

To: Secretary of State LaRose

From: Ohio Voter Rights Coalition

Date: October 21, 2020

Re: Urgently Improving Line Congestion, Ensuring Every Vote Counts, Curbside Voting Access, and Addressing Intimidation

Dear Secretary of State LaRose,

As a coalition of non-partisan election protection organizations, we write to strongly urge that you promptly issue clear guidance for Boards of Elections (BOEs) to handle several very serious issues that could occur, or in many cases are already occurring during early voting.

These issues include:

1. Current congestion and long wait times for drop boxes and early in-person voting
2. Lack of clear protocols for BOEs to allow voters who are in line in their vehicles to be able to cast their ballot
3. Lack of clear signage at polling locations or notification for voters to utilize curbside voting, and
4. Intimidation of voters at the polls by private actors and/or armed militias

Current Congestion and Long Lines at Early Vote Centers

As reported in several prominent Ohio news outlets, the lines at many county Boards of Elections are long – for both in-person voting and for the dropbox for absentee ballots.

While the BOEs have been successful so far in clearing voters through, the numbers, being so much higher than in all previous presidential election years, indicate that by the last days of early voting, BOEs may be unable to manage these lines. Some BOEs appear to already be at capacity for the amount of voters they can process during what is usually considered a “slow” time during early vote. This portends serious issues in the coming weeks, when turnout will necessarily increase.

It should be noted that the unacceptable delays in printing absentee ballots for Lucas, Stark and Summit counties, among others, will cause early voting crowds to swell even more. Stark County is explicitly encouraging voters who may be impacted by the printing delay to vote early in person. Particularly given these circumstances, boards of elections bear the responsibility to take affirmative measures to mitigate lines so that voters are not disenfranchised due to no fault of their own.

The Ohio Voter Rights Coalition is asking for your leadership as the Secretary of State to issue clear and public communications to all Boards of Elections to give them guidance on how to address longer lines as more voters turn out to vote.

One possible process we suggest is to encourage Boards of Elections to have someone with an e-poll book check in people in line and allow those who wish to do so to fill out paper ballots. This method has been used on Election Day at precinct polling places when there have been long lines. Because these voters would not be using machines, any ballots cast would speed up the line and increase the number of voters served per hour.

We also recommend allowing Boards of Elections teams to collect absentee ballots in satellite locations in addition to the BOEs. This would ease congestion and facilitate greater access for voters. We again urge you to permit this to ensure all voters can cast their ballot without delay or risk of disenfranchisement.

Ensuring Every Vote Counts for Drive-Up Absentee Ballot Drop Boxes

In addition to long lines for voting early in person, lines have also been long at BOEs for those driving up in their vehicles to cast their ballots. The lines of vehicles are now reported to be clogging up streets and even highways. For example, lines have backed up into the Norwood Lateral in Cincinnati and to the ramp to I-90 in Cleveland. As with early in-person voting, this problem is expected to increase as we get closer to Election Day.

This brings up very real concerns about what action BOE's will take when there are long lines of vehicles waiting at the close of early vote and on Election Day.

Let us be clear, every vote must count.

To avoid potential litigation on this matter, we strongly encourage you to issue an immediate directive to BOEs to allow every voter to cast their ballot if they are waiting in line in their vehicle to drop off a ballot.

Improving Access to Curbside Voting

There is a serious deficit of signage in and around BOEs notifying voters of their right to utilize curbside voting. **We ask that you require BOEs and polling locations to place highly visible signs informing voters that curbside voting is an option.** Especially with long lines occurring, this becomes a health and safety issue. As we saw reported in Akron, an older voter with disabilities collapsed after waiting nearly two hours.

Additionally, BOEs should be required to prominently display information on this option on the homepage of their websites, so that voters can utilize this information when making their voting plans. Voters simply cannot access this important service as is currently displayed. COVID-19 only makes access to and communication about this option even more critical.

Voter Intimidation at Early Vote Centers and On Election Day

Voters have expressed their fears that people, either in militias or individually, may attempt to take election security into their own hands. The fact that Ohio is an open carry state will further escalate potential confrontations at the polls. It is imperative that voters hear assurances from their local BOEs and their Secretary of State that this type of armed response is unwanted and unneeded for a secure election.

We ask that you and the BOEs issue public statements asking that people leave their weapons at home. We also ask that BOEs be required to develop plans for dealing with the threat of violence and “enforce peace and good order” as they are required to do in the Ohio Revised Code (RC 3501.33).

Voters need to feel safe and not intimidated to exercise their right to vote. Your leadership is essential to address this matter before it becomes a potential for intimidation, violence, or disenfranchisement.

We know you share our goals of making Election Day and early voting an easy and safe process. We ask that you take immediate action and take a proactive approach before these problems impact election security and devolve into litigation. Thank you for considering our recommendations. Please let us know if you would like to discuss them in detail by contacting Camille Wimbish at camille@ohvoice.org.

Sincerely,

Ohio Voter Rights Coalition Steering Committee:

Camille Wimbish, Ohio Voice

Jen Miller, League of Women Voters of Ohio

Catherine Turcer, Common Cause Ohio

Kayla Griffin, All Voting is Local Ohio

Ben Guess, ACLU of Ohio