

# Voter Registration

for The Ohio Department of Job and Family Services  
and County Departments of Job and Family Services

*an Instruction Manual*

November 2015

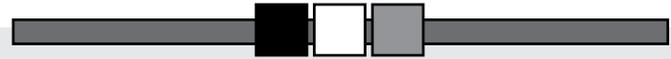
**My  vote**

**My Right • My Responsibility**

**Jon Husted**

Ohio Secretary of State





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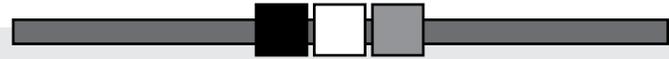
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## INTRODUCTION

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The Office of the Ohio Secretary of State has prepared this manual to assist you in the implementation of voter registration programs under the [\*National Voter Registration Act of 1993\*](#) (NVRA) and Ohio law. The manual will aid personnel who assist applicants in completing voter registration forms. It also will (1) answer questions related to voter registration and (2) outline the duties of personnel in agencies, offices, schools, and libraries designated to provide voter registration in fulfilling their duties under the NVRA.

If you have a question that is not answered in this manual, contact the board of elections in your county (please refer to the Ohio County Boards of Elections Directory located here: [www.MyOhioVote.com/boards.htm](http://www.MyOhioVote.com/boards.htm)), or the Office of the Secretary of State at the address or phone number listed below:

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[www.OhioSecretaryofState.gov](http://www.OhioSecretaryofState.gov)

## NATIONAL VOTER REGISTRATION ACT OF 1993

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[\*The National Voter Registration Act of 1993\*](#) (NVRA), Pub. L. 103-31, May 20, 1993, 107 Stat. 77, 52 U.S.C.A. §20501 — commonly referred to as the “motor voter law”— became effective on January 1, 1995. One purpose of this Act was to establish procedures to increase the number of eligible citizens who register to vote by mandating that voter registration opportunities be provided at certain designated agencies and other public sites designated by the Secretary of State.





Following NVRA's passage, the Ohio General Assembly incorporated the requirements of the federal law into Ohio law. Ohio's laws governing voter registration have been amended occasionally since then. Currently, state law requires the following offices and other public entities to provide, in each of its offices or locations, voter registration applications and assistance in the registration of qualified persons, in accordance with [R.C. Chapter 3503](#):

- All designated agencies, in accordance with [R.C. 3503.10](#). "Designated agency" is defined in [R.C. 3501.01\(X\)](#) to mean "an office or agency in the state that provides public assistance or that provides state-funded programs primarily engaged in providing services to persons with disabilities and that is required by the [National Voter Registration Act of 1993](#) to implement a program designed and administered by the Secretary of State for registering voters, or any other public or government office or agency that implements a program designed and administered by the Secretary of State for registering voters, including the department of job and family services, the program administered under [section 3701.132 of the Revised Code](#) by the department of health, the department of mental health, the department of developmental disabilities, the rehabilitation services commission, and any other agency the Secretary of State designates."
  - Included in this definition of "designated agency" is each office of a state assisted college or university that provides assistance to disabled students; the Women, Infants, and Children (WIC) program of the Ohio Department of Health; the Ohio Department of Mental Health; the Ohio Department of Developmental Disabilities; Opportunities for Ohioans With Disabilities; and the Ohio Department of Job & Family Services, including county offices.
- All public libraries, county treasurer's offices, and public high schools and vocational schools in accordance with [R.C. 3503.10](#).





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- All locations of the Bureau of Motor Vehicles, in accordance with [R.C. 3503.11](#).

Voter registration services also are available to qualified individuals using the services of a United States Armed Forces recruitment office.

## **ODJFS NVRA COORDINATOR**

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### **Appointment**

The Ohio Department of Job and Family Services (ODJFS) must appoint one person to serve as the “NVRA coordinator” for the voter registration program conducted within the state and overseen by ODJFS. The designated person shall be trained under a program designed by the Secretary of State. The designated person shall receive no additional compensation for performing such duties.

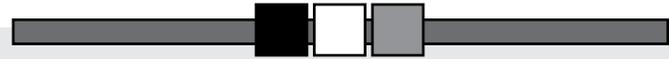
[\(R.C. 3503.10\(A\)\)](#)

### **Responsibilities**

The ODJFS NVRA coordinator has the following duties, in addition to those assigned by ODJFS:

- Communication with the Secretary of State’s Office, County Department of Job and Family Services (CDJFS offices), and members of the public regarding issues concerning the NVRA.
- Maintaining a list of CDJFS agency coordinators whose responsibility it is to administer the voter registration program and, therefore, oversee the provision of voter registration services under the NVRA by each CDJFS. The list of CDJFS NVRA coordinators shall be updated whenever a CDJFS alerts the ODJFS of a change in the agency coordinator and, at a minimum, on an annual basis. The ODJFS NVRA coordinator shall provide a list of any changes to the agency coordinator list to the Secretary of State’s office.

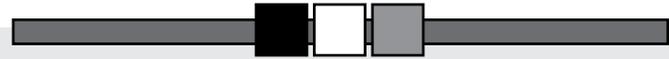




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- Coordination of annual training of CDJFS agency coordinators with the Secretary of State's Office and keeping records regarding any training conducted by the NVRA coordinator with CDJFS staff including CDJFS agency coordinators. These records will include the identities of those who participated in the training and any training materials provided. ODJFS will follow up with CDJFS agency coordinators who are not in attendance.
- Coordination of annual training for CDJFS agency coordinators and providing training materials for use by agency coordinators to train county personnel. If an agency coordinator submits alternative training materials for review, the ODJFS NVRA coordinator must review and provide approval of such materials before such alternative training materials may be used by the CDJFS. In addition, ODJFS shall direct the CDJFS offices to notify the ODJFS NVRA coordinator when the CDJFS has conducted a training of CDJFS staff regarding the NVRA.
- Oversight of the monitoring of CDJFS offices' compliance with the NVRA and corrective action plans as needed. This oversight shall include coordination of management evaluation reviews and ODJFS spot checks, as well as review on a monthly basis of the CDJFS-reported number of completed voter registration applications submitted by each CDJFS to the county boards of elections as well as the following data collected by CRIS-E: (i) the number of notice of rights information documents printed; (ii) the total number of voter registrations reported to have been provided as well as the breakdown of voter registrations reported to have been provided in person, by mail or attached to other forms; and (iii) the number of applications, reapplications, and changes of address ("covered transactions"). If any specific county has an abnormally low number of voter registrations or the data show any other significant anomalies, the ODJFS NVRA coordinator shall begin an inquiry of the CDJFS in question. The ODJFS NVRA coordinator shall also provide such data, by county, to the Secretary of State's office on a monthly basis.





- Taking complaints regarding violations of the NVRA by CDJFS offices.
- The NVRA coordinator may delegate duties as appropriate.

## CDJFS AGENCY COORDINATOR

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### Appointment

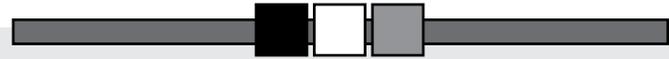
Each county Department of Job and Family Services (CDJFS) must appoint one person to serve as the “agency coordinator” for the voter registration program within the CDJFS. The appointed person shall be trained under a program designed by the Secretary of State. The appointed person shall receive no additional compensation for performing such duties. ([R.C. 3503.10\(A\)](#))

### Responsibilities

Under [R.C. 3503.10\(A\)](#), each CDJFS agency coordinator “shall be responsible for administering all aspects of the voter registration program for that agency as prescribed by the Secretary of State.” This includes the following duties:

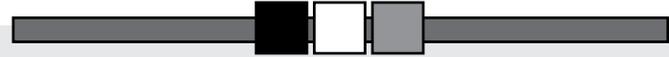
- Development of plan. Each CDJFS agency coordinator is responsible for preparing the written plan by which the CDJFS will implement its voter registration program and for the filing of the plan with the Secretary of State. This plan must be prepared or updated annually.  
(O.A.C. 111-10-02)
  - Anytime a CDJFS changes its plan, its agency coordinator must file an amendment to the plan with the Secretary of State.
  - The plan must indicate whether its agency practice is to have relevant personnel orally ask individuals applying or reapplying for public benefits, or changing their address with respect to public benefits, if they wish to register to vote and offer assistance in doing so.





- Serving as liaison. The CDJFS agency coordinator shall serve as the liaison between the county's different CDJFS sites, the ODJFS NVRA coordinator, the Secretary of State, and the board of elections in the county where the CDJFS is located. It is a decision of the particular CDJFS whether to designate one coordinator for each separate site or one coordinator for all sites within the county; however, the Secretary of State recommends that each CDJFS site should have a site coordinator. The ODJFS NVRA coordinator shall be notified within two weeks of a change of the CDJFS agency coordinator.
- Overseeing Voter Registration Program at CDJFS Sites. It is the agency coordinator's responsibility to ensure that all employees at the agency comply with the requirements of the voter registration program. If the CDJFS includes multiple sites, the CDJFS agency coordinator must compile and maintain a list of agency sites and employees providing voter registration opportunities. A list of sites, phone numbers, and the name of the site coordinator of each, as may be appropriate, is to be submitted to the board of elections in the county where each CDJFS site is located and to the Secretary of State.
- Training. Agency coordinators are responsible for training frontline CDJFS personnel, using materials created by the Office of the Secretary of State with input from ODJFS, with respect to voter registration responsibilities under the NVRA. A CDJFS agency coordinator may use training materials other than that provided by the Secretary of State but only if the CDJFS provides such materials to the ODJFS NVRA coordinator for review and approval prior to use at any training. The CDJFS agency coordinator shall provide training to each employee on the operations of the voter registration program annually, with the first session occurring no later than September of each year. Training for new staff shall take place within 30 days after the hire date or before the new hire's first public contact, whichever occurs first. The training should include directing the staff to ask the client orally if the client wishes to register to vote and an offer of assistance in doing so. The CDJFS agency

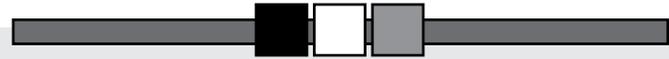




coordinator shall notify the ODJFS NVRA coordinator whenever a training has occurred.

- Reporting. The CDJFS NVRA coordinator has responsibility for two types of reporting, unless these duties have been delegated to the site coordinator.
  - The agency coordinator is responsible for reporting in writing to the board of elections the total number of voter registration forms transmitted from the agency. This reporting requirement is satisfied by completing the transmittal form enclosed with these materials and submitting that form along with completed voter registration forms to the board of elections in the county where the CDJFS is located. Each CDJFS is required to submit the voter registration forms with the properly completed transmittal form to the board of elections at least once every five (5) days.
  - The agency coordinator shall report the total number of voter registration forms submitted to the local board of elections during each calendar month to the ODJFS NVRA coordinator no later than the 10th day of the month following the one for which numbers are reported.
- Ordering Supplies and Displaying Promotional Materials. The agency coordinator is responsible for ensuring that:
  - The agency has a sufficient supply of materials, including voter registration forms, transmittal forms, posters, voter information brochures, and other materials necessary to conduct the voter registration services program.
  - All promotional materials designated by the Secretary of State to be used in the program are prominently displayed at CDJFS sites.





## **SITE COORDINATOR**

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### **Appointment**

The Secretary of State recommends that, in counties with multiple CDJFS offices, the CDJFS should appoint a site coordinator (for each office) who is responsible for the daily administration of the voter registration program at that site. Sites are defined as the offices or locations within each CDJFS that participate in the voter registration program.

### **Responsibilities**

Site coordinators are responsible for the following:

- Unless conducted by the CDJFS agency coordinator, the site coordinator, using materials provided by the Secretary of State or alternative materials approved by the ODJFS NVRA coordinator, shall provide training to each employee on the operations of the voter registration program annually, with the first session occurring no later than September of each year. Training for new staff shall take place within 30 days after the hire date or before the new hire's first public contact, whichever occurs first. The training should include directing the staff to ask the client orally if the client wishes to register to vote and an offer of assistance in doing so. It is the site coordinator's responsibility to ensure that all employees at the agency comply with the requirements of the program. The site coordinator should notify the CDJFS agency coordinator whenever a training has occurred so that the agency coordinator can notify the ODJFS NVRA coordinator.
- Ordering Supplies and Displaying Promotional Materials. Site coordinators are responsible for ensuring that:
  - The CDJFS site has a sufficient supply of materials, including voter registration forms, transmittal forms, posters, voter information brochures, and other materials necessary to conduct the voter registration services program.





- All promotional materials designated by the Secretary of State to be used in the program are prominently displayed at the CDJFS site.
- Reporting. If delegated by the CDJFS agency coordinator, each site coordinator is responsible for reporting in writing to the board of elections the total number of voter registration forms transmitted from the agency. This reporting requirement is satisfied by completing the transmittal form enclosed with these materials and submitting that form along with completed voter registration forms to the board of elections in the county where the CDJFS site is located. Each CDJFS site is required to submit the voter registration forms with the properly completed transmittal form to the board of elections within five (5) days.

## **VOTER REGISTRATION CHECKLIST**

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A successful voter registration services program depends on creating and implementing a simple internal system that will run smoothly with little maintenance. The following checklist will help agency and site coordinators to determine if they have established a simple and effective program.

### **Checklist for Agency and Site Coordinators**

- Become familiar with all aspects of the voter registration program and how the program works at the CDJFS and/or site.
- Make arrangements for initial and on-going training of personnel.
- Establish a system for program monitoring, transmitting the completed forms to the boards of elections, and sending monthly data to the ODJFS NVRA coordinator.

**Note:** This should be reflected within the required written agency plan.

- Gather an adequate supply of all materials needed to operate the voter registration program and create a system to ensure that an adequate supply is always on hand.





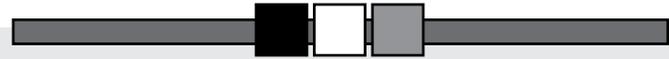
**Note:** This includes voter registration forms and informational materials that may be provided to clients, as well as posters and training materials for staff.

### Supplies for Each Participating Site

To implement and operate a designated agency voter registration program, each CDJFS site shall have the following supplies:

- Voter registration forms. The Secretary of State has prescribed the voter registration form mandated by [R.C. 3503.14](#). The form does not identify the designated agency that issued the form. No amendments or modifications can be made to this form. A sample of this form is included with this manual and is attached to the ODJFS distributed application and re-application forms. ([Exhibit A](#)) Separate voter registration forms must be used in connection with changes of address, covered transactions made from outside the office (by mail, phone, or Internet), and in connection with the Prevention, Retention and Contingency program.
- Notice of rights/declination form. The CDJFS must provide a “notice of rights” form to each individual to whom voter registration must be offered. Clients completing general benefits application forms are asked the declination/voter registration question initially within that form, and the CRIS-E system will automatically print out a copy of the notice of rights form to be given to the client. For those changing their address in any way, applying or reapplying from outside the office (by mail, phone, or Internet), or applying or receiving Prevention, Retention and Contingency aid, a separate notice of rights/declination form must be provided. A sample of the form is included with this manual. This form may be copied by the agency for use. ([Exhibit B](#))
- Transmittal form. The transmittal form enclosed with this manual should be used by each CDJFS when sending voter registration applications to a county board of elections. The form may be copied by the CDJFS,





- or the CDJFS can design a form that captures the same information for agency reporting. ([Exhibit C](#))
- Voter registration notification poster. Each CDJFS site shall receive a voter registration notice prescribed and produced by the Secretary of State pursuant to [R.C. 3503.10\(I\)](#). The poster lists the voter registration services available at the CDJFS, identifies the site (or agency) coordinator, and states where and when that person is available. The notice must be displayed in a prominent location in the office of each CDJFS. ([Exhibit D](#))
  - Voter Registration Instructions brochure. This brochure is to be given to any person who requests three (3) or more voter registration forms from the CDJFS. ([Exhibit E](#))

## Procedures for Ordering Supplies

Each CDJFS is responsible for using the forms prescribed by ODJFS and the CRIS-E system for voter registration activities. Voter registration forms prescribed by the Secretary of State are attached to the benefits application package ordered through ODJFS. Voter registration forms for “covered transactions” not using the CRIS-E system, such as Prevention, Retention and Contingency or other programs, through phone, mail, or Internet contacts should use the separate voter registration application form ordered through ODJFS.

Each CDJFS has been supplied with an electronic file containing the format for the prescribed voter registration form and the Voter Registration Instructions brochure. Each CDJFS site is required to maintain a sufficient supply of voter registration materials.

Each CDJFS will need to determine the number of clients it serves both agency-wide and per site to ensure adequate supplies.

- The agency coordinator will determine the number of forms and the sites where the supplies are to be sent. Therefore, it is critical for the agency coordinator to remain in constant communication with the site





coordinator to ensure an adequate supply of forms is maintained at all times.

- The agency coordinator is responsible for allocating supplies, but the site coordinator must be aware of the level of supplies at the site office and contact the agency coordinator promptly when in need of additional supplies.

**Note:** A sufficient supply of forms is particularly critical during pre-election periods. Timely ordering of supplies will ensure that the year-round voter registration program will run smoothly.

## **EMPLOYEE TRAINING**

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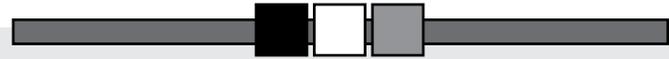
“Any person employed by the designated agency . . . may be designated to assist with voter registration pursuant to this section.” ([R.C. 3503.10\(H\)](#))

For an agency-based voter registration program to be successful, all employees participating in the program must be adequately trained to provide and assist clients with completing voter registration forms. Training gives employees the skills and information needed to provide this assistance. In particular, training must be provided to personnel who have contact with the public during which “covered transactions” take place. A “covered transaction” is the application, reapplication, or change of address with respect to the Supplemental Nutrition Assistance Program (formerly Food Stamps), Medicaid, Ohio Works First, Disability Financial Assistance, and Prevention, Retention, and Contingency.

The Secretary of State’s Office, with input from ODJFS, has created materials for use in connection with voter registration training. These materials are available on the ODJFS intranet as well as the website of the Secretary of State. These training materials must be used unless a CDJFS first submits alternative materials for review to, and approval from, the ODJFS NVRA coordinator.

Arrangements to train new employees and to orient existing employees to new or updated program information should be included within each CDJFS



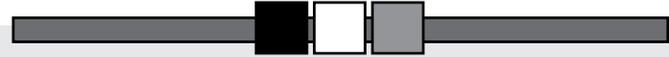


written plan. Training on the operations of the voter registration program must be provided annually to each employee, with the first session occurring no later than September of each year. Training for new staff shall take place within 30 days after the hire date or before the new hire's first public contact, whichever occurs first. The training should include directing the staff to ask the client orally if the client wishes to register to vote and an offer of assistance in doing so.

Training, based on the materials provided by the Secretary of State's Office or such other materials approved by ODJFS, shall include all of the following:

- An overview of the program and explanation of the program's goals and benefits.
- A discussion of the roles and responsibilities of employees, including how voter registration is integrated into the agency process.
- A review of all materials used in the program.
- An orientation to voter registration rules and regulations, including deadlines.
- A step-by-step guide to completing the voter registration form.
- A discussion of non-partisanship and how to handle questions regarding enrollment or affiliation with a political party. Employees being trained to provide voter registration services must be instructed that they are required to maintain political neutrality and to refrain from demonstrating political preference or party allegiance.
- Instructions that a client's decision about registering to vote will not affect the amount of assistance, or the extent of the service, that the client will be provided by the agency.
- Instructions for recapture (e.g., what to do if personnel find that an individual was not previously given the opportunity to register to vote.)
- Instructions for program maintenance (e.g., ordering or printing supplies, program monitoring and reporting).





## **VOTER REGISTRATION PROCEDURES – INSTRUCTIONS FOR EMPLOYEES**

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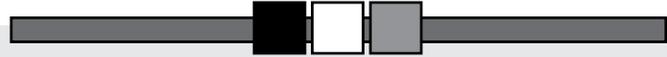
ODJFS and CDJFS employees must do all of the following in executing their voter registration responsibilities under the NVRA:

- Provide each individual engaging in a covered transaction, application, reapplication, or change of address with respect to benefits with a voter registration application and notice of rights form.
- Mail a voter registration form and notice of rights/declination form to the individual when the individual has notified CDJFS of a change of address or has applied or reapplied for benefits, outside of the office (including notice by mail, phone, or the Internet).
- Provide each individual who wishes to register to vote and who accepts assistance with the same degree of assistance in completing the voter registration application as provided in completing other ODJFS and/or CDJFS forms.
- Maintain strict political neutrality and refrain from any partisan political statements.
- Transmit completed voter registration forms to the board of elections within five (5) days.
- Keep confidential any information about a voter registration application originating from or submitted to ODJFS or a CDJFS, except for reporting the total number of registrants from ODJFS or the CDJFS as required by the Secretary of State.

Employees shall NOT do any of the following while registering persons to vote:

- Seek to influence a client's decision to register to vote or not.
- Display or demonstrate any political preference or party allegiance.





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- Do anything to lead a client to believe that registering (or not registering) to vote has a bearing on availability of services or benefits to the client.

## CDJFS offices

### Step one:

The agency employee:

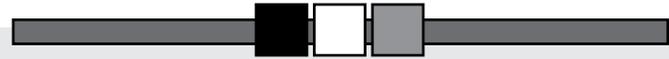
- Provides a blank voter registration application ([Exhibit A](#)) and a notice of rights/declination form ([Exhibit B](#)) to the client with each application for service or assistance, and with each written application or form for recertification, renewal, or change of address.
- States to the client: "In addition to other materials, we are providing you with a voter registration application. If you are not already registered to vote, or if you are registered and want to update your registration, you may do so here."
- Where the individual has notified the CDJFS employee of a change of address (or applied or reapplied for benefits) from outside of the office (including notice by mail, phone or the Internet), CDJFS shall mail a voter registration form and notice of rights/declination form to the individual.

### Step two:

If the client desires to register to vote or to update his or her current registration, the employee:

- Advises the client, "If you need help in filling out the form, I can assist you."
- Informs the client that the client may either return the form to the employee for transmittal to the county board of elections, or return it in person, via another person, or by mail to the office of a county board of elections, the office of the Secretary of State, a county treasurer, a designated agency, or any public library, public high school or vocational school.





## Completing the Voter Registration Application

An employee responsible for providing voter registration services must answer questions the applicant has about the instructions printed on the voter registration form.

The following instructions will help the employee to answer questions and assist the applicant in filling out the voter registration form:

### **Box 1 and 2: “Citizenship and Age”**

Must be answered. If the applicant answers “No” to either question, the applicant is not eligible to register to vote and may not complete the form.

### **Box 3: “Last Name, First Name, Middle Name or Initial, Jr., II, etc.”**

Applicant must enter his or her full name. If this is a change of name, the applicant’s new name must be entered in this space.

### **Box 4: “House Number and Street”**

Applicant must enter his or her current street address, including apartment or lot number, if applicable. A homeless person may use the address of a shelter or other location at which the applicant has been a consistent or regular inhabitant and to which the applicant has the intention of returning. A post office box or postal service address cannot be used in place of a residence street address.

### **Box 5: “City or Post Office”**

Applicant must enter his or her city, village or post office station.

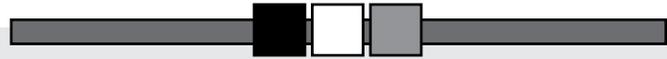
### **Box 6: “ZIP Code”**

Applicant must enter ZIP code for his or her residence address.

### **Box 7: “Additional Rural or Mailing Address”**

Enter any additional address information, including a mailing address if different than residence address (e.g., a post office box, etc.).





**Box 8: “County Where You Live”**

Applicant enters county of his or her residence.

**Box 9: “Birth Date”**

Applicant must enter his or her date of birth. Please be sure that the applicant does not write today’s date on this line.

**Box 10: “Ohio Driver’s License Number or Last Four Digits of Social Security Number”**

If the applicant has a current Ohio’s driver’s license, that number must be entered in Box 10. If the applicant does not have an Ohio driver’s license, the last four digits of the applicant’s Social Security Number must be entered. If the applicant does not have either an Ohio’s driver’s license number or Social Security Number, the applicant must enter “None” in Box 10.

**Box 11: “Telephone Number”**

Applicant enters telephone number. This is voluntary information, but it is helpful to the county board of elections if it needs to contact the applicant concerning his or her registration.

**Box 12: “Previous Address if Updating Current Registration”**

If this is a change of address update, applicant must fill in his or her previous voter registration address.

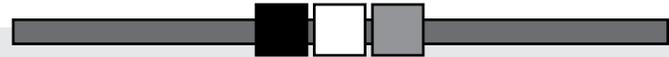
**Box 13: “Change of Name Only”**

If updating current registration record to reflect a name change, applicant must provide both his or her previous name and previous signature.

**Box 14: “Signature”**

Registration cannot be processed without the applicant’s signature. The applicant must affix his or her signature or mark, taking care that it does not touch surrounding lines of type. If the applicant’s signature is a mark, the person assisting the applicant completing the registration form must also include his or her name and address.





**Attorney in fact:** If, by reason of disability, an applicant or elector is unable to physically affix his or her signature or mark to the voter registration/change of name/change of address form, the person whom the applicant or elector has appointed his or her attorney in fact under [R.C. 3501.382](#) may sign that form on behalf of the applicant, at the direction and in the presence, of the applicant or elector.

## **PROCESSING COMPLETED VOTER REGISTRATION FORMS**

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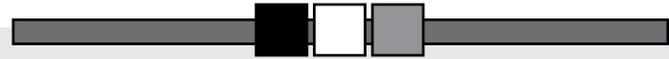
An employee who receives a voter registration form will place it with all other voter registration forms to be transmitted to the board of elections.

**Note:** The applicant may choose not to return his or her completed application to the employee for transmittal to the county board of elections, but may, pursuant to [R.C. 3503.19\(B\)\(2\)\(a\)](#), deliver or mail the completed voter registration form to the office of any designated agency, public high school or vocational school, public library or county treasurer's office, county board of elections, or the Secretary of State.

The employee who receives a voter registration application should do all of the following with it:

1. Date stamp each voter registration form ([Exhibit A](#)) in a manner that does not identify the agency or office. Affix the date in a blank space on the form so that the date stamp does not interfere with reading the information on the form or scanning the signature. If no date stamp is available, the date may be written on the form.
2. **Not later than five (5) days** after the date stamped on the form(s), batch together the voter registration forms with a properly completed voter registration transmittal form ([Exhibit C](#)):
  - Insert the total number of voter registration forms received at the agency or office on the appropriate line of the transmittal form.





- Fill out the remaining information on the transmittal form (e.g., agency/office name, address, date, name of person completing the form, and phone number).
- 3. Deliver in person or mail the packet containing the transmittal form and the filled out voter registration forms to the board of elections in the county where the agency/office is located. The forms must be transmitted to the board within five (5) days of the agency/office receiving the registration form. The method of transmittal must be mutually agreed upon by the agency/office and the board of elections.

**Note:** Establishing a regular routine of delivering or mailing the forms to the board of elections on a given day of a week helps to provide consistency of delivery to meet the five-day submission requirement.

If a CDJFS employee has a question as to whether a voter registration form is completed properly, the employee must submit the voter registration form to the board of elections, as in the case of any completed voter registration form. The board of elections will determine the validity of the application and, if necessary, contact the person named on the registration form for any additional information. The CDJFS employee shall not destroy any voter registration form entrusted to the employee.

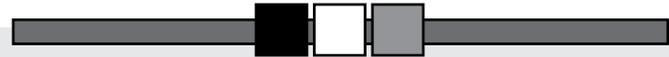
## **RECAPTURE PROCEDURES**

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If ODJFS or CDJFS personnel learn that a client was not given the opportunity to register to vote, they must immediately send a letter to the individual. The letter shall provide the individual with an opportunity to register to vote and instructions to the client. The mailing must include the following:

- A voter registration application and notice of rights/declination form.
- Instructions advising the client that ODJFS or local CDJFS can provide the client with assistance in filling out the voter registration form. Should assistance be needed, the client may call or visit ODJFS or the local





CDJFS office. The instructions also should advise that the completed form may be returned to the local CDJFS office or to the county board of elections and provide an address for each.

- A letter advising the client that 1) he or she is receiving the mailing because it has been determined that he or she may not have been given the opportunity to register to vote, and 2) the mailing does not affect the client's registration status if the client is already registered to vote at his or her current address.
- The letter also must advise the client that the mailing is not a predetermination that the individual is eligible to register to vote.

## REGISTRATION FACTS

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The following are some frequently asked questions regarding voter registration:

**Q. To vote in an election in Ohio, does a person have to be registered to vote?**

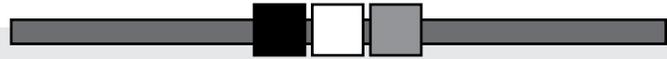
**A.** Yes.

**Q. What are the qualifications for registration?**

**A.** A person is qualified to register to vote in Ohio if that person meets all the following requirements:

- The person is a citizen of the United States.
- The person will be at least 18 years old on or before the day of the next general election.
- The person will be a resident of Ohio for at least 30 days immediately before the election in which the person wants to vote.
- The person is not incarcerated (in prison) for a felony conviction under the laws of this state, another state, or the United States.





- The person has not been declared incompetent for voting purposes by a probate court.
- The person has not been permanently disenfranchised for violations of the election laws.

**Q. Where can I register?**

**A. (1) In person:**

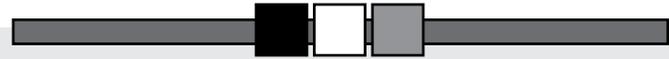
You may register in person at any of the public offices listed below:

- Any county board of elections,
- Office of the Secretary of State,
- Public libraries,
- Public high schools or vocational schools,
- County treasurers' offices,
- At the office of any registrar or deputy registrar of the Bureau of Motor Vehicles, and
- State and local offices of designated agencies that provide public assistance or disability programs, including: Department of Job and Family Services, Department of Health, Department of Mental Health, Department of Developmental Disabilities, Opportunities for Ohioans With Disabilities, or each office that provides assistance to disabled students of a state-supported college or university.

**2) By mail:**

You may request a registration form from a board of elections or the Secretary of State's Office by mail, telephone, in person, or by having another person obtain it for you. If you have access to the Internet, you may download a voter registration application from the Secretary of State's website at [www.OhioSecretaryofState.gov](http://www.OhioSecretaryofState.gov). If you are already





registered and need to update your voter registration address, you can do so online by visiting [www.MyOhioVote.com](http://www.MyOhioVote.com).

You may return your completed registration application in person or via another person to any of the locations listed previously. You may return your completed voter registration by mail to the locations listed previously, with the exception of offices of the Bureau of Motor Vehicles or its deputy registrars.

**Q. What is the registration deadline?**

**A.** A voter registration form must be received 30 days before an election for the applicant to be eligible to vote at that election. If the 30th day before the election falls on a Sunday, the registration deadline is extended to the next business day that is not a legal holiday.

**Q. Does an applicant declare his or her political party affiliation at the time of registration?**

**A.** No.

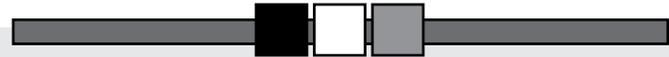
**Q. Does an applicant ever have to re-register to vote?**

**A.** No, but if a voter fails to respond to an official notice from the board of elections and does not vote or update his or her voter registration at least once during a period of four years, including two federal elections, after the board of elections mails the notice, his or her voter registration may be cancelled. Additionally, if the voter moves, changes his or her name, he or she will need to update his or her voter registration.

**Q. What if an applicant has moved or changed his or her name?**

**A.** A voter must notify the board of elections if there are any changes to the voter's registration information. The voter must complete and sign another voter registration form with the changes of information and submit it in the same manner as an original voter registration application or, for an address change, visit [www.MyOhioVote.com](http://www.MyOhioVote.com) and update his or her address online.





**Q. How can I assist a person with a disability with registering to vote?**

- A.** If the individual is unable to read or write and wishes to register or update an existing registration, you can read the instructions to the individual and help him or her complete the form. If the individual is unable to sign, then pursuant to [R.C. 3503.14](#), he or she is allowed to mark an "X" in the signature box indicating the individual's intent to register to vote or update a current voter registration. If the individual registers in this manner, the employee helping must sign the individual's name in the signature box and then sign the employee's own name. If an individual is unable to make a mark, the individual must indicate in some manner his or her desire to register to vote or update a current registration. The employee shall sign the individual's name and the employee's own name and attest that the individual desires to register or update his or her voter registration.

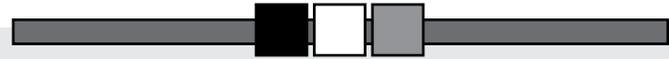
**Attorney in fact:** If, by reason of disability, an applicant or elector is unable to physically affix his or her signature or mark to the voter registration/change of name/change of address form, the person whom the applicant or elector has appointed his or her attorney in fact under [R.C. 3501.382](#) may sign that form on behalf of the applicant, at the direction and in the presence, of the applicant or elector.

**Q. Who is a United States citizen?**

- A.** Anyone born in the United States, except a child of a foreign diplomat, is a United States citizen. For purposes of citizenship, being born in the United States includes the 50 states, District of Columbia, Puerto Rico, United States Virgin Islands, Guam, and American Samoa.

Immigrants who are granted citizenship status by the United States Citizenship and Immigration Services (USCIS), a bureau of the United States Department of Homeland Security.

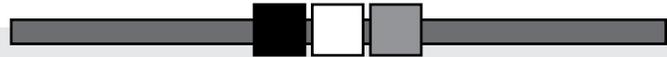




There are certain circumstances when an individual automatically becomes a United States citizen, such as:

- Minor children acquire United States citizenship automatically when a parent is naturalized. (The citizenship of such children may be overlooked, because they may never have been documented as United States citizens.)
- Children born outside of the United States, whose parents were United States citizens at the time of the children's birth become citizens by the operation of laws passed by Congress and are called "derivative or statutory citizens."





## EXHIBITS

### Exhibit A: Voter Registration Form

(Voter Registration Form – Side 1)



PLACE  
STAMP  
HERE

|||  
SECRETARY OF STATE  
PO BOX 2828  
COLUMBUS OH 43216-2828

#### HOW TO OBTAIN AN OHIO ABSENTEE BALLOT

You are entitled to vote by absentee ballot in Ohio without providing a reason. Absentee ballot applications may be obtained from your county board of elections or from the Secretary of State at: [www.OhioSecretaryofState.gov](http://www.OhioSecretaryofState.gov) or by calling (877) 767-6446.

#### OHIO VOTER IDENTIFICATION REQUIREMENTS

Voters must bring identification to the polls in order to verify identity. Identification may include current and valid photo identification, a military identification, or a copy of a current (within the last 12 months) utility bill, bank statement, government check, paycheck, or other government document (other than a notice of voter registration mailed by a board of elections) that shows the voter's name and current address. Voters who do not provide one of these documents will still be able to vote by providing the last four digits of the voter's Social Security number and by casting a provisional ballot pursuant to R.C. 3505.181. For more information on voter identification requirements, please consult the Secretary of State's website at: [www.OhioSecretaryofState.gov](http://www.OhioSecretaryofState.gov) or call (877) 767-6446.

#### WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.







Voter Registration Instruction Manual for The Ohio Department of Job and Family Services and County Departments of Job and Family Services

**Exhibit B: Voter Registration Notice of Rights and Declination Form**

**Reset Form**

Ohio Department of Job and Family Services  
**VOTER REGISTRATION  
NOTICE OF RIGHTS AND DECLINATION**

County Department of Job and Family Services

Name	Date
------	------

If you are not registered to vote where you live now, would you like to apply to register to vote here today?

- YES, I want to register to vote.
- NO, I do not want to register to vote.

**IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.**

Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.

If you would like help filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private.

Signature

(This portion to be retained by agency)

-----  
(This portion to be given to applicant/recipient)

Date

If you have not received any verification of your voter registration from the county board of elections in which you reside within 21 days from the date you registered, you may inquire about the status of your registration by contacting your county board of elections.

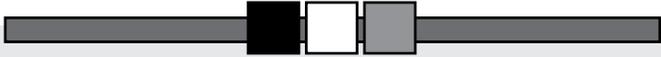
If you believe that someone has interfered with your right to register or decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the prosecuting attorney of your county or with the Secretary of State:

Ohio Secretary of State  
180 E. Broad Street  
Columbus, OH 43215  
(614) 466-2585  
Toll Free: (877) 868-3874

Address of County Prosecutor
City, State and Zip Code of County Prosecutor
Phone Number of County Prosecutor

JFS 07217 (8/2009)





**Exhibit C: Agency-Based Registration Voter Registration Transmittal Form**

**Agency-Based Registration  
Voter Registration Transmittal Form**

Agency Name \_\_\_\_\_

Agency Address  
(local address) \_\_\_\_\_  
\_\_\_\_\_

Transmission Date \_\_\_\_\_

Number of Registration Forms \_\_\_\_\_

Agency Designee Signature \_\_\_\_\_

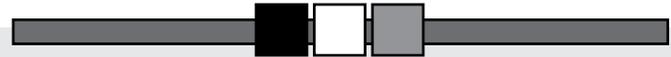
Title \_\_\_\_\_

Phone Number \_\_\_\_\_

Comments or Explanation \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

For Board Use Only  
Duplicates  
\_\_\_\_\_





**Exhibit D: Voter Registration Poster**



**Register to Vote**  
**or**  
**Update Your Current**  
**Ohio Voter Registration**  
**at this office**



**During the hours this office is open, you may:**

- Obtain forms to register to vote or update your existing Ohio voter registration;
- Receive assistance in filling out and submitting an Ohio Voter Registration Form from a member of this office's staff - Just Ask!
- You may also speak with the NVRA Site Coordinator. This person is responsible for coordinating voter registration activities at this office, and may answer questions related to voter registration.

**The NVRA Site Coordinator For This Office is:**

\_\_\_\_\_

**The NVRA Site Coordinator's Office is Located:**

\_\_\_\_\_

**The Hours The NVRA Site Coordinator is Available to Assist You Are:**

\_\_\_\_\_

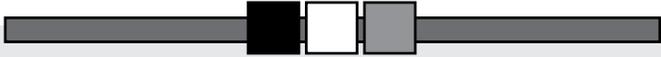
Section 3503.10(I) of the Revised Code of Ohio

**Jon Husted**  
Ohio Secretary of State



[www.OhioSecretaryofState.gov](http://www.OhioSecretaryofState.gov)  
(877) SOS-OHIO (877-767-6446)  
SOS2219 (10/2011)





**Exhibit E: Voter Registration Instructions Brochure**

(Voter Registration Instructions Brochure – Side 1)

**Jon Husted**  
Ohio Secretary of State

**Voter Registration Instructions**  
(Ohio Revised Code Section 3503.28)

**My Vote**  
My Right • My Responsibility

**Jon Husted**  
Ohio Secretary of State

Elections Division  
180 E. Broad St., 15th Floor  
Columbus, Ohio 43215  
(614) 466-2585  
Toll-Free: (877) SOS-OHIO (877-767-6446)  
TTY Toll-Free: (877) TTY-OHIO (877-889-6446)  
TTY: (614) 728-3295  
www.MyOhioVote.com  
election@OhioSecretaryofState.gov  
SOS 0501 (11/2015)

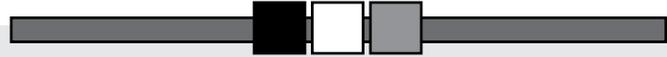
**Penalties**  
**No person shall:**

- Knowingly aid or abet any person to register in violation of law: 5th degree felony (R.C. 3599.11(A)).
- Knowingly destroy, or help to destroy, any completed voter registration form: 5th degree felony (R.C. 3599.11(B)(1)).
- Knowingly fail to timely return any voter registration form entrusted to him or her to a board of elections or the Secretary of State: 5th degree felony or 1st degree misdemeanor (R.C. 3599.11(B)(2)).

Under Ohio law, a 5th degree felony conviction may result in a prison sentence of six to 12 months and/or a fine of up to \$2500. A 1st degree misdemeanor conviction may result in up to six months in jail and/or a fine of up to \$1000.

For more information about registering and voting in Ohio, please access online information at [www.MyOhioVote.com](http://www.MyOhioVote.com), or call toll-free (877) SOS-OHIO (877-767-6446)





(Voter Registration Instructions Brochure – Side 2)

**Voter Registration Information**

**Eligibility**

- You are qualified to register to vote in Ohio if you meet all the following requirements:
1. You are a citizen of the United States.
  2. You will be at least 18 years old on or before the next general election.
  3. You will be a resident of Ohio for at least 30 days immediately before the election in which you want to vote.
  4. You are not incarcerated (in jail or prison) for a felony conviction under the laws of Ohio, another state or the United States.
  5. You have not been declared incompetent for voting purposes by a probate court.
  6. You have not been permanently denied the right to vote for violations of the election laws.
- You are eligible to vote in elections in your voting precinct held at least 30 days after you are registered to vote in Ohio.

**Submitting Your Voter Registration Form**

**Returning your own form:**

- You may return your completed voter registration form in person or by U.S. Mail to any of the following public offices:
- Any county board of elections;
  - The Ohio Secretary of State's office;
  - BMV or Deputy Registrars;
  - Office of designated agencies, including:
    - » The Department of Job and Family Services.

**Registration Deadlines**

Your properly completed voter registration form must be **postmarked or received** by the 30th day before the election in which you wish to vote. If the voter registration deadline falls on a day when offices of the Secretary of State and county board of elections are closed, the deadline is extended to the succeeding business day when the office is open.

**Notice to All Voters**

Voters must bring identification to the polls in order to verify identity. Identification may include current and valid photo identification, a military identification, or a copy of a current (within the last 12 months) utility bill, bank statement, government check, paycheck, or other government document (other than a notice of voter registration mailed by a board of elections) that shows the voter's name and current address. Voters who do not provide one of these documents will still be able to vote by providing the last four digits of the voter's Social Security number and by casting a provisional ballot pursuant to R.C. 3505.181.

- » The Department of Health (including the Women, Infants and Children (WIC) program).
  - » The Department of Mental Health.
  - » The Department of Developmental Disabilities.
  - » The Opportunities for Ohioans With Disabilities, or
  - » Any state-assisted college or university that provides assistance to disabled students;
  - Any county treasurer's office;
  - Any public high school or vocational school; or
  - Any public library.
- If you are updating your current Ohio voter registration and returning your completed change of name and/or address form by U.S. Mail, you must send it to your county board of elections or the Secretary of State's Office. Most registered voters in the state are also able to update their addresses online at [www.MyOhioVote.com](http://www.MyOhioVote.com).

**Returning someone else's form:**

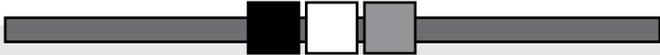
Anyone entrusted to return a completed voter registration form on behalf of another person must return the completed form to a board of elections or to the office of the Secretary of State. Forms must be returned the earlier of 1) within 10 days after the registration form is completed, or 2) by the voter registration deadline before an election if the registration form has been signed more than 24 hours before the registration deadline for the next upcoming election in the voter's precinct.

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.**

**Notice from County Board of Elections**

After receiving your properly completed voter registration form, your county board of elections must register you to vote and promptly notify you by mail of your precinct, polling location and the identification requirements for voting.





**Exhibit F: Harkless, et al. v. Brunner, et al., Case No. 1:06-CV-02284:  
Settlement Agreement**

In the United States District Court  
For the Northern District of Ohio

Carrie Harkless, et al.  Plaintiffs,  v.  Jennifer Brunner, et al.,  Defendants.		Case No. 1:06-CV-2284  Judge Gaughan  Magistrate Judge Vecchiarelli
--	--	---

Settlement Agreement

WHEREAS, Plaintiffs commenced this action on September 21, 2006, alleging violations of the National Voter Registration Act of 1993 (“NVRA”) by the Ohio Secretary of State (“SOS” or “Secretary”) and the Director of the Ohio Department of Job and Family Services (“ODJFS”) as a result of the alleged failure of County Job and Family Services (“CDJFS”) offices to provide voter registration services to persons applying or reapplying for public assistance benefits or changing their address; and

WHEREAS, the SOS moved to dismiss the Complaint on grounds including the contention that Plaintiffs failed to state a claim against the Secretary based upon the failure of local CDJFS offices to comply with their duties under the NVRA; and

WHEREAS, ODJFS moved to dismiss the Complaint on the ground that ODJFS had no control over CDJFS offices and was not responsible for enforcing the NVRA at CDJFS offices; and

WHEREAS, the Court dismissed Plaintiffs’ Complaint on December 28, 2006; and

WHEREAS, Plaintiffs’ appealed the dismissal of the Complaint; and

WHEREAS, by Opinion dated October 28, 2008, the United States Court of Appeals for the Sixth Circuit reversed the dismissal of the Complaint and remanded the action to this Court, holding that both the SOS and ODJFS were required to ensure compliance with the NVRA by CDJFS offices; and

WHEREAS, Plaintiffs allege that, prior to October 28, 2008, ODJFS made no attempts to ensure the provision of voter registration services by the CDJFS offices; and





Voter Registration Instruction Manual for The Ohio Department of Job and Family Services and County Departments of Job and Family Services

WHEREAS, Plaintiffs allege that the Secretary has not enforced compliance with the NVRA by the CDJFS offices; and

WHEREAS, Plaintiffs allege that certain CDJFS offices failed to provide voter registration services as required by the NVRA;

NOW, THEREFORE, the Parties agree, and the Court ORDERS, as follows:

**I. CDJFS Notification of settlement**

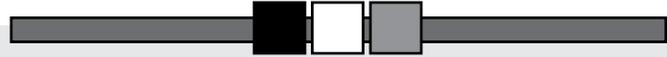
Within 10 business days after the signing of this Agreement, ODJFS will notify all relevant ODJFS staff, CDJFS NVRA coordinators, CDJFS Supervisors of CDJFS caseworkers, and CDJFS Directors that ODJFS has entered into a Settlement Agreement to resolve all claims made against ODJFS in this lawsuit. ODJFS shall include in the notice an explanation of all changes brought about by this Settlement Agreement to ensure compliance by CDJFS offices with the requirements of the National Voter Registration Act, 42 U.S.C. § 1973gg *et seq.*

**II. CREATION OF VOTER REGISTRATION MATERIALS**

**A. Voter Registration Application and Declination Form**

1. Beginning on or before January 1, 2010, ODJFS will ensure that a voter registration application shall be attached to the ODJFS-mandated application and re-application forms used by ODJFS and all CDJFS offices. If ODJFS requires additional time due to technical difficulties, ODJFS may request a reasonable extension from plaintiffs' counsel.
2. The SOS shall, with ODJFS input, design a form that complies with the provisions established by 42 U.S.C. § 1973gg-5(a)(6)(B) (hereafter "declination/Notice of Rights form") that allows for the declination portion of the form to be detached from the Notice of Rights portion of the form and retained for CDJFS records. The SOS shall provide the Declination/Notice of Rights form to plaintiffs within 30 days of the execution of this Agreement for their review and comment.
3. Beginning on or before January 1, 2010, ODJFS shall include and place as the first question on the ODJFS-mandated application and re-application forms used by ODJFS and all CDJFS offices the voter registration question specified by 42 U.S.C. § 1973gg-5(a)(6)(B). In addition, at the top of the page and just above the voter registration question, the forms shall





read in bold and all capital letters, “**VOTER REGISTRATION APPLICATION ATTACHED – ASSISTANCE AVAILABLE.**”

4. Beginning on or before January 1, 2010, ODJFS shall reprogram the CRIS-E computer system to automatically print a notice of rights form when an individual, in person, applies for public benefits, reapplies for public benefits, changes their address or applies for Prevention, Retention and Contingency (PRC) with respect to the receipt of public benefits. If ODJFS requires additional time due to technical difficulties, ODJFS may request a reasonable extension from plaintiffs’ counsel.

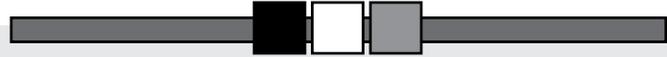
**B. Voter Registration Poster**

The Secretary of State shall design and distribute to the ODJFS NVRA Coordinator and all CDJFS offices a poster that announces the availability of voter registration in the office. If the Secretary changes the text of this poster, the Secretary shall provide it to plaintiffs’ counsel for review and comment not less than 30 days prior to printing or distribution of the revised poster.

**C. Training Materials**

1. Within forty days of the signing of this Agreement, the Secretary shall modify the Designated Agency Voter Registration Instruction Manual to incorporate the procedures detailed in this Agreement. The Secretary shall update this Manual as needed. Among other items, the Manual shall include a recommendation that relevant personnel should verbally ask individuals applying or reapplied for public benefits or changing their address with respect to public benefits (“engaging in covered transactions”) if they wish to register to vote and offer assistance in doing so.
2. Within forty days of the signing of this Agreement, the Secretary and ODJFS shall create/update a PowerPoint presentation that includes the procedures detailed in this Agreement, for use in the training of the ODJFS NVRA Coordinator, CDJFS NVRA Coordinators, and other CDJFS personnel. The Secretary, with input from ODJFS, shall update this PowerPoint when needed. Among other items, the PowerPoint shall include a recommendation that CDJFS caseworkers and other relevant CDJFS personnel should verbally ask individuals applying or reapplied for public benefits or changing their address with respect to public benefits (“engaging in covered transactions”) if they wish to register to vote and offer assistance in doing so.



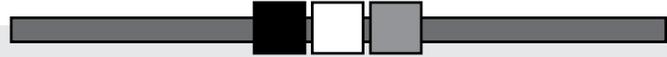


3. The Secretary shall provide the Voter Registration Instruction Manual and PowerPoint presentations to plaintiffs' counsel within 30 days of the signing of this Agreement for their review and comment. In addition, during the term of this Agreement, the Secretary shall provide any updates to such documents to plaintiffs' counsel for their review and comment no less than 30 days prior to the date such documents are to be used or distributed.
4. Availability of Training Materials –
  - a. At least annually, the Secretary shall provide the Designated Agency Voter Registration Instruction Manual and PowerPoint presentations to each CDJFS NVRA coordinator for his or her use in training CDJFS employees.
  - b. ODJFS shall maintain training materials and other NVRA support information on its intranet with other benefits program materials.
  - c. The Secretary shall maintain all training materials and other Section 7 NVRA support information on her website.

### III. NVRA Staffing

- A. The Secretary shall designate someone within the Secretary's office whose responsibilities include management and conduct of NVRA Section 7 responsibilities within the Secretary's office, and oversight and monitoring of NVRA responsibilities within the ODJFS and CDJFS offices. "NVRA responsibilities" include the responsibilities set out in this Agreement, those set forth in federal law and regulations, and those set forth in state implementing law and regulations.
- B. ODJFS NVRA Coordinator — ODJFS shall designate an NVRA Coordinator whose duties shall include:
  1. Communication with the SOS's Office, CDJFS offices, and members of the public regarding issues concerning the NVRA. Plaintiffs' counsel may communicate with the NVRA Coordinator by contacting the department of legal services within ODJFS.
  2. Taking complaints regarding violations of the NVRA by CDJFS offices.





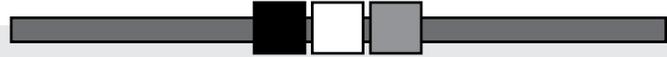
Voter Registration Instruction Manual for The Ohio Department of Job and Family Services and County Departments of Job and Family Services

3. Maintaining a list of CDJFS NVRA coordinators whose responsibility it is to administer the voter registration program and therefore oversee the provision of voter registration services under the NVRA by each CDJFS. ODJFS shall direct the CDJFS offices to alert the NVRA Coordinator as to any change in the CDJFS NVRA Coordinator at that CDJFS within two weeks of such change. In addition, the list of CDJFS NVRA Coordinators shall be updated at least annually. The ODJFS NVRA Coordinator shall provide a list of any changes to the person with the SOS's office designated under III.A above.
4. Coordination of training with the SOS's Office and keeping records regarding any training conducted by the NVRA Coordinator with CDJFS staff including CDJFS NVRA Coordinators. These records will include the identities of those that participated in the training and any training materials provided. ODJFS will follow up with those CDJFS Coordinators that are not in attendance. In addition, ODJFS shall direct the CDJFS offices to notify the ODJFS NVRA Coordinator when the CDJFS has conducted a training of CDJFS staff regarding the NVRA.
5. Oversight of the monitoring of CDJFS offices' compliance with the NVRA and corrective action plans as needed. This oversight shall include review on a monthly basis of the tracking of the distribution of forms as described in Section V.A.2, below.
6. Be a member of the SOS NVRA Leadership Team.
7. The NVRA coordinator may delegate duties as appropriate.

#### IV. Training

- A. The Secretary's office and the ODJFS conducted a training for CDJFS NVRA Coordinators on August 14, 2009. At the next quarterly training following the signing of this Agreement, the Secretary and the ODJFS NVRA Coordinator shall provide a training update with respect to the requirements of this Agreement and any new or updated materials implemented in accordance with this Agreement, which may be conducted either in person or by video conference and may be part of an otherwise scheduled in person or video conference that includes all CDJFS NVRA Coordinators. In addition, within thirty days of notice of a change in the identity of the ODJFS NVRA Coordinator, the Secretary will provide training to the new ODJFS NVRA Coordinator.

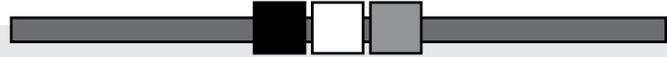




- B. The Secretary shall provide ongoing guidance to the ODJFS NVRA Coordinator and CDJFS NVRA Coordinators. This shall include maintenance of a toll free telephone help line dedicated to voter registration questions. The phone number shall be provided to the ODJFS NVRA Coordinator and CDJFS NVRA Coordinators for their use, and for the use of other agency personnel, when questions regarding the NVRA or voter registration arise.
- C. Regular Training — ODJFS shall provide mandatory training in a train-the-trainer format to CDJFS NVRA coordinators on the requirements of the NVRA and Ohio's implementing law at least annually. The training may be done in cooperation with the Secretary, may include speakers from the Ohio NVRA Leadership Team, and shall include training on "best practices." ODJFS and the SOS shall recommend during trainings and in written materials that CDJFS personnel should verbally ask all clients if they would like to register to vote.
- D. County Training -- CDJFS NVRA Coordinators shall be directed to provide training (1) for all other CDJFS employees at least annually and to provide at least one such training within ninety days of the signing of this Agreement, and (2) for new staff, including those newly assigned to work or positions that include NVRA-related responsibilities, no later than one month after their start date or before their first public contact, whichever occurs first. These trainings shall include, among other items, a recommendation that CDJFS caseworkers and other relevant CDJFS personnel should verbally ask individuals engaging in covered transactions if they wish to register to vote and offer assistance in doing so. If CDJFS NVRA Coordinators use training materials other than that provided by ODJFS, the CDJFS shall provide such materials to the ODJFS NVRA Coordinator for review prior to such training. ODJFS shall direct CDJFS NVRA Coordinators to notify the ODJFS NVRA Coordinator whenever a training has occurred.
- E. Supplemental training — ODJFS shall provide quarterly training updates to CDJFS NVRA coordinators and shall keep track of the identities of those that participated in the training. These training updates may take place via video-conference or in person. Upon request by the SOS, the Director shall permit SOS staff to participate in the training updates. The training updates shall be held quarterly for two years from the date of entry into this settlement agreement and thereafter as needed.

## V. Oversight



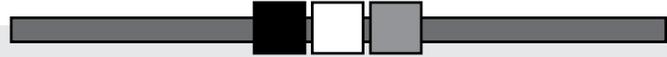


**A. Data Review and Analysis**

**1. Modification of the CRIS-E System:**

- a. By January 1, 2010, ODJFS shall modify the CRIS-E system so that, when processing an application for public benefits, a reapplication for public benefits or a change of address for a public benefits recipient, a CDJFS staff member must indicate how the voter registration form was distributed to the public beneficiary applicant or recipient. The CRIS-E system must allow CDJFS staff members to indicate whether a voter registration form was handed to the person, was mailed to the person, or was attached to an ODJFS application, reapplication or change of address form. When a CDJFS staff member indicates that an applicant or recipient was handed a voter registration form or that the voter registration form was attached to another form, the CRIS-E system shall automatically print a document that contains the notice of rights information. The CRIS-E system must also allow a CDJFS staff member to indicate if there is a reason that no voter registration form was provided including when there is an administrative reapplication or a pretermination. CRIS-E shall require the CDJFS staff member to provide a response to these questions before completing the transaction.
  - b. By January 1, 2010, ODJFS shall program the CRIS-E system to report, by county and by month, the following information:
    - i. the number of notice of rights information documents printed;
    - ii. the total number of voter registrations reported to have been provided as well as the breakdown of voter registrations reported to have been provided in person, by mail or attached to other forms; and
    - iii. the number of applications, reapplications, and changes of address (“covered transactions”).
2. The ODJFS NVRA Coordinator shall review data collected through the CRIS-E system as described in this section, as well as any data collected pursuant to Section VI.B.1, below, on a monthly basis to assess performance by CDJFS offices in providing voter registration services. If any specific county has an abnormally low number of voter registrations or the data





show any other significant anomalies, the NVRA Coordinator shall begin an inquiry of the CDJFS in question.

3. The SOS shall review and analyze data collected pursuant to VA.1.b, VI.B.1, and VI.B.2, and do the following:
  - a. On a quarterly basis, the SOS shall compare the reports of numbers of voter registration applications submitted collected pursuant to VI.B.1 and VI.B.2. If the data is not substantially equal, the SOS shall contact the relevant Board of Elections to review data collection procedures and shall take appropriate action to ensure the county Board of Elections institutes procedures for more accurate data collection.
  - b. The SOS shall use the data collected pursuant to Sections VI.B.1 and VI.B.2 as the basis for the federally-required biennial reporting to the United States Elections Assistance Commission.
  - c. The SOS shall begin further inquiries regarding NVRA compliance at CDJFS or county boards of elections, as appropriate, on the following basis:
    - i. On a quarterly basis, the Secretary will determine the rolling average of the number of voter registration forms submitted by each CDJFS to the appropriate county board of elections over the previous two quarters. The Secretary will then determine whether each county's current quarterly average is less than fifty percent of its rolling average for the previous two quarters.
    - ii. Plaintiffs' counsel may provide the Secretary a list of no more than three counties per month that they believe require further review.
    - iii. The Secretary shall inquire into the NVRA compliance of those counties whose rolling average of voter registration forms submitted is less than fifty percent of its previous rolling average, as determined by V.A.C.3.i, above, and those counties identified by Plaintiffs' counsel pursuant to V.A.C.3.ii, above. However, the Secretary shall not be obligated to review more than three counties per month. If there are more than nine counties identified at the end of the quarter, the Secretary, at its discretion, will





determine which nine counties to review over the upcoming quarter.

**B. Observational Review and Analysis**

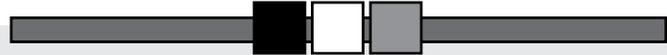
1. Management evaluation reviews — ODJFS shall monitor CDJFS offices' compliance with the NVRA. ODJFS may include the monitoring of CDJFS offices' compliance with the NVRA with USDA-management evaluation reviews, which include site visits to the CDJFS offices under evaluation, or may conduct separate on-site reviews. ODJFS shall provide to the plaintiffs within thirty days of the signing of this Agreement, for review and comment, any worksheets or checklists used to evaluate CDJFS offices' compliance with NVRA. Deficiencies found by ODJFS during the review shall be cited in the National Voter Registration Worksheet form and a corrective action plan developed and implemented.
  - a. ODJFS will evaluate the compliance of CDJFS offices in counties with more than 15,000 food assistance cases annually.
  - b. ODJFS will evaluate the compliance of CDJFS offices in counties with 2,000-15,000 food assistance cases at least once every two years.
  - c. ODJFS will evaluate the compliance of CDJFS offices in counties with less than 2,000 food assistance cases at least once every three years.
2. Visits —
  - a. The ODJFS may conduct spot check visits to CDJFS offices as needed to determine or investigate NVRA compliance.
  - b. The SOS shall conduct unannounced spot checks in at least 20 CDJFS offices per year, which shall include offices in at least 4 counties with more than 15,000 food assistance cases. The Secretary may schedule and conduct unannounced "spot checks" at any CDJFS office flagged for further review pursuant to V.A.3.c above if it has determined after its investigation that further review is warranted.





3. **Investigations** — ODJFS and the SOS shall investigate NVRA violations that are reported or suspected, and maintain a log of such investigations. ODJFS and the SOS may coordinate investigations and either may review the county's records.
  4. **Self assessments** — ODJFS has provided for a "self assessment" by CDJFS offices by requiring the CDJFS offices to complete an NVRA Compliance Review form for submission to ODJFS by February 1, 2010. This form has already been distributed to CDJFS agencies. Completed forms shall be provided to plaintiffs' counsel by February 15, 2010.
- C. **Enforcement** —
1. If ODJFS finds that a CDJFS office is failing to comply with the requirements of the NVRA and this agreement, ODJFS shall notify the CDJFS NVRA Coordinator and CDJFS Director of the deficiency. If the CDJFS fails to timely correct the deficiency, ODJFS shall implement appropriate enforcement mechanisms found under R.C. 5101.24.
  2. If SOS finds that a CDJFS office is failing to comply with the requirements of the NVRA, the SOS shall notify the ODJFS NVRA Coordinator and the CDJFS NVRA Coordinator of the deficiency. If ODJFS or the CDJFS fails to timely correct the deficiency, the SOS shall employ the powers provided under the laws and constitution of Ohio, including Ohio Rev. Code § 3501.05, in order to ensure compliance by the CDJFS office.
- D. If SOS, ODJFS, or CDJFS staff find that an individual was not given the opportunity to register to vote, ODJFS or CDJFS staff, as appropriate, shall immediately send a letter, a voter registration application, and declination/notice of rights form to the individual, offering him/her the opportunity to register to vote. This mailing shall include instructions to the individual (1) advising the individual that s/he may receive assistance in filling out the voter registration form by calling or visiting ODJFS or a local CDJFS office; (2) advising the individual that s/he may return the completed form to the local CDJFS office or to the local election authority, and providing addresses for each; (3) advising the individual that s/he is receiving the mailing because the office has determined that the individual may not have been offered the opportunity to register to vote, and that the mailing does not affect the individual's registration status if the individual is already registered to vote at the individual's current address, and (4) advising the individual that receipt of this mailing does not indicate any information about the individual's eligibility to register to vote. A





copy of the letter/form shall be maintained by ODJFS or the particular CDJFS at issue, as appropriate.

- E. The Secretary shall maintain records on the results under V.A.3, V.B.2.b, V.B.3, and V.C.2 above as well as VI.B.2 below until the termination of this Agreement, in accordance with Ohio public records laws and all appropriate records retention schedules.

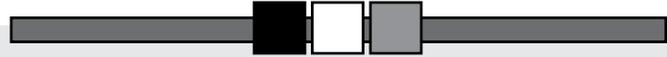
**VI. Distribution of Forms**

A. Distribution of Voter Registration Applications and Declination Forms

1. ODJFS will ensure that:

- a. By January 1, 2010, an individual requesting an application for benefits – whether in-person at the office or by mail, Internet, or telephone – will receive a Voter Registration form attached to the benefits application. In addition, ODJFS shall adopt rules requiring declination forms be distributed at application until such time as the voter registration question is incorporated into the benefits application. In reviewing county written policies regarding the prevention, retention and contingency program pursuant to R.C. 5108.04, ODJFS shall assure that each county's written policies mandate that voter registration forms be provided at each application, reapplication or change of address.
- b. By January 1, 2010, an individual completing a reapplication for public benefits shall also receive a copy of a voter registration form. In addition, ODJFS shall adopt rules requiring declination forms be distributed at reapplication until such time as the declination question is incorporated into the benefits reapplication form. Where either ODJFS or a CDJFS is mailing a reapplication form to the public benefits recipient, a voter registration form and a declination/notice of rights form shall be included in the mailing.
- c. By January 1, 2010, an individual changing his or her address shall receive a voter registration form along with a declination/notice of rights form. Where the individual has notified the CDJFS of the change of address from outside the office (including by mail, telephone or internet), either the CDJFS or ODJFS shall mail a voter





registration form and a notice of rights form to the recipient.

2. Assistance in completing the voter registration form and declination form shall be provided to the same degree as is provided with regard to completion of public assistance benefits applications, reapplications or change of address processes unless the voter registration applicant refuses such assistance.
  3. The SOS will ensure that each CDJFS, in its Voter Registration Agency Plan, shall indicate whether its practice is to have relevant personnel verbally ask individuals applying or reapplying for public benefits or changing their address with respect to public benefits if they wish to register to vote and offer assistance in doing so.
- B. Tracking distribution and submission of voter registration applications.
1. ODJFS shall require each CDJFS on a monthly basis to report the number of completed voter registration applications submitted by the CDJFS to the county board of elections. ODJFS shall provide this information, by county, as well as the information generated by CRIS-E pursuant to V.A.1.b, above, to the SOS on a monthly basis.
  2. The SOS shall require each county Board of Elections to report to it, on a quarterly basis, the number of voter registration applications originating from a CDJFS that were submitted to the Board of Elections during that quarter.
- C. On-line processes — ODJFS shall ensure that all on-line applications, reapplications, or change of address processes concerning public assistance shall include voter registration opportunities including a voter registration application and declination/Notice of Rights form. Assistance in completing these forms shall be provided to the same degree as is provided with regard to completion of the on-line applications, re-applications, or change of address processes, unless the voter registration applicant refuses such assistance.

## VII. Recapture

Because former public assistance clients and applicants may not have been offered the opportunity to register to vote, the SOS shall do the following to try to reach such people or a demographically similar group of people with the offer of voter registration services:





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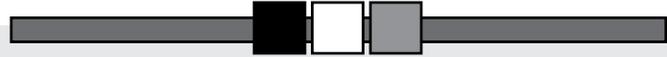
- A. Designate as a voter registration agency and seek the agreement to such designation, pursuant to 42 U.S.C. §1973gg-5(a)(3)(B), of medical services and services for homeless veterans and their dependents within the Department of Veterans Affairs. Plaintiffs' counsel shall provide a model letter for use by the Secretary as a starting point in seeking agreement by the Department of Veterans Affairs to the designation.
- B. Continue to work in partnership with the Ohio Department of Rehabilitation and Correction (ODRC) and other advocacy groups to educate inmates about to be discharged and recently released offenders about their voting rights in Ohio and to encourage voter registration upon release. In addition to the eight outlined "Proposed ODRC Initiatives – 2010" within the 11/2/09 Voting Rights Institute document entitled, "Enfranchising and Educating Offenders," the Secretary shall work with the ODRC to have voter registration applications made available by ODRC personnel to offenders upon their release from prison.

### VIII. Reporting to Plaintiffs

ODJFS and SOS shall report to Plaintiffs' counsel as follows:

- A. Monthly Reporting –
  - 1. ODJFS shall provide to Plaintiffs' counsel, on a monthly basis within 20 days following the end of the month, the data, in Excel spreadsheet format and broken down by CDJFS office, collected by ODJFS pursuant to Section VI.B.1, as well as the data obtained from the CRIS-E system reports described in Section V.A.1.b. In the alternative, ODJFS may post this information on the internet and provide a link to Plaintiffs' counsel.
  - 2. In the first monthly report, the SOS shall identify the person designated pursuant to III.A above.
- B. Quarterly Reporting by SOS: – the SOS shall provide to Plaintiffs' counsel, on a quarterly basis within 15 days following the end of the quarter, a report that includes the following:
  - 1. Any change in the identity of the person within the office of the SOS whose responsibilities include management and conduct of NVRA Section 7 responsibilities within the Secretary's office, and oversight and monitoring of NVRA responsibilities within the ODJFS and CDJFS offices;

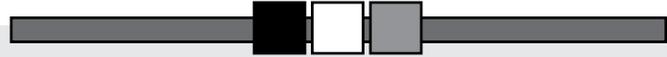




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2. The data, in Excel spreadsheet format and broken down by county, collected pursuant to Section VI.B.2 above;
  3. All actions undertaken by the Secretary pursuant to V.A.3.a above, all inquiries undertaken by the Secretary pursuant to V.A.3.c above, all investigations undertaken by SOS pursuant to Section V.B.3 above, all site visits by SOS, whether such site visits uncovered NVRA compliance issues, and problems or failures with respect to provision of voter registration by any CDJFS.
  4. All notifications made by the SOS to the ODJFS Coordinator and CDJFS Coordinators regarding lack of compliance with Section 7 of the NVRA by a CDJFS, and any use made by the SOS of the powers provided under the laws and constitution of Ohio, including Ohio Rev. Code § 3501.05, in order to ensure compliance by the CDJFS office.
  5. Any changes to the substance of materials identified in Section II above.
  6. A general summary of all other NVRA Section 7 compliance efforts undertaken by SOS during the quarter.
- C. Quarterly Reporting by ODJFS - ODJFS shall provide to Plaintiffs' counsel, on a quarterly basis within 20 days following the end of the quarter, a report that includes the following:
1. Any change in the identity of the ODJFS NVRA Coordinator.
  2. Any change in the identity of any CDJFS NVRA Coordinator. The first quarterly report shall include a full list of CDJFS NVRA Coordinators.
  3. All trainings conducted by ODJFS during the quarter, including the date of the training, a list of all attendees, and copies of all materials used during such training.
  4. A list of each CDJFS whose NVRA Coordinator reported providing a training to CDJFS staff during the quarter
  5. All inquiries made pursuant to V.A.2, all investigations undertaken by ODJFS regarding suspected or reported NVRA violations, a list of counties evaluated pursuant to V.B.1 above, all evaluation reports of CDJFS offices that note any deficiencies, all other site visits by ODJFS or SOS that





uncovered NVRA compliance issues, problems or failures with respect to provision of voter registration by any CDJFS, all recommendations for improvement issued by ODJFS, all corrective action plans imposed by ODJFS and all enforcement referrals made by ODJFS during the quarter.

6. Copies of NVRA posters or educational and training materials, beyond those created under Section II.C, that have been used or are expected to be used by ODJFS or CDJFS offices.
7. A general summary of all other efforts undertaken by ODJFS to advance NVRA compliance or promote the provision of voter registration services.

#### **VIII. Enforcement**

- A. The United States District Court for the Northern District of Ohio shall have continuing jurisdiction to enforce the terms of this Agreement.
- B. Before bringing an enforcement action, plaintiffs shall provide defendants with written notice of any claim of breach of this agreement. Defendants shall have 30 days to respond to such notice. The parties shall then attempt to resolve plaintiffs' concerns within 30 days of the date that the plaintiffs receive the response. In the event that the parties are not able to resolve their dispute within 30 days, the parties shall submit the case to mediation of the dispute under the supervision of a mediator to be designated by U.S. District Judge Patricia Gaughan. If the mediator determines that the parties are unable to resolve the dispute then the mediator shall notify the parties and the plaintiffs' may file a motion for specific performance of the agreement within 15 days of the determination that the matter cannot be resolved by mediation.

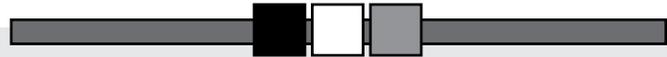
#### **IX. Term**

This agreement shall remain in effect until June 30, 2013.

#### **X. Costs/attorney fees**

Plaintiffs shall be entitled to recover reasonable attorneys' fees and expenses related to the litigation. The parties shall participate in a mediation regarding the amount of fees and expenses on December 21, 2009, with Magistrate Judge Vecchiarelli. If the parties cannot agree to the amount of





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fees and expenses at that mediation, Plaintiffs shall make an application for fees and expenses to Judge Gaughn.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be deemed executed as of the 25<sup>th</sup> day of November, 2009.

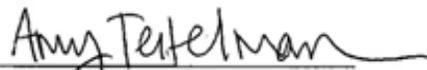
Plaintiffs:

\_\_\_\_\_  
Carrie Harkless  
4658 Oberlin Avenue, #404  
Lorain, OH 44053

On behalf of Tameca Mardis (Authorization for Settlement Attached):

\_\_\_\_\_  
Lisa J. Danetz  
Demos: A Network for Ideas & Action  
358 Chestnut Hill Ave., #303  
Brighton, MA 02135  
(617) 232-5885

On behalf of Association of Community Organizations for Reform Now:

  
\_\_\_\_\_  
Amy Teitelman, Head Organizer  
Ohio ACORN  
1025 Central Ave.  
Cincinnati, OH 45202  
(513) 221-1737





Voter Registration Instruction Manual for The Ohio Department of Job and Family Services and County Departments of Job and Family Services

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IN WITNESS WHEREOF, the parties hereto have caused this agreement to be deemed executed as of the 25<sup>th</sup> day of November, 2009.

Plaintiffs:

Carrie Harkless  
4658 Oberlin Avenue, #404  
Lorain, OH 44053

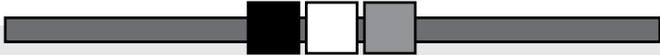
On behalf of Tameca Mardis (Authorization for Settlement Attached):

Neil Steiner  
Dechert, LLP  
1095 Avenue of the Americas  
New York, NY 10036-6797

On behalf of Association of Community Organizations for Reform Now:

Amy Teitelman, Head Organizer  
Ohio ACORN  
1025 Central Ave.  
Cincinnati, OH 45202





Voter Registration Instruction Manual for The Ohio Department of Job and Family Services and County Departments of Job and Family Services

Defendants:

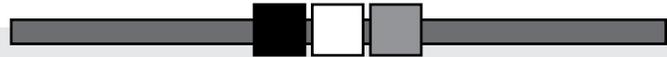
On behalf of Secretary of State Jennifer Brunner:

  
\_\_\_\_\_  
Richard N. Coglianese

On behalf of Director Douglas Lumpkin, Ohio Department of Job and Family Services:

\_\_\_\_\_  
[Fill in]





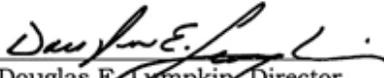
Voter Registration Instruction Manual for The Ohio Department of Job and Family Services and County Departments of Job and Family Services

**Defendants:**

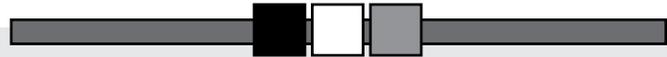
On behalf of Secretary of State Jennifer Brunner:

\_\_\_\_\_  
Jennifer Brunner, Ohio Secretary of State  
180 E. Broad St.  
Columbus, Ohio 43215

On behalf of Director Douglas E. Lumpkin, Ohio Department of Job and Family Services:

  
Douglas E. Lumpkin, Director  
Ohio Department of Job and Family Services  
30 E. Broad St., 32<sup>nd</sup> Fl  
Columbus, Ohio 43215

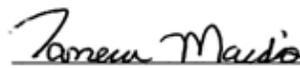




Voter Registration Instruction Manual for The Ohio Department of Job and Family Services and  
County Departments of Job and Family Services

**Authorization for Settlement**

I, Tameca Mardis, do hereby grant full authority to Attorneys Lisa Danetz, Robert Kengle and Neil Steiner to settle the matter of Harkless v. Brunner, Case No. 1:06-cv-2284, on terms they deem appropriate to achieve relief therein.



Tameca Mardis

Date: August 19, 2009



# Jon Husted

Ohio Secretary of State



Elections Division  
National Voter Registration Act

180 E. Broad Street, 15th Floor  
Columbus, Ohio 43215

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[www.OhioSecretaryofState.gov](http://www.OhioSecretaryofState.gov)  
[NVRA@OhioSecretaryofState.gov](mailto:NVRA@OhioSecretaryofState.gov)

SOS 2221 (11/2015)