



Jon Husted
Ohio Secretary of State

180 East Broad Street, 16th Floor
Columbus, Ohio 43215
Tel: (877) 767-6446 Fax: (614) 644-0649
www.OhioSecretaryofState.gov

ADVISORY 2015-07

October 27, 2015

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

Re: Ohio Organizing Collaborative Suspicious Voter Registration Forms

BACKGROUND

This office has received reports from county boards of elections about suspicious voter registration forms submitted by the employees of the Ohio Organizing Collaborative. Boards have described significant irregularities among the applications, including voter registration forms from persons who are deceased, voter registration forms with multiple names, address or identification mismatches, and voter registration update forms that appear to have been signed by someone other than the voter.

Ohio law protects the integrity of the election process by prohibiting election falsification through fraudulent registration practices, including, among other things, knowingly making false statements on registration forms and knowingly impersonating another person on a voter registration form.¹ The duty to administer and monitor voter registration falls to the county boards of elections.²

Therefore, in light of reports of potentially fraudulent registration practices, county boards of elections must increase their attentiveness to statutory duties. Pursuant to Ohio law, boards are required to confirm the eligibility of registrants³, monitor the intake of registration applications to prevent unauthorized multiple registrations by a single person⁴, and investigate any irregularities and possible violations of Ohio's elections laws.⁵

¹ R.C. 3599.11; R.C. 3599.28.

² R.C. 3501.11(Q) and (T).

³ R.C. 3501.11 (Q); R.C. 3503.01; R.C. 3503.07.

⁴ R.C. 3503.12.

⁵ R.C. 3501.11(J) and (Q); R.C. 3503.25.

INSTRUCTIONS

A board that receives a voter registration form that does not contain all of the information required by law must contact the voter and ask the voter to submit a complete form.⁶ A board that receives a complete voter registration form must process it according to the procedures laid out in Ohio Revised Code section 3503.19(C). The board must enter into the county's voter registration system every complete registration form it receives and send each newly registered voter an acknowledgment notice.⁷ Any acknowledgement notice returned to the board as undeliverable must be investigated and, if it was sent to an incorrect address, the board must send the notice to the correct address. If the board is unable to verify the voter's correct address, it must issue a confirmation card to the voter by forwardable mail and mark the person as a provisional voter in the pollbook.⁸

Throughout this process, Ohio law requires a board of elections to investigate irregularities and violations of election laws. Each board is encouraged to consult with its legal counsel, the county prosecuting attorney, for guidance in conducting those investigations. If the board's investigation results in the referral of any voter registration irregularity to the prosecuting attorney for additional investigation or prosecution, or if any questions arise, please contact the Secretary of State's elections counsel assigned to your county by calling (614) 466-2585.

Sincerely,



Jon Husted

⁶ R.C. 3501.01(V); R.C. 3503.16(E).

⁷ RC. 3503.16; R.C. 3503.19(C)(1).

⁸ R.C. 3503.19(C)(2) and (3).