



Let the People Vote

A Joint Report on Election Reform Activities in Ohio

Issued by:

The Coalition on Homelessness
and Housing in Ohio (COHHIO)
and

The League of Women Voters of
Ohio

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Only four fraudulent votes out of 9 million cast in 2002-2004.

The odds are greater to Win the Lottery, Get Struck by Lightning, than Cast an Ineligible Vote in Ohio

To hear some at the Statehouse tell the story, the 2004 election was plagued by widespread voter “fraud” and abuse. There were stories of the deceased attempting to vote. There were stories of people being bussed into Ohio and paid to vote. There were stories of people attempting to vote two and three times.

Because there is very little evidence to substantiate these “stories ” which are based only on anecdotal evidence, the Coalition on Homelessness and Housing in Ohio (COHHIO), along with the League of Women Voters of Ohio, launched a research project in an effort to determine the actual number of ineligible votes cast in the state’s last two general elections.

This report was undertaken because the Ohio Legislature is considering placing additional voter identification barriers in a substitute bill, to replace Sub HB 3 and to be introduced on June 15. We believe this hasty response is not in the best interest of Ohio voters. The data reflects that these “stories” are untrue.

Of the 9,078,728 votes cast in Ohio’s 2002 and 2004 general elections, a total of four were deemed as ineligible or “fraudulent” and found by the Board of Elections and County Prosecutors to have merit and pursued legal action. In other words, with a .00000044% the odds are greater to win the lottery, or get struck by lightning than someone casting an ineligible vote in Ohio.

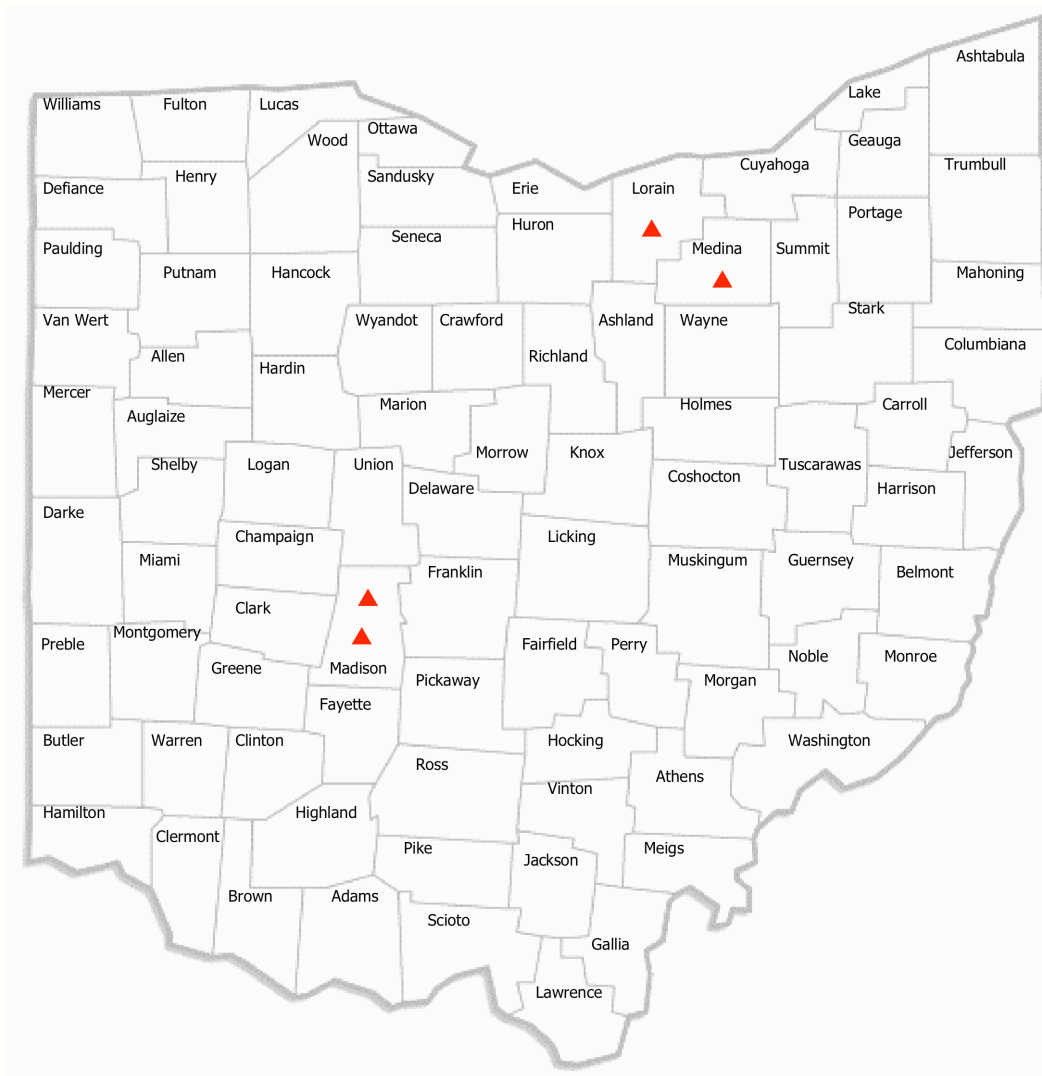
The research project was conducted via telephone interviews with either the Director or Deputy Director of each of the state’s 88 county Boards of Elections during the first week of June 2005. For purposes of this report, voter fraud is defined as “an ineligible voter voting or attempting to vote.”

Each Board was asked the following question: “Were there any voter fraud cases within your county from the Election of 2002 and 2004?” Responses to this question

(along with any additional information provided) were then tabulated. The tabulated responses serve as the basis for this joint report.

Contrary to the rhetoric associated with recent election reform efforts (most notably Sub. H.B. 3) in Columbus, the project found that voter fraud (as characterized by some in the General Assembly) is not rampant. In fact, its occurrence is exceedingly

rare as evidenced by the fact that the four identified cases are confined to just three of the state's 88 counties. Officials in most of the other counties even went so far as to report that their office had no record of fraudulent or ineligible votes being cast ever. Obviously, there is a disconnect between the rhetoric and the facts.



For example, Rep Jim Trakas, Vice-Chair of the House Elections and Ethics Committee cited an example in an open hearing last month that he had heard about a busload of people from West Virginia coming over to Ohio to vote in 1960. Senator Jeff Jacobson, the Sub HB 3 manager in the Senate, seems to agree that there is rampant “fraud” in the state’s election system. In his sworn testimony before the United States Committee on House Administration on March 18, 2005, Jacobson stated “As we look ahead to

future Ohio elections, we hope to update our election laws this General Assembly by curbing fraudulent abuses and clarifying elections procedures. To this extent we are considering whether to require voters to present identification at the polls, curb third-party funded voter registration abuses,..." While both comments would lead one to believe that voter "fraud" and abuse is widespread, the facts simply do not bear this out. Worse yet, they create an environment where solutions to problems that may or may not exist get presented and adopted with little if any debate. The right to vote is too important to get shortchanged by speculation, innuendo, or implication.

It is a disservice to the public, board of elections and integrity of the election system for lawmakers to legislate by folklore. The moment the public loses faith in the election system, democracy is threatened.

Not only has our research helped to debunk some of the myths associated with purported voter fraud in this state, it also serves as a solid basis on which to advocate against some of the proposed "solutions" to this non-existent problem.

114,400 Ohio voters would be refused the right to vote for lack of a photo ID

Dr. Norman Robbins, Greater Cleveland Voter Coalition

Much of the overheated media and political publicity about "voter fraud" actually pertains to registration fraud. Yet no cases of either registration or voting fraud have been brought to the Ohio Court of Appeals since 2000 even though over 8 million votes were cast in the General Elections of 2000 and 2002¹. Furthermore, while there are a handful of investigated cases from 2004 where fictitious registration forms were submitted, current registration procedure (which requires verifiable driver's license or Social Security number), and severe penalties under existing Ohio law have clearly been very effective in preventing ineligible voters from voting.

The cause of problems in this state's elections system is, not voter fraud but is system failure. Unfortunately, the General Assembly is poised to pass sweeping "election reform" legislation that will not reform the systemic problems, but will result in more Ohioans being disenfranchised.

¹ [Search of Westlaw database by Greater Cleveland Voter Coalition](#)

<i>Item</i>	<i>Current Law</i>	<i>Proposed in Sub. H.B. 3</i>	<i>Effect</i>
Confirmation card returned to BOE	Show ID & vote regular ballot	Show ID & vote provisional ballot	Suppress vote
Registered by mail, no ID on VR form	Show ID to vote regular ballot	Show ID to vote provisional ballot May be added: Require photo ID from every voter at every election	Suppress vote
Registered voter changed address/ name within precinct	Vote regular ballot	Vote provisional ballot	Suppress vote
Ex-felon right to vote	Automatically restored on release	May be added: Require court order, re FL	Suppress vote
Absentee vote	State reason; no ID required	No reason; ID required	Suppress vote
Where return completed VR	Any BOE or SoS (to be forwarded)	Felony unless returned directly to right BOE	Suppress vote
Help register voters	No requirement	If paid, must register in each county to help voters in that county	Suppress vote

If the General Assembly is going to introduce these restrictive practices they should be aware of its serious unintended consequences. For example, over 100,000 voters could be disenfranchised according to Dr. Norman Robbins in his Facts to Ponder About the 2004 General Election in Considering House Bill 3:

Number of Ohioans 18 and over who have neither a driver's license nor a state ID: 357,000² (4% of all adults 18 and over);

Number of Ohio voters who would be refused the right to vote for lack of a photo ID if even only 2% of attempted voters were in this category³: 114,400; and

Numbers of Ohioans over 75 years of age potentially unable to vote if 36% did not have a driver's license, as found in Georgia by AARP⁴: about 154,000.

² According to Mr. R. Rauch, Chief, Ohio BMV Research Section, in 2003, 8,174,513 Ohioans 18 years of age and over had either Driver's license or State ID. The US Census (2003) gives a total of 8,531,105 Ohioans 18 and over. By taking the difference, one finds that 356,592 Ohioans have neither driver's license or state ID, and this number is 4% of all Ohioans 18 and over.

³ 2% of the 5.7 million votes cast in the Ohio 2004 General Elections.

⁴ The Atlanta Journal-Constitution, 4/8/05: "Voter ID supporters lack hard evidence" by Prof. Spencer Overton, of George Washington University Law School. According to the 2000 Census, <http://www.elderweb.com/?PageID=2601>, 717,505 Ohioans are 75 and older. 36% of this number is 258,302. If one assumes the registration rate (74%) and turnout (81%) found in Georgia for citizens 60 and over (data from consultant to Georgia AARP), then the number of Ohio voters 75 and over without a license photo ID would be 154,000. However, this would be reduced somewhat by those senior citizens who have state photo ID's.

The League of Women Voters of Ohio, who encourages the informed and active participation of citizens in government, questions the need for more identification requirements for Ohio voters. It is hard to imagine what purpose this serves other than to discourage people from voting. If you show up at the polls and wait in line only to be told you must show ID, many voters cannot or will not go home for their ID, then come back and stand in line again to vote. And are people even going to be willing to show ID in a situation that has never before required it?

The right to vote is the cornerstone of democratic government. Sub HB 3 will not protect the right to vote. In fact, this legislation will create unnecessary and arbitrary barriers to voting, barriers that will result in greater numbers of Ohioans being disenfranchised. The goal of the Ohio legislature should be to make it easier for people to vote not more difficult. Citizens of this state deserve better.

The Coalition on Homelessness and Housing in Ohio (COHHIO) is a statewide non-profit advocacy organization dedicated to promoting safe, decent, and affordable housing for all Ohioans. Part of this advocacy agenda includes voter registration, education, and mobilization efforts targeted at low-income as well as homeless individuals and families.

The League of Women Voters of Ohio is a nonpartisan political organization, encourages the informed and active participation of citizens in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

Endnotes

¹ Ohio Lottery Commission, [How to Play Super Lotto Plus and Six Great Ways to Win!!!](http://www.ohiolottery.com/games/slp/slp_home.html), http://www.ohiolottery.com/games/slp/slp_home.html

² National Weather Service Office of Climate, Water, and Weather Services, [Medical Aspects of Lightning](http://www.lightningsafety.noaa.gov/medical.htm), <http://www.lightningsafety.noaa.gov/medical.htm>