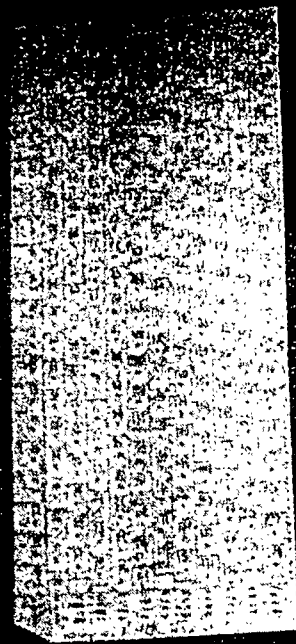


EXHIBIT Q: PUNCH CARD BALLOTS, STARK COUNTY, SECOND ROTATION. KERRY IS IN POSITION #7.

A rectangular punch card ballot grid with multiple columns of numbers and rows of data points.A rectangular punch card ballot grid with multiple columns of numbers and rows of data points.A rectangular punch card ballot grid with multiple columns of numbers and rows of data points.A rectangular punch card ballot grid with multiple columns of numbers and rows of data points.A rectangular punch card ballot grid with multiple columns of numbers and rows of data points.A rectangular punch card ballot grid with multiple columns of numbers and rows of data points.A rectangular punch card ballot grid with multiple columns of numbers and rows of data points.A rectangular punch card ballot grid with multiple columns of numbers and rows of data points.A rectangular punch card ballot grid with multiple columns of numbers and rows of data points.

ALL OF THESE BALLOTS ARE DOUBLE-PUNCHED FOR KERRY AND ONE OR MORE THIRD-PARTY CANDIDATE

EXHIBIT R: PUNCH CARD BALLOTS, MONTGOMERY COUNTY, SECOND ROTATION. KERRY IS IN POSITION #4.

Punch card ballot 1 showing a grid of numbers and punch marks. The ballot is double-punched for Kerry in position #4. The grid contains numbers from 1 to 19 in the first column and various numbers in subsequent columns. At the bottom, it says "PREFECT NO." and "WRITE IN NO."

Punch card ballot 2 showing a grid of numbers and punch marks. The ballot is double-punched for Kerry in position #4. The grid contains numbers from 1 to 19 in the first column and various numbers in subsequent columns. At the bottom, it says "PREFECT NO." and "WRITE IN NO."

Punch card ballot 3 showing a grid of numbers and punch marks. The ballot is double-punched for Kerry in position #4. The grid contains numbers from 1 to 19 in the first column and various numbers in subsequent columns. At the bottom, it says "PREFECT NO." and "WRITE IN NO."

Punch card ballot 4 showing a grid of numbers and punch marks. The ballot is double-punched for Kerry in position #4. The grid contains numbers from 1 to 19 in the first column and various numbers in subsequent columns. At the bottom, it says "PREFECT NO." and "WRITE IN NO."

Punch card ballot 5 showing a grid of numbers and punch marks. The ballot is double-punched for Kerry in position #4. The grid contains numbers from 1 to 19 in the first column and various numbers in subsequent columns. At the bottom, it says "PREFECT NO." and "WRITE IN NO."

Punch card ballot 6 showing a grid of numbers and punch marks. The ballot is double-punched for Kerry in position #4. The grid contains numbers from 1 to 19 in the first column and various numbers in subsequent columns. At the bottom, it says "PREFECT NO." and "WRITE IN NO."

Punch card ballot 7 showing a grid of numbers and punch marks. The ballot is double-punched for Kerry in position #4. The grid contains numbers from 1 to 19 in the first column and various numbers in subsequent columns. At the bottom, it says "PREFECT NO." and "WRITE IN NO."

Punch card ballot 8 showing a grid of numbers and punch marks. The ballot is double-punched for Kerry in position #4. The grid contains numbers from 1 to 19 in the first column and various numbers in subsequent columns. At the bottom, it says "PREFECT NO." and "WRITE IN NO."

ALL OF THESE BALLOTS ARE DOUBLE-PUNCHED FOR KERRY AND A THIRD-PARTY CANDIDATE.



J. KENNETH BLACKWELL  
Ohio Secretary of State

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180 E. Broad Street, 16<sup>th</sup> Floor, Columbus OH 43215  
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**DIRECTIVE NO. 2005-32**  
**November 17, 2005**

**ALL COUNTY BOARDS OF ELECTIONS**

**TO: Members, Directors & Deputy Directors**

**ELECTION RECOUNT REQUIREMENTS & PROCEDURES**

Attached to this Directive and incorporated by reference is the *2005 Outline of Recount Procedures* implementing Revised Code Sections 3515.01 to 3515.07. The *2005 Outline of Recount Procedures* sets forth the requirements for automatic or requested recounts, and applies to recounts of statewide, county, municipal, township, and school district races, and to recounts on questions and issues. The requirements set forth in the *2005 Outline of Recount Procedures* are based on the *Outline of Recount Procedures* that was sent with Directive 2004-58 on December 7, 2004, but have been revised to reflect the addition of the voter verified paper audit trail (VVPAT) to the counties' inventory of direct recording electronic (DRE) voting systems.

Please remember that a recount is based on official results, and that no recount may be held prior to the official canvass and certification of results. Also, it is not permissible for a board to count ballots for official results and immediately conduct an automatic recount without providing proper notification to candidates or issue chairpersons. Each candidate whose votes are to be recounted must be notified of the recount, and a declared losing candidate may request that a recount not be held. (R.C. 3515.03)

For those counties that have a VVPAT, R.C. 3506.18(A) provides that "For any recount of an election in which ballots are cast using a direct recording electronic voting machine with a voter verified paper audit trail, the voter verified paper audit trail shall serve as the official ballot to be recounted." Please see the revised *Outline of Recount Procedures*, which includes procedures for conducting a recount using the VVPAT.

**Before the board can certify the results of that election**, each candidate race must have a declared winner, and each question and issue contest must have a declared winning position.

- If the official canvass of votes for an *office* results in a tie (that is, two or more candidates receive the same, equally high number of votes), **the tie must be resolved by lot at the board's certification meeting**. The board members determine the method to be used,

such as tossing a coin, cutting cards, drawing straws, pulling a name out of a hat, and the like. The board chairman, in the presence of a majority of the other board members, uses the selected method to break the tie and a winner is declared. Then, and only then, may the results of that candidate race be certified. The declared winner remains the winner in the race if the recount mandated by R.C. 3515.011 confirms the tie vote. (R.C. 3505.33)

- By contrast, a tie vote on a *ballot question* or *issue* is **not** broken by lot, because the issue automatically loses if it has not been passed by a majority vote. However, a mandatory recount still must be conducted in accordance with R.C. 3515.011. The board must notify the appropriate political subdivision or issue committee of the recount.

### BALLOT SECURITY

Ballot security is important at all times. As soon as any ballot tabulation is completed, all ballots, VVPATs, memory cards, cartridges, PCMCIA cards and other removable memory devices must be stored in a safe, dry place secured with two locks: one lock that can be opened by the director, and the other lock by the deputy director or other designated employee of the opposite political party of the director. All used ballots and VVPATs and any unused ballots must be retained for at least 60 days after election day except unless ordered held by the Secretary of State or a court of competent jurisdiction.

<i>Reminder: Each board must take steps to ensure that no one person, acting alone, is able to gain access to ballots -- whether marked or soiled -- or the inventory of unused ballots.</i>
<i>Please remember to consult with your County Prosecutor regarding public records requests for copies of your poll books and ballots.</i>

### QUESTIONS

If you have any questions regarding these instructions, please contact the Elections Division at (614) 466-2585.

Sincerely,



J. Kenneth Blackwell

**RECOUNT PROCEDURES 2005**

(R.C. 3515.01-3515.07)

***A word about DREs, VVPATs and Recounts***

Am. Sub. H.B. 262, which took effect on May 7, 2004, significantly changed provisions of the Revised Code of Ohio governing voting and tabulating systems and recounts. (See Advisory 2004-04.) The Act requires that, beginning with the first federal election in 2006, every DRE must produce a voter verified paper audit trail (VVPAT), defined as “a physical paper printout on which the voter’s ballot choices, as registered by a direct recording electronic voting machine, are recorded.” (R.C. 3506.01(H).)

With respect to the 2005 general election, some boards will be using DREs not yet equipped with VVPAT capability. Any recounts conducted in those counties for this election will be conducted using the procedures from previous years.

However, boards that use DREs that produce a VVPAT must use, in accordance with R.C. 3506.18, the VVPAT for recounts in connection with the 2005 general election.

**A. ELIGIBILITY**

It is well established in Ohio election law that the certified results of any election are subject to recount as provided in Revised Code Chapter 3515. Some recounts are mandatory (R.C. 3513.011), while other recounts are conducted only if requested by eligible persons (R.C. 3513.01).

**1. Automatic Recount**

- a. *District, county, municipal or township:* A recount must be conducted if the number of votes cast for the declared winning candidate (or winning side on an issue) does not exceed the number of votes cast for the defeated candidate (or issue) by a margin of one-half of one percent or less of the total vote.

The board of elections orders the recount for county, municipal, township and school district elections. The Secretary of State orders the recount for all other elections.

- b. *Statewide:* A recount is required if the margin of votes is equal to or less than one-fourth of one percent of the total vote cast on the candidacy or issue. The Secretary of State orders the recount for any statewide candidacy or issue.

**2. Requested Recount**

- a. Any candidate who was not declared elected may request, in writing, a recount of the votes cast in any precinct in which her or she was a candidate. Such request is necessary only in races in which the margin of votes was greater than one-half of one percent.
- b. Any group of five or more qualified electors who declare that they voted “for” an issue that was defeated, or “against” an issue that passed, may request, in writing, a recount of that issue. One member of the group must be designated as the group’s chairperson.

**B. DETERMINING ONE-HALF OF ONE PERCENT****1. One To Be Elected**

Where there are two or more candidates for a single office, such as mayor, the votes for all candidates in that race are added to obtain the total vote. For example:

Candidate A	2,845 votes	(declared elected)
Candidate B	2,815 votes	(defeated)
Candidate C	2,795 votes	(defeated)

The total vote for the office is 8,455. Of that total,  $\frac{1}{2}$  of 1% is 42 votes. Candidate A defeated Candidate B by 30 votes, which is less than  $\frac{1}{2}$  of 1%. Candidate A defeated Candidate C by 51 votes, which exceeds  $\frac{1}{2}$  of 1% of the total vote cast for the office of mayor. However, because one of the defeated candidates was within the margin, the entire race is automatically recounted.

**2. Several To be Elected**

The “declared winning candidate” refers to the candidate whose election is disputed, rather than to all of the candidates declared elected. Thus, if five candidates seek election as council members-at-large, with three to be elected, only the votes cast for Candidates 3, 4, and 5 are regarded as the total number of votes cast for the third council seat in computing the margin for an automatic recount. For example:

Candidate 1	4,200 votes	(elected)
Candidate 2	4,100 votes	(elected)
Candidate 3	2,300 votes	(declared elected)
Candidate 4	2,275 votes	(declared defeated)
Candidate 5	2,250 votes	(defeated)

Do not include the votes cast for Candidates 1 and 2 in computing the “total vote” cast for the third council seat. The votes cast for Candidates 3, 4, and 5 total 6,825. Of that total,  $\frac{1}{2}$  of 1% is 34 votes. Candidate 3 defeated Candidate 4 by 25 votes, which is less than  $\frac{1}{2}$  of 1%. Candidate 3 defeated Candidate 5 by 50 votes, which exceeds  $\frac{1}{2}$  of 1% of the “total vote” cast for the third council seat. An automatic recount must be ordered on the basis of the margin of votes cast for Candidates 3 and 4. Only the votes for Candidates 3, 4, and 5 are recounted, not all five candidates.

**C. APPLICATION****1. Written Application for a Requested Recount**

A written application for a requested recount must be filed with the appropriate election officials within five (5) days after the certification of the official count:

- with the county board of elections for elections within the county,
- with the board of elections of the most populous county in multi-county district elections, or
- with the Secretary of State for recount of a statewide race or issue.

**2. Deposit**

- The applicant(s) must file a deposit of \$10 for each precinct to be recounted.
- The deposit is to cover the cost of the recount. If all precincts are not counted, any unused balance is refundable to the applicant.

## D. BEFORE THE RECOUNT

### 1. Establish Time of the Recount

No recount may be held prior to the official canvass and certification. The board must fix the time, method and place of the recount. A recount must be held within 10 days after the declaration of official results or 10 days after an application is filed.

### 2. Notice To Candidates

The director must notify all candidates or issue chairpersons in the race of the time and place by certified mail not later than five days before an automatic or requested recount is held.

### 3. Witnesses

- a. Each candidate or issue chairperson in the race is entitled to one witness for each counting team or tabulating unit.
- b. A witness may observe, but not interfere with the recount nor touch the ballots.
- c. Appointments of witnesses must be in writing signed by the candidate or issue chairperson.

## E. STOPPING A RECOUNT

### 1. Before the Recount Starts

At anytime after a recount is ordered but before the recount is held, the declared losing candidate or issue chairperson may file a written request to stop the recount. If more than one losing candidate is entitled to the recount, each of the candidates must file such written request. The board must grant the request.

### 2. After the Recount Starts

At any time during a recount, the declared losing candidate or candidates or issue chairperson may file a written request to stop the recount. If the board finds that results of the recount at that point will not change the official results, the recount is stopped. If the board finds otherwise, the request to stop recounting must be denied and the recount continued until all ballots from the precincts involved have been counted.

## F. RECOUNT PROCEDURES

### 1. All Voting Systems

- a. The recount must be conducted by teams having equal numbers of Democrats and Republicans.
- b. Total votes cast must be compared to the number of voters listed in the pollbook, poll list, or signature pollbook records. In the presence of at least two election officials of different political parties, the records must be available for visual inspection by witnesses. The witnesses shall not be permitted to handle the records.
- c. Absentee ballot envelopes returned after the polls closed may be viewed by the witnesses. The observer may *not* see the actual ballots, only the ballot envelopes, which must still be sealed. Disputed ballots may be settled as they arise by the board or by a majority of the employees designated as teams, if so delegated by the board.
- d. Ballots must be handled only by members of the board, director, deputy director or other designated employees of the board.

- e. Votes cast for write-in candidates must be checked to determine if the candidate is a qualified write-in candidate and for an overvoted ballot.
- f. Witnesses may observe the inspection of the ballots.

## **2. Paper Ballots**

Either:

- Count all eligible ballots as on election night, or
- Sort the ballots using the “stack method,” then count each stack. The “stack method” means sorting by candidate, yes or no vote, for or against vote, and overvote or no vote.

## **3. Punchcards**

*Test the Program*

- a. Prepare a new test deck of ballot cards that are punched and then manually count them. This deck must not be the same test deck used for the official count.
- b. Process the test deck through the computer to verify that the computer count matches the hand count.
- c. If the hand count and the computer count do *not* match, but the hand count is accurate, all ballots must be manually counted.

*The Recount*

- a. Ballot cards must be inspected for hanging chad attached by one or two corners, mutilations, and other invalidities. If a chad is attached by three or four corners, a vote shall not be counted for that particular candidate, question or issue. Overvotes and blank ballots may be separated from the stack at this time and placed at the top of the stack after the header cards.
- b. Ballot page assemblies and rotation header cards must be checked for each precinct for candidate positions to verify that each candidate, question, or issue has been properly identified.
- c. The board must select one or more whole precincts whose total equals at least 3% of the total vote. These precincts’ ballots must be manually counted. Selection method need not be mathematically random. If the recount involves only one precinct, only a manual count shall be conducted.
- d. Run the manually counted precincts through the computer.
- e. If the computer count does not match the hand count, and after rechecking the manual count the results are still *not* equal, *all ballots must be hand counted*. If the results of the computer count and the hand counted ballots are equal, the remainder of the ballots may be processed through the computer and results tabulated electronically.
- f. At the conclusion of the recount, the program must be retested using the pre-audited test deck.



#### 4. Optical Scan

##### *Test the Program*

- a. Prepare a test stack of ballots that are pre-marked and then manually count them.
- b. Process the test stack through the tabulator to verify that the tabulator total matches the hand count.

##### *The Recount*

- a. If the hand count and the computer count do not match, but the hand count is accurate, all the ballots must be manually counted.
- b. Ballots must be inspected for mutilations and other invalidities.
- c. Ballots must be checked for proper candidate position and to verify each candidate, question, or issue has been properly identified.
- d. The board must select one or more whole precincts whose total equals at least 3% of the total vote and must manually count those precincts' ballots. Selection method need not be mathematically random. If the recount involves only one precinct, a manual count shall be conducted.
- e. Run the manually counted precincts through the tabulator.
- f. If the tabulator count does not match the hand count, and after rechecking the manual count the results are still *not* equal, *all ballots must be hand counted*. If the results of the tabulator count and the hand counted ballots are equal, the remainder of the ballots may be processed through the tabulator.
- g. At the conclusion of the recount, the program must be retested using the pre-audited test stack of ballots.

#### 5 Direct Record Electronics (DRE)

##### a. No VVPAT

##### *Test the Program*

- a. Prepare a test cartridge.
- b. Process the cartridge through the computer.
- c. Verify that the cartridge results match the pre-determined votes cast for candidates and issues.
- d. If the totals do not match, check programming and rerun the test program until the totals match.

##### *The Recount*

- a. Check the public counters to verify that the numbers on those counters correspond to the numbers on the pollbook, poll list, or signature pollbook records.
- b. Process cartridges through the tabulator. If the totals are different than the totals of the official count, compare cartridge totals against paper audit trail report.
- c. At the conclusion of the recount, the program must be retested using the pre-audited cartridge.

**b. With VVPAT**

*Verify VVPAT*

- a. The board must select one or more precincts whose vote equals at least 3% of the total vote. Selection method need not be mathematically random.
- b. For each ballot position to be recounted, a manual record of the vote for each voting unit must be made by physical examination of the VVPAT roll. The manual record must then be compared to the recorded summary that appears at the end of the VVPAT for that ballot position. If there is no difference between the manual record and the VVPAT summary, the VVPAT summary for every voting device shall be presumed accurate.
- c. If the manual record and the VVPAT summary are different, it must be determined if a manual counting mistake has occurred. If so, a new manual record may be made for comparison.

*The Recount*

- a. Check the public counters to verify that the numbers on those counters correspond to numbers on the VVPAT and the pollbook, poll list, or signature pollbook records.
- b. If the VVPAT summary report for each DRE is determined to be accurate, the votes recorded on each VVPAT summary report is the official record of ballots cast for that voting device. However, if the recount involves only one precinct, a manual recount must be conducted.
- c. The results of every VVPAT summary report of the ballot positions to be recounted shall be added together to determine the total number of votes cast for each candidate or issue to be recounted
- d. If it is determined the VVPAT summary reports do not accurately reflect voter selections recorded on the VVPAT, a manual count must be conducted on every VVPAT roll.
- e. The board shall take measures to assure an accurate manual count is conducted of the VVPAT summary reports.
- f. A manual count of individual voter selections shall be made once, and only once for each VVPAT roll. Following the tabulation of all votes from each VVPAT roll to be recounted, the board shall certify the results of the recount.

The procedures described in this outline are the basic requirements for conducting a recount. If the board of elections feels the results warrant further investigation at any period during the conduct of the recount, it may institute more rigorous recounting procedures.

*-end-*



**Board of Elections**

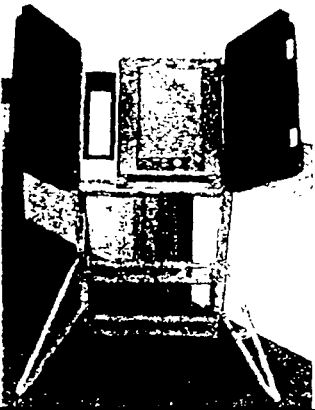
280 East Broad Street Columbus, Ohio 43215  
 Phone: 614/462-3100 Fax: 614/462-3489 [www.FranklinCountyOhio.gov/BOE](http://www.FranklinCountyOhio.gov/BOE)

**TAKE A DAY OFF  
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more information

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[www.OhioVoterEducation.com](http://www.OhioVoterEducation.com)

- Try out an online simulation of the voting experience
- Watch a voting machine demonstration
- Download instructions to take to the polls
- Listen to instructions for the audio only ballot



**Franklin County Board of Elections**

William A. Anthony, Jr., Chairman  
 Michael F. Colley, Esq.  
 Carolyn C. Petree  
 Kimberly E. Mannella

Matthew M. Damschröder, Director  
 Dennis L. White, Deputy Director

**IDENTIFICATION REQUIRED FOR ALL  
VOTERS ON ELECTION DAY**

**New Ohio law requires all registered voters to show proof of identity at every election at which the voter intends to vote.**

Acceptable forms of identification include: a current and valid photo identification OR a military identification, a copy of a current utility bill, bank statement, government check, paycheck, or other government-issued document that shows the voter's name and

current address. This notification and other voter notification cards from the Board of Elections do not satisfy the identification requirements.

**Voters who are unable to provide one of the many forms of acceptable valid identification must use a Provisional Ballot. For more information on Provisional Ballots, continue reading this important newsletter.**

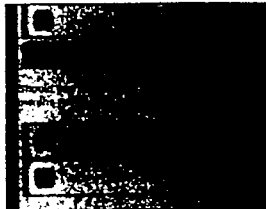
**"NO EXCUSE" ABSENTEE VOTING:  
NOW CONVENIENT AND EASY TO USE  
FOR ALL REGISTERED VOTERS**

With Ohio's new "no excuse" absentee ballot, every registered voter can now enjoy the convenience of an absentee ballot and vote in the privacy of their own home. To request a "no excuse" absentee ballot for the November 7, 2006 General Election, complete and return the enclosed form; for more information call 614-462-3100, or visit [www.FranklinCountyOhio.gov/BOE](http://www.FranklinCountyOhio.gov/BOE).

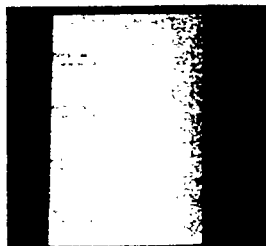
## NEW VOTING MACHINES: SECURE AND EASY TO USE!



*Before Election Day, learn about the candidates and issues on the ballot.*

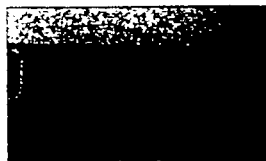


**STEP 1:** Read the instructions. Press VIEW BALLOT to begin voting.



**STEP 2:** Touch the screen to record each vote. To change your vote, de-select your previous choice then make a new selection.

*Note: A printout is created to verify and backup your electronic vote.*



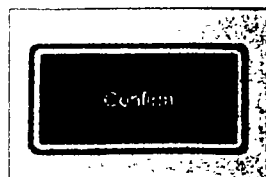
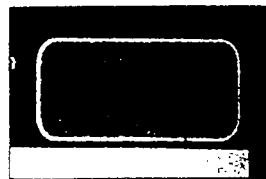
**STEP 3:** Use the NEXT and BACK buttons to advance through the pages of the ballot or to go back to a previous page. Press the REVIEW button on the last page to review a summary of your selections before casting your ballot. You can change any vote by touching the screen to go back to any contest. When the red VOTE light begins flashing you are ready to cast your ballot.



**STEP 4:** Press the green CAST YOUR BALLOT NOW button to cast your ballot.



**STEP 5:** Press the green CONFIRM button on the screen to confirm that you want your ballot cast OR you can press the yellow RETURN TO BALLOT button to make any final changes.



## EXPANDING THE PROVISIONAL BALLOT SAFETY NET FOR VOTERS WITHOUT I.D.

**Voters without an acceptable form of identification on Election Day will be given the opportunity to cast a Provisional Ballot instead of being denied their right to vote.**

Before casting a Provisional Ballot, the voter must complete an application for a Provisional Ballot. In order for the Provisional Ballot to be counted, the voter must provide all of the required information, including the last four digits of the voter's social security number as proof of their identity, or provide valid identification to the Board of Elections within 10 days following the election.

If the voter does not know the last four digits of their social security number or does not have a social security number, that voter can cast a Provisional Ballot after signing an affirmation swearing to their identity.

Provisional Ballots are counted after Election Day once the Board of Elections has verified whether or not the Provisional Ballot voter was indeed registered to vote in Ohio and that the person did not attempt to vote twice.

Provisional Ballots were previously only available to Ohio voters who moved but did not update their address. Congress expanded access to a Provisional Ballot in 2002 so that every voter can enjoy this safety net.

APPLICANT'S RETURN ADDRESS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPLICANT  
MUST AFFIX  
PROPER  
FIRST CLASS  
POSTAGE  
PRIOR TO  
MAILING



**FRANKLIN COUNTY BOARD OF ELECTIONS  
ATTN: ABSENTEE DEPARTMENT  
P.O. BOX 182111  
COLUMBUS, OHIO 43218-2111**

↑ DETACH BEFORE MAILING ↑

↑ FOLD CARD OVER BEFORE MAILING ↑

**IMPORTANT ABSENTEE VOTING INFORMATION:**

- To be valid, an application for an Absentee Ballot must include the registered voter's name, address of voting residence, applicant's date of birth, and signature, AND must also include one of the following: 1) the applicant's Ohio driver's license number, OR 2) the last four digits of the applicant's social security number, OR 3) an attached COPY of some form of valid photo identification belonging to the applicant or an attached COPY of a military identification, current utility bill, bank statement, government check, paycheck, or some other government document showing the applicant's name and current address.
- Applications for an absentee ballot that are mailed to the applicant's county Board of Elections must be received by that Board of Elections no later than noon on the Saturday before the election. Applications for an absentee ballot may be made in person during the normal business hours of the applicant's county Board of Elections until the close of business the day before the election. If a registered voter is hospitalized due to a medical emergency, an application for absentee ballot may be made to the applicant's county Board of Elections until 3:00 p.m. on Election Day.
- Voted absentee ballots must be returned to the absentee voter's county Board of Elections prior to 7:30 p.m. on Election Day, except that if the absentee voter is overseas, the ballot must be postmarked no later than Election Day and received by the absentee voter's county Board of Elections no later than 10 days after the election or 20 days after a Presidential Primary Election. Ensure that the Identification Envelope is properly completed and signed prior to returning the ballot.

↑ DETACH BEFORE MAILING ↑

**OFFICIAL NOTICE:** Voters must bring identification to the polls in order to verify identity. Identification may include a current and valid photo identification, a military identification that shows the voter's name and current address, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than this reminder or a voter registration notification, that shows the voter's name and current address. Voters who do not provide one of these documents will still be able to vote by providing the last four digits of the voter's social security number and by casting a provisional ballot. Voters who do not have any of the above forms of identification, including a social security number, will still be able to vote by signing an affirmation swearing to the voter's identity under penalty of election falsification and by casting a provisional ballot (ORC 3501.19).



Board of Elections  
 P.O. Box 70  
 Columbus, Ohio 43216-0070



Presorted  
 First Class Mail  
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 Columbus, OH  
 Permit No. 773

**RETURN SERVICE REQUESTED**

**NEW ELECTION DAY  
 VOTER IDENTIFICATION  
 INFORMATION ENCLOSED FOR:**

PRECINCT:

VOTING LOCATION:

Election Day is Tuesday Nov. 7, 2006  
 Polls are open from 6:30 am—7:30 pm

↑ FOLD HERE OVER TO THE NEXT PAGE ↑

**RETURN THIS APPLICATION TO VOTE IN THE PRIVACY AND CONVENIENCE OF YOUR OWN HOME!**

**THIS ABSENTEE BALLOT APPLICATION FOR USE BY THE ADDRESSEE OF THIS NEWSLETTER ONLY.  
 CALL 462-3100 OR VISIT [www.FranklinCountyOhio.gov/boe](http://www.FranklinCountyOhio.gov/boe) FOR ADDITIONAL APPLICATIONS.**



PRINT  
 NAME

HOME  
 ADDRESS

CITY /  
 STATE / ZIP

PHONE NUMBER AT WHICH  
 YOU CAN BE REACHED:

DATE OF BIRTH  
 (REQUIRED):

**You must provide EITHER your Ohio driver's license number OR the last 4 digits of your social security number. If you do not, you must provide a COPY of current and valid photo identification (military, state, federal), a current utility bill, bank statement, govern-ment check, pay check, or other official document (not from a board of elections) that shows your current name and address.**

OHIO DRIVER'S  
 LICENSE NUMBER

LAST 4 DIGITS OF  
 SOCIAL SECURITY:

**BALLOT DELIVERY INFORMATION  
 (COMPLETE ONLY IF DIFFERENT THAN ABOVE)**

DELIVERY  
 ADDRESS:

CITY /  
 STATE / ZIP

APPLICANT'S SIGNATURE (required):

X

**WHOEVER COMMITS ELECTION FALSIFICATION  
 IS GUILTY OF A FELONY OF THE FIFTH DEGREE.**

# Voter Registration Form

Please read instructions carefully.

## Eligibility

You are qualified to register to vote in Ohio if you meet all the following requirements:

1. You are a citizen of the United States
2. You will be at least 18 years old on or before the day of the general election.
3. You will be a resident of Ohio for at least 30 days immediately before the election in which you want to vote.
4. You are not incarcerated (in prison) for a felony conviction.
5. You have not been declared incompetent for voting purposes by a probate court.
6. You have not been permanently disfranchised for violations of the election laws.

Use this form to register to vote or update your current Ohio registration if you have changed your address or name.

**NOTICE:** Your registration or change must be received or postmarked by the 30th day before an election at which you intend to vote. You will be notified by your county board of elections of the location where you vote. If you do not receive a notice prior to election day, call your county board of elections.

Lines 1 and 2 are required by law. If you do not answer both of the questions, your registration will not be processed.

## Registering in Person

If you have a current valid Ohio driver's license, you must provide that number on line 10. If you do not have an Ohio driver's license, you must provide the last four digits of your social security number on line 10. If you have neither, write "None."

## Registering by Mail

If you register by mail and do not provide either a current Ohio driver's license number or the last four digits of your Social Security number, please enclose a copy of one of the following forms of identification with your registration application:

- Current valid photo identification card, military identification, current utility bill, bank statement, paycheck, government check or government document (except board of elections' notifications) showing your name and current address.

## Your Signature

Your registration cannot be processed without your signature. On line 14, affix your signature or mark taking care that it does not touch surrounding lines of type. If your signature is a mark, include the name and address of the person who witnessed the mark beneath the signature line. If by reason of disability you are unable to physically sign, the attorney-in-fact that you have appointed pursuant to R.C. 3501.382, may sign this form on your behalf at your direction and in your presence.

## Person Registering Applicant

Complete line 15 if you will receive compensation for providing this registration form, assisting in completing the form, or returning this form. As a compensated registrant, you must return this form to an office of a county board of elections or the secretary of state's office.

See voter identification requirements for voting on back. Please type or print clearly with a black pen. Affix copy of ID.

FOLD HERE

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

1. Are you a U.S. citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No			
2. Will you be at least 18 years of age on or before the next general election? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If you answered NO to either of the questions, do not complete this form.			
3. Last Name		First Name	Middle Name or Initial
4. House Number and Street (Enter new address if changed)		Apt. or Lot #	5. City or Post Office
7. Additional Rural or Mailing Address (if necessary)		8. County where you live	
9. Birthdate (MM-DAY-YR)	10. Ohio driver's license No. OR last 4 digits of Social Security No. (required)	11. Phone No. (voluntary)	
12. PREVIOUS ADDRESS IF UPDATING CURRENT REGISTRATION			
Previous House Number and Street		County	
Previous City or Post Office		State	
13. CHANGE OF NAME ONLY	Former Legal Name	Former Signature	
I declare under penalty of election falsification I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and I will be at least 18 years of age at the time of the general election.			
14. Your Signature			
Date _____ / _____ / _____			
MO DAY YR			

**FOR BOARD USE ONLY**

15. I declare under penalty of election falsification that for compensation I provided a registration form to the applicant, assisted the applicant in completing this form, or returned this form to an appropriate public office for processing, and that I am employed for this purpose by \_\_\_\_\_  
(Print name of employer of person registering applicant)

Signature/Address of Person Registering Applicant \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
MO DAY YR

Address \_\_\_\_\_ City/Village \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_



FRANKLIN COUNTY BOARD OF ELECTIONS  
 280 E BROAD ST RM 100  
 COLUMBUS OH 43215 - 4572



Postage  
 Required  
 Post Office will  
 not deliver  
 without proper  
 postage.



**NOTICE TO ALL VOTERS**

R.C. 3503.28(A)(1)(g)

Voters must bring identification to the polls in order to verify identity. Identification may include a current and valid photo identification, a military identification that shows the voter's name and current address, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a voter registration notification, that shows the voter's name and current address. Voters who do not provide one of these documents will still be able to vote by providing the last four digits of the voter's social security number and by casting a provisional ballot. Voters who do not have any of the above forms of identification, including a social security number, will still be able to vote by signing an affirmation swearing to the voter's identity under penalty of election falsification and by casting a provisional ballot.

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY  
 OF A FELONY OF THE FIFTH DEGREE.**



**Estimates of the Number of Voters  
Whose Driver's License Address  
May Differ from Their Voting Address**

by

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August 2, 2006

their driver's license and that portion is larger in more recent years. One year ago one out of four persons with a license will have renewed their license by today; two years ago half of them would have renewed by now; three years ago three quarters would have renewed by now, and four or more years ago all would have a new license by today. The average number of persons with a former address on their driver's license in each of the last four years is assumed to be 87.5% in the most current year, 62.5% in the year before, 37.5% in the third prior year, and 12.5% in the first year of the four year period. If the number of movers is the same for all four years the average number of movers who have a driver's license with a former address is 50 percent. Thus we apply 50 percent to the number of movers over a four year period which is the same as doubling the one year estimate of the number of movers. Not all movers are registered voters nor do they vote. So we apply assumed voter registration and voter participation rates to derive estimates.

Method 2. We use databases on registered voters for two years to identify registered voters who changed addresses between the years. Like Method 1 we apply the proportions of driver's that have renewed their licenses to an annualized estimate of registered voters who moved. These assumptions result in a doubling of the estimated annual movers (since we are accounting for four years at diminishing proportions of affected registered voters). Also like Method 1, we apply alternative assumptions about the proportion of them that will vote in November.

## RESULTS

### **Method 1: Census Estimated Movers and Assumed Proportion who Vote**

Movers. The 2000 Census reports that 3,549,267 persons age 18 or older lived in a different house five years earlier. The computed annual rate is 709,853 persons and over four years this would result in 2,839,412 movers.

Former Address on ID. Since Ohio drivers are required to renew their driver's licenses every four years, we estimate that 1,419,706 persons may not have an updated address on their driver's license.<sup>4</sup>

Registered to Vote. Not all persons who are 18 or older are registered to vote. Recent registered voter counts and estimates of the voting age population from the 2004 American Community Survey (ACS) indicate that more than 90 percent of the voting age population is registered to vote – approximately 95 percent in the fall of 2004 and 92 percent in the fall of 2005 and February 2006. These percentages are inflated by the inactive registered voters in the state. Nevertheless, if we assume a rate of 90 percent for the population that moved, we estimate that 1,277,735 persons without a current address on their driver's license are registered to vote.

Voter Participation. Voter participation rates vary depending on the election and public interest. Based on recent past elections in Ohio for this analysis we assume here that 50

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<sup>4</sup> Calculated as  $2 * 709,853$  (the number of annual movers). Doubling the annual number accounts for diminishing percentages over the four year period in which drivers must renew their licenses.

## Executive Summary

This report provides the results of an analysis of the order of magnitude for potential loss of voting privileges or use of provisional ballots in Ohio due to unclear or misunderstood requirements concerning driver's license address verification of registered voters at the polls in November 2006.

Unless poll workers are aware that valid identification includes a driver's license that may have a former address for persons who have moved some number of properly registered voters may be required to vote a provisional ballot.

Thus we address the following question:

If poll workers are unaware that a former address is acceptable on a driver's license ID, how many registered voters who show up to vote in November may be asked to vote with a provisional ballot because their driver's license has an address that is different from the one for which they are registered to vote?

Two separate methods are employed.

In Method 1 we use census data on migration to estimate a four year annual average number of movers. We assume that each year a portion of movers have not renewed their driver's license and that their driver's licenses will have their former address. We apply assumed voter registration and voter participation rates to derive estimates.

In Method 2 we use databases on registered voters for two years to identify registered voters who moved. Like Method 1 we estimated the number who renewed their licenses. We apply alternative assumptions about the voter participation rate to estimate the number that will vote in November.

The following table provides the ranges of results discussed the paper.

Our analysis indicates that the number of registered voters who have a driver's license ID with a former address is approximately 1,277,000 for Method 1 and 650,000 for Method 2. The midpoint between these two independent estimates is approximately 964,000.

The number of persons attempting to vote in November with a driver's license ID with a former address is approximately 511,000 using the midpoint of Method 1 estimates and approximately 406,000 using the midpoint of Method 2 estimates. An average of these two independent methods is approximately 458,000. The number could also be as high as approximately 638,000 or as low as 325,000 given the data and assumptions used in this analysis.

## **Estimates of the Number of Voters whose Driver's License Address May Differ from Their Voting Address**

### **PURPOSE**

This report provides the results of an analysis of the order of magnitude for potential loss of voting privileges or use of provisional ballots in Ohio due to unclear or misunderstood requirements concerning driver's license address verification of registered voters at the polls in November 2006.

Ohio House Bill 3 specifies that voters must show photo identification (ID) or certain other specified documents in order to vote. Lack of proper ID may result in casting provisional ballots. Photo identification documents must include, in addition to the person's name and photograph, the person's current address. However, a former address is permitted if the ID is a valid state driver's license or state identification card.<sup>1</sup> This exception is due to the fact that persons who change address often do not change the ID and thus the address on it for some time. The Ohio driver's license must be renewed every four years, therefore persons who move may continue to use a driver's license that has a former address until the state requires its renewal, i.e., every four years.<sup>2</sup>

Unless poll workers are aware of this exception concerning current and former address, some number of properly registered voters may be required to vote a provisional ballot. This report attempts to estimate how many such persons may face this prospect in the coming general election in November 2006.

Thus we address the following question:

If poll workers are unaware that a former address is acceptable on a driver's license ID, how many registered voters who show up to vote in November may be asked to vote with a provisional ballot because their driver's license has an address that is different from the one for which they are registered to vote?

### **METHODS**

We employ two separate methods to address this question described below.

Method 1. We use data on the number of voting age persons who lived in a different house five years earlier from the 2000 census and estimate a four year annual average number of movers.<sup>3</sup> We assume that each year a portion of movers have not renewed

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<sup>1</sup> See Sec. 3501.01.AA(2).

<sup>2</sup> Some number of persons may get a new driver's license as a result of losing one, its destruction, or for other reasons; but it is assumed for this analysis that there are comparatively few of these.

<sup>3</sup> An annual estimate based on five years will underestimate the annual number of movers for a four year period since some movers move more than once during the five years. On the other hand, the late 1990s was a period when migration rates were lower than more recent years.

percent of the voting age population might vote in November 2006.<sup>5</sup> Thus, in November, if migration rates noted above hold and those who move vote at the same rate as the general voting age population, 638,867 persons will have moved in the past four years, have an address on their driver's license that is not current, and will attempt to vote,.

However, it is also a reasonable hypotheses that those who move more frequently are less likely to vote. Renters have higher mobility rates than home owners and may be less likely to vote for a variety of reasons. Thus if we assume that the voting rate for movers is only 30 percent, rather than 50 percent, the estimated affected population is 383,321. The range of possible numbers of affected voters using these data and assumptions is therefore between 383,321 and 638,867.

While any of the assumptions that are applied here may be incorrect (in generating either incorrectly high or low estimates), we think that they provide a reasonable range of estimates of the number of potential voters who might experience difficulties in voting due to incorrect application of the address requirements concerning the voter ID. An estimate of approximately 511,000 persons is reasonable given this method.

#### **Method 2: Register Voters who Moved and Assumed Proportion who Vote**

The Data. We attempted to match the registered voters in the February 2006 statewide registered voter database with registered voters in the October 2004 database.<sup>6</sup> The object was to identify those registered voters who had changed addresses in this period.<sup>7</sup> The number of such changed addresses provides a more direct measure of registered voters who moved than the ACS-based method described above.

There are 7,714,795 registered voters in the February 2006 database and 7,986,053 in the October 2004 database. The 2004 election was a highly contested presidential election; the May 2006 election was a primary election with state office positions at stake.

Matching Voters. We matched a total of 7,247,132 of the February 2006 registered voters to the October 2004 database. That is, approximately 93.9 percent of those in the 2006 database were identified in the 2004 file. Most of these (5,337,587) were matched using unique state and county ID and the remainder by matching name, birth date, and date of registration. False matches are highly unlikely. The 467,663 unmatched records from the 2006 file consist of persons who were new to the state or to voting, or other factors. Some of the unmatched records may represent persons who would be identifiable in the earlier

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<sup>5</sup> See the Ohio Secretary of State's Internet site for data on number and percentages of registered voters and ballots cast - <http://www.sos.state.oh.us/>.

<sup>6</sup> The selection of the October 2004 and February 2006 files was largely for expedience since these files were already available to us at the time the project started and delays in acquiring data from other periods, including more current 2006 data, would have delayed the analysis and limited time available for remedying the potential problem addressed. A more appropriate analysis would use registered voter data at two comparable elections to the one expected in November in regard to voter participation rates. However, a pair of such elections involving gubernatorial and other statewide offices and with the recent registered voter and balloting rates may not exist. We know of no substantial reason why use of these two files would not be sufficient for this analysis.

<sup>7</sup> We assume the vast majority of these cases indicate the person moved.

file if IDs and other matching fields were correct in both files. Thus the matches constitute a minimum number of the same person appearing in both files.

Movers. Among the matched registered voters we found 438,219 in the 2006 file that had a different address in the 2004 file. These are assumed to be persons who moved during the period.

Annual Rate. Since the period between the two files is about a year and a third, we estimate that 325,101 of the 438,219 registered voters who moved would have moved in one year.<sup>8</sup>

Former Address on ID. We use similar assumptions to those we used in the first method. Since Ohio drivers are required to renew their driver's licenses every four years, we estimate that 650,202 persons may not have an updated address on their driver's license.<sup>9</sup>

Voter Participation. Again, not all of these recently moved registered voters will attempt to vote in November. If 50 percent do, then an estimated 325,101 of the estimated 650,202 registered voters with a former address on their driver's license will go to the polls in November.

However, this population of movers has demonstrated that they are interested in maintaining their franchise since they bothered to submit a change of address to their board of elections. Thus it is reasonable to assume that they will turn out at the polls at a higher rate than the general population of registered voters. If we apply a voter turnout rate of 75 percent, rather than 50 percent, we estimate that 487,651 will be at risk at the polls.<sup>10</sup>

As with Method 1 some or all of the assumptions that are applied here may be incorrect (in generating either incorrectly high or low estimates). However, we think that they provide a reasonable and conservative range of estimates of the number of potential voters who might experience difficulties in voting due to incorrect application of the address requirements concerning the voter ID. An estimate of approximately 406,000 persons, roughly midway between the high of 487,651 and low of 325,101 persons, is reasonable given this method.

## **SUMMARY and CONCLUSIONS**

The following table provides the ranges of results discussed above and midpoint estimates for the most likely assumptions for voter participation rates.

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<sup>8</sup> One year, 365 days, is 74.187492% of the 492 days between the two databases

<sup>9</sup> Calculated as  $2 \times 325,101$  (the number of annual movers). Doubling the annual number accounts for diminishing percentages over the four year period in which drivers must renew their licenses.

<sup>10</sup> Calculated as  $0.75 \times 650,202$ .

Our analysis indicates that the number of registered voters who have a driver's license ID with a former address is approximately 1,277,000 for Method 1 and 650,000 for Method 2. The midpoint between these two independent estimates is approximately 964,000.

The number of persons attempting to vote in November with a driver's license ID with a former address is approximately 511,000 using the midpoint of Method 1 estimates and approximately 406,000 using the midpoint of Method 2 estimates. An average of these two independent methods is approximately 458,000. The number could also be as high as approximately 638,000 or as low as 325,000 given the data and assumptions used in this analysis.

Assumptions		Method 1	Method 2
Movers over a four year period will have their former address on their driver's license 50% of the time - or double the annual number of movers.			
Registered Voters	90%	1,277,735	NA
	known from 2 files	NA	650,202
Average of Methods 1 and 2		963,969	
Voter participation rate (% of registered voters)	75%	NA	487,651
	50%	638,867	325,101
	30%	383,321	NA
Midpoint Voter Participation Estimate		511,094	406,376
Average of Methods 1 and 2		458,735	