

1 APPEARANCES:

2 Franklin County Prosecutor's Office
3 By Mr. Harold J. Anderson, III.
4 Assistant Prosecuting Attorney
5 373 South High Street, 13th Floor
6 Columbus, Ohio 43215

7 On behalf of the Board.

8 Law Firm of Richard D. Topper
9 By Mr. Richard D. Topper
10 5132 Olentangy River Road
11 Columbus, Ohio 43235

12 On behalf Ms. Emma Gibson

13 ALSO PRESENT:

14 Ms. Suzanne Brown,
15 Executive Assistant to the Board

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

19 Ms. Renee Klco,
20 Manager of Voter Services,
21 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: Good afternoon,
everyone. I would like to call the Franklin County
Board of Elections meeting to order.

I will do the roll call. Kimberly
Marinello?

BOARD MEMBER MARINELLO: Here.

DIRECTOR ANTHONY: Zachary Manifold?

BOARD MEMBER MANIFOLD: Here.

DIRECTOR ANTHONY: Chairman Douglas
Preisse?

CHAIRMAN PREISSE: Here.

DIRECTOR ANTHONY: We are all here,
Mr. Chairman.

The only item on the agenda today is the
voter registration challenges and the Board has to
decide the 308 voter challenges filed by Ms. Carol
"Becking."

MS. BICKING: Bicking.

DIRECTOR ANTHONY: Bicking.

MS. BICKING: Bicking.

DIRECTOR ANTHONY: Bicking. Thank you,

1 ma'am. 1599 Climbing Fig Drive, Blacklick, Ohio.

2 At this point I would like to call Renee
3 Klco to give us a report. Renee Klco is the
4 supervisor of --

5 MS. BROWN: We have a challengee that
6 wants to address the Board first.

7 DIRECTOR ANTHONY: We do? Okay. Then
8 before that, Mr. Chairman, there is a challengee that
9 would like to address the Board.

10 CHAIRMAN PREISSE: One of the voters
11 whose --

12 DIRECTOR ANTHONY: Yes.

13 CHAIRMAN PREISSE: -- registration has
14 been challenged.

15 DIRECTOR ANTHONY: Yes. Her name is
16 Emma Rachael Gibson. Are you here, Ms. Gibson?

17 MR. TOPPER: I'm here on behalf of
18 Ms. Gibson, yes.

19 DIRECTOR ANTHONY: Then, Mr. Chairman.

20 CHAIRMAN PREISSE: Yes.

21 DEPUTY DIRECTOR WALCH: He should be
22 sworn in.

23 CHAIRMAN PREISSE: I beg your pardon?
24 She was?

1 DEPUTY DIRECTOR WALCH: No. I said he
2 should be.

3 CHAIRMAN PREISSE: Okay, yes.

4 DEPUTY DIRECTOR WALCH: Whoever is
5 speaking on her behalf should be sworn in.

6 CHAIRMAN PREISSE: Okay, yes. Would you,
7 please, then come forward and, for the record, state
8 your name or names and then we're going to swear you
9 in for purposes of providing testimony. Welcome.

10 MS. GIBSON: My name is Emma Gibson.

11 CHAIRMAN PREISSE: Emma?

12 MS. GIBSON: Emma Gibson.

13 CHAIRMAN PREISSE: And your address?

14 MS. GIBSON: 68 West Maynard.

15 CHAIRMAN PREISSE: Okay.

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17 EMMA GIBSON

18 being first duly sworn, as prescribed by law, was
19 examined and testified as follows:

20 DIRECT TESTIMONY

21 MS. GIBSON: Ladies and gentlemen of the
22 Board, my name is Emma Gibson. I'm 20 years old, a
23 lifetime Columbus resident, a junior forestry major
24 at Ohio State, and I should be a registered voter.

1 I first registered to vote two years ago
2 in Franklin County when I was a freshman in college
3 and living on 12th Avenue. Two weeks ago, I
4 reregistered at my current address just north of
5 campus where I have resided since July of 2011. My
6 house is technically divided into three separate
7 apartments, none of which has a unit number nor a
8 separate mailbox. All of the mail for the tenants of
9 68 West Maynard is sent to the same address.

10 I had already received confirmation of my
11 voter registration in the mail, so it was rather
12 jarring when I received a second letter days later.
13 I've never met the person who challenged me. Had she
14 made the effort to come to my house prior to filing
15 the complaint, I'm confident I would not be standing
16 before you now.

17 I'd like to make my sentiments known
18 along with the sentiments of the hundreds of others
19 put in my position that this is not okay. A week ago
20 I felt the terror that I had done something wrong,
21 that I did not have the same right to vote that every
22 other citizen has, the right that Americans fought
23 for long ago, a right that women won not so long ago,
24 and a right that I hold very dear.

1 As citizens we're all guaranteed certain
2 inalienable rights, but infringing upon the rights of
3 others is not among them. The fact that this
4 individual has the right to take this away from me is
5 completely unacceptable and I urge the Board to take
6 this seriously and put a stop to it. Thank you so
7 much for your time.

8 CHAIRMAN PREISSE: Okay. Thank you very
9 much for that and did you wish to speak as well or
10 you --

11 MR. TOPPER: No, I don't. I'll enter an
12 appearance on behalf of Ms. Gibson, but no, I'm not
13 going to speak on her behalf. She has told the Board
14 everything the Board needs to know about her case.

15 CHAIRMAN PREISSE: Okay. Are there any
16 questions from Board members or commentary or
17 questions from staff that are available?

18 I'd like to -- so, Emma, you moved from
19 where you were registered two years ago to this
20 address, this 93 West --

21 MS. GIBSON: West 12th --

22 CHAIRMAN PREISSE: Avenue.

23 MS. GIBSON: -- is my address two years
24 ago.

1 CHAIRMAN PREISSE: I see you've --

2 DEPUTY DIRECTOR WALCH: That was her
3 former address, Mr. Chairman.

4 CHAIRMAN PREISSE: That's your former
5 address. Okay. Do we have, on file, her current
6 registration?

7 MR. ANDERSON: Yes.

8 CHAIRMAN PREISSE: So what's happening
9 here -- is there a challenge of her registration at
10 her old address?

11 DEPUTY DIRECTOR WALCH: That is my
12 understanding. Is that correct, Renee?

13 MS. KLCO: Pardon me?

14 DEPUTY DIRECTOR WALCH: The challenge was
15 at her old address of 93 West 12th Avenue; is that
16 correct?

17 MS. KLCO: Yes.

18 DEPUTY DIRECTOR WALCH: She has since
19 then updated your address to your new address,
20 correct?

21 MS. GIBSON: Correct.

22 CHAIRMAN PREISSE: What is this
23 spreadsheet we're looking at? Is this the new or is
24 this just a recitation of the challenges?

1 DEPUTY DIRECTOR WALCH: That is the
2 listing of the challenges and the research done by
3 staff into those challenges.

4 CHAIRMAN PREISSE: Where do I find
5 Emma's?

6 DIRECTOR ANTHONY: Next-to-the-last page.

7 MR. ANDERSON: Next-to-the-last page.

8 CHAIRMAN PREISSE: They're two-sided, so
9 what do you mean by that?

10 DIRECTOR ANTHONY: It will be the one,
11 two, three, third page from the back.

12 CHAIRMAN PREISSE: Okay. There it is.

13 MR. ANDERSON: She's in the bottom third
14 of the page.

15 DIRECTOR ANTHONY: Bottom third of the
16 page, yeah.

17 CHAIRMAN PREISSE: Now, the record -- the
18 current record reflects, although I'm looking at --
19 oh, yeah, Emma Rachael Gibson, okay. So the 68 West
20 Maynard is your current.

21 MS. GIBSON: Correct.

22 CHAIRMAN PREISSE: That appears to be in
23 order here with our records?

24 MS. KLCO: Uh-huh.

1 DIRECTOR ANTHONY: Yes.

2 BOARD MEMBER MANIFOLD: When did you
3 reregister or I guess --

4 MS. GIBSON: It was two weeks ago this
5 past Saturday.

6 CHAIRMAN PREISSE: So we've got a valid
7 registration for her now on file.

8 MS. KLCO: Did you do it online or did
9 you do it by --

10 MS. GIBSON: It was in person.

11 MS. KLCO: In person. Here in the
12 office?

13 MS. GIBSON: No, it was not at the Board
14 of Elections.

15 MS. KLCO: Okay. I would also suggest
16 that you go to MyOhioVote.com and change your address
17 online there and it's processed immediately the next
18 day.

19 MS. GIBSON: Okay.

20 MR. TOPPER: Also, obviously, the Board
21 has the address because she did get her challenge in
22 the mail at the 68 West Maynard address.

23 CHAIRMAN PREISSE: Okay.

24 BOARD MEMBER MANIFOLD: I think your

1 situation brings up a, you know, I think a lot of the
2 concern that I have with a lot of these challenges,
3 especially the dorm or the campus challenges or the
4 room or address where essentially somebody could show
5 up on Election Day, they could have moved, like you
6 could have showed up on Election Day in your new,
7 proper location, filled out a registration change and
8 voted a provisional ballot and that ballot would have
9 counted.

10 And so, I mean, I think that's, you know,
11 I think this is a common problem with young folks. I
12 think when I was in college my mail was messed up all
13 the time. So I think I feel your -- it's only been
14 10 years, 8 years since I lived at Ohio State.
15 Thanks for coming down.

16 CHAIRMAN PREISSE: Okay. Thank you very
17 much.

18 MR. TOPPER: Thank you.

19 CHAIRMAN PREISSE: So how do we want
20 to --

21 DEPUTY DIRECTOR WALCH: Do we have
22 anybody else that was --

23 MS. BROWN: You can ask.

24 CHAIRMAN PREISSE: Okay. Are there any

1 other individuals whose registration was challenged
2 that happen to be here and wish to communicate to the
3 Board? Not seeing any, did we have a comment from --

4 DIRECTOR ANTHONY: Yeah, the protestors
5 should be given a right to speak as well.

6 CHAIRMAN PREISSE: Yeah. I thought we
7 should get to that point. Okay. And then I take it
8 that Ms. Bicking is with us and if you wish to
9 address the Board, you're certainly welcome to and,
10 similarly, please state your name and address and
11 then we'll ask you to be sworn in as well.

12 MS. BICKING: My name is Carol Bicking
13 and I'm here -- Carol Bicking.

14 DEPUTY DIRECTOR WALCH: Is that on?

15 CHAIRMAN PREISSE: Maybe we can adjust
16 that for her height a little bit better.

17 MS. BICKING: Carol Bicking.

18 CHAIRMAN PREISSE: Okay. Your address
19 and then we'll swear you in.

20 MS. BICKING: 1599 Climbing Fig Drive,
21 Blacklick, Ohio 43004.

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23 CAROL BICKING

24 being first duly sworn, as prescribed by law, was

1 examined and testified as follows:

2 DIRECT TESTIMONY

3 MS. BICKING: I worked on the correctness
4 of the voter rolls under the auspices of True the
5 Vote and Ohio VIP. Ohio VIP means "Voter Integrity
6 Project." They're out of Cincinnati and both of
7 these organizations are strictly nonpartisan.

8 When we got Ms. Emma's name before us,
9 all it showed us was her name, somewhat a limited
10 number of digits in her birthdate, and there was no
11 party affiliation whatsoever associated with her
12 name, just the address and how many people were
13 registered at that address.

14 What we did was we took each address as
15 it came up on our -- in our computer at home and then
16 we looked at it and it was done so that the largest
17 number of voters at one address came up first and
18 when we are working our way down to, like, maybe one
19 or two people were living in the same address.

20 And then we looked to see if the address
21 could fit the number of inhabitants that it said it
22 was going to be within the address. So if there was
23 395 people registered at the same address, there
24 would have to be, like, probably more than 15,000

1 square feet of space within that building to
2 accommodate that number of people and so we did it in
3 conjunction with the Auditor's website.

4 Both of these organizations are strictly
5 nonpartisan. The groups' motto is "An election that
6 is not fair is not free." So, you know, we were just
7 going strictly with the information that was provided
8 and none of it had anything to do with the recipient
9 or the registrant's party affiliation, so it was
10 strictly nonpartisan.

11 I can show you this is the True the Vote,
12 how it would come up on my computer screen at home.
13 We were just doing it to help the Board of Education
14 [sic] because we know what a time-consuming, complex
15 issue this is to have correct voter rolls and we were
16 just all concerned citizens that wanted to help out
17 in that endeavor.

18 We've heard stories on the news about
19 improper voting, improper registration of voters, so
20 we wanted to make sure that we were giving correct
21 information and helping you come up with correct
22 information.

23 So we can see here, I X'd out the voter
24 registration person's name. There would be 393

1 people listed at this address, 4595 Gender Road in
2 Canal Winchester, and then it gives a space for
3 information about the voter, which it wouldn't come
4 up with party affiliation. There will be a way of
5 looking into the Auditor's information to see if the
6 dorm or nursing home would be big enough to fill up
7 to accommodate 393 people, and then we get the
8 Auditor's information, parcel number and things like
9 that and then square foot. So that's all we did.

10 We didn't do anything based on party
11 affiliation. We were just trying to, to the best of
12 our ability, to come up with correct voter rolls.
13 And if we look here on the voter registration form,
14 it does say house number, street, apartment or lot
15 number. It's right on the Franklin County Board of
16 Elections' own information required to vote.

17 So I have other challenges that I want to
18 document, so should I do that now or should I wait
19 until you get to that?

20 CHAIRMAN PREISSE: Are those the same
21 ones that we have that you've already --

22 MS. BICKING: Well, they're within the
23 308 that I submitted, but they're not the OSU dorms
24 and that kind of thing, per se.

1 CHAIRMAN PREISSE: Let me ask you: Have
2 you heard information to your satisfaction with this
3 one case we've heard from Emma, are you satisfied
4 that what you've learned here is information enough
5 for you to be confident that she did what she was
6 supposed to do as somebody who moved and the Board
7 did its job in registering her new address and you
8 were dealing with just a little older information?

9 MS. BICKING: Yeah, I don't think
10 Emma needs to be worried about being included off the
11 voter rolls. She's already done what she needed to
12 do is to correct her address to the most current one,
13 so that's, you know, as it should be. We're not,
14 like I said, we're not out to boot anybody off the
15 register rolls, we're just trying to make sure that
16 the rolls are as accurate as possible.

17 CHAIRMAN PREISSE: What's the advice of
18 the staff here as to how to proceed? Each of these
19 307 have been examined by -- shall we have a report
20 on that?

21 DEPUTY DIRECTOR WALCH: Yes. We were
22 going to do that after anybody from the public who
23 wanted to speak, give them the opportunity, but then
24 certainly we're going to have Renee come up, our

1 Manager of Voter Services, to give a recommendation
2 of the research that the staff did on each of these,
3 the recommendation to you as the Board on this.

4 MS. BICKING: Should I give you my report
5 on the OSU dorm that is now vacant land at this time?

6 CHAIRMAN PREISSE: Knowing what you just
7 said, and presuming that that is already a known
8 circumstance, and getting a nod there, why don't we
9 allow you, along with the rest of us, to first have
10 the benefit of the staff report and then if you'd
11 like to respond to that or comment on that as it
12 relates to that dorm situation or anything else, you
13 will certainly be afforded the opportunity to do that
14 again.

15 MS. BICKING: Okay. Thank you.

16 MS. KLCO: We had 246 challenges of
17 voters whose address was incomplete. They were
18 challenged based on the fact that they were missing
19 dorm or room numbers. We researched all those.
20 Those are all valid addresses. You do not have to
21 have a dorm or an apartment number in order to vote.
22 It's the staff recommendation that those 246
23 challenges not be granted.

24 We had three challenges of voters who

1 were deceased, confirmed by Social Security death
2 index. We receive our information from the Secretary
3 of State and we have not received any information on
4 these voters. The staff recommendation is to keep
5 those voters as inactive on our rolls.

6 We had 38 challenges of voters who are
7 registered at an address that appears to be a vacant
8 lot. It's a former OSU dorm. However, those voters
9 can still register to vote at their new addresses or
10 they can vote provisionally at their new precinct on
11 Election Day. It's the staff recommendation that we
12 do not remove those voters from our lists.

13 There were four challenges of voters who
14 have more than one registration record. We merged
15 those -- two of those out of the four. The other two
16 we're keeping and we recommend that we keep them on
17 the voter rolls.

18 We had one challenge of a voter who is
19 registered at the Criminal Justice Center. It is a
20 halfway house. The Auditor state -- the Auditor
21 states that it's an apartment building, that is a
22 legitimate address, he's not incarcerated.

23 We had 16 challenges -- we also recommend
24 that we keep that gentleman on the voter rolls as

1 well.

2 We had 16 challenges of voters who have
3 moved and are no longer living at their voter
4 registration. Those people can also have time to
5 change their address or vote a provisional ballot on
6 Election Day. It's the staff recommendation that we
7 keep all those voters on the voter registration
8 rolls.

9 CHAIRMAN PREISSE: As it relates to, walk
10 me through the four voters who have more than one
11 voter registration record.

12 MS. KLCO: Yes, I merged two of those
13 voters together.

14 CHAIRMAN PREISSE: You found a duplicate
15 with different versions of the name?

16 MS. KLCO: Yeah, there was a keying
17 error. We corrected the keying error and then we
18 merged them.

19 CHAIRMAN PREISSE: For two of them. And
20 then the other two?

21 MS. KLCO: One of them had already been
22 merged in 19 -- or, 2011, and then the two that were
23 merged.

24 CHAIRMAN PREISSE: Okay. Walk me through

1 as it relates to if we, the Board, receive any
2 indication, a phone call, a challenge, somebody reads
3 an obituary that a voter appears to have passed away,
4 what are our steps and responsibilities and the
5 parameters within which we retain or remove a
6 supposedly deceased individual from the rolls?

7 MS. KLCO: We remove them from the rolls
8 upon notification from the Secretary of State's
9 office. They have a system that does -- has multiple
10 states that all merge together and they give us, they
11 send us a list and we go ahead and remove those
12 voters from the rolls, but we don't use -- unless
13 they die overseas, then we have a form that we can
14 send to the relatives that they can fill out and send
15 back to us because we would not receive notification
16 of that, but we do not take the word of a neighbor, a
17 friend.

18 CHAIRMAN PREISSE: A family member?

19 MS. KLCO: A family member, no, we
20 cannot.

21 CHAIRMAN PREISSE: So any Board of
22 Elections in this state can only remove, for purposes
23 of death, a voter from the rolls with proper
24 notification from the Secretary of State of Ohio;

1 that's the only way.

2 MS. KLCO: That's the way they should be
3 doing it, yes. I won't answer for the other 87
4 counties, but here in Franklin County --

5 CHAIRMAN PREISSE: Okay.

6 MS. KLCO: -- we do.

7 CHAIRMAN PREISSE: That's fair enough.

8 DIRECTOR ANTHONY: There was a directive
9 sent from the Secretary of State, the database is
10 called "STEVE," and I have no idea what it stands
11 for, but something about vitals statistics, but it's
12 called "STEVE" and all that -- that collects all the
13 information of -- I have it right here.

14 It was Directive 2012-18 and "STEVE"
15 stands for "State and Territorial Exchange of Vital
16 Events." And that's the only way we can remove a
17 person who is deceased from our files is they have to
18 go through that STEVE database and then it's
19 downloaded back to us and then we remove them.

20 CHAIRMAN PREISSE: And there's a
21 Secretary of -- Ohio Secretary of State --

22 DIRECTOR ANTHONY: Directive.

23 CHAIRMAN PREISSE: -- Directive to that?

24 DIRECTOR ANTHONY: Yes. 2012-18.

1 BOARD MEMBER MARINELLO: Am I to assume
2 that Emma falls into the 246 that do not have to have
3 a dorm number or --

4 MS. KLCO: Correct.

5 CHAIRMAN PREISSE: Okay. And as it
6 relates to the vacant lot, I've, over the years, done
7 the same thing, you're looking at your list to go
8 knock on a door, you walk up a few stairs and there's
9 no building there. It happens. It's happened to me
10 in the campus area because they tear down things and
11 they put things back up.

12 But those individuals will remain on the
13 roll properly for a period of time because they may
14 have or may still reregister, update their address,
15 or, if they're still on the rolls, could indicate to
16 us at a polling place such and properly vote a
17 provisional ballot.

18 MS. KLCO: Uh-huh.

19 THE COURT REPORTER: Is that a "yes"?

20 MS. KLCO: Yes. I'm sorry.

21 THE COURT REPORTER: That's okay.

22 MS. KLCO: Yes.

23 CHAIRMAN PREISSE: She didn't know how to
24 spell "uh-huh."

1 Other observations or questions from the
2 Renee's report or staff or any comments you want to
3 make? Anything else you want to say, Renee?

4 BOARD MEMBER MANIFOLD: I think we had an
5 apartment last year, a similar thing, a very large
6 apartment complex, similar situation, where we left
7 them on the rolls. We knew it was knocked down, but
8 they still have time to reregister.

9 DIRECTOR ANTHONY: That was a huge
10 complex there on Maryland Avenue and James Road. The
11 City came in and tore, I don't know, probably about a
12 500 units down, it was called the Woodland or
13 Woodlands Apartment complex, but we kept all those
14 voters on the rolls for the same reason, they could
15 go vote a provisional ballot, but their home
16 addresses was torn down.

17 CHAIRMAN PREISSE: Okay. Renee, thanks,
18 but don't leave the room.

19 I hope you could hear all that, and
20 Ms. Bicking, if you would like to address the Board
21 again, you're welcome to do so.

22 MS. BICKING: Okay. I just wanted to
23 present visual evidence of the fact that the dorm
24 formerly at 52 East 14th Street is in fact down.

1 This is the house at 42 East 14th Street. You can
2 see an enlargement of the numbers here. And then
3 this is the house on the other side which has the
4 address of 72 East 14th Street. And this would be
5 the property in between those two addresses which is
6 knocked down.

7 OSU Hamilton House is the former Evans
8 Scholars Dorm. I think it has something to do with
9 people that play golf, something like that. But
10 anyway here's the notice from the paper telling that
11 the OSU Hamilton House, the new one, two streets over
12 at, let's see, 121 East 16th Avenue in Columbus has
13 now been dedicated and that's what it looks like. So
14 this one, the former dorm on 14th Avenue, is now a
15 vacant lot.

16 CHAIRMAN PREISSE: Okay. Questions,
17 comments from the Board or staff?

18 DEPUTY DIRECTOR WALCH: What you have on
19 this sheet is a listing of all of them with the staff
20 recommendation.

21 MS. BICKING: 38 people were registered
22 at the East 14th Avenue address.

23 BOARD MEMBER MARINELLO: But there's
24 still a chance they could reregister with their

1 correct address --

2 MS. BICKING: Yeah, they just need to
3 correct their address, but that address should be
4 eliminated if possible.

5 BOARD MEMBER MANIFOLD: I guess, do you
6 have any problem with -- I guess, do you have any
7 problem with the idea that because you've challenged
8 their right to vote, I mean essentially what we do is
9 if we approve this challenge, they would all be
10 removed and they would have to reregister, as opposed
11 to just right now if they're there, they could go to
12 their polling location on Election Day and say hey,
13 look, this is my new address, fill out a change of
14 address, vote a provisional ballot, and we go through
15 our records and say okay, that's a legitimate vote,
16 that counts. Do you have a problem with the current
17 system?

18 MS. BICKING: No; I'm very much aware
19 that they can reregister to vote. Is there any way
20 to flag that old address as being an improper address
21 for anyone who comes under the address East 14th --
22 52 East 14th Street --

23 MS. KLCO: No.

24 MS. BICKING: -- or Avenue that that

1 building no longer exists?

2 MS. KLCO: We can still use that address
3 as a valid address. Say if a homeless person puts up
4 a tent there, that's their voting address.

5 CHAIRMAN PREISSE: What you're saying
6 Renee, though, let's -- if one of these individuals
7 is currently registered at 52 East 14th -- that's the
8 address, right?

9 MS. BICKING: Yes.

10 CHAIRMAN PREISSE: 52 East 14th, shows up
11 to vote at his or her previous polling place on
12 Election Day, Bill and Dana and Renee, what happens
13 to that person, as notated here, must vote
14 provisional in new precinct. That's with the
15 presumption that they're voting where they may think
16 they're reregistered to vote.

17 MS. KLCO: Correct.

18 CHAIRMAN PREISSE: What happens if they
19 show up to vote using their old address at the old
20 polling place?

21 DIRECTOR ANTHONY: Well, since we know
22 that, we can just flag the poll workers.

23 MS. KLCO: I don't know that we can.

24 DIRECTOR ANTHONY: But that was just a

1 question. I don't know that we can.

2 CHAIRMAN PREISSE: Yeah, I don't know
3 either. Because that would not necessarily be
4 flagged as a provisional voter because they're in the
5 old precinct with the old records.

6 DEPUTY DIRECTOR WALCH: Correct.

7 CHAIRMAN PREISSE: Okay. But the staff
8 recommendation is we keep them on the rolls because
9 they may change their address or vote provisionally
10 properly somewhere else --

11 DEPUTY DIRECTOR WALCH: Correct.

12 CHAIRMAN PREISSE: -- or if they do vote
13 provisionally in another precinct with the old
14 address it's not going to be counted, is it?

15 DEPUTY DIRECTOR WALCH: You always have
16 to vote where you now reside. So they would have to
17 go to their new polling location at their new
18 address, vote the provisional ballot, then they would
19 update their voter registration to their new address.
20 They certainly could do that.

21 CHAIRMAN PREISSE: They could do that on
22 Election Day.

23 DEPUTY DIRECTOR WALCH: That's correct.

24 MR. ANDERSON: If they vote in the

1 wrong -- in other words if somebody were to try to
2 vote at that address, one of the people on this list,
3 their vote would be subject to challenge as well.

4 DEPUTY DIRECTOR WALCH: You always have
5 to vote wherever you currently are residing at, no
6 matter what your registration says.

7 MR. ANDERSON: Right.

8 DEPUTY DIRECTOR WALCH: That's what Ohio
9 provisional law allows you to do.

10 So in this case, these folks at 52 East
11 14th Avenue, if they had moved to 123 Elm Street,
12 just a mythical address, they vote at whatever
13 polling location is attributable to 123 Elm Street.
14 At that time they can go, they vote a provisional
15 ballot at the polling location assigned to 123 Elm
16 Street. They then, on the other side of their
17 provisional envelope, will be instructed that they
18 should update their voter registration. It is not
19 mandatory that they do that on the back of it, but it
20 certainly is preferable because then they don't have
21 to vote a provisional ballot the next time they go to
22 vote.

23 CHAIRMAN PREISSE: So we're counting that
24 ballot at Elm Street.

1 DEPUTY DIRECTOR WALCH: As long as they
2 did check out that they were a registered voter and
3 did not vote at their other location, their previous
4 location, yes, that provisional ballot would count.

5 BOARD MEMBER MARINELLO: But what if they
6 do go to their previous location and it's still on
7 there, but that location is not there?

8 DEPUTY DIRECTOR WALCH: As Harold said,
9 that vote at that location is subject to challenge by
10 poll workers on Election Day.

11 MR. ANDERSON: And that might be a crime.

12 BOARD MEMBER MARINELLO: Yeah.

13 DEPUTY DIRECTOR WALCH: And voting from a
14 location that you do not reside at could certainly be
15 construed as election falsification; potentially open
16 to prosecution, correct?

17 MR. ANDERSON: Yeah, that's what I was
18 actually looking at.

19 MS. BICKING: So how are the poll workers
20 going to know that?

21 CHAIRMAN PREISSE: What's that?

22 MS. BICKING: How are the poll workers
23 going to know that East 14th Avenue doesn't exist
24 anymore? What's going to give them the heads up?

1 CHAIRMAN PREISSE: We're talking about
2 that.

3 On the poll books there, we do flag them
4 in any number of categories to know whether they
5 voted absentee or not.

6 DEPUTY DIRECTOR WALCH: I don't know of
7 any provision -- Renee, do you know a different one
8 that we're permitted to flag for this reason?

9 MS. KLCO: Not that I've ever -- no, I
10 don't know of a provision to do that.

11 DEPUTY DIRECTOR WALCH: I don't know of
12 any provision that we're allowed to flag for this
13 reason.

14 DIRECTOR ANTHONY: But it's still not a
15 reason to take them off --

16 BOARD MEMBER MARINELLO: Right.

17 DIRECTOR ANTHONY: -- the rolls.

18 CHAIRMAN PREISSE: Right. It may not be
19 a reason to take them off now. The ancillary
20 question, concern, for, I think, a little more
21 discussion hereafter is the other issue that has
22 arisen; what happens if they try to vote where they
23 don't live. When that happens, they are subject to
24 challenge.

1 DEPUTY DIRECTOR WALCH: Correct. As is
2 any voter if there is --

3 CHAIRMAN PREISSE: Even if they just try
4 to go back to vote from an old address they don't
5 live at anymore which is --

6 DEPUTY DIRECTOR WALCH: Correct.

7 CHAIRMAN PREISSE: -- practically
8 speaking the more likely scenario in any event.

9 Okay. Any other comments or questions?

10 (No response.)

11 CHAIRMAN PREISSE: Thank you.

12 Well, I think we've had a good discussion
13 and a detailed recitation from Renee about the
14 several categories of challenges.

15 For my part, I would say, Carol, thank
16 you for being here today. You've obviously done a
17 lot of work on this. I think I feel good that you
18 haven't found much that's bad. There has been an
19 amendment to combine two registrations that was
20 likely -- well, it was a keying error, someone had
21 registered twice. It doesn't look like anybody was
22 trying to defraud the system there. Having said
23 that, you've raised some other good questions too, so
24 we appreciate your presence.

1 And I think we have to -- we don't have
2 to take action, do we? We do?

3 MR. ANDERSON: We do.

4 DEPUTY DIRECTOR WALCH: Yes.

5 DIRECTOR ANTHONY: Yes.

6 CHAIRMAN PREISSE: Okay.

7 BOARD MEMBER MARINELLO: Mr. Chairman, I
8 move the Board accept the recommendation of the Board
9 of Elections staff listed in Exhibit A regarding the
10 voter registration challenges filed by Ms. Carol
11 Bicking of 1599 Climbing Fig Drive, Blacklick, Ohio.

12 DIRECTOR ANTHONY: Is there a second?

13 BOARD MEMBER MANIFOLD: Second.

14 DIRECTOR ANTHONY: All those in favor,
15 say aye.

16 BOARD MEMBERS: Aye.

17 DIRECTOR ANTHONY: The Board's
18 recommendation, for the record, was to keep all of
19 the voters in the challenge on the roll.

20 CHAIRMAN PREISSE: With the exception
21 that one was amended --

22 DIRECTOR ANTHONY: Yeah.

23 CHAIRMAN PREISSE: -- but that was before
24 we got to the material to this point.

1 DIRECTOR ANTHONY: Right.

2 CHAIRMAN PREISSE: Okay. And I wanted to
3 thank, Emma, too, for coming down and addressing the
4 Board. Thank you.

5 Is there a --

6 DIRECTOR ANTHONY: A motion to adjourn.

7 MS. BICKING: I have a -- I have another
8 question if you can entertain it just momentarily?

9 CHAIRMAN PREISSE: Okay.

10 MS. BICKING: One of the things that
11 we're concerned about, too, is that I got this off
12 the website today, it's from Attorney General Mike
13 DeWine, he's talking that he's going to shut down a
14 lot of vacant houses in blighted areas.

15 Do you have any insight on how those will
16 be -- are you taking action on those, when those
17 apartments, because it gave a list of, like, the old
18 2124 South Hamilton Road, Poindexter Tower, Woodland
19 Meadows Apartments.

20 CHAIRMAN PREISSE: Well, I think those
21 essentially fall in the same category as the other
22 ones. So as we have discussion about that, that's
23 the same scenario anticipated, so I appreciate you
24 bringing that up.

1 MS. BICKING: Okay. And then another
2 question that we have: Has there been anybody or any
3 group that has been turning in an inordinate amount
4 of new voter registrations that maybe we should be
5 alerted to to make sure that those are correct?

6 DEPUTY DIRECTOR WALCH: Well, we get
7 voter registrations in every day from a wide variety
8 of individuals and groups every day. So, you know,
9 any that have caught our -- I don't think there's any
10 that have necessarily caught our attention one way or
11 the other.

12 If there are any instances of voter
13 registrations coming to our office that look
14 inappropriate, we certainly do all due diligence to
15 ensure that those are correct and accurate. And if
16 there is anything that comes to our attention of
17 somebody doing something inappropriate, we take our
18 duty very diligently to make sure that these things
19 are done properly and by according to Ohio law.

20 MS. BICKING: Okay.

21 DEPUTY DIRECTOR WALCH: So if we do know
22 anybody that's doing anything inappropriate on any
23 voter registrations, we look into those as we feel
24 that are necessary. Is that a fair answer?

1 MR. ANDERSON: And I believe --

2 DIRECTOR ANTHONY: Yes, sir.

3 MR. ANDERSON: -- Franklin County
4 prosecuted a number of such instances in 2008 or
5 2010.

6 BOARD MEMBER MANIFOLD: I think '8.

7 MR. ANDERSON: I think it was '8. I
8 think actually the most cases in the country were
9 filed for false registration here in Franklin County.
10 So that's also something --

11 MS. BICKING: I remember reading about.

12 MR. ANDERSON: -- that Prosecutor O'Brien
13 takes very seriously.

14 MS. BICKING: So that's good to know.
15 Thank you.

16 CHAIRMAN PREISSE: Okay. Thank you.

17 MS. BICKING: Thank you.

18 CHAIRMAN PREISSE: I think there's been a
19 motion to adjourn.

20 DIRECTOR ANTHONY: There was. Is there a
21 second? Oh, you want to talk?

22 BOARD MEMBER MANIFOLD: I'll make a
23 statement. I think -- I just -- I want to just
24 briefly, you know, I appreciate all this work and I

1 know this must have took a lot of time. I just, I
2 want to recommend, I go to a lot of elections
3 conferences, I was just at a national conference in
4 August, sit around with a lot of elections officials,
5 some of us were there.

6 And I think when you go around and talk
7 to elections officials across the country, if there's
8 a crisis in elections it's that people don't
9 participate. There really is this -- we talk to
10 every elections official when we go to these things,
11 it's always 90 percent about how do we get more
12 people involved, how do we get more people to do --
13 to take action to vote.

14 And I just want to, you know, and I know
15 there was some registration issues with, I think, the
16 campaigns mostly, I think it was two campaigns with
17 out-of-state people and everybody registered.
18 But, you know, in 2010, we had one case of voter
19 fraud, it was a mom, I think -- it was on this
20 Board -- it was a mom that was a little overzealous
21 and she voted her kid's absentee ballot or something
22 like that.

23 And I think I just would recommend, I
24 know this takes a lot of time, I think I would

1 recommend kind of it would be great to kind of
2 redirect this energy. You know, you've got 38 people
3 at this vacant lot that need to be reregistered.

4 You know, just the system, I think me and
5 the Secretary of State we would agree this is
6 probably the strongest the system's ever been.
7 You've got the STEVE list, you've got all these
8 different lists that are now coming into the voter
9 registration files. We've never had as many things
10 going in and updating as we have now.

11 So if you felt comfortable in the last so
12 many elections, I know everybody's in the
13 presidential election and they're going crazy and
14 everybody's hyped up, but if you felt good about this
15 system the last two years ago and four years ago and
16 six years ago, this is the best system that we've
17 had. Today is the best voter registration rolls
18 we've ever had.

19 Is it perfect? No. As you saw, you
20 know, it takes time to get people to die off the
21 rolls and there is different issues, but I really do
22 believe, you know, I just, I would recommend just
23 trying to redirect and, you know, put some of that
24 energy to go out and register some votes. I always

1 want people to get involved. That's all I have.

2 DIRECTOR ANTHONY: All those -- it's been
3 properly moved and seconded, all those in favor, say
4 aye.

5 BOARD MEMBERS: Aye.

6 DIRECTOR ANTHONY: We now stand
7 adjourned. Thank you.

8 (Thereupon, the proceedings concluded at
9 3:58 p.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Monday, September 24, 2012, and carefully compared with my original stenographic notes.

Carolyn M. Burke, Registered Professional Reporter, and Notary Public in and for the State of Ohio.

My commission expires July 17, 2013.

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