

July 5, 2016

The Hon. Kris Kobach
Kansas Secretary of State
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka, KS 66612-1594

Dear Sec. Kobach:

We recently learned about instructions that your office provided to local election authorities regarding the administration of the upcoming August primary and November general elections. Those instructions directed local election authorities to deny to properly registered citizens the right to vote in state and local elections. Instead of ensuring that all properly registered citizens are able to fully participate in Kansas democracy, the instructions that your office issued will prohibit tens of thousands of Kansans from participating in state and local decision-making.

With this open letter, we call on you to rescind the instructions that you recently provided to local election authorities. In their place, we request that you issue instructions making it clear that all properly registered voters will be permitted to exercise their right to vote in all elections—federal, state, and local.

Issuing such instructions is imperative—in order to show respect for the rule of law and to eliminate wholly unnecessary confusion on the part of voters. A Kansas judge has already ruled *twice* that the Secretary of State and local election officials lack the legal authority to operate the exact system called for in the instructions issued by your office. To disregard the court's ruling and knowingly operate an illegal system would show a troublingly cavalier attitude towards the rule of law, as well as disrespect for voters themselves. Voters should not be subjected to the confusion and bureaucratic hurdles that your office's proposal would create, especially since those hurdles are wholly unnecessary. By treating all duly registered voters equally—and not exceeding the legal authority granted to the Secretary of State's office by deliberately treating some voters differently, based on how they register to vote—all confusion will be eliminated and thousands of eligible citizens will have their right to vote fully guaranteed.

We urge you to issue a new set of instructions to election authorities that ensure that all voters can cast ballots in federal, state, and local elections and have those ballots count. Doing so will strengthen civic engagement in Kansas and protect the voting rights of all eligible Kansas citizens.

Sincerely,

American Civil Liberties Union of Kansas
League of Women Voters of Kansas
MainStream Coalition
Women for Kansas