



Ohio Democratic County Chairs Association
Janet Carson, President

LEGISLATOR NAME
Sent Electronically

Members of the Ohio Legislature,

The Ohio Democratic County Chairs Association is an organization representing the 88 Democratic County Chairs throughout the State of Ohio, many of whom are members of their County Board of Elections. We are sending this letter to ensure that our voice is heard and considered during this time where the process and deadlines of a 2020 Primary Election for Ohio is uncertain.

In this unprecedented time, we understand that as the Legislators in the State of Ohio, you will be faced with many decisions on how Ohio will proceed in many facets of their life including their Education, Finances, and much more.

To express our concerns and our advocacy for certain items, we have drafted the attached statement for you. We hope that this will make it clear the stance of our organization and what we advocate for moving forward to host an open, fair, and accessible 2020 Primary Election.

Any of our members throughout your various districts will be happy to discuss with you any unique situations in their respective counties, but our statement takes into account issues that we feel are affecting the vast majority of counties throughout the State of Ohio at this time.

Thank you for your consideration at this time. We hope that this insight assists you in your decisions moving forward during this difficult and unprecedented time.

Sincerely,

Janet Carson

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President, Ohio Democratic County Chairs Association

STATEMENT BY ODCCA REGARDING RESUMPTION OF 2020 PRIMARY ELECTION

In accordance with its constitutional authority, the Ohio General Assembly provided by law that the 2020 Ohio primary election was to be held on March 17, 2020. Due to the unprecedented health crisis, voting was not held on March 17. The voters who had been told, up to the night of March 16, that they could vote at their polling places on March 17 must still be given an opportunity to vote. The Ohio Democratic County Chairs Association asks the General Assembly to promptly perform its constitutional duty to enact legislation allowing those voters to vote. Many of our members also serve on the county boards of elections. We will be on the front lines of implementing whatever is required to complete the 2020 primary election.

The first consideration is timing. Presidential nominating convention delegates need to be identified. School districts with ballot issues on the primary ballot need to know whether their issues passed or whether they need to request August special elections. Candidates need to know whether they are on the general election ballot. The 2020 primary needs to be concluded within a reasonable time, allowing time for possible recounts and contests. No one knows at this point when it will be safe to have in-person voting again. Therefore, the 2020 primary should be conducted entirely by absentee ballots, mailed to voters and mailed back or returned safely to county boards of elections. Voters who have not already voted should be given a reasonable time to request an absentee ballot and those ballots should be counted if returned by April 28, 2020. Counting of ballots already returned should be authorized whether or not those ballots were postmarked by March 16 as originally required.

There are costs associated with this that many county boards of elections are not in position to bear. There will be additional printing and postage costs to prepare and mail absentee ballots and voter identification envelopes. To reduce the burden on voters, postage paid return envelopes should be provided. There will be additional personnel costs for bipartisan staff to receive absentee ballots returned to boards of elections by hand. There will be bipartisan overtime to count these ballots. Boards will need to procure secure receptacles in which voters may drop-off ballots. If those

receptacles are to be available to voters 24/7, there will be costs to monitor the receptacles, especially during overnight hours, to ensure that substances are not placed in the receptacles that make ballots unreadable or unsafe for BOE staff to handle. There will be costs to protect BOE staff handling ballots and other items that have been publicly available. Many counties cannot bear these additional costs necessary to conclude the 2020 primary. Funding must come from the State.

Counties will face even greater unexpected costs if we make a second attempt at having an in-person “election day.” Polling locations will have to be obtained. If locations intended for use on March 17 are not available due to the crisis, voters must be notified of alternate locations. Voting equipment and supplies will have to be deployed and retrieved a second time. Regardless of how the election is concluded, some cost and potential legal issues can be avoided if ballots dated for March 17, 2020 are authorized for use through the conclusion of the 2020 primary on a date after March 17.

Another important issue is voter registration. Under Ohio statutory law, people may vote in an election if they registered to vote at least 30 days before “election day.” There is no reason apparent to us why that normal deadline for voter registration should not apply to the date selected to replace the March 17 election day which did not happen. In any event, the voter registration deadline applicable for voting in the resumed primary must be made clear.

Facing a general election in November which may also require special and more expensive procedures due to the crisis and an uncertain number of special elections, counties have already incurred costs in preparation for the delayed March 17 election. These costs include deployment and retrieval of voting equipment; rental and janitorial charges for polling locations that were, in the event, not used by voters; signage and mailing of notices to voters of polling places changed due to the crisis that may not apply to the resumption of the election; additional visits by bipartisan staff to nursing homes and hospitals to permit residents and patients to vote. This has been an unexpected and, in many instances, severe burden on counties’ election budgets.

Last, but by no means least, is payment of the counties’ precinct election officials (PEOs). All PEOs attended training in anticipation of the March 17 voting. Many picked up and have now

returned ballots and other polling places supplies that would have been used for voting on March 17. Many people took a day off work on March 17 in order to work at the polls. In fairness and to encourage these people to continue to serve, all PEOs who committed to work on March 17 should be paid the modest compensation which they are due for that service. Again, many counties cannot absorb that expense without funds from the State.

The issues addressed above are some, but not necessarily all, of the issues that arise from adopting an emergency procedure to conclude the 2020 primary election that was not conducted as required by law on March 17, 2020. No solution is perfect but the risks of unintended consequences and unexpected burdens on our counties are high. Time is short and immediate decisions must be made. Those decisions must be made with input from the people who conduct the elections in our counties. We encourage the General Assembly to work with us and the Ohio Association of Election Officials on the details of how Ohio will conclude its 2020 primary election.