



DIRECTIVE 2020-14

August 7, 2020

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

Re: Data Collection, Registration Readiness Notice, and Cancellation Procedures for Completion of 2016 Supplemental and National Change of Address (“NCOA”) Processes

BACKGROUND

State and federal laws require Ohio to perform a General Voter Records Maintenance Program, and accurate voter rolls give every Ohio voter greater confidence in our elections. At the same time, as elections officials, we are committed to providing every chance for eligible voters to maintain an active registration status. That’s why our Office compiled and published a list last year of registrations that were set for cancellation. Recognizing that human error, data maintenance issues and inaccurate records can occur across 88 counties compiling over 7.8 million registrations, the Secretary of State’s Office partnered with community groups, political parties, churches, and statewide organizations to find and correct errors. This year, our Office begins that process even earlier, giving registrations on this list nearly four months in which they can be used, updated or confirmed and remain active.

This Directive obtains from each county board of elections a list of registrations in active-confirmation status as a result of the NCOA and Supplemental Processes conducted in 2016. The voter registration data will populate a list to again be used as a resource for Ohio voters and community organizations. Community organizations are again invited to work with our Office as partners to help ensure the accuracy of voter registration lists and to keep unused registrations that belong to eligible voters active.

No voter registrations will be cancelled before the November 3, 2020 General Election as a result of the state’s General Voter Records Maintenance Program. This Directive directs the boards of elections to send a registration readiness notice ([Secretary of State Form 255-A-3](#)), formerly known as the last chance notice, to each registration that is in active-confirmation status as a result of the NCOA and Supplemental Processes conducted in 2016.

Only after first uploading all voter history from the November 3, 2020 General Election and no earlier than December 7, 2020, boards must proceed with the cancellation of registrations that received a confirmation notice in 2016 pursuant to the Supplemental and NCOA Processes and, for a period of four years after the confirmation notice was mailed, failed to respond to the confirmation notice, update their registration, update or confirm their address at the Ohio Bureau

of Motor Vehicles (“BMV”), vote or engage in voter activity,¹ or respond to the registration readiness notice sent pursuant to this Directive.

INSTRUCTIONS

I. PRELIMINARY DATA COLLECTION

[Directive 2016-17](#) instructed all boards to mail confirmation notices to electors identified pursuant to the 2016 National Change of Address (“NCOA”) Process. The boards were required to mail the confirmation notices for the NCOA Process between July 11, 2016 and July 29, 2016. [Directive 2016-20](#) instructed all boards to mail confirmation notices to electors identified pursuant to the 2016 Supplemental Process. The boards were required to mail the confirmation notices for the Supplemental Process between July 29, 2016 and August 9, 2016. The mailing of confirmation notices in 2016 started the four-year period that precedes cancellation pursuant to the NCOA and Supplemental Processes.

For purposes of voter outreach, including the creation of a searchable public website, data that can be used by statewide and community groups to identify voters, and media publication, the Secretary of State’s Office is collecting data to compile a list of voter registrations in active-confirmation status as a result of the 2016 NCOA and Supplemental Processes. The Secretary of State’s Office will partner with community organizations to encourage voters to confirm or update their registrations. **No later than Friday, August 14, 2020,**² each board of elections must upload a spreadsheet containing the county number, county name, state voter ID, reason for active-confirmation status, registration date, last voted date, first name, last name, address, address 2, city, state, zip code, and voter status of each registration that meets the following criteria via SharePoint:³

- If the record is in active-confirmation status as a result of the **2016 Supplemental Process**:
 - Confirmation notice must have been mailed no later than August 9, 2016;
 - There must be no voter history on and after May 6, 2014 Primary Election;
 - Registration date must be before the May 6, 2014 Primary Election;
 - No voter-initiated activity occurred to the record between the date the confirmation notice was mailed and the date the data is compiled for the mailing of the registration readiness notice; or
 - Record does not appear on the list accompanying this Directive.

- If the record is in active-confirmation status as a result of the **2016 NCOA Process**:
 - The record must be contained on the 2016 Out-of-County NCOA list;
 - The Out-of-County Confirmation Notice must have been mailed no later than July 29, 2016;

¹ As a reminder, voter activity includes voting, requesting an absentee ballot application, registering to vote, updating or confirming an address with a board of elections or the BMV, or signing a candidate or issue petition that is verified by a board of elections.

² For counties that held an August 4, 2020 Special Election, the deadline to submit the spreadsheet is August 21, 2020. All voter history from the Special Election must be updated prior to generating and uploading the spreadsheet.

³ The fields for first name, address 2, and last voted date may be left blank if not applicable to the voter registration.

- There must be no voter history on or after August 2, 2016;
- Registration date must be before July 5, 2016;
- No voter-initiated activity occurred to the record between the date the confirmation notice was mailed and the date the data is compiled for the mailing of the registration readiness notice; or
- Record does not appear on the list accompanying this Directive.

The boards of elections must send by forwardable mail the registration readiness notice ([Secretary of State Form 255-A-3](#)) to each elector who meets the criteria set forth above. Each board may begin mailing the notices on **August 31, 2020** and must finish mailing the notices **by September 4, 2020**. The notice must be populated to inform electors that their registration will be cancelled after the November 3, 2020 General Election and to explain the reason for the upcoming cancellation (i.e., failure to respond to a confirmation card and the date on which the confirmation card was mailed). If the elector votes, updates or confirms their registration online or through the BMV, engages in other voter activity, or replies to the notice updating or confirming the elector's address, the elector's registration **must not be cancelled**.

Counties are eligible for reimbursement of actual costs for printing and mailing registration readiness notices sent pursuant to this Directive. Information regarding best procurement practices and reimbursement procedures is forthcoming.

II. INSTRUCTIONS FOR CANCELLATIONS PURSUANT TO THE 2016 NCOA AND SUPPLEMENTAL PROCESSES

No voter registration may be cancelled pursuant to the 2016 NCOA or Supplemental Processes prior to the November 3, 2020 General Election. After uploading voter history from the November 3, 2020 General Election, each board of elections must review the record of each elector in active-confirmation or confirmation status due to a confirmation notice sent as part of the 2016 Supplemental and NCOA Processes of the General Voter Records Maintenance Program. Only after all voter history from the November 3, 2020 General Election is uploaded and no earlier than December 7, 2020, the registration must be cancelled if the elector did not:

- Within the four-year period after the date the confirmation notice was mailed:
 - Respond to the confirmation notice or registration readiness notice (either via mail or the online voter registration system);
 - Update their registration;
 - Vote or engage in voter activity; or
 - Appear on the county's Automatic Confirmation of Address Safeguard and Safeguard Lookback lists pursuant to [Directive 2018-21](#) and [Directive 2018-21-02](#).

A board of elections must not mail a registration readiness notice or cancel any registration pursuant to the 2016 NCOA and Supplemental Processes to which any of the following apply:

- The registration appears on the list accompanying this Directive;
- The registration is impacted by a voter registration vendor's error known to the board; or

- The board is missing voter history in their county voter registration database from any election between May 6, 2014 through the March 17, 2020 Primary Election.⁴
The boards of elections are prohibited from cancelling any registration that appears on the board's 2016 NCOA and Supplemental Processes list that appeared on the Secretary of State's Statewide Voter Registration Database ("SWVRD") in "active" status.

III. MAINTAINING RECORDS OF CANCELLATION

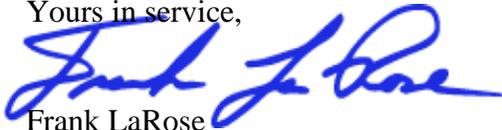
Each board must work with its voter registration vendor to ensure that its county voter registration system maintains and is able to produce a list of voter registrations that are cancelled on December 7, 2020 pursuant this Directive. This list must be submitted to the Secretary of State's Office following all cancellations. Additional instructions for that submission are forthcoming. The boards must record in their county's voter registration system:

- The date that it mailed a registration readiness notice ([Secretary of State Form 255-A-3](#)) to an elector;
- If the elector responds to the notice, the date on which the elector responded; and
- If the elector does not respond to the notice, the date the elector's registration was cancelled.

The boards of elections must maintain and make available for public inspection and copying at a reasonable cost all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of registration lists, including the names and addresses of all registered electors sent confirmation notices and whether the elector responded to the confirmation notice.⁵

If you have any questions regarding this Directive, please contact the Secretary of State's Office at (614) 728-8789.

Yours in service,



Frank LaRose
Ohio Secretary of State

⁴ For purposes of reviewing voter history, note that voting in the March 17, 2020 Primary Election was extended to April 28, 2020, as a result of H.B. 197 of the 133rd General Assembly.

⁵ [52 U.S.C.A. §20507\(i\)](#); [R.C. 3503.26\(B\)](#); CBE-44 & CBE-46, [Secretary of State Retention Schedule](#).