



DIRECTIVE 2018-40

December 11, 2018

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

Re: Allegations of Voter Suppression or Voter Fraud in the November 6, 2018 General Election

BACKGROUND

In order to promote the best interest of the public and efforts to improve the administration of elections, there must be a forum in which to appropriately vet allegations of voter suppression and/or voter fraud. Furthermore, boards of elections have a statutory duty to “investigate irregularities, nonperformance of duties, or violations of Title XXXV of the Revised Code ... and report the facts to the prosecuting attorney or the secretary of state.”¹ In carrying out this public duty, boards of elections must comply with the directives, advisories, and memoranda issued by the Ohio Secretary of State and with the laws of Ohio and of the United States.

INSTRUCTIONS

If a board of elections has received reports, supported by factual evidence, of allegations of voter fraud and/or suppression in the November 6, 2018 General Election, the board must follow the instructions in [Chapter 2 of the Ohio Election Official Manual \(Directive 2017-11\)](#)² for investigating any such allegations.

Boards of elections must continue to demonstrate our shared commitment to fully and fairly investigate specific allegations or evidence of election law violations. The Secretary of State’s Office, through its regional liaisons and elections attorneys, will continue to support boards in their efforts to protect voter’s rights and prevent election fraud.

If you have any questions regarding this Directive or the instructions in Chapter 2 of the Ohio Election Official Manual, please contact the Secretary of State’s elections counsel assigned to your county.

Sincerely,

Handwritten signature of Jon Husted in black ink.
Jon Husted

¹ R.C. 3501.11(J).

² Specifically, see *Investigatory Responsibilities and Acting in a Quasi-judicial Capacity*, beginning on page 2-47.