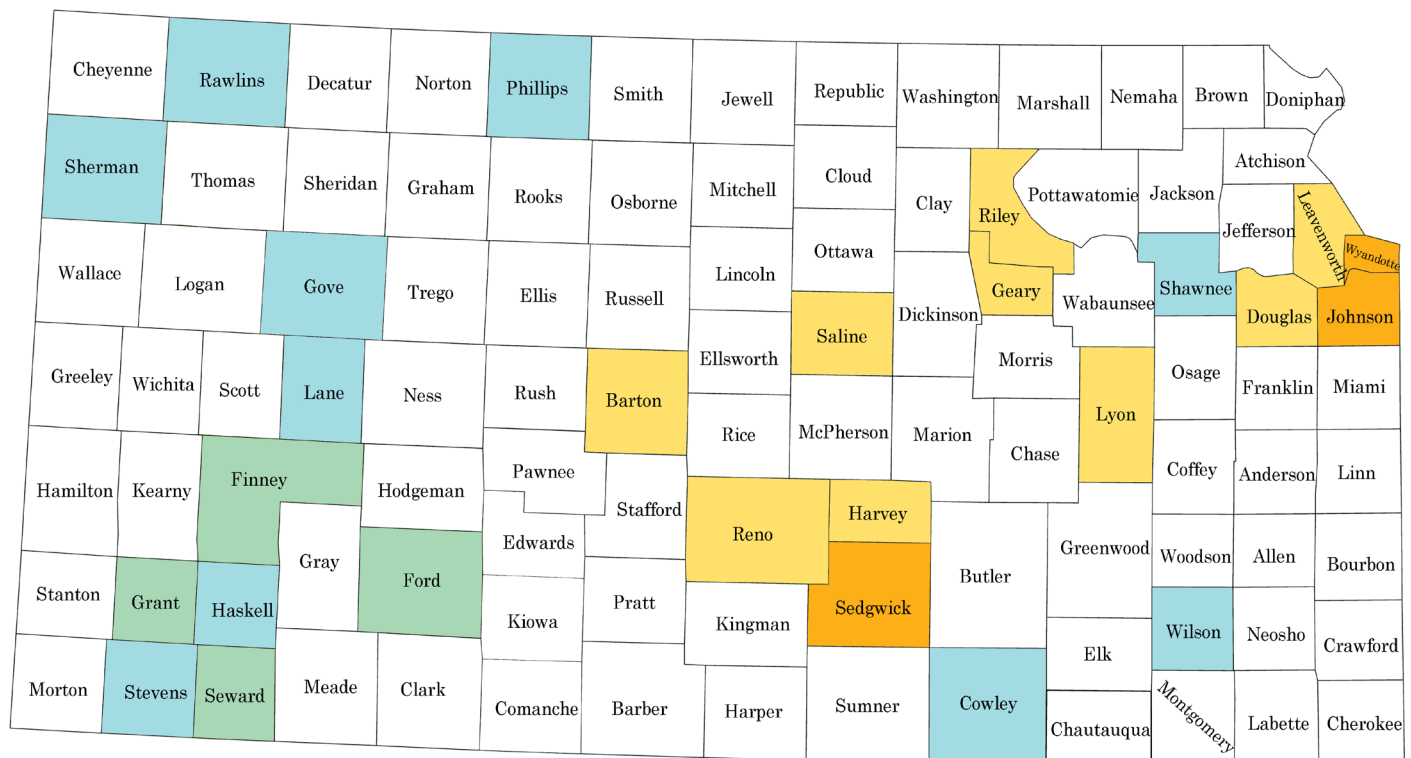
Legend:
- Meets federal threshold and provides additional language services
- Does not meet federal threshold but still provides additional language access
- <100 LEPI, Does Not Provide
- 1,000-9,999 LEPI, Does Not Provide
- 10,000+ LEPI, Does Not Provide

> It is extraordinary that Wyandotte County polls do not provide materials in at least Spanish because **this fails to meet what is an otherwise reasonable and widespread expectation of its residents,** consistent with the majority of services and establishments in the rest of the county.

observing the minimum federal standards.

Beyond these four counties, ten indicated providing at least some support for non-English language access needs in their communities despite not meeting the threshold for the federal requirement. Eight counties—Gove, Haskell, Lane, Rawlins, Shawnee, Sherman, Stevens, and Wilson—stated that they provide at least some non-English voting materials, despite not meeting the federal thresholds for population. While they do not seem to provide physical materials, Cowley and Phillips County did indicate they provide a translator or audio option. In contrast, the majority of Kansas counties across the state do meet the federal threshold but still have sizable voting age populations who speak a primary language other than English or have Limited English Proficiency—and have yet to take the initiative to provide better access.

Meanwhile, Wyandotte County, despite being the most racially diverse in the state,[39] did not provide responsive documents or an affirmative answer about providing voting materials in languages other than English. This is despite the fact that Wyandotte has a population of over 30% Hispanic or Latino population, and 28% of its residents that speak a primary language other than English.

During the August 2022 primary election, the ACLU of Kansas received multiple reports that at least one polling location in Wyandotte County failed to provide any Spanish-speaking poll workers, signage, or translated ballots, and as a result, large groups of voters walked away from the polls without casting a vote. Residents are accustomed to having signage and materials in both Spanish and English throughout Wyandotte County, at places of government-provided services such as the drivers license bureau and the library, but also at private businesses. Thus, it is extraordinary that Wyandotte County polls do

not follow suit and provide materials in at least Spanish because this fails to meet what is an otherwise reasonable and widespread expectation of its residents, consistent with the majority of services and establishments in the rest of the county.

Sedgwick County, with a Limited English Proficiency (LEP) population of 25,900, is also an example of administrative inaction when it comes to providing materials in languages other than English. Johnson County, meanwhile, has an LEP population of 21,700 people. As the most populous counties in the state, Wyandotte, Johnson, and Sedgwick demonstrate a significant area of potential voter disenfranchisement, affecting tens of thousands of voters, simply due to their lack of alternative language materials at the polls.

Providing accessible materials for all eligible voters is a relatively smaller administrative hurdle than opening an entire poll, and yet there remains a wide gap, in some of the same counties that have ignored other opportunities to improve voter turnout and prevent the disenfranchisement of thousands of voters.

> As the most populous counties in the state, Wyandotte, Johnson, and Sedgwick demonstrate a **significant area of potential voter disenfranchisement**, simply due to their lack of alternative language materials at the polls.

Vote From Jail: Innocent— and Eligible to Vote—Until Proven Guilty

Under Kansas law, people who are convicted of a felony are unable to vote until they have completed the terms of their sentence—including probation or parole and, in some cases, payment of fines and fees. However, individuals convicted of a misdemeanor or who are incarcerated pretrial (i.e. no conviction) are eligible to vote and should be given every opportunity to do so. This includes individuals who are held because they simply cannot afford to pay bail.

In 2020, Kansas was home to 97 county jails, eight state-run adult correctional facilities, and one federal prison.[40] Not every person who is incarcerated in Kansas is eligible to vote, but the fact remains that a sizable portion of the population lives behind bars because of this state's addiction to policing and incarceration. People in detention who have not been convicted and are not currently serving time for a felony have as much of a right to vote as any other Kansan.

Out of the counties that have an incarceration facility, there was not compelling evidence that the voting needs of people behind bars were being met. Fifteen counties reported currently having an official vote-from-jail program. Twenty-seven counties indicated that, while nothing formal is in place, they have a working relationship with their sheriff or their staff to ensure individuals can vote. Five counties reported that they are creating an official program. However, even among the minority of counties that answered in the affirmative about having an official vote-from-jail "programs," it seems these programs still place the burden on the detained person to request to vote, rather than consisting of a more proactive system that has an open call to vote for those eligible. Given the environment of the jail in

> Even among the minority of counties that have official vote-from-jail "programs," **the burden is still on the detained person to request to vote.**

which someone may face hostility for requesting, for example, basic hygiene products or medical care, it cannot be understated that placing initiative on the detained person to request something more logistically challenging such as the casting a ballot is a huge obstacle.

Additionally, at least a handful of election officials seem unaware that under Kansas election law, people with felony convictions are legally eligible to vote as part of the restoration of their rights upon completion of their sentence, such as getting off parole or probation. Leavenworth County cited a policy that "everyone gets to vote unless convicted of a felony." In a 2020 Facebook post about counting votes, Ellis County Clerk Bobbi Dreiling incorrectly stated that a provisional ballot would not be counted "since you are a convicted felon you will not be allowed to be a registered voter." She later retracted the statement after outreach from the ACLU of Kansas's Election Protection team.[41]

> At least a handful of **election officials seem unaware** that under Kansas election law, people with felony convictions are legally eligible to vote as part of the restoration of their rights upon completion of their sentence.

Conclusion

Accessibility and Equity: Local Policy Impacts Voter Turnout

Democracy in Kansas remains a locally-contingent phenomenon. County election policies paint a varied, seemingly randomized and colorful patchwork of results across the state. Kansans clearly continue to face inconsistent access to vote. A voter's access to democracy in the Free State is often barred by unnecessary and arbitrary barriers posed by the very election process itself, and from ease of early voting access, to curbside voting, to the long lines or the long drive to get to vote, each of these barriers is the result of a decision by the county's respective election official, whether that decision constitutes an action or lack thereof.

An eligible voter's ability to make their voice heard by accessing the ballot box should not be contingent on their county or zip code—but far too often, it is.

Many of the counties with the lowest voter turnout in 2022 were the same counties with the lowest turnout in 2018. These same counties—most notably including Seward, Wyandotte, Ford, Finney, Geary—fall short in other areas as well. They tend to have the fewest early voting hours and locations available to voters, they have anywhere from 3,042 (Geary) to 5,460 (Seward) voters crammed into a single poll, and they are the least likely to make the small and reasonable

> An eligible voter's ability to make their voice heard by accessing the ballot box should not be contingent on their county or zip code—but far too often, it is.

leap of providing even a few extra hours to vote outside of regular business hours.

It is the Kansas communities that most need better representation in the electoral process that also suffer the most from official inaction or voter suppression.

Election officials can and should expand early voting in their respective counties by:

- Expanding in-person early voting to use the full statutory allotment of 20 days

- Ensuring ample early voting hours are available outside of business hours from 8 am to 5 pm, Monday through Friday

- Increasing the number of early voting locations in diverse geographic areas

- Sending advance ballot applications and early voting informational materials to all eligible voters

Election officials can improve accessibility and equity in their counties by:

- Thoroughly implementing curbside voting, including providing adequate training of polling staff and ensuring that adequate information about the system is communicated to voters

- Increasing the number of Election Day polling locations in geographically diverse areas

- Improving language access by offering election materials in languages in addition to English

- Implementing "Vote from Jail" programs for all eligible voters

- Including pre-paid postage on mail-in ballots

The more opportunities to vote, and the fewer barriers in place, the higher counties can expect

> **It is the Kansas communities that most need better representation in the electoral process that also suffer the most from official inaction or blatant voter suppression.**

their voter participation to be. This report found that across the state, there is incredible potential to identify election-related needs specific to the local community and to act with their respective election offices. There is a large toolbox available to every election official to improve voter access and create a culture, reinforced by policy, that will encourage participation and strengthen democracy—and build a stronger, freer, more just, and more inclusive Kansas.

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APPENDIX A: TURNOUT COMPARISON

* *Indicates county that provided no response to ACLU survey. For fields without data, the county is not included in the average turnout calculations by early voting hours, days, or voters per poll.*

** *Turnout Data not provided - these counties were not included in average turnout calculations.*

COUNTY	Registered Voters as of 11/1/2022	Registered Voters in 2018	Total Ballots Counted	Physical Poll Voters on Election Day	Voted Using Mail Ballot	Voted at Early Voting Location	Voter Turnout 2022 General Election	Voter Turnout in 2018 General Election	Difference in Turnout from 2018 to 2022
Allen	8,834	8,620	4,178	2,894	371	882	47.29%	51.20%	-3.91%
Anderson	5,537	5,457	2,931	2,247	210	445	52.93%	51.30%	1.63%
Atchison	11,376	11,474	4,980	3,951	455	522	43.78%	48.10%	-4.32%
Barber	2,913	2,887	1,767	1,357	114	283	60.66%	61.00%	-0.34%
Barton	16,279	17,578	8,139	5,599	762	1,716	50.00%	48.40%	1.60%
Bourbon	12,184	11,992	**					41.80%	
Brown	6,513	6,095	3,405	2,740	226	413	52.28%	56.60%	-4.32%
Butler	46,499	42,133	24,004	15,847	2,591	5,241	51.62%	50.00%	1.62%
Chase	1,886	1,834	1,205	714	132	355	63.89%	67.20%	-3.31%
Chautauqua	2,493	2,367	1,185	969	107	105	47.53%	48.80%	-1.27%
Cherokee	14,666	15,850	**					43.60%	
Cheyenne	1,966	1,934	1,060	805	57	195	53.92%	59.40%	-5.48%
Clark	1,539	1,495	867	659	83	113	56.34%	56.30%	0.04%
Clay	5,740	5,664	3,326	2,395	288	612	57.94%	55.60%	2.34%
Cloud	5,892	5,859	3,229	2,164	305	724	54.80%	54.90%	-0.10%
Coffey*	6,160	6,094	3,482	2,572	227	657	56.53%	57.60%	-1.07%
Comanche	1,135	1,044	760	674	29	49	66.96%	61.60%	5.36%
Cowley	20,629	19,586	10,835	5,623	1,427	3,677	52.52%	52.50%	0.02%
Crawford	26,600	26,355	11,929	9,336	1,353	1,036	44.85%	59.50%	-14.65%
Decatur	2,132	2,159	1,160	882	102	171	54.41%	54.70%	-0.29%
Dickinson	13,820	12,935	7,181	5,509	515	1,092	51.96%	51.50%	0.46%
Doniphan	4,887	5,009	2,672	2,322	161	183	54.68%	52.50%	2.18%
Douglas	82,198	79,895	47,565	24,157	12,733	9,511	57.87%	61.30%	-3.43%
Edwards	1,930	1,917	1,110	914	93	95	57.51%	59.50%	-1.99%
Elk	1,826	1,753	1,097	834	93	155	60.08%	61.60%	-1.52%
Ellis	19,526	17,909	10,006	7,212	161	2,568	51.24%	59.10%	-7.86%
Ellsworth	4,030	4,149	2,302	1,704	208	355	57.12%	54.70%	2.42%
Finney	21,380	20,657	7,315	5,200	467	1,559	34.21%	42.30%	-8.09%
Ford	15,812	15,206	6,028	3,518	718	1,708	38.12%	47.00%	-8.88%
Franklin	19,660	18,115	9,594	7,046	599	1,865	48.80%	52.20%	-3.40%
Geary	18,253	17,362	6,134	3,756	638	1,574	33.61%	36.40%	-2.79%
Gove	1,889	1,840	1,185	1,050	75	55	62.73%	66.80%	-4.07%
Graham	1,781	1,782	1,036	676	97	254	58.17%	60.90%	-2.73%
Grant	3,760	3,543	1,627	1,088	125	385	43.27%	52.00%	-8.73%
Gray	3,283	3,009	1,771	1,271	115	362	53.94%	60.00%	-6.06%
Greeley	851	866	458	307	22	126	53.82%	57.50%	-3.68%

COUNTY	Registered Voters as of 11/1/2022	Registered Voters in 2018	Total Ballots Counted	Physical Poll Voters on Election Day	Voted Using Mail Ballot	Voted at Early Voting Location	Voter Turnout 2022 General Election	Voter Turnout in 2018 General Election	Difference in Turnout from 2018 to 2022
Greenwood	4,859	4,388	2,355	1,797	198	349	48.47%	49.60%	-1.13%
Hamilton	1,372	1,287	629	372	37	207	45.85%	49.70%	-3.85%
Harper	3,618	3,830	1,997	1,765	169	3	55.20%	52.80%	2.40%
Harvey	23,637	22,371	12,989	8,436	1,887	2,496	54.95%	60.90%	-5.95%
Haskell	2,337	2,409	1,006	767	34	199	43.05%	46.70%	-3.65%
Hodgeman	1,290	1,408	813	631	76	103	63.02%	63.00%	0.02%
Jackson*	9,146	8,499	5,146	3,798	379	920	56.27%	54.10%	2.17%
Jefferson	13,244	13,385	7,665	6,119	544	919	57.88%	56.00%	1.88%
Jewell	2,162	2,126	1,211	893	129	182	56.01%	56.70%	-0.69%
Johnson	463,528	419,403	263,543	111,359	35,387	112,458	56.86%	62.50%	-5.64%
Kearny	2,237	2,193	967	791	28	134	43.23%	58.40%	-15.17%
Kingman	5,396	4,837	3,146	2,499	319	303	58.30%	63.10%	-4.80%
Kiowa	1,471	1,312	959	803	34	115	65.19%	62.20%	2.99%
Labette	13,259	13,582	6,039	5,243	500	253	45.55%	47.30%	-1.75%
Lane	1,127	1,273	683	545	41	91	60.60%	57.90%	2.70%
Leavenworth	54,257	45,582	27,033	17,475	3,399	5,902	49.82%	57.00%	-7.18%
Lincoln	2,126	2,137	1,218	912	110	190	57.29%	59.20%	-1.91%
Linn	7,312	6,968	3,734	2,933	175	574	51.07%	54.80%	-3.73%
Logan	1,879	1,932	1,116	793	217	106	59.39%	61.20%	-1.81%
Lyon	21,057	20,239	10,194	6,989	944	2,129	48.41%	53.10%	-4.69%
Marion	8,045	7,916	4,841	3,527	386	896	60.17%	60.40%	-0.23%
Marshall	7,041	6,568	3,960	2,793	358	762	56.24%	60.60%	-4.36%
McPherson	18,937	17,382	11,273	8,310	725	2,090	59.53%	64.10%	-4.57%
Meade	3,373	3,231	1,329	941	67	294	39.40%	44.10%	-4.70%
Miami	25,888	23,274	13,563	7,542	1,374	4,548	52.39%	55.40%	-3.01%
Mitchell	4,160	4,089	2,397	1,805	167	395	57.62%	55.60%	2.02%
Montgomery	20,461	19,457	9,679	7,968	809	790	47.30%	31.60%	15.70%
Morris	3,918	3,806	2,257	1,512	328	389	57.61%	60.00%	-2.39%
Morton	2,002	1,947	809	589	43	159	40.41%	47.90%	-7.49%
Nemaha	7,384	7,311	4,652	3,890	264	444	63.00%	62.80%	0.20%
Neosho	11,451	11,558	5,119	4,434	334	308	44.70%	46.30%	-1.60%
Ness	1,929	1,933	1,176	650	137	376	60.96%	61.90%	-0.94%
Norton	3,309	3,403	1,808	1,450	128	205	54.64%	56.00%	-1.36%
Osage*	12,020	11,330	**					56.30%	
Osborne	2,654	2,760	1,456	1,169	101	167	54.86%	54.60%	0.26%
Ottawa	4,386	4,304	2,424	1,906	157	342	55.27%	56.50%	-1.23%
Pawnee	3,786	3,876	2,164	1,546	158	446	57.16%	57.10%	0.06%
Phillips	3,930	3,706	2,190	1,795	146	211	55.73%	61.40%	-5.67%
Pottawatomie	18,122	15,565	10,565	8,250	1,053	1,120	58.30%	63.80%	-5.50%
Pratt	5,514	5,175	3,143	2,321	266	548	57.00%	63.50%	-6.50%
Rawlins	2,042	2,096	1,159	890	87	180	56.76%	58.20%	-1.44%

COUNTY	Registered Voters as of 11/1/2022	Registered Voters in 2018	Total Ballots Counted	Physical Poll Voters on Election Day	Voted Using Mail Ballot	Voted at Early Voting Location	Voter Turnout 2022 General Election	Voter Turnout in 2018 General Election	Difference in Turnout from 2018 to 2022
Reno	41,774	40,582	20,908	13,217	2,301	5,195	50.05%	51.20%	-1.15%
Republic	3,489	3,562	1,988	1,411	192	370	56.98%	57.50%	-0.52%
Rice	6,428	5,945	3,014	2,043	234	709	46.89%	53.10%	-6.21%
Riley	39,003	36,057	18,284	11,402	1,714	5,049	46.88%	55.00%	-8.12%
Rooks	3,650	3,537	2,128	1,816	125	173	58.30%	61.00%	-2.70%
Rush	2,226	2,161	1,345	964	51	320	60.42%	61.90%	-1.48%
Russell	4,589	4,534	2,742	1,978	264	499	59.75%	60.00%	-0.25%
Saline	36,696	36,426	17,844	11,752	1,921	3,981	48.63%	50.80%	-2.17%
Scott	3,438	3,337	1,701	1,338	93	257	49.48%	56.30%	-6.82%
Sedgwick	333,718	302,631	156,711	73,430	28,820	50,725	46.96%	55.20%	-8.24%
Seward	10,919	10,284	2,973	1,746	180	989	27.23%	36.80%	-9.57%
Shawnee	117,336	110,495	66,861	46,912	7,676	11,523	56.98%	64.00%	-7.02%
Sheridan	1,843	1,857	1,127	888	129	100	61.15%	62.10%	-0.95%
Sherman	3,747	3,606	2,065	1,379	140	511	55.11%	58.10%	-2.99%
Smith	2,753	2,657	1,655	1,342	118	182	60.12%	61.30%	-1.18%
Stafford	2,567	2,649	1,591	1,166	257	167	61.98%	61.20%	0.78%
Stanton	1,086	1,149	520	403	50	54	47.88%	54.00%	-6.12%
Stevens	3,246	3,010	1,434	1,086	68	246	44.18%	50.90%	-6.72%
Sumner	17,084	16,859	7,936	6,117	734	986	46.45%	46.90%	-0.45%
Thomas	5,298	4,921	2,909	1,573	493	807	54.91%	60.50%	-5.59%
Trego	2,097	2,131	1,288	885	169	224	61.42%	60.30%	1.12%
Wabaunsee	5,321	4,958	3,368	2,518	368	458	63.30%	64.80%	-1.50%
Wallace	1,131	1,072	680	501	32	146	60.12%	63.50%	-3.38%
Washington	3,571	3,397	2,266	1,659	262	343	63.46%	67.80%	-4.34%
Wichita	1,363	1,370	717	541	44	129	52.60%	55.80%	-3.20%
Wilson	5,240	5,087	3,108	2,234	841	0	59.31%	59.30%	0.01%
Woodson	2,172	2,148	1,198	942	54	192	55.16%	56.50%	-1.34%
Wyandotte	92,225	83,154	35,316	20,164	6,949	7,606	38.29%	49.10%	-10.81%
STATEWIDE	**1,975,535**	**1,841,848**	**997,607**	**577,607**	**131,633**	**273,287**	**50.50%**	**55.76%**	**-5.26%**

APPENDIX B: EARLY VOTING BY COUNTY

* *Indicates county that provided no response to ACLU survey. For fields without data, the county is not included in the average turnout calculations by early voting hours, days, or voters per poll.*

*** *Indicates based on ACLU research because of lack of clarity in response from county's election official. Information was gathered either from county website, county website's previous election information, or from a Facebook page.*

COUNTY	Early Voting Period (days)	Number of Early Voting Locations	Count of Actual Days of Early Voting	Number of Early Voting Hours Outside of Business Hours (Mon-Fri, 8 am to 5pm)	Number of Election Day Polling Locations in 2022	Average Registered Voters per Poll
Allen	20	1	14	0	4	2,209
Anderson	15	1	11	0	7	791
Atchison	15	1	11	0	5	2,275
Barber	20	1	14	0	2	1,457
Barton	20	1	15	4	10	1,628
Bourbon	13	1	10	0	8	1,523
Brown	15	5	20***	0	5	1,303
Butler	14	2	13	7	19	2,447
Chase	20	1	14	0	1	1,886
Chautauqua	20	1	14	0	3	831
Cherokee	13	1	9	0	11	1,333
Cheyenne	8	1	6	0	2	983
Clark	20	1	14	0	2	770
Clay	20	1	14	0	4	1,435
Cloud	20	1	14	0	6	982
Coffey*	20	1	14	0	6**	1,027
Comanche	20	1	14	0	4	284
Cowley	15	2	11	0	11	1,875
Crawford	20	4	21	54	13	2,046
Decatur	20	1	14	0	4	533
Dickinson	20	1	14	0	10	1,382
Doniphan	20	1	15	8	6	815
Douglas	20	10	17	36	77	1,068
Edwards	20	1	14	0	4	483
Elk	15	1	9	0	3	609
Ellis	10	1	7	0	9	2,170
Ellsworth	20	1	14	0	5	806
Finney	15	1	11	10	7	3,054
Ford	20	1	15	8	5	3,162
Franklin	15	1	11	0	16	1,229
Geary	20	1	14	0	6	3,042
Gove	14	1	10	0	4	472
Graham	20	1	14	0	1	1,781
Grant	14	1	10	0	1	3,760
Gray	20	3	14	0	2	1,642
Greeley	20	1	14	0	1	851

COUNTY	Early Voting Period (days)	Number of Early Voting Locations	Count of Actual Days of Early Voting	Number of Early Voting Hours Outside of Business Hours (Mon-Fri, 8 am to 5pm)	Number of Election Day Polling Locations in 2022	Average Registered Voters per Poll
Greenwood	20	1	14	0	4	1,215
Hamilton	20	1	14	0	1	1,372
Harper	20	1	14	0	3	1,206
Harvey	15	1	12	5	12	1,970
Haskell	15	1	11	0	2	1,169
Hodgeman	20	1	15	7	2	645
Jackson*	-	-		-	-	
Jefferson	20	1	14	0	13**	1,019
Jewell	20	1	14	0	3	721
Johnson	20	16	13	180	144	3,219
Kearny	20	1	14	0	2	1,119
Kingman	20	1	14	0	6	899
Kiowa	20	1	14	0	3	490
Labette	20	1	14	0	15	884
Lane	20	1	14	0	2	564
Leavenworth	20	1	14	0	27	2,010
Lincoln	20	1	14	0	2	1,063
Linn	20	3	14	6	10	731
Logan	20	1	14	0	2	940
Lyon	20	2	14	0	14	1,504
Marion	20	1	15	8	8	1,006
Marshall	20	1	14	0	5	1,408
McPherson	20	1	14	0	17	1,114
Meade	20	1	14	0	3	1,124
Miami	20	1	14	0	13	1,991
Mitchell	20	1	14	0	6	693
Montgomery	20	1	14	0	17	1,204
Morris	20	1	14	0	4	980
Morton	20	1	14	0	2	1,001
Nemaha	20	1	15	4	8	923
Neosho	14	1	10	0	10	1,145
Ness	14	1	10	0	1	1,929
Norton	20	1	14	0	5	662
Osage*	19	1	13	11	-	-
Osborne	20	1	14	0	4	664
Ottawa	14	1	10	0	6	731
Pawnee	20	1	14	0	4	947
Phillips	20	1	14	0	6	655
Pottawatomie	20	1	14	0	7	2,589
Pratt	14	1	11	0	2	2,757
Rawlins	20	2	14	0	3	681

COUNTY	Early Voting Period (days)	Number of Early Voting Locations	Count of Actual Days of Early Voting	Number of Early Voting Hours Outside of Business Hours (Mon-Fri, 8 am to 5pm)	Number of Election Day Polling Locations in 2022	Average Registered Voters per Poll
Reno	19	1	13	0	27	1,547
Republic	20	1	14	0	5	698
Rice	20	1	17	12	6	1,071
Riley	20	1	15	4	28	1,393
Rooks	14	1	10	0	7	521
Rush	20	1	14	0	4	557
Russell	15	1	11	0	8	574
Saline	15	1	12	9	28	1,311
Scott	20	1	14	0	1	3,438
Sedgwick	15	16	13	14	98	3,405
Seward	14	1	12	18	2	5,460
Shawnee	15	1	11	20	94	1,248
Sheridan	20	1	14	0	2	922
Sherman	15	1	11	0	1	3,747
Smith	13	1	9	0	4	688
Stafford	20	1	14	0	3	856
Stanton	20	1	14	0	1	1,086
Stevens	13	1	9	0	2	1,623
Sumner	20	1	14	0	13	1,314
Thomas	20	1	14	0	1	5,298
Trego	14	1	10	0	1	2,097
Wabaunsee	20	1	14	0	7	760
Wallace	20	1	14	0	1	1,131
Washington	20	1	14	0	6	595
Wichita	20	1	14	0	2	682
Wilson	0	1	0	0	2	2,620
Woodson	20	1	14	0	3	724
Wyandotte	20	4	13	48	27	3,416
STATEWIDE	18.06			-	1,047	1,887