King Lincoln Bronzeville Neighborhood Association et al v. J. Kenneth Blackwell et al Doc. 38 Att. 2

Description Of The Amount Of Storage Space Utilized By The Board To Maintain The Ballots Accounted For Above (such as the number and dimensions of boxes):

Our ballots are in one box that weighs about 35-40 lbs. Thebox is 15" wide X 10 1/4" high X 24" long.

CERTIFICATION BY DIRECTOR AND DEPUTY DIRECTOR:

I hereby certify that the number of ballots, punch card ballot pages, and/or CD-ROMS as reported above accurately reflects the total number of ballots currently in the possession of the board of elections and maintained in accordance with federal court order, and I have further provided these ballots and ballot pages, along with a list of the precincts in the county for the 2004 general election, to the Secretary of State's regional liaison or designated employee who has signed the certification below in my presence.

Director	Deputy Director
Date and time:_____	Date and time:_____

Director and Deputy Director: You must fax a signed copy of this Inventory Sheet to the Elections Division of the Secretary of State's office at 614-752-4360 as soon as the Secretary of State's employee leaves your premises with the ballots, ballot pages and precinct list described above.

CERTIFICATION BY SECRETARY OF STATE REGIONAL LIAISON OR DESIGNATED SECRETARY OF STATE EMPLOYEE:

I hereby certify that I have been authorized by the Secretary of State to take custody of the ballots, ballot pages and list of precincts in the county from the 2004 presidential election from the _____ _____County Board of Elections. I have reviewed and confirmed that the accounting listed

Dockets.Justia.com

OHIO SECRETARY OF STATE JENNIFER BRUNNER
INVENTORY SHEET
FOR 2004 PRESIDENTIAL BALLOTS

County MARION COUNTY

Voting System Used In Precinct(s) For 2004 Presidential Election

PUNCH CARDS

Voting System Used By Disabled Voters For 2004 Presidential Election

PUNCH CARDS - TRIAD GSI

Voting System Used For Absentee Ballots For 2004 Presidential Election

PUNCH CARDS

Total Number Of Voted Ballots 29,656

Total Number Of Unvoted Ballots _____

Total Number Of Absentee Ballots 3,048

Total Number Of Provisional Ballots 894

Total Number Of Soiled Ballots _____

For Punch Card Systems, Total Number Of Punch Card Ballot Pages

45

For Electronic Systems, Total Number Of CD-Roms _____

List Of Precincts In County Has Been Provided To Regional Liaison Or Designated Secretary Of State Employee X
(Use check mark here)

Ex. X

Description Of The Amount Of Storage Space Utilized By The Board To Maintain The Ballots Accounted For Above (such as the number and dimensions of boxes):

N/A BALLOTS HAD BEEN DESTROYED IN 2006 PRIOR TO COURT ORDER

CERTIFICATION BY DIRECTOR AND DEPUTY DIRECTOR:

I hereby certify that the number of ballots, punch card ballot pages, and/or CD-ROMS as reported above accurately reflects the total number of ballots currently in the possession of the board of elections and maintained in accordance with federal court order, and I have further provided these ballots and ballot pages, along with a list of the precincts in the county for the 2004 general election, to the Secretary of State's regional liaison or designated employee who has signed the certification below in my presence.

Chris Smith
Director

Date and time: 4-11-07 4:00 p.m.

Sophia W. Rogers
Deputy Director

Date and time: 4-11-07 4:00 p.m.

Director and Deputy Director: You must fax a signed copy of this Inventory Sheet to the Elections Division of the Secretary of State's office at 614-752-4360 as soon as the Secretary of State's employee leaves your premises with the ballots, ballot pages and precinct list described above.

CERTIFICATION BY SECRETARY OF STATE REGIONAL LIAISON OR DESIGNATED SECRETARY OF STATE EMPLOYEE:

I hereby certify that I have been authorized by the Secretary of State to take custody of the ballots, ballot pages and list of precincts in the county from the 2004 presidential election from the _____ _____County Board of Elections. I have reviewed and confirmed that the accounting listed

above is accurate and that I am taking custody of all the ballots, ballot pages and list(s) as described above. I have signed this certification in the presence of the Director and Deputy Director of the _____ County Board of Elections and further certify that I will promptly deliver said ballots, ballot pages and list(s) of precincts for the county to the secure location as directed by the Secretary of State.

_____ _____

Employee of Secretary of State Date and time of taking custody

CERTIFICATION BY SECRETARY OF STATE DIRECTOR OF SECURITY:

I hereby certify that I have been authorized by the Secretary of State to receive the ballots, ballot pages and lists of precincts from the 2004 presidential election that were delivered by_____ _____ from the _____ County Board of Elections. I further certify that I have reviewed and confirmed that the ballots, ballot pages and lists that I have received comport with the numbers and descriptions as accounted for, certified and listed above.

_____ _____

Doug Miller, Director of Security
Office of Secretary of State of Ohio

Date and time of taking custody

OHIO SECRETARY OF STATE JENNIFER BRUNNER
INVENTORY SHEET
FOR 2004 PRESIDENTIAL BALLOTS

nty Holmes

ing System Used In Precinct(s) For 2004 Presidential Election

Punch Card

ing System Used By Disabled Voters For 2004 Presidential Election

Punch Card

g System Used For Absentee Ballots For 2004 Presidential Election

Punch Card

Number Of Voted Ballots 3,887 includes absentees & provisionals

l Number Of Unvoted Ballots 4,843

al Number Of Absentee Ballots These are not kept separate from other ballots; however, absentee and provisional ballots are marked with corresponding precinct name on back. So abs/prov can be pulled out, but we do not know which type it is. There were 431 absentee and provisionals combined.

al Number Of Provisional Ballots

l Number Of Soiled Ballots 10

Punch Card Systems, Total Number Of Punch Card Ballot Pages

1,093

Electronic Systems, Total Number Of CD-Roms N/A

Of Precincts In County Has Been Provided To Regional Liaison Or Designated etary Of State Employee X
(Use check mark here)

Ex. Y

Holmes County, Ohio
2004 Ballots/Pages/Stubs

4/10/2007

	Voted Ballots			Unused Ballots			S&D	#Ballot	Stub A	Stub B
	Regular	Abs&Prov	Total	Start.#	End.#	#Unused	Ballots	Pages	Envelopes	
001 Berlin North	-	-	-	571	835	265	-	45	-	-
002 Berlin South	-	-	-	401	650	250	-	36	-	-
003 Clark Twp	-	-	-	393	850	458	2	45	1	-
004 Hardy Twp	-	-	-	902	1,250	349	-	76	-	-
005 Millersburg East	-	-	-	670	1,000	331	-	60	-	-
006 Millersburg West	-	-	-	357	550	194	-	39	-	-
007 Prairie Twp	270	79	349	725	1,150	426	2	89	1	1
008 Killbuck Twp	1	5	6	816	1,100	285	-	91	1	1
009 Knox Twp	389	67	456	548	675	128	6	61	-	-
010 Mechanic Precinct	-	-	-	615	850	236	-	60	1	1
011 Beck's Mills	-	-	-	154	350	197	-	37	1	1
012 Monroe Twp	-	-	-	691	850	160	-	60	-	1
013 Paint Twp	-	-	-	634	950	317	-	60	1	1
014 Richland Twp	471	35	506	471	600	130	0	49	1	1
015 Ripley Twp	492	-	492	775	1,000	226	-	77	1	1
016 Saltcreek Twp	520	29	549	521	900	380	-	64	-	-
017 Walnut Creek Twp	628	124	752	630	950	321	-	53	1	1
018 Washington East	354	42	396	355	450	96	-	44	-	-
019 Washington West	331	50	381	332	425	94	-	47	1	1
	3,456	431	3,887			4,843	10	1,093	10	10
	Box #1			Box #2			Box #3		Box #4	

04/19/07 11:14am P. 004

Holmes County Board of Elections

Clinton Street Office Building 75 E. Clinton St., Suite 108 Millersburg, OH 44654
Phone (330) 674-5921 Fax (330) 674-5978

Georgianna Cool, Chairman Ann E. Stotler, Member
Lucille L. Hastings, Member Wesley J. Schmucker, Member

April 10, 2007

This letter is regarding the 2004 Presidential Ballots stored in the Holmes County Board of Elections office.

A shelving unit collapsed in the Board of Elections storeroom on the morning of Friday, April 7, 2006. That shelving unit held the voted ballots, stubs, soiled and defaced ballot envelopes, and ballot accounting charts from the 2004 General Election. The shelves and stored items collapsed onto a side table holding a working coffee maker. The carafe on the coffee maker was full at the time of the incident. Many of the stored items had to be destroyed due to the broken glass and hot coffee. The ballot pages and unused ballots were stored on a neighboring shelf and were not damaged.

The following inventory of ballots lists what remains of the ballots from the November 2004 Presidential General Election. These items are available for removal for storage at the Secretary of State's office.

Respectfully,

Lisa Welch

Lisa Welch
Director

4/7/06

April 7, 2006

The shelf on which the 2004 General Election ballots were sitting on collapsed and the box containing some of those ballots fell and crushed the coffee pot and stand. There was a full pot of coffee and broken glass strewn throughout the ballots. Those ballots were destroyed later that morning, as they were saturated and covered in glass.

Director, Lisa Welch Lisa Welch

Deputy Director, Marjorie Riggle Marjorie Riggle

Part-Time Clerk, Wanda Kieffaber Wanda R Kieffaber

THOMAS L. SARTINI
PROSECUTING ATTORNEY
ASHTABULA COUNTY COURTHOUSE
25 WEST JEFFERSON STREET
JEFFERSON, OHIO 44047-1092

GENE BARRETT
BRUCE W. BENNETT
CATHERINE R. COLGAN
AMANDA A. CONDON
REBECCA K. DIVOKY
CANDACE GARRETT
ROBERT L. HERMAN
SHELLEY M. PRATT
HAROLD E. SPECHT, JR.
SUSAN R. THOMAS
TAMARA A. WETHERBOLT

TELEPHONE
(440)576-3662
CRIMINAL OFFICE FAX
(440) 576-3692
CIVIL OFFICE FAX
(440) 576-3600
TAX UNIT
(440) 576-3734
VICTIMS/WITNESS ASSISTANCE
CYNTHIA VANALLEN
(440)576-3223
BONNIE ELLIOTT
(440)576-3523

April 16, 2007

Hon. Jennifer Brunner
Ohio Secretary of State
180 East Broad Street, 15th Floor
Columbus, OH 43215-3726

RE: Directive 2007-07
Ashtabula County Board of Election Response

Dear Secretary Brunner:

This response is on behalf of the Ashtabula County Board of Elections to Directive 2007-07 dated April 9, 2007.

I am enclosing the Inventory Sheets included with the Directive which have been filled out to the extent possible based on information and records available.

The information provided was obtained from the 2004 abstract and the 2004 presidential election clerk books which list the names of the persons who voted, those that voted provisionally, and which ballots were soiled.

Unfortunately, the actual ballot cards were inadvertently discarded and destroyed by the Ashtabula County Board of Elections just prior to receipt by the Board of Judge Marbley's Order and the subsequent directive by your office.

Accordingly, the Director and Deputy Director of the Ashtabula County Board of Elections are neither able to certify that the ballots are currently in their possession nor able to turn them over to the Regional Liaison.

Please let me know if anything further is required regarding this matter.

Very truly yours,

THOMAS L. SARTINI
PROSECUTING ATTORNEY

TLS/dh
cc: Brian P. Green, Elections Counsel
Ashtabula County Board of Elections

Ex. Z

ASHTABULA COUNTY
BOARD OF ELECTIONS

8 West Walnut Street, Jefferson, OH 44047
PHONE: (440) 576-6915 **FAX:** (440) 576-1445
E-MAIL: elections@co.ashtabula.oh.us

J. Richard Hornstein, Director
Duane S. Feher, Deputy Director

MEMBERS
Chairwoman Shirley J. Humphrey
Carol Lovas
George Legeza
Luanne Laakso

May 15, 2007

RECEIVED
MAY 18 2007
Secretary of State

Mr. David Farrell,
Director of Elections and
Deputy Assistant Secretary of State
180 East Broad Street
15th Floor
Columbus, Ohio 43215-3726

Dear. Mr. Farrell:

This letter is pursuant to your correspondence dated April 18, 2007 regarding "Letter of Explanation" of the 2004 Presidential Ballots.

1. The 2004 Presidential ballots were of the "punch card" type. The total number of ballots voted was 46,438. The total number of un-voted ballots was 22,448 and 323 absentee ballots not returned by the voter. The total number of absentee ballots cast was 4820. There were 943 provisional ballots and 208 were not counted. There were 208 soiled and defaced ballots. The Presidential 2004 election card ballot pages were 57.

2. The 2004 Presidential ballots were inadvertently disposed of when the old punch card equipment and appurtenances were disposed of before the 2006 May primary when the new optical scan voting equipment was implemented.

3. We believe that the Ashtabula County Board of Elections received a fax copy of Judge Marbley's order around September 11th, 2006.

Sincerely,

J. Richard Hornstein,
Director

Duane S. Feher
Deputy Director

CC: Thomas L. Sartini, Ashtabula County Prosecutor

OHIO SECRETARY OF STATE JENNIFER BRUNNER
INVENTORY SHEET
FOR 2004 PRESIDENTIAL BALLOTS

County Ashtabula

Voting System Used In Precinct(s) For 2004 Presidential Election
Punch Card

Voting System Used By Disabled Voters For 2004 Presidential Election
Punch Card

Voting System Used For Absentee Ballots For 2004 Presidential Election
Punch Card

Total Number Of Voted Ballots 46,438

Total Number Of Unvoted Ballots 22,448 + 323 ABS not returned by voter.

Total Number Of Absentee Ballots 4820

Total Number Of Provisional Ballots 943 - 208 not counted

Total Number Of Soiled Ballots 208

For Punch Card Systems, Total Number Of Punch Card Ballot Pages
57

For Electronic Systems, Total Number Of CD-Roms _____

List Of Precincts In County Has Been Provided To Regional Liaison Or Designated Secretary Of State Employee _____
(Use check mark here)

Description Of The Amount Of Storage Space Utilized By The Board To Maintain The Ballots Accounted For Above (such as the number and dimensions of boxes):

Minimal – ? Not Applicable.

CERTIFICATION BY DIRECTOR AND DEPUTY DIRECTOR:

I hereby certify that the number of ballots, punch card ballot pages, and/or CD-ROMS as reported above accurately reflects the total number of ballots currently in the possession of the board of elections and maintained in accordance with federal court order, and I have further provided these ballots and ballot pages, along with a list of the precincts in the county for the 2004 general election, to the Secretary of State's regional liaison or designated employee who has signed the certification below in my presence.

Director _____ Deputy Director _____

Date and time:_____ Date and time:_____

Director and Deputy Director: You must fax a signed copy of this Inventory Sheet to the Elections Division of the Secretary of State's office at 614-752-4360 as soon as the Secretary of State's employee leaves your premises with the ballots, ballot pages and precinct list described above.

CERTIFICATION BY SECRETARY OF STATE REGIONAL LIAISON OR DESIGNATED SECRETARY OF STATE EMPLOYEE:

I hereby certify that I have been authorized by the Secretary of State to take custody of the ballots, ballot pages and list of precincts in the county from the 2004 presidential election from the _____ _____County Board of Elections. I have reviewed and confirmed that the accounting listed

above is accurate and that I am taking custody of all the ballots, ballot pages and list(s) as described above. I have signed this certification in the presence of the Director and Deputy Director of the _____ County Board of Elections and further certify that I will promptly deliver said ballots, ballot pages and list(s) of precincts for the county to the secure location as directed by the Secretary of State.

_____ _____

Employee of Secretary of State Date and time of taking custody

CERTIFICATION BY SECRETARY OF STATE DIRECTOR OF SECURITY:

I hereby certify that I have been authorized by the Secretary of State to receive the ballots, ballot pages and lists of precincts from the 2004 presidential election that were delivered by_____ _____ from the _____ County Board of Elections. I further certify that I have reviewed and confirmed that the ballots, ballot pages and lists that I have received comport with the numbers and descriptions as accounted for, certified and listed above.

_____ _____

Doug Miller, Director of Security Date and time of taking custody
Office of Secretary of State of Ohio

OHIO SECRETARY OF STATE JENNIFER BRUNNER
INVENTORY SHEET

FOR 2004 PRESIDENTIAL BALLOTS

County Guernsey

Voting System Used In Precinct(s) For 2004 Presidential Election

Triad - Punch card

Voting System Used By Disabled Voters For 2004 Presidential Election

Triad - Punch card

Voting System Used For Absentee Ballots For 2004 Presidential Election

Triad - Punch Card

Total Number Of Voted Ballots 15574

Total Number Of Unvoted Ballots 0

Total Number Of Absentee Ballots Returned - not counted 52

Ex. AA

Total Number Of Provisional Ballots Not counted - in envelopes 50

Total Number Of Soiled Ballots 157

For Punch Card Systems, Total Number Of Punch Card Ballot Pages

0

For Electronic Systems, Total Number Of CD-Roms 0

List Of Precincts In County Has Been Provided To Regional Liaison Or Designated Secretary Of State Employee 0
(Use check mark here)

Description Of The Amount Of Storage Space Utilized By The Board To Maintain The Ballots Accounted For Above (such as the number and dimensions of boxes):

The space needed is approximately 3x5x8. The ballots are in 3 large boxes.

CERTIFICATION BY DIRECTOR AND DEPUTY DIRECTOR:

I hereby certify that the number of ballots, punch card ballot pages, and/or CD-ROMS as reported above accurately reflects the total number of ballots currently in the possession of the board of elections and maintained in accordance with federal court order, and I have further provided these ballots and ballot pages, along with a list of the precincts in the county for the 2004 general election, to the Secretary of State's regional liaison or designated employee who has signed the certification below in my presence.

Jacqueline J. Neulest
Director

Date and time: 4-13-07

Sandra Tilton
Deputy Director

Date and time: 4/13/07

Director and Deputy Director: You must fax a signed copy of this Inventory Sheet to the Elections Division of the Secretary of State's office at 614-752-4360 as soon as the Secretary of State's employee leaves your premises with the ballots, ballot pages and precinct list described above.

CERTIFICATION BY SECRETARY OF STATE REGIONAL LIAISON OR DESIGNATED SECRETARY OF STATE EMPLOYEE:

I hereby certify that I have been authorized by the Secretary of State to take custody of the ballots, ballot pages and list of precincts in the county from the 2004 presidential election from the _____ County Board of Elections. I have reviewed and confirmed that the accounting listed

above is accurate and that I am taking custody of all the ballots, ballot pages and list(s) as described above. I have signed this certification in the presence of the Director and Deputy Director of the _____ County Board of Elections and further certify that I will promptly deliver said ballots, ballot pages and list(s) of precincts for the county to the secure location as directed by the Secretary of State.

_____ _____

Employee of Secretary of State Date and time of taking custody

CERTIFICATION BY SECRETARY OF STATE DIRECTOR OF SECURITY:

I hereby certify that I have been authorized by the Secretary of State to receive the ballots, ballot pages and lists of precincts from the 2004 presidential election that were delivered by _____ _____ from the _____ County Board of Elections. I further certify that I have reviewed and confirmed that the ballots, ballot pages and lists that I have received comport with the numbers and descriptions as accounted for, certified and listed above.

_____ _____

Doug Miller, Director of Security
Office of Secretary of State of Ohio

Date and time of taking custody

Guernsey County Board of Elections

627 Wheeling Ave.
Suite 101
Cambridge, OH 43725

Phone: 740-432-2680
Fax: 740-432-6784
E-mail:guernsey@sos.state.oh.us

RECEIVED
MAY 04 2007
Secretary of State

April 25, 2007

Dear Mr. Farrell,

Let this serve as official notice of the explanation of why the Guernsey County Board of Elections was not able to comply with Directive 2007-07 which required all ballots be transferred to the Ohio Secretary of State's office.

The unvoted ballots as well as the punch card ballot pages, were destroyed in error due to the county maintenance worker, when collecting trash, picked up the boxes that contained the unused and the ballot pages.

The ballot pages can be reproduced by precinct by copying the absentee ballot pages.

I have enclosed all documentation that this office has surrounding the events that involve the notices received from the Secretary of State's office concerning the order to maintain the 2004 ballots.

Should you need more information, please contact me at the above listed telephone number.

Respectfully,

Jacqueline J. Neuhart

Jacqueline J. Neuhart
Director

Guernsey County BOE

From: Guernsey County BOE [guernsey@sos.state.oh.us]
Sent: Monday, August 07, 2006 10:03 AM
To: All Counties
Subject: save the ballots

Good morning, everyone. Has anyone else heard about this? I wonder how far it will go.

Jacqueline

http://savetheballots.org/

J. KENNETH BLACKWELL
Ohio Secretary of State

180 E. Broad Street, 16th Floor, Columbus OH 43215
614.466.2655 / Toll Free: 877.767.6446 / Fax: 614.644.0649
e-mail: blackwell@sos.state.oh.us
www.sos.state.oh.us

September 1, 2006

Directive 2006-59

TO: County Boards for Elections

CC: County Prosecutors
Betty Montgomery, State Auditor

RE: Record Retention Policies Governing Ballots and Pollbooks

I have received several inquiries from Boards of Elections regarding access to and retention of ballots and pollbooks from the 2004 general election. This Directive is issued pursuant to R.C. §3 501.05 as a means of providing guidance to the Boards regarding retention and disposal of ballots and pollbooks.

In December 2004, opinion 2004-50 was issued by the Attorney General on the Right of Access to Public Records under R.C. 149.43. The opinion answered the following question: Are ballots that have been cast in a public election, as well as pollbooks, that are held by a county board of election public records that must be made available to the public for inspection under R.C. 149.43.

The Attorney General's opinion on this question provides important direction for the Boards of Election to follow, in consultation with their county prosecuting attorney, on general issues regarding public access to ballots and pollbooks. The opinion concluded that "a board of elections remains under a duty to 'carefully preserve' ballots used in an election for the remainder of the preservation period prescribed by R.C. 3505.31."

In addition to the Attorney General Opinion 2004-50, further guidance regarding the retention and disposal of county records, including ballots and pollbooks, is provided in R.C. §149.38 which states:

> (B) **The functions of the county records commission shall be to provide rules for retention and disposal of records of the county and to review applications for one-time records disposal and schedules of records retention and disposal submitted by county offices.** Records may be disposed of by the commission pursuant to the procedure outlined in this section. The commission, at any time, may review any schedule it has previously approved and, for good cause shown, may revise that schedule, subject to division (D) of this section. (Emphasis added)

(C) **When the county records commission has approved county records for disposal, a copy of a list of those records shall be sent to the auditor of state.** If the auditor of state disapproves the action by the commission in whole or in part, the auditor of state shall so inform the commission within a period of sixty days, and those records shall not be destroyed. Before public records are to be disposed of, the commission shall inform the Ohio historical society and give the society the opportunity for a period of sixty days to select for its custody such records as it considers to be of continuing historical value. When the Ohio historical society is so informed that public records are to be disposed of, the county records commission also shall notify the county historical society, and any public or quasi-public institutions, agencies, or corporations in the county that have provided the commission with their name and address for these notification purposes, that the Ohio historical society has been so informed and may select records of continuing historical value, including records that may be distributed to any of the notified entities under section 149.31 of the Revised Code. (Emphasis added)

I am instructing all county Boards of Elections:

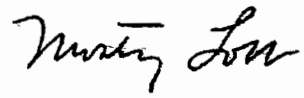
1. to comply with the public record laws of Ohio under §149.38,
2. to report on its (or the County's) website the "rules for retention and disposal of records of the county" adopted by its County Records Commission that are applicable to access, retention, and disposal of ballots and pollbooks that are subject to R.C. §149.38; and
3. to provide a copy of the rules adopted by the County Records Commission regarding access, retention, disposal of ballots and pollbooks subject to R.C. §149.38 to the Secretary of State and to the Auditor of State at least ten days before their effective date.

I am providing a copy of this directive to the Prosecuting Attorney of your respective counties for consultation as necessary with you on measures necessary to comply with this directive and the applicable laws.

If you are notified that the Auditor of State has disapproved the disposal of the records under your custody and control related to an election, you are also directed to comply with that notification. Since it is the County Records Commission that is ultimately responsible for formulating and enforcing a records retention and access policy, be advised that no records can be destroyed without the consent of the County Records Commission.

If you have any questions regarding this directive, please call the Elections Division at (614) 466-2585.

Sincerely,



Monty Lobb
Assistance Secretary of State

FAX TRANSMISSION

ARNEBECK LAW OFFICE
341 S. 3RD ST., SUITE 10
COLUMBUS, OH 43215
614-224-8771
FAX: 614-224-8082

To:	Ohio County Boards of Elections	**Date:**	August 23, 2006
Fax #:		**Pages:**	3, including this cover sheet.
From:	Clifford O. Arnebeck, Jr.		
Subject:	URGENT Re 2004 Election Records Retention		

COMMENTS:

ARNEBECK LAW OFFICE
341 S. 3RD ST., SUITE 10
COLUMBUS, OH 43215
614-224-8771
FAX: 614-224-8082
Arnebeck@aol.com

August 23, 2006

VIA HAND AND FACSIMILE DELIVERY

The Honorable J. Kenneth Blackwell
Secretary of State
Borden Building
180 East Broad Street
Columbus, Ohio 43215

Re: Document Hold Notice – 2004 Election Ballots

Dear Mr. Blackwell:

We represent several individuals and public interest groups who intend to file an action in Federal District Court in the Southern District of Ohio alleging that you, in your official capacity as Ohio Secretary of State, violated the United States Constitution and federal and state law by, *inter alia*, inequitably distributing voting resources, suppressing votes, and spoiling ballots. That action will seek declaratory and injunctive relief.

In connection with this action we intend to file, it is vital that you, in your capacity as Ohio Secretary of State and the state official in charge of elections in Ohio, preserve all ballots, however recorded or maintained, from the November 2, 2004 election. Most importantly, we have received extremely disconcerting reports that unused ballots, which under Ohio law are required to be preserved along with used ballots, are being destroyed. These unused ballots relate directly to plaintiffs' allegations that punch card ballots were "pre-punched," thereby creating an overvote condition if the voter also voted for Senator John Kerry. Therefore, it is imperative that all evidence, as itemized below in part, be preserved pending the filing of this action. Specifically, "ballots" shall include, but not be limited to, (1) unused ballots, and (2) ballots cast in any manner by any person in the November 2, 2004 election, for any office or candidate, whether cast by a machine, absentee ballot, or via any other manner.

Electronic records of ballots must be maintained, as well. In addition, you must preserve all documents related to the issues in this litigation, including but not limited to, all documents (whether maintained in hardcopy or electronic form) relating to:

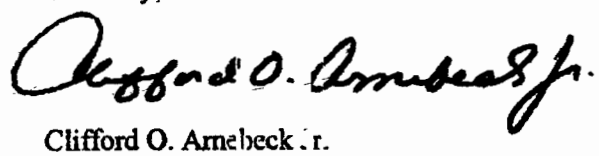
- How voting machines and voting resources were allocated to voting districts;
- The decisions made by Ohio concerning the November 2, 2004 election;
- All claims or allegations of voter fraud, vote tampering, or restrictions upon or violations of Ohio citizens' right to vote (regardless of whether the allegations were made by Ohio, citizens of Ohio, or third parties);
- The results of the November 2, 2004 election and how those results were tabulated;
- Ohio's recount of the November 2, 2004 results; and
- The programming of Ohio's voting machines that electronically recorded votes.

These documents must be preserved by you as well as by the 88 voting districts in Ohio, which are being copied on this letter.

Do not discard, destroy, or alter in any way any of the documents described above. Failure to preserve these materials will severely prejudice plaintiffs in their lawsuit, and could result in the imposition of harsh penalties and sanctions on you.

Please confirm to us, within three business days of your receipt of this letter, whether you intend to retain these documents, so that in the event you do not intend to preserve these documents, we may seek immediate relief from the Court. **In any event, cease and desist from the destruction of any evidence until either we have reached an agreement on this issue or the Court has had an opportunity to rule on this issue.**

Sincerely,



Clifford O. Arnebeck Jr.

cc: Ohio County Boards of Election
(via facsimile and electronic mail)

Guernsey County BOE

From: Pankus, Ed [epankus@sos.state.oh.us]
Sent: Friday, September 01, 2006 11:49 AM
To: Guernsey
Subject: Directive 2006-59
Importance: High

Jacqueline,

You may have seen this attached memo already from Judy Grady and Monty Lobb. It seems it is ultimately up to the board to consult with the county prosecutors office to receive the guidance on the destruction of ballots in light of the letters you referenced.

Secondly, it seems that the Special Meeting for the allocation of equipment is necessary BEFORE the September 14th since there is a need to have a public notice prior to the election - the time frame is not specified as you are in a thirty-day window to hold this election, but it most likely cannot be the same day as the election.

If you can conduct a meeting with a quorum, and post the allocation of equipment results for public view, I think that would satisfy the requirement.

Ed Pankus

Statewide Advocacy Consultant
Ohio Secretary of State
(740) 632-1134

From: Grady, Judy
Sent: Fri 9/1/2006 10:04 AM
To: All Counties
Cc: Field Staff; Lobb, Monty; Dembinski, Sherri; Lee, James; Hicks, Cassandra; Scott, Keith; Bard, Marty; Bender, Mary; Dill, Paula; Drugan, Zandra; Fields, Robin; Harrison, Alicia; Hawkins, Myra; Henderson, Serena; Lafferty, Karen; Malott, Kathy; Sherrod, Denise; Siegmund, Conni; Washington, Traci; West, Joy; Wolfe, Pat
Subject: Directive 2006-59

Record Retention Policies Governing Ballots and Pollbooks

CONFIDENTIALITY STATEMENT
The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination, or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender and delete the material from any computer.

Guernsey County BOE

From: Siegmund, Conni [csiegmun@sos.state.oh.us]
Sent: Friday, September 08, 2006 12:46 PM
To: Guernsey
Subject: RE: any word yet?

Jacqueline,

It sounds like it. Apparently we are working on another communication to send out the boards. You will receive it ASAP!

Thanks,
Conni

-----Original Message-----
From: Guernsey
Sent: Friday, September 08, 2006 9:48 AM
To: Siegmund, Conni
Subject: RE: any word yet?

Yes, we received it.
So, are we (each board of elections) going to be ordered by the judge?
Thanks,
Jacqueline

-----Original Message-----
From: Siegmund, Conni [mailto:csiegmun@sos.state.oh.us]
Sent: Friday, September 08, 2006 9:13 AM
To: Guernsey
Subject: RE: any word yet?

Jackie & Sandra -

Just wanted to make sure you saw this directive that went on Sept. 1. It is relevant to the article you sent.

Thanks!
Conni

-----Original Message-----
From: Guernsey
Sent: Friday, September 08, 2006 8:55 AM
To: All Counties
Subject: any word yet?

http://www.examiner.com/a-270554~Judge_orders_2004_ballots_preserved.html

Jacqueline Neuhart

From: Guernsey County BOE [guernsey@sos.state.oh.us]
Sent: Wednesday, September 13, 2006 9:37 AM
To: Jacqueline J Neuhart
Subject: FW: SOSKL Court Order Granting Ds Memo of Law
Importance: High
Attachments: SOSKL Order Granting Ds Memo of Law 97061.pdf

-----Original Message-----
From: Pankus, Ed [mailto:epankus@sos.state.oh.us]
Sent: Friday, September 08, 2006 2:59 PM
To: Belmont; Coshocton; Guernsey; Harrison; Jefferson; Monroe; Noble; Tuscarawas; Washington
Subject: SOSKL Court Order Granting Ds Memo of Law
Importance: High

Directors, Deputies, Clerks and Board Members,

You may have seen this email response as a result of the question of preserving ballots from the 2004 election. The twenty-two month schedule was due to expire and this court has ordered that the schedule be extended to preserve those 2004 ballots. Please share this information with your county prosecutor.

Thanks to Director, Jacqueline Neuhart of Guernsey County, for bringing this issue to my attention and asking for a clarification.

Ed Pankus

Statewide Advocacy Consultant
Ohio Secretary of State
(740) 632-1134

From: Brooks, Lisa
Sent: Fri 9/8/2006 2:46 PM
To: Pankus, Ed
Subject: FW: SOSKL Court Order Granting Ds Memo of Law

Ed:

In response to your email to Pat Wolf. This was forwarded to the County Boards.

Lisa M. Brooks
Administrative Paralegal
Ohio Secretary of State
180 E. Broad Street, 16th Fl.
Columbus, OH 43215
(614) 387-7355

(614) 485-7515 ~ Fax
lbrooks@sos.state.oh.us

CONFIDENTIALITY STATEMENT
The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

-----Original Message-----
From: Brooks, Lisa
Sent: Friday, September 08, 2006 2:28 PM
To: All Counties
Cc: 'CCorl@CBJLawyers.com'; 'ljames@cbjlawyers.com'
Subject: SOSKL Court Order Granting Ds Memo of Law
Importance: High

<<SOSKL Order Granting Ds Memo of Law 97061.pdf>>

I am forwarding this at the request of Cassandra Hicks, General Counsel of the Secretary of State's office. Please contact and share this information with your local prosecuting attorney.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

KING LINCOLN BRONZEVILLE NEIGHBORHOOD ASSOCIATION, et al.,	:	
Plaintiffs,	:	
v.	:	**Case No. 2:06-CV-745**
J. KENNETH BLACKWELL, et al.	:	**JUDGE ALGENON L. MARBLEY**
Defendants.	:	

ORDER

Upon application of plaintiffs, and after considering the arguments of counsel and memoranda of the parties, the Court deems it necessary and appropriate, pursuant to the Court's inherent power, to issue this Order to ensure the preservation of certain evidence. The Court hereby **ORDERS** the Boards of Election for each of the 88 Counties for the State of Ohio forthwith to preserve all ballots from the 2004 Presidential election, on paper or in any other format, including electronic data, unless and until such time otherwise instructed by this Court. Pursuant to O.R.C. §§ 3501.04, 3501.05 and 3501.31, the Secretary of State is hereby **ORDERED** to serve forthwith a copy of this Order upon each county's Board of Elections.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

DATED: September 7, 2006

Guernsey County BOE

From: Brooks, Lisa [lbrooks@sos.state.oh.us]
Sent: Friday, September 08, 2006 2:28 PM
To: All Counties
Cc: CCorl@CBJLawyers.com; ljames@cbjlawyers.com
Subject: SOSKL Court Order Granting Ds Memo of Law
Importance: High

<<SOSKL Order Granting Ds Memo of Law 97061.pdf>>

I am forwarding this at the request of Cassandra Hicks, General Counsel of the Secretary of State's office. Please contact and share this information with your local prosecuting attorney.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

KING LINCOLN BRONZEVILLE NEIGHBORHOOD ASSOCIATION, et al.,	:	
Plaintiffs,	:	
v.	:	**Case No. 2:06-CV-745**
J. KENNETH BLACKWELL, et al.	:	**JUDGE ALGENON L. MARBLEY**
Defendants.	:	

ORDER

Upon application of plaintiffs, and after considering the arguments of counsel and memoranda of the parties, the Court deems it necessary and appropriate, pursuant to the Court's inherent power, to issue this Order to ensure the preservation of certain evidence. The Court hereby **ORDERS** the Boards of Election for each of the 88 Counties for the State of Ohio forthwith to preserve all ballots from the 2004 Presidential election, on paper or in any other *format, including electronic data, unless and until such time otherwise instructed by this Court.* Pursuant to O.R.C. §§ 3501.04, 3501.05 and 3501.31, the Secretary of State is hereby **ORDERED** to serve forthwith a copy of this Order upon each county's Board of Elections.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

DATED: September 7, 2006

Delaware County BOE

From: Ockerman, Aaron [aockerman@statestreetohio.com]
Sent: Thursday, October 21, 2004 9:38 AM
To: Delaware County BOE
Subject: RE:

Thanks!!

-----Original Message-----
From: Delaware County BOE [mailto:delaware@sos.state.oh.us]
Sent: Thursday, October 21, 2004 9:16 AM
To: Ockerman, Aaron
Subject:

<< File: Memo 10-20 Challengers-Witnesses-OAEO.doc >>
Aaron,

Here is the Directive from Pat Wolfe on Challenges and Witnesses.

Janet

Ex. BB

Ohio Secretary of State J. Kenneth Blackwell
Elections Division - 180 E. Broad St., 15th Floor, Columbus, OH 43215
Tel. (614) 466-2585 Fax (614) 752-4360 e-mail: election@sos.state.oh.us

MEMORANDUM

TO: All County Boards of Elections

FROM: Pat Wolfe, Director of Elections
Michael Sciortino, President of Ohio Association of Elections Officials (OAEO)

DATE: October 20, 2004

RE: Challenger and Witnesses

CHALLENGER & WITNESS GUIDELINES

As election day approaches, many boards will be asked for the forms to appoint and certify challengers and witnesses. R.C. 3505.21 and R.C. 3506.13 authorize the appointment of eligible electors to serve as challengers and/or witnesses of elections. The elector need not live in the precinct where appointed. The statutes set forth:

- The function of challengers and witnesses.
- Who may appoint challengers and witnesses.
- Who may serve as a challenger and/or witness.
- The appointment process and deadlines.

The Ohio Association of Elections Officials (OAEO) has recommended policy and procedures for handling challengers at the polling place which are included in this memorandum.

Function

Challengers may be appointed for each polling place (including the board of elections' office), and witnesses for each tabulating location, as provided in R.C. 3505.21 and R.C. 3506.13. The same person may serve as both a challenger and a witness.

- **Challengers**
  - **While Polls are Open**: Challengers are allowed to be in the polling place while the polls are open. A challenger may challenge (prior to the issuance of a ballot), for good cause, the right to vote of anyone who appears to vote. A challenge may be based on the person's citizenship, age, registration, residency in the precinct and, if the election is a partisan primary, political party affiliation. (R.C. 3505.21)
  - **After the Polls Close**: Challengers are allowed to remain in a polling place *after* the polls close if ballots are not counted in that polling place. Challengers may observe the processing of the ballots including the sealing and signing of the envelopes and/or containers holding the voted ballots. Challengers are not allowed to touch or handle ballots or any other election materials, nor question the actions of the election officials. (R.C. 3506.13)

- **Witnesses**
  Witnesses are allowed to observe the counting of ballots. (Thus, if ballots are not counted at a precinct polling place, then witnesses shall not be appointed to that polling place.) Witnesses are not allowed to touch or handle ballots or any other election materials, nor question the actions of the election officials.

Appointment

All challengers and witnesses must be appointed in writing on a "Notice of Appointment or Amendment of Appointment of Witnesses and Challengers" (Form No. 214) prescribed by the Secretary of State.

1. **By a Political Party**
   Notice of appointment signed by the central committee chairperson and secretary, and filed with the board of elections.

2. **By a Group of Five or More Candidates**
   Notice of appointment signed by at least five candidates and filed with the board of elections.

3. **By a Committee Supporting or Opposing a Ballot Issue**
   Petitions to be recognized as committee to appoint challengers (Form No. 219) and witnesses (Form No. 220), and Notice of appointment by duly recognized ballot issue committee.

Eligibility/Restrictions

No uniformed peace officer as defined by R.C. 2935.01, no uniformed state highway patrol trooper, no uniformed member of any fire department, no uniformed member of the armed services, no uniformed member of the organized militia, no person wearing any other uniform and no person carrying a firearm or other deadly weapon shall serve as a witness or challenger.

A candidate may not serve as a challenger or witness *unless* the candidate (a) also is a member of the party controlling committee and (b) has been appointed by the party.

- **Number of Challengers/Witnesses**

No candidate shall be represented by more than one challenger and one witness at any one polling place except that a candidate who is a member of a party controlling committee, as defined in R.C. 3517.03, may serve as a witness or challenger.

In no case shall more than six challengers and six witnesses be appointed for any one election in any one precinct. If more than three questions are to be voted on, the committees which have appointed challengers and witnesses may agree upon not to exceed six challengers and six witnesses, and the judges of elections shall appoint such challengers and witnesses. If such committees fail to agree, the judges of elections shall appoint six challengers and six witnesses from the appointees so certified, in such manner that each side of the several questions shall be represented.

Filing Deadline

By 4 p.m. of the 11th day (October 22) before the election, any political party, group of candidates or issue committee appointing challengers or witnesses shall file with the board of elections a properly **completed "Notice of Appointment" (Form No. 214)** containing the names and addresses of its appointees and the polling places at which they shall serve.

Deadline to Amend Appointments

The deadline for amending challenger and witness appointments is 4 p.m. the day before the election; i.e., Monday, November 1, 2004.

Certificate of Appointment

Each challenger and witness shall receive from his or her appointing authority the appropriate Secretary of State-prescribed **"Certificate of Appointment"** (*see* **Form Nos. 215, 216, 217, 218, 221 and 222.**) That certificate must be filed with the presiding judge of the polling place on election day. Appointments and certifications must be made in writing by 4 p.m. on **October 22, 2004**, using the appropriate forms prescribed by the Secretary of State:

Form #	Description
214	Notice of appointment or amendment of appointment of witnesses and challengers
215	Certificate of appointment of challenger - executive or central committee of a political party
216	Certificate of appointment of witness - executive or central committee of a political party
217	Certificate of appointment of challenger - five or more candidates
218	Certificate of appointment of witness - five or more candidates
219	Petition to be recognized as committee to appoint challengers - measure submitted
220	Petition to be recognized as committee to appoint witnesses and challengers – measure submitted
221	Certificate of appointment of challenger - duly recognized committee advocating/opposing a measur
222	Certificate of appointment of witness - duly recognized committee advocating/opposing a measure

Challenges to a Person's Right to Vote at the Polling Place - R.C. 3505.20

Who May Challenge

R.C. 3505.20 provides that the right of a person to vote on election day may be challenged, for good cause, by any of the following persons:

- Any challenger (appointed pursuant to R.C. 3505.21)
- Any elector then lawfully in the polling place
- Any judge or clerk of elections.

Procedure

- **If the Board of Elections Already Has Ruled on the Person's Eligibility**

  If the board of elections has ruled on the question presented by a challenge prior to election day pursuant to R.C. 3501.11(Q), R.C. 3503.24, R.C. 3505.19 or any other section of law, its finding and decision shall be final and the presiding judge shall be notified in writing of that decision.

- **If No Prior Ruling by the Board of Elections on the Person's Eligibility**

  If the board has not ruled, the question shall be determined as set forth in R.C. 3505.20.

Form

SoS No. 10-U *Affidavit/oath/examination of person challenged at polls on election day (RC 3505.20)*

Oath

If any person is so challenged as unqualified to vote, the presiding judge shall administer the following oath to the challenged person: "You do swear or affirm that you will fully and truly answer all of the following questions put to you, touching your place of residence and your qualifications as an elector at this election?"

Grounds for Challenge

1. Not a U.S. Citizen - R.C. 3505.20(A)

If the person is challenged as unqualified on the ground that the person is not a citizen, the judges shall put the following questions:

(1) Are you a citizen of the United States?
(2) Are you a native or naturalized citizen?
(3) Where were you born?

If the person offering to vote claims to be a naturalized citizen of the United States, the person shall, before the vote is received, either:

- Produce for inspection of the judges a certificate of naturalization and declare under oath that the person is the identical person named therein, or
- State under oath when and where the person was naturalized, that the person has had a certificate of the person's naturalization, and that it is lost, destroyed, or beyond the person's power to produce to the judges.

If the person states under oath that, by reason of the naturalization of the person's parents or one of them, the person has become a U.S. citizen, and when or where the person's parents were naturalized, the certificate of naturalization need not be produced.

2. Not a Resident of Ohio for 30 days Immediately Before the Election – R.C. 3505.20(B)

If the person is challenged as unqualified on the ground that the person has not resided in this state for 30 days immediately preceding the election, the judges shall put the following questions:

(1) Have you resided in this state for thirty days immediately preceding this election? If so, where have you resided? Name two persons who know of your place of residence.

(2) Have you been absent from this state within the 30 days immediately preceding this election? If yes, then the following questions:

(a) Have you continuously resided outside this state for a period of four years or more?

(b) Did you, while absent, look upon and regard this state as your home?

(c) Did you, while absent, vote in any other state?

3. Not a Resident of the County or the Precinct - R.C. 3505.21(C)

If the person is challenged as unqualified on the ground that the person is not a resident of the county or precinct where he offers to vote, the judges shall put the following questions:

(1) Do you now reside in this county?

(2) Do you now reside in this precinct?

(3) When you came into this precinct, did you come for a temporary purpose merely or for the purpose of making it your home?

4. **Not 18 years old by Election Day – R.C. 3505.20(D)**
   If the person is challenged as unqualified on the ground that the person is not of legal voting age, the judges shall put the following question: "Are you 18 years of age or more to the best of your knowledge and belief?"

Decision on Challenge
The presiding judge shall put such other questions to the person challenged under respective heads designated by this section, as are necessary to test the person's qualifications as an elector at the election.

- **Failure or Refusal to Answer**
  If a person challenged refuses to answer fully any question put to the person, is unable to answer the questions as they were answered on the registration form by the person under whose name the person offers to vote, refuses to sign the person's name or make the person's mark, or if for any other reason a majority of the judges believes the person is not entitled to vote, the judges shall refuse the person a ballot.

- **Failure to Qualify**
  If a person is disqualified under R.C. 3505.20(C) because the person does not now reside in the county or precinct, the presiding judge shall inform the person of the person's right to vote in the person's proper county or precinct of residence and instruct the person to contact the appropriate board of elections for information concerning the location of the person's voting precinct.

Decision is Final
The decision of said judges shall be final as to the right of the person challenged to vote at such election.

Policy and Procedures by the Ohio Association of Election Officials (OAEO)
Because statues do not specify the procedures and limitations for challenging voters, and because it is widely anticipated that challenger confusion could cause undue delays in voting, it is necessary to develop a policy for dealing with challenges posed at the precinct. The goal of this policy is to provide for the statutory rights of the challengers, while maintaining order in the polling location.

Challenger Interference
Challengers may not interfere with the voting process or unnecessarily delay it. For example, if a challenger challenges so many voters that his or her activities slow down the voting process or intimidate voters, then the presiding judge should take immediate action including expelling him or her from the polling place. If necessary, the presiding precinct judge shall follow the steps set forth below:

- The presiding precinct judge shall orally warn the challenger that his/her actions are jeopardizing the voters' constitutional right to cast a ballot.
- If a challenger again persists in delaying voting, the presiding precinct judge shall notify the Board of Elections director and deputy director of his or her decision to remove the challenger from the voting location.

Initiating the Challenge
- Challengers shall remain stationed behind the table where poll workers are seated.
- When a challenger wishes to challenge a voter, they shall do so by notifying the presiding judge and shall state the reason for the challenge.

- Whenever possible, the presiding judge shall move the challenged voter to an area no less than 10 feet from the poll worker table that will not obstruct other voters.

Presiding Judge Duties and Decision

- The presiding judge shall ask the appropriate questions by administering Form 10-U.
- The presiding judge shall put such other questions to the person challenged under respective heads designated by this section, as are necessary to test the person's qualifications as an elector at the election.
- If a person challenged refuses to answer fully any question put to the person, is unable to answer the questions as they were answered on the registration form by the person under whose name the person offers to vote, refuses to sign the person's name or make the person's mark, or if for any other reason a majority of the judges believes the person is not entitled to vote, the judges shall refuse the person a ballot.
- The decision of said judges shall be final as to the right of the person challenged to vote at such election.

DRAFT Challenger Policy

Background: ORC sections 3505.2, 3505.21 and 3506.13 allow any political party or group of five or more candidates to challenge voters based on three criteria: citizenship, residency (including a provisional voter), and age. The procedure for administering provisional ballots and/or the challenge thereof are found below entitled provisional balloting. Challengers must take an oath to "not cause delay to persons offering to vote."

Objective: Because the ORC does not specify the procedures and limitations for challenging voters, and because it is widely anticipated that challenger confusion could cause undue delays in voting, it is necessary to develop a policy for dealing with challenges posed at the precinct. The goal of this policy is to provide for the statutory rights of the challengers, while maintaining order in the polling location.

Policy:
Because challengers are given statutory powers by the ORC, the rights of challengers must be carefully guarded. Any challenger may question any voter based on the criteria set forth in ORC 3505.2, and specified in Form 10-U. However, challengers must remain cognizant of their oath to not cause delay to persons offering to vote.

Challengers may not interfere with the voting process or unnecessarily delay it. For example, if a challenger challenges so many voters that his or her activities slow down the voting process or intimidate voters, then the presiding judge should take immediate action including expelling him or her from the polling place, if necessary.

Upon the issuance of a challenge, the presiding precinct judge shall administer the questions prescribed in ORC section 3505.2, and follow procedures set forth in that section as specified in Form 10-U. If, in the opinion of a presiding precinct judge, a challenger is causing undue delays in voting by challenging so many voters that his or her activities slow down the voting process or by intimidating voters, the presiding precinct judge shall follow the steps set forth below:

1) The presiding precinct judge shall orally warn the challenger that their actions are jeopardizing the voters' constitutional right to cast a ballot.
2) If a challenger again persists in delaying voting, the presiding precinct judge shall notify the Board of Elections director and deputy director of his or her decision to remove the challenger from the voting location.

Procedure:
Challengers shall remain stationed behind the table where poll workers are seated. When a challenger wishes to challenge a voter, they shall do so by notifying the presiding judge. Whenever possible, the presiding judge shall move the voter and challenger to an area no less than 10 feet from the poll worker table that will not obstruct other voters. The challenger shall state the reason for the challenge. The presiding judge shall then ask the questions prescribed in section 3505.2 by administering Form 10-U. If the presiding judge rules in favor of the voter, the voter shall be allowed to vote. If the presiding judge

rules against the voter, the voter shall not be allowed to vote. Pursuant to ORC 3505.2, the decision of the presiding judge shall be final.

DRAFT
Instructions for Presiding Precinct Judges
Challengers

Who is eligible to be a challenger?

Challengers must register with the board of elections eleven days prior to the election. Challengers will receive a certificate of appointment from the board and must present that certificate to the presiding judge at the meeting the evening prior to the election or on the day of the election. **NO PERSON SHALL BE ADMITTED AS A CHALLENGER WITHOUT FIRST PRESNTING THEIR CERTIFICATE OF APPOINTMENT.**

Where should challengers stand?

Challengers shall stand or sit behind the table where poll workers check in voters.

How is a challenge initiated?

Challengers must notify the presiding judge of their intent to challenge a voter.

What happens once a challenge is initiated?

The presiding precinct judge shall attempt to move the voter and the challenger to an area at least ten feet from where persons are checking in to vote. The voter and challenger must be moved to an area where the administration of the challenge does not interfere with other voters ability to vote or unduly delay the voting process.

Once the voter and challenger are moved, how is a challenge administered?

The presiding judge shall ask the challenger on what basis the challenge is being issued. The presiding judge will then ask the questions prescribed in form 10-U to determine the validity of the challenge.

How is the validity of the challenge determined?

If the person challenged refuses to answer fully any question put to the person, is unable to answer the questions as they were answered on the registration form by the person under whose name the person offers to vote, refuses to sign the person's name or make the person's mark, or if for any other reason a majority of the polling judges believes the person is not entitled to vote, the judges shall refuse the person a ballot.

If the voter successfully answers the questions put forth by the presiding judge, the voter shall be allowed to vote.

If a person is disqualified because the person does not now reside in the county or precinct, the presiding judge shall inform the person of the person's right to vote in the person's proper county or precinct of residence and instruct the person to contact the appropriate board of elections for information concerning the location of the person's voting precinct.

Are the decisions of the judges final?

Yes. The decision of the polling judges is final as to whether or not a voter may cast a ballot.

What do I do if challengers are interfering with the voting process?

Challengers must take an oath to not unduly delay the voting process. If, in the opinion of the presiding judge, a challenger is delaying the voting process by challenging an inordinate amount of voters or is intimidating voters, the judge can remove that challenger. To do so, a presiding judge must:

1) Orally warn the challenger that they are delaying the voting process.
2) If the challenger persists, issue an "unruly challenger" form to the challenger.
3) If delays still persist, notify the challenger that they must leave the polling place. The presiding judge should simultaneously notify the board of elections that a challenger is being removed. If the challenger refuses to leave the polling site or becomes belligerent, the judge will ask the board of elections for assistance, and the board will take the necessary steps to remove that challenger.

Delaware County BOE

From: Lyon, Faith [FLyon@sos.state.oh.us]
Sent: Tuesday, June 22, 2004 10:46 AM
To: All Counties
Cc: Blackwell, J. Kenneth; Clark, Alisia; Dembinski, Sherri; Fair, Richard; Fashner, Jake; Haug, Nola; Hawkins Myra; Hernon, Michael; Hicks, Cassandra; Hoffman, Judy; Huff, Delmar; Hull, Betty; Jordan, Lori; Kennedy, David; Kindred, Sam; Lafferty, Karen; Lee, James; Leonti Joe; Lobb, Christian; Lobb, Monty; LoParo, Carlo; Lyon, Faith; Mehta Dilip; Quinn, Gretchen; Scott, Keith; Shifflette, Andy; Singh, Madhu; Weghorst, Richard; West, Joy; Wolfe, Pat; 'csubler@ccao.org'; 'aockerman@statestreetohio.com'; 's_b_spence@hotmail.com'; Masson, VJ; Wilcox, Marlo
Subject: Voting Information Postings - November Election

MEMORANDUM

TO: COUNTY BOARDS OF ELECTIONS

FROM: FAITH LYON, ELECTION REFORM ADMINISTRATOR

DATE: JUNE 22, 2004

SUBJECT: VOTING INFORMATION POSTINGS FOR NOVEMBER

Section 302(b) of HAVA, 42 U.S.C. 15482(b), entitled "Voting Information Requirements" requires state or local election officials to provide (1) "voting information to be publicly posted at each polling place on the day of each election for Federal office" conducted after January 1, 2004. Section 302(b)(2) defines "voting information" to include six specific items of information:
"(A) a sample version of the ballot that will be used for that election;

(B) information regarding the date of the election and the hours during which polling places will be open;
(C) instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;
(D) instructions for mail-in registrants and first-time voters under section 303(b);
(E) general information on voting rights under applicable Federal and State laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated; and
(F) general information on Federal and State laws regarding prohibitions on acts of fraud and misrepresentation."

The posters must be displayed in all polling places on election day in November and in each board of elections' office. Our office will once again provide each board with posters of the required instructions for your voting system(s) and notifications required by HAVA for the November election. Your board will be required to provide and post the sample version of your county's ballot. To assist our office in providing sufficient quantities of posters for all of your precincts, please email the number of posters your county will need to post for the November election and the type of voting equipment and vendor you will be using to me at flyon@sos.state.oh.us by Monday, July 12, 2004.

Ex. CC

Delaware County BOE

From: Walch, Dana [DWALCH@sos.state.oh.us]
Sent: Thursday, June 10, 2004 5:14 PM
To: All Counties; aockerman@statestreetohio.com; Blackwell, J. Kenneth; Clark, Alisia; Dembinski, Sherri; Fair, Richard; Fashner, Jake; Haug, Nola; Hawkins Myra; Hemon, Michael; Hicks, Cassandra; Hoffman, Judy; Huff, Delmar; Hull, Betty; Jordan, Lori; Kennedy, David; Kindred, Sam; Lafferty, Karen; Lee, James; Leonti Joe; Lobb, Christian; Lobb, Monty; LoParo, Carlo; Lyon, Faith; Mehta Dilip; Quinn, Gretchen; Scott, Keith; Shifflette, Andy; Singh, Madhu; Subler, Cheryl; Weghorst, Richard; West, Joy; Wolfe, Pat
Cc: David Cameron; Eric Duffy; Jane Perry; Karla Lortz; Ken Campbell; Lucille Walls; Pike
Subject: Polling Place Accessibility Checklist

ADAChecklist.pdf RestroomsRevised.doc

MEMORANDUM

TO: COUNTY BOARDS OF ELECTIONS

FROM: DANA WALCH, DIRECTOR OF ELECTION REFORM

DATE: JUNE 10, 2004

SUBJECT: POLLING PLACE ACCESSIBILITY CHECKLIST

Our office has received requests for information to assist the county boards of elections in assessing the accessibility of polling locations. Attached are two documents for the boards of elections to use on this important project. The first document was developed by the United States Department of Justice. It is a comprehensive checklist that covers parking lots, the path of travel to the building, hallways, and the voting area. The second document is a checklist to use for assessing the accessibility of restrooms at polling locations. I think you will find both of these checklists of great assistance as we work to make all polling locations fully accessible.

I would like to thank the members of our Voter Accessibility Committee for their assistance with these checklists. This committee has been of great help in providing our office with guidance on how to make every polling location in Ohio accessible.

Please do not hesitate to contact Joy West at (614) 728-8361 If you have any questions regarding either of these checklists.

<<ADAChecklist.pdf>> <<RestroomsRevised.doc>>

Ex. DD

Delaware County BOE

From: Walch, Dana [DWALCH@sos.state.oh.us]
Sent: Thursday, October 14, 2004 3:38 PM
To: All Counties
Cc: LoParo, Carlo; Lobb, Monty; Hicks, Cassandra; Dembinski, Sherri; Grady, Judy; Wolfe, Pat; 'aockerman@statestreetohio.com'
Subject: FW: Statement by Secretary of State J. Kenneth Blackwell

Secretary of State J. Kenneth Blackwell today issued the following statement in reference to U.S. District Judge James G. Carr's provisional ballot decision.

"Judge Carr's decision today is a misinterpretation of the Help America Vote Act (HAVA). While HAVA establishes provisional voting nationally, the law specifically leaves the issuing and counting of those ballots to states in accordance with state law. On Tuesday, a federal court in Missouri reaffirmed our understanding of HAVA and contradicted Judge Carr's interpretation. In addition, the bi-partisan Federal Election Assistance Commission, in a resolution issued Tuesday, acknowledged that Ohio's provisional ballot law - which is shared by 27 other states - is in compliance with the Help America Vote Act. We continue to believe that Ohio's laws are fair, just and in compliance with all federal statutes.

"The State of Ohio will file an immediate and expedited appeal with the 6th Circuit Court of Appeals."

J. Kenneth Blackwell
Ohio Secretary of State

Ex. EE

Delaware County BOE

From: Ockerman, Aaron [aockerman@statestreetohio.com]
Sent: Tuesday, April 13, 2004 11:00 AM
To: ADAMS ; ALLEN ; ASHLAND; ASHTABULA; ATHENS; AUGLAIZE; BELMONT; BROWN; BUTLER; CARROLL; CHAMPAIGN; CLARK; CLERMONT; CLINTON; COLUMBIANA; COSHOCTON; CRAWFORD; CUYHOGA; DARKE; DEFIANCE; DELAWARE; ERIE; FAIRFIELD; FAYETTE; FRANKLIN; FULTON; GALLIA; GEAUGA; GREENE; GUERNSEY; HAMILTON; HANCOCK; HARDIN; HARRISON; HENRY; HIGHLAND; HOCKING; HOLMES; HURON; JACKSON; JEFFERSON; KNOX; LAKE; LAWRENCE; LICKING; LORAIN; LUCAS; MADISON; MAHONING; MARION; MEDINA; MEIGS; MIAMI; MONROE; MONTGOMERY; MORGAN; MORROW; MUSKINGUM; NOBLE; OTTAWA; PAULDING; PERRY; PICKAWAY; PIKE; PORTAGE; PREBLE; PUTNAM; RICHLAND; ROSS; SANDUSKY; SCIOTO; SENECA; SHELBY; STARK; SUMMIT; TRUMBULL; TUSCARAWAS; UNION; VAN WERT; VINTON; WARREN; WASHINGTON; WAYNE; WILLIAMS; WOOD; WYANDOT
Cc: Tipps, Paul; Alice Nicolia (E-mail); Carole Garman; Chris Heizer; Jane Frymyer; Jeff Matthews (E-mail); Jeff Wilkinson (E-mail); Jody Beall O'Brien; John Myers; Linda Hlebak; Marilyn Jacobcik; Penny Brooks; Sharon Fisher; Shirley Davis; Kathy Jones (E-mail); Keith Cunningham; Lynne King (E-mail); Mike Sciortino; Mike Sciortino (law) (E-mail); Becky Kirkbride; Bob Wasko; Chuck Miller (home) (E-mail); Curt Braden (E-mail); Dale Graham; Gary Coberly; Karen Simmons; Matt Damschroder; Patrick Hennessey; Robert Erwin (E-mail); Shannon Leininger; Susan Gwinn; Susan Hughes; Tim Steineman; Naoma Gauder & Mary Headley
Subject: OAEO response to recommendations

OAEO letter.doc

News Articles.pdf

Dear Directors, Deputy Directors, and Board Members:

Attached, please find a letter from President Mike Sciortino and 1st Vice President Keith Cunningham to Speaker Larry Householder and Senate President Doug White. The letter alerts members of the General Assembly to the potential pitfalls of the recommendations of the Joint Committee on Ballot Security.

While the OAEO has, at this point, not taken formal positions on the recommendations nor presented alternatives, the leadership of the association felt that timely correspondence with the General Assembly was warranted. As you are now aware, the entire association will be meeting to discuss alternative recommendations and a strategy for disseminating those to the General Assembly.

Additionally, we attached news articles from several news outlets that reflect the views of the majority of the association's officers, trustees, and legislative committee members. If you have any questions about the letter, please do not hesitate to contact me, or any member of the association's leadership.

Aaron

<<OAEO letter.doc>> <<News Articles.pdf>>

Ex. FF

April 13, 2004

Speaker Larry Householder and Senate President Doug White
Statehouse
Columbus, OH 43215

Dear Speaker Householder and President White:

The Ohio Association of Election Officials (OAEO) has watched with great interest the progress of the Joint Committee on Ballot Security. We feel compelled to respond to the recommendations that the committee released on April 7th.

The OAEO believes that the Ballot Security Committee, with limited time and a very complex issue, has failed to recommend good public policy. The injection of personalities and emotion has impaired the clarity necessary to protect the rights of Ohio voters. We, the members of OAEO, are your friends and neighbors, whom you have made statutorily responsible to run the elections of your county. We have not failed you in the past and will continue to merit your confidence. Unfortunately, our testimony at the Ballot Security Committee appears to have been largely ignored.

If the recommendations of the Ballot Security Committee are implemented as delivered, your county could be made liable for substantial additional costs from a unique State mandate. Additionally, our ability to insure that Ohio is not the Florida of 2004 may be compromised. Congressman Bob Ney, the primary sponsor of the Help America Vote Act and former member of the Ohio General Assembly, has expressed to us his apprehensions with the committee's recommendations. The OAEO shares many of those same concerns. We ask you to quickly, but deliberately, remove the doubts developed unintentionally by the Ballot Security Committee, including the legal consequences if the existing contracts are improperly voided.

We, your election experts, have spent countless hours viewing demonstrations and attending local and national conferences on this very subject. As such, we are anxious to assist you and avoid unnecessary confusion and possible embarrassment. We urge you to give full attention and deliberation to the recommendations you are proposing. Fast tracking comprehensive changes to the elections system will do nothing to serve the public interest.

Please hear from us before you consent to a course of action that may be counter-productive. We will be bringing forth our recommendations directly to you and your members.

Sincerely,

Michael Sciortino, Director
Mahoning County Board of Elections
President, OAEO

Keith Cunningham, Director
Allen County Board of Elections
First Vice-President, OAEO

Cc: Members of the 125th General Assembly
Secretary of State Ken Blackwell
Governor Bob Taft

Attachment

Attached, please find articles from various news publications across the state expressing concern with the recommendations of the Joint Committee on Ballot Security. The packet includes:

Cincinnati Enquirer, editorial- Opposition to voter verifiable paper trails

Mansfield News Journal, editorial- Opposition to voter verifiable paper trails

Toledo Blade, editorial- Opposition to voter verifiable paper trails, support for implementation of HAVA

Lake County News Herald, article- Unintended consequences of recommendations including cost to county governments

Akron Beacon Journal, op-ed column- Opposition to voter verifiable paper audit trails, support for timely implementation of HAVA

Cincinnati Enquirer

Sunday, April 11, 2004
Paper receipts make for risky voting

Editorial

Ohio Secretary of State Ken Blackwell Thursday nudged Hamilton County at last to join most other Ohio counties that already selected new voting machines. But some state officials still are trying to snatch defeat out of the jaws of victory. The state Controlling Board is holding up $127 million in federal dollars meant to buy more reliable voting machines. And members of a House-Senate committee Wednesday added their own mischief: They recommended boards of elections be required to let Ohio voters confirm their election choices with paper receipts by 2006.

The Controlling Board should free the funds, and lawmakers should dump paper receipts as a beguiling but bad idea.

Congress hoped the federal Help America Vote Act would allow states to install new machines by November in time to avoid a repeat of the 2000 presidential election fiasco. Hamilton County uses Florida-style punch-card ballots but has not experienced such foul-ups, but the system is vulnerable to overvoting and other errors. Ohio was granted a waiver on the change-over until 2006, but there's no excuse for continued delays.

Blackwell had to break an impasse on the Hamilton County Board of Elections and make the final choice of voting systems himself. His choice of Hart InterCivic's eSlate looks promising. Election officials here consider it the most secure, since it has no outside ports that hackers could penetrate. Much larger Orange County, Calif., used eSlate successfully March 2. Paper receipts may seem a good idea to let voters verify that their vote was accurately recorded. But paper receipts enable the possibility of vote-buying. Vote sellers could turn them in as proof needed to collect bribes from corrupt political organizers. The new machines allow voters to review their vote, and the new federal law requires the machines to produce a secure "audit trail" that lets election officials cross-check paper printouts with electronic totals.

Paper receipts only add more cost, delay and risk of abuse with little or no increase in voter confidence.

Letters Policy

We welcome letters of 350 words or less. Letters are subject to editing for length, clarity and grammar. Letters that deal with private disputes or contain criticism of private individuals or businesses are not published. Sign letters and include phone number for verification. Send letters to: Letters to the Editor, P.O. Box 25, Mansfield 44901. Call (419) 521-7208 with questions about submitted letters. E-mail letters to churnel@nncogannett.com. Letters to the editor, editorial columns and articles submitted to the News Journal may be published or distributed in print, electronic or other forms.

Comment

Editorial

No receipt is really necessary

The Issue:
Do voters using electronic voting machines need a paper receipt?

Our Opinion:
The proposed paper trail is unnecessary and just more of a barrier for the voter.

We disagree with members of a legislative panel who favor paper receipts for Ohio voters using electronic voting machines.

This would only further complicate the elections process. We think Secretary of State Ken Blackwell, Ohio's chief elections official, is correct in opposing added technology he says is costly, impractical and unnecessary.

Ohio is taking the proper path in upgrading its voting systems because of the federal Help America Vote Act, passed after ballot problems in Florida in the 2000 presidential election. New electronic voting systems could be in a third of Ohio counties before November.

But the mandate for paper receipts could delay the transition to touch-screen voting machines because vendors need to develop the process. The idea is for voters using new touch-screen machines to see their own vote printed out before leaving the polling place. We would rather see the money and time spent on training precinct workers to assist voters.

We're not sure the receipts would really help the elections process. We agree with Blackwell's assertion it would be both costly and cumbersome.

Two other states, California and Nevada, recently passed legislation requiring the voter-verified paper trail. Under the federal law, new voting machines are required to produce a paper printout of all votes cast, known as an audit trail, to cross-check electronically tabulated totals.

Insuring fair and accurate elections in Ohio is a serious matter. But a paper trail seems like more bureaucratic red tape for voters to trip over.

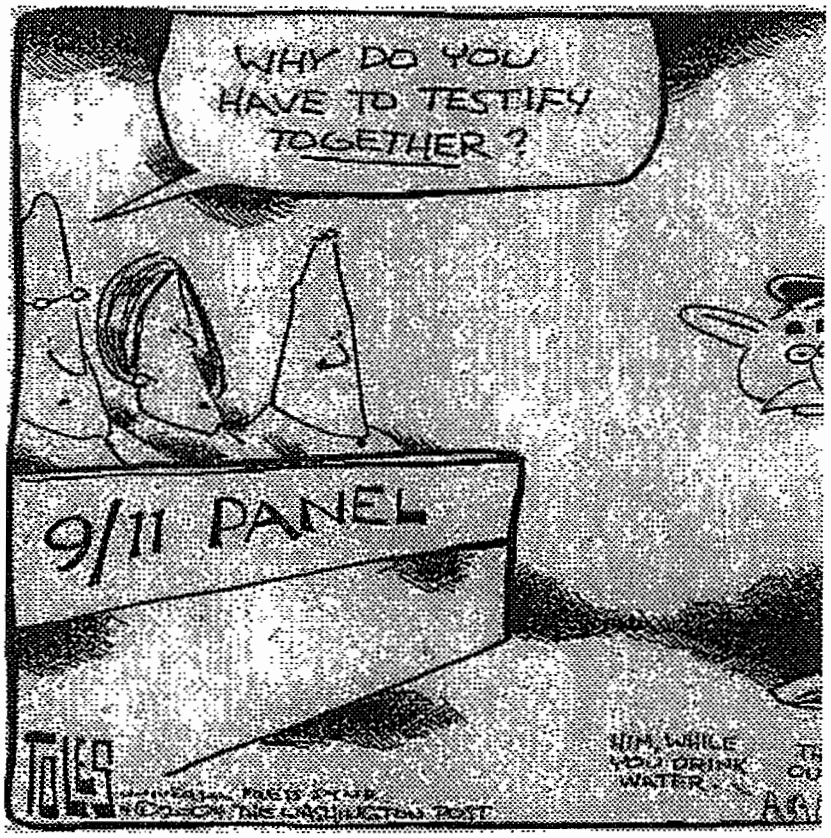
The touch-screen machines should improve the voting process for all residents. A paper receipt isn't necessary.

Hot Lines

AIDS Hot line: (800) 332-AIDS. Ohio Department of Health answers questions about acquired immune deficiency syndrome and provides referrals to appropriate health care professionals

Department of Agriculture: (800) 282-1955. **Market News:** (800) 282-7605. Takes complaints on produce, dairy products, meats, poultry, the labeling of food products and over-the-counter drugs.

Business Development: (800) 282-1085. An-



No free speech s

Alan Borovoy, general counsel of the Canadian Civil Liberties Union, said a few years ago that "Canada is a pleasantly authoritarian country." An example of what he means is Bill C-250, a repressive, anti-free-speech measure on the brink of becoming law in Canada. It would add sexual orientation to the Canadian hate propaganda law, thus making public criticism of homosexuality a crime. It is sometimes called the "Bible as Hate Literature" bill, or simply "the chill bill." It could ban publicly expressed opposition to gay marriage or any other political goal of gay groups.

The bill contains a loophole for religious opposition to homosexuality, but few scholars think the loophole will offer protection, given the strength of the gay lobby and the trend toward censorship in Canada.

Law professor David Bernstein, in his pro-free-speech book "You Can't Say That!" published late last year, wrote "it has apparently become illegal in Canada to advocate traditional Christian opposition to homosexual sex." Or traditional Jewish or Muslim opposition, too.

Since Canada has no First Amendment, anti-bias law generally trumps free speech and freedom of religion. A recent flurry of cases has mostly gone against free expression. The Saskatchewan Human Rights Commission ruled that a newspaper ad listing biblical passages that oppose homosexuality was a human rights offense.

condition that can and should be treated. The teacher, Chris Kempling, was not accused of any discriminatory acts, merely of expressing thoughts that have been defined as improper by the state.

That anti-free speech principle, social conservatives argue, will become explicit national policy under C-250, with criminal penalties attached. Religi groups say it would become risky them to teach certain biblical pas in their own Bible classes.

Some prominent Canadians say discussions about gay men giving blood will be suppressed. Some 87 cent of Canada's AIDS cases are ga males.

Robert Spitzer of Columbia Univ sity, a longtime supporter of gay ri and an important figure in the Am can Psychiatric Association for ma years, recently published a study f ing that many gays can become he erosexual. Would that study be bar under C-250 as hate speech? And s C-250 does not mention homosexu but talks only of protecting sexual entation, some think the bill opens door for Canada's free-wheeling ju ciary to extend protection to many sexual minorities. Bestiality, pedo ia and sadism are among the cond

toledoblade.com®
© 2004 The Blade. Privacy and Security Statement. By using this service, you accept the terms of our visitor agreement: Please read it.

To print this article, choose Print from the File menu.

Back to: http://www.toledoblade.com/apps/pbcs.dll/article?AID=/20040409/OPINION02/404090328

Article published April 9, 2004

End voting machine standoff

BEFORE proper administration of the 2004 presidential election is jeopardized in Ohio, the legislative committee in Columbus studying voting-machine security should give up its intransigent attitude and clear the way for approval of $128 million in federal funds to pay for new touch-screen equipment.

Such a move is especially urgent now that Secretary of State Ken Blackwell has broken a tie and directed the Lucas County board of elections to purchase the latest in electronic voting devices.

State approval of the federal funds is necessary so that Lucas County can avoid having to lease equipment to replace the antiquated and broken-down lever machines that have been used since 1964. The county's share of the federal money is about $2.5 million.

The longer the legislative logjam persists, the less time counties will have to acquire the touch-screen devices and thoroughly train poll workers prior to the presidential election. Ohio does not want to take Florida's place as electoral laughingstock of the nation, and the surest way to avoid a replay of the 2000 debacle is to get the new equipment in place and the kinks out well in advance of Nov. 2.

To accomplish that, members of the General Assembly's Joint Committee on Ballot Security must put aside partisan motives and do what's best for the entire state. That means banishing forever the punch-card voting systems found wanting in Florida but still in use by 69 of 88 Ohio counties.

What's going on in Columbus is less an honest disagreement over important public policy than a convergence of political interests that can only be described as strange.

Many among the majority Republicans in the legislature oppose releasing the federal money because they don't want to admit the obvious - that this nation's election machinery failed badly in 2000, precipitating a loss of trust in the political process that could take years to overcome.

Democrats, apparently scratching for an issue they can spin to their advantage, have bought into overblown claims that electronic voting can be easily manipulated.

In the middle is Secretary of State Ken Blackwell, who has sometimes stumbled badly down the path of voting reform but has at least moved forward to implement provisions of the federal Help America Vote Act, which includes money for the new machines.

We believe Mr. Blackwell, Ohio's chief election officer, made the right call in casting his tie-

breaking vote for Lucas County to obtain touch-screen equipment from Diebold Elections Systems.

As we have said before, security concerns with these machines have been exaggerated since they are not tied into the Internet and thus are not susceptible to computer hackers.

One good recommendation from the chairman of the legislative committee, state Sen. Randy Gardner, Republican of Bowling Green, is to set aside any requirement that the touch-screen machines be equipped with printers to provide receipts to voters. Rather than improve the process, such receipts would instead provide collateral for corruption, especially vote-buying. However, Senator Gardner's idea was defeated by his own committee.

The money for genuine reform is available, and Ohio counties are in most cases ready to update their voting systems. All that is necessary now is for state lawmakers to abandon their political games and let the professionals plan a presidential election for Nov. 2 in which each and every ballot will be correctly cast and counted.

LAKE COUNTY NEWS-HERALD 4/9/2004

Voting changes could prove costly

■ Joint committee recommendation could cost Lake County millions

Jackie Tilton
Staff Writer

The concept of paper receipts for voters and standardizing voting procedures across the state have raised major concerns for Lake County Elections Board Director Janet F. Clair.

Clair worries that recommendations coming out of the Ohio Joint Committee on Ballot Security on Wednesday, if added into state legislation, will make the county's electronic voting system virtually useless.

The state House-Senate panel reviewed standards required by the federal Help America Vote Act, which had been scheduled for implementation this year.

However, Secretary of State Kenneth J. Blackwell received a waiver to put off until 2006 the requirement to convert all voting systems to electronic touch-pad or optical scan machines.

The state Controlling Board, made up of six legislators and a representative of Gov. Bob Taft's office, is holding up the $127 million in federal money to begin making the conversion to the new machines.

Clair's concerns stem from a recommendation from the joint committee that calls for the Secretary of State to cancel contracts deferred by the Controlling Board and to conduct a new bidding process for machines to include voter-verifiable paper audit trails.

This would mean all existing or pending contracts with vendors, such as the $3 million contract Lake County entered into in 1999 for 550 new electronic voting machines, would become null and void.

"It will cost the county millions," Clair said.

Lake County is one of six counties across the state with updated electronic systems. While Lake County was heralded for the initiative it took in purchasing the electronic machines, it could now be forced to negotiate a contract for new equipment before the August election.

John F. Platz, chairman of the Lake County Elections Board, also voiced frustration.

"We're light years ahead of everybody," Platz said.

"It makes absolutely no sense to compel us to get new machines after five years of elections without any problems."

A green light tells voters in Lake County when their votes have been recorded.

"I think, as far as Lake County is concerned, they should leave well enough alone and exempt us," said Platz, who also believes the paper trail would threaten the secrecy of the ballot.

The joint committee said, if Blackwell agrees to it, counties could move forward with new electronic voting machines that cannot provide paper records and retrofit those machines next year to include them at the counties' cost.

The HAVA requirements were passed by Congress and signed by President Bush in 2002.

James Lee, spokesman for Blackwell's office, noted that Ohio is mandated by the federal law to get rid of "antiquated" punch-card voting systems.

He said the goal is not to punish counties like Lake that already have advanced beyond the punch-card system.

"We applaud those counties that have taken the lead."

James Lee
Spokesman for Secretary of State Kenneth J. Blackwell

"We applaud those counties that have taken the lead," he said.

"We're prepared to move forward with this process," Lee added, stating the Secretary of State's office is eager to present its case to the Controlling Board so the millions of dollars appropriated by Congress for new voting machines can be put to use. Twenty-seven Ohio counties are seeking the funding.

U.S. Rep. Steven C. LaTourette, R-Concord Township, said he also has been made aware of Clair's concerns.

He said the recommendations from the joint committee are a result of a political conflict between the state legislature and Blackwell's office.

"Basically, it's an outrage," he said. "When it costs Lake County $3 million, it's disgusting."

LaTourette said he will work with state representatives for Lake County to resolve the issue, while Clair said she and other members of the Ohio Association of Election Officials will fight to get the line stricken from the joint committee's recommendations that calls for existing contracts to be nullified.

The Associated Press contributed to this article.

Delaware County BOE

From: Ockerman, Aaron [aockerman@statestreetohio.com]
Sent: Wednesday, April 14, 2004 8:58 AM
To: Alice Nicolia (E-mail); Beth Ann Snyder; Beverly Marker; Carole Garman; Chris Heizer; Ida Kay Keller; Jan Clair; Jane Frymyer; Janet Commers; Jeanette Mullane; Jeff Matthews (E-mail); Jeff Wilkinson (E-mail); JoAnn Friar; Jody Beall O'Brien; John Myers; Linda Hlebak; Marilyn Jacobcik; Mary Jo Long; Penny Brooks; Robert Mosketti; Rose Walters; Sharon Fisher; Shirley Davis; Kathy Jones (E-mail); Keith Cunningham; Lynne King (E-mail); Mike Sciortino; Mike Sciortino (law) (E-mail); Becky Kirkbride; Bob Wasko; Chuck Miller (home) (E-mail); Curt Braden (E-mail); Dale Graham; David Staley; Gary Coberly; Karen Simmons; Lois Enlow; Mary Funk; Matt Damschroder; Patrick Hennessey; Pauline Reil; Robert Erwin (E-mail); Shannon Leininger; Susan Gwinn; Susan Hughes; Tim Steineman; Vicki Reed
Subject: we're on our way!

SECRETARY OF STATE APPEALS TO GOVERNOR, SENATE PRESIDENT FOR CONTROLLING BOARD ACTION ON TOUCH SCREEN VOTING

Secretary of State J. Kenneth Blackwell is appealing to Senate President Doug White and Governor Bob Taft for Controlling Board action next Monday on a delayed $128 million request to convert punch card ballots to electronic voting machines starting this year.

Mr. Blackwell's letter came after Controlling Board President Lisa Dodge informed him his trio of requests that the board previously deferred, pending a report from a special House-Senate panel, would not appear on the April 19th board agenda. "I told them we were not going to reconsider these. The members made it clear that they still were deferring to the Joint Committee on Ballot Security and the recommendations they made before we reconsider these items," Ms. Dodge said Tuesday.

The joint committee said last week that Mr. Blackwell should cancel the contracts pending before the board and conduct a new bidding process for touch screen voting machines that included voter verifiable paper audit trails. Those recommendations and several others now go to Senator White (R-Manchester) and House Speaker Larry Householder (R-Glenford) for possible inclusion in legislation (HB 262) that is pending in the Senate.

Secretary Blackwell on Monday asked Senator White to request that one of two Senate members on the Controlling Board advance the matter for consideration at Monday's meeting.

Separately, the Ohio Association of Election Officials told Rep. Householder and Senator White in a letter Tuesday that the joint committee had failed to recommend good public policy. "The injection of personalities and emotion has impaired the clarity necessary to protect the rights of Ohio voters," said Michael Sciortino, the association president. He said the group's testimony before the committee in favor of deployment appears to have been largely ignored.

"We ask you to quickly, but deliberately, remove the doubts developed unintentionally by the ballot security committee, including the legal consequences if the existing contracts are improperly voided," Mr. Sciortino said. "We urge you to give full attention and deliberation to the recommendations you are proposing. Fast tracking comprehensive changes to the elections system will do nothing to serve the public interest."

Dwight Crum, spokesman for Mr. Householder, said the speaker had not yet seen the letter from election officials. "We're still reviewing the recommendations from the panel," Mr. Crum said Tuesday. Senator White was unavailable to comment. Governor Taft is reviewing the joint committee's recommendations, said Orest Holubec, his spokesman.

Prescribed by
Ken Blackwell, Secretary of State
30 East Broad Street, 14th Floor
Columbus, Ohio 43266-0418
Form LCA (July 1994)

Approved _____
Date _____
Fee $85.00

ARTICLES OF ORGANIZATION

(Under Section 1705.04 of the Ohio Revised Code)
Limited Liability Company

The undersigned, desiring to form a limited liability company, under Chapter 1705 of the Ohio Revised Code, do hereby state the following:

FIRST: The name of said limited liability company shall be
STATE STREET CONSULTANTS, LLC.

SECOND: This limited liability company shall exist for a perpetual period.

THIRD: The address to which interested persons may direct requests for copies of any operating agreement and any bylaws of this limited liability company is:
137 East State St., Columbus, Ohio 43215

[ ] Please check this box if additional provisions are attached hereto

IN WITNESS WHEREOF, we have hereunto subscribed our names, this 10 day of August, 1999.

Signed: _____
Paul Tipps

Signed: _____
Neil S. Clark

Ex. GG

Prescribed by
Ken Blackwell, Secretary of State
30 East Broad Street, 14th Floor
Columbus, Ohio 43266-0418
Form LCO (July 1994)

ORIGINAL APPOINTMENT OF AGENT
(for limited liability company)

The undersigned, being at least a majority of the members of **STATE STREET CONSULTANTS, LLC.**, hereby appoint **Diane J. Harrison,** to be the agent upon whom any process, notice or demand required or permitted by statute to be served upon the limited liability company may be served. The complete address of the agent is:

137 East State Street, Columbus, Ohio 43215

Neil S. Clark (member) Paul Tipps (member)

(If insufficient space for all signatures, please attach a separate sheet containing additional signatures)

ACCEPTANCE OF APPOINTMENT

The undersigned, named herein as the statutory agent for State Street Consultants, LLC., hereby acknowledges and accepts the appointment of agent for said limited liability company.

Agent' s Signature

INSTRUCTIONS

1. Articles of organization must be accompanied by an original appointment of agent R.C. 1705.06(B).

2. The agent for a limited liability company must be an individual who is a resident of Ohio, an Ohio corporation, or a foreign corporation holding an Ohio license as a foreign corporation. R. C. 1705.06(A)

3. An original appointment of agent form must be signed by at least a majority of the members of the limited liability company.

KENNETH F. SEMINATORE
Suite 1715, The Superior Building
815 Superior Avenue
Cleveland, Ohio 44114-2700

Secretary of State
30 East Broad Street, 14th Floor
Columbus, Ohio 43266-0418

43266-0418

	DATE	DOCUMENT NO	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
1.	10/29/1999	199926401418	LCA ARTICLES OF ORGANIZATION/DOM. LIMITED LIABILITY C	85.00	0.00	0.00	0.00	0.00
			TOTAL	85.00	0.00	0.00	0.00	0.00

Return To:
KENNETH F. SEMINATORE
815 SUPERIOR AVE STE 1715
THE SUPERIOR BLDG
CLEVELAND, OH 44114-2700

cut along the dotted line

The State of Ohio
Certificate

Secretary of State - J. Kenneth Blackwell

1110212

It is hereby certified that the Secretary of State of Ohio has custody of the business records for STATE STREET CONSULTANTS, LLC. and that said business records show the filing and recording of:

Document(s)	Document No(s):
ARTICLES OF ORGANIZATION/DOM. LIMITED LIABILITY CO	*199926401418*

United States of America
State of Ohio
Office of the Secretary of State

Witness my hand and the seal of the Secretary of State at Columbus, Ohio, This 13th day of August, A.D. 1999

J. Kenneth Blackwell
Secretary of State

Joint Legislative Ethics Committee
50 West Broad Street, Suite 1308
Columbus, Ohio 43215-5908
(614) 728-5100

Election Systems & So *01L0* Clark, Neil S

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Joint Legislative Ethics Committee within ten (10) days of engagement. Please read instructions and review Section 101.72, Ohio Revised Code, prior to filing. There is a $10.00 fee for this filing. *Check or money order only made payable to "JLEC".* Upon termination of this engagement, there is an affirmative duty to notify the Joint Legislative Ethics Committee within thirty (30) days (the form may be obtained from JLEC.) **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

ENTERED 8/27/02

OFFICE OF LEGISLATIVE INSP. GENERAL AUG 27 2002

A. LEGISLATIVE AGENT INFORMATION

1. Full Name Neil S. Clark

2. Occupation Lobbyist/Consultant

3. Business Address 137 East State Street
(Street) - (Suite number)
Columbus, OH 43215
(City) -(State) -(Zip(+4))

4. Telephone Number 614-221-3600

5. Date of Engagement as Legislative Agent July 2, 2002

B. EMPLOYER INFORMATION

1. Full name of company or organization Election Systems & Software, Inc. (ES&S)

2. Type of Industry

3. Business Address 11208 John Galt Blvd.
(Street) - (Suite Number)
Omaha, NE 68137
(City)-(State)-(Zip(+4))

Contact Person Located at Employer's Address Eric A. Anderson
Telephone Number of Contact person 800-800-0270

4. Real Party in Interest - **THIS MAY ONLY BE USED IN COMPLIANCE WITH O.A.C. 101-9-02**
If none, check here ☑

Full Name

Business Address
(Street) -(Suite Number)

(City)-(State)-(Zip (+4))

Rev. 3/00

C. Brief description of the type of legislation to which Legislative Agent's engagement relates:
Legislation which would have an effect on the interests of the employer.

D. Categorical listing of principal business or activity of Employer, please check all that are applicable:

☐ Agriculture	☐ Environment	☐ Real Estate/Housing
☐ Alcohol/Tobacco	☐ Financial Institutions/Consumer Finance	☐ Retail/Commercial
☐ Arts/Entertainment	☐ Medical/Hospitals/Health Care	☐ Service Business
☐ Communications/Media	☐ Insurance	☐ Social Svs./Human Svs.
☐ Contractors/Construction	☐ Labor/Labor Organizations	☐ Science and Technology
☐ County/Local Government	☐ Legal	☐ State Employees
☐ Education	☐ Manufacturer	☐ State Government
☐ Energy/Utilities	☐ Public Interest	☐ Transportation

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Neil S. Clark
Type or Print Name of Legislative Agent

Signature of Legislative Agent — Date: 7-12-02

Eric A. Anderson
Type or Print Name of Person Signing for Employer

Signature for Employer — Date: 7/3/02

Title: General Counsel

I AM A STATE EMPLOYEE AND NOT REQUIRED TO PAY THE $10 REGISTRATION FEE.
PLEASE CHECK IF APPLICABLE ☐

Rev. 3/00

Joint Legislative Ethics Committee
50 West Broad Street, Suite 1308
Columbus, Ohio 43215-5908
(614) 728-5100

577703E03657
Official Use Only - Do not alter the above barcode

EXECUTIVE AGENCY LOBBYIST/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Joint Legislative Ethics Committee within ten (10) days of engagement. Please read instructions and review Section 121.62, Ohio Revised Code, prior to filing. There is a $10.00 fee for this filing. *Check or money order only made payable to "JLEC".* Upon termination of this engagement, there is an affirmative duty to notify the Joint Legislative Ethics Committee within thirty (30) days (the form may be obtained from JLEC.) **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

$10.00 FILING FEE
(check or money order only)

A. EXECUTIVE AGENCY LOBBYIST INFORMATION

ENTERED 2/17/03

1. Full Name: Neil S Clark
2. Occupation:
3. Business Address: 137 East State Street,
   Street — Suite number
   Columbus — OH — 43215
   City — State — Zip(+4)
4. Telephone Number: (614) 221-3600
5. Date of Engagement as Executive Agency Lobbyist: February 1, 2003

OFFICE OF LEGISLATIVE INSP. GENERAL
JAN 31 2003

B. EMPLOYER INFORMATION

1. Full name of company/org.: Election Systems & Software, Inc.
2. Type of Industry:
3. Business Address: 11208 John Galt Boulevard
   Street — Suite Number
   Omaha — NE — 68137
   City — State — Zip(+4)
4. Contact Person Located at Employer's Address: Eric A. Anderson
   Telephone number of contact person: (800) 800-0270
5. Real Party in Interest-THIS MAY ONLY BE USED IN COMPLIANCE WITH O.A.C. 101-11-02
   If none, check here
   Full Name:
   Business Address:
   Street — Suite Number
   City — State — Zip (+4)

C. Brief description of the Executive Agency Decision(s) to which Executive Agency Lobbyist's engagement relates:

_____

_____

_____

D. Categorical listing of offices of Elected Executive Officials, Departments or Executive Agencies to which the engagement relates: (Please check all that are applicable):

Offices of Elected Executives	Executive Agency Departments, Boards, Commission
_____Governor	(Please see and check attached list)
_____Lieutenant Governor	
_____Secretary of State	
_____Auditor of State	
_____Treasurer of State	
_____Attorney General	

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Neil S. Clam
Type or Print Name of Executive Agency Lobbyist

Signature of Executive Agency Lobbyist

1/22/03
Date

Eric A. Anderson
Type or Print Name of Person Signing for Employer

Signature for Employer

General Counsel
Title

January 9, 2003

Joint Legislative Ethics Committee
50 West Broad Street, Suite 1308
Columbus, Ohio 43215-5908
(614) 728-5100
www.jlec-olig.state.oh.us

Diebold Election Syste *03L0* Clark, Neil S

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Joint Legislative Ethics Committee within ten (10) days of engagement. Please read instructions and review Section 101.72, Ohio Revised Code, prior to filing. There is a $25.00 fee for this filing. *Check or money order only made payable to "JLEC".* Upon termination of this engagement, there is an affirmative duty to notify the Joint Legislative Ethics Committee within thirty (30) days (the form may be obtained from JLEC.) **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

$25.00 FILING FEE
(check or money order only)

ENTERED 10/6/04

OFFICE LEGISLATIVE INSP. GENERAL SEP 22 2004

A. LEGISLATIVE AGENT INFORMATION

1. Full Name Neil S. Clark
2. Business Address 137 East State Street
   Street — Suite number
   Columbus — City; OH — State; 43215 — Zip(+4)
3. Telephone Number 614-221-3600 Email
4. Date of Engagement as Legislative Agent ~~August 1, 2004~~ SEPTEMBER 14, 2004

B. EMPLOYER INFORMATION

1. Full name of company or organization Diebold Elections Systems, Inc.
2. Mailing Address 1611 Wilmeth Road
   Street — Suite Number
   McKinney — City; Texas — State; 75069-8250 — Zip(+4)
3. Contact Person Located at Employer's Address David Byrd
   Telephone number of contact person (972) 542-6000
4. Real Party in Interest-THIS MAY ONLY BE USED IN COMPLIANCE WITH O.A.C. 101-9-02
   If none, check here ✓
   Full Name
   Business Address
   Street — Suite Number
   City — State — Zip (+4)

C. **Brief description of the type of legislation to which Legislative Agent's engagement relates:**

Legislation which would have an effect on the interests of the employer

D. **Categorical listing of principal business or activity of Employer, please check all that are applicable:**

- [ ] Agriculture
- [ ] Alcohol/Tobacco
- [ ] Arts/Entertainment
- [ ] Communications/Media
- [ ] Contractors/Construction
- [x] County/Local Government
- [ ] Education
- [ ] Electronic Commerce
- [ ] Energy/Utilities
- [ ] Environment
- [ ] Financial Institutions/Consumer Finance
- [ ] Medical/Hospitals/Health Care
- [ ] Insurance
- [ ] Labor/Labor Organizations
- [ ] Legal
- [ ] Manufacturer
- [ ] Public Interest
- [ ] Real Estate/Housing
- [ ] Retail/Commercial
- [ ] Service Business
- [ ] Social Svs./Human Svs.
- [ ] Science and Technology
- [ ] State Employees
- [x] State Government
- [ ] Transportation

E. CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Neil S. Clark

Type or Print Name of Legislative Agent

Signature of Legislative Agent

9/10/04

Date

David Byrd

Type or Print Name of Person Signing for Employer

Signature for Employer

Director Finance & Operations

Title

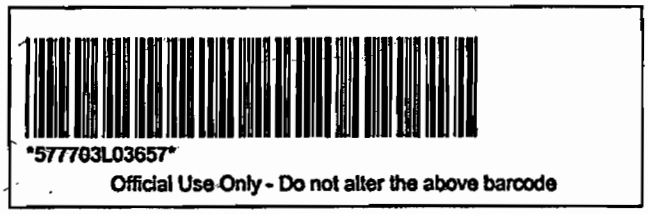
9/15/04

Date

F. I AM A STATE EMPLOYEE AND NOT REQUIRED TO PAY THE $25 REGISTRATION FEE. *PLEASE INITIAL IF APPLICABLE* _____

Rev. 9/03

Joint Legislative Ethics Committee
50 West Broad Street, Suite 1308
Columbus, Ohio 43215-5908
(614) 728-5100



LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Joint Legislative Ethics Committee within ten (10) days of engagement. Please read instructions and review Section 101.72, Ohio Revised Code, prior to filing. There is a $10.00 fee for this filing. *Check or money order only made payable to "JLEC".* Upon termination of this engagement, there is an affirmative duty to notify the Joint Legislative Ethics Committee within thirty (30) days (the form may be obtained from JLEC.) **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

$10.00 FILING FEE
(check or money order only)

A. LEGISLATIVE AGENT INFORMATION

ENTERED 2/17/03

1. Full Name Neil S Clark

2. Occupation

3. Business Address 137 East State Street,
   Street — Suite number
   Columbus — OH — 43215
   City — State — Zip(+4)

4. Telephone Number (614) 221-3600

5. Date of Engagement as Legislative Agent January 1, 2003

OFFICE OF LEGISLATIVE INSP. GENERAL JAN 31 2003

B. EMPLOYER INFORMATION

1. Full name of company or organization Election Systems & Software, Inc.

2. Business Address 11208 John Galt Boulevard,
   Street — Suite Number
   Omaha — NE — 68137
   City — State — Zip(+4)

3. Contact Person Located at Employer's Address Eric A. Anderson
   Telephone number of contact person (800) 800-0270

4. Real Party in Interest-THIS MAY ONLY BE USED IN COMPLIANCE WITH O.A.C. 101-9-02
   If none, check here
   Full Name
   Business Address
   Street — Suite Number
   City — State — Zip (+4)

C. Brief description of the type of legislation to which Legislative Agent's engagement relates:

_____

_____

_____

D. Categorical listing of principal business or activity of Employer, please check all that are applicable:

_____Agriculture	_____Environment	_____Real Estate/Housing
_____Alcohol/Tobacco	_____Financial Institutions/Consumer Finance	_____Retail/Commercial
_____Arts/Entertainment	_____Medical/Hospitals/Health Care	_____Service Business
_____Communications/Media	_____Insurance	_____Social Svs./Human Svs.
_____Contractors/Construction	_____Labor/Labor Organizations	_____Science and Technology
_____County/Local Government	_____Legal	_____State Employees
_____Education	_____Manufacturer	_____State Government
_____Energy/Utilities	_____Public Interest	_____Transportation

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Neil S. Clark
Type or Print Name of Legislative Agent

Signature of Legislative Agent

1/22/03
Date

Eric A. Anderson
Type or Print Name of Person Signing for Employer

Signature for Employer

General Counsel
Title

January 9, 2003
Date

I AM A STATE EMPLOYEE AND NOT REQUIRED TO PAY THE $10 REGISTRATION FEE.
PLEASE CHECK IF APPLICABLE _____

JOINT LEGISLATIVE ETHICS COMMITTEE
50 West Broad Street, Suite 1308
Columbus, Ohio 43215-5908
(614) 728-5100

NOTIFICATION OF TERMINATION AS LEGISLATIVE AGENT AND/OR EXECUTIVE AGENCY LOBBYIST

I, Neil S. Clark, wish to inform you that I am no longer engaged
(print name of agent)

to represent ES&S
(name of employer)

effective 10/9/03
(date of termination)

ENTERED 10/15/03

as a

LEGISLATIVE AGENT ✔

and/or CHECK ONE OR BOTH

EXECUTIVE AGENCY LOBBYIST ✔

OFFICE OF LEGISLATIVE INSP. GENERAL OCT 15 2003

SIGNATURE (of agent)

FORWARDING ADDRESS:

137 East State Street

Columbus, OH 43215

PLEASE SEND OR DELIVER COMPLETED FORM TO ADDRESS FOUND ABOVE.

SPECIAL NOTE: This form is to be filed within thirty (30) days of termination pursuant to Sections 101.72(D)(2) or 121.62(D)(2), Ohio Revised Code.

rev. 3/00

Joint Legislative Ethics Committee
50 West Broad Street, Suite 1308
Columbus, Ohio 43215-5908
(614) 728-5100
www.jlec-olig.state.oh.us

516605E03657
Official Use Only - Do not alter the above barcode

EXECUTIVE AGENCY LOBBYIST/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Office of the Legislative Inspector General within ten (10) days of engagement. Please read instructions and review Section 121.62, Ohio Revised Code, prior to filing. There is a $25.00 fee for this filing. *Check or money order only made payable to "JLEC".* Upon termination of this engagement, there is an affirmative duty to notify the Office of the Legislative Inspector General within thirty (30) days (the form may be obtained from the OLIG). **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

FORM #121.62-A&E

$25.00 FILING FEE
(check or money order only)

I. EXECUTIVE AGENCY LOBBYIST INFORMATION

ENTERED 12/22/05

1. Full Name: Neil S Clark
2. Business Address: 137 East State Street,
   Street — Suite number
   Columbus — OH — 43215
   City — State — Zip(+4)
3. Telephone Number: (614) 221-3600 Email: _____
4. Date of Engagement as Executive Agency Lobbyist: February 1, 2005

OFFICE OF LEGISLATIVE INSP. GENERAL
JAN 31 2005

II. Employer Information

1. Full name of company/org.: Diebold Election Systems
2. Type of Industry: _____
3. Business Address: 1161 Wilmeth Road
   Street — Suite Number
   McKinney — TX — 75069-8250
   City — State — Zip(+4)
4. Contact Person Located at Employer's Address: David Byrd

   Telephone number of contact person: (972) 542-6000

III. Brief description of the Executive Agency Decision(s) to which Executive Agency Lobbyist's engagement relates:

Decisions which would have an impact on the employer.

IV. Categorical listing of offices of Elected Executive Officials, Departments or Executive Agencies to which the engagement relates: (Please check all that are applicable):

Offices of Elected Executives	Executive Agency Departments, Boards, Commission
X Governor	(Please see and check attached list)
Lieutenant Governor	
X Secretary of State	
Auditor of State	
Treasurer of State	
Attorney General	

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Neil S. Clark
Type or Print Name of Executive Agency Lobbyist

Signature of Executive Agency Lobbyist

Date 1/26/05

DAVE BYRD
Type or Print Name of Employer Representative

Signature for Employer

VP, BUSINESS OPERATIONS
Title

Date 1/20/05

Rev. 9/03

Election Systems & So *03E0 Ockerman, Aaron M

Joint Legislative Ethics Committee

50 West Broad Street, Suite 1308
Columbus, Ohio 43215-5908
(614) 728-5100

(check or money order only)

EXECUTIVE AGENCY LOBBYIST/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Joint Legislative Ethics Committee within ten (10) days of engagement. Please read instructions and review Section 121.62, Ohio Revised Code, prior to filing. There is a $10.00 fee for this filing. *Check or money order only made payable to "JLEC"*. Upon termination of this engagement, there is an affirmative duty to notify the Joint Legislative Ethics Committee within thirty (30) days (the form may be obtained from JLEC.) **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

ENTERED 2/19/03

A. EXECUTIVE AGENCY LOBBYIST INFORMATION

1. Full Name Aaron Ockerman
2. Occupation Lobbyist/Consultant
3. Business Address 137 East State Street
   (Street) (Suite number)
   Columbus, OH 43215
   (City) (State) (Zip(+4))
4. Telephone Number 614-221-3600
5. Date of Engagement as Executive Agency Lobbyist January 1, 2003

OFFICE OF LEGISLATIVE INSP. GENERAL JAN 8 2003

B. EMPLOYER INFORMATION

1. Full name of company or organization Election Systems & Software, Inc. (ES&
2. Type of Industry
3. Business Address 11208 John Galt Blvd.
   (Street) (Suite Number)
   Omaha, NE 68137
   (City) (State) (Zip(+4))
4. Contact Person Located at Employer's Address Eric A. Anderson
   Telephone Number of Contact Person
5. Real Party in Interest **THIS MAY ONLY BE USED IN COMPLIANCE WITH O.A.C. 101-11-02**
   If none, check here ☑
   Full Name
   Business Address
   (Street) (Suite Number)
   (City) (State) (Zip (+4))

C. **Brief description of the Executive Agency Decision(s) to which Executive Agency Lobbyist's engagement relates:**

Decisions which would have an impact on the employer

D. **Categorical listing of offices of Elected Executive Officials, Departments or Executive Agencies to which the engagement relates: (Please check all that are applicable):**

Offices of Elected Executives	Executive Agency Departments, Boards, Commission
☑ Governor	(Please see and check attached list)
☐ Lieutenant Governor	
☑ Secretary of State	
☐ Auditor of State	
☐ Treasurer of State	
☐ Attorney General	

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Aaron Ockerman
Type or Print Name of Executive Agency Lobbyist

Signature of Executive Agency Lobbyist

1-23-03
Date

Eric A. Anderson
Type or Print Name of Person Signing for Employer

Signature for Employer

General Counsel
Title

January 9, 2003
Date

Rev. 3/00

EXECUTIVE AGENCY DEPARTMENTS, BOARDS AND COMMISSIONS

(Please check all in which Executive Agency Lobbying is likely to occur)

- ☐ Accountancy Board
- ☐ Adjutant General
- ☐ Advisory Board of Directors for Prison Labor
- ☐ Advisory Board on Amusement Ride Safety
- ☐ Agricultural Financing Commission
- ☐ Automated Title Processing Board / Bureau of Motor Vehicles
- ☐ Banking Board
- ☐ Barber Board
- ☐ Board of Building Appeals
- ☐ Board of Building Standards
- ☐ Board of Dietetics
- ☐ Board of Embalmers and Funeral Directors
- ☐ Board of Examiners of Nursing Home Administrators
- ☐ Board of Nursing
- ☐ Board of Speech Pathology and Audiology
- ☐ Board of Tax Appeals
- ☐ Capitol Square Review and Advisory Board
- ☐ Children's Trust Fund Board
- ☐ Chiropractic Examining Board
- ☐ Civilian Conservation Advisory Council
- ☐ Cleveland Schools Financial Oversight Commission
- ☐ Commission on Hispanic/Latino Affairs
- ☐ Commission on African-American Males
- ☐ Council on Alcohol and Drug Addiction Services
- ☐ Counselor and Social Worker Board
- ☐ County Sheriff's Standard Car-Marking and Uniform Commission
- ☐ Credit Union Council
- ☐ Department of Administrative Services
- ☐ Department of Aging
- ☐ Department of Agriculture
- ☐ Department of Alcohol and Drug Addiction Services
- ☐ Department of Commerce
- ☐ Department of Development
- ☐ Department of Education
- ☐ Department of Health
- ☐ Department of Human Services
- ☐ Department of Insurance
- ☐ Department of Mental Health
- ☐ Department of Mental Retardation and Developmental Disabilities
- ☐ Department of Natural Resources
- ☐ Department of Public Safety
- ☐ Department of Rehabilitation and Correction
- ☐ Department of Taxation
- ☐ Department of Transportation
- ☐ Department of Youth Services
- ☐ Development Financing Advisory Board
- ☐ Economic Development Advisory Committee
- ☐ Educational Commission of the States
- ☐ Educational Telecommunications Network Commission
- ☐ Environmental Board of Review
- ☐ Environmental Education Board of Trustees
- ☐ Environmental Protection Agency
- ☐ Forestry Advisory Council
- ☐ Governor's Community Service Advisory Committee
- ☐ Governor's Council on Juvenile Justice
- ☐ Governor's Residence Advisory Commission
- ☐ Great Lakes Protection Fund Board
- ☐ Hazardous Waste Facility Approval Board
- ☐ Hearing Aid Dealers and Fitters Licensing Board
- ☐ Industrial Commission Nominating Committee
- ☐ Industrial Commission of Ohio
- ☐ Industrial Technology and Enterprise Advisory Board
- ☐ Liquor Control Commission
- ☐ Martha Kinney Cooper Ohioana Library Association of Board of Trustees
- ☐ Medical Quality Foundation Board
- ☐ Midwestern Higher Education Compact Commission
- ☐ Mine Examining Board
- ☐ Minority Development Financing Advisory Board
- ☐ Minority Health Commission
- ☐ Motor Vehicle Dealers Board
- ☐ Motor Vehicle Salvage Dealer's Licensing Board
- ☐
- ☐ Office of Budget and Management
- ☐ Office of Consumers' Counsel
- ☐ Ohio Air Quality Development Authority
- ☐ Ohio Ambulance Licensing Board
- ☐ Ohio Arts & Sports Facilities Commission
- ☐ Ohio Arts Council
- ☐ Ohio Athletic Commission
- ☐ Ohio Bicentennial Commission
- ☐ Ohio Board of Regents
- ☐ Ohio Building Authority
- ☐ Ohio Bureau of Employment Services
- ☐ Ohio Bureau of Worker's Compensation
- ☐ Ohio Cemetery Dispute Resolution Committee
- ☐ Ohio Civil Rights Commission
- ☐ Ohio Commission on Dispute Resolution and Conflict Management
- ☐ Ohio Criminal Sentencing Commission
- ☐ Ohio Developmental Disabilities Planning Council
- ☐ Ohio Elections Commission
- ☐ Ohio Ethics Commission
- ☐ Ohio Expositions Commission
- ☐ Ohio Fair Plan Underwriting Association Board of Governors
- ☐ Ohio Geology Advisory Council
- ☐ Ohio Higher Educational Facility Commission
- ☐ Ohio Historic Site Preservation Advisory Board
- ☐ Ohio Historical Society Board of Trustees
- ☐ Ohio Housing Finance Agency
- ☐ Ohio Humanities Council
- ☐ Ohio Interagency Early Intervention Council
- ☐ Ohio Legal Rights Service
- ☐ Ohio Library Board
- ☐ Ohio Low Level Radioactive Waste Facility Development Authority
- ☐ Ohio Martin Luther King, Jr. Holiday Commission
- ☐ Ohio Natural Areas Council
- ☐ Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board
- ☐ Ohio Optical Dispensers Board
- ☐ Ohio Organized Crime Investigations Commission
- ☐ Ohio Peace Officer Training Council
- ☐ Ohio Quarter Horse Development Committee
- ☐ Ohio Public Defender

- ☐ Ohio Rail Development Commission
- ☐ Ohio Real Estate Commission
- ☐ Ohio Retirement Study Commission
- ☐ Ohio River Valley Water Sanitation Commission
- ☐ Ohio Soil and Water Conservation Commission
- ☐ Ohio Standardbred Development Committee
- ☐ Ohio State Racing Commission
- ☐ Ohio Steel Industry Advisory Commission
- ☐ Ohio Thoroughbred Race Fund Advisory Council
- ☐ Ohio Tuition Trust Authority
- ☐ Ohio Turnpike Commission
- ☐ Ohio Veterans' Home Board of Trustees
- ☐ Ohio War Orphans Scholarship Board
- ☐ Ohio Water Advisory Council
- ☐ Ohio Water Development Authority
- ☐ Oil and Gas Board of Review
- ☐ Personnel Board of Review
- ☐ Petroleum Underground Storage Tank Release Compensation Board
- ☐ Police and Firemen's Disability and Pension Fund
- ☐ Power Siting Board
- ☐ Proprietary School Registration Board
- ☐ Public Employees Deferred Compensation Board
- ☐ Public Employees Retirement System
- ☐ Public Health Council
- ☐ Public Utilities Commission of Ohio
- ☐ Public Works Commission of Ohio
- ☐ Real Estate Appraiser Board
- ☐ Reclamation Board of Review
- ☐ Recreation and Resources Commission
- ☐ Rehabilitation Services Commission
- ☐ Respiratory Care Board
- ☐ Ski Tramway Board
- ☐ School Employees Retirement System
- ☐ Self-Insuring Employers Evaluation Board
- ☐ Set Aside Review Board
- ☐ Solid Waste Management Advisory Council
- ☐ State and Local Government Commission of Ohio
- ☐ State Auctioneer's Commission
- ☐ State Board of Cosmetology
- ☐ State Board of Education
- ☐ State Board of Emergency Medical Services
- ☐ State Board of Examiners of Architects
- ☐ State Board of Landscape Architect Examiners
- ☐ State Board of Optometry
- ☐ State Board of Pharmacy
- ☐ State Board of Psychology
- ☐ State Board of Registration for Professional Engineers and Surveyors
- ☐ State Board of Sanitation Registration
- ☐ State Board of Uniform State Laws
- ☐ State Dental Board
- ☐ State Emergency Response Commission
- ☐ State Employment Relations Board
- ☐ State Fire Commission
- ☐ State Independent Living Council
- ☐ State Lottery Commission
- ☐ State Medical Board
- ☐ State Teachers Retirement System of Ohio
- ☐ State Use Committee for Purchase of Products & Services Provided by People with Disabilities
- ☐ State Veterinary Medical Board
- ☐ Submerged Lands Advisory Committee
- ☐ Task Force on the Enforcement of the Financial Responsibility Laws of Ohio
- ☐ Tax Credit Authority
- ☐ Technical Advisory Council on Oil and Gas
- ☐ Unemployment Compensation Advisory Commission
- ☐ Unemployment Compensation Board of Review
- ☐ Water and Sewer Commission
- ☐ Waterways Safety Council
- ☐ Wildlife Council
- ☐ Women's Policy and Research Commission
- ☐ Workers' Compensation Oversight Commission
- ☐ Wright-Dunbar State Heritage Commission
- ☐ Other

JOINT LEGISLATIVE ETHICS COMMITTEE
50 West Broad Street, Suite 1308
Columbus, Ohio 43215-5908
(614) 728-5100

NOTIFICATION OF TERMINATION
AS
LEGISLATIVE AGENT AND/OR EXECUTIVE AGENCY LOBBYIST

I, Aaron Ockerman, wish to inform you that I am no longer engaged
(print name of agent)

to represent Election Systems and Software, Inc.
(name of employer)

effective August 29, 2003
(date of termination)

ENTERED 9/2/03

as a

LEGISLATIVE AGENT ✔

and/or **CHECK ONE OR BOTH**

EXECUTIVE AGENCY LOBBYIST ✔

OFFICE OF LEGISLATIVE INSP. GENERAL SEP 02 2003

SIGNATURE (of agent)

FORWARDING ADDRESS:

137 East State Street

Columbus, OH 43215

PLEASE SEND OR DELIVER COMPLETED FORM TO ADDRESS FOUND ABOVE.

SPECIAL NOTE: This form is to be filed within thirty (30) days of termination pursuant to Sections 101.72(D)(2) or 121.62(D)(2), Ohio Revised Code.

rev. 3/00

Election Systems & So *03L0* Ockerman, Aaron M

Joint Legislative Ethics Committee

50 West Broad Street, Suite 1308
Columbus, Ohio 43215-5908
(614) 728-5100

(check or money order only)

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Joint Legislative Ethics Committee within ten (10) days of engagement. Please read instructions and review Section 101.72, Ohio Revised Code, prior to filing. There is a $10.00 fee for this filing. *Check or money order only made payable to "JLEC".* Upon termination of this engagement, there is an affirmative duty to notify the Joint Legislative Ethics Committee within thirty (30) days (the form may be obtained from JLEC.) ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.

ENTERED 2/19/03

A. LEGISLATIVE AGENT INFORMATION

1. Full Name Aaron Ockerman
2. Occupation Lobbyist/Consultant
3. Business Address 137 East State Street
   (Street) - (Suite number)
   Columbus, OH 43215
   (City) -(State) -(Zip(+4))
4. Telephone Number 614-221-3600
5. Date of Engagement as Legislative Agent January 1, 2003

B. EMPLOYER INFORMATION

1. Full name of company or organization Election Systems & Software, Inc. (ES&S)
2. Type of Industry
3. Business Address 11208 John Galt Blvd.
   (Street) - (Suite Number)
   Omaha, NE 68137
   (City)-(State)-(Zip(+4))

   Contact Person Located at Employer's Address Eric A. Anderson
   Telephone Number of Contact person

4. Real Party in Interest - THIS MAY ONLY BE USED IN COMPLIANCE WITH O.A.C. 101-9-02
   If none, check here ☑

   Full Name

   Business Address
   (Street) -(Suite Number)

   (City)-(State)-(Zip (+4))

JAN 3 1 2003
OFFICE OF LEGISLATIVE INSP. GENERAL

Rev. 3/00

C. Brief description of the type of legislation to which Legislative Agent's engagement relates:
Legislation which would have an effect on the interests of the employer.

D. Categorical listing of principal business or activity of Employer, please check all that are applicable:

☐ Agriculture	☐ Environment	☐ Real Estate/Housing
☐ Alcohol/Tobacco	☐ Financial Institutions/Consumer Finance	☐ Retail/Commercial
☐ Arts/Entertainment	☐ Medical/Hospitals/Health Care	☐ Service Business
☐ Communications/Media	☐ Insurance	☐ Social Svs./Human Svs.
☐ Contractors/Construction	☐ Labor/Labor Organizations	☐ Science and Technology
☐ County/Local Government	☐ Legal	☐ State Employees
☐ Education	☐ Manufacturer	☐ State Government
☐ Energy/Utilities	☐ Public Interest	☐ Transportation

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Aaron Ockerman
Type or Print Name of Legislative Agent

Signature of Legislative Agent

1-23-03
Date

Eric A. Anderson
Type or Print Name of Person Signing for Employer

Signature for Employer

January 9, 2003
Date

General Counsel
Title

I AM A STATE EMPLOYEE AND NOT REQUIRED TO PAY THE $10 REGISTRATION FEE.
PLEASE CHECK IF APPLICABLE ☐

Rev. 3/00

JOINT LEGISLATIVE ETHICS COMMITTEE
50 West Broad Street, Suite 1308
Columbus, Ohio 43215-5908
(614) 728-5100

NOTIFICATION OF TERMINATION
AS
LEGISLATIVE AGENT AND/OR EXECUTIVE AGENCY LOBBYIST

I, Aaron Ockerman, wish to inform you that I am no longer engaged
(print name of agent)

to represent Election Systems and Software, Inc.
(name of employer)

effective August 29, 2003
(date of termination)

ENTERED 9/2/03

as a

LEGISLATIVE AGENT ✔

and/or **CHECK ONE OR BOTH**

EXECUTIVE AGENCY LOBBYIST ✔

OFFICE OF LEGISLATIVE INSP. GENERAL SEP 02 2003

SIGNATURE (of agent)

FORWARDING ADDRESS:

137 East State Street

Columbus, OH 43215

PLEASE SEND OR DELIVER COMPLETED FORM TO ADDRESS FOUND ABOVE.

SPECIAL NOTE: This form is to be filed within thirty (30) days of termination pursuant to Sections 101.72(D)(2) or 121.62(D)(2), Ohio Revised Code.

rev. 3/00

Joint Legislative Ethics Committee
50 West Broad Street, Suite 1308
Columbus, Ohio 43215-5908
(614) 728-5100

550903L05250
Official Use Only - Do not alter the above barcode

LEGISLATIVE AGENT/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Joint Legislative Ethics Committee within ten (10) days of engagement. Please read instructions and review Section 101.72, Ohio Revised Code, prior to filing. There is a $10.00 fee for this filing. *Check or money order only made payable to "JLEC".* Upon termination of this engagement, there is an affirmative duty to notify the Joint Legislative Ethics Committee within thirty (30) days (the form may be obtained from JLEC.) **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

$10.00 FILING FEE

PLEASE CORRECT & RETURN
- [ ] No agent signature
- [x] No employer signature
- [ ] Expenditure grid incomplete
- [ ] No fee enclosed

A. LEGISLATIVE AGENT INFORMATION

1. Full Name: Aaron M Ockerman
2. Occupation:
3. Business Address: 137 East State Street,
   Street / Suite number
   Columbus / OH / 43215
   City / State / Zip(+4)
4. Telephone Number: (614) 221-3600
5. Date of Engagement as Legislative Agent: January 1, 2003

ENTERED 2/26/03

B. EMPLOYER INFORMATION

1. Full name of company or organization: Ohio Association of Election Officals
2. Business Address: 651 Dayton-Xenia Road,
   Street / Suite Number
   Xenia / OH / 45385
   City / State / Zip(+4)
3. Contact Person Located at Employer's Address: Carol Garmon, Treasurer
   Telephone number of contact person: (937) 562-7470
4. Real Party in Interest-THIS MAY ONLY BE USED IN COMPLIANCE WITH O.A.C. 101-9-02
   If none, check here _____
   Full Name
   Business Address
   Street / Suite Number
   City / State / Zip (+4)

OFFICE OF LEGISLATIVE INSP. GENERAL JAN 03
03 FEB 26 AM 11:11
OFFICE OF LEGISLATIVE INSP. GENERAL

C. **Brief description of the type of legislation to which Legislative Agent's engagement relates:**

_____

_____

_____

D. **Categorical listing of principal business or activity of Employer, please check all that are applicable:**

_____Agriculture	_____Environment	_____Real Estate/Housing
_____Alcohol/Tobacco	_____Financial Institutions/Consumer Finance	_____Retail/Commercial
_____Arts/Entertainment	_____Medical/Hospitals/Health Care	_____Service Business
_____Communications/Media	_____Insurance	_____Social Svs./Human Svs.
_____Contractors/Construction	_____Labor/Labor Organizations	_____Science and Technology
_____County/Local Government	_____Legal	_____State Employees
_____Education	_____Manufacturer	_____State Government
_____Energy/Utilities	_____Public Interest	_____Transportation

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Aaron Ochsman
Type or Print Name of Legislative Agent

Signature of Legislative Agent

1-23-03
Date

CAROLE L. GARMAN
Type or Print Name of Person Signing for Employer

Carole L. Garman
Signature for Employer

Treasurer of OAFO
Title

1-6-2003
Date

I AM A STATE EMPLOYEE AND NOT REQUIRED TO PAY THE $10 REGISTRATION FEE.
PLEASE CHECK IF APPLICABLE _____

Joint Legislative Ethics Committee
50 West Broad Street, Suite 1308
Columbus, Ohio 43215-5908
(614) 728-5100

550903E05250
Official Use Only - Do not alter the above barcode

EXECUTIVE AGENCY LOBBYIST/EMPLOYER INITIAL REGISTRATION STATEMENT

This statement must be filed with the Joint Legislative Ethics Committee within ten (10) days of engagement. Please read instructions and review Section 121.62, Ohio Revised Code, prior to filing. There is a $10.00 fee for this filing. *Check or money order only made payable to "JLEC"*. Upon termination of this engagement, there is an affirmative duty to notify the Joint Legislative Ethics Committee within thirty (30) days (the form may be obtained from JLEC.) **ANY PERSON WHO KNOWINGLY FILES A FALSE STATEMENT IS GUILTY OF FALSIFICATION UNDER SECTION 2921.13 OF THE OHIO REVISED CODE, WHICH IS A MISDEMEANOR OF THE FIRST DEGREE.**

$10.00 FILING FEE
(check or money order only)

PLEASE CORRECT & RETURN
- [ ] No agent signature
- [x] No employer signature
- [ ] Expenditure grid incomplete
- [ ] No fee enclosed

ENTERED 2/26/03

A. EXECUTIVE AGENCY LOBBYIST INFORMATION

1. Full Name: Aaron M Ockerman
2. Occupation:
3. Business Address: 137 East State Street,
   Street / Suite number
   Columbus / OH / 43215
   City / State / Zip(+4)
4. Telephone Number: (614) 221-3600
5. Date of Engagement as Executive Agency Lobbyist: February 1, 2003

OFFICE OF LEGISLATIVE INSP. GENERAL JAN 31 2003

B. EMPLOYER INFORMATION

1. Full name of company/org.: Ohio Association of Election Officals
2. Type of Industry:
3. Business Address: 651 Dayton-Xenia Road
   Street / Suite Number
   Xenia / OH / 45385
   City / State / Zip(+4)
4. Contact Person Located at Employer's Address: Carol Garmon, Treasurer
   Telephone number of contact person: (937) 562-7470
5. Real Party in Interest-THIS MAY ONLY BE USED IN COMPLIANCE WITH O.A.C. 101-11-02
   If none, check here
   Full Name:
   Business Address:
   Street / Suite Number
   City / State / Zip (+4)

03 FEB 26 AM 11:41 OFFICE OF LEGISLATIVE INSP. GENERAL

C. **Brief description of the Executive Agency Decision(s) to which Executive Agency Lobbyist's engagement relates:**

_____

_____

_____

D. **Categorical listing of offices of Elected Executive Officials, Departments or Executive Agencies to which the engagement relates: (Please check all that are applicable):**

Offices of Elected Executives	Executive Agency Departments, Boards, Commission
_____Governor	(Please see and check attached list)
_____Lieutenant Governor	
_____Secretary of State	
_____Auditor of State	
_____Treasurer of State	
_____Attorney General	

CERTIFICATION: THE UNDERSIGNED HEREBY CERTIFY THAT ALL REASONABLE EFFORTS AND DUE DILIGENCE HAVE BEEN UNDERTAKEN IN THE PREPARATION AND COMPLETION OF THIS STATEMENT AND THAT THE CONTENTS ARE TRUE AND ACCURATE TO THE BEST OF HIS OR HER KNOWLEDGE.

ALL SIGNATURES MUST BE ORIGINAL AND SIGNED PERSONALLY BY THE NAMED INDIVIDUAL.

Aaron Ockerman
Type or Print Name of Executive Agency Lobbyist

Signature of Executive Agency Lobbyist

1-23-03
Date

CAROLE L. GARMAN
Type or Print Name of Person Signing for Employer

Carole L Garman
Signature for Employer

TREASURER OF OAEO
Title

1-6-2003

_____ Ohio Expositions Commission
_____ Ohio Fair Plan Underwriting Association Board of Governors
_____ Ohio Geology Advisory Council
_____ Ohio Higher Educational Facility Commission
_____ Ohio Historic Site Preservation Advisory Board
_____ Ohio Historical Society Board of Trustees
_____ Ohio Housing Finance Agency
_____ Ohio Humanities Council
_____ Ohio Interagency Early Intervention Council
_____ Ohio Legal Rights Service
_____ Ohio Library Board
_____ Ohio Low Level Radioactive Waste Facility Development Authority
_____ Ohio Martin Luther King, Jr. Holiday Commission
_____ Ohio Natural Areas Council
_____ Ohio Occupational Therapy, Physical Therapy and Athletic Trainers Board
_____ Ohio Optical Dispensers Board
_____ Ohio Organized Crime Investigations Commission
_____ Ohio Peace Officer Training Council
_____ Ohio Quarter Horse Development Committee
_____ Ohio Public Defender Commission
_____ Ohio Rail Development Commission
_____ Ohio Real Estate Commission
_____ Ohio Retirement Study Commission
_____ Ohio River Valley Water Sanitation Commission
_____ Ohio Soil and Water Conservation Commission
_____ Ohio Standardbred Development Committee
_____ Ohio State Racing Commission
_____ Ohio Steel Industry Advisory Commission
_____ Ohio Thoroughbred Race Fund Advisory Council
_____ Ohio Tobacco Advisory Council
_____ Ohio Tuition Trust Authority
_____ Ohio Turnpike Commission
_____ Ohio Veterans' Home Board of Trustees
_____ Ohio War Orphans Scholarship Board
_____ Ohio Water Advisory Council
_____ Ohio Water Development Authority
_____ Oil and Gas Board of Review
_____ Personnel Board of Review
_____ Petroleum Underground Storage Tank Release Compensation Board
_____ Power Siting Board
_____ Proprietary School Registration Board
_____ Public Employees Deferred Compensation Board
_____ Public Health Council
_____ Public Utilities Commission of Ohio
_____ Public Works Commission of Ohio
_____ Real Estate Appraiser Board
_____ Reclamation Board of Review
_____ Recreation and Resources Commission
_____ Rehabilitation Services Commission
_____ Respiratory Care Board
_____ School Facilities Commission
_____ Ski Tramway Board
_____ Self-Insuring Employers Evaluation Board
_____ Set Aside Review Board
_____ Solid Waste Management Advisory Council
_____ State and Local Government Commission of Ohio
_____ State Auctioneer's Commission
_____ State Board of Cosmetology
_____ State Board of Education
_____ State Board of Emergency Medical Services
_____ State Board of Examiners of Architects
_____ State Board of Landscape Architect Examiners
_____ State Board of Optometry
_____ State Board of Pharmacy
_____ State Board of Psychology
_____ State Board of Registration for Professional Engineers and Surveyors
_____ State Board of Sanitation Registration
_____ State Board of Uniform State Laws
_____ State Dental Board
_____ State Emergency Response Commission
_____ State Employment Relations Board
_____ State Fire Commission
_____ State Independent Living Council
_____ State Lottery Commission
_____ State Medical Board
_____ State Use Committee for Purchase of Products & Services Provided by People with Disabilities
_____ State Veterinary Medical Board
_____ Submerged Lands Advisory Committee
_____ Task Force on the Enforcement of the Financial Responsibility Laws of Ohio
_____ Tax Credit Authority
_____ Technical Advisory Council on Oil and Gas
_____ Unemployment Compensation Advisory Commission
_____ Unemployment Compensation Board of Review
_____ Water and Sewer Commission
_____ Waterways Safety Council
_____ Wildlife Council
_____ Women's Policy and Research Commission
_____ Workers' Compensation Oversight Commission
_____ Wright-Dunbar State Heritage Commission
_____ Other _____

EXECUTIVE AGENCY DEPARTMENTS, BOARDS AND COMMISSIONS

(Please check all in which Executive Agency Lobbying is likely to occur)

_____ Accountancy Board
_____ Adjutant General
_____ Advisory Board of Directors for Prison Labor
_____ Advisory Board on Amusement Ride Safety
_____ Agricultural Financing Commission
_____ Automated Title Processing Board / Bureau of Motor Vehicles
_____ Banking Board
_____ Barber Board
_____ Board of Building Appeals
_____ Board of Building Standards
_____ Board of Dietetics
_____ Board of Embalmers and Funeral Directors
_____ Board of Examiners of Nursing Home Administrators
_____ Board of Nursing
_____ Board of Speech Pathology and Audiology
_____ Board of Tax Appeals
_____ Capitol Square Review and Advisory Board
_____ Children's Trust Fund Board
_____ Chiropractic Examining Board
_____ Civilian Conservation Advisory Council
_____ Cleveland Schools Financial Oversight Commission
_____ Commission on Hispanic/Latino Affairs
_____ Commission on African-American Males
_____ Council on Alcohol and Drug Addiction Services
_____ Counselor and Social Worker Board
_____ County Sheriff's Standard Car-Marking and Uniform Commission
_____ Credit Union Council
_____ Department of Administrative Services
_____ Department of Aging
_____ Department of Agriculture
_____ Department of Alcohol and Drug Addiction Services
_____ Department of Commerce
_____ Department of Development
_____ Department of Education
_____ Department of Health
_____ Department of Human Services
_____ Department of Insurance
_____ Department of Mental Health
_____ Department of Mental Retardation and Developmental Disabilities
_____ Department of Natural Resources
_____ Department of Public Safety
_____ Department of Rehabilitation and Correction
_____ Department of Taxation
_____ Department of Transportation
_____ Department of Youth Services
_____ Development Financing Advisory Board
_____ Economic Development Advisory Committee
_____ Educational Commission of the States
_____ Educational Telecommunications Network Commission
_____ Environmental Board of Review
_____ Environmental Education Board of Trustees
_____ Environmental Protection Agency
_____ Forestry Advisory Council
_____ Governor's Community Service Advisory Committee
_____ Governor's Council on Juvenile Justice
_____ Governor's Residence Advisory Commission
_____ Great Lakes Protection Fund Board
_____ Hazardous Waste Facility Approval Board
_____ Hearing Aid Dealers and Fitters Licensing Board
_____ Industrial Commission Nominating Committee
_____ Industrial Commission of Ohio
_____ Industrial Technology and Enterprise Advisory Board
_____ Liquor Control Commission
_____ Martha Kinney Cooper Ohioana Library Association of Board of Trustees
_____ Medical Quality Foundation Board
_____ Midwestern Higher Education Compact Commission
_____ Mine Examining Board
_____ Minority Development Financing Advisory Board
_____ Minority Health Commission
_____ Motor Vehicle Dealers Board
_____ Motor Vehicle Salvage Dealer's Licensing Board
_____ Office of Budget and Management
_____ Office of Consumers' Counsel
_____ Ohio Air Quality Development Authority
_____ Ohio Ambulance Licensing Board
_____ Ohio Arts & Sports Facilities Commission
_____ Ohio Arts Council
_____ Ohio Athletic Commission
_____ Ohio Bicentennial Commission
_____ Ohio Board of Regents
_____ Ohio Building Authority
_____ Ohio Bureau of Employment Services
_____ Ohio Bureau of Worker's Compensation
_____ Ohio Cemetery Dispute Resolution Committee
_____ Ohio Civil Rights Commission
_____ Ohio Commission on Dispute Resolution and Conflict Management
_____ Ohio Criminal Sentencing Commission
_____ Ohio Developmental Disabilities Planning Council
_____ Ohio Elections Commission
_____ Ohio Ethics Commission

THE OHIO GENERAL ASSEMBLY

OFFICE OF THE LEGISLATIVE INSPECT

JOINT LEGISLATIVE ETHICS COMMITTE

Agents For
Ohio Association of Election Officals

Click on the agents name to find all companies who employ that agent or return to search form. If a check appears in the L(egislative) or E(xecutive) box, it indicates the individual is registered as a lobbying agent for this branch of government. Additional information is found in the Lobbying Handbook.

Only current engagements are shown. Terminated engagements are not included in the search results.

Agent / Address	Phone	L	E	R
Neil S Clark 137 East State Street Columbus, OH 43215	(614) 221-3600	☑	☑	☐
Aaron M Ockerman 137 East State Street Columbus, OH 43215	(614) 221-3600	☑	☑	☐

This is an accurate representation of information currently maintained by the Office of the Legislative Inspector General as of 5/20/2008. Information reliance thereon. Information believed accurate but not guaranteed. The State of Ohio disclaims liability for any errors or omissions.

State of Ohio
Department of State

H0139-1009

Bob Taft
Secretary of State

Date 5/25/91 Number 798440 Receipt No. 93813

H139-1009 0025

Received of or filed by SHARON L.R. MILLER

The sum of $ 25.00 for filing ARN of

OHIO ASSOCIATION OF ELECTION OFFICIALS

ARN $ 25.00

Returned to: 93813

SHARON L.R. MILLER
RIVER RIDGE OFFICE PARK
6400 RIVERSIDE DR., STE. D
DUBLIN, OH 43017

RECEIPT

Name: OHIO ASSOCIATION OF ELECTION OFFICIALS

Total Fee: $ 25.00

SEC 6001 (Rev. 12/90)

Ex. HH

n0139-1010

The State of Ohio

Bob Taft
Secretary of State

798442

Certificate

It is hereby certified that the Secretary of State of Ohio has custody of the Records of Incorporation and Miscellaneous Filings; that said records show the filing and recording of: ARN

of:

OHIO ASSOCIATION OF ELECTION OFFICIALS

United States of America
State of Ohio
Office of the Secretary of State

Recorded on Roll H139 at Frame 1011 of the Records of Incorporation and Miscellaneous Filings.

Witness my hand and the seal of the Secretary of State at Columbus, Ohio, this 20TH **day of** JUNE, **A.D. 19** 21.

Bob Taft
Bob Taft
Secretary of State

SEC 6002 (Rev. 12/95)

H139-1011

ARTICLES OF INCORPORATION

OF

OHIO ASSOCIATION OF ELECTION OFFICIALS

The undersigned, desiring to form a corporation, not for profit, under Section 1702.01 Et Seq., Revised Code of Ohio, do hereby certify:

ARTICLE I

NAME OF CORPORATION

The name of said corporation shall be the Ohio Association of Election Officials.

ARTICLE II

PRINCIPAL OFFICE

The place in Ohio where the principal office of the corporation is to be located is in New Haven, Huron County.

ARTICLE III

PURPOSE

This corporation is formed in order to incorporate the Ohio Association of Election Officials, an unincorporated association. The filing of these Articles of Incorporation is made in accordance with the provisions of Section 1702.08, Revised Code of Ohio, and the required vote thereunder has been obtained.

The purposes for which this corporation is formed are to foster a closer association and better understanding between Members, Directors and Deputy Directors who have served as Directors of the County Boards of Election of the State of Ohio; to establish and maintain uniformity and certainty in the customs of the various Boards of Election and the interpretation of the laws of Ohio relating to elections, and; to promote a more friendly intercourse among those directly or indirectly interested in elections. Such purposes shall be carried out in a manner consistent with the exemption provided under Section 501(c)(6) of the Internal Revenue Code and its regulations as they now exist or as they may hereafter be amended.

0192.LR

Upon the dissolution of the corporation, the Board of Trustees shall, after paying or making provision for the payment of all of the liabilities of the corporation, dispose of all of the assets of the corporation exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501(c)(6) of the Internal Revenue Code of 1986 (or the corresponding provision of any future United States Internal Revenue Law), as the Board of Trustees shall determine. Any of such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

ARTICLE IV

The following persons shall serve said corporation as Trustees until the first annual meeting or other meeting called to elect trustees:

Thomas R. Wagner
2467 Barrington Road
Fairlawn, Ohio 44333

Donna Hupp
P. O. Box 136
Castalia, Ohio 44824

Patricia Fisher
9231 King Graves Road
Warren, Ohio 44484

Dorothy Ginther
359 Reynolds Court
Wooster, Ohio 44691

Mary Lou Emans
112 Main Street
Luckey, Ohio 43443

Wanda Stewart
229 South Harmony Street
Medina, Ohio 44256

Mary Burnworth
827 Third St.
Marietta, Ohio 45750

Robert Griffith
113 North Seventh St.
Ironton, Ohio 45638

James Chalker
8500 Center St.
Garrettsville, Ohio 44231

Jay Dupler
P. O. Box 208
Sugar Grove, Ohio 43155

Eileen Miksch
508 Woodland Drive
Bellefontaine, Ohio 43311

Dennis Bollinger
7078 Hoke Road
Clayton, Ohio 45315

Alexander Prisley
40 Grosvenor St.
Athens, Ohio 45701

Jane Saddler
1818 Mabert Rd.
Portsmouth, Ohio 45662

3192.LR

H0139-1013

Mark A. Hanni
5306 Youngstown-Poland Rd.
Youngstown, Ohio 44514

Michael Beazley
2334 Middlesex Dr.
Toledo, Ohio 43606

Henry Banks, Jr.
51 David St.
Delaware, Ohio 43015

Ruth Roth
100 N. Sycamore St.
Woodsfield, Ohio 43793

Joan Schoonover
P. O. Box 244
McComb, Ohio 45858

Sid Tennant
456 N. Delaware St.
Mount Gilead, Ohio 43338

14th IN WITNESS WHEREOF, we have hereunto subscribed our names this 14th day of June, 1991.

INCORPORATORS:

Donna J. Hupp
DONNA J. HUPP

Wanda G. Stewart
WANDA G. STEWART

Thomas R. Wagner
THOMAS R. WAGNER

0192.LF

H0139-1011

ORIGINAL APPOINTMENT OF AGENT

June 14, 1991

The undersigned, being the incorporators of the Ohio Association of Election Officials, hereby appoint Patricia A. Smith, a natural person, resident of the State of Ohio, as agent upon whom any process, notice or demand required or permitted by statute to be served upon the corporation may be served. Her complete address is 2710 Prairie Street, P. O. Box 122, New Haven, Huron County, Ohio 44850.

INCORPORATORS:

DONNA J. HUPP

WANDA G. STEWART

THOMAS R. WAGNER

0192.LP

SHARON L.R. MILLER
ATTORNEY AT LAW
RIVER RIDGE OFFICE PARK
6400 RIVERSIDE DRIVE, BLDG. D
DUBLIN, OHIO 43017
(614) 889-9066
FAX 889-5250

H139-1015

June 19, 1991

Bob Taft, Secretary of State
30 East Broad Street, 14th Floor
Columbus, Ohio 43266-0418

CORRESPONDENCE

Subject: Ohio Association of Election Officials - Incorporation

Dear Sir and/or Madam:

Enclosed for filing are the Articles of Incorporation and the Original Appointment of Agent with respect to the incorporation of the Ohio Association of Election Officials. Also enclosed is a check in the amount of $25.00 for the filing fee.

Please file stamp the copy of the Articles of Incorporation and Original Appointment of Agent and return them to me in the stamped and self-addressed envelope. Thank you for your attention to this matter.

Sincerely,

Sharon L.R. Miller

Sharon L.R. Miller

SLRM:sjg
enclosures

JUN

0200L.LR

DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
01/30/2006	200602702092	CERTIFICATE OF CONTINUED EXISTENCE (CCE)	25.00	.00	.00	.00	.00

Receipt

This is not a bill. Please do not remit payment.

JODY BEALL O'BRIEN
1421 HURD
FINDLAY, OH 45840

STATE OF OHIO
CERTIFICATE
Ohio Secretary of State, J. Kenneth Blackwell

798440

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

OHIO ASSOCIATION OF ELECTION OFFICIALS

and, that said business records show the filing and recording of:

Document(s)	Document No(s):
CERTIFICATE OF CONTINUED EXISTENCE	**200602702092**

United States of America
State of Ohio
Office of the Secretary of State

Witness my hand and the seal of the Secretary of State at Columbus, Ohio this 20th day of January, A.D. 2006.

J. Kenneth Blackwell

Ohio Secretary of State

Ex. II

J. Kenneth Blackwell, Secretary of State
30 East Broad Street
Lower Level
Columbus, Ohio 43215

STATEMENT OF CONTINUED EXISTENCE OF CORPORATION - NOT FOR PROFIT

The undersigned, a trustee, officer, or three members in good standing of the corporation named below, hereby verifies/verify that the corporation is still actively engaged in exercising its corporate privileges, and that:

1. The Charter Number is: **798440**
2. The exact corporate name is:
   OHIO ASSOCIATION OF ELECTION OFFICIALS
3. The city, village or township in which its principal office is located is:
   ~~NEW HAVEN~~ Findlay
4. The county in which its principal office is located is: ~~HURON~~ Hancock
5. The date of its incorporation is: **June 20, 1991**
6. The name of the current statutory agent is:
   Jody Beall O'Brien
7. The complete address of the current statutory agent is:
   1451 Hurd Avenue
   Findlay, Ohio 45840

(P. O. Box addresses are not acceptable)

This document is signed by a trustee, corporate officer, or three members in good standing.

By: Jody Beall O'Brien, Treasurer

Note: If a new agent has been appointed on line 6 above, that agent must acknowledge his/her acceptance of such appointment below.

ACCEPTANCE OF APPOINTMENT

The undersigned Jody Beall O'Brien **, named herein as the statutory agent for the corporation in line 2 of this statement, hereby acknowledges and accepts the appointment of statutory agent.**

Jody Beall O'Brien

Signature of Statutory Agent

The Ohio Election Justice Campaign Ongoing Research Project: The $$$ Cost to the Public of Ohio for the OAEO Conferences.

Ohio Association Of Election Officials Expenses from Montgomery County

Research by Paddy Shaffer.

The following photocopied pages are part of my research compiled from expense budget records from the Montgomery County Board of Elections (BOE).

This is followed by the original forms that this information was taken form. Below are the total amounts. The breakdown is in the handwritten sheets.

OAEO Montgomery County (Dayton) BOE Expenses

2006 Winter Conference – January 9-13, 2006 Hyatt Regency, Columbus, Ohio
Total $3,562.03

2006 Summer Conference - June 13-16, 2006 at the Cleveland Crown Plaza, Cleveland Ohio.
Total $1,862.29

2007 Winter Conference – in Columbus, Ohio – Deposit $1088.00

2007 Summer Conference – June 19, 2007 Hosted by Ohio Secretary of State Jennifer Brunner – at the Hyatt Regency, Columbus Ohio, $2,940.01

2008 Winter Conference – Deposit (only, OEJC has no other records at this time) $1,088.00

This is taxpayer money, via the County Commissioners budgets, which fund the Montgomery County Board of Elections

According to Montgomery County Deputy Director Betty Smith, they go to conference on the county payroll for their time.

The current and past Presidents of the OAEO, Matt Damschroder and Shannon Leininger claim that no one can access the budget for the OAEO, or even the list of current and former officers.
This is one of 88 counties. The expense to the taxpayers of the state of Ohio is unknown, to the OEJC. The OEJC has gathered more records from other counties, and additional analysis will be done.

Ex. JJ

Montgomery Co. BOE Continued Travel Expenses

OAEO Ohio Association of Election Officials
WINTER CONFERENCE
January 23-26, 2007 Hyatt Regency, Columbus, OH

Charlie Bowling	meals	$66.98
Denis Aslinger	meals	21.65
Sue A. Finley	meals & tip	5.90
Catherine Merkle	mileage & meals	114.14
Dru Stewart	" "	96.17
Lenny Thomasson	meals and tip	29.86
Robyn Fecke	meals and parking	37.80
Jeff Buchanan	meals	5.78
Paul Harris	meals	7.95
	total →	386.23
Stephen P. Harsman	meals for Full staff, mileage, tips, parking	1,527.37
Bill Hibner	meals and tips	27.14
Beverly King	meals and tips	21.65
Betty J. Smith	meals, mileage & tips	92.58
Bryan Suddith	meals and tips	29.25
Tony Tipps	meals, miles, & tips	126.46
Doug Tully	meals, tips, & parking	420.00
Sarah Clark	meals	23.63
No Name	1/26/07 & 1/31/07	4874.34
		7142.42
	plus above total	386.23
	Total	7528.65

Montgomery County Travel Expenses

2006 OAEO

January 9-13, 2006 Hyatt Regency, Columbus, Ohio

Steve Haraman	meals, miles, tips, parking	$ 550.69
Beverly King	meals, tips	63.46
Betty Smith	meals, miles, tips, parking	372.12
Carolyn Clark	miles, meals, parking	80.29
Tony Tipps	meals, ~~miles~~ tips, parking	117.46
Kym Brush	meals, tips, parking	112.27
no name	Hyatt bill for rooms	2265.74
	total	$ 3562.03

OAEO - Summer Conference June 13-16, 2006 Cleveland, Crown Plaza Cleveland, OH

Betty J. Smith	meals, mileage, parking	$ 729.38
Steve Haraman	meals, mileage, tips, parking	788.47
Dru Stewart	miles, tips, $	219.70
Doug Tully	meals, ~~miles~~ tip	25.65
Lenny Thomasson	meals, tips, parking	34.53
Tina Brown	meals, tips	33.00
Robin Titus	meals, miles, parking	31.56
	total	1862.29

From these 3 OAEO Conferences is $12,952.97

Montgomery Co. BOE Travel Expenses

2007 Misc.

Betty J. Smith		Lodging 5/14 - 5/17 2007	$420.36
		meals	98.94
	(Enterprise)	Car rental	234.97
		gas	27.08
		misc. expense	10.51
		total	$791.86

No Name July, 9, 2007 Hyatt Regency Columbus, $2,940.01

Steve Harsman 10/12/07 $1088.00

Deposit for Winter Conference in Columbus

OCA Code 99906 Object Level 6610

Betty J. Smith Airfare for Conference

3-12-07 270.80

Brian Mead Training BOE

6-12-07 and 6-21-07 meals & parking $64.46

Jason Bunch Fairfield Inn Marriot, Dayton $83.62

2-6 and 7, 2007 1 night

Jason Bunch 2751 North Harbor Road, Maineville OH 45039

Montgomery Co. BOE Travel Expenses

2007 Misc.

Steve Harsman flight Dayton to Washington D.C.

2-15-2007 stamp 2-14-2007 computer printed $248.80

Steve Harsman No Reason Given

4-10-07

Lodging	$457.45
Meals	40.83
Mileage	8.73
Tips	11.00
Parking	27.00
Total	$545.01

No Name Delta flight from Cincinnati to Portland Oregon

5-31-2007 stamped received ? no cost given

Steve Harsman

6-7-07 $82.15

Steve Harsman, Mary Cunningham, Tina Brown, Susan Martin, Cathie Merkle, Dennis Lieberman, Doug Tully, Betty Smith, Sarah Clark, Bryan Suddith, Carolyn Clark

$85 each $935.00

Tuesday, June 19, 2007 OH Sec. of State Jennifer Brunner

Summer Elections Official Conference

Lodging, registration, meals, mileage, other/car rental

for [redacted] 6-25, 26, 27, 28, 29, 30, of 2007 $2,241.85

continued →

Montgomery Co. Travel Expenses
SOS Summer Conference Cont.

Steve Harsman meals and tip, miles
6-18, 19, 20, 21, of 2007 $ 637.72

Bryan Suddith meals and parking
6-19, 20, 21 $ 56.97

Cathie Merkle meals
6-19, 21. $ 33.75

Betty J. Smith miles, meals, & a dinner for 11 staff members
6-18-19-20-21 $ 638.67

?
Mary _ Cunningham meals
7-19, 20, 21 of 2007 $ 105.49

Mrs. Betty J. Smith ACLE Summer Seminar = IND CAL ~~Group~~
Wed 9-26-07 thru Fri 9-28-2007 Room $ 248.00
Tax 28.52
Total $ 276.52

Betty J. Smith meals, mileage Total $ 863.36
9-26, 27, 28 of 2007 for multiple people
(390 miles from Dayton to Sandusky and back $ 189.15)

Jason Bunch no location given
11-5-07 Lodging
$ 93.45

J. Kenneth Blackwell
J. KENNETH BLACKWELL
Ohio Secretary of State
180 E. BROAD STREET / 16TH FLOOR / COLUMBUS, OH 43215
614.466.2655 / TOLL FREE: 877.767.6446 / FAX: 614.644.0649
e-mail: blackwell@sos.state.oh.us . www.state.oh.us/sos/

OAEO Winter Conference Closing Session
Agenda

Friday, January 23, 2004
9:00 AM – 11:00 AM
Closing Session – Union Ballroom

- *HAVA Funding and Project Update – Dana Walch & Sam Kindred*
- *Voter Registration Form – Pat Wolfe*
- *Record Retention – Gretchen Quinn*
- *I.D. Requirements – Dana Walch*
- *Provisional Ballots – Pat Wolfe*
- *Provisional Hotline – Dana Walch*
- *Administrative Complaint Procedure – Gretchen Quinn*
- *Notice Requirements – Dana Walch*
- *Frequently Asked Questions*
- *Q&A*

Ex. KK

Brunner, Jennifer

From: Brunner, Jennifer
Sent: Thursday, September 20, 2007 12:47 PM
To: 'district37@ohr.state.oh.us'
Subject: Voting Machine Study

Dear Mr. Speaker,

Thank you for your time today in discussing our request before the Ohio Controlling Board scheduled for Monday, September 24, 2007. Attached is the letter from Reps. Dolan and Hottinger sent and received today with concerns with the request. Also attached is the "Required Explanation of the Request" from the Controlling Board request with revisions requested by Senators Stivers and Carey. Changes are highlighted.

You had asked me for a list of election officials to be involved in the study. We are still confirming participation by some of them. This list was compiled with Aaron Ockerman who met with me this morning and suggested the names of those to be involved. We have attempted to obtain geographicaland voting machine diversity in convening this group:

Republicans:

Jeff Matthews (Stark County) (confirmed)
Jeff Wilkinson (Richland County) (confirmed)
Bryan Williams (Summit County) (confirmed)
Jo Friar (Ottawa County) (confirmed)
Jim Milliken (Jackson County)
Jay Morrow (Licking County)

Democrats:

Shannon Leininger (Ashland County) (confirmed)
Beth Ann Snyder (Fayette County) (confirmed)
Rokey Suleman (Trumbull County) (confirmed)
Chuck Miller (Tuscarawas County) (confirmed)
Rita Yarman (Knox County)
Jacqueline Neuhart (Guernsey County)

The above list may change, as this is a significant time commitment by these election officials, and we are still verifying commitment. The election officials' roles will be to:

1) receive a thorough briefing on the assessment process and view the testing location at SOCC;
2) serve in an advisory capacity during the testing process, participating in at least weekly briefings and discussions on testing progress and aspects;
3) review and report to the Secretary of State all scientific findings and implications reported by all vendors; and
4) collaborate with the Secretary of State in making recommendations to the Governor and General Assembly based on the reports.

Thank you for your interest, and I look forward to further discussion with you.

Jennifer Brunner
Ohio Secretary of State

Letter of Reps Dolan Hottinge...

SOS CB request-redline.doc

Ex. LL