



Coalition on Homelessness
and Housing in Ohio
COHHIO

Summary of Inaction by the Ohio Secretary of State on New Voter ID Requirements

August 3, 2006

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Coalition on Homelessness and Housing in Ohio (COHHIO)

House Bill 3 created the most significant changes to Ohio's voting laws in three decades. COHHIO's early review the rules and advisories associated with the implementation of the legislation revealed a major problem with the voter ID provision: **the Secretary of State neglected to inform the public and the county boards of elections that a state-issued ID with a current OR former address is sufficient to cast a regular ballot.**

The following timeline highlights COHHIO's efforts to bring clarity to our state's election process in an effort to protect the unencumbered voting rights of all Ohioans.

- **January 31** – The Governor signs House Bill 3 into law and files the new law with the Secretary of State, who is responsible for implementation. The definitions section of 3501.01 (AA) (2) related to photo identification clearly states, “It shows the current address of the individual to whom it was issued, which shall conform to the address in the poll list or signature pollbook, except for a driver’s license or a state identification card issued under section 4507.50 of the Revised Code, which may show either the current or former address to whom it was issued, regardless of whether that address conforms to the address in the poll list or signature pollbook.”
- **June 5** – The Assistant Secretary of State, Monty Lobb, issues Advisory No. 2006-05 to all County Boards of Elections, which contains 21 pages summarizing the various statutory changes made in HB 3. Nothing in this advisory mentions that a state-issued ID with a former address qualifies the voter to cast a regular ballot.
- **June 16** – In a letter to the Secretary of State, COHHIO requests clarification on the voter ID provision.
- **June 26** – After contentious debate, the Joint Committee on Agency Rule Review (JCARR) approves six new rules, filed by the Secretary of State. Nothing in these rules mentions that voters with a state issued ID with their former address can cast a regular ballot. A representative of the Secretary of State says that there would be new rules filed to address these concerns “within the next week or so.”
- **July 3** – In a letter to COHHIO, a representative of the Secretary of State agrees with COHHIO's interpretation of the voter ID provision: a former address on a state issued ID is acceptable to vote a regular ballot.
- **July 14** – Increasing confusion leads COHHIO to estimate that over one million eligible voters could be unnecessarily required to cast a complex new provisional ballot. COHHIO contacts researchers at Cleveland State University to gather data to test the estimate. **Findings summary:**

The number of registered voters who have a driver's license ID with a former address is between 650,000 and 1,277,00. Unless poll workers are aware that valid identification for a regular ballot includes a driver's license that may have a former address, some number of properly registered voters may be required to vote a provisional ballot. It is estimated that between 458,000 and 638,000 voters will turn out and could be forced to vote provisionally instead of by regular ballot. Please call Cathy Johnston at 614-280-1984 to request the complete report.

- **July 20 – August 1** - Knowing that County Boards of Elections are generating pollworker training materials and mailings to all registered voters, COHHIO canvases 27 County Boards of Election to determine their understanding of the voter ID requirement.
Summary of canvases:
ELEVEN responded that the voter completes change of address form at the polls and votes provisionally; THREE indicated they did not know or were unsure and asked us to check back; SEVEN said voter would be given regular ballot; FOUR suggested the voter would need additional ID; ONE said current ID would be required; ONE indicated there was more than one answer.
- **July 31** – In preparation for the limited special elections taking place on August 8th, pollworker training across the state begins with inaccurate information about voter ID requirements.
- **August 2** – COHHIO issues an advisory announcing our press conference on August 3rd.
- **August 2** – At 4:50 pm, Judy Grady, Director of Elections for the Secretary of State, sends a memo to all directors and deputy directors of county boards of elections regarding ID provisions of HB 3. The memo fails to clarify that voters with a state-issued ID listing their current OR former address can cast a regular ballot.
- **August 8** – A special election occurs involving 27 counties with 48 ballot issues.
- **August** - County Boards of Election officials prepare the September 8, 2006 Notice of Elections mailing to all registered voters. HB 3 requires this notice, which must include the assigned polling place and the types of identification, and which voters must bring to the polls. **A directive from the Secretary of State should require the Boards of Elections to include a statement that clarifies that a state-issued ID with a current or former address is acceptable to cast a regular ballot.** Without it, Ohioans can expect longer lines and more confusion at the polls, and little assurance that voters' ballots will ever be counted (see provisional ballot on our website, www.cohhio.org).

The directive is essential, but it cannot by itself fix all of the problems imbedded in new voter ID requirements in HB 3. For example, while HB 3 states that *a military ID is an acceptable form of ID* at the polls, the ID must contain the voter's address, meaning that *a military ID is NOT an acceptable form of ID* after all. A military ID -- sufficient for entry onto military bases around the world -- will not allow Ohioans entry into a voting booth. This is unnecessary, bureaucratic and undemocratic public policy that can be corrected; and it's something the Secretary of State must fix, either by issuing a directive or calling on the legislature to clarify the law.