

**IN THE SUPREME COURT OF OHIO**

State ex rel. BRIAN M. AMES	:	Case No. 2022-0850
	:	
Relator,	:	Original Action in Mandamus
	:	
v.	:	Expedited Election Matter
	:	Pursuant to S.Ct.Prac.R. 12.08
FRANK LAROSE,	:	
OHIO SECRETARY OF STATE, et al.	:	
	:	
Respondents.	:	

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**SUBMISSION OF EVIDENCE OF RESPONDENT  
GEAUGA COUNTY BOARD OF ELECTIONS**

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Now comes the Geauga County Board of Elections, a Respondent in the instant action, by and through its statutory legal counsel, the Geauga County Prosecuting Attorney, and pursuant to S.Ct.Prac.R. 12.06 hereby submits evidence in the instant action as follows:

- A. Ohio Secretary of State Directive 2022-31
- B. Ohio Secretary of State Directive 2022-32
- C. The May 27, 2022 Order from Federal Case *Gonidakis v. Larose*, No. 2:22-cv-0773,(S.D. Ohio May 27, 2022)
- D. Ohio Secretary of State Directive 2022-34
- E. Affidavit of Geauga County Board of Elections Director Michelle Lane
- F. Ohio Secretary of State Directive 2022-33
- G. Ohio Secretary of State Directive 2022-13, Pages 288-289
- H. A copy of the Portage County Board of Elections Official Canvass from the May 3, 2022 primary election

Respectfully submitted,

/s/Kristen Rine

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## CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the above and that a copy of the foregoing has been served via USPS first class mail, postage prepaid, e-mail and/or this Court's electronic notification system to the following on this 1<sup>st</sup> day of August 2022:

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/s/Kristen Rine  
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EXHIBIT A

**DIRECTIVE 2022-31**

March 23, 2022

To: All County Boards of Elections  
Board Members, Directors, and Deputy Directors

Re: Revised Form of Ballot for the May 3, 2022 Primary Election

**SUMMARY**

Last Thursday, our Office issued [Directive 2022-30](#) (“*League of Women Voters of Ohio, et al. v. Ohio Redistricting Commission, et al.* Decision and Additional Instructions”). That Directive prohibited boards of elections from altering or sending ballots until further notice. This step was taken to maintain the state of preparedness that all 88 county boards of elections have worked tirelessly toward for the last three months in anticipation of administering a complete May 3, 2022 Primary Election.

In the wake of the Ohio Supreme Court’s decision last week invalidating the February 24, 2022 General Assembly district plan, it is not possible to include the primary contests for the Ohio House, Ohio Senate, and State Central Committee on the May 3, 2022 Primary Election ballot. The Plaintiffs in the federal court case *Gonidakis v. LaRose*<sup>1</sup> filed a motion on Monday asking the court to order the use of the February 24, 2022 district plan for the primary. But the federal court’s ultimate decision on that motion has not been made as of the issuance of this Directive or rather in time for boards of elections to finalize ballots for the May 3, 2022 Primary Election. Likewise, the General Assembly has not changed the date of the election. Therefore, offices and candidates for Ohio House, Ohio Senate, or State Central Committee will not appear on the ballot. This is the only currently lawful and reasonable option to continue to move forward toward the May 3, 2022 Primary Election at this unprecedented point in time. This Directive provides a revised form of the ballot without those offices for the May 3, 2022 Primary Election. This Directive supersedes any provisions that may conflict in [Directive 2022-26](#), [Directive 2022-28](#), and [Directive 2022-30](#).

**INSTRUCTIONS**

**I. GENERAL ASSEMBLY DISTRICTS**

The Ohio Supreme Court’s decision in *League of Women Voters of Ohio et al. v. Ohio Redistricting Commission, et al.* (“*League of Women Voters of Ohio*”) invalidated the General Assembly district plan adopted on February 24, 2022. Therefore, the House and Senate shapefiles, legal descriptions, and lists of most populous counties accompanying [Directive 2022-26](#) are invalid. The Court ordered the Ohio Redistricting Commission to adopt a new General Assembly district plan by March 28, 2022. Even if the Commission adopts a new district plan by that

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<sup>1</sup> Case No. 2:22-CV-773 (S.D. Ohio 2022).

deadline, the shapefiles, legal descriptions, and lists of most populous counties will not be ready in time to program the new districts and re-certify petitions by the start of absentee voting on April 5, 2022.

## **II. STATE CENTRAL COMMITTEE DISTRICTS**

Ohio's major political parties' state central committee members are elected according to State Senate districts. Due to the invalidation of the February 24, 2022 General Assembly district plan, the districts for State Central Committee are also invalid.

## **III. CONSEQUENCE FOR CERTIFIED CANDIDATES FOR OHIO HOUSE, OHIO SENATE, AND STATE CENTRAL COMMITTEE**

Candidates' petitions for Ohio House, Ohio Senate, or State Central Committee were certified based on the February 24, 2022 General Assembly district plan. Due to the Supreme Court's decision in *League of Women Voters of Ohio*, by operation of law, a board's decision to certify or reject those candidates' petitions for the May 3, 2022 Primary Election is null and void. Board members must acknowledge this on the record at their next board meeting.

## **IV. REVISED FORM OF BALLOT AND BALLOT PREPARATION**

Boards must reprogram their election databases and prepare ballots to be ready by April 5, 2022, without the offices of Ohio House, Ohio Senate, or State Central Committee. If boards' election management systems allows for it, boards must maintain a copy database of the ballot program file that contains the offices and candidates for Ohio House, Ohio Senate, and State Central Committee pursuant to the February 24, 2022 district map.

Please see the accompanying form of the ballot with a revised order of offices for each major political party accompanying this Directive. This revised form of ballot does not include the offices of Ohio House, Ohio Senate, or State Central Committee. This Directive supersedes the forms of the ballot that accompanied [Directive 2022-28](#). Boards are required to notify my Office via [Intake@OhioSoS.gov](mailto:Intake@OhioSoS.gov) or by calling (614) 728-8789 as soon as their ballots are reprogrammed and finalized but prior to sending any ballots. Once ballots are finalized, my Office will direct boards to issue the ballots to ensure that any impact of ongoing litigation is taken into consideration. In the event that the federal court order alters the ballot outside of this Directive, my Office will issue additional guidance immediately to comply with the court's order.

[R.C. 3505.14](#) requires boards to post printed proofs of the ballot for 24 hours for inspection and correction of any errors on the ballot. Even if a board previously posted proofs of the ballot, the board must post proofs again once the offices of Ohio House, Ohio Senate, or State Central Committee are removed from the ballot. Boards must notify the chairman of the local executive committee of each party or group represented on the ballot by candidates or issues and should proactively encourage both parties to review ballots for accuracy.

## **V. UNIFORMED SERVICES AND OVERSEAS CITIZENS' ABSENTEE BALLOTS**

Substitute Senate Bill 11 of the 134<sup>th</sup> General Assembly requires Uniformed Services and Overseas Citizens' Absentee ("UOCAVA") ballots to be sent no later than April 5, 2022.<sup>2</sup> Boards must take prompt action to revise their ballots to meet the April 5, 2022 deadline. Boards must not transmit a UOCAVA ballot with the offices of Ohio House, Ohio Senate, or State Central Committee. Boards must follow all other directions in [Directive 2022-29](#) with respect to UOCAVA voting, with the exception of instructions for "Return of the Ballot" in Section II.B. of that Directive. The United States Postal Service has since clarified that boards should use the following procedure:

- For **uniformed services voters, eligible spouses, and dependents**:
  - For any voter with an **APO/FPO/DPO address**, prepare and provide a USPS label to the voter. If the voter requests to receive their ballot by email, a .pdf of the label must be one of the attachments to the email. The .pdf can be created and downloaded on the USPS "Click-N-Ship" site. When selecting a method for mailing, utilize the quickest, earliest time for Priority Mail. Boards must include "United States of America" when inserting the board's address into the label.
  - For a **domestic mailing address**, do **one** of the following:
    - Set up and use an account with a private carrier to prepare a label containing the board's account number. This prepared label must be provided electronically or by mail, if the ballot is delivered by mail. Boards should use information available on websites or contact the delivery service directly to determine the best and fastest shipping service for the delivery of the ballot to the board of elections. Boards must include "United States of America" when inserting the board's address into the label.
    - Prepare and provide a USPS label to the voter or follow the same instructions provided below for mailing to non-military overseas voters. When utilizing the USPS, if the voter requests to receive their ballot by email, a .pdf of the label must be one of the attachments to the email. The .pdf can be created and downloaded on the USPS "Click-N-Ship" site. When selecting a method for mailing, utilize the quickest, earliest time for Priority Mail Express.
  - For an **overseas mailing address (other than an APO/FPO/DPO address)**, set up and use an account with a private carrier to prepare a label containing the board's account number. This prepared label must be provided electronically or by mail, if the ballot is delivered by mail. Boards should use information available on websites or contact the delivery service directly to determine the best and fastest shipping service for the delivery of the ballot to the board of elections. Boards must include "United States of America" when inserting the board's address into the label.
- For **non-military overseas voters**, set up and use an account with a private carrier to prepare a label containing the board's account number. This prepared label must be

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<sup>2</sup> See [Directive 2022-29](#) and [S.B. 11, Section 5](#).

provided electronically or by mail, if the ballot is delivered by mail. Boards should use information available on websites or contact the delivery service directly to determine the best and fastest shipping service for the delivery of the ballot to the board of elections. Boards must include “United States of America” when inserting the board’s address into the label.

**VI. NOTICE ON WEBSITE AND VOTER INFORMATION LOOKUP**

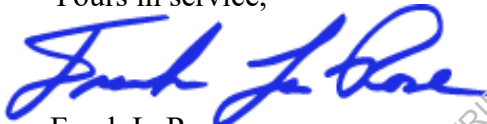
Boards must prominently display notice on their website and specifically in their Voter Information Lookup that states, “On March 16, 2022, the Supreme Court of Ohio invalidated the Ohio General Assembly district plan adopted on February 24, 2022. Therefore, the offices of Ohio House, Ohio Senate and State Central Committee will not appear on the May 3, 2022 Primary Election ballot. Voter district information for Ohio House, Ohio Senate, and State Central Committee will be updated as soon as that information is available.”

**VII. PROTESTS AGAINST CANDIDATES FOR OHIO HOUSE, OHIO SENATE, AND STATE CENTRAL COMMITTEE**

Any protest against a candidate for Ohio House, Ohio Senate, or State Central Committee is moot due to the Court’s decision invalidating the February 24, 2022 General Assembly district plan. The most populous county board of elections in the district must promptly notify the protestor and any candidate whose certification was challenged by protest.

If you have any questions regarding this Directive, please contact the Secretary of State’s Office at (614) 728-8789.

Yours in service,



Frank LaRose  
Ohio Secretary of State





**DIRECTIVE 2022-32**

April 1, 2022

To: All County Boards of Elections  
Board Members, Directors, and Deputy Directors

Re: May 3, 2022 Primary Election Instructions

**SUMMARY**

On March 30, 2022, the United States District Court for the Southern District of Ohio held a hearing in *Gonidakis, et al. v. LaRose, et al.* regarding the Ohio General Assembly redistricting plan.<sup>1</sup> The federal court decided that they would not intervene at this time to select new Ohio House and Senate district plans, nor would the court move the primary election date for all other races not affected by General Assembly redistricting so there could be a single primary date. Thus, this Directive provides instructions to proceed with the May 3, 2022 Primary Election without the offices of Ohio House, Ohio Senate, and State Central Committee on the ballot.

**INSTRUCTIONS**

**I. TRANSMITTING UOCAVA BALLOTS FOR MAY 3, 2022 PRIMARY**

Boards must proceed with a primary election on May 3, 2022 without the contests for the Ohio House, Ohio Senate, and State Central Committee. [Directive 2022-31](#) required all county boards of elections to prepare their ballots without those contests and notify my Office as soon as the ballots were reprogrammed and finalized, but prior to sending any ballots.

Boards are now authorized to issue ballots to Uniformed Services and Overseas Citizens' Absentee Voting Act ("UOCAVA") voters as soon as possible, but no later than April 5, 2022 and should work over the weekend to achieve this requirement.

Boards must submit the Form 12-M accompanying this Directive no later than 4:00 p.m. on April 5, 2022 via ElectCollect. After submitting the Form 12-M, the Director and Deputy Director must print, sign, and email the Form 12-M to [Results@OhioSoS.gov](mailto:Results@OhioSoS.gov). If a board transmits ballots to UOCAVA voters before April 5, 2022, the board should still wait until April 5, 2022 to complete and submit the form. This ensures that the Secretary of State's Office can accurately report the number of requested and transmitted UOCAVA ballots to our federal partners.

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<sup>1</sup> Case No. 2:22-CV-773 (S.D. Ohio 2022).

## **II. UPDATED FEDERAL WRITE-IN ABSENTEE (“FWAB”) NOTICE**

Each board must update the 46-Day FWAB notice to include the following information:

“The offices of State Senator, State Representative, and Member of State Central Committee will not appear on the May 3, 2022 Primary Election ballot.”

Form 120 (updated 04-22) is updated to include this language. The offices and candidates for State Senator, State Representative, and Member of State Central Committee must be removed from the FWAB for the May 3, 2022 Primary Election.

## **III. RESOLVING ANY OUTSTANDING PROTESTS**

Any protests filed against candidates for offices *other than* Ohio House, Ohio Senate, and State Central Committee should already be resolved. If a board of elections has not yet resolved a protest affecting the May 3, 2022 Primary Election, the board must notify our Office via [Intake@OhioSoS.gov](mailto:Intake@OhioSoS.gov) and schedule a hearing immediately.

## **IV. LOGIC AND ACCURACY TESTING**

If a board of elections has not started Logic and Accuracy (“L&A”) Testing<sup>2</sup> for the May 3, 2022 Primary, it must first complete L&A testing for every component of the voting system to be used for in-person absentee voting and the scanning of absentee ballots received by mail. Once that is complete, the board must immediately proceed to perform L&A testing for all other voting machines and automatic tabulating equipment to be used on Election Day.


## **V. ORDERING BALLOTS**

If a board of elections has not already done so, the board must immediately place its print order for Election Day ballots. If the board outsources the printing and mailing of absentee ballots, the board must communicate with its vendor to ensure absentee ballots are properly tested and ready for mailing as soon as possible. Boards must review [Chapter 5](#), Section 5.07 of the Election Official Manual regarding appropriate ballot quantities.

Boards must provide a copy of each absentee ballot (candidates and questions and issues) by April 5, 2022 to the Secretary of State’s Office. Boards must upload ballots to SharePoint.

If you have any questions regarding this Directive, please contact the Secretary of State’s elections counsel at (614) 728-8789.

Yours in service,

  
Frank LaRose  
Ohio Secretary of State

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<sup>2</sup> See [R.C. 3506.14](#) and [Chapter 5](#), Section 5.08 of the Election Official Manual.

EXHIBIT C

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

MICHAEL GONIDAKIS, *et al.*,

Plaintiffs,

v.

FRANK LAROSE, in his capacity as  
Ohio Secretary of State, *et al.*,

Defendants.

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Case No. 2:22-cv-0773

Chief Judge Algenon L. Marbley

Judge Amul R. Thapar

Judge Benjamin J. Beaton

ORDER

BEFORE: THAPAR, Circuit Judge; MARBLEY, Chief District Judge; and BEATON, District Judge.

The court delivered a PER CURIAM opinion in which THAPAR and BEATON, JJ., joined. BEATON, J. (pp. 3–4), delivered a separate concurring opinion. MARBLEY, C.J. (pp. 5–8), delivered a separate dissenting opinion.

PER CURIAM. Ohio’s struggle to implement a map for its state elections continues. The facts and procedural history of this case are laid out in our April 20 Memorandum Opinion and Order (“prior opinion”). *See Gonidakis v. LaRose*, No. 2:22-cv-0773, 2022 WL 1175617, at \*3 (S.D. Ohio Apr. 20, 2022). This order closes that chapter.

In our prior opinion, we refrained from intervening in Ohio’s state elections. Yet we said that we would intervene to guarantee a state election if the State’s officials could not approve another map in time. Supreme Court precedent guided us at every turn. Two cases in particular, *Branch* and *Growe*, offered a template that we followed. *Branch v. Smith*, 538 U.S. 254, 260 (2003); *Growe v. Emison*, 507 U.S. 25 (1993).

In those cases, the Court instructed federal district courts to give states maximal flexibility to craft their own solutions. More specifically, federal district courts must wait to act until the last

possible moment. These instructions reflect principles of federalism and comity. We must presume state actors will work together to reach homegrown solutions. And if they fail, then it is up to the voters to punish them if they so choose.

Guided by these principles, our prior opinion announced that we would impose Map 3 on May 28 unless Ohio came up with another solution by then. We recognized from the outset that choosing a remedy would be challenging. And between the standoff among state officials and the delay in getting the case, our options were limited. So we chose the best of our bad options.

Given the factual record before us, two reasons justified our approach. First, no map had won the approval of both the Commission and the Ohio Supreme Court. And second, Map 3 gave the State the most time to fix its own problem. That broke the tie.

So far, the State has failed to act. Assuming no map is approved by midnight on Saturday, May 28, we order Secretary of State Frank LaRose to push back Ohio's state primaries to August 2, 2022, and to implement Map 3 for this year's elections *only*.



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**AMUL R. THAPAR**  
**UNITED STATES CIRCUIT JUDGE**



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**BENJAMIN J. BEATON**  
**UNITED STATES DISTRICT JUDGE**



**Beaton, J., concurring:**

This three-judge district court decided on April 20 that Ohio voters were likely to lose their constitutionally protected right to vote absent federal intervention. Our decision was unanimous in all but remedy. And the choice of remedies, as our per curiam majority opinion noted, was a difficult one: Given the stalemate among the state's elected officials, and the lack of any resolution in the state courts, federal intervention was by definition restricted to "a menu of unappetizing options." *Gonidakis v. LaRose*, No. 2:22-cv-0773, 2022 WL 1175617, at \*2 (S.D. Ohio Apr. 20, 2022). Based on the factual record before the panel on April 20, our majority opinion explained why Map 3 was "less than ideal," but "the least bad option." *Id.* at \*27.

Today's dissent describes several developments in Ohio "*following* the majority's April opinion." Dissent at 1 (emphasis added). This is a curious way to critique today's ministerial order, which instructs the Secretary of State to implement the relief described on April 20 based on the record before this court on April 20.

If any of the many well-counseled parties believed these subsequent developments justified revisiting, modifying, or reversing our ruling, they were free and perhaps even obliged to raise those issues when this panel or a higher court might reasonably have considered them. But no party cited these extra-record events, disputed our factual findings, or identified any other map that would vindicate the plaintiffs' rights without further torturing Ohio election law.\* And not for lack of opportunity: weeks ago this panel received and acted promptly on a motion to alter or amend our April 20 ruling based on the Voting Rights Act—again agreeing unanimously in practically every respect. *See Gonidakis v. LaRose*, No. 2:22-cv-0773, 2022 WL 1503406, at \*3 (S.D. Ohio

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\* Hours before this order issued, one intervenor filed a motion to modify (DN 204), which sought a later primary date that the panel already explained was incompatible with the record in this case and with Ohio law, *see Gonidakis*, 2022 WL 1175617, at \*22.

May 12, 2022). Presumably it was clear by this point that the only way to afford state officials more time—as required by *Growe* and *Branch*—was by relying on Map 3.

The dissenting opinion describes this deference as “feigned” because we should have foreseen that the Commission would not enact a map the state Supreme Court would approve. Dissent at 3 (citing *League V*, 2022-Ohio-1727, ¶ 16 (O’Connor, C.J., concurring)). This is quite a charge. It sits in some tension with the Supreme Court’s command, cited in our per curiam, that judges must presume good faith. *Abbott v. Perez*, 138 S. Ct. 2305, 2324–25 (2018). Our decision did just that. After waiting until April 20, the opinion necessarily explained, at some length, the factual and legal basis for staying our hand still longer: the reasons that justified both our remedial choice (*Gonidakis*, 2022 WL 1175617, at \*23–27) and our rejection of a competing proposal rejected by the Commission, advanced by an intervenor, and embraced by the dissent (*Id.* at \*27–28). All the maps before this Court on April 20 were flawed. Imposing a different map even sooner—based on speculation about what state officials might do—would’ve violated our duty to defer as long as possible.

The state constitutional stalemate that brought us into this dispute apparently still persists, even as the electoral calendar has advanced. Any effects our opinion had on that ongoing dispute not only post-dated our decision, but also concerned a fundamentally different issue: how state officials would utilize the time after April 20, the agreed “drop-dead” date, to resolve Ohio’s constitutional crisis. That question of state governance is not before this federal court today, just as it was not before us on April 20. Rather, our opinion addressed whether and when federal law required us to intervene. For the reasons stated then, which remain undisturbed now, the remedy described in our previous opinion remains the least bad option available.



**MARBLEY, C.J., DISSENTING**

The majority's order implements that which its April opinion made inevitable: for the next two years, the General Assembly will operate under a district map that is unconstitutionally gerrymandered. I recognize that today's order is a ministerial one, so I will not restate my full analysis of the Commission's flawed third map as set forth in my prior dissent. I will, however, take this occasion to address the events that flowed from the majority's April opinion, which regrettably have tracked my predictions.

Previously, I stated my "disagree[ment] with the majority's decision to couch its approval of the third map in the language of deferral." (ECF No. 196 at 78). The main reason the majority cited for choosing the third plan was that it "provides Ohio more than a month of additional time to fashion its own solution." (*Id.* at 47 (majority opinion)). Yet, I wrote that the majority opinion "ha[d] set a strong, almost immovable default," and "virtually ensure[d] that the third map will be used for an August 2 primary." (*Id.* at 78). This proved prescient.

Following the majority's April opinion, the Commission never attempted to craft a constitutionally compliant fifth plan. Two Commissioners, who had participated in all prior rounds of map-drawing, actually ceased their service and appointed substitutes. *See* Transcript of May 4, 2022 Commission Meeting, at 1.<sup>1</sup> The Commission finally reconvened on May 4, 2022—two days before the deadline set by the Ohio Supreme Court, and a full twenty days after the court had "order[ed] the commission to be reconstituted, to convene, and to draft and adopt an entirely new General Assembly–district plan that meets the requirements of the Ohio Constitution." *League of Women Voters of Ohio v. Ohio Redistricting Comm'n*, 2022-Ohio-1235, ¶¶ 78–79 (Ohio S. Ct.

<sup>1</sup> <https://redistricting.ohio.gov/assets/organizations/redistricting-commission/events/commission-meeting-may-4-2022-296/transcript-1641.pdf> (accessed May 25, 2022).

Apr. 14, 2022) (“*League IV*”); *see also* Previous Meetings of Ohio Redistricting Commission.<sup>2</sup> In its very next meeting, the Commission voted to *readopt* the third plan—the same one already ruled unconstitutional in *League III*, which the majority forecast this panel would implement. *See* Transcript of May 5, 2022 Commission Meeting, at 8–12.<sup>3</sup> The Commission fully disregarded the Ohio Supreme Court’s order to draft a *new* plan, in what Chief Justice O’Connor described as “a stunning rebuke of the rule of law.” *League of Women Voters of Ohio v. Ohio Redistricting Comm’n*, 2022-Ohio-1727, ¶10 (Ohio S. Ct. May 25, 2022) (“*League V*”) (O’Connor, C.J., concurring). Predictably, the Ohio Supreme Court found the resubmitted map to be, once again, “invalid in its entirety.” *Id.* ¶ 5 (per curiam).

If there was any hope of the Commission fulfilling its constitutional duty, this federal panel quashed it. Like I predicted, “state actors [*were*] led to believe that there is no urgency to reach their own solution.” (ECF No. 196 at 78). Chief Justice O’Connor recognized the same:

[T]he federal court did not “stay [its] hand until May 28,” as it stated it would, and leave the state to fix the crisis created by the commission’s own actions. Instead, the federal court provided the Republican commission members not only a roadmap of how to avoid discharging their duties but also a green light to further delay these proceedings by stating its intention to implement “Map 3” . . . all the while acknowledging that this court had declared Map 3 to be invalid and unconstitutional.

*League V*, 2022-Ohio-1727, ¶ 11 (O’Connor, C.J., concurring) (quoting ECF No. 196 at 4 (majority opinion)) (internal citations omitted). The majority’s April opinion assured the Commission that if it simply waited another month, the panel would enable it to circumvent the Ohio Supreme Court and realize a map with the desired partisan favoritism. The Commission took the invitation. I still harbor grave concerns about the “perverse incentives” that will hang over the

<sup>2</sup> <https://redistricting.ohio.gov/meetings> (accessed May 25, 2022).

<sup>3</sup> <https://redistricting.ohio.gov/assets/organizations/redistricting-commission/events/commission-meeting-may-5-2022-316/transcript-1642.pdf> (accessed May 25, 2022).



2024 redistricting cycle too, now that “the Commission has learned that it is beyond reproach.” (ECF No. 196 at 81).

I write not to bolster my dissent with hindsight, but in the hope that future panels will realize this case should not be categorized in the *Grove* line of deferral jurisprudence. *Grove* embodies the principle that “a federal court must neither affirmatively obstruct state reapportionment nor permit federal litigation to be used to impede it.” 507 U.S. 25, 34 (1993). Though the majority maintains today that its April opinion “refrained from intervening in Ohio’s state elections,” it in fact derailed any reasonable prospect of a state solution and ordained the outcome that the majority now, definitively, orders. As I said before, “this is not deferral in the sense that *Grove* contemplates.” (ECF No. 196 at 79). As Chief Justice O’Connor put it, “the federal-court majority[] feigned interest in ‘buy[ing] Ohio more time.’” *League V*, 2022-Ohio-1727, ¶ 16 (O’Connor, C.J., concurring) (quoting ECF No. 196 at 47 (majority opinion)). Or as State Representative Bill Seitz, a senior House leader, brashly wrote just hours after the majority’s April opinion issued:

Too bad so sad. We win again. . . . Now I know it’s been a tough night for all you libs. Pour yourself a glass of warm milk and you will sleep better. The game is over and you lost. . . . Turn out the lights. The party’s over. For this 2 year cycle at least.

Representative Bill Seitz (@CincySeitz), Twitter (Apr. 20, 2022), [https://twitter.com/CincySeitz/with\\_replies](https://twitter.com/CincySeitz/with_replies) (accessed May 25, 2022).<sup>4</sup>

For all purposes, this case was decided on April 20—which all parties agreed (and I concurred) was the “drop-dead date” for federal-court action. (See ECF No. 196 at 3 (majority opinion) & 61–62). Beyond that, deferral was dispositive.

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<sup>4</sup> Also reported by Andrew J. Tobias, *Republicans take victory lap after federal redistricting ruling, prospects unclear for future redistricting progress*, Cleveland Plain Dealer (Apr. 21, 2022), <https://www.cleveland.com/news/2022/04/republicans-take-victory-lap-after-federal-redistricting-ruling-prospects-unclear-for-future-redistricting-progress.html> (accessed May 25, 2022).

When the “drop-dead date” arrived, the core issue in this case became *choice of remedies*, which is obscured by the majority’s continuing overtures to deferral. I remain convinced that the best remedy, from a standpoint of federalism and comity, was the Johnson/McDonald Plan. Their legislative map was crafted per the Commission’s detailed instructions, satisfied the Ohio Constitution’s substantive redistricting criteria, had indicia of approval from the Ohio Supreme Court, and was abandoned chiefly for lack of time. Instead, the majority selected as its remedy the Commission’s third map, which now receives a final blessing—despite the Ohio Supreme Court reiterating its unconstitutionality in *League V* this week. The consequences, as I have explained, are severe: “in so doing, the majority tables a watershed constitutional referendum, abrogates controlling decisions of the state Supreme Court, and unwittingly rewards the Commission’s brinksmanship over the rights of Ohio voters.” (ECF No. 196 at 59). Thus, I continue to dissent.



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**ALGENON L. MARBLEY**  
**CHIEF UNITED STATES DISTRICT JUDGE**

**DATED: May 27, 2022**



EXHIBIT D

**DIRECTIVE 2022-34**

May 28, 2022

To: All County Boards of Elections  
Board Members, Directors, and Deputy Directors

Re: Instructions for the August 2, 2022 Primary Election

**SUMMARY**

On May 27, 2022, a three-judge federal panel for the Southern District of Ohio (2-1) ordered, “[a]ssuming no map is approved by midnight on Saturday, May 28, we order Secretary of State Frank LaRose to push back Ohio’s state primaries to August 2, 2022, and to implement Map 3 for this year’s elections *only*.”<sup>1</sup> The Ohio Redistricting Commission’s rules require at least 24 hours public notice prior to holding a meeting and no such notice has been provided to the public. Therefore, boards of elections are required to implement the General Assembly district plan that was adopted by the Ohio Redistricting Commission on February 24, 2022, and to conduct a primary election for the offices of State Representative, State Senator, and Member of State Central Committee on August 2, 2022.

**INSTRUCTIONS**

**PART ONE: FEDERAL COURT ORDER AND AUGUST 2, 2022 PRIMARY ELECTION**

**I. AUGUST 2, 2022 PRIMARY ELECTION**

The federal court order requires the Secretary of State’s Office to conduct a primary election on August 2, 2022 for the offices of State Representative, State Senator, and Member of State Central Committee. In addition, boards may conduct a Special Election on August 2, 2022 for local questions and issues that were filed by May 4, 2022 (90 days before Election Day).<sup>2</sup> If a local option petition was filed by May 4, 2022, the local option question(s) may be placed on the August 2, 2022 primary election ballot.<sup>3</sup> The board must contact the local option petitioner and confirm in writing whether the petitioner intends for the question to appear on the ballot in the primary election or general election.

**II. STATE HOUSE AND SENATE DISTRICT MAPS**

The State House and Senate district shape files, equivalency files, legal descriptions, and most populous county lists for the Third District Map (adopted on February 24, 2022) are linked on the Secretary of State’s [website](#) under the heading for this Directive. Based on information collected from the boards, it is our understanding that 86 of the 88 counties have the Third District

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<sup>1</sup> *Gonidakis, et al., v. LaRose, et al.*, Case No. 2:22-cv-0773 (S.D. Ohio May 27, 2022).

<sup>2</sup> [R.C. 3501.01\(D\)](#).

<sup>3</sup> [R.C. 4301.33\(B\)](#), [4301.331\(B\)](#), [4301.332\(B\)](#), [4301.333\(A\)](#), [4301.334\(A\)](#), and [4301.356](#).

Map programmed into their systems. If a board's voter registration system and central tabulating system are not programmed to reflect the Third District Map, the board must immediately begin working with its vendor(s) to reprogram its systems and complete reprogramming as soon as possible, but no later than Tuesday, **June 7, 2022**.

### **III. PRECINCT BOUNDARY CHANGES**

Boards of elections that had members of county central committee on the ballot could not change the number of precincts or precinct boundaries between January 1, 2022, and the May 3, 2022 Primary Election.<sup>4</sup> Boards of elections are not required to re-precinct in response to redistricting. However, new Ohio House and Senate districts may increase the number of split precincts in the county, and boards may choose to realign precinct boundaries to reduce splits. Boards may combine precincts within their jurisdiction. However, boards should note the following:<sup>5</sup>

- Changes in precinct boundaries must not occur during the 25 days immediately preceding a primary or general election.
- A precinct cannot contain more than 1,400 electors in active status.

### **IV. CERTIFICATION OF CANDIDATE PETITIONS AND PROTESTS**

The federal court order did not alter the partisan candidate filing deadlines for the primary election. The filing deadline for candidates for State Representative, State Senator, or Member of State Central Committee to file a declaration of candidacy was 4:00 p.m. on February 2, 2022.<sup>6</sup> Write-in candidates for the primary election were required to file their declaration of intent to be a write-in candidate by February 22, 2022.<sup>7</sup> If a declaration of candidacy or declaration of intent to be a write-in candidate was filed after those filing deadlines, the board must reject the candidacy.<sup>8</sup>

If a board **did not** receive a Form 2-ZA addendum by March 10, 2022 indicating that a candidate for State Representative or State Senator intended to change their residence to a new district, the board must meet by Friday, **June 3, 2022**, to re-certify or reject declarations of candidacy filed by the February 2, 2022 deadline for State Representative, State Senator, and Member of State Central Committee based on the Third District Map. If the board **did** receive a Form 2-ZA by March 10, 2022, indicating a State Representative or State Senator candidate's intent to change districts, the board must wait to re-certify or reject declarations of candidacy until Wednesday, **June 8, 2022**. If a candidate for State Representative, State Senator, or Member of State Central Committee withdraws their candidacy before the board meets, the board must not recertify that candidate to appear on the ballot.

[Directive 2022-26](#) established a protest deadline of March 17, 2022; however, the Supreme Court of Ohio issued its decision regarding the Third District Map the day before that deadline.<sup>9</sup>

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<sup>4</sup> [R.C. 3501.18\(A\)](#).

<sup>5</sup> [R.C. 3501.18](#).

<sup>6</sup> [R.C. 3513.05](#).

<sup>7</sup> [R.C. 3513.041](#).

<sup>8</sup> Note that [R.C. 3513.10](#) prohibits returning a filing fee to a candidate.

<sup>9</sup> See *League of Women Voters of Ohio v. Ohio Redistricting Comm.*, 2022-Ohio-789.



Therefore, protests may be filed against candidates for the primary election no later than 4:00 p.m. on Monday, **June 6, 2022** for certifications done by Friday, **June 3, 2022** and by 4:00 p.m. on Thursday, **June 9, 2022** for certifications done by Wednesday, **June 8, 2022**. Protest hearings must be held, and protests decided no later than Friday, **June 10, 2022**.

## **V. OHIO CONSTITUTION ARTICLE XI, SECTION 9(C)**

Pursuant to [Article XI, Section 9\(C\)](#), “Notwithstanding any provision of this constitution or any law regarding the residence of senators and representatives, a general assembly district plan made pursuant to this section shall allow thirty days for persons to change residence in order to be eligible for election.” On February 24, 2022, the Ohio Redistricting Commission adopted the Third District Map. Thirty days following February 24, 2022 was March 26, 2022. However, the Ohio Supreme Court decision in *League of Women Voters*,<sup>10</sup> issued on March 16, 2022, effectively paused the implementation of the Third District Map for the May 3, 2022 Primary Election. As such, there are ten remaining days for candidates for State Representative or State Senator to change residence in order to be eligible for the August 2, 2022 Primary Election. Candidates for State Representative and State Senator may establish residency in a new district no later than **June 7, 2022** (ten days following the implementation of the May 27, 2022 federal court order).

Pursuant to [Directive 2022-26](#), candidates for State Representative or State Senator were required to file a [Form 2-ZA](#) addendum to their petitions by March 10, 2022. The most populous board of elections where the Form 2-ZA addendum was filed by March 10, 2022, was required to transfer the petition to the most populous county board of elections for the district that the candidate seeks to represent. The most populous county’s board of elections for the candidate’s new district must confirm that the candidate filed an addendum, became a resident of the district the candidate seeks to represent, and updated their voter registration to reflect their new residence within the district no later than Tuesday, **June 7, 2022**. Boards that received Form 2-ZA from a former most-populous county board of elections must contact any filer informing them of the Tuesday, **June 7, 2022** deadline no later than 4:00 p.m. on Tuesday, **May 31, 2022**, but as soon as practicable. A board of elections may not accept a Form 2-ZA addendum filed after March 10, 2022.

## **VI. CANDIDATE WITHDRAWALS**

Once filed, a candidate petition cannot be withdrawn or amended.<sup>11</sup> However, a candidate may withdraw their candidacy at any time before the primary by filing a written statement of withdrawal with the most populous county board of elections for the district.<sup>12</sup> The federal court order was issued less than 70 days before Election Day. As a result, the deadline to withdraw and not appear on the ballot is Monday, **June 13, 2022**. If a candidate withdraws after that date, the board cannot remove the name of the withdrawn candidate from the ballot. The board of elections must post a notice at each polling place on the day of the election, and enclose with each absentee ballot, a notice that votes for the withdrawn candidate will be void and will not be counted.<sup>13</sup>

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<sup>10</sup> *League of Women Voters of Ohio v. Ohio Redistricting Comm.*, 2022-Ohio-789.

<sup>11</sup> [R.C. 3501.38\(I\)](#).

<sup>12</sup> [R.C. 3513.30\(B\)](#) and [\(D\)](#).

<sup>13</sup> [R.C. 3513.30\(E\)](#).

Boards must inform candidates certified to the primary election ballot that Monday **June 13, 2022**, is the deadline to withdraw and be removed from the ballot.

## **VII. INDEPENDENT CANDIDATES FOR OHIO HOUSE AND SENATE FOR THE NOVEMBER 8, 2022 GENERAL ELECTION**

According to [R.C. 3513.257](#), nominating petitions to run as an independent candidate must be filed by 4:00 p.m. on the day before the day of the primary election immediately preceding the general election at which the candidacy is to be voted on. Due to the August 2, 2022 date for the General Assembly's primary election, the independent candidate filing deadline for candidates for State Representative or State Senator is 4:00 p.m. on Monday, **August 1, 2022**. Boards of elections must certify the validity and sufficiency of independent candidates' nominating petitions for State Representative or State Senator no later than Monday, **August 22, 2022**, and protests against the candidates' nominating petitions must be filed no later than Friday, **August 26, 2022**.

## **VIII. CAMPAIGN FINANCE DEADLINES**

Campaign committees for candidates on the August 2, 2022 Primary Election ballot, and non-candidate committees that attempt to influence the August 2, 2022 Primary Election, are required to file a Pre-Primary Report on Thursday, **July 21, 2022** (12 days before the August 2, 2022 Primary Election) to reflect activity through Wednesday, **July 13, 2022** (20 days before the August 2, 2022 Primary Election), if the committee raised or spent \$1,000 or more to influence the August 2, 2022 Primary Election by the close of business on Wednesday, **July 13, 2022**.

Campaign committees for candidates on the August 2, 2022 Primary Election ballot, and non-candidate committees that attempt to influence the August 2, 2022 Primary Election are required to file a Post-Primary Report on Friday, **September 9, 2022** (38 days after the August 2, 2022 Primary Election) to reflect activity through Friday, **September 2, 2022** (31 days after the August 2, 2022 Primary Election). Contribution limits for General Assembly candidates did not reset after the May 3, 2022 election.<sup>14</sup> However, the contribution limits for General Assembly candidates will reset after the August 2, 2022 election.

## **IX. POLLING LOCATIONS AND PRECINCT ELECTION OFFICIALS**

Boards of elections must contact all polling locations to ensure availability for the August 2, 2022 Primary Election. Boards that employ outside organizations/companies for delivery of voting equipment and supplies must confirm availability and establish a delivery schedule.

Any board that changes polling locations for the August 2, 2022 Primary Election must mail notice to registered voters in the precinct(s)<sup>15</sup> and do all of the following:

- (1) Issue a press release to local media containing information regarding the new polling location(s);
- (2) Post a notice in a clear and conspicuous place at the previous polling location that redirects voters to the new polling location;
- (3) Update the polling location on the board of election's website;

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<sup>14</sup> [R.C. 3517.102\(A\)](#).

<sup>15</sup> [R.C. 3501.21](#).

- (4) Update the board of election's voter registration system with the new polling location;
- (5) Provide the updated precinct and polling location packet to the Secretary of State's Office immediately. Once the packet is sent, email the updated list to [SWVRD@OhioSOS.gov](mailto:SWVRD@OhioSOS.gov);
- (6) Update the board of election's election management system, if possible; and
- (7) Update the board of election's electronic pollbook, if possible.

All new polling locations must comply with the Americans with Disabilities Act ("ADA").

In any election, a board of elections, by a vote of at least three members of the board, may opt to have a single voting location serve more than one precinct.<sup>16</sup> If a multi-precinct voting location uses electronic pollbooks, the board may reduce the number of precinct election officials from four per precinct to two, so long as the board approves the reduction by the affirmative vote of at least three of its member.<sup>17</sup>

Each new precinct election official must be trained in-person on the county's voting equipment before participating in the person's first election as a precinct election official, and programs of instruction must be scheduled within 60 days before the election.<sup>18</sup> Precinct election officials, other than voting location managers, who have been previously trained, need only receive instruction once every three years, when the county changes voting equipment, or when the board or Secretary of State considers the instruction necessary.<sup>19</sup> For this election, boards are not required to retrain precinct election officials who received training within the past three years, so long as the county has not changed voting equipment. However, voting location managers must receive training before the August 2, 2022 Primary Election if they were not trained before the May 3, 2022 Primary Election.<sup>20</sup>

## **X. SECURITY OF VOTING EQUIPMENT**

Each board must review the security requirements outlined in [Chapters 3](#) and [6](#) of the Election Official Manual. During precinct election official training, boards must provide instructions to precinct election officials on the importance of maintaining the security of voting equipment and electronic pollbooks, verifying that all voting equipment is properly sealed, and recording information per the board's instructions on the custody log.

Boards of elections must use a Chain of Custody Log ([Form 400](#) or a local equivalent) to document the exchange of custody of voting equipment, election supplies, and/or ballots. Boards of elections must train precinct election officials on inspection of tamper-evident seals to ensure precinct election officials know how to inspect the physical security of the voting equipment at their location.

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<sup>16</sup> [R.C. 3501.22\(A\)\(2\)](#).

<sup>17</sup> [R.C. 3501.22\(A\)\(2\)\(c\)](#).

<sup>18</sup> [R.C. 3501.27\(B\)](#).

<sup>19</sup> [Chapter 6](#), page 184 of the Election Official Manual.

<sup>20</sup> [R.C. 3501.27\(B\)](#).

## **PART TWO: FORM OF THE BALLOT**

### **I. BALLOT LAYOUT**

Instead of issuing a separate Directive with specific details covering ballot layout and proofing, the Secretary of State's Office is issuing this portion of the Directive, which must be used in conjunction with [Chapter 5 of the Election Official Manual](#) when preparing ballots for this election.

#### **A. VERIFYING DISTRICT RELATIONSHIPS**

Before programming any aspect of the central tabulating system for the August 2, 2022 Primary Election, boards of elections must verify the accuracy of district relationships in the central tabulating system against the county's voter registration system.<sup>21</sup> This is to ensure that each voter receives the correct ballot style (*i.e.*, the correct combination of candidate offices and issues) based upon that voter's residential address.

#### **B. OFFICIAL BALLOT FORMS**

Each board of elections is to provide a separate ballot for each political party listing candidates for nomination or election in a primary election.<sup>22</sup> Accordingly, the following ballot forms are posted to the Secretary of State's [website](#) under the heading for this Directive:

- Official Democratic Primary Ballot;
- Official Republican Primary Ballot; and
- Official Questions and Issues Ballot.

The names of all candidates, who have not withdrawn (*see* Part One, Section VI of this Directive), must be arranged, rotated, and printed upon the ballot in accordance with the provisions of Ohio Revised Code Chapters [3505](#), [3506](#), and [3513](#) and [Chapter 5 of the Election Official Manual](#).

#### **C. ORDER OF OFFICES FOR PRIMARY BALLOTS<sup>23</sup>**

1. The order of offices for **Democratic Party** ballots shall be as follows:

- Member of State Central Committee, Man
- Member of State Central Committee, Woman
- State Senator
- State Representative

2. The order of offices for Republican Party ballots shall be as follows:

- Member of State Central Committee, Man

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<sup>21</sup> Boards must proof and verify the accuracy of all districts including, but not limited to, Ohio House, Ohio Senate, and State Central Committee districts.

<sup>22</sup> [R.C. 3513.13](#).

<sup>23</sup> [R.C. 3513.13](#).



- Member of State Central Committee, Woman
- State Senator
- State Representative

#### **D. BLANK SPACES FOR WRITE-IN VOTES**

A write-in space must be provided on the ballot for every office for which the board of elections received a valid declaration of intent to be a write-in candidate.<sup>24</sup> However, the board may not accept declarations of intent to be a write-in candidate for state central committee.<sup>25</sup> If no valid declarations of candidacy were filed for state central committee, the office does not appear on the ballot.<sup>26</sup>

#### **E. OFFICIAL QUESTIONS AND ISSUES BALLOT<sup>27</sup>**

Offices for which candidates may be nominated or elected are presented on the ballot first, followed by the questions and issues. The Official Questions and Issues Ballot must be used for all voting systems. The ballot form also contains examples of some of the local questions and issues that may appear on the ballot in your county. Not every category or type of question/issue will appear on every ballot in every county.

Additional instructions on headings, ballot language, and percentage of votes can be found in [Chapter 5 of the Election Official Manual](#). For questions and issues that were filed in time for the August 2, 2022 Special Election, the questions and issues must be grouped together in the following political subdivision order:

- School and Other Districts
- County
- Municipal
- Township

Each board of elections may determine the specific order in which the questions/issues within each group are placed on the ballot in that county, however, a board should adopt a method for doing so (i.e., ordered alphabetically or by date filed, etc.). Absentee ballots must contain identical ordering of issues within groups to regular ballots.

Boards must review the appropriate sections of the Ohio Revised Code, local charter (if applicable), and the [Questions and Issues Handbook](#) for ballot language and formats that are not on the Official Questions and Issues Ballot.

## **II. BOARD WEBSITES AND FEDERAL WRITE-IN ABSENTEE VOTERS (“FWAB”) NOTICE**

Boards of elections must remove from their website and Voter Information Lookup the Special Notice prescribed in [Directive 2022-31](#). Boards must also remove the following disclaimer

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<sup>24</sup> [R.C. 3513.041](#) and [R.C. 3513.14](#).

<sup>25</sup> See [1970 Ohio Atty.Gen.Ops. No. 70-011](#).

<sup>26</sup> [R.C. 3513.14](#).

<sup>27</sup> [R.C. 3505.06](#).

from their FWAB notice: “The content of this notice may change if a court order or legislative act requires a primary election for the General Assembly and State Central Committee in August.”

### **III. ABSENTEE BALLOTS AND APPLICATIONS**

Boards of elections must send a copy of each absentee ballot style (including candidates and questions and issues) to the Secretary of State’s Office at least 47 days before the election, by Thursday, **June 16, 2022**. Absentee ballots must be uploaded to the SharePoint site.<sup>28</sup>

Voters may request a ballot for either major political party or an issues-only ballot, if applicable, regardless of their participation in the May 3, 2022 Primary Election. An absentee ballot application must identify the election for which absent voter's ballots are requested.<sup>29</sup> However, an absentee ballot application that is marked for the primary election must not be rejected due to an error in the date of the election, so long as it is otherwise clear that the voter is requesting a ballot for the August 2, 2022 Primary Election.

The voter registration deadline is Tuesday, **July 5, 2022**. Each board of elections must have absentee ballots printed and ready for use by Friday, **June 17, 2022** (46 days before the August 2, 2022 Primary Election) for Uniformed and Overseas Citizens Absentee Voting Act (“UOCAVA”) voters.<sup>30</sup> Absentee voting, by mail and in-person for non-UOCAVA voters, begins on Wednesday, **July 6, 2022** for regular (non-UOCAVA) absentee voters.<sup>31</sup> Boards must conduct in-person early voting according to the days and hours set forth in [Chapter 7 of the Election Official Manual](#) (page 201) for a primary election.

## **PART THREE – BALLOTS**

### **I. ABSENTEE BALLOT OUTSOURCING**

[Chapter 7 of the Election Official Manual](#) requires a board of elections that seeks to outsource the printing and mailing of absentee ballots to vendors or any third party to receive prior written authorization from the Director of Elections. A board that received written authorization to outsource absentee ballot mailings for the May 3, 2022 Primary Election need only submit an application that includes updates to its last application, including a copy of the new contract with the vendor and confirmation of the county prosecutor’s review.

To outsource absentee ballot processing for the August 2, 2022 election, a board must in a public meeting vote to outsource the printing and mailing of absentee ballots by Tuesday, **June 7, 2022**. Boards must submit a copy of the contract for the August 2, 2022 election to our Office by Tuesday, **June 14, 2022** via email at [Results@OhioSoS.gov](mailto:Results@OhioSoS.gov), along with any updates to their processes and plans from their May 3, 2022 Primary Election application.

### **II. TESTING OF ABSENTEE AND ELECTION DAY BALLOTS**

In addition to the logic and accuracy testing requirements outlined in [Chapter 5 of the Election Official Manual](#), all ballots produced and used by the board must be tested to ensure that

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<sup>28</sup> [Chapter 5, Section 5.04](#) of the Election Official Manual.

<sup>29</sup> [R.C. 3509.03](#).

<sup>30</sup> [R.C. 3511.04](#).

<sup>31</sup> [R.C. 3509.01](#).

the ballots interact properly with the voting system and electronic pollbooks. The board of elections must test absentee ballots printed at the board of elections or from a printing vendor. The board must also test ballots produced for Election Day to ensure the correct information is displayed in any barcodes produced on the stubs. For boards that produce a unique barcode containing ballot style information and a consecutive number on the ballot stub, a sampling of each precinct's ballots must be tested for accuracy. Pre-printed paper ballots used by precincts on Election Day must also be scanned in the precinct-based and central count scanner to ensure ballots properly scan and tabulate.

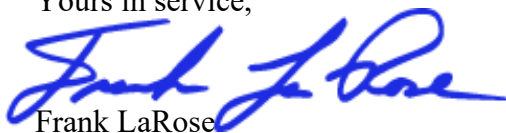
#### **PART FOUR: PRE-PAYMENT AND CHARGE-BACKS FOR LOCAL ISSUES**

The entire cost of special elections held on a day other than the day of a primary or general election, both in odd- and even-numbered years, is charged to the political subdivision that places an issue on the ballot. However, the August 2, 2022 Special Election will be held on the same date as a statewide primary election. Therefore, a political subdivision submitting the special election may be charged only for the cost of ballots and advertising. The State will be responsible for the remainder of the cost of the election.<sup>32</sup> Our Office will inform boards as soon as possible of any additional funding that the General Assembly makes available to conduct the August 2, 2022 Special Election. Our Office is actively engaged with legislative leaders to facilitate this necessary funding.

Prior to the federal court's order to conduct an August 2, 2022 Primary Election, political subdivisions submitting a question or issue for placement on the ballot were required to prepay 65 percent of the estimated cost of the election. Not later than Monday, **October 1, 2022**, the board must provide the true and accurate cost of ballots and advertising to each political subdivision that submitted a question or issue for placement on the ballot. Presuming the political subdivision prepaid more than the actual cost of ballots and advertising for the special election, the board of elections must promptly notify the board of county commissioners of that difference. The county commissioners then must remit the amount of the overpayment from the county elections revenue fund to the political subdivision within 30 days after receiving that notification.<sup>33</sup>

Each board of elections director must share this Directive with its legal counsel, the county prosecuting attorney, and its voter registration system and voting equipment vendors as soon as possible. If you have any questions regarding this Directive, please contact the Secretary of State's elections counsel at (614) 728-8789.

Yours in service,



Frank LaRose  
Ohio Secretary of State

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<sup>32</sup> [R.C. 3501.17\(D\)](#).

<sup>33</sup> [R.C. 3501.17\(J\)\(2\) and \(3\)](#).

**EXHIBIT E**

STATE OF OHIO                     :  
  : ss.                     AFFIDAVIT  
COUNTY OF GEAUGA            :

I, Michelle Lane, being duly sworn and cautioned and upon my personal knowledge, information and belief, state as follows;

1. I am the current Director of the Geauga County Board of Elections.
2. I have worked at the Geauga County Board of Elections since 2004. I have been in my current role as Director since May 23, 2021. Prior to being Director, I was appointed to the role of Deputy Director and served in that role from June 2, 2020 until May 23, 2021.
3. In addition to my work experience as an election official, I have also completed training to receive my Ohio Registered Election Official Certification and have attended regular trainings from the Ohio Secretary of State and the Ohio Association of Elections Officials.
4. The Geauga County Board of Elections was not served with a copy of Relator's Complaint in Ohio Supreme Court Case 2022-0850, *State of Ohio ex rel. Brian M. Ames v. Ohio Secretary of State Frank Larose, et al.*, until Monday, July 18, 2022.
5. As to the May 3, 2022 Primary Election, the Geauga County Board of Elections completed its statutorily required post-election audit on June 16, 2022, and submitted those results to the Secretary of State. Voter history information has also already been updated as required by Secretary of State Directive 2022-33. Ballots are being retained for 60 days following the May primary election as required by R.C. 3505.31.
6. As to the August 2, 2022 Primary Election, the Geauga County Board of Elections began mailing UOCAVA ballots for the August 2, 2022 election on June 17, 2022. Non-UOCAVA absentee voting for the August 2, 2022 election began on July 6, 2022.
7. A review of the records held by the Geauga County Board of Elections shows that in Geauga County, as of July 31, 2022, 1,127 absentee applications have been submitted, 1,100 absentee ballots have been sent, and 817 absentee ballots have been received back by the Geauga County Board of Elections.
8. The Geauga County Board of Elections anticipates using approximately 300 precinct election officials and voting location managers for the August 2, 2022 primary. As of the date of this affidavit, all of those officials have already been trained as to the rules and administration of primary elections for this elections cycle.
9. Based on the foregoing, it is my opinion that granting the relief sought by Relator Brian Ames would prejudice the Geauga County Board of Elections as to its administration of the August 2, 2022 Primary and negatively impact voters in Geauga County.

Further Affiant Saith Naught.

Michelle Lane  
Michelle Lane

Sworn to and subscribed before me this 1 day of August, 2022 by  
Erica Apperson, in Geauga County, Ohio.

Erica Apperson  
Notary Public  
My Commission Expires:



**ERICA APPERSON**  
NOTARY PUBLIC • STATE OF OHIO  
My Commission Expires 3/23/2025

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**DIRECTIVE 2022-33**

April 8, 2022

To: All County Boards of Elections

Board Members, Directors, and Deputy Directors

Re: Unofficial and Official Canvasses of the May 3, 2022 Primary Election

**SUMMARY**

This Directive outlines the procedures that boards of elections must follow when conducting both the Unofficial and Official Canvasses of the May 3, 2022 Primary Election.

To assist boards of elections with any problems, questions, or concerns on Election Day, the Secretary of State's Office is staffed on Election Day from 6:00 a.m. until all boards report their unofficial results to our Office. Boards should contact the Secretary of State's Office using the dedicated telephone number that will be emailed prior to May 3, 2022.

All board members, directors, and deputy directors must ensure that they are able to receive emails via their .gov address and other communications sent from the Secretary of State's Office on May 3, 2022 (including after the polls close).

**PART ONE – UNOFFICIAL CANVASS**

The Unofficial Canvass of the May 3, 2022 Primary Election must be conducted on Election Night in accordance with state law<sup>1</sup> and [Chapter 10, Section 10.02](#) of the Election Official Manual. Each board must reconcile results with records from the poll books and voter registration system to ensure that only one ballot per voter is counted.<sup>2</sup> This includes ensuring that all returned absentee ballots are logged in the voter registration system and reconciling the list of voters whose ballots were returned with the number of physical ballots returned.

The Unofficial Canvass must be conducted in full view of the members of the board of elections and any observer appointed in accordance with [R.C. 3505.21](#).<sup>3</sup> The board must continuously count the ballots during the Unofficial Canvass.<sup>4</sup>

**I. PROCESSING ABSENTEE BALLOTS**

Boards of elections may begin processing (including scanning, but not tabulating) absentee ballots not earlier than the day after the close of voter registration (April 5, 2022). Boards must begin this process prior to Election Day to ensure the Unofficial Canvass includes all absentee ballots received by the close of polls on May 3, 2022. Boards are prohibited from tabulating any absentee

<sup>1</sup> [R.C. 3505.27](#) (counting regular ballots that were cast at precinct polling locations); [R.C. 3505.28](#) (ballots not counted); [R.C. 3509.06](#) (counting absentee ballots); [R.C. 3509.07](#) (absentee ballots not counted); [R.C. 3511.11- 3511.13](#) (uniformed service and overseas voter absentee ballots).

<sup>2</sup> [R.C. 3505.26](#) and [R.C. 3505.27](#)

<sup>3</sup> [R.C. 3505.27](#).

<sup>4</sup> [R.C. 3505.27](#); [R.C. 3505.29](#); [R.C. 3505.30](#).

ballot prior to 7:31 p.m. on May 3, 2022. If a court orders polls to remain open later than 7:30 p.m. on Election Day, boards will receive a directive with alternate instructions.

## **II. ELECTION NIGHT REPORTING (“ENR”)**

State law requires boards of elections to provide election results for certain contests to the Secretary of State’s Office.<sup>5</sup> Election Night Reporting will consist of races for the following offices:

- Governor and Lieutenant Governor;
- Attorney General;
- Auditor of State;
- Secretary of State;
- Treasurer of State;
- Chief Justice of the Supreme Court;
- Justice of the Supreme Court (Full Term Commencing 1-1-23);
- Justice of the Supreme Court (Full Term Commencing 1-2-23);
- U.S. Senator;
- Judge of Court of Appeals; and
- Countywide Offices.

For race results for the offices of U.S. Representative to Congress, the public will be directed to visit [VoteOhio.gov/Boards](http://VoteOhio.gov/Boards) for a listing of the boards of elections' websites where the results of this race are found. No later than 10:00 a.m. on the day after Election Day, the most populous county of each congressional district must post the Most Populous Report on their website. Boards must consult with their technical point of contact and service provider to ensure their websites are configured to dynamically scale to adapt to an expected increase in traffic.

All counties must use the Secretary of State’s County Submission System (“CSS”) to provide summary results on all candidates that appear on the county’s ballot. The Secretary of State personnel assigned to each county board of elections and their contact information will be provided prior to May 3, 2022.

Although boards of elections will have access to hand-key the results at the time frames below, the upload tool allows each board to do this more efficiently. This method also helps prevent data entry errors. Boards must use the USB thumb drives provided by the Secretary of State’s Office to ensure the security of the ENR and election management system (“EMS”). The USB thumb drives must be used only once.

Unofficial election results provided to the Secretary of State’s Office will be summary only, rather than precinct-level. Boards will upload precinct-level results for the Official Canvass.

### **A. SCHEDULE FOR REPORTING RESULTS**

Each board must log in to the CSS no later than 7:45 p.m. on May 3, 2022. The board must immediately notify the Secretary of State assigned personnel of delays in completing any portion of the results reporting activity. Boards will receive an email with contact information for the Secretary of State personnel assigned to each county.

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<sup>5</sup> [R.C. 3505.27\(C\)](#).

## **B. REPORTING ABSENTEE BALLOT RESULTS**

Each board must upload vote totals for absentee ballots by 8:00 p.m., unless the voting system is technologically unable to do so. If necessary, partial absentee results may be uploaded by the county. If the board uploads partial absentee results at 8:00 p.m., the board must not double-report the initial upload. Contact the board's voting system vendor if you need technical assistance. The board must enter zero (0) precincts reporting when it uploads its first absentee results.

## **C. MAXIMUM TIME BETWEEN ENR REPORTS**

**ENR begins with the first upload of absentee results by 8:00 p.m. and will continue at the assigned time throughout the night.** After the board uploads its first summary election results, it must report on the following time increment assigned to the county:

1. **“Quarter-Hour” Counties** - *Butler, Clark, Clermont, Cuyahoga, Delaware, Fairfield, Franklin, Greene, Hamilton, Lake, Licking, Lorain, Lucas, Mahoning, Medina, Montgomery, Portage, Stark, Summit, Trumbull, Warren, and Wood Counties.*

“Quarter-hour” counties must report at each quarter hour (e.g., 8:00 p.m., 8:15 p.m., 8:30 p.m., 8:45 p.m., etc.), beginning with the quarter hour that follows the board's first upload of summary election results and continuing until all precincts report results.

The board must notify the Secretary of State personnel assigned to the board if, as the board approaches full reporting, one or more precincts did not report and it is more than 30 minutes since the last report, to explain the delay. Once 100 percent of the precincts report, boards must enter final vote tallies into the ENR system. The board does not have to wait until its designated reporting time (noted above) before reporting the final results.

2. **“Half-Hour” Counties** - *Allen, Ashtabula, Athens, Belmont, Columbiana, Erie, Geauga, Hancock, Jefferson, Knox, Lawrence, Marion, Miami, Muskingum, Richland, Ross, Sandusky, Scioto, Tuscarawas, Union, Washington, and Wayne Counties.*

“Half-hour” counties must report at each half-hour (e.g., 8:30 p.m., 9:00 p.m., 9:30 p.m., etc.), beginning at 8:30 p.m., the first half-hour that follows the upload of the board's absentee summary election results at 8:00 p.m., then on every half hour after and continuing until all precincts report results.

The board must notify the Secretary of State personnel assigned to the board if, as the board approaches full reporting, one or more precincts did not report and it is more than 30 minutes since the last report, to explain the delay. Once 100 percent of the precincts have reported, boards must enter final vote tallies into the ENR. The board does not have to wait until its designated reporting time (noted above) before reporting the final results.

3. **“Hourly” Counties**

**“Top-of-the-hour” counties (e.g., 8:00 p.m., 9:00 p.m., etc.):** *Ashland, Auglaize, Brown, Champaign, Clinton, Crawford, Darke, Defiance, Fulton, Guernsey,*



*Highland, Huron, Logan, Madison, Mercer, Morrow, Ottawa, Pickaway, Preble, Seneca, Shelby, and Williams Counties.*

**“Bottom-of-the-hour” counties (e.g., 8:30 p.m., 9:30 p.m., etc.):** *Adams, Carroll, Coshocton, Fayette, Gallia, Hardin, Harrison, Henry, Hocking, Holmes, Jackson, Meigs, Monroe, Morgan, Noble, Paulding, Perry, Pike, Putnam, Van Wert, Vinton, and Wyandot Counties.*

**Note: “Bottom-of-the-hour” counties will report once at the “Top-of-the-hour” at 8:00 p.m. and then at the bottom hour as noted above.**

“Hourly” counties must report summary election results at the top *or* bottom of every hour, as specified above, and continue until all precincts have reported. If the board reports more frequently, it must still report on the hour.

The board must notify the Secretary of State personnel assigned to the board if, as the board approaches full reporting, one or more precincts did not report and it is more than 60 minutes since the last report, to explain the delay. Once 100 percent of the precincts have reported, boards must enter final vote tallies into the ENR. The board does not have to wait until its designated reporting time (noted above) before reporting the final results.

#### **D. SUPPLEMENTAL STATISTICS**

Boards of elections must provide supplemental statistics upon reporting the county’s last precinct or shortly thereafter. **Boards must promptly report vote totals, even if supplemental statistics are not yet available.** Upload the election results, then submit the statistics when ready.

The required supplemental statistics are as follows:

##### **Counted Ballots**

- Total number of regular ballots counted from Election Day precincts (not including absentee ballots).
- Total number of absentee ballots counted (both UOCAVA and Non-UOCAVA).
- Total regular Election Day and absentee ballots counted.

##### **Outstanding Ballots**

- Total number of outstanding absentee ballots (issued but not yet counted).
- Total number of provisional ballots (issued at the polls or the board office before or on Election Day).

### **III. SUMMARY AND FINAL REPORTS**

Boards of elections must follow the procedures outlined in [Chapter 10](#), Section 10.02 of the Election Official Manual for reporting summary results and submitting final summary reports in even-numbered year elections. The required reports and forms (listed below) for the Unofficial Canvass and the instructions and deadline for submission will be provided to boards of elections via email before Election Day:

1. Unofficial Vote Total Summary Report;

2. Group Detail Report;
3. Write-In Report;
4. Most Populous Report(s) (when applicable); and
5. Signature Form.

In addition to the Unofficial Vote Total Summary Report submitted on Election Night, each board must print Current County Results from the CSS, proof to the Unofficial Vote Total Summary Report, and email the Current County Results along with the Report to [Results@OhioSoS.gov](mailto:Results@OhioSoS.gov). Instructions outlining this requirement will be provided separately. All final summary reports must be transmitted to the Elections Division via email to [Results@OhioSoS.gov](mailto:Results@OhioSoS.gov).

On Election Night, once the Secretary of State's Office receives, reviews, and compares the board's Unofficial Vote Total Summary Report and the Current County Results printed from the CSS, a Secretary of State staff member will contact the Director.

The Director and Deputy Director must not leave the office until the assigned Secretary of State staff member contacts the Director to confirm that its reports have been received and reviewed to ensure the results match. The Director is responsible for releasing the board's staff.

## **PART TWO – POST-ELECTION CURE PERIOD**

Each board of elections must be open to the public on each of the seven calendar days immediately following Election Day, and during the hours specified below, in order to allow voters to cure a deficiency on an absentee or provisional ballot, as provided for in state law:<sup>6</sup>

- Wednesday, May 4<sup>th</sup> 8:00 a.m. – 5:00 p.m.
- Thursday, May 5<sup>th</sup> 8:00 a.m. – 5:00 p.m.
- Friday, May 6<sup>th</sup> 8:00 a.m. – 5:00 p.m.
- Saturday, May 7<sup>th</sup> 8:00 a.m. – 12:00 p.m.
- Sunday, May 8<sup>th</sup> 1:00 p.m. – 5:00 p.m.
- Monday, May 9<sup>th</sup> 8:00 a.m. – 5:00 p.m.
- Tuesday, May 10<sup>th</sup> 8:00 a.m. – 5:00 p.m.

Whenever a board of elections receives an absentee ballot ID envelope that is missing required information or that contains information that does not conform to the voter's registration record, the board must follow the instructions set forth in [Chapter 7](#), pages 228 to 230 of the Election Official Manual.

For regular absentee voters, a board of elections must receive a completed [Form 11-S](#) to cure a deficiency by the 7th day after the election, or the Form 11-S must be postmarked by the 7th day after the election and received by the 10th day after the election. For UOCAVA voters, a completed

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<sup>6</sup> [R.C. 3505.181\(B\)\(7\)](#); [R.C. 3509.06\(D\)\(3\)](#). See also *Northeast Ohio Coalition for the Homeless v. Husted*, 837 F.3d 612 (6th Cir. 2016) (holding that the seven-day post-election cure period for absentee and provisional ballots established in state law is constitutional).

[Form 11-S](#) must be received by the 20th day after the election, per the extension of time granted by Substitute Senate Bill 11 of the 134<sup>th</sup> General Assembly (“S.B. 11”).<sup>7</sup>

If a board of elections has no voters with a deficiency on their absentee or provisional ballot after Election Day (i.e., there is nothing *possible* to cure for any voter that cast a ballot in the election) or all deficiencies have been cured, the board may return to its normal operating hours for the remainder of the cure period.

## **PART THREE – OFFICIAL CANVASS**

### **I. TIMELINE FOR OFFICIAL CERTIFICATION**

As explained in [Directive 2022-29](#), S.B. 11 permits the Secretary of State to adjust the deadlines for the Official Canvass to accommodate the delayed UOCAVA ballot return deadline. Therefore, boards of elections may begin the Official Canvass of the May 3, 2022 Primary Election no earlier than the 21st day after the election (**Tuesday, May 24, 2022**) and no later than the 22nd day after the election (**Wednesday, May 25, 2022**). Each board must complete its Official Canvass and certify no later than the 24th day after the election (**Friday, May 27, 2022**).<sup>8</sup>

### **II. PRE-CANVASS AND CANVASS ACTIVITY**

Boards of elections must follow the instructions for pre-canvass activity that are outlined in [Chapter 10, Section 10.03](#) of the Election Official Manual. Boards must also follow the rules and procedures outlined in [Chapter 10, Section 10.04](#) of the Election Official Manual for conducting the Official Canvass. Each board must reconcile results with records from the poll books and the voter registration system to ensure that only one ballot per voter is counted.<sup>9</sup> This includes ensuring that all returned absentee ballots are logged in the voter registration system and reconciling the list of voters whose ballots were returned with the number of physical ballots returned.

Boards must wait until the 11th day after the election to examine provisional ballot affirmations to determine the eligibility of provisional ballots to be counted. Board members must vote on the eligibility of every provisional ballot cast in the county for this election. It is rare, but possible for a military or overseas voter to be issued a provisional ballot by mail.<sup>10</sup> If the board issues a provisional ballot to a military or overseas voter and it is returned by mail no later than the 20th day after the election, the board must vote on its eligibility for counting before proceeding with the Official Canvass. No earlier than the start of the Official Canvass on May 24, 2022, the board may open the provisional ballot envelopes and count the ballots that are eligible for counting.<sup>11</sup>

Pursuant to [R.C. 3505.32](#), board members and employees are prohibited from disclosing partial or final results of any contest in the election between the completion of the Unofficial Canvass and the certification of official results.

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<sup>7</sup> See [Directive 2022-29](#).

<sup>8</sup> [R.C. 3505.32\(A\)](#).

<sup>9</sup> [R.C. 3505.32\(D\)](#).

<sup>10</sup> See [Form 11-I](#) (“Application for Absent Voter’s Ballot by a Voter With a Personal Illness, Physical Disability, or Infirmary and an Unreported Change of Address and/or Name”) and [Form 11-I-2](#).

<sup>11</sup> [R.C. 3505.183\(F\)](#) and [R.C. 3505.32\(D\)](#).

### **III. FORMS FOR OFFICIAL CERTIFICATION**

After the Unofficial Canvass, our Office will provide the forms for reporting official results. All certifications and reports must be signed by the appropriate board personnel before being submitted to our Office, another board of elections, or another public entity. The board may not use digital or stamped signatures for these reports. Each board of elections must submit the signature form to certify the Official Election Results, including the Supplemental Reports for both Absentee Ballots and Provisional Ballots, to the Secretary of State's Office.

#### **A. CERTIFICATION AND REPORTING OF OFFICIAL RESULTS<sup>12</sup>**

After a board completes its Official Canvass, it must email [Results@OhioSoS.gov](mailto:Results@OhioSoS.gov) a copy of the official vote total summary report generated by the board's voting system. This report must be clearly labeled "[County]'s Official Canvass," and it must contain *only* vote totals for that county.

The board of elections for the most populous county of any multi-county jurisdiction or district must generate a separate report from its voting system, create a report outside of its voting system, or use a reporting form which will be provided after the Unofficial Canvass. This report must be clearly labeled "[County's] Official Canvass – Most Populous County." The report must include the total number of votes recorded for the office, question, or issue from each county in a multi-county jurisdiction and the sum total for all counties. The board must clearly mark the contest(s) for which a board is the most populous county to clearly identify it as a contest contains vote totals from other counties. The board must email the report(s) to [Results@OhioSoS.gov](mailto:Results@OhioSoS.gov).

#### **B. ABSENTEE AND PROVISIONAL BALLOT SUPPLEMENTAL REPORT**

State law requires the Secretary of State to publish a report on the number of absentee and provisional ballots cast and counted for the election in each county.<sup>13</sup> Each board of elections must provide this supplemental data for absentee and provisional ballots. The reporting forms will be provided after the Unofficial Canvass.

#### **C. CERTIFICATE OF OFFICIAL SUMMARY RESULTS FOR LIQUOR OPTION QUESTIONS AND LOCAL QUESTIONS AND ISSUES**

Each board of elections must send a completed copy of [Secretary of State Form No. 126-B](#) to the Secretary of State's Office via email to [Results@OhioSoS.gov](mailto:Results@OhioSoS.gov) and a copy of the completed form to the Ohio Division of Liquor Control via email: [LiquorLicensingMailUnit@com.state.oh.us](mailto:LiquorLicensingMailUnit@com.state.oh.us) or by mailing to the following address:

Division of Liquor Control  
6606 Tussing Road  
Reynoldsburg, Ohio 43068-9005

The board of elections (most populous county only if it is a multi-county issue) must certify the results of an election on tax levies and bond issues to the following offices and agencies:

- The county auditor of each county in which the election was held.

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<sup>12</sup> [R.C. 3505.30.](#)

<sup>13</sup> [R.C. 3501.05\(Y\).](#)

- The fiscal officer of the subdivision in which the election was held.
- The Tax Commissioner of the State of Ohio via email at: [DTE@tax.state.oh.us](mailto:DTE@tax.state.oh.us).
- The Secretary of State.

The board of elections of the most populous county must certify the results of an election on a school district income tax on [Secretary of State Form 125-A](#) to the following offices and agencies:

- The board of education that placed the issue on the ballot.
- The Tax Commissioner of the State of Ohio via email at [DTE@tax.state.oh.us](mailto:DTE@tax.state.oh.us).
- The Secretary of State.

#### **IV. TIMELINE FOR REPORTS**

No later than 2:00 p.m. on **Friday, May 27, 2022**, the Secretary of State's Office must receive each of the following:

- Certification report and signature form;
- Write-In Report;
- Report forms;
- Electronic turnout detail by precinct;
- SOVC report; and
- Group Detail Report.

Each board must submit these reports to [Results@OhioSoS.gov](mailto:Results@OhioSoS.gov) as soon as the board completes its official certification. Boards must not delay submitting the official certification forms because of a recount for any race or issue. Every board must maintain a copy of each of its completed certification and report forms.

#### **V. CERTIFICATES OF ELECTION AND/OR NOMINATION**

Each board of elections must follow the instructions for issuing certificates of election and/or nomination that are contained in [Chapter 10, Section 10.04](#), of the Election Official Manual.

#### **VI. RECOUNTS**

Before scheduling and conducting a recount, please review the procedures set forth in state law and [Chapter 11, Section 11.02](#) of the Election Official Manual. The deadline for a candidate or group to request a recount is five days after the certification of official results. A recount must take place no later than ten days after an application for a recount is filed or an automatic recount is declared.<sup>14</sup>

The Secretary of State's Office will provide the boards a spreadsheet along with the Official Canvass report forms. Boards must complete the spreadsheet to notify the Secretary of State of a recount. All boards must complete the survey, regardless of whether there is a recount in their county. If the board must conduct a recount, they must provide the information regarding the recount in the

<sup>14</sup> [R.C. 3515.02](#) and [R.C. 3515.03](#).

spreadsheet provided by the Secretary of State's Office in the email along with the completed Official Canvass Report forms.

If the recount to be conducted is for a multi-county jurisdiction, the Secretary of State's Office will issue the notice of recount after receiving notice from the most populous county. If a recount changes vote totals, the board of elections must submit a properly completed and signed amended certification and abstract to [Results@OhioSOS.gov](mailto:Results@OhioSOS.gov).

## **VII. POST-ELECTION AUDITS**

Ohio law requires every board of elections to conduct a post-election audit. Before scheduling and conducting the post-election audit, please review the procedures set forth in state law<sup>15</sup> and [Chapter 11, Section 11.03](#) of the Election Official Manual. The timeline for post-election audits depends on whether there is a recount, as explained below:

1. **If there is no recount:** The audit may start six days after the official results are declared and must be completed by the 21st day after that declaration. The board has five days after completion to certify those audit results to the Secretary. A form will be offered for certifying audit results.
2. **If there is a recount:** The audit must begin immediately after the board certifies the results of the recount and be complete within 14 days. The board has five days after completion to certify those audit results to the Secretary.

After Election Day, the Secretary of State's Office will provide more instructions for the post-election audit.

## **VIII. VOTER HISTORY**

All boards must upload voter history for the May 3, 2022 Primary Election to the Statewide Voter Registration Database no later than 14 days after the board's official certification. Counties with more than 100,000 registered voters must email [SWVRD@OhioSoS.gov](mailto:SWVRD@OhioSoS.gov) to schedule their upload in advance. The election name to submit the history for the election is **2022\_MAY\_PRIM**.

For purposes of assigning voter history, a voter record should be marked as having voted in an election, only if any of the following are true:<sup>16</sup>

- The voter signed the signature poll book on Election Day.
- The voter was issued an absentee ballot in-person during the period for in-person absentee voting.
- The voter timely returned the voter's identification envelope (including UOCAVA and Federal Write-In Absentee Ballot (FWAB)), regardless of whether the ballot was eligible to be counted.
- The voter is an eligible elector of the State of Ohio and cast a provisional ballot, regardless of whether the ballot was eligible to be counted. **If a provisional ballot affirmation is used to register an individual to vote, the newly registered voter should be assigned voter history for casting a provisional ballot.**

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<sup>15</sup> [R.C. 3505.331](#).

<sup>16</sup> [Election Official Manual Chapter 10](#), page 316.

## **IX. RETENTION OF BALLOTS**

Boards must retain all ballots prepared for a federal election for at least 22 months following the election. If the board uses a voting system and software that captures images of ballots as they are scanned by a high-speed scanner, those images may be subject to disclosure pursuant to a public records request and must be retained.<sup>17</sup> Accordingly, consult with the county prosecuting attorney regarding their retention.

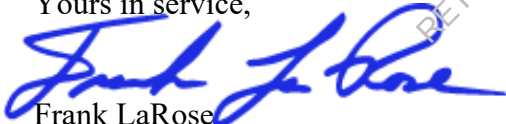
## **PART FOUR – OPEN MEETINGS DURING THE CANVASS**

Consistent with [R.C. 3505.30](#), board members must remain in session from the time of the opening of the polls on Election Day until the results of the election are received from every precinct in the county and such results are communicated to the Secretary of State. Board members must also meet to adjudicate the validity of provisional ballots, certify the official results of the election, and certify the results of any recount or post-election audit. When possible, board members should conduct their meetings in-person. However, if any board members are not able to be physically present, boards of elections are encouraged to consult with their prosecuting attorney regarding H.B. 51 of the 134<sup>th</sup> General Assembly, which temporarily authorizes a public body to hold meetings and hearings by means of teleconference, video conference, or any other similar electronic technology.

Boards should work with their technical points of contact (i.e., IT professionals) to determine whether livestreaming meetings is an option, including whether there is enough bandwidth to allow for public viewing. To the maximum extent possible, any livestream of board meetings should be advertised on social media and include video of the staff undertaking duties that would normally be observable by members of the public if they were physically present at the meeting. If board members need to remake ballots, members should coordinate with their staff to review the ballots in person prior to the public meeting.

If you have any questions regarding this Directive, please contact the Secretary of State's elections counsel at (614) 728-8789.

Yours in service,



Frank LaRose  
Ohio Secretary of State

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<sup>17</sup> See [Election Official Manual Chapter 10](#), pages 321 to 323.





same vehicle. The board is permitted to have one or more additional persons, such as a law enforcement official, accompany the bipartisan team. One bipartisan team may transport the ballots and election supplies for an entire multi-precinct polling location.

## Section 9.10 Partisan Primary Elections

### CHALLENGES BASED ON PARTY AFFILIATION

Precinct election officials, board of elections members, directors, deputy directors, and clerks can only challenge the right to vote of any elector on the grounds that the voter is not affiliated with or is not a member of the political party whose ballot the person desires to vote, if that official has personal knowledge that the individual is a member of a different party.<sup>56</sup>

Boards of elections may not require every voter, or every voter who previously voted a ballot for a different political party, to sign a “Statement of Person Challenged as to Party Affiliation” ([Forms 10-W, X, or Z](#)) before permitting that person to cast a ballot, either in person or by mail. Such blanket policies impose an affirmative duty on elections officials that is not contemplated in [R.C. 3513.19](#), which reads “[i]t is the duty of any precinct election official, whenever any precinct election official doubts that a person attempting to vote at a primary election is legally entitled to vote at that election, to challenge the right of that person to vote.” (emphasis not in original) State law contemplates infrequent party challenges, based upon the election official’s personal knowledge, similar to infrequent challenges based on whether a person is a legally qualified elector and whether a person has received or been promised some valuable reward or consideration for the person’s vote.<sup>57</sup> Any such challenge is serious and must not be subject to unilateral, blanket action.

Ohio’s primary process strikes a balance between the statutory deference to an individual voter’s participatory rights and the political parties’ associative rights. The prohibition against any precinct election official or board of elections member, director, deputy director, or clerk from challenging the right to vote of any elector on the grounds that the voter is not affiliated with or is not a member of the political party whose ballot the person desires to vote, unless that official has personal knowledge to the contrary, protects this balance. In these rare instances, either [Form 10-W, X, or Z](#) should be used, depending on the circumstance, pursuant to [R.C. 3510.06\(D\)](#) and [R.C. 3513.20](#).

<sup>56</sup> [R.C. 3513.19\(A\)\(3\)](#).

<sup>57</sup> [R.C. 3513.19\(A\)](#).





## ISSUING A BALLOT DURING A PRIMARY ELECTION

When issuing a ballot during a primary election the precinct election official should ask the voter what type of ballot they would like – a political party ballot or an issues only ballot. If a voter asks what their choices are, the precinct election official should explain the political party ballot choices, if any. Once a voter indicates their choice of ballot, political party or issues only, the precinct election official must record the voter's choice of ballot in the pollbook regardless of a change in political party or not by marking either 1) the appropriate political party for the ballot requested by the voter, or 2) that the voter requested an issues only ballot.

Next the precinct election official must give the voter the proper ballot or appropriate authority to vote slip/device and direct the voter to the appropriate voting location in the polling location.

### Section 9.11 Required Postings

#### GENERALLY

The posting of a number of voting-related signs inside and outside the polling location is required.

#### SIGNS OUTSIDE

Precinct election officials must place one (large) flag at the entrance to the polling location.

Precinct election officials must place two (small) flags 100 feet from the entrance to the polling location. The placement of the flags establishes the "neutral zone" of the polling location. [Permissible and prohibited conduct within the neutral zone of the polling location is discussed in Section 1.12.](#)

Directional signs can be placed to lead voters from the parking lot or street to the entrance of the polling location.

#### SIGNS INSIDE

Boards of elections must direct PEOs to display several notices and signs where voters easily can see them:

- ☐ Precinct signs that identify the precinct, especially in multiple precinct polling locations, must be placed wherever a line might form;
- ☐ Voting Rights Information Poster;
- ☐ General information on federal and state laws regarding prohibitions on fraud and misrepresentation;

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Portage County, Ohio

EXHIBIT H

**Statistics**

TOTAL

Precincts Complete	129 of 129
Registered Voters - Total	106,411
Registered Voters - Democratic	16,166
Registered Voters - Republican	8,397
Registered Voters - NONPARTISAN	81,848
Ballots Cast - Total	24,065
Ballots Cast - Democratic	8,527
Ballots Cast - Republican	15,116
Ballots Cast - NONPARTISAN	422
Voter Turnout - Total	22.62%
Voter Turnout - Democratic	52.75%
Voter Turnout - Republican	180.02%
Voter Turnout - NONPARTISAN	0.52%

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Portage County, Ohio

**DEM Governor and Lieutenant Governor**

Vote For 1

TOTAL

John Cranley and Teresa Fedor 2,718

Nan Whaley and Cheryl L. Stephens 5,356

**Total Votes Cast 8,074**

**DEM Attorney General**

Vote For 1

TOTAL

Jeffrey A. Crossman 7,101

**Total Votes Cast 7,101**

**DEM Auditor of State**

Vote For 1

TOTAL

Taylor Sappington 6,922

**Total Votes Cast 6,922**

**DEM Secretary of State**

Vote For 1

TOTAL

Chelsea Clark 7,074

**Total Votes Cast 7,074**

**DEM Treasurer of State**

Vote For 1

TOTAL

Scott Schertzer 6,883

**Total Votes Cast 6,883**

**DEM Chief Justice of the Supreme Court**

Vote For 1

TOTAL

Jennifer Brunner 7,280

**Total Votes Cast 7,280**

**DEM Justice of the Supreme Court (1-1-23)**

Vote For 1

TOTAL

Terri Jamison 6,731

**Total Votes Cast 6,731**

**DEM Justice of the Supreme Court (1-2-23)**

Vote For 1

TOTAL

Marilyn Zayas 6,533

**Total Votes Cast 6,533**

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Portage County, Ohio

**DEM U.S. Senator**

Vote For 1

	TOTAL
Morgan Harper	879
Traci TJ Johnson	601
Tim Ryan	6,919
<b>Total Votes Cast</b>	<b>8,399</b>

**DEM Representative to Congress 13th District**

Vote For 1

	TOTAL
Emilia Sykes	121
<b>Total Votes Cast</b>	<b>121</b>

**DEM Representative to Congress 14th District**

Vote For 1

	TOTAL
Matt Kilboy	6,800
<b>Total Votes Cast</b>	<b>6,800</b>

**DEM Judge of the Court of Appeals FT (2-9-23) 11th District**

Vote For 1

	TOTAL
Thomas R. Wright	6,836
<b>Total Votes Cast</b>	<b>6,836</b>

**DEM Judge of the Court of Appeals UTE (2-8-25) 11th District**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM Judge of the Court of Common Pleas, General**

Vote For 1

	TOTAL
Laurie J. Pittman	7,126
<b>Total Votes Cast</b>	<b>7,126</b>

**DEM Judge of the Court of Common Pleas, Domestic**

Vote For 1

	TOTAL
Paula C. Giulitto	6,904
<b>Total Votes Cast</b>	<b>6,904</b>

**DEM County Commissioner**

Vote For 1

	TOTAL
Geraldine Hayes Nelson	4,901
Timothy Moon	2,898
<b>Total Votes Cast</b>	<b>7,799</b>

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# Official Election Summary Results Report

Portage County, Ohio

## Primary Election

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### DEM County Auditor

Vote For 1

	TOTAL
Brad Cromes	7,251
<b>Total Votes Cast</b>	<b>7,251</b>

### DEM County Central Committee Ravenna City 1A

Vote For 1

	TOTAL
Gloria Haven	29
<b>Total Votes Cast</b>	<b>29</b>

### DEM County Central Committee Ravenna City 1B

Vote For 1

	TOTAL
Sharon Spencer	54
<b>Total Votes Cast</b>	<b>54</b>

### DEM County Central Committee Ravenna City 2A

Vote For 1

	TOTAL
Bruce R. Ribelin	44
<b>Total Votes Cast</b>	<b>44</b>

### DEM County Central Committee Ravenna City 2B

Vote For 1

	TOTAL
R. Andrew Kluge	86
<b>Total Votes Cast</b>	<b>86</b>

### DEM County Central Committee Ravenna City 2C

Vote For 1

	TOTAL
Tiffany Welling	68
<b>Total Votes Cast</b>	<b>68</b>

### DEM County Central Committee Ravenna City 3A

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

### DEM County Central Committee Ravenna City 3B

Vote For 1

	TOTAL
Amy Michael	51
<b>Total Votes Cast</b>	<b>51</b>

### DEM County Central Committee Ravenna City 3C

Vote For 1

	TOTAL
Cheryl A. Wood	72
<b>Total Votes Cast</b>	<b>72</b>

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**DEM County Central Committee Ravenna City 4A**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

**DEM County Central Committee Ravenna City 4B**

Vote For 1

TOTAL

Brad Cromes 96

**Total Votes Cast 96**

**DEM County Central Committee Kent City 1A**

Vote For 1

TOTAL

Melissa M. Long 111

**Total Votes Cast 111**

**DEM County Central Committee Kent City 1B**

Vote For 1

TOTAL

Lisa J. Hirt 135

**Total Votes Cast 135**

**DEM County Central Committee Kent City 1C**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

**DEM County Central Committee Kent City 1D**

Vote For 1

TOTAL

Fred M. Mendiola 120

**Total Votes Cast 120**

**DEM County Central Committee Kent City 2A**

Vote For 1

TOTAL

Geraldine Hayes Nelson 134

**Total Votes Cast 134**

**DEM County Central Committee Kent City 2B**

Vote For 1

TOTAL

Chris Clevenger Morris 77

**Total Votes Cast 77**

**DEM County Central Committee Kent City 2C**

Vote For 1

TOTAL

Michael DeLuke 71

**Total Votes Cast 71**

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**DEM County Central Committee Kent City 2D**

Vote For 1

TOTAL

Bonny Graham	78
<b>Total Votes Cast</b>	<b>78</b>

**DEM County Central Committee Kent City 3A**

Vote For 1

TOTAL

No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Kent City 3B**

Vote For 1

TOTAL

Robin G. Turner	79
<b>Total Votes Cast</b>	<b>79</b>

**DEM County Central Committee Kent City 3C**

Vote For 1

TOTAL

No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Kent City 3D**

Vote For 1

TOTAL

Audrey Cielinski Kessler	59
<b>Total Votes Cast</b>	<b>59</b>

**DEM County Central Committee Kent City 4A**

Vote For 1

TOTAL

No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Kent City 4B**

Vote For 1

TOTAL

No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Kent City 5A**

Vote For 1

TOTAL

Richard Hawksley	38
<b>Total Votes Cast</b>	<b>38</b>

**DEM County Central Committee Kent City 5B**

Vote For 1

TOTAL

Jon Barber	78
<b>Total Votes Cast</b>	<b>78</b>

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**DEM County Central Committee Kent City 5C**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

**DEM County Central Committee Kent City 6A**

Vote For 1

TOTAL

Vivien Sandlund 59

**Total Votes Cast 59**

**DEM County Central Committee Kent City 6B**

Vote For 1

TOTAL

Dean DePerro 107

**Total Votes Cast 107**

**DEM County Central Committee Kent City 6C**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

**DEM County Central Committee Kent City 6D**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

**DEM County Central Committee Aurora City 1A**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

**DEM County Central Committee Aurora City 1B**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

**DEM County Central Committee Aurora City 2A**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

**DEM County Central Committee Aurora City 2B**

Vote For 1

TOTAL

Kelly Clary 59

**Total Votes Cast 59**

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**DEM County Central Committee Aurora City 3A**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Aurora City 3B**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Aurora City 4A**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Aurora City 4B**

Vote For 1

	TOTAL
John J. Montello	79
<b>Total Votes Cast</b>	<b>79</b>

**DEM County Central Committee Aurora City 5A**

Vote For 1

	TOTAL
Pamela Mascio	57
<b>Total Votes Cast</b>	<b>57</b>

**DEM County Central Committee Aurora City 5B**

Vote For 1

	TOTAL
John Kennedy	58
<b>Total Votes Cast</b>	<b>58</b>

**DEM County Central Committee Aurora City 5C**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Aurora City 6A**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Aurora City 6B**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

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**DEM County Central Committee Streetsboro City 1A**

Vote For 1

TOTAL

No Valid Petition Filed 0

Total Votes Cast 0

**DEM County Central Committee Streetsboro City 1B**

Vote For 1

TOTAL

No Valid Petition Filed 0

Total Votes Cast 0

**DEM County Central Committee Streetsboro City 1C**

Vote For 1

TOTAL

No Valid Petition Filed 0

Total Votes Cast 0

**DEM County Central Committee Streetsboro City 1D**

Vote For 1

TOTAL

No Valid Petition Filed 0

Total Votes Cast 0

**DEM County Central Committee Streetsboro City 2A**

Vote For 1

TOTAL

No Valid Petition Filed 0

Total Votes Cast 0

**DEM County Central Committee Streetsboro City 2B**

Vote For 1

TOTAL

No Valid Petition Filed 0

Total Votes Cast 0

**DEM County Central Committee Streetsboro City 2C**

Vote For 1

TOTAL

No Valid Petition Filed 0

Total Votes Cast 0

**DEM County Central Committee Streetsboro City 3A**

Vote For 1

TOTAL

No Valid Petition Filed 0

Total Votes Cast 0

**DEM County Central Committee Streetsboro City 3B**

Vote For 1

TOTAL

Samantha Stephens 70

Total Votes Cast 70

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Portage County, Ohio

**DEM County Central Committee Streetsboro City 3C**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Streetsboro City 4A**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Streetsboro City 4B**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Streetsboro City 4C**

Vote For 1

	TOTAL
Brian Pearson	61
<b>Total Votes Cast</b>	<b>61</b>

**DEM County Central Committee Atwater Twp A**

Vote For 1

	TOTAL
John B. Kovacich	43
<b>Total Votes Cast</b>	<b>43</b>

**DEM County Central Committee Atwater Twp B**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Brimfield Twp A**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Brimfield Twp B**

Vote For 1

	TOTAL
Michael A. Marozzi	94
<b>Total Votes Cast</b>	<b>94</b>

**DEM County Central Committee Brimfield Twp C**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>



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**DEM County Central Committee Brimfield Twp D**

Vote For 1

TOTAL

Gregory A. Johnson 60

**Total Votes Cast 60**

**DEM County Central Committee Brimfield Twp E**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

**DEM County Central Committee Brimfield Twp F**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

**DEM County Central Committee Brimfield Twp G**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

**DEM County Central Committee Charlestown Twp A**

Vote For 1

TOTAL

Adam Eskridge 40

**Total Votes Cast 40**

**DEM County Central Committee Charlestown Twp B**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

**DEM County Central Committee Deerfield Twp A**

Vote For 1

TOTAL

Monica M. Kaley 25

**Total Votes Cast 25**

**DEM County Central Committee Deerfield Twp B**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

**DEM County Central Committee Edinburg Twp A**

Vote For 1

TOTAL

William McCluskey 41

**Total Votes Cast 41**

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**DEM County Central Committee Edinburg Twp B**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Franklin Twp A**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Franklin Twp B**

Vote For 1

	TOTAL
Leota Reale	119
<b>Total Votes Cast</b>	<b>119</b>

**DEM County Central Committee Franklin Twp C**

Vote For 1

	TOTAL
James A. Wyatt, Jr.	80
<b>Total Votes Cast</b>	<b>80</b>

**DEM County Central Committee Franklin Twp D**

Vote For 1

	TOTAL
Robert M. Howard	82
<b>Total Votes Cast</b>	<b>82</b>

**DEM County Central Committee Franklin Twp E**

Vote For 1

	TOTAL
Delores Durbin	84
<b>Total Votes Cast</b>	<b>84</b>

**DEM County Central Committee Freedom Twp A**

Vote For 1

	TOTAL
Patricia Nelson	59
<b>Total Votes Cast</b>	<b>59</b>

**DEM County Central Committee Freedom Twp B**

Vote For 1

	TOTAL
Diane Davis	47
<b>Total Votes Cast</b>	<b>47</b>

**DEM County Central Committee Garrettsville Village A**

Vote For 1

	TOTAL
Richard Brockett	68
<b>Total Votes Cast</b>	<b>68</b>

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**DEM County Central Committee Garrettsville Village B**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Hiram Twp A**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Hiram Twp B**

Vote For 1

	TOTAL
Jeffrey D. Jackson	49
<b>Total Votes Cast</b>	<b>49</b>

**DEM County Central Committee Hiram Village**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Mantua Twp A**

Vote For 1

	TOTAL
Tamara Lyons	43
<b>Total Votes Cast</b>	<b>43</b>

**DEM County Central Committee Mantua Twp B**

Vote For 1

	TOTAL
Theresa Nielsen	34
<b>Total Votes Cast</b>	<b>34</b>

**DEM County Central Committee Mantua Twp C**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Mantua Twp D**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Mantua Village**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

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**DEM County Central Committee Mogadore Village**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Nelson Twp A**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Nelson Twp B**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Palmyra Twp A**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Palmyra Twp B**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Palmyra Twp C**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Paris Twp A**

Vote For 1

	TOTAL
Cindy M. Greene	31
<b>Total Votes Cast</b>	<b>31</b>

**DEM County Central Committee Paris Twp B**

Vote For 1

	TOTAL
Denise Smith	39
<b>Total Votes Cast</b>	<b>39</b>

**DEM County Central Committee Randolph Twp A**

Vote For 1

	TOTAL
Timothy Moon	52
<b>Total Votes Cast</b>	<b>52</b>

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**DEM County Central Committee Randolph Twp B**

Vote For 1

TOTAL

Erin Myrla 56

**Total Votes Cast 56**

**DEM County Central Committee Randolph Twp C**

Vote For 1

TOTAL

Gary L. Horning 64

**Total Votes Cast 64**

**DEM County Central Committee Randolph Twp D**

Vote For 1

TOTAL

Ruth E. Stephens 67

**Total Votes Cast 67**

**DEM County Central Committee Ravenna Twp A**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

**DEM County Central Committee Ravenna Twp B**

Vote For 1

TOTAL

Whitney Franklin Hairston, Jr. 29

**Total Votes Cast 29**

**DEM County Central Committee Ravenna Twp C**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

**DEM County Central Committee Ravenna Twp D**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

**DEM County Central Committee Ravenna Twp E**

Vote For 1

TOTAL

Henry T. Gibson 101

**Total Votes Cast 101**

**DEM County Central Committee Ravenna Twp F**

Vote For 1

TOTAL

No Valid Petition Filed 0

**Total Votes Cast 0**

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**DEM County Central Committee Ravenna Twp G**

Vote For 1

	TOTAL
Stephanie L. Rummel	43
<b>Total Votes Cast</b>	<b>43</b>

**DEM County Central Committee Rootstown Twp A**

Vote For 1

	TOTAL
Bonnie Howe	93
<b>Total Votes Cast</b>	<b>93</b>

**DEM County Central Committee Rootstown Twp B**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Rootstown Twp C**

Vote For 1

	TOTAL
Misty Dulaney	41
<b>Total Votes Cast</b>	<b>41</b>

**DEM County Central Committee Rootstown Twp D**

Vote For 1

	TOTAL
Deborah Ann Baird	46
<b>Total Votes Cast</b>	<b>46</b>

**DEM County Central Committee Rootstown Twp E**

Vote For 1

	TOTAL
Victor V. Viglucci	46
<b>Total Votes Cast</b>	<b>46</b>

**DEM County Central Committee Rootstown Twp F**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Rootstown Twp G**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Shalersville Twp A**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

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**DEM County Central Committee Shalersville Twp B**

Vote For 1

TOTAL

No Valid Petition Filed 0

Total Votes Cast 0

**DEM County Central Committee Shalersville Twp C**

Vote For 1

TOTAL

No Valid Petition Filed 0

Total Votes Cast 0

**DEM County Central Committee Shalersville Twp D**

Vote For 1

TOTAL

Withdrawn 40

Total Votes Cast 40

**DEM County Central Committee Suffield Twp A**

Vote For 1

TOTAL

Christopher J. Mallin 39

Total Votes Cast 39

**DEM County Central Committee Suffield Twp B**

Vote For 1

TOTAL

No Valid Petition Filed 0

Total Votes Cast 0

**DEM County Central Committee Suffield Twp C**

Vote For 1

TOTAL

Withdrawn 34

Total Votes Cast 34

**DEM County Central Committee Suffield Twp D**

Vote For 1

TOTAL

Deborah M. Smith 48

Total Votes Cast 48

**DEM County Central Committee Suffield Twp E**

Vote For 1

TOTAL

No Valid Petition Filed 0

Total Votes Cast 0

**DEM County Central Committee Sugar Bush Knolls Village**

Vote For 1

TOTAL

No Valid Petition Filed 0

Total Votes Cast 0

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**DEM County Central Committee Windham Twp A**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**DEM County Central Committee Windham Twp B**

Vote For 1

	TOTAL
Laura J. Viebranz Stanley	29
<b>Total Votes Cast</b>	<b>29</b>

**DEM County Central Committee Windham Village A**

Vote For 1

	TOTAL
Kimberly S. Kiser	17
<b>Total Votes Cast</b>	<b>17</b>

**DEM County Central Committee Windham Village B**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**REP Governor and Lieutenant Governor**

Vote For 1

	TOTAL
Joe Blystone and Jeremiah W. Workman	2,468
Mike DeWine and Jon Husted	6,478
Ron Hood and Candice Keller	301
Jim Renacci and Joe Knopp	5,699
<b>Total Votes Cast</b>	<b>14,946</b>

**REP Attorney General**

Vote For 1

	TOTAL
Dave Yost	11,479
<b>Total Votes Cast</b>	<b>11,479</b>

**REP Auditor of State**

Vote For 1

	TOTAL
Keith Faber	9,823
<b>Total Votes Cast</b>	<b>9,823</b>

**REP Secretary of State**

Vote For 1

	TOTAL
John Adams	4,597
Frank LaRose	8,606
<b>Total Votes Cast</b>	<b>13,203</b>

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**REP Treasurer of State**

Vote For 1

	TOTAL
Robert Sprague	10,447
<b>Total Votes Cast</b>	<b>10,447</b>

**REP Chief Justice of the Supreme Court**

Vote For 1

	TOTAL
Sharon L. Kennedy	10,589
<b>Total Votes Cast</b>	<b>10,589</b>

**REP Justice of the Supreme Court (1-1-23)**

Vote For 1

	TOTAL
Pat Fischer	9,989
<b>Total Votes Cast</b>	<b>9,989</b>

**REP Justice of the Supreme Court (1-2-23)**

Vote For 1

	TOTAL
Pat DeWine	8,147
<b>Total Votes Cast</b>	<b>8,147</b>

**REP U.S. Senator**

Vote For 1

	TOTAL
Matt Dolan	3,667
Mike Gibbons	1,609
Josh Mandel	3,937
Neil Patel	92
Mark Pukita	287
Jane Timken	717
JD Vance	4,543
<b>Total Votes Cast</b>	<b>14,852</b>

**REP Representative to Congress 13th District**

Vote For 1

	TOTAL
Madison Gesiotto Gilbert	90
Shay Hawkins	21
Santana F. King	10
Janet Folger Porter	51
Dante N. Sabatucci	15
Ryan Saylor	34
Greg Wheeler	82
<b>Total Votes Cast</b>	<b>303</b>

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**REP Representative to Congress 14th District**

Vote For 1

	TOTAL
Patrick Gene Awtrey	2,519
Bevin Cormack	1,309
David P. Joyce	8,652
<b>Total Votes Cast</b>	<b>12,480</b>

**REP Judge of the Court of Appeals FT (2-9-23) 11th District**

Vote For 1

	TOTAL
Eugene A. Lucci	9,888
<b>Total Votes Cast</b>	<b>9,888</b>

**REP Judge of the Court of Appeals UTE (2-8-25) 11th District**

Vote For 1

	TOTAL
John J. Eklund	6,831
Sarah Thomas Kovoov	5,093
<b>Total Votes Cast</b>	<b>11,924</b>

**REP Judge of the Court of Common Pleas, General**

Vote For 1

	TOTAL
Wesley Buchanan	9,730
<b>Total Votes Cast</b>	<b>9,730</b>

**REP Judge of the Court of Common Pleas, Domestic**

Vote For 1

	TOTAL
No Valid Petition Filed	0
<b>Total Votes Cast</b>	<b>0</b>

**REP County Commissioner**

Vote For 1

	TOTAL
Ed Dean	4,996
Mike Tinlin	7,610
<b>Total Votes Cast</b>	<b>12,606</b>

**REP County Auditor**

Vote For 1

	TOTAL
Brian M. Ames	2,155
Kristy Elliott	4,147
Matt Kelly	4,343
Withdrawn	1,503
<b>Total Votes Cast</b>	<b>12,148</b>



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**Issue 1 - Proposed Tax Levy (Renewal) Rootstown Local School District**

Vote For 1

	TOTAL
FOR THE TAX LEVY	914
AGAINST THE TAX LEVY	786
<b>Total Votes Cast</b>	<b>1,700</b>

**Issue 2 - Proposed Tax Levy (Additional) Springfield Local School District**

Vote For 1

	TOTAL
FOR THE TAX LEVY	26
AGAINST THE TAX LEVY	66
<b>Total Votes Cast</b>	<b>92</b>

**Issue 3 - Proposed Tax Levy (Renewal) Community EMS**

Vote For 1

	TOTAL
FOR THE TAX LEVY	858
AGAINST THE TAX LEVY	420
<b>Total Votes Cast</b>	<b>1,278</b>

**Issue 4 - Proposed Charter Amendment Aurora City**

Vote For 1

	TOTAL
YES	2,380
NO	934
<b>Total Votes Cast</b>	<b>3,314</b>

**Issue 5 - Proposed Tax Levy (Renewal) Aurora City**

Vote For 1

	TOTAL
FOR THE TAX LEVY	2,587
AGAINST THE TAX LEVY	688
<b>Total Votes Cast</b>	<b>3,275</b>

**Issue 6 - Local Liquor Option (Sunday Sales) Sts 1C**

Vote For 1

	TOTAL
YES	81
NO	22
<b>Total Votes Cast</b>	<b>103</b>

**Issue 7 - Proposed Municipal Income Tax Mantua Village**

Vote For 1

	TOTAL
FOR THE INCOME TAX	112
AGAINST THE INCOME TAX	81
<b>Total Votes Cast</b>	<b>193</b>

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**Issue 8 - Proposed Income Tax (Additional) Mogadore Village**

Vote For 1

	TOTAL
FOR THE TAX LEVY	133
AGAINST THE TAX LEVY	81
<b>Total Votes Cast</b>	<b>214</b>

**Issue 9 - Proposed Tax Levy (Replacement and Increase) Brimfield Twp**

Vote For 1

	TOTAL
FOR THE TAX LEVY	936
AGAINST THE TAX LEVY	928
<b>Total Votes Cast</b>	<b>1,864</b>

**Issue 10 - Proposed Tax Levy (Renewal) Paris Twp**

Vote For 1

	TOTAL
FOR THE TAX LEVY	214
AGAINST THE TAX LEVY	94
<b>Total Votes Cast</b>	<b>308</b>

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