



Jon Husted
Ohio Secretary of State

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DIRECTIVE 2015-01

January 14, 2015

To: All County Boards of Elections
Directors, Deputy Directors, and Board Members

Re: Allegations of Voter Suppression or Voter Fraud

BACKGROUND

In order to promote the best interest of the public and efforts to improve the administration of elections, there must be a forum in which to appropriately vet allegations of voter suppression and/or voter fraud. Furthermore, boards of elections have a statutory duty to “investigate irregularities, nonperformance of duties, or violations of Title XXXV of the Revised Code ... and report the facts to the prosecuting attorney or the secretary of state.”¹ In carrying out this public duty, boards of elections must comply with the directives, advisories, and memoranda issued by the Ohio Secretary of State and with the laws of Ohio and of the United States. This Directive replaces Directive 2013-01, which is rescinded.

INSTRUCTIONS

Whenever allegations of voter fraud and/or suppression, supported by factual evidence, are reported to a county board of elections, the Board must hold a public hearing at which qualified electors of the State of Ohio may provide sworn testimony or submit affidavits in support of the allegations. Any testimony provided to the board of elections must be given under oath and a transcript of such testimony prepared by a certified court reporter. All sworn statements whether in writing or in person before the Board must be based upon first-hand knowledge of the allegation.

At the conclusion of any hearing, the Board must vote whether to forward the matter to the county’s prosecuting attorney for review and possible legal action, or to resolve at the board-level. The Board must also notify the Secretary of State’s elections counsel assigned to the Board when matters are referred to the county prosecutor.

Boards of elections must continue to demonstrate our shared commitment to fully and fairly investigate specific allegations or evidence of election law violations. The Secretary of State’s

¹ R.C. 3501.11(J).

Office, through its regional liaisons and elections attorneys, will continue to support Boards in their efforts to protect voter's rights and prevent election fraud.

If you have any questions regarding this Directive, please contact the Secretary of State's elections counsel assigned to your county at (614) 466-2585.

Sincerely,

A handwritten signature in dark ink, reading "Jon Husted". The signature is written in a cursive, flowing style. The first name "Jon" is written with a large, looped "J" and a small "o". The last name "Husted" is written with a large, looped "H" and a small "u". The signature is positioned above the printed name "Jon Husted".

Jon Husted