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Remarks to the OAEO Winter Conference

Wednesday, January 9, 2012

Happy New Year!

I hope most of you are rested after that little election we had last fall. Thank you for inviting me to address your conference. Thanks to the OAEO officers on what you have done and what you will continue to do.

Now this past year was my first presidential election as SOS. Many people asked me "What was it like on Election Day for you?" And while I have a great team, I had confidence in what was going to happen in all (or at least almost all) of the counties, and we had planned for everything we knew to plan for, the concern was always what's out there that we didn't know about? I carried a healthy amount of that anxiety into Election Day, but there was one moment that I realized it was all going to be fine.

You see CNN was live from a polling location in Hamilton County, I believe it was in Blue Ash, but much of the coverage was about Florida and the long lines they were experiencing there. After they concluded another segment about Florida, they went back live to the polling location in Hamilton County and it showed some voters casting their ballots, but also vacant booths and no line. At this point the reporter turned to the poll workers who were running the operations and she asked them what they thought about what was going on in Florida. And in an instant one of the poll workers quipped, "tell them to come to Ohio and we'll show 'em how to do it." I thought to myself that's right on, we do know how to do it and everything went fine.

But it wasn't fine by chance and a BIG thanks goes to you and the staff of all our BOEs for their hard work.

Remember, our collective work was scrutinized for months, before, during and after Election Day. Any process under that level of scrutiny, for that long, is likely to break down. We were considered the most important swing state in the country. (*editorial cartoon*)

National and international media joined our state and local press corps in investigating and analyzing our every decision and actions. In the end we ran a good election in Ohio. From poll workers, to BOE staff, to my team in the SOS office, together we did our part make democracy work in Ohio. I am proud of all who played a part in it. (And I hope you had as much fun as I did in disappointing the naysayers).

A Well-Run Election

Pulling off an election with voting over the course of **35 days**, with **9,200 precincts** in **4,800 polling locations** and **40,000 poll workers** is no small task. Let me take a moment to recap what you did to help make it a success:

Specifically, I would like to thank you for your efforts to help “clean up” the statewide voter rolls. This is a big deal. Let me put it in perspective, when I became SOS the statewide voter database only contained the necessary information to validate the full identity of only **20 percent** of voters. Now we have what we need on **80 percent** of voters and on our way toward 100 percent.

You reduced duplicate registrations from **340,000** before I took office to **1,400** just before Election Day.

You removed **160,000** deceased voters from the rolls, with the benefit of out-of-state data for the first time.

This really matters, because it not only saves money, but it improves the integrity and builds public confidence in our system of elections.

Further, your efforts to work with us on incorporating all the BMV data was also important to running a good election. Until this fall, Ohio had never been in full compliance with the Motor Voter Law. In the 2012 General Election, we were compliant for the first time in nearly 20 years!

We launched Online Change of Address in August, becoming one of only **10 states** to offer this service. In 60 days, **more than 106,000** Ohioans used the system to update their addresses for the 2012 General Election, undoubtedly reducing provisional ballots cast by **tens of thousands**.

We were able to dramatically improve election night reporting. Your data on the SOS website was very popular. In fact, at one point we had more than **1,100 clicks per second**. Additionally, because of the changes we made to improve how results were reported, our website was ahead of most national news organizations, which is quite an accomplishment given the resources they have at their disposal. This is especially notable given that their primary goal is speed and ours is accuracy. Thank you for your hard work and cooperation in implementing the new process.

Together, we incorporated provisional ballot changes, which in part, led to more ballots being counted in 2012 than were counted in 2008.

In 2008, **80 percent** of provisional ballots were counted. This year the rate was **83.5 percent**. While we will continue to be diligent to ensure all legally-cast ballots are counted, keep in mind that **60 percent** of the uncounted ballots were cast by people not even registered to vote in Ohio.

For the first time, every active voter in the state received an absentee ballot request form, making the system more fair and uniform. We were rewarded with a record **1.86 million** early votes being cast, thus reducing the potential for lines at the polls on Election Day.

Checking our work

The most common refrain from the partisans were claims of voter fraud and voter suppression. While we know that these claims were mostly leveled by the campaigns and their partisan allies to gain a perceived political advantage, my main concern is that myths and rumors left unchallenged become conventional wisdom.

However, I believe we can all agree that a single case of fraud or disenfranchisement is unacceptable. As a result, I will be asking you to set up a local process to look at all substantiated allegations of fraud or suppression in this past election. Providing a forum for those with legitimate concerns and a process for looking into them will help reassure the public about the integrity of our elections system.

Let me also encourage you, while it is fresh in your mind, to identify what you can do locally to improve and be ready for the challenges you will face two and especially four years from now.

State and Federal Policy

After every election it is always wise to reflect on what lessons can be learned. What should be changed, or even more astutely, to remind ourselves to not try to fix what isn't broken.

For example, after every presidential election there are discussions about the role of the federal government, and the need for them to "step in" to solve a problem. But before we entertain new ideas, I am asking our federal leaders to address the shortcomings of their last solution. Specifically -- the underfunded voting machine mandate, and contradictory provisions in the NVRA that allow some counties to have more voters on the rolls than people of voting age.

Let me begin with voting machines. In 2002, the federal government began involving itself with the machines we use to vote with the passage of HAVA. Like most federal programs it was initially funded, but now 10 years later, the machines are aging, they need maintenance and at some point in time, will need replaced. The cost of this falls on you at the local level.

As your SOS, a member of the National SOS Executive Committee and co-chair of the NASS Elections Committee, I will work to be your voice in Washington on these important issues.

Congress hasn't fully funded HAVA at the levels initially authorized. Before Congress talks about new requirements, they should fully fund HAVA and commit to long-term funding to maintain accurate, transparent, and independently-tested voting systems. Either provide the funding or remove the mandate and return the matter to the states and local governments.

And while we talk about funding, it is worth noting that since HAVA passed and no-fault absentee voting became part of the landscape, the cost of elections has increased dramatically. In fact, the *Dayton Daily News* reported that in 2008, the first presidential election year that offered early voting and electronic voting machines, Ohio counties spent \$122.4 million on elections. That's compared to \$67.3 million elections costs in 2004, the previous presidential election year. And financial pressures have only increased, as costs continue to rise and revenues have stagnated or fallen for many counties. I want you to know that I plan to set up a process with OAE and the CCAO to look at how we can better manage these costs while maintaining the best customer service we can provide.

Now on to my concerns about the contradictions in federal law: In February of 2012, I wrote U.S. Attorney General Eric Holder and asked the Justice Department to help us resolve the contradiction in federal law that requires us to have accurate voter rolls, but also prevents us from removing any voter until they have been inactive for two consecutive elections. This resulted in the problem that some Ohio counties had more registered voters than it has voting age adults residing in the county. We got no help from the Justice Department and now I intend to ask the secretaries of state from all 50 states to join us and asking for a resolution to these questions.

State Law Changes

At the state level, I have read comments in the newspaper that leaders in the GA want to revisit changes in election law. If they do I will have priorities and I am sure OAE will too. I can tell you my priorities have not changed. In fact, what we went through in 2012 reinforced the need for several changes I have long advocated for, these include: On-line voter registration (it will save money and is more secure than the current paper system), on-line absentee requests, uniform days and hours of operation (giving voters equal access to voting opportunities is the right and fair thing to do), provisional ballot updates and improvements so the process is as simple and secure as it can be (we hope to continue our progress of increasing the number of legally-cast and counted ballots). For reasonable people, there is nothing controversial here; it represents steady progress, but it is important that we get it done.

You can count on the fact we will also want to hear what OAE would like to add to the list and we look forward to the good working relationship on these legislative matters that affect us all.

Redistricting Reform

Before I conclude, I do want to share with you that I believe that 2013 will be a historical year in Ohio elections. Now given that it is an "off year," with no statewide or federal candidate elections, that may be leaving some of you wondering what I'm talking about.

The reason for my anticipation is simply that I believe 2013 is the year we will finally get a bipartisan redistricting resolution passed in Ohio.

As many of you know I have been working to reform this system since 2005 and was able to pass a reform plan through the Senate in 2009.

Momentum for redistricting reform is growing, with the Senate passing a plan very similar to the one I have been advocating for and doing so with a bipartisan vote in December 2012. And incoming Senate President Keith Faber recently said he would make redistricting reform a “priority” of the Ohio Senate. This is important and I plan to do all I can to help them pass a plan as soon as possible.

The reason this reform would be historic is because it will change our democracy in a very fundamental way. It would require compact districts that bring the people closer to their representatives and their representatives closer to their constituents; making political leaders more accountable for their actions in the legislature and congress. It will also make more elections truly competitive; making our legislative bodies more accountable by giving voters a real opportunity to change who and which party leads these bodies from election to election.

Simply stated, it is the most important reform in helping people reclaim their democracy from partisan interests.

Closing Thoughts

I still believe that Republicans and Democrats are capable of working together to accomplish meaningful work. I will do my best to be a positive voice and participant in this cause.

With your professionalism and hard work, we overcame the most partisan forces in the nation’s ultimate swing state and delivered a good and fair election on November 6th in Ohio.

On behalf of all Ohio voters, THANK YOU for your service.