



**Jon Husted**  
Ohio Secretary of State

180 East Broad Street, 16th Floor  
Columbus, Ohio 43215  
Tel: (877) 767-6446 Fax: (614) 644-0649  
[www.OhioSecretaryofState.gov](http://www.OhioSecretaryofState.gov)

---

**DIRECTIVE 2016-28**

August 10, 2016

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

Re: The Examination and Verification of Petitions from Independent Candidates for  
President and Vice President of the United States

**SUMMARY**

This Directive provides instructions on the examination and verification of nominating petitions for independent candidates for President and Vice President of the United States that have been filed with the Ohio Secretary of State for the 2016 General Election and transmitted to the county boards of elections for examination and verification.

In lieu of issuing a separate Directive with each candidate's petition, this Directive is intended to apply to each candidate's petition that has been filed with the Ohio Secretary of State and transmitted to county boards of elections for examination and verification. The Secretary of State's Office has received and will be transmitting petitions for Richard Duncan/Ricky Johnson; Charles Earl/Kenneth Moellman, Jr.; Darrell Castle/Scott Bradley; and Michael Steinberg/"Rocky" Roque De La Fuente.

Petition examination and verification must be complete, and the certification forms sent electronically to the Secretary of State's Office, not later than 4:00 p.m. on Friday, August 19, 2016.

The original part-petitions must be returned to the Secretary of State's Office after the close of the public inspection period (see below) via a trackable delivery method and received no later than Thursday, August 25, 2016.

**INSTRUCTIONS**

Before checking any petition, the board must review the instructions contained in Chapter 11 of the [Election Official Manual](#) regarding the review of circulator's statements and signatures and marking signatures.

**Remember that a signature on a nominating petition for a President and Vice president “is not valid if it is dated more than one year before the date the nominating petition was filed.”<sup>1</sup>** The nominating petition for Richard Duncan/Ricky Johnson was filed on July 15, 2016; the nominating petition for Charles Earl/Kenneth Moellman, Jr. was filed on August 9, 2016; and the nominating petitions for Darrell Castle/Scott Bradley and Michael Steinberg/”Rocky” Roque De La Fuente were filed on August 10, 2016.

### **PART-PETITION BELONGS TO ANOTHER COUNTY**

If you receive a part-petition that belongs to another county, please follow the process outlined below. It is imperative that a copy of a part-petition belonging to another county is transmitted to the other county as quickly as possible for signature verification.

In the event that a board receives a part-petition on which the majority of signatures on the part-petitions are in another county, that board of elections may not determine the validity of that part-petition or review the signatures contained on it. Instead, it must forward the original part-petition to the other county following the steps below and utilize the two spreadsheets provided and return them in the envelopes provided when all part-petitions are returned to the Secretary of State’s Office:

1. Part-Petitions Sent Spreadsheet (Original Part-Petition(s)), and
2. Part-Petitions Received Spreadsheet (Emailed or Faxed Part-Petition(s)).

If a board of elections receives a part-petition(s) for another county, it should follow the steps below to send a copy of it to the correct county:

1. Contact the Director or Deputy Director at the other county board by phone to notify him or her that your board will be forwarding a copy of a part-petition(s) and determine if it should be emailed or faxed.
2. Log the transfer of the part-petition(s) being sent on the “Part-Petitions Sent” spreadsheet.
3. Send the copy of the part-petition(s) via either email or fax as agreed to.
4. Return the original part-petition(s) with the “Part-Petitions Sent” spreadsheet in the envelope provided and marked as such. When the board returns its checked part-petitions to the Secretary of State’s Office, place this envelope on top of the checked part-petitions so it can be easily located and retrieved from the box.

If a board receives a part-petition from another county:

1. Log the part-petition(s) that the board received on the “Part-Petitions Received” spreadsheet.
2. Process the part-petition(s).
3. Return the emailed or faxed part-petition(s) with the “Part-Petitions Received” spreadsheet in the envelope provided and marked as such. When the board returns its

---

<sup>1</sup> R.C. 3513.263.

checked part-petitions to the Secretary of State's Office, place this envelope on top of the checked part-petitions so it can be easily located and retrieved from the box.

**Note:** Even if a board does not send a part-petition(s) to another county and/or does not receive a copy of a part-petition from another county, the board must mark the box (X) in the bottom right hand corner of the spreadsheet and place it in the correct envelope. When the board returns its checked part-petitions to the Secretary of State's Office, place both envelopes on top of the checked part-petitions so they can be easily located and retrieved from the box.

### **FULFILLING PUBLIC RECORDS REQUESTS**

Your board of elections may receive a public records request for copies of the part-petitions. Boards should consult with their statutory legal counsel, the prosecuting attorney, before rejecting, fulfilling, or responding to any public records request.

### **SCANNING THE PETITIONS**

After you have completed checking the signatures on the part-petitions, you should electronically scan each part-petition. A copy of the scanned images should be saved onto one or as many CDs, DVDs, thumb-drives, or other similar electronic media as may be necessary and a copy sent to the Secretary of State's Office along with the part petitions and certification form. You must keep an electronic copy of the images for your records.

### **PUBLIC INSPECTION OF PART-PETITIONS**

The part-petitions must be open to public inspection at the board office until 4:00 p.m. on Monday, August 22, 2016 (i.e., the 80<sup>th</sup> day prior to the General Election).<sup>2</sup>

### **CERTIFICATION & RETURN OF PETITIONS**

As soon as you finish verifying the signatures on your county's part-petitions, you must return a completed certification form for each candidate's petition. The certification forms will be sent to you under a separate cover. Each certification form for each candidate's petition must be completed and submitted electronically via Elect Collect by clicking the "Submit" button. Each certification form for each candidate's petition also must be saved and printed. The Director must sign each certification form for each candidate's petition and return the signed certification forms in one email to Emily Bright via email to [ebright@ohiosecretaryofstate.gov](mailto:ebright@ohiosecretaryofstate.gov).

**All certification forms must be received by 4:00 p.m. on August 19, 2016.**

---

<sup>2</sup> R.C. 3513.263; R.C. 1.14.

Once the certification form has been submitted and after the close of public inspection at the board office 4:00 p.m. on Monday, August 22, 2016 (i.e., the 80<sup>th</sup> day prior to the General Election), county boards of elections must promptly return the original part-petitions to the Secretary of State's Office, 180 East Broad Street, 15th Floor, Columbus, 43215, via a trackable delivery method. All part-petitions must be received by the Secretary of State's Office not later than Thursday, August 25, 2016, but not earlier than Tuesday, August 23, 2016.

If you have any questions concerning this Directive, please contact the Secretary of State's elections counsel assigned to your county at (614) 466-2585.

Sincerely,

  
Jon Husted