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APPEARANCES:

Franklin County Prosecutor's Office  
By Mr. Harold J. Anderson, III  
373 South High Street, 13th Floor  
Columbus, Ohio 43215

On behalf of the Board.

ALSO PRESENT:

Ms. Suzanne Brown,  
Executive Assistant to the Board

Ms. Karen Cotton,  
Operations Manager,  
Franklin County Board of Elections

Mr. Ben Piscitelli,  
Public Information Officer,  
Franklin County Board of Elections

Mr. Daniel Fuhrman,  
Warehouse/Logistics Department,  
Franklin County Board of Elections

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P R O C E E D I N G S

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DIRECTOR ANTHONY: I'd like to call the Franklin County Board of Elections meeting to order and I'll do the roll call.

Kimberly Marinello?

BOARD MEMBER MARINELLO: Here.

DIRECTOR ANTHONY: Zachary Manifold?

BOARD MEMBER MANIFOLD: Here.

DIRECTOR ANTHONY: Douglas Preisse?

CHAIRMAN PREISSE: Here.

DIRECTOR ANTHONY: We're all here and accounted for, sir.

The first item on the agenda, as you all know, we have to do a yearly submission of our Election Administration Plan over to the Secretary of State, and you have before you our plan. I know that Dana e-mailed it out to everybody last week so you could take a look at it. Dana did a wonderful job on this. I think it's well done.

Any questions?

(No response.)

DIRECTOR ANTHONY: If there are none --

1                   CHAIRMAN PREISSE: Do you want to speak  
2 to it?

3                   DEPUTY DIRECTOR WALCH: Sure. I think  
4 it -- what the Secretary of State prescribed was a --  
5 were a series of questions that he wanted to see  
6 included in every plan as he continues to work toward  
7 consistency across the board as it relates to the 88  
8 county Boards of Elections.

9                   We followed that plan, the template for  
10 that according to the Secretary, added in some  
11 additional information from our master plan that we  
12 have here for the agency that we built last year and  
13 the first of this year. So we were able to take many  
14 of the items out of that master plan that we have,  
15 but also include some additional information in there  
16 that were specific to the planning recommendations of  
17 the Secretary of State.

18                   I think it's a very good plan. I think  
19 the staff did a great job in helping Bill and I put  
20 everything together in here as it related to the  
21 individual departments that each manager is  
22 accountable for. I think we have more than answered  
23 the questions and the recommendations of the  
24 Secretary of State in this plan, and I think it sets

1 us up very, very well moving into the final months  
2 here of 2012.

3 BOARD MEMBER MARINELLO: I think it looks  
4 great. Thank you very much.

5 DIRECTOR ANTHONY: Is there a motion?

6 CHAIRMAN PREISSE: Any questions?

7 BOARD MEMBER MARINELLO: No questions.

8 BOARD MEMBER MANIFOLD: Mr. Chairman, I  
9 move that the Board adopt the Election Administration  
10 Plan developed by the Board of Elections staff for  
11 the 2012 General Election and that this plan be  
12 submitted to the Ohio Secretary of State's office as  
13 required by Directive 2012-14.

14 DIRECTOR ANTHONY: Is there a second?

15 BOARD MEMBER MARINELLO: Second.

16 DIRECTOR ANTHONY: All those in favor?

17 BOARD MEMBERS: Aye.

18 DEPUTY DIRECTOR WALCH: We do have, if  
19 you all could sign one copy of it under your name  
20 there so that -- we have to send this in to the  
21 Secretary of State's office this afternoon. We will  
22 scan that cover page in and send everything as a PDF  
23 file which is the required way to send that in. We  
24 will send that in and meet the deadline as prescribed

1 by the Secretary of State in that directive.

2 DIRECTOR ANTHONY: The next item on the  
3 agenda is a new warehouse employee and I'll let Dana  
4 take that.

5 DEPUTY DIRECTOR WALCH: As you know, we  
6 had a retirement at the end of June with Tim Beck who  
7 he had been here for quite a long time. We were sad  
8 to see Tim leave us for retirement, but we were  
9 understanding of that. But as sad as we were to see  
10 Tim depart, we are excited about Dan Fuhrman who is  
11 with us this afternoon.

12 Dan, if you'd wave to everybody there.

13 And Dan has spent a considerable amount  
14 of his career in the trucking industry, has done a  
15 great number of things with logistics, and I think he  
16 will fit in very, very well with what we need done  
17 with the function of the warehouse staff and the  
18 logistics function that they have out there. I think  
19 Dan will fit in very, very well.

20 Dan, do you have anything you'd like to  
21 say about yourself?

22 You all do have a copy of his résumé in  
23 your packets today, but, Dan, do you have anything?

24 MR. FURHMAN: Just looking forward to the

1 opportunity. I met several of the people here and  
2 some of the warehouse people. I'm looking forward to  
3 working with all of you and some of the challenges  
4 and it will be a fun time. Thank you.

5 DEPUTY DIRECTOR WALCH: Do any of you  
6 have any questions for Dan?

7 CHAIRMAN PREISSE: Nope.

8 BOARD MEMBER MARINELLO: Uh-uh.

9 DIRECTOR ANTHONY: Is there a motion?

10 CHAIRMAN PREISSE: Then I move that the  
11 Board hire Daniel Fuhrman as an employee of the Board  
12 of Elections in the Logistics Department beginning  
13 July 10, 2012, at a compensation rate of 20,000 --

14 DEPUTY DIRECTOR WALCH: No.

15 CHAIRMAN PREISSE: No. A compensation  
16 rate of \$20.1923 per hour.

17 BOARD MEMBER MANIFOLD: Second.

18 DIRECTOR ANTHONY: All those in favor?

19 BOARD MEMBERS: Aye.

20 DIRECTOR ANTHONY: Motion carries.

21 The last item on the agenda are the  
22 charter amendment petitions. We have Carolyn --  
23 Karen Cotton in to kind of go through all the hard  
24 work that they've put in to counting these charter



1 amendment petitions.

2 MS. COTTON: A week ago this past  
3 Thursday, we received, from the City of Columbus,  
4 1,214 part-petitions filed with the City of Columbus  
5 by a group wanting to change the charter of the City  
6 of Columbus to allow for ward representation.

7 As we were going through the petitions,  
8 we had several questions and we actually ended up  
9 checking this petition as a Batch 1, Batch 2, because  
10 there were so many of the petitions that fell into  
11 the category that we had uncertainties about.

12 One of my staff brought a stack of  
13 petitions he had been working with for the whole  
14 morning and had over 200 signatures on the  
15 part-petitions. He had absolutely no signatures on  
16 that part-petition -- those part-petitions that were  
17 valid.

18 I mean, no matter how hard you try,  
19 standing at the entrance of that bowling alley or the  
20 grocery store or whatever, you don't usually get 200  
21 signatures, circulated by the same individual, all of  
22 them invalid. So we started looking at the petitions  
23 more closely.

24 I gave you each a packet there and if

1 you'll just go page by page with me, I can explain  
2 where we felt that there was suspicion here and maybe  
3 warrants additional investigation.

4           The first page here is Petition No. 7.  
5 The second page is your signature page that's on that  
6 Petition No. 7. If you look at the J's on lines  
7 No. 1, 3, and 5, you see the similarities in those  
8 J's. And then you see other similarities throughout  
9 that page where it looks as though someone just  
10 passed the petition around the table and every third  
11 or fourth person signed someone else's name.

12           If you look at the next page of the  
13 part-petition, if you look at the signature on line  
14 14 and line 21, you again see those real distinct  
15 similarities. And then 20 and 23 look to be in the  
16 same handwriting.

17           So turn on to Petition 297, and the next  
18 page being the signature page begins with Larry and  
19 then Lisa and then Randall. Look at the similarities  
20 in those three signatures. And they do not match --  
21 if we were -- in most of these cases we can't even  
22 find the individual listed at that address and, in  
23 some cases, there isn't even a valid address listed  
24 there. And then the next page, we have Jamie Hill

1 and Jackson Hill, and those J's, again, look like the  
2 J's that were on the No. 0007 petition.

3 Shana Carson was the circulator of this  
4 part-petition and she was working for the Columbus  
5 Coalist which is really the Columbus Coalition for  
6 Responsive Government.

7 But then, again, on the next  
8 part-petition, lines 15 and 16, we have Erich and  
9 Mark Rodriguez, and look at the similarities there.  
10 You can see similarities throughout the remainder of  
11 that petition also.

12 Petition No. 444, we have Shana Carson  
13 and Shane Carson. One would think that Shana and  
14 Shane probably lived at the same address, but if you  
15 look at the address portion of the petition, we have  
16 Shane living at 5576 Forest Hills, and then Shane  
17 living at 2135 Elm State or I have no idea what that  
18 is really, and then the next line it's 2135. So they  
19 kind of got off on their signatures. They evidently  
20 were working with a walking list. The next page has  
21 several similarities also.

22 And this is just a sampling. We ended up  
23 with 26 part-petitions which we ruled to be totally  
24 invalid having 650 signatures on it because of the

1 non-genuine signatures on the part-petitions.

2 The next-to-last petition, on lines 17  
3 and 18, we have Laverne Gwinn and Antwan Green. Look  
4 at the G's there. They just kind of jump out at you.

5 And then the last part-petition, we have  
6 Jackie DeVault and George DeVault, Bradley Sessions,  
7 and Teresa Wertz, and all of those appear to be the  
8 exact same handwriting on all of those individuals.  
9 As well as the next page, Tamara Grubb, Tiffany King,  
10 Laura Mitchell, Renee Metcalf, they all appear to be  
11 the same handwriting.

12 So it's kind of hard for us to do an  
13 investigation and contact the petitioners whose  
14 signature they are purported to be because they're  
15 not registered, they're not there, they're not  
16 anywhere in our files. I don't know what the next  
17 course of action is, but we would like for the Board  
18 to give us permission to do some additional  
19 investigation there.

20 DEPUTY DIRECTOR WALCH: We basically  
21 wanted to bring this to your attention today, to let  
22 you know that we will be doing what we can on these  
23 petitions to look into them more because there are,  
24 as you can see, a number of irregularities here.

1           So at this point we didn't really know  
2           that there's anything necessarily for you to vote on  
3           or anything like that. We wanted to bring to your  
4           attention, though, that there were some very peculiar  
5           situations with these petitions and we will be asking  
6           every question we possibly can.

7           As Karen brought up, in some instances it  
8           might be difficult for us to do this because in some  
9           instances clearly these names and addresses have just  
10          been randomly brought up, so it may be difficult for  
11          us to find these folks because they may not actually  
12          exist, but we wanted to let the Board know that we  
13          will be --

14                   CHAIRMAN PREISSE: In the case --

15                   DEPUTY DIRECTOR WALCH: -- looking into  
16                   it more.

17                   CHAIRMAN PREISSE: -- of "DUP," that's  
18                   duplicate.

19                   MS. COTTON: Uh-huh.

20                   CHAIRMAN PREISSE: Duplicate signer.

21                   MS. COTTON: Duplicate signer. Someone  
22                   with that name had already signed the petition.

23                   CHAIRMAN PREISSE: So, for instance, in  
24                   this where we have No. 13, you would be -- you would

1 likely be able to contact this Ashlea Hutchinson.

2 MS. COTTON: But that wasn't one of the  
3 signatures that really jumped out as being, I mean,  
4 it was --

5 CHAIRMAN PREISSE: But in terms of it  
6 being a duplicate --

7 MS. COTTON: Not genuine.

8 CHAIRMAN PREISSE: Well, we know it's a  
9 real person you can talk to, I guess, is --

10 MS. COTTON: Right.

11 CHAIRMAN PREISSE: -- what we're saying  
12 because it's been verified on some other petition.

13 Remind me what the acronyms and  
14 abbreviations are. "DUP" is duplicate. "NRA" is not  
15 registered at this address?

16 MS. COTTON: Uh-huh. "NR" is not  
17 registered. "ILL" is illegible. Pencil is --  
18 printed signature is "PS." Pencil is "P."

19 CHAIRMAN PREISSE: What's "OD"?

20 MS. COTTON: Out of district. If they  
21 were living outside the City of Columbus at some  
22 other address in Franklin County. "OC" and "OD" are  
23 actually grouped together, out of county and out of  
24 district.

1                   CHAIRMAN PREISSE: Well, it does look  
2 like there's some little bit of monkey business going  
3 on with a few of these.

4                   MS. COTTON: We took the scans of these  
5 26 part-petitions prior to returning the petitions to  
6 the City of Columbus. They came and got them about  
7 11:30 today. We were able to check 26,870 signatures  
8 of which 8,471 were found to be valid.

9                   DEPUTY DIRECTOR WALCH: Which is only  
10 about 31 percent; is that correct? It was about 31.

11                   MS. COTTON: 31 1/2 percent.

12                   Of the petitions that were circulated by  
13 volunteers and people who actually signed the  
14 employer as well as the address, the percentage was  
15 running 42 percent.

16                   Of those petitions where they signed that  
17 they were working for a group, but didn't list the  
18 address of the group, the validity rate dropped to  
19 22.3 percent.

20                   So, overall, their validity was 31.5.  
21 Given what they said they filed, they needed a  
22 65 percent validity ratio in order to get enough  
23 valid signatures to get the issue on the ballot.

24                   DIRECTOR ANTHONY: You know, one of the

1 points that we really want to kind of stress out to  
2 the public and folks passing out these petitions is  
3 to be really careful, you know, because we do check  
4 them and we want to make sure that if you're paying  
5 people or if folks are out doing signatures that they  
6 take the time to do it right. A 31 percent validity  
7 rate is pretty dismal. Plus with all of these it  
8 just looks like there is something amiss.

9           So we'll probably do a press release  
10 today reminding folks if they're passing out -- if  
11 they're doing any petition initiatives or drives, to  
12 really take a look at training their people better to  
13 get these things filled out and try to highlight some  
14 of the areas, like, they should be registered voters,  
15 they should sign their names instead of print their  
16 names.

17           So we're just trying to put some  
18 information out there so that folks, if they're doing  
19 a petition effort, that they take a little more time  
20 making sure that they're correct, because we spend a  
21 lot of time checking these, and for them to come up  
22 as bad as these did, I mean, it's not good for  
23 anybody. So we're just trying to get that out there.

24           And if there is fraud, I mean, that's,



1 you know, we've seen it last year in the race for one  
2 of the school boards where we had an individual do a  
3 similar thing, and we did turn it over to the  
4 Prosecutor's Office, and the person did -- I guess he  
5 did a plea bargain with the Prosecutor's Office.

6 So we take it very serious and we want  
7 the general public to know that we take it serious,  
8 and that if they're going to send petitions to us,  
9 they can't sit in a dining room and go through the  
10 phone book and fill out names and try to change the  
11 way they write the names on the lines.

12 BOARD MEMBER MANIFOLD: I guess I would,  
13 the only question I have for Harold is what all --  
14 and I know you guys are talking, what all do we need  
15 to have before we send it, refer it to the  
16 Prosecutor? We have done it in the past with other  
17 ones. What all do we need our staff to do? What all  
18 do we need before we send it?

19 MR. ANDERSON: There actually is a, as I  
20 understand it because I'm, obviously, somewhat new to  
21 this stuff as well, a protocol that was worked out  
22 between the Prosecutor's Office and the Secretary of  
23 State's office. And we'll dig that back up and talk  
24 to Bill and Dana about what exactly the next steps

1 for staff need to be, and then the appropriate  
2 referral, whether it be, you know, law enforcement or  
3 directly to our office or the Secretary of State.

4 BOARD MEMBER MANIFOLD: Okay. Thanks.

5 CHAIRMAN PREISSE: Thank you.

6 I don't -- you're giving us an update,  
7 but you don't need further authorization to proceed.

8 DEPUTY DIRECTOR WALCH: No.

9 CHAIRMAN PREISSE: I sense the mood of  
10 the Board is keep doing your job, your eagle eyes  
11 have found some apparent irregularities, and so let's  
12 look into it a little further as we're endeavoring to  
13 protect the process and protect the public.

14 MS. COTTON: We'll try to investigate  
15 further and get some affidavits together and put  
16 together a recommendation for the Board to then  
17 submit it on to the prosecuting attorney's office.

18 CHAIRMAN PREISSE: Thank you, Karen.

19 BOARD MEMBER MARINELLO: Thanks, Karen.

20 DIRECTOR ANTHONY: That's all we have for  
21 you this afternoon. Is there a motion to adjourn?

22 BOARD MEMBER MARINELLO: Mr. Chairman, I  
23 move to adjourn.

24 BOARD MEMBER MANIFOLD: Second.

1                   DIRECTOR ANTHONY: We stand adjourned.

2 All those in favor?

3                   BOARD MEMBERS: Aye.

4                   DIRECTOR ANTHONY: Now we stand  
5 adjourned.

6                   (Thereupon, the proceedings concluded at  
7 4:25 p.m.)

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9   CERTIFICATE

10                   I do hereby certify that the foregoing is a  
11 true and correct transcript of the proceedings taken  
12 by me in this matter on Monday, July 9, 2012, and  
13 carefully compared with my original stenographic  
14 notes.

15   \_\_\_\_\_  
16 Carolyn M. Burke, Registered  
17 Professional Reporter, and  
Notary Public in and for the  
State of Ohio.

18 My commission expires July 17, 2013.

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