

MARCH 4, 2008
PRIMARY ELECTION

**REPORT FROM THE
SECRETARY OF STATE TO
THE GOVERNOR,
GENERAL ASSEMBLY,
AND THE CITIZENS
OF THE STATE OF OHIO**

Spring 2008

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Ohio Secretary of State

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Overview

With early filing deadlines and shortened election preparation time periods, a March presidential primary provides a unique and challenging process for candidates, election officials, political parties and other interested persons. That this is a presidential year heightens the interest in the state's presidential primary and other races and issues on the election ballot. The multitude of candidates and the intense competition among the races for the presidential nomination made the primary in Ohio one of high interest nationally and internationally.

Ohio voters and the state's election officials weathered the storms, quite literally. Weather conditions in Ohio prompted the secretary of state's office to assist boards of elections on a variety of issues. Ten eastern and southern counties experienced issues with flooding. The secretary of state's office sought relief through a judge of the Franklin County Court of Common Pleas for an order to allow affected boards of elections to relocate polling locations, where needed, to provide access to affected primary election voters. Power outages and hazardous driving conditions due to ice storms plagued other parts of the state. Law enforcement officials assisted election officials throughout the state with ballots and equipment delivery and return in what was a record primary election turnout of 46%, despite the difficulties presented by weather and storm conditions.

Lake and Trumbull Counties each had a polling location that received a bomb threat, and both handled the situations in a calm manner with the assistance of law enforcement. The Sandusky County Board of Elections' "ballot-on-demand" printer malfunctioned and stopped printing ballots needed for the record number of primary election voters, especially in the state's Democratic primary.¹ The secretary of state's office, in an action brought by the Ohio attorney general in the Sandusky County Common Pleas Court, obtained a court order to keep all precincts in the county open until 9:00 p.m. to ensure access to voting.

The Obama for President campaign also obtained a court order after the polls closed in Cuyahoga County to keep certain precincts in that county open until 9:00 p.m. due to alleged ballot shortages.

Counties using direct record electronic (DRE) voting systems had been instructed by secretary of state directive to provide optical scan ballots to any voter who requested one. Approximately 13,000 backup paper ballots were voted at polling locations on primary election day, March 4, 2008.

Cuyahoga County, the largest county in the state, and Mercer and Van Wert counties conducted successful primary elections after converting from touch-screen electronic voting machines to optical scan paper ballots that were centrally counted at the boards of election. These ballots were centrally counted along with absentee ballots received

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before and on Election Day. Putnam County, which had experienced intermittent failures with borrowed touch-screen voting machines during the November 2007 election (after having lost its own touch-screen voting machines to flooding), successfully converted to precinct-based optically scanned paper ballots for the March 4, 2008 primary election. In the months leading up to the election, the secretary of state's office worked "hand-in-hand" with these boards' employees to ensure the election using a "central count" system went smoothly.

Post-election audit procedures were piloted by 11 counties (Athens, Belmont, Cuyahoga, Greene, Highland, Miami, Morgan, Sandusky, Summit, Trumbull, and Tuscarawas) for the presidential contest for both parties, and responses from participating boards to questionnaires following the implementation of this new procedure are still being received. Post-election audits are an emerging "best practice" with the advent of computer based voting. Post-election audits are a tool to ensure accurate results of an election and to instill voter confidence even in tight state budgetary times when systems must continue to be used that have been shown to be subject to security and programming flaws.

Executive Summary

The administration of elections in 2008 showed vast improvement from the 2004 presidential primary election. The first directive issued by this administration in February 2007, Directive 2007-01, established minimum qualifications for all directors and deputies (See *Appendix III, page 263*). In December 2007 the secretary of state's Ethics Policy (See *Appendix III, page 295*) was adopted. This policy provides guidance to members and employees of county boards of elections, poll workers, employees, and appointees of the secretary of state to clearly state expectations and legal requirements for complying with the state's ethics law and working in such a manner so as to ensure public confidence in the state's elections.

Overall the county boards of elections performed exceedingly well in the March 4, 2008 primary election. A record high 46% of eligible voters turned out for this presidential primary (3,603,523 of the 7,826,480 registered voters in Ohio) to cast their ballots. Over 500,000 voters (approximately 14% of the primary election's voters) voted by absentee ballot, taking advantage of the recent change in state law that does not require a reason to vote absentee.ⁱⁱ The professionalism and emergency planning by boards of elections allowed them to overcome unforgiving weather conditions, power outages, bomb threats and late evening court orders.

In addition to the directive for backup paper ballots, other directives provided instruction and guidance on ID requirements for voters, absentee voting, provisional voting, proper procedures for processing absent voter's ballots prior to Election Day, unofficial and official canvass procedures, recount procedures, and post-election audit procedures. (See *Appendix III, Directives and Appendix VII, Court Orders, page 511*)

In addition, instructions were provided for polling place security and chain of custody procedures for transporting voting equipment, ballots and election supplies, as well as instructions on the proper procedures for encryption of security cards for DREs. Secretary of state advisories provided information and instructions on the presence of observers in polling places, polling place conduct, media access to polling locations and exit polling. (See *Appendix IV, page 441*)

The newly created Voting Rights Institute in the secretary of state's office fielded hundreds of calls throughout Election Day in response to 4 million information cards supplied to boards of elections for distribution at polling places that provided voters with telephone numbers and e-mail addresses for questions and concerns about their election experience. This newly created avenue of communication allowed the secretary of state's office to assist voters to ensure enfranchisement.

County boards of elections were instructed by directive to call their assigned election attorney in the secretary of state's office in the case of machine failure or ballot shortage. Sixteen full-time regional liaisons were on call throughout the state and

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assisted boards of elections, responding to their questions and concerns and conducted spot checks of polling places for Americans with Disabilities Act (ADA) compliance.

Additional areas of focus before the November presidential election are the development and implementation of “best practices” for security of voting equipment, ballots and related supplies, as well as continued development of board of elections staff and poll worker training materials and curriculum. Collaboration has already begun between the Ohio Association of Election Officials and the secretary of state’s office to discuss and develop improved security practices. The secretary of state’s office will continue to improve and standardize the directives and advisories issued to boards of elections to further clarify expectations and application of the law for what is expected to be a record turnout for the November general election to be held November 4, 2008.

Specific Issues in Ohio’s March 4, 2008 Primary Election

Polling Place Accessibility

Polling places should be accessible to all voters, including voters with disabilities. A spot check was made of 50 polling locations throughout the state by the secretary of state’s regional liaisons at the March 4, 2008 primary election. Some of Ohio’s polling locations are not 100% accessible, as the building serving as a polling place may lack the proper door handles or have doorways that are not wide enough to accommodate a wheelchair. Follow up letters were sent to the corresponding boards of elections requiring compliance with ADA standards.

Equipment Security

A comprehensive review of voting systems commissioned by Secretary of State Jennifer Brunner was completed in December 2007. The report of the review, Evaluation & Validation of Election Related Equipment &, Standards & Testing Report, also known as the EVEREST Report, indicated critical security failures with the design of electronic touch-screen voting systems, security breaches with the design of optical scan voting systems, and flaws in software development and maintenance for the central servers for those systems.

Secretary of state Directive 2008-25 (*See Appendix III, page 322*) implemented a chain of custody procedure for county boards of elections to implement when transporting and delivering voting equipment and supplies and on polling place security.

For the first time in Ohio, boards were required to document the custody of voting equipment, supplies, and/or ballots using a “chain of custody” form. The purpose of the form is to track the custody and location of voting equipment,

supplies, and/or ballots from the time they leave boards of elections offices until returned to the offices.

A survey was conducted to determine how county boards of elections transported ballots and voting equipment to the polling locations. The results of the survey may be found in Appendix III, page 319, of this report.

Recently adopted legislation that was initiated by the secretary of state will require that a bipartisan team deliver ballots to the board of elections on Election night, assuring greater security of voting results and public confidence.

Consistent Poll worker Training

The lack of uniformity in poll worker training at the county level creates inconsistent application of polling place procedures and, potentially, of the state's election laws, throughout the state. Since elections are process driven, a guarantee that all elections process in the state secure the same rights for all voters is fundamental and essential. The complexity of voter ID requirements and procedures for provisional ballots has proved in the past to be especially challenging for poll workers.ⁱⁱⁱ In recognition of this, the secretary of state's office offered a standardized online poll worker training program that was utilized by poll workers in 35 counties for the March 4, 2008 primary election. This program remains available to boards of elections for use in the November general election (see: www.ohioelectiontraining.com).

Registered Voter Database Accuracy

The statewide voter registration database (SWVRD) maintained by the secretary of state's office is the official list of registered voters for all elections conducted in the state. The SWVRD is compiled from the voter registration records maintained by each county board of elections, with each board being electronically connected to the secretary of state's office for frequent and regular updating of local changes to the voter data. The state's database is as good as what is sent from the county board of elections. It became apparent that the accuracy of the voter registration records, as well as the location of polling places contained in the county databases, has not been 100% accurate.

Not all county boards of elections have been notifying the secretary of state's office when a change in polling location has been made. As a result, some voters received inaccurate information when looking up the location of their polling place for the primary election. To address these issues, regional training sessions have been held for counties, conferences have been held with vendors who assist the county boards of elections in maintaining their voter databases, and error rates are being monitored to improve the quality of county voter registration databases and thus, improve the state's records.

Quality of Voter Registration Efforts

Many groups inside and outside of Ohio are conducting voter registration drives. Some of the groups send letters informing registered voters they are not currently registered to vote when in fact they are. Some of the groups also send letters that have a name or address on the enclosed pre-printed registration form that has a name and address that does not match the name and address of the person receiving it. The secretary of state's office and county boards of elections received many calls regarding the letters and/or forms because voters assumed, based on the nongovernmental notifications, they were not properly registered, when, in fact, they were. Other voters have contacted election officials questioning the accuracy of the board's voter registration records. This has unnecessarily caused confusion and frustration to voters about their ability to vote. The secretary of state's office is exhorting advocacy groups to base their mailings on accurate information and is assisting them with greater understanding of election processes and requirements.

Clarification of Voter ID Requirements

Although this is not the first election at which identification was required of voters, ID requirements still prove to be a challenge to poll workers and voters alike. There still remains some confusion as to what constitutes acceptable proof of ID for voting purposes. Some voters still resist the idea of having to prove their identity. Secretary of state Directive 2007-06 (See *Appendix III, page 268*) was issued to all county boards of elections on April 4, 2007 to outline voter identification requirements. Boards of elections were reminded to refer to information contained in the Directive prior to the March 4, 2008 primary election to avoid any confusion on voter ID requirements.

Clarification of Provisional Voter Requirements

Provisional ballots were intended to serve as a "fail safe" method for voters to cast a ballot. Over 126,000 provisional ballots were cast in the March 4 presidential primary election. A voter may be required to cast a ballot provisionally for several reasons, which include failure to timely update the person's voter registration record due to a change of voting residence or change of name; or failure to provide acceptable proof of identity at the polls.

Unfortunately, some voters may be instructed by an election official to vote a ballot provisionally when the person should have been able to cast a regular ballot. In this primary election, some poll workers erroneously required voters to use a provisional ballot when that person requested a partisan ballot of a different party than what that voter had voted in the next previous primary election. Such voters should have been instructed to sign a change of party affiliation form and they would have voted a regular ballot. To avoid confusion regarding the reasons a person should vote provisionally, Secretary of State Directive 2007-06 (See *Appendix III, page 268*) was issued to all county boards of

elections on April 4, 2007 and boards of elections were reminded to refer to it prior to the March 4, 2008 primary election.

Role and Rights of Observers

Formerly known as challengers or witnesses, these electors observe the election process at polling places or at the office of a county board of elections. Ohio election laws provide the process for appointing observers by any of the following: political parties; a group of five or more candidates; or a recognized committee advocating or opposing a measure on the ballot.

In past, the persons appointed to the position of challenger or witness could challenge the right of any voter at the polls, which caused some uneasiness on the parts of both voters and election officials. In early 2006, the law was changed to prevent what is now referred to as an observer from challenging a voter.

Prior to the primary election, many poll workers appeared to be unsure about the role of observers in a polling place on Election Day, and many observers seemed unclear as to what they were permitted to do in their role at polling places. To avoid confusion on the role and the rights of the observer and what limitations a board of elections may place on observer's activities, secretary of state Directive 2008-29 (See *Appendix III, page 331*) was issued to all county boards of elections on February 25, 2008.

Flooding

Adams, Athens, Guernsey, Harrison, Hocking, Jefferson, Perry, Pike, Ross, and Vinton counties experienced severe flooding prior to and on the day of the March 4, 2008 primary election. This flooding prevented some voters from reaching their normal polling locations and necessitated moving voting machines to alternate polling locations. The secretary of state's office supported the boards administratively and, working with the attorney general's office, obtained court orders (See *Appendix VII, page 461*) to allow the affected voters to vote provisionally at their county board of elections office.

Ice Storms

Several counties in Northwest Ohio experienced severe ice storms that made traveling hazardous. The secretary of state's office supported the boards administratively and worked with law enforcement agencies to ensure that they would provide assistance for poll workers who needed to deliver ballots and memory cards from polling locations to county boards of elections offices.

Power Outages

Several counties experienced power outages due to ice storms. Secretary of state Directive 2008-01 (See *Appendix III, page 309*) had been issued January 2, 2008 instructing all counties using direct recording electronic (DRE) voting systems to have available paper optical scan ballots for any voter who requested one. Because electronic voting units were running low on battery power in Knox and Ross counties, these two counties utilized the paper ballots required in the Directive as “backup” ballots for voters to use until the power was restored. Darke County experienced power shortages due to ice storms. The ice storm periodically disrupted power but it did not become necessary to use “backup” paper ballots.

Bomb Threats

Lake and Trumbull counties each had a polling place that experienced a bomb threat. With the assistance of law enforcement, the situations were handled in a professional manner. The polling locations reopened quickly with no reports of voters being disenfranchised.

Ballot Shortages

Voter turnout in the primary election set a new record of 46% (See *Appendix II, page 7*). This record number of voters presented a challenge to boards of elections that had underestimated the number of voters who would be casting a ballot on Election Day, especially in the Democratic primary election. Some counties using optical scan paper ballots as their primary election system printed “ballots on demand” using a database containing all ballot styles that was attached to a printer at the board office and delivered them to polling locations as needed. In a few extreme circumstances some optical scan ballots were copied and then remade later in public session under board supervision as required in Directive 2007-31 to ensure they would be tabulated properly.

The greatest challenge to ballot availability was presented by the high number of “crossover” voters who changed party affiliation by requesting a ballot of the opposite political party from their previously voted political party and from new and independent voters who chose their party affiliation for the first time. While some questioned the intent of voters in crossing over, the position of the secretary of state was that the choice of which party ballot to vote was a matter of free speech and should remain undisturbed by post-election investigation. The secretary of state did, however, seek a report from the counties as to the incidence of crossover voting.

Because some boards of elections inconsistently applied or ignored the requirements of law and directive on the recording of changing of party affiliation by voters, a completely accurate picture of voter crossover in the March 4, 2008

primary election is not possible. In cases where no recording was made of the political party ballot asked for by the voter, boards have been instructed in post-primary Directive 2008-42 to post the primary voting history of each voter as it appeared in the board's records prior to the primary election. Affected voters may request a correction of the precinct registration list using prescribed Form #257 in accordance with R.C. 3503.24. (See *Appendix III, page 437*).

Voter Confidence

Paper Ballots

Secretary of State Jennifer Brunner issued Directive 2008-01 (See *Appendix III, page 309*) instructing all counties using direct recording electronic (DRE) voting systems to have available optical scan paper ballots for any voter who requested one.

These "backup paper ballots" ensured that those voters who preferred to vote on paper had that option, due to the scientific reports of touch-screen voting machine vulnerabilities. The backup paper ballots also provided for continuous voting when voting machines in Lucas county were found to have been programmed in error. In Knox, Ross and Darke counties, where power outages were severe and recurring, backup ballots allowed poll workers to proceed with their duties and for voting to continue without interruption. Boards of elections were given the option of posting signs about the backup paper ballots, and, as they had requested of the secretary of state, were not required to inform every voter that they had a choice of type of ballot. All regular paper ballots voted at polling places on Election Day were tabulated and included in the unofficial count issued election night.

Approximately 13,000 backup paper ballots were voted at polling locations on primary election day, March 4, 2008, despite no requirements that voters be informed of their availability. Mahoning County, with the highest incidence of use of the backup paper ballots, had made special effort to inform voters of their availability and taken extra steps to instruct poll workers on their use. Other county boards of elections chose not to post secretary of state provided posters about the availability of the backup paper ballots and instructed poll workers not to mention them to voters, while others simply had difficulty adapting to this requirement for an additional balloting option for voters.

Formal opposition to this one-page directive came from the Union County Board of Commissioners and later from a member of the Union County Board of Elections through the filing of several lawsuits which were rejected by two courts. (See *Appendix VII, page 486*). Since the use of these "backup paper ballots" in Ohio in the March 4, 2008 primary election, federal legislation (H.R. 5036, the "Emergency Assistance for Secure Elections Act of 2008" and H.R.

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5803) has been offered to reimburse the states for the use of backup of paper ballots. The secretary of state has collected reports from the counties on the expenses associated with backup paper ballots and is seeking federal funding to reimburse the counties for this expense.

Post-Election Audits

To help assure voters of the accuracy of vote counts, a voluntary post-election audit procedure for county boards of elections was established with the issuance of secretary of state Directive 2008-39 (See *Appendix III, page 418*) on March 21, 2008.

Eleven counties volunteered to conduct a post election audit of the presidential primary election results for the March 4, 2008 primary election. They were Athens, Belmont, Cuyahoga, Greene, Highland, Miami, Morgan, Sandusky, Summit, Trumbull, and Tuscarawas counties.

The post-election audit in these counties was completed after the declaration of the "Official Certification" of the March 4, 2008 primary election. No audit was held prior to the official canvass or certification of the election.

Post-election audits were permitted to be attended by observers under the same guidelines as found in Directive No. 2008-29. Board members were required to fix the time, method and place of the audit and give public notice by either proclamation or posting of the notice in the same manner that they notify the public of board of elections meetings.

For this initial post-election audit, only the presidential primary races were audited. A minimum of 7% of the total votes cast in the race was required to be hand counted from randomly selected precincts within the county. The directive provided detailed procedures for the audit process and defined "randomly selected" for purposes of determining the precincts to hand count. Hand counts were compared to machine tabulated totals to determine accuracy.

For those boards conducting the post-election audits, if vote totals for a candidate changed, the board was required to amend the "Official Certification" of the March 4 Primary Election and submit it to the secretary of state's office.

Four of the eleven counties, Athens, Belmont, Miami, and Morgan, did have vote totals for a candidate change and therefore had to amend their "Official Certification" of the Primary Election results.

Hand Counts Of Ballots

The secretary of state's office issued Directive 2008-34 (See *Appendix III, page 370*) instructing all counties regarding procedures for manual hand counting of

ballots (optical scan and VVPAT) in the event of voting or tabulating machine failure, or memory card or other memory device failure, or when a recount or an audit is performed.

Institutionalized Programs to Assure Voter's Rights to Enfranchisement

The March 4, 2008 primary election allowed the secretary of state's office to test its Voting Rights Institute's "Tell us about your voting experience" program. Boards of elections were provided with cards for poll workers to give to voters with a toll free number to call to report on their voting experience (good or bad) or to seek assistance with any voting problems. This program worked well with hundreds of calls received concerning voters' election experiences.

Election Day Court Orders

Besides the orders on the moving of polling places in counties experiencing flooding, Election Day court orders were issued in Sandusky and Cuyahoga counties. Sandusky County experienced ballot shortages when its board of elections "ballot on demand" printer broke down. In consultation with the county prosecutor and the attorney general's office, the secretary of state was able to obtain a court order to allow Sandusky county's precincts to remain open until 9 p.m. To avoid any election results from being released in other counties, secretary of state Directive 2008-36 (See *Appendix III, page 376*) was issued to all county boards of elections on March 4, 2008.

The Obama for President campaign obtained a court order after the close of the polls in Cuyahoga county to keep 21 precincts in the City of Cleveland open until 9 p.m. due to purported ballot shortages. As a result, Directive 2008-37 (See *Appendix III, page 377*) was issued to Cuyahoga county on March 4, 2008.

Election Night Reporting System

When the secretary of state administration changed in 2007, the existing Election Night Reporting System was an outsourced system requiring expense to an outside vendor for needed modifications. A backup server for the system had been located out of state. The secretary of state, working with an outside developer, devised an in-house Election Night Reporting System, strength-tested that system, and created capabilities to allow a user to view a map of the State of Ohio and query particular state-reported races by county or district. A backup server was secured within the State of Ohio. With use of the secretary of state's website in the 2004 presidential election resulting in 42 million "hits" in a several hour period, the office will be prepared for at least 65 million "hits" for the November 4, 2008 general election. In addition, the secretary of state is assisting several boards of elections with development of county websites as part of this effort.

Recommendations

In preparing for the November 4, 2008 general election, the secretary of state will emphasize preparedness for all boards of elections. Plans will be made to accommodate in excess of 80% voter turnout and for anticipated increased use of absentee voting, both by mail and in person. Collaborating with the state's local election officials, the secretary of state will continue to inform and instruct boards on improved security measures, polling place accessibility and improved methods to recruit qualified poll workers. Other specific recommendations include:

Continue to Clarify ID Requirements

Ohio law requires all electors to produce proof of identity (ID) for voting purposes. The secretary of state's office will continue to provide county boards of elections and poll workers with information on permissible forms of voter ID by issuing directives, advisories and memoranda.

The secretary of state's prescribed voter registration form will provide information to a person newly registering to vote, or to a person updating his or her current voting registration, a description of the forms of proof of identity required to vote.

The secretary of state's Voting Rights Institute will continue to work with community groups to provide information to voters to ensure that voters will be properly registered, will not be intimidated by the ID process and will be informed that a voter who does not possess any of the permissible forms of ID may cast a provisional ballot by signing a statement affirming his or her identity.

Continue to Propose Vote by Mail

The secretary of state will continue to seek legislation in the Ohio General Assembly to allow the voters of a county to vote for the option to conduct all elections by mail. The board of elections would be permitted to place such an issue on the ballot, or voters could petition to have the question placed on the ballot. For some counties, the approval of this method of voting would decrease the cost of conducting elections. It would eliminate the time-consuming work of obtaining sufficient poll workers for an election, the cost of training the poll workers and the cost of compensating the poll workers.

In other states that cast ballots entirely by mail, an increase in voter participation has been shown.

Continue to Propose Improved Conditions for Early Voting

The secretary of state proposed to the Ohio General Assembly that boards of elections be permitted to establish up to four locations for voters to request

and vote an absentee ballot in person for 35 days prior to the election. This proposal was not adopted by the legislature. The secretary of state will continue to advocate for more locations for such early voting, remaining flexible on the particulars, with a goal to provide greater early access to voting. Previous proposals for early voting as a result of the secretary of state's EVEREST Report called for permitting county boards of elections to set up vote centers, or multiple precinct polling locations for up to 7,000 voters per location. These would be set up 15 days before an election to allow in-person voting. This would effectively allow voters to choose their own "Election Day" and help to alleviate long lines on Election Day.

Continue to Promote the Use of Absentee Voting and Reforms to Ensure Ballots are Counted

As a means to help eliminate long lines at polling locations on Election Day and provide voters with an opportunity to cast their ballots with greater convenience, the secretary of state will work with boards of elections to continue to promote information on the availability of "no fault" absentee voting. In addition, the secretary of state will continue to advocate for a "second chance" for voters whose identification envelopes contain errors or where insufficient identification has been provided. To accomplish this, the secretary of state will advocate for a change in state law so that voters may correct their information and have their ballots counted. This will be especially important with the increased use of absentee ballots. Such a proposal was rejected by Ohio legislative leadership in a post-primary session.

Newly adopted legislation supported by the secretary of state would allow absentee ballots received within 10 days after the election that bear a postmark prior to Election Day to be counted by a board of elections. Further instruction on this new law's implementation will be provided to boards of elections via advisory and/or directive prior to the general election.

Continue to Improve Accuracy of Registered Voter Database at Boards of Elections

A Statewide Voter Registration Database (SWVRD) system manual was produced and provided to each county board of elections to ensure that all counties were providing data in the proper format and sequence. Training will continue to be provided by the secretary of state to boards of elections staff to improve functionality and reduce errors. This will also facilitate greater ability for a board of elections to utilize voting by mail, whether it is by absentee voting or vote-by-mail systems that may be authorized by law in the future.

There will be continued tracking of error reports, and secretary of state staff will continue working with county boards of election to eliminate duplicate records within county voter registration databases and provide on-site training when needed to resolve database issues and to improve the accuracy of database.

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Improving the accuracy of reporting of polling locations and precincts by county boards of elections will improve the information provided to the voters using the secretary of state Web site to look up their polling location.

Continue to Improve Poll Worker Training

The training of poll workers is a vital process in conducting elections in a fair, open and honest manner. Uniformity in training has been cited as a better way to prepare poll workers for the consistent application of polling place procedures throughout the state and provide a more efficient voting experience for voters. A poll worker manual is currently being developed along with an easy reference flip chart that may be used by boards for training or reference for poll workers on Election Day.

The Ohio secretary of state's office was able to obtain grant funding from The Pew Charitable Trusts to develop an on-line uniform poll worker training program. The program, developed with HAVA Partners, a company that specializes in on-line poll worker training, allows poll workers in all counties free access to the online training at their convenience.

The Web site is designed to be an added tool to supplement boards of elections' current poll worker training programs. At this time, use of this site is entirely up to each county. A Board of Elections may choose to make it a part of its regular training or use it as a refresher for returning poll workers. A board of elections can make participation of poll workers voluntary or mandatory.

The site provides basic information that applies to all poll workers, such as identification requirements and guidelines for issuing provisional ballots. It has voting machine simulations for Premier TSX and ES&S iVotronic, as well as quick reference guides for all voting machines used throughout the state.

The online program can be accessed at: www.ohioelectiontraining.com

Create Voter Services Pages on Web Site

The secretary of state's Web site provides valuable information to voters. Voters may download a voter registration form and an absentee application. The online version of the 2008 Voter Information Guide provides information on registering to vote, ID requirements, voting by absentee ballot, when a person must vote a provisional ballot, and election deadlines and dates.

Additional features now in place provide voters the ability to confirm they are registered to vote, where to vote on Election Day, and an online map for directions to the polling place. The Web site currently provides answers to frequently asked questions (FAQs) regarding registration and voting.

Continue to Clarify Voter Registration Requirements

In anticipation of large volumes of voter registration forms that will be received by county boards of elections, the secretary of state's office will offer additional training to ensure that election officials know what to do if the required information is not included on the form. With many of the forms coming from outside registration groups that may or may not provide adequate instructions to a person registering to vote, the secretary of state's office will strive to educate county boards of elections on what process must be followed and under what circumstances a voter's application may be rejected.

Continue to Improve Polling Place Accessibility

All county boards of elections have been provided an ADA checklist to use when evaluating polling place accessibility. With a full-time Americans with Disabilities Act (ADA) coordinator on staff in the secretary of state's office, a concentrated effort will be made to ensure that all polling locations are 100% accessible. The boards will also be reminded of the availability of and the procedure to obtain grant money for modifications to those polling locations that are not accessible. The ADA Advisory Committee that was established to help direct the office's efforts in addressing ADA accessibility issues will continue to be utilized to provide continued suggestions for improvement.

Improve Minimum Security, Access, Inventory Control, Storage, and Preservation Requirements for Ballots and Election Data Media

The development of "best practices" for security, access, inventory control, storage and preservation of ballots and election data media will be implemented prior to the November election. External access to ballot development, accounting, processing and storage areas for all ballots and election data media must be conducted in a secure room that is to be kept to the least number of privileged personnel. These best practices are being developed in collaboration with local election officials who serve on a work group to share methods and adopt recommendations on best practices for overall election system security.

Require Security and Risk Mitigation Plans for Each Board of Elections

The secretary of state's EVEREST Report provided information on potential security flaws or lapses that could occur with voting systems. As the secretary of state continues to work with the state's local election officials on best practices, especially as they relate to overall election system security, each county board of elections will be required to provide to the secretary of state's office its security and risk mitigation plans. These plans must include minimum measures that must be taken to ensure security of boards of elections offices and voting equipment in storage. The secretary of state's office will review each

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plan to determine if it meets the minimum security requirements for established “best practices.” Once approved, these plans must be implemented prior to the 2008 general election.

Require Post Official Canvass Audits for All Counties

The voters of Ohio should be assured that votes cast at the November 4, 2008 General Election are counted accurately. This includes assurance that vote totals from computerized vote tabulation systems match the official ballots, whether it is paper optical scan ballots or the voter verified paper audit trail (VVPAT) on direct recording electronic (DRE) voting systems.

Moving toward, the adoption of “best practices” procedures for Post-Election Audits in all counties will help ensure the accuracy and integrity of elections in the State of Ohio.

Based on the successful implementation of post-election audits piloted in 11 counties following the March 4, 2008 Primary Election, continued use of the post-election audit procedures is in order for the November 4, 2008 General Election.

Continue to Clarify Provisional Voter Requirements

A workshop to be presented at the 2008 Secretary of State Summer Conference will further train election officials on provisional balloting. Directive 2007-06 was issued to all boards of elections in 2007 providing very detailed instructions on provisional voting. This training will further clarify the information that must be included on the provisional ballot envelope and assist with guidelines for determining whether or not a provisional ballot can be counted.

Continue to Ensure Voter Confidence

We want citizens to have the faith that Ohio elections are free, fair, open and honest to encourage the highest level of participation in our democracy. All voters should be confident that their ballot was cast and counted accurately. With the implementation of best practices for security, continued provision of voter choice in ways one can vote, further development of uniformity or standardization of poll worker training, continued training opportunities for election officials, and post-certification audits, voters should be confident of their state’s elections and be able to focus on the paramount issues that make for an informed and engaged citizenry.

Conclusion

The March primary was a success due to the dedication of thousands of persons throughout the state. The staff of all 88 county boards of elections, poll workers, law enforcement officers, county prosecutor's staff, the attorneys of the attorney general's office, and secretary of state's office attorneys and other vital staff persons overcame many challenges including a record primary turnout, inclement weather, bomb threats and power outages.

The primary allowed the secretary of state and boards of elections to test new and innovative election administration programs and procedures such as the state's new election night reporting system, "backup paper ballots" in counties with DRE voting systems, an online poll worker training system, voting machine security procedures such as "chain of custody" instructions, clarification of roles and rights of observers, the Voting Rights Institute's "Tell us about your voting experience" program, and much more. These new programs and procedures worked well and allowed voters to vote unimpeded and with confidence.

With continued support and partnership between the secretary of state's office and local county and boards of elections officials, legislative leaders, and the Governor, Ohio will be prepared for the presidential election.

Secretary of State Jennifer Brunner remains committed to continually improving Ohio's election system to increase and maintain voter confidence within our state and throughout the nation. If the fate of our nation in this next presidential election rests again with Ohio, we want our citizens to be proud of our great state.

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- i Ohio law allows a voter to declare party affiliation based on the party ballot selected, and a voter may change his or her party affiliation at the primary election, resulting in difficulty in forecasting the numbers of ballots to be printed for each party ballot, especially in a presidential election where a record number of voters participate.
 - ii This is often referred to as "no fault" absentee voting and can be accomplished by voting a ballot mailed to the voter or appearing at a location designated by the board of elections (usually the board of elections' office), applying for an absentee ballot and voting in person upon application.
 - iii Litigation on this issue ensued and remains pending as a result of the implementation of voter ID by the previous secretary of state in the 2006 general election. (***Northeast Ohio Coalition for the Homeless v. Blackwell [Brunner]*** US District Court, Sothern District of Ohio, Case No. 2:06-cv-896)