



Via Electronic Mail

March 3, 2021

Lance E. Reed, Director
David A. Petty, Deputy Director

Re: Administrative Oversight of the Summit County Board of Elections

Dear Director Reed and Deputy Director Petty:

For the past several months, our Office corresponded with the Summit County Board of Elections through several letters and conducted a meeting outlining issues our Office identified in the Summit County Board of Elections' operations and procedures during the 2020 General Election cycle. Unfortunately, after our February 18, 2021 meeting, it is clear that there are "many other issues" (as one board member stated) at the Summit County Board of Elections that we are likely still unaware of. As such, effective March 3, 2021, the Summit County Board of Elections is placed under administrative oversight for the following reasons:¹

1. In recent months, our Office received complaints regarding hostility in the workplace, unprofessionalism, and a politically charged environment. The complaints describe a pattern of political quid pro quo spanning many years.
2. According to the Board's February 4, 2021 letter, the Board adopted an anti-discrimination/anti-harassment policy in 2004 but failed to train the staff on, or even distribute the policy to, staff. If a policy is not communicated to staff, it has no effect. Moreover, the Board failed to reevaluate or update that policy in 17 years. All employees deserve to work in a professional environment and failure to update and regularly disseminate appropriate policies is a fundamental breakdown in basic human resource management.
3. In addition, ongoing audits of the Board's list maintenance process revealed numerous errors in processing of the State and Territorial Exchange of Vital Events (STEVE) a report of deaths given monthly to each county board of elections. The failure to cancel voter registrations for deceased voters enabled at least one instance of documented voter fraud. This failure of oversight, which led to the error, likely occurred for years. Removing the

¹ Secretary LaRose is vested with the powers and duties relating to the conduct of elections prescribed in Title 35 of the Revised Code. As the Secretary's designee, I am empowered by R.C. 3501.05 and Chapter 111:3-2 of the Ohio Administrative Code to place failing boards under administrative oversight and thereby compel their election officers to observe the requirements of the election laws.

deceased from the rolls is a basic responsibility, and failure to do so risks fraud and loss of voter confidence.

4. The Board may have improperly cancelled the voter registration of persons convicted of felonies, but not incarcerated. This likely led to the disenfranchisement of legally qualified voters in Summit County. Not only is this clearly unacceptable but obviously exposes the Board to the risk of litigation.
5. The Board failed to ensure bipartisan control of election administration. It came to light that the Board assigned one person to each aspect of list maintenance, and there was inadequate oversight of the process.
6. The Board failed to cross-train employees on election administration tasks and ensure that there is correct continuity of operations when there is turnover in staffing.
7. The Board failed to adequately prepare for and execute efficient early in-person voting and control traffic issues during early voting for the November 3, 2020 General Election. The Board should have heeded our warnings over the summer to expect at least a doubling in absentee and early voting and make adequate preparations to accommodate increased traffic. Even after the Secretary personally contacted the Board Chair regarding the unacceptable mismanagement of ballot drop-off traffic, the Board failed to address the situation. Many other boards set up multiple drive through drop-off lanes and provided adequate staff and law enforcement presence to effectively manage the increase in traffic, which was predictable and expected.

The Summit County Board of Elections must be able to function and perform its statutory duties when elections are held. We believe that the Summit County Board of Elections can become one of the best boards of elections in the state. However, we must work together to ensure that there are foundational improvements in the daily operations at the board of elections.

Therefore, you are hereby required to comply with instructions and directives from the Secretary of State's Office as this Office oversees the operation of the Board office, coordinating with the Board staff to ensure that elections in Summit County will be conducted in a fair, legal, orderly, and efficient manner. The Board must work with its county prosecutor to update its internal human resources and any other relevant Board policies. The Board is required to develop and improve its written policies and procedures related to the secure and bipartisan administration of elections. For example, the Board must develop written standard operating procedures for each duty related to elections administration. The Board staff and one Board member of each political party must also begin biweekly calls with our Office. We will help review these standard operating procedures and discuss other points of improvement with the Board during those calls. We will reach out to you to schedule these calls.

Additionally, the Board must, in a bipartisan manner, perform written performance evaluations of the Director and Deputy Director. The evaluations must be objective and signed by at least three Board members. The Director and Deputy Director must perform written performance evaluations for all other full-time employees of the Board and provide a report to the Board members of those evaluations.

Finally, two Summit County Board of Elections members' terms expired this year. One did not seek reappointment, and the Secretary rejected the recommendation to reappoint the other. The two remaining Board members will be evaluated under the same set of facts stated above, as it has become clear that the issues plaguing the Summit County Board of Elections have occurred for many years. Our Office will continue to evaluate the ongoing service of the remaining two Board members, as well as the Director and the Deputy Director. The Secretary will not hesitate to initiate removal of the two Board members whose terms end in 2023, prior to that date, if we determine that it is in the best interest of the voters of Summit County.

Sincerely,



Amanda M. Grandjean

Director of Elections and Deputy Assistant Secretary of State

cc: William D. Rich, Member, Summit County Board of Elections
Ray L. Weber, Member, Summit County Board of Elections