

# VOTING IN 2010: Ten Swing States

## OHIO

Ohio has been at the top of every list of states to watch since 2000 and it is once again in 2010 – both Senate and gubernatorial races are tight. In the wake of numerous lawsuits, Ohio has come a long way from the debacles of 2004 that made it the center of national controversy. Great strides have been made to improve the voting system, including with respect to implementation of the National Voter Registration Act. Moreover, through a 2006 law and subsequent administrative directives, Ohio has limited the ability of voters to make unfounded challenges to the voting rights of other voters. However, there is still room for improvement. There are still concerns about unresolved issues around the voter registration database matching process and the law in Ohio makes it too easy for unscrupulous actors to disseminate misinformation about the election.

### POLITICAL OUTLOOK

- Both the **senatorial** and **gubernatorial** races are complete hotly contested.
- Gov. Ted Strickland (D) is running for reelection, with a challenge from former Congressman John Kasich (R).
- Former Congressman Rob Portman (R) and Lt. Gov. Lee Fisher (D) will have a competitive battle for the Senate seat being vacated by Sen. George Voinovich (R).
- At least four **House** races will also be close.

### OBSTACLES TO VOTING

- The very **early voter registration deadline** – a full 30 days prior to the election – may prevent many interested citizens from participating.
- Issues regarding **database matching** have been ongoing, though the Secretary of State has taken steps to resolve them.
- Ohio has had problems with **deceptive** robocalls and other attempts to prevent individuals from voting by spreading **misinformation**, but the law is not specific enough to combat such practices. Ohio also lacks any anti-spam statutes which apply to non-commercial e-mails, although e-mail is a common and rapid method of spreading disinformation.
- **Provisional ballots** cast at the wrong precinct are not counted.

### EXEMPLARY VOTING LAWS/ PROCEDURES

- In response to a lawsuit, the state is improving its **registration practices** at state public assistance agencies. The state's Department of Job and Family Services entered into a settlement agreement to effectively implement and monitor the NVRA in November 2009. The first several months of data reporting under the agreement are encouraging.
- Citizens who have **finished their prison sentences** are allowed to vote.
- Ohio's implementation of the **MOVE Act** is exemplary. The Secretary of State's office has been partnering with local elections officials to update them on MOVE. Additionally, it intends to work with non-profit agencies to conduct outreach to UOCAVA voters and work with the Overseas Vote Foundation to update its UOCAVA site.

ARIZONA

COLORADO

ILLINOIS

KENTUCKY

LOUISIANA

MICHIGAN

MISSOURI

NEVADA

NORTH CAROLINA

OHIO

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- The state also has exemplary practices with regard to voter registration outreach to newly **naturalized citizens**. The SOS office provides voter registration information to all naturalized citizens and has conducted registration at ceremonies.

## WHAT CAN BE DONE BY THE STATE CHIEF ELECTIONS OFFICER BEFORE ELECTION DAY

- Take extra steps to ensure people have the correct voting information ahead of time, to prevent negative impacts from potential **deceptive practices**. Make clear that under certain circumstances Ohio does in fact have criminal laws that can be used against anyone who does deliberately disseminate misinformation with the intent to affect voting. Establish a clear system for detecting misinformation campaigns and a plan for how the office will **respond** to them to ensure voters have the true information immediately.
- Make sure voters and poll workers alike know the correct polling place *and* the correct precinct to ensure they will **not cast a “placebo” provisional ballot**.

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In advance of the mid-term elections, Common Cause and Dēmos will release a new report that finds election policies in 10 swing states could disenfranchise voters and impact election results. The report, “Voting in 2010: Ten Swing States,” looks at Arizona, Colorado, Illinois, Kentucky, Louisiana, Michigan, Missouri, Nevada, North Carolina, and Ohio, summarizing each state’s practices, and providing a set of recommendations for improvement.

To view the full report, visit **[demos.org/swingstate](http://demos.org/swingstate)**  
or **[commoncause.org/swingstate](http://commoncause.org/swingstate)**.

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