

Voter Registration Business Procedures Manual

For Ohio County Boards of Election

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Business Procedures Manual

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1. INTRODUCTION

The Help America Vote Act of 2002 (HAVA) was signed into law in October 2002. The goal of the legislation is to improve administration of elections nationwide, and States must implement new federal mandates designed to meet that objective.

One significant initiative under the HAVA Act was a requirement that each state, acting through the Chief State Election Official, (that being the Secretary of State in Ohio) shall implement, a Computerized Statewide Voter Registration List. This single, uniform, official, centralized, interactive list is to be defined, maintained, and administered at the State level that contains the name and registration information of every legally registered voter in the State and assigns a unique identifier to each legally registered voter in the State.

This computerized list shall serve as the official voter registration list for the conduct of all elections for Federal office in the State.

The Act further states that all voter registration information obtained by any local election official in the State shall be electronically entered into the computerized list on an expedited basis at the time the information is provided to the local official.

The appropriate State or local official shall provide adequate technological security measures to prevent the unauthorized access to the computerized list established under this section of the Act.

The purpose of this HAVA Business Procedures Manual is to document HAVA operating procedures for the Ohio County Boards of Election. This document will serve as a ready reference for questions about HAVA-related issues and procedures.

This manual is intended to address HAVA requirements, but Ohio state election laws will also be noted where appropriate.

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2. VOTER REGISTRATION**2.1. Definitions****2.1.1. Registration by Mail**

A registration by mail is a voter registration form that is delivered to the Board of Election office or the Secretary of State's office by the Post Office.

2.1.2. In-Person Registration

An in-person registration is any voter registration that is not a registration by mail.

(HAVA does not specifically address whether registrations by third parties such as community groups or political groups are to be considered in-person or mail registrations.)

2.2. New Registration

An individual who has registered to vote and has not been registered in Ohio nor voted in a federal election in Ohio is considered to be a new voter registrant.

2.2.1. Overview

HAVA requires states to obtain certain additional information from new voter registrants.

HAVA requires that all new voter registrants provide their driver's license number if they have a driver's license, or the last 4 digits of their social security number. In addition, HAVA requires the state to validate mail-in registrants based on certain acceptable identification. HAVA states, "If an applicant for voter registration for an election for Federal office has not been issued a current and valid driver's license or a social security number, the State shall assign the applicant a number which will serve to identify the applicant for voter registration purposes. To the extent that the State has a computerized list in effect ... and the list assigns unique identifying numbers to registrants, the number assigned under this clause shall be the unique identifying number assigned under the list".

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2.2.2. New Registration – In Person

At the time of registration, all new voter registrants must provide their Ohio driver's license number if they have an Ohio driver's license, and if they do not have an Ohio driver's license, the last 4 digits of their social security number.

If the registrant possesses neither an Ohio driver's license nor a social security number, then the registrant must provide their Ohio state identification number.

The required information must be entered into box 10 on the Voter Registration Form (See Appendix I).

However, failure to provide any of these numbers must not result in a rejection of the application. If the registrant states that they possess none of the above-required ID, then write "None" in box 10 and accept the registration as being valid, and the state will assign a unique identification number. (The number assigned by the state will be the same as the unique identifier assigned to the registrant in the statewide voter database.) Also keep in mind if the person states they have the required ID but do not want to provide it to the BOE, then the registrant should be told their form is not valid and it should be handled accordingly by not registering the applicant.

2.2.3. New Registration – By Mail

Voters who register by mail must provide a copy of a HAVA-specified identification document. (If they fill box #10, a copy is not required) They can mail the ID with their registration form, although they are not required to do so. If they do not provide the ID in advance of Election Day, they will be asked to do so the first time they vote.

Voters who register by mail must either:

- Mail a copy of a HAVA-specified ID to the registrar with their voter registration application, or
- Show such ID the first time they vote in person, or
- Send a copy of such ID with their voted absentee ballot the first time they vote, or
- Mail a copy of such ID to the registrar before they vote in an election

Acceptable ID:

- Current and valid photo identification, such as a driver's license or passport.
- A copy of a current utility bill, bank statement, government check, paycheck, or other government document *that shows the name and address of the voter.*

Notification:

(This is not addressed by HAVA, but is recommended by the Secretary of State)
Voters, who do not send a copy of their ID with their registration form, maybe sent a notice by the County Board of Elections to notify them that they are required to bring the

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ID with them when they vote for the first time. The voter is also given the option of mailing a copy of the ID to the County prior to the election. The letter should include a list of acceptable forms of identification.

When the registrant provides a copy of their identification to the County, the County must retain the document in accordance with specified document retention standards.

2.3. Update Existing Registration

Voters who change residence can update their existing registration using the Ohio Voter Registration Form (See Appendix I). A voter who registered by mail and has not yet provided a copy of their ID (and did not fill out block 10) will still be under the same ID requirements as any other first-time voter who registered by mail and has not yet provided their ID.

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3. VOTING

3.1. Overview

HAVA contains several specifications for polling place procedures.

ID Checks

First-time voters who registered by mail are subject to ID requirements under HAVA.

Fail-Safe Voting

A key principle embodied in HAVA is: Everyone Votes!

If there is any question as to the voter's right to vote at the polling place, the voter votes a provisional ballot, which will be held separately until a later time when it can be determined whether or not the voter was entitled to vote at the polling place.

3.2. First Time Voters – At Polls – Mail in Registration

Voters who register by mail must provide a copy of a HAVA-specified identification document. If they have not yet provided the ID in advance of Election Day, they must do so at the poll the first time they vote.

The poll book will indicate that the voter must present identification.

Acceptable ID:

- Current and valid photo identification, such as a driver's license or passport.
- A current utility bill, bank statement, government check, paycheck, or other government document *that shows the name and address of the voter.*

The poll officials are not required to retain a copy of the ID. However, if a copy is retained, the County Board of Elections in accordance with normal document retention standards must hold it.

A new voter who does not comply with the identification required by law may cast a provisional ballot.

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3.3. First Time Voters – At Polls – In Person Registration

Only first-time voters who registered *by mail* are subject to ID requirements. Voters who registered in person will have already met the ID requirements and it is not necessary to request their identification.

3.4. First Time Voters – Absentee – Mail Registration

Voters who register by mail must provide a copy of a HAVA-specified identification. If they have not yet provided the ID in advance of the election, they must send a copy of such ID with their voted absentee ballot the first time they vote in a federal election.

Acceptable ID:

- Current and valid photo identification, such as a driver's license or passport
- A copy of a current utility bill, bank statement, government check, paycheck, or other government document *that shows the name and address of the voter*

The county, in accordance with normal document retention standards, must hold the ID. If a new voter does not send acceptable ID with the absentee ballot, the voter will be notified of the lack of acceptable ID and the mail ballot will be placed as a provisional ballot, pending receipt of the acceptable ID. If the acceptable ID is not supplied, ballot will not be counted.

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3.5. Provisional Balloting

HAVA requires that provisional ballots be offered to voters who believe they are registered, but some deficiency prevents them from voting.

The intent of provisional voting is to ensure that no individual who goes to the polls intending to cast a ballot is turned away without having the opportunity to do so. Under HAVA, individuals who are not listed in the Poll book must be allowed to vote using a provisional ballot. Afterwards, if it is determined that those voters are eligible to vote, their ballots will be counted. (The *counting* of ballots, however, is left to state law.)

In addition, voters who moved from one Ohio precinct to another Ohio precinct, but who did not update their voter registration, may vote using a provisional ballot.

The procedures for provisional voting are:

1. If an individual declares that he or she is a registered voter in the precinct, that individual shall be permitted to vote using a provisional ballot.
2. An election official at the polling place shall inform the individual of this right.
3. The individual must provide written affirmation that the individual is:
 - a. A qualified, registered voter in that precinct.
 - b. Eligible to vote in that election.
4. An election official at the polling place will provide the individual with a ballot, a provisional ballot envelope, and (if the provisional ballot is different than the regular ballot at the voting place) instructions on how to vote the ballot.
5. The individual votes the ballot, places it in the provisional ballot envelope, and seals the envelope.
6. An election official at the polling place gives to the voter written information describing how to confirm whether or not the provisional ballot was counted.
7. The provisional ballot is held separately from regular ballots, and is transmitted to the county board of elections.
8. The county board of elections has 14 days to determine whether the provisional ballot should be counted. If the county determines the voter is registered, eligible to vote and voted in his or her assigned precinct, the envelope will be opened and the ballot counted. Otherwise, the envelope will remain sealed and uncounted.

Voters, who, as the result of a court order to hold the polls open, vote after the scheduled time for the polls to close, will vote using a provisional ballot. These provisional ballots must be held separately from all other provisional ballots.

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Voters who cannot provide ID at the polls must be allowed to vote by provisional ballot. HAVA requires that new voters who registered by mail present some form of identification either at the time of registration or at the time of voting. A new voter who does not comply with the identification required by law may cast a provisional ballot, pending receipt of acceptable ID.

Voters who do not have an assigned State ID should not appear in the poll books for Federal elections but must be allowed to vote by provisional ballot.

All voters who cast provisional ballots will have an opportunity to learn if their ballot was counted, and, if not, learn the reason why. The voter is given a toll-free phone number to call. The voter's call is routed to their local county board of elections, where an official will tell the voter the result of the provisional ballot.

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4. STATEWIDE VOTER REGISTRATION DATABASE

The Help America Vote Act requires a “single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the State level.”

4.1. Security of Voter Information

Unauthorized access to the database must be prevented.

Specific requirements are documented under separate cover in the Annex on Security document.

4.2. Passwords, Login/Logout, Open Connections

Unauthorized access to the database must be prevented.

Specific policies to ensure the security and integrity of the statewide voter registration database are addressed under separate cover in the Annex on Security.

Policies include:

- Password Policies
- Login and Logout Procedures
- Automatic Connection Timeout

4.3. Controlled Access Area

Specific policies regarding physical access to the servers housing the statewide voter registration database are addressed under separate cover in the Annex on Security.

4.4. Synchronization

The state and county voter databases must be synchronized prior to printing the poll books for an election.

4.5. Frequency of Updates

Changes to voter records in the county voter database must be updated to the statewide voter registration database. These updates must occur on a regular basis.

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4.6. Data Cleanup

The statewide voter database system will automatically notify county elections officials when invalid data is discovered, or when a potential problem exists, such as a voter record that appears to be duplicated in another county.

Invalid data and other reported problems must be investigated and corrected in an expeditious manner.

4.7. Assigning Precinct Codes

Each county assigns precinct names. The Secretary of State assigns a precinct code for each named precinct.

When precincts are added, changed, or deleted, the Secretary of State's office must be notified. Notification must be in writing, either by letter, fax, or email. Send email to: (autohelp@sos.state.oh.us). Notify the Secretary of State if a precinct name changes, a precinct is added, or a precinct is deleted. Notification is not necessary when the boundaries of an existing precinct are changed.

5. RECORD MAINTENANCE

The County is required to maintain a current accurate record of the voter in the county.

The County Board of Elections has a responsibility to store timely and accurately entered information about a voter and about the voter's voting activity.

Voter data must be communicated to the statewide voter registration database system.

6. ADMINISTRATIVE PROCEDURES

6.1. Removing Voters from Lists

Names of ineligible voters must be removed from the computerized database in accordance with State law. HAVA specifies that registrants who have not voted in two consecutive general elections for Federal office, and who have not responded to a notice, can be removed.

The name of each registered voter must appear in the database. Only voters who are not registered or who are not eligible to vote shall be removed from the database. Duplicate names must be removed from the database.

A reasonable effort must be made to remove registrants who are ineligible to vote, however safeguards must be taken to ensure that eligible voters are not removed in error.

6.2. Administrative Complaint Procedures

HAVA requires states to establish a "uniform, nondiscriminatory state based administrative complaint procedure" to handle alleged violations of HAVA requirements. HAVA requires that this procedure be administered in a uniform and nondiscriminatory way that allows any person who believes that there has, is or will be a violation of Title III of the act to file a complaint.

Complaints must be written, notarized and signed. Following the receipt of a complaint, and at the request of the complainant, there will be a hearing on the matter. If the State determines there has been a violation, then the State will provide the "appropriate remedy." If, however, the State finds that there has been no violation, then the complaint will be dismissed and the results of the procedures published.

HAVA requires that the State make its final determination on the complaint within 90 days of its filing. However, if the complainant consents, that period may be extended. If the State fails to act within the 90-day period, the matter would be referred to an "alternative dispute resolution" procedure of no more than 60 days. Materials from any prior proceedings on complaint must be made available during the alternative complaint resolution procedure.

6.3. Records Retention

New registrants who register by mail are required to provide proof of identity.

Registrants can send the copy of their ID by mail, either with the registration, with their absentee ballot the first time they vote, or separately upon receiving a notice from the County. They might also provide their proof of identification at the polling place, and leave the proof with the poll official. (The voter does not have to leave a copy of their ID at the polling place; they are only required to show their ID.)

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The submitted copy of their ID becomes part of the voter's record and must be retained by the county board of elections.

The ID can be stored with the application or separately. The ID must be stored permanently.

6.4. Postings

HAVA requires that certain information be posted at each polling place on Election Day.

The Secretary of State provides posters that can be used to satisfy the posting requirement.

The following information must be posted:

- A sample ballot
- Information regarding the date of the election and the hours during which the polls are open
- Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot (The instructions are specific to the voting devices used at the polling place)
- Instructions for mail-in registrants who are first time voters and who must provide identification
- General information on voting rights, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated
- General information on federal and state laws regarding prohibitions on acts of fraud and misrepresentation

6.5. Data Format Rules

The SOS will verify, via XML schema validation and other checks, a number of the data fields being sent to the SOS Centralized Voter Registration database. This section outlines the basic validation rules being applied to each field.

- **SOS Voter ID:** The SOS Voter ID is the unique state ID provided by the SOS that the BOE should use to identify a voter with SOS. This ID is exactly 12 characters long where the first two characters are "OH" followed by a 10-character number. A valid ID may look like "OH1234567890". A BOE should not use this ID in a relational foreign key, as the assigned value may be changeable in future releases of the system.
- **Social Security:** Must be exactly 9 digits long. If the SSN number is unknown, the <ssn> tag should not be included in the XML transaction. The SOS will check an active voter's SSN number and birth date against data stored by the BMV. If a different birth date or BMV ID is found for this voter the SOS will report that this voter is NOT_CONFIRMED and send back one of the following messages

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- “1042 Search by SSN revealed different birth day”
- “1043 Search on SSN revealed different BMV ID than the one provided”
- **BMV:** The Bureau of Motor Vehicle Identification number is either a driver’s license number or a state provided ID. If the BMV ID is unknown, the <bmv_id> tag should not be included in the XML transaction. If provided, the BMV_ID must be exactly 8 characters long where the first two characters are upper case letters and the last 6 are digits. If the SOS does not have a voter’s SSN, the SOS will check an active voter’s BMV ID with the Bureau of Motor Vehicles. If the BMV has a different birth date for this voter the SOS will report back to the BOE that the voter is NOT_CONFIRMED with the message
 - “1044 Search by BMV ID revealed different birth day”
- **First Name, Last Name, and Birth Date:** These three fields are required of every voter. First and last name may be up to 50 characters long. Birth dates must always be provided in a “YYYY-MM-DD” format. For voters for which neither an SSN nor a BMV ID is provided, the SOS will perform a name, age and address check with the BMV. If the BMV has a record of this voter at a different address the SOS will report back to the BOE that the voter is NOT_CONFIRMED with the message
 - “1045 Search by name and birthday found a match but the addresses were not the same”
- **Phone Number:** If a voter’s phone number is unknown, the <phone> tag should not be included in the XML transaction. If a phone number is to be sent it must always include an area code and be formatted with parenthesis surrounding the area code followed by a space and then the phone exchange, and a dash followed by the last 4 digits of the phone number. A well formed example follows:

(330) 923-8222

- **Address Fields:** A number of the fields within an address are verified to conform to postal addressing standards (see US Postal Code 28). Postal address errors will be reported back to the BOE and must be fixed and resent to the SOS before that voter can be assigned an official SOS ID.
 - **House Number:** An optional field used to identify the house on a street.
 - **Secondary Indicator:** An optional 4 character US postal code identifying the residence in a multi-family home. The SOS to confirm that a valid designation has been provided checks this field. The SOS maintained voter registration database will reject voters with invalid secondary indicators.
 - **Street Name:** A required free format field used to store the name of the street
 - **Street Description:** An optional 4 character US postal code identifying the type of street. This field is checked by the SOS to confirm that a valid designation has been provided. The SOS maintained voter registration database will reject voters with invalid street descriptions.
 - **Pre Street Direction:** An optional compass direction used to prefix the street name. The SOS to confirm that valid designations have been provided checks this

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- field. The SOS maintained voter registration database will reject voters with invalid pre street direction designation.
- **Post-Street Direction:** An optional compass direction used to postfix the street name. This field is checked by the SOS to confirm that valid designations have been provided. The SOS maintained voter registration database will reject voters with invalid post street direction designation.
 - **Secondary Address:** An optional free format field, the second line of the address is used to provide legacy support for older addressing formats.
 - **City:** A required free format field that identifies the city
 - **Zip code:** an optional 5-digit field for identifying the US zip code associated with the address.
 - **State:** An optional free format field that identifies the state in which the address is located.
 - **Country:** An optional free format field that identifies the country.
 - **Country Postal Code:** An optional field used to contain a foreign “zip code”.
 - **Geo-code:** Two optional fields used to locate an address on the globe with precise longitude and latitude. These fields are for BOE/Vendors that track voter geo-code information as part of their system.
- **PO Box:** Under normal circumstances a PO Box is associated with a mailing address. A residence address should not include a PO Box. When only a PO Box is present, the PO Box information should be put in the street name.
 - **Dual Address:** Dual addresses contain both street and PO Box information. If possible, dual addresses should be split into their component residence and mailing addresses. If that is not possible the PO Box portion of the mailing address can be sent in the secondary address field.
 - **Valid Birth Dates:** All voter records must include a birth date. Birth dates must be provided in YYYY-MM-DD format. The SOS voter registration database will perform additional checks to ensure that the voter is old enough to vote. If the voter does not pass this check, the SOS will send back to the BOE the message “2803 Illegal birth date. This voter is not eligible to vote”. If the birth date is not known, a BOE should send 1800-01-01.
 - **Registration Dates:** All voter records must include a valid registration date. Registration dates are provided in YYYY-MM-DD format and must not be in the future. If a future registration date is encountered, the SOS will send the message “2804 Illegal future registration date” back to the BOE. If the registration date is not known, a BOE should send 1900-01-01.
 - **Unique county ID.** All new voter records must include a unique county ID by which the county can assign an SOS ID back to that voter. If a county attempts to load a voter that duplicates a county ID of another voter in the same county, the SOS will reject the voter and respond with a message like: “2820 ID (1234) already assigned in this county to voter John Smith born on 1980-01-01 registered on 2004-01-01” back to the BOE.
 - **Unique Political Districts:** Active voters must be assigned to exactly one precinct. If a voter is assigned to more than one of the same type of political district (e.g. precinct, ward, etc.) the SOS database will not load the voter and respond back to the BOE with a

message similar to “2821 Region PRECINCT may only appear once for a voter”. A BOE must fix this problem and resend the voter information before that voter will be accepted by the SOS database.

6.6. Bad XML

6.6.1. Definition

XML (Extensible Markup Language) -- is used to describe the structure of data, so anywhere that data is input or output, stored, or transmitted from one place to another XML may be used.

Bad XML refers to XML that is either not well formed or which does not pass schema validation with the current version of the SOS schema definition. XML must be sent in UTF-8 format to the SOS and it must begin with the XML version tag.

If multiple packets are transmitted in a single file then the individual packets when separated at the XML version tags should be well formed and valid.

6.6.2. How you find out about bad XML sent from a BOE

Currently the SOS system expects vendor programs to validate their XML before sending it. In this case the SOS assumes that any invalid XML is from a dubious source and rejects the packet after reporting an error to the SOS internal error system.

Currently these XML errors will be reported to the counties from which they came periodically as support staff has time to identify and send messages concerning the errors.

In the future the SOS software will be modified to respond with an SOS_ACK failure when bad XML is received which can be parsed to find a transaction number and which contains a transaction type to which an SOS_ACK is an appropriate response.

All other XML failures will generate an e-mail message to the contact_email address defined in the profile for that county.

6.6.3. How to correct bad XML in production

If bad XML is encountered prior to the change in the SOS system, the vendor may either close the transaction and resend as a new transaction with the issue fixed, or fix the issue and resend the original transaction. As the transaction is not recorded as being received in the current system, either approach will work.

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In the future, when the SOS acknowledges back bad XML packets the vendor will need to close the transaction and resubmit if the transaction originated on the BOE. If the transaction originated on the SOS, the BOE should close out the transaction and fix the problem. The SOS will resubmit their request if appropriate.

6.7. Political Regions

The SOS database currently tracks 16 different political region types. Four of these region types must be defined by a BOE before they can be used. The other 12 region types, which may cross county boundaries, have been defined and will be maintained by the SOS.

6.7.1. Defining County Regions

The BOE must define county court districts (CNTYCRT), precincts (PRECINCT), townships (TWP) and wards (WARD) with BOE_REG_UPDT XML before a voter can be assigned to these districts. BOE maintained political districts must conform to the following SOS naming rules.

1. BOE maintained districts must start with the two digit county code identifying the county that is submitting the new region to the SOS. This rule is in place to ensure that no two county's names overlap. If a BOE submitted political region does not follow this rule, the region will not be added and the BOE will be sent a message like the following one:

2401 Local district (AAA-1) must begin with 2 digit county code

Once this message is received the BOE may rename the region and then resubmit the region name to the SOS.

2. Precincts include additional naming constraints. Precinct names should include the SOS assigned precinct state code, normally a three-character designation like 'AAA'. Thus a valid precinct name should start with the county code and then be followed by the state code. An example where the county code is 27 and the state code is AAA follows:

27AAA

Given that the SOS defines state precinct codes, precinct name changes must always first include a step that gets the appropriate state code from the SOS.

If the SOS determines that your precinct names do not follow these guidelines, the state will require that you update your precinct names to conform to the standard.

6.7.2. Statewide Political Regions

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The SOS maintains the following political regions: Career Center, City, City School District, Congressional District, Court of Appeals, Educational Service Center District, Library, Local School District, Municipal Court District, State Board of Education, State Representative, State Senate, and Village.

6.7.2.1. Missing State Maintained Political Region

From time to time a BOE may notice that the state is missing a political region. When this happens the BOE should contact/e-mail the SOS Helpdesk and ask that this region be added to the list of legal regions. The SOS will review your request and either add the region or direct you to the correct district. Once the SOS has responded, you may add voters to the region.

6.7.2.2. BOE Name Change Request

As political regions change their name a BOE may realize that the name used by the SOS Central Voter Registration database is out of date. Should a BOE notice an old or incorrect name, the BOE should contact/e-mail the SOS helpdesk with the name currently being used, and why the BOE thinks the name is incorrect. The SOS will review your request and either change the name of the political region, stating on which date the new name takes affect, or confirm that the existing name is correct. If the existing name is found to be correct, the BOE should use that name. If the old name is changed, the BOE should use the new region name as of the date indicated. There is no need to reload region information to update the voter with the new district name, that change will take place automatically in the SOS database. The BOE just refers to the region by the new name after the cutover date.

6.7.2.3. SOS Changes Region Name

On occasion the SOS will update the names of statewide political regions. When this occurs the SOS will e-mail the affected BOE(s) with the details of the change and the date on which the name change takes affect. From that point forward, the BOE should use the new name when referring to this political region. No existing voter data needs to be updated for this change to take place.

6.7.2.4. SOS Removes State Defined Regions

In the event that a political region defined by the state is removed, the state will send e-mails to the affected counties informing them of the date on which this region will be deleted from the system. The affected BOEs must move the affected voters from the old state define regions to the new regions by that date.

6.7.2.5. SOS Adds State Defined Regions

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In the event that a new political region is added by the state, the state will send an e-mail to the affected counties informing them of the date on which this new region will be available for voters to be assigned and the date by which all affected voters should be moved to the new region. This change does require action on the part of the BOE to move the appropriate voters into the new regions.

6.8. Legal Lists

The SOS maintains a number of legal lists. These lists are used to ensure that the BOE is providing valid data to the SOS. BOE provided data elements that are checked against these lists include:

- Voter status
- Political district type
- Election type
- Registration location (included as part of the location statistics data)
- Party affiliation
- Registration type
- Address secondary indicator
- Street description
- Street direction.

6.8.1. Legal List Changes

Every once in a while the SOS may add or remove a code from one of these legal lists. For instance, when a new political party is recognized or an old is no longer recognized by the State of Ohio, the party affiliation list will be changed. When that happens, the BOE will have to update their locally maintained lists to reflect the change. Here's the procedure that should be followed when a legal list change is made.

6.8.1.1. Adding a New Value

1. SOS sends e-mail to all BOE's alerting the BOE of the change and of the date on which the change will become affective.
2. On the date of the notice, a BOE may wish to confirm the details of the change by issuing an XML BOE_CODE_RQST message to the SOS. The transaction returned from the SOS, SOS_CODE_INFO, will contain the complete list of legal values within the requested code type.
3. By the date specified by the SOS the BOE must change its system to use the new code.

6.8.1.2. Removing a Value

1. SOS sends e-mail to all BOE's alerting the BOE of the change and of the date on which the change will become affective.
2. BOEs may stop sending the code at any point. The return list from a BOE_CODE_RQST will not reflect the change until the affective date in the notification.
3. By the date specified by the SOS the BOE must change its system to remove the deleted code. If the change is not made, new data may be rejected by the SOS with an invalid code error.

6.9. Edit Checks

The SOS will check that first and last names do not contain illegal characters. Names must consist of A through Z with optional spaces, hyphens or apostrophes. If an illegal character is present in a voter's name and the BOE has not specifically told the SOS to skip the name check, the SOS will generate a message like "814 Last name has illegal character(s) (Smith7) " and send that message back to the BOE.

6.9.1. Invalid Name Sent to SOS

In the case where a data entry error occurs, and the name sent to the SOS contains invalid characters, the BOE should update their records to include the correct spelling of the voter and resubmit the voter to the SOS.

6.9.2. Valid Name Sent to SOS

In the case where the name entered is valid, the BOE should set the edit check over-ride switch (edit_fl within the XML packet with a value of 'Y') and resend the voter.

6.10. Response Time Requirements

BOE VRSs are required to meet performance standards. Any county or vendor that repeatedly fails to meet these performance standards may be required to update its system or loose its compliant standard with the SOS.

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6.10.1. Resolving Duplicates

BOE VRSs will be informed of potential duplicates as quickly as the state identifies them and can communicate them to the county system. The BOE is then responsible for researching the potential duplicate and resolving it. (This performance standard does not affect compliance status)

6.10.1.1. Intra-County

Duplicates located between two or more counties must be resolved within 6 weeks of notification. (Duplicates identified during initialization are exempt from this time limit but should be handled as quickly as possible.)

6.10.1.2. Inter-County

Duplicates located within the same county must be resolved within 4 weeks of notification. (Duplicates identified during initialization are exempt from this time limit but should be handled as quickly as possible.)

6.10.2. XML Error Correction

Data errors that result in bad XML packets should be corrected within 2 business days of receiving notification. Bad XML packets that result from programming errors in the vendor's code should be reported to the SOS and a schedule identified for correction and re-compliance testing of the vendor system.

6.10.3. Packet Resend Times

Packets that require a response should be automatically resent with the same transaction number if a response is not received within an appropriate time frame. The following tables contain recommended time out periods by message type:

6.10.3.1. BOE VRS Transaction types

Packet Type	Purpose	Resend Time Out (in minutes)
BOE_CODE_RQST	Update legal list	30
BOE_ELECTION_RQST	Receive election ID	30
BOE_ELECTION_VOTERS	Updating voting history	7200
BOE_INIT	Updating authentication information	30

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BOE_LOC_STATS	Updating voter registration location statistics	30
BOE_REG_UPDT	Updates county defined political districts	30
BOE_REG_VOTERS	Update political districts for a single voter	30
BOE_VR_NEW	Transmit a new voter to the SOS	30
BOE_VR_UPDT	Transmit changes to a voter to the SOS	30
BOE_VR_INIT	Initialization of voters to the SOS	2880
BOE_VR_MERGE	Merge an old voter under a new state id	30
BOE_WAIT	Requests the SOS system to wait before sending more data or to resume after waiting	30

NOTE: Response time to BOE VRS will vary depending on the number of transactions packed into a file and the number of counties actively sending data. Large files (large numbers of packets in a single file) will take longer to acknowledge but will transfer more quickly. The vendors need to balance between size of file and resend time.

6.10.3.2. SOS Transaction types

When the SOS sends a transaction to a BOE VRS and does not receive a response within an appropriate time frame the packet will be resent with the same transaction number. The following list shows the approximate times between resends for the SOS originated transactions:

Packet Type	Purpose	Resend Time Out (in minutes)
SOS_INIT	Updates authentication information	30
SOS_REG_RQST	Auditing request for a list of voters in a political district	60
SOS_VR_DUPLICATE	Notification of the existence of a	60

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	potential duplicate. BOE_ACK must be returned to acknowledge receipt	
SOS_VR_ID	Notification of State Id for a new voter	2880 during initialization 60 normal production
SOS_VR_RQST	Auditing request for voter information by state id number	60
SOS_WAIT	Request for BOE VRS to stop sending information until further notice or a request to resume sending data	30

6.10.4. BMV Not Confirmed

A message of NOT_CONFIRMED indicates that the voter's information could not be verified with the BMV. Voters that are not confirmed should have their information updated to allow for confirmation.

6.10.5. BOE VRS Registration Location Statistics

The SOS will request updated registration location statistics from the counties by e-mail. The date by which the information must be sent will be specified in the e-mail. BOE VRSs must send this information as a BOE_LOC_STATS packet by the specified date.

6.10.6. Voting History Upload

BOEs will be informed of the day on which they are to upload voting history from their system to the SOS. Election results must be sent on the specified day before 4:00pm. The SOS will stagger the upload dates for counties to balance the load on the SOS system.

6.10.7. General Responsiveness

Vendor's software should respond to all messages as quickly as possible. If an ACTIVE BOE VRS consistently fails to respond to messages within one hour of receipt the vendor software may face de-compliance.

6.11. Audit Checks

To maintain synchronization between the county and state databases periodic automated auditing requests will be sent from the SOS to the various BOEs. These requests consist of SOS_REG_RQST that indicate a political district to be reported. It requires a response of a BOE_REG_LIST with the list of state voter ids in that political district in that BOE.

The SOS_VR_RQST passes a specific state voter id and requires that the BOE respond with the current voter information in a BOE_VR_INFO XML transaction.

6.11.1. Frequency of Checking

The SOS will be transmitting SOS_REG_RQST on weekly basis. Counties with no audit errors may see this rate drop. SOS_VR_RQST packets will be sent periodically for a percentage of the voters.

6.11.2. Resolving Audit Issues

The SOS auditing system will make adjustments to auditing results to compensate for in-transit changes and request a new audit report once the in-transit changes are loaded. Errors in audits not related to in-transit transactions should fall into one of the following categories:

- Omissions: Voters that should have been sent but were excluded from the BOE_REG_LIST and BOE_VR_INFO packets.
- Additions: Voters that are not currently listed in the region for the state but appear in a BOE_REG_LIST.
- Differences: Voters whose information is different from that on file with the SOS.

All auditing errors will be assumed to be the result of the vendor software not transmitting updates to the SOS in a timely manner. Excessive audit problems (more than 0.01% of registered voters in a county over a four month period) may result in the BOE/vendor losing their compliant status.

6.11.3. Manual Audits

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Periodically the SOS may perform manual audits of BOE poll books against the centralized database. These audits will require the BOE to provide a printout or electronic copy of one or more precinct poll books to the SOS for manual validation. If the SOS determines that voters are appearing on the printed poll book that are not in the centralized database, or the poll book contains different information from the centralized database, the VRS software may face de-compliance.

6.12. BMV Not Confirmed Results in Second SOS_VR_ID

On BOE_VR_INIT, BOE_VR_UPDT and BOE_VR_NEW packets the SOS may send a second SOS_VR_ID packet to the county if it determines that it cannot confirm the voter with the BMV and there are no potential duplicates for the voter.

6.13. Initialization

County initializations are expected to run without interruption, until completion. Any BOE VRS work (adding new voters, changing voters, etc.) that occurs during this process should be queued and sent after the county has completed initialization. Therefore the SOS will only allow the BOE VRS XML message types required to complete initialization while in this phase. The most important XML message restrictions follow:

1. BOE VRS's are not permitted to send BOE_WAIT transactions during initialization
2. BOE VRS's are only allowed to send exactly one BOE_INIT transaction, the first message sent, and then no more until after the BOE VRS has gone ACTIVE.
3. No HEART_BEAT messages will be sent during initialization
4. No other message types besides BOE_REG_UPDT, BOE_VR_INIT and BOE_REG_LIST will be accepted while a county is in the INITIALIZED state

Each county will load its voter list once, at the point they connect to the SOS Centralized Database. To facilitate this connection each BOE should perform the steps in the order listed.

6.13.1. Step 1 – Manual Connectivity Check with SOS

As the first initialization step a BOE VRS must confirm that they have FTP connectivity to the SOS. The SOS will provide setup instructions to include a server IP address, ftp username, password, and a directory that the BOE VRS should use to test an FTP login. Similarly, the BOE should provide the same information to the SOS. If both the BOE VRS and SOS can successfully establish manual ftp connections and transfer a sample one-megabyte text (not an XML) file, the process moves on.

6.13.2. Step 2 – Provide SOS with Voter Count

The BOE must provide the SOS with a count of the number of voters eligible to vote in their county. This count will be used later to confirm that all voters have been successfully loaded into the SOS database.

6.13.3. Step 3 – Exchange Connectivity Info with SOS (BOE_INIT/SOS_INIT)

The BOE VRS starts the initialization process by sending a BOE_INIT XML transaction. This transaction provides the SOS with the FTP connection information it will use to send data back to the BOE VRS. The SOS responds to this BOE_INIT transaction with a reciprocal SOS_INIT transaction. Once the SOS_INIT transaction has been acknowledged, both BOE VRS and SOS have the connectivity information required to communicate with each other.

6.13.4. Step 4 – Create Local Political Districts (BOE_REG_UPDT)

The BOE VRS must now create all of the local/county maintained political districts. Locally maintained district types include PRECINCT, WARD, CNTYCRT and TWP. Once the SOS has successfully acknowledged all of these transactions you can move on to the next step.

6.13.5. Step 5 – Send Voters (BOE_VR_INIT)

The BOE VRS now sends the SOS BOE_VR_INIT transactions for every voter that is eligible to vote. Number of voters sent should agree with those reported in step 2. SOS will respond to each BOE_VR_INIT packet with an SOS_VR_ID message that assigns the voter in question their unique state voter ID. Once the BOE VRS (BOE_ACK) has acknowledged all of these assignments (SOS_VR_ID) this step has completed.

6.13.6. Step 6 – Confirm SOS Sync - Respond to SOS Audit Requests

The SOS will submit an SOS_REG_RQST XML packet for each precinct in the county. The BOE VRS responds with BOE_REG_LIST packet. Once a BOE VRS has successfully responded to all the audit requests the step has been completed.

6.13.7. Step 7 – Adding Missing Voters During Initialization

The BOE may become aware that a number of voters were missed in their load. If that is the case, they should send them now using the BOE_VR_INIT transaction. Later, after the county has gone ACTIVE, a BOE VRS must add missing voters using the BOE_VR_NEW transaction. Any voter that has been added with a BOE_VR_INIT must be acknowledged before the county can move to the next step.

6.13.8. Step 8 – Decision to Move BOE VRS to ACTIVE status

The SOS will now look at all open issues with the BOE VRS. If there are an unacceptable number of open issues (>.1% of voters), the SOS Director of Elections, may elect to back-out the load and direct the BOE to fix the issues. If the SOS decides to move forward, the county will be

placed in an ACTIVE status and all remaining open issues will need to be resolved with the county in that status. What this means is that missing voters will need to be sent in BOE_VR_NEW transactions instead of the BOE_VR_INIT transactions used during the initialization phase.

6.13.9. Step 9 – Normal operations begin

The SOS will send the county an e-mail indicating that they are now ACTIVE with normal operations beginning. One of the first transactions that the BOE VRS will receive from the SOS is a HEART_BEAT. The SOS will no longer respond to BOE_VR_INIT while it will respond to all the other message types prohibited during the initialization phase, e.g. BOE_VR_NEW, BOE_VR_UPDT, etc.

6.14. Election Request/Voting History

The SOS will require that the BOEs provide the list of voters that participated in SOS identified elections. The process that the SOS will use to identify those elections for which these results are required is as follows:

6.14.1. Step 1 – Identify Elections for Which Voting History is required

The SOS will periodically send out an e-mail that will identify all elections for which results are required. If the election in question is not in this list, no results need to be submitted to the SOS. The same process can be followed for statewide petitions. These petitions will be identified in the same manner as elections.

6.14.2. Step 2 – Request the Election ID

Before sending the results of an election the BOE VRS must use the election name identified in the e-mail to obtain that election's unique ID. Sending an XML BOE_ELECTION_RQST packet to the SOS performs this task. The SOS will respond with the ID in an XML SOS_ELECTION_ID.

6.14.3. Step 3 – Submit Voting History

Once the BOE has the unique election ID it must send an XML BOE_ELECTION_VOTERS transaction for each voter that voted in that election. In the case of a primary election, the voter's party affiliation needs to be sent as well.

6.15. Location Statistics

From time to time the SOS will ask the BOE to provide location registration statistics. The process by which the SOS collects this information is as follows:

6.15.1. Step 1 – SOS Requests Location Statistics

The SOS will periodically send out an e-mail that will request registration location statistics for a date range.

6.15.2. Step 2 – BOE VRS Provides Location Statistics

Once the BOE receives such a request, it should send a BOE_LOC_STATS transaction for each calendar month in the date range requested.

6.16. Communication Issues

The Central Voter Registration system includes a message type to check that communications stay up between a county and the central database.

6.16.1. Heart Beat Hold

The system includes a heart beat transaction that bounces back and forth between the county and state computers. The state expects that a county will respond to a heartbeat whenever one is sent. If for some reason the county VRS fails to respond in a timely way, another heart beat will be sent. If three consecutive heart beat transactions have been sent with out the state receiving a response, the state system will indicate that the county is non-responsive and put it on “Hold”. Once a county has gone on Hold, no other XML files will be transferred to that county until it comes off Hold. A county is taken off hold after a well-formed XML transaction has been received from that county. The reception of this transaction signals the state to resume normal activity.

A county VRS may fail to respond to the heart beat transaction for the following reasons:

- **BOE FTP Server Down:** If the BOE VRS ftp server is crashed or was not successfully started, the SOS will be unable to successfully transfer the heart beat transaction to the county.
- **BOE VRS Software Problem:** If the BOE software fails or is not running properly, it may not be able to respond to the heart beat transaction.
- **Network Problem:** If there is a network problem ftp communication may be affected. Network problems may occur during power and equipment failures.

6.16.1.1. Troubleshooting Communication Issues

- First determine if the BOE FTP server being down causes the issue. The vendor should provide information on how to check the status of the FTP server on their system. If the FTP server is down, use the vendor specified procedure to restart it. If communication resumes, you are done.

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- If the FTP server is operational, determine if the vendor software is operating. Use vendor specified methods to determine if the software is operational and restart if it is necessary. If communication resumes, you are done.
- If all BOE VRS side components are operating normally contact the SOS Helpdesk to determine if there is a network problem or other SOS side issue.

6.16.2. Unresponsiveness Metric

The SOS will track the number of times a BOE is placed on Hold. If the SOS finds a county repeatedly going on hold it may elect to move to decertify that county's voter registration system.

6.16.3. County Hold

The state may place a county VRS on Hold when it discovers that the county is no longer able to respond to state initiated heart beat transactions. In no case should the county VRS place the state on an equivalent hold. If a county does not receive a response from the state, it must continue to resend until the SOS successfully responds to the message. The county placing the state on Hold can result in that county being continuously out of communication.

6.17. Planned Downtime-Wait

On occasion it may be necessary for the State or a BOE to perform system maintenance. If the planned maintenance will affect the ability to respond or initiate XML transactions the maintenance should include a step that informs either the state or the county that no messages should be sent until further notice.

6.17.1. BOE VRS Maintenance

When a BOE knows that it will be performing an activity that will disable or compromise its ability to actively participate in the voter registration communication network, that county should place the BOE into a WAIT state. Sending the state a BOE_WAIT message with a wait_state of 'Y' does this. Once the state receives this message it will acknowledge the reception of the BOE_WAIT transaction and then stop sending information until after the BOE has sent another BOE_WAIT transaction stating that normal communications should resume (wait_state of 'N'). A BOE_WAIT may not be sent if the state has the county in an SOS_WAIT.

6.17.2. State Maintenance

When the state knows that they will perform maintenance that will impact the availability of the system, the state will issue an SOS_WAIT transaction to the county. The county should acknowledge that transaction and then queue up any new messages that need to be sent to the SOS. Once the state has sent another SOS_WAIT transaction, removing the wait status, the county can begin sending the queued transactions.

6.17.3. Wait Policy

BOE VRS wait transactions should only be sent when maintenance activity is being performed. Placing a BOE VRS in wait at the close of every business day is a misuse of this packet. The SOS is planning on using off hours to perform BOE VRS auditing and other tasks. Placing a server in wait will interfere with this usage.

The SOS will be tracking the BOE VRS wait environment usage. If the SOS determines that the BOE VRS is going on wait too often they will inform the BOE of that fact and request a change. If the SOS notices no significant change, the SOS may choose to start the process by which the BOE voter registration system is decertified.

6.18. Communication Changes

Periodically it may be necessary for the BOE or SOS to change communication parameters.

6.18.1. BOE Password, FTP Directory, or Contact e-mail Changes

Password, directory or contact e-mail address changes will occasionally occur. When they do, the BOE should send the SOS a new BOE_INIT transaction with all this information included. The SOS will acknowledge the change, and starting with that acknowledgement and going forward, uses the new information. For best results, the BOE should send the packet to update the information to the SOS, and then change the information on the server. This will give the SOS an opportunity to NACK back a bad packet before the information is changed. If the BOE_INIT is successful, the acknowledgement will not be received until the information is changed on the server.

6.18.2. BOE IP Address Change

A BOE may not change its SOS assigned FTP server IP address. If new hardware is required, the new hardware should be assigned the old IP address.

6.18.3. SOS FTP password or Directory change

Similar to BOE communication changes, SOS configuration changes need to be communicated to the BOE. That communication occurs through the SOS_INIT transaction. When the SOS_INIT transaction is received, the BOE should acknowledge the message using the newly specified parameters.

6.18.4. SOS IP Address Change

The SOS will not change its FTP server address. If new hardware is required, the new hardware will be assigned the old IP address making the change transparent to the BOE.

6.19. VRS Software Changes/Recompliance

6.19.1. VRS Software Changes – Recompliance

The Secretary of States Office requires that vendor software pass a compliance test prior to being available for use by the BOEs. This test checks that the vendor's communication software and VRS operate in a manner that is compliant with the state's specification. Once a vendor has passed compliance, that version of the software may be used by a BOE. There are two conditions that result in a vendor having to retake the compliance test. These are described in detail below:

6.19.1.1. Software Changes

Changes to the communication software or of the VRS if the communication software is integrated into the VRS require the vendor to pass a compliance test prior to making the new version generally available to other customers. Vendors may release beta versions of their software in one or more counties to verify that the software is working correctly prior to a compliance test and general release, but a new version will not be considered compliant until it passes the state administered test.

A compliance test is always taken from start to finish, finding as many errors as can be determined for the vendor's software. A compliance test does not stop because of errors unless the system is incapable of proceeding with the tests.

If a vendor fails a compliance test (is not able to perform all of the defined operations) that vendor must test in the Sandbox (the Sandbox is an SOS provided environment where vendors can test their VRS functionality) showing that the issues have been dealt with and reschedule another compliance test in the future after the problems have been corrected. A follow-up test can be scheduled no sooner than two days after the completion of the previous test.

6.19.1.2. Consistent Failure to Meet System Performance Requirements

The Secretary of States office has defined a number of response and performance criteria that vendors must meet in order to maintain their "compliant" status. If a vendor's software is repeatedly failing to meet these standards, the Secretary of State's office can withdraw the vendor's compliant status and require the vendor to improve their system and perform a new compliance test. A vendor's software may be used provisionally for up to six months after a compliant status is withdrawn. If the vendor fails to produce software that can consistently meet the performance standards in that time frame, the BOE must replace the software with a compliant vendor's product.

If a county consistently fails to meet the response and performance criteria with a vendor's software that achieves these criteria in other counties, a county must address this performance issue with the vendor or change vendors.

6.20. Change Notification

6.20.1. Communicating Changes to the SOS Database

Any changes to registered voters must be transmitted to the Secretary of States Centralized database in an expedited manner. The actual language in HAVA Section 303 (a)(1)(B)(vi) is *“All voter registration information obtained by any local election official in the State shall be electronically entered into the computerized list on an expedited basis at the time the information is provided to the local official.”* Therefore, all VRS systems, in order to be compliant with HAVA must send changes to the voter registration information as quickly as that information is being entered into their system. In other words, changes in voter registration information should not be accumulated and communicated on a daily or weekly basis but should be sent to the centralized database as quickly as that information can be written and transmitted. Information may be accumulated for short periods of time (such as 1 minute) to improve network communication, but longer delays are prohibited.

6.20.2. New Voters

Once new voters information has been committed into a BOE VRS that VRS must transmit the voter information to the centralized database in an expedited manner. The information must include a unique key from the county that can be used to tie the response from the state to the actual voter. The state will immediately acknowledge receipt of new voter information, and upon completing the external database confirmation and duplicate checking, will return a state id number that should be assigned to that voter. This value described in the section above on data formats must be unique within the local database and should not be used as a foreign key within the vendors system. This value may be changed at a later date if the voter is found to be a duplicate with an older existing voter in the system.

6.20.3. In-process Flag

Once a BOE_VR_NEW packet has been sent for a new voter that voter should be flagged as “IN PROCESS” (this does not affect the voting status). “IN PROCESS” means that no other changes made to this voter should be communicated to the SOS until the state id has been provided. Once the state id has been provided the current state of the voter should be sent to the SOS in a BOE_VR_UPDT packet if the voter has changed while in the “IN PROCESS” status. “IN PROCESS” is a flag separate from a voter voting status and simply indicates that changes should not be sent because the voter is in the process of being assigned a state id.

6.20.4. Changes to Voters

Any time there is a change to a voter in a county VRS system that the SOS system tracks, that change should be communicated to the SOS system. The sections below indicate which changes

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the SOS tracks. All changes must be sent in a timely manner. If two or more changes are made to a voter in a short period of time (several seconds) it is only necessary to send the final values for the voter. The SOS does not need to see every detail of the BOE edit fixes. For instance, if a BOE enters a voters name with a typo and then immediately goes back in and corrects the typo, if the first change has not been sent before the second change occurs; only the second or current values for the voter need to be communicated.

6.20.4.1. What changes trigger an update

The following voter attributes shall trigger an update to the SOS if they are changed by the BOE VRS system:

XML Tag Name	Definition
Boe_voter_id	The unique identifier in the county system for this voter
Last name	Voter's last name
First name	Voter's first name
Middle name	Voter's middle name
Name_suffix	Voter name suffix such as JR, SR, III
Birth_da	Voter's date of birth, if unknown 1-Jan-1900 should be sent
Registration_da	Voter's date of registration If unknown 1-Jan-1900 should be sent
Registration_type	MAILIN or OTHER
Voter_status	Changes in the voter's status between one of ACTIVE, CONFIRMATION, DEAD, INCARCERATED, INCOMPETENT, REMOVED
Bmv_id	Voters driver's license or state id number
SSN	Voter's social security number
SSN4	Last 4 digits of the voter's SSN
Phone	Voter's phone number
Birth_city	City where voter was born
Birth_state	State where voter was born
Birth_country	Country where voter was born
House_number	Address number in residence or mailing address
Secondary_indicator	Designation in multi-family dwellings in residence or mailing address
Street_name	Name of the street in residence or mailing address
Street_description	Legal list values of ST, RD, etc in residence or mailing address
Pre_street_direction	Compass direction before a street name in

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	residence or mailing address
Post_street_direction	Compass direction after a street name in residence or mailing address
Secondary_address	A second line of address information in residence or mailing address
Secondary_address_range	The number or letter used in multi-family dwellings in residence or mailing address. In "APT B" the secondary_address_range is "B"
City	City name in residence or mailing address
State	State name in residence or mailing address
Zip_co	Five digit zip code in residence or mailing address
Zip_co4	Additional four digits of nine digit zip code in residence or mailing address
Country	Country if not US in residence or mailing address
Country_postal_code	Postal code for country other than US in residence or mailing address
Geo_co	Longitude and Latitude values if they are tracked by the BOE VRS in residence or mailing address
Voting_regions	Changes in political regions for the voter that is tracked by the SOS. If only political regions are changing for the voter a BOE_REG_VOTERS packet should be sent.
Exclude_duplicates	If the list of potential duplicates for a voter that have been confirmed to not be real duplicates has changed, this needs to be updated to the SOS.

6.20.4.2. What must be included in an update packet

When the information on a voter is changed, all the current information for that voter must be sent to the SOS, not just the changed information. If fields are left out of the packet they will be set to NULL in the current record for the voter. I.e., if a voter's last name changes and an update is sent with only the last name, all the other data for that voter will be cleared. Every update message should contain all the current data for that voter.

6.20.4.3. Status changes that trigger an update

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If the voting status for the voter changes from one of the values in the following list to a different value in that list it must be communicated (ACTIVE, CONFIRMATION, DEAD, INCARCERATED, INCOMPETENT, REMOVED). If there were an internal status change that does not cause a change in the status that would be sent to the SOS. For instance a provisional voter is sent to the SOS as ACTIVE. That voter is later changed to an ACTIVE status. This change does not need to be communicated, as the SOS will see no change in that voter.

6.20.4.4. Duplicate Resolutions that trigger an update

When a county resolves a duplicate (see duplicate resolution section) there must either be a BOE_MERGE or a BOE_VR_UPDT to communicate this status change to the SOS for each voter involved.

6.20.4.5. BMV Confirmation that trigger an update

Updating other identification information for the voter and resubmitting the changes to the SOS for confirmation is the only way to change the BMV CONFIRMATION flag of a voter. Changes to information such as the name, birthday, SSN, BMV_ID or Address always require an update packet.

6.21. Duplicate Resolution

Part of the charter of HAVA is the statewide detection and elimination of duplicate registrations. To this end, the state's central voter database will identify potential duplicate registrations based on the following criteria:

Type of Match	Criteria Checked
Exact Match	First name, last name, birthday, SSN and BMV ID
Potential Match	First name, last name, birthday
Potential Match	SSN
Potential Match	BMV ID

Once the SOS notifies the county of a potential duplicate the county should begin the process of determining if the voter is an actual duplicate or not a duplicate. This process needs to be performed in an expeditious manner. The SOS will be monitoring how long counties are taking to resolve duplicates and notifying them of slow resolutions.

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In the examples below we assume that the voters are in different counties, if a voter duplicate situation occurs within a county, the same procedure should be followed. Simply substitute “Existing voter” for county 01 and “New or updated voter” for county 02.

The following sections give more details on the duplicate resolution process:

6.21.1. Exact Match

If a voter matches on all of the identification criteria specified in the above table they are considered to be the same voter. In this case the SOS will send an SOS_VR_ID packet with the matching voters state ID and a status of DUP_RESOLUTION. The following diagrams are intended to show the process, time is progressing as you go down the page in these examples.

County 01	County 02
Enters voter with county id 13 gets back state id OH0010000001	
	Enters voter with county id 37 with matching values for voter OH0010000001 in all five identification fields.
Receives SOS_VR_DUPLICATE with information about the voter added in county 02. State id is OH0010000001 for the primary voter and the secondary voter in this packet.	Receives SOS_VR_ID with the state id of OH0010000001 and a status of DUP_RESOLUTION. There are no duplicates in the duplicate list for this packet.
County investigates the duplicate status and determines that voter is no longer in their county	County investigates the duplicate status and determines that the voter has recently moved from county 01
County updates voter status to REMOVED indicating that he is no longer in their list of eligible voters.	
	County updates their voter to ACTIVE status, which moves the voter to county 02 and clears the DUP_RESOLUTION flag.

If county 02 perform their update before county 01 performs theirs they will receive a message indicating that the voter is not in their county. They should wait until after county 01 has performed their REMOVED status update.

If county 02 discover their registration is the old one, they need to set their voter to REMOVED and county 01 needs to update their voter to ACTIVE.

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In the rare event that a voter might accidentally be entered with incorrect information that just happens to be an exact match for another voter in the state, the county that entered the incorrect information should fix their data and clear the state id. Then send the voter again as a BOE_VR_NEW with correct information. The other county should simply update to ACTIVE.

Alternatively, since the identification information for the voter is exactly the same as the current voter, the county could mark their voter as REMOVED and add a new voter with the correct information.

6.21.2. Actual Duplicate

In the event that a potential duplicate notification is determined to be an actual duplicate the following procedure should be followed. Again the example shown should be viewed as time increasing down the page.

County 01	County 02
Enters voter with county id 13 gets back state id OH0010000001	
	Adds a new voter with county id 37 with key values that indicate a potential match with OH0010000001
Receives SOS_VR_DUPLICATE with information about the voter added in county 02. State id is OH0010000001 for the primary voter and OH0010000002 is the secondary voter in this packet.	Receives SOS_VR_ID with the state id of OH0010000002 and a status of DUP_RESOLUTION. The voter in county 01 is listed in the duplicate list of this packet.
County investigates the duplicate status and determines that voter is no longer in their county	County investigates the duplicate status and determines that the voter has recently moved from county 01
County sends BOE_MERGE with OH0010000002 as the SOS_VOTER_ID and OH0010000001 as the BOE_MERGE_ID	
	County updates their voter to ACTIVE status, which clears the DUP_RESOLUTION flag.

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If county 02 perform its update before county 01 performs the MERGE then both counties will possibly receive another duplicate message for the same voter. If this happens, wait for county 01 to complete the MERGE and then resend the update.

6.21.3. Not a Duplicate

In the event that a potential duplicate notification is determined to **NOT** be an actual duplicate the following procedure should be followed. Again the example shown should be viewed as time increasing down the page.

County 01	County 02
Enters voter with county id 13 gets back state id OH0010000001	
	Adds a new voter with county id 37 with key values that indicate a potential match with OH0010000001
Receives SOS_VR_DUPLICATE with information about the voter added in county 02. State id is OH0010000001 for the primary voter and OH0010000002 is the secondary voter in this packet.	Receives SOS_VR_ID with the state id of OH0010000002 and a status of DUP_RESOLUTION. The voter in county 01 is listed in the duplicate list of this packet.
County investigates and determines that their voter is not a duplicate and is still in their county	County investigates the duplicate status and determines that the voter is not a duplicate and is still in their county
County updates their voter to ACTIVE includes voter id OH0010000002 in the EXCLUDE_DUPLICATES section of the packet	County updates their voter to ACTIVE includes voter id OH0010000001 in the EXCLUDE_DUPLICATES section of the packet

6.21.4. Duplicating with Removed, Ineligible or Deceased voters

Because HAVA requires that voter's state ids be persistent (even if they move out of state and then come back) the SOS system must track voter ids until the person is confirmed dead, for a certain period of time. Because of this requirement a county might from time to time receive a duplicate notice for a voter who is not ACTIVE. If the voter is still on the books in another

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county (INCARCERATED, INCOMPETENT, DEAD) then the procedure is the same as that mentioned above for ACTIVE or CONFIRMATION voters.

If a duplicate occurs with a voter that is marked REMOVED in county A and the voter is still in county A's system, that county should update the voter to ACTIVE status. This will result in an SOS_VR_DUPLICATE being sent to the counties for the pair in question. County A should then perform the appropriate action on that voter. Either MERGE or UPDATE with exclude duplicate list.

If the voter is marked REMOVED and is no longer in a county system the process has to be performed differently. The county that has the current record must merge the old voter into their new voter. You can identify a removed voter from the message text that comes with a duplicate packet. The message should end with "current status of REMOVED."

In the removed voter case the county from which the voter was removed will not receive a notification of the potential duplicate. Only the county whose BOE_VR_NEW or BOE_VR_UPDT packet triggered the duplicate will receive a packet. If the voter is determined to be a duplicate with the REMOVED voter the county with the new registration should MERGE the REMOVED voter id into their id. In this case the county sending the merge request will put its state id in the SOS_VOTER_ID field and the other county's state id in the BOE_MERGE_ID field. This is the opposite of how you would normally do a merge. You can only merge another county's voter into one of your voters if the other county's voter has a status of REMOVED.

If the identified voter is not a duplicate you follow the normal procedure of updating the voter to ACTIVE and include the state id of the REMOVED voter in the EXCLUDE_DUPLICATES section.

6.21.5. Multiple Duplicate Scenario

Occasionally a new or updated voter will result in multiple duplicates within one or more counties. There are two approaches to resolving duplicates in this case.

6.21.5.1. Multiple Resolutions

If a county receives notification of two or more duplicates for a voter and they are able to resolve two or more of them at once, they can do this. There are two options in multiple resolutions.

6.21.5.1.1. Voter is not a duplicate

In this case, if the county identifies that voter A is not a duplicate with voter B, C, etc then they can send the entire list voter id's in a single update EXCLUDE_DUPLICATES list. This will result in all the voters being added to the database as not duplicates for this voter.

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6.21.5.1.2. Voter is a duplicate

If the county would normally merge their voter into another county's voter they should do only that step. There is no need to identify EXCLUDE_DUPLICATES for voters who are going to be MERGED.

If another voter is going to be MERGED into this county's voter have them complete that step before proceeding to update the voter with any other ids that identified as not duplicates.

6.21.5.2. Single Resolutions

If a county receives notification of two or more duplicates for a voter they can choose to simply work on and resolve one at a time. If voter A is identified as a potential duplicate with voter B, C, etc, when they update voter A saying they are not a duplicate with voter B they will receive a new duplicate packet (if appropriate) indicating that voter C, etc. are duplicates. Each case can be processed individual and the state will resend any remaining duplicates to the county. Once a voter is updated to ACTIVE their DUP_RESOLUTION status should be cleared even if only one duplicate out of a list of duplicates was handled. The SOS system will reset the DUP_RESOLUTION flag if there are still unresolved duplicates. (see vendor diagram in Appendix A).

6.21.5.3. Within County Duplicates on BOE_VR_INITs

When loading BOE_VR_INITs it is possible, if there are duplicates within the county, that each of those voters will receive two duplicate transactions, one from the first voter's BOE_VR_INIT transaction and one from the second voter's BOE_VR_INIT transaction. This only happens during initialization and only one of the duplicates needs to be resolved.

Note: In all cases where a duplicate voter involves more than one county, the counties involved must work together to resolve the duplication. Otherwise, neither county will have an accurate database, which will effect the production of poll books and voter management during an election.

7. Election Complaint Procedure

Pursuant to Section 402 of the *Help America Vote Act of 2002*

Section 1. Authority.

These complaint procedures are established as required by the Help America Vote Act of 2002 [hereafter referred to as HAVA], P.L. 107-252, Section 402, and in accordance with the Ohio State Plan created pursuant to HAVA.

Section 2. Purpose.

These rules are promulgated to establish State-based uniform, nondiscriminatory administrative complaint procedures under which all complaints alleging violations of Title III of HAVA, sections 301 through 312, may be promptly and efficiently resolved and all complaints of merit will be appropriately remedied by the State of Ohio.

Section 3. Definitions.

As used in this complaint procedure, the following terms shall have the following meanings:

- (A) “Complainant” means the person who files a complaint under this chapter.
- (B) “Federal election” means a primary, special primary or general election at which a federal office appears on the ballot, but does not include a presidential preference primary.
- (C) “Respondent” means any state or local election official whose actions are asserted, in a complaint under this chapter, to be in violation of Title III.
- (D) “State or local election official” means the Secretary of State, any member of a county board of elections, or any person employed by either the secretary or a county board of elections whose responsibilities include or directly relate to the administration of any federal election.
- (E) “Title III” means Title III of the Help America Vote Act of 2002, Public Law 107-252, 116 Stat. 1666 (2002), codified at 42 United States Code §§15481-15485.

Section 4. Applicability.

- (A) Any person who believes there is a violation of any provision of Title III of HAVA (including a violation that has occurred, is occurring, or is about to occur) may file a complaint.
- (B) These procedures shall apply only to complaints raised under Title III of HAVA.

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(C) Other complaints related to the conduct of elections shall be raised with the responsible public official(s), United States or Ohio prosecutors, or the Ohio Secretary of State as appropriate under 42 U.S.C. § 1973 et seq.; 42 U.S.C. § 12101 et seq.; 42 U.S.C. § 701; and other applicable laws.

Section 5. Form of Complaint.

- (A) The Secretary of State shall establish a complaint form to be used, although complaints received in substantially the same form and meeting all the legal requirements of subsection (B), below, shall be accepted.
- (B) At a minimum, the complaint shall be in writing, signed and sworn to by the person making the complaint, and notarized. The complaint must set forth the complainant's name, mailing address and telephone number, and each alleged violation of Title III of HAVA, and must include a clear and concise description of each alleged violation that is sufficiently detailed to apprise both the respondent and the decision maker of the nature of each alleged violation.
- (C) The complaint may name witnesses to the alleged violation and include their written statements; may include documentary evidence supporting the allegations; and may also identify the sections, subsections, and paragraphs of HAVA alleged to have been violated.

Section 6. Place and Method of Filing Complaints.

The complaint shall be filed, along with adequate proof of mailing or delivery of a copy of the complaint to each Respondent, with the Office of the Ohio Secretary of State, Elections Division, 180 E. Broad Street, 15th Floor, Columbus, Ohio 43215. Telephonic, electronic, and facsimile complaints will not be accepted. There is no fee for filing a complaint.

Section 7. Service of Papers on all Parties.

- (A) When a complaint alleges violations by a county board of elections, the Secretary of State or the Secretary's designee shall promptly transmit a copy of the complaint to the county board of elections and permit the board to respond on its own behalf.
- (B) A copy of each piece of correspondence between the complainant and the county board of elections, the Secretary of State, the Secretary's designee, or the hearing officer, shall be filed with the Office of the Secretary of State. Copies of the correspondence and filings shall simultaneously be mailed to the hearing officer, if his or her identity and address are known, and to the opposing party, if any.

Section 8. Maintenance and Confidentiality of Official Agency Record.

- (A) The Secretary of State shall be the official custodian of the record of each complaint.
- (B) The record shall contain:

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- (1) A copy of the complaint, including any amendments made with the permission of the Secretary of State or the Secretary's designee;
 - (2) A copy of any written submissions by the complainant, respondents, or other interested persons, including any responses or replies thereto permitted under the schedule or by the Secretary of State or the Secretary's designee;
 - (3) Copies of all notices and correspondence with regard to the complaint;
 - (4) Originals or copies of any tangible evidence produced;
 - (5) The results of any investigation conducted;
 - (6) Other documents received or generated by the Secretary of State, his or her designee, or the hearing officer, concerning the substance and/or procedure applied to resolution of the complaint; and
 - (7) A copy of any final determination made regarding the complaint.
- (C) All records are confidential until there is a final resolution of each complaint. If the complainant makes a timely request for a hearing, the record shall be confidential until the hearing is finally resolved.

Section 9. Initial Screening.

- (A) The Secretary of State or a person designated by the Secretary, will screen the complaint to determine if it meets the criteria in HAVA and these rules.
- (B) The Secretary of State or the Secretary's designee shall examine each complaint and may reject it for filing if:
- (1) The complaint is not signed and notarized under oath;
 - (2) The complaint does not identify the complainant or include an adequate mailing address;
 - (3) The complaint does not allege on its face a violation of Title III with regard to a federal election;
- or
- (4) More than 90 days have elapsed since the final certification of the federal election at issue.
- (C) If the complaint does not meet the criteria in HAVA and these rules as stated herein, it shall be dismissed, although it may also be referred to other appropriate authorities.
- (D) If the complaint is dismissed, a designee of the Secretary of State shall send notice of the dismissal and a copy of these rules to the complainant. The notice shall advise the complainant that he or she is not precluded from re-filing a complaint that conforms to the legal requirements.
- (E) The Secretary of State or the Secretary's designee shall do all the following:
- (1) Take all necessary steps to prepare the complaint for determination;
 - (2) In coordination with the parties, shall establish a schedule under which the complainant and respondent or respondents, as well as any other interested persons, may file any written submissions concerning the complaint, and under which the complaint shall be finally determined;
 - (3) Provide copies of the official record to the decision maker in a timely manner.
- (F) When the Secretary of State, or any employee of the Secretary, is a Respondent, the functions assigned to the Secretary under this administration procedure shall, to the greatest extent possible, be performed by individuals not directly involved in the facts giving rise to the complaint.

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Section 10. Consolidation of Complaints.

The Secretary of State or the Secretary's designee may consolidate complaints and resolve them together if they relate to the same actions or events, or if they raise common questions of law or fact, or if the Secretary or the Secretary's designee otherwise deem such consolidation appropriate.

Section 11. Administrative Resolution.

- (A) Complaints filed pursuant to this procedure shall be heard and determined by the Secretary of State or the Secretary's designee, and that determination shall be final.
- (B) Following the initial screening, complaints shall be resolved informally if possible. Complaints shall be evaluated, and a decision rendered, based upon the written submissions, unless the complainant requests a hearing on the record. A request must be made in writing to the secretary of state no later than 10 days after the filing of the complaint, or in the original complaint itself, but not in any amendment filed more than 10 days after the original complaint.
- (C) The Secretary of State or the Secretary's designee shall take all necessary steps to prepare the complaint for determination and, in coordination with the parties, shall establish a schedule under which the complainant and respondent or respondents, as well as any other interested persons, may file any written submissions concerning the complaint, and under which the complaint shall be finally determined.
- (D) The Secretary of State or the Secretary's designee shall consider all information filed and shall conduct an informal investigation of the complaint as appropriate, including contacting the persons alleged to have violated HAVA or alleged to be about to violate HAVA.
- (E) Based on the agency record, the Secretary of State or the Secretary's designee may enter a decision and order, which may include an appropriate remedy. When the decision is that no violation of HAVA, Title III, has or is about to occur, the complaint shall be dismissed and the results of the procedures published on the website of the Office of the Secretary of State.
- (F) The Secretary of State or the Secretary's designee shall send the decision and order to the complainant by appropriate means including proof of delivery to the address provided by the complainant.
- (G) The Secretary of State or the Secretary's designee simultaneously shall send a copy of the decision and order to the election official, if any, who was alleged, directly or indirectly, to have violated or be about to violate Title III of HAVA.
- (H) Along with the decision and order, the Secretary of State or the Secretary's designee shall notify the complainant of his or her right to request a hearing on the record if not satisfied. The request shall be in writing and received within 10 calendar days after the complainant's receipt of the decision and order. Such requests may be submitted by facsimile or e-mail as well.

Section 12. Administrative Hearing.

- (A) An informal administrative hearing shall be conducted following timely receipt of a written request for a hearing on the record in accordance with Section 11(B) of this procedure.

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- (B) The Secretary of State or the Secretary's designee shall promptly establish a date, time, and location for the hearing. The hearing shall occur within a reasonable period of time. The hearing shall be open to the public.
- (C) The Secretary of State or the Secretary's designee shall provide not less than five days notice of the hearing to the complainant, each respondent, and any other person who has requested notice in writing. Notice shall be provided by mail and by posting on the Secretary of State's Web site, and by such other means as the Secretary deems appropriate.
- (D) The Secretary of State may preside over the hearing or may designate a hearing officer to conduct the matter and to prepare a recommended decision and order.
- (E) Any complainant, respondent, or other person may file a written brief or memorandum within five business days of the conclusion of the hearing, but no responsive brief or memoranda will be accepted without authorization of the Secretary of State or the hearing officer.
- (F) The Ohio Administrative Procedure Act, the Ohio Rules of Civil Procedure, the Ohio Rules of Evidence, and the Ohio Rules of Appellate Procedure shall not apply to these proceedings.

Section 13. Objectives and Procedure of Administrative Hearing.

- (A) The Secretary of State or the hearing officer has considerable discretion in how the hearing is conducted, although the overriding consideration is to provide a speedy, fair and efficient method by which the parties may be heard and the matter decided in order to support and effectuate the letter and spirit of HAVA.
- (B) The Secretary of State or the hearing officer shall have a copy of the record of the complaint(s) to be heard.
- (C) The Secretary of State or the hearing officer shall introduce the matter on the record and explain the procedures to be followed.
- (D) The complainant, any respondent, or any other interested member of the public may appear at the hearing and testify or present tangible evidence in connection with the complaint. Each witness shall be sworn. A complainant, respondent, or other person may, but need not, be represented by an attorney.
- (E) The hearing officer may limit the testimony, if necessary, to ensure that all interested participants are able to present their views or to assure completion of the hearing within a reasonable time.
- (F) The hearing officer may recess the hearing and reconvene at a later date, time, and place announced publicly at the hearing.
- (G) The Secretary of State or the hearing officer may participate during the presentations of the parties at any time.
- (H) At the conclusion of the hearing, the Secretary of State or the hearing officer shall take the matter under advisement and promptly prepare or recommend a decision and order for the Secretary of State.

Section 14. Recording of Administrative Hearing.

An audio recording shall be made of the proceedings. The Secretary of State is obligated to prepare a transcript of the audio recording, but such a transcript shall be prepared at the expense of the person requesting the transcript.

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If any party prefers to have a court reporter record the proceedings, he or she may do so at his or her own expense.

Section 15. Special Accommodations at the Administrative Hearing.

Individuals with disabilities shall inform the Secretary of State or his or her designee at least 5 business days before the informal hearing of any special accommodations they require. They may have people assist them and speak for them as desired.

Section 16. Final Decision.

- (A) The Secretary of State retains authority on behalf of the State of Ohio to make the final decision in each instance from the initial screening through a hearing on the record. The Secretary of State's determination shall be final and shall not be subject to judicial review
- (B) The Secretary of State shall determine whether, under a preponderance of the evidence, a violation of Title III has been established. If the Secretary determines that a violation has occurred, then a written determination shall be issued specifying the appropriate remedy. If the Secretary determines that no violation has been established, the complaint shall be dismissed.
- (C) Upon deciding a meritorious complaint, the Secretary of State shall order an appropriate remedy.
- (D) Upon the Secretary of State's entry of the final decision and order into the record, the Secretary shall also deliver the decision and order to the complainant by appropriate means, including proof of delivery, to the address provided by the complainant and to the other parties, if any.
- (E) If the final decision and order result in the dismissal of the complaint, the result of the procedures shall be published on the website of the Secretary of State.

Section 17. Appropriate Remedies.

- (A) The Secretary of State has discretion to determine the nature of an appropriate remedy when a complaint has led to the establishment of a violation of Title III of HAVA.
- (B) An appropriate remedy may detail actions to be taken or procedures to be followed by election officials, and it may include a corrective action plan.
- (C) The officials required to take the corrective action shall report to the Secretary of State or his designee the steps taken in accordance with the requirements and schedule provided in the decision and order.
- (D) Appropriate remedies are limited to those that are designed to assure compliance with Title III of HAVA. The remedy may not include any award of monetary damages, costs, or attorney fees, and may not include the invalidation of any primary or election or a determination of the validity of any ballot or vote. Remedies addressing the validity of any primary or election or of any ballot or vote may be obtained only as otherwise provided by law.
- (E) A complaint filed pursuant to this chapter does not constitute an election contest pursuant to sections 3515.08 – 3515.16 of the Revised Code of Ohio.

Section 18. Time Allowed for Entire Process.

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- (A) The State has 90 days within which to make a final determination with respect to a complaint. The period begins with the date of the filing of the complaint.
- (B) The time limit may be extended only with consent of the complainant and all opposing parties, if there are any.
- (C) When multiple complaints that have been consolidated, all deadlines in these rules shall be determined by the date the last complaint was filed.
- (D) When multiple complaints have been consolidated, an extension of time shall apply only to those complainants who have consented to the extension of time.
- (E) Consent for an extension of time shall be in writing and filed with the Secretary of State before the 90 day period expires.
- (F) The Secretary of State or the hearing officer is authorized to grant reasonable extensions of time at the request of the parties as qualified above.

Section 19. Results of Failure to Conclude the Hearing Process within the Time Allowed.

- (A) When a complaint has not been finally resolved within the 90-day period, the complaint shall be referred by the Secretary of State to the Ohio Attorney General or other qualified individual for alternative dispute resolution procedures.
- (B) When complaints have been consolidated and some complainants have not consented to an extension of the 90-day deadline, their complaints shall be subject to separation from the others and treatment under this section.
- (C) The person designated to provide the alternate dispute resolution, hereafter referred to as the ADR hearing officer, shall have a copy of the agency record of the proceedings.
- (D) With one exception, the ADR hearing officer shall adhere to this Election Complaint Procedure in resolving the complaint. The exception is that the ADR hearing officer may conduct an administrative hearing in accordance with the hearing procedures set forth in sections 119.07 through 119.13 of the Revised Code of Ohio, with time lines adjusted to fit the time limits below. Conduct of the hearing in accordance with these procedures does not alter the authority of the Secretary of State as the final decision maker.
- (E) The ADR hearing officer shall conclude the matter as expeditiously as possible and forward to the Secretary of State his or her recommended decision and order within the time allowed by the Secretary of State in his designation or appointment of the ADR hearing officer.
- (F) The Secretary of State shall enter the final decision and order no later than 60 calendar days after the expiration of the 90-day period.

8. Frequently Asked Questions

1. What should a BOE do if they have a question that is not covered in this Procedure Manual?

A. Contact the SOS Help Desk and ask for guidance.

2. Where can I find current versions of the system documentation?

A. SOS – board access only web address

3. Will a BOE be asked to load voting history for elections that occurred prior to BOE initialization?

A. No, the SOS will only request voting history for elections that occurred after the county is initialized.

4. How will I know if my county is not meeting the performance requirements specified in this document?

A. The SOS will inform a county when it is not meeting its requirements.

5. The instructions for Box # 10 on the new voter registration application states that a particular identifier (the applicant's Ohio drivers license number, last four digits of the applicant's Social Security number, or State of Ohio ID number) is required. If someone registering by mail fails to include information in Box 10 on an otherwise complete application, does the board of elections consider it a valid registration?

A. It is a valid registration, but the board must flag that elector's name in the poll book so that, the first time that elector appears at the polls to vote, poll workers know to ask the elector for proof of identity and thus obtain the missing information.

6. If registrant by mail fails to fill in the information in Box #10, may the board of elections call the applicant for the information, and fill it in ourselves?

A. No; boards must use the remedy provided in HAVA. Therefore, a person who registered to vote by mail, but did not provide his/her Ohio drivers license number, the last four digits of his/her Social Security number, or his/her state ID number, must provide proof of identity the first time the person appears at the polls to vote.

Acceptable documentary proof of identity is specified in HAVA as any of the following: a copy of a current and valid photo identification, or a current utility bill, bank statement,

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government check, paycheck, or government document that shows the voter's name and address.

7. May boards of elections mail a letter to the mail-in registrants who failed to provide sufficient proof of identity at the time they registered to vote, in an attempt to obtain the necessary ID information prior to Election Day?

A. Yes. Moreover, the Secretary of State's office strongly recommends that boards be pro-active in this regard.

8. What if someone who registers in person with a board of elections, a public library, a BMV office, or any group-registering people, fails to provide this information? Does it matter? Is it a complete registration? Does the person have to show a form of ID at the polls?

*A. If a person registers or attempts to register **in person**, the application cannot be accepted if Box 10 is not completed **unless** the applicant states to the person accepting the registration form that applicant does not have a drivers license, Social Security number or state ID number. The person accepting the registration form should then instruct the applicant to write "None" in Box 10.*

A registration form on which Box 10 is blank is not a complete registration, and the board should send an Acknowledgement Notice to the applicant advising why the application cannot be processed. The applicant cannot cure this omission by providing proof of identity at the polling place.

9. Are all persons required to show identification when they register to vote?

A. No. Applicants may provide the necessary identifiers without "showing" a piece of identification.

An in-person applicant must provide a current Ohio driver's license numbers or the last four digits of his/her Social Security number. These identifiers may be given from memory, without the applicant producing a photo ID, Social Security card or other documentary proof of identity.

Mail-in applicants who include their Ohio drivers license numbers or the last four digits of their Social Security numbers on their applicants need not produce ("show") other documentary proof of identity.

10. Who must provide proof of identification at the polls in order to vote?

A. Only electors who registered by mail and failed to provide an identifier in Box 10 of the registration form or other documentary proof of identity.

(Note: HAVA does not provide a similar remedy for people who registered to vote in person.)

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11. If a person is issued a provisional ballot, and fails to sign the affirmation statement or the ID envelope – whichever is appropriate – but does sign the signature book, is that ballot counted?

A. *No; a voter's failure to sign the affirmation statement or the statement on the provisional ballot envelope renders that ballot invalid.*

12. Does the board of elections retain the proof of identity documents provided with a registration by mail?

A. *Yes; those documents are public records of your office and must be maintained in a filing system that accommodates retrieval for board use and public record requests.*

13. A person required to present ID fails to bring the ID when the person comes to vote, and thus votes a provisional ballot. May the person return before the polls close on Election Day with the required ID?

A. *Yes. The voter may present the required ID at the polling place or at the board of elections office before the polls close.*

14. When ID is required for a voter, and the voter indicates he/she will provide a driver's license or last four digits of a Social Security number, must an election official visibly see the ID, or may the voter just inform the poll worker of the driver's license or Social Security number?

A. *The voter just may inform the poll worker of the driver's license or Social Security number.*

15. If a person required to present ID provides it before voting, does the person vote a regular ballot or a provisional ballot?

A. *Regular ballot.*

16. A person required to provide a necessary identifier before being issued a ballot does not provide it at the time of voting. The person signs the affirmation statement, but does not provide his/her drivers license number or the last four digits of his/her Social Security number. The person does not provide any of the acceptable documents for proving identity to election officials before the polls close. Can that ballot be counted?

A. *No.*

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17. Must a board of elections provide the provisional telephone hotline information to all provisional voters?

A. Yes.

9. APPENDIX I – State of Ohio Voter Registration Form

<h3 style="margin: 0;">Voter Registration Form</h3> <p style="margin: 0; font-size: small;">Please read instructions carefully.</p>			
<p>To qualify to vote, you must be:</p> <ol style="list-style-type: none"> (1) a U.S. citizen; (2) 18 years old on or before the next general election; (3) a resident of Ohio for at least 30 days immediately before election day; (4) registered to vote at least 30 days before election day. <p>Use this form to register to vote <i>or</i> update a current Ohio registration if you have changed your address or name.</p> <p>NOTICE: Your registration or change must be <i>received or post-marked</i> 30 days before an election at which you intend to vote. You will be notified by your county board of elections of the location where you vote. If you do not receive a notice prior to election day, call your county board of elections.</p> <p>Lines 1 and 2 are required by law. If you do not answer <i>both</i> of the questions, your registration will not be processed.</p> <p>Registering in person If you have a current valid Ohio driver's license, you must provide that number on line 10. If you do not have an Ohio driver's license, you must provide the <i>last four digits</i> of your social security number on line 10.</p>	<p>Registering by mail If you register by mail and do not provide either a current Ohio driver's license number or the last four digits of your social security number, please enclose a copy of one of the following with your registration application:</p> <ul style="list-style-type: none"> • Current valid photo identification card showing your name; <i>or</i> • Current utility bill, bank statement, paycheck, government check or government document showing your name and address. <p>If you register by mail and do not provide one of the above at the time of submitting your registration application, you must provide one of the items when you vote for the first time.</p> <p>Your Signature Your registration cannot be processed without your signature. On line 14, your completed legal signature or mark should not touch surrounding lines of type. If signature is a mark, include name and address of the person who witnessed the mark beneath the signature line.</p> <p>Please type or print clearly with a black pen.</p>		
FOLD HERE			
<p>1. Are you a U.S. citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>2. Will you be 18 years of age on or before the next general election? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="font-size: small;">If you answered NO to either of the questions, do not complete this form.</p>			
3. Last Name	First Name	Middle Name or Initial	Jr., II, etc.
4. House Number and Street (Enter new address if changed)	Apt. or Lot #	5. City or Post Office	6. Zip Code
7. Additional Rural or Mailing Address (if necessary)		8. County where you live	
9. Birthdate (MO - DAY - YR)	10. Ohio driver's license No. OR last 4 digits of Social Security No. (required)	11. Phone No. (voluntary)	
12. ADDRESS CHANGE ONLY - PREVIOUS ADDRESS			
Previous House Number and Street			
Previous City or Post Office		County	State
13. CHANGE OF NAME ONLY	Former Legal Name		Former Signature
I declare under penalty of election falsification I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and I will be at least 18 years of age at the time of the general election.			
14. Signature of Applicant →			
Date MO / DAY / YR			
WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.			
			FOR BOARD USE ONLY SEC4010 (Rev. 10/03) City, Village, Twp. Ward Precinct School Dist. Cong. Dist. Senate Dist. House Dist.

10. APPENDIX II – Overview of Duplicate Processing

The following is a model of how vendor software could handle duplicate resolutions in their systems. The tables shown are samples and are not intended to define how the vendor's table should be configured.

Assume that you have a voter record A in county 01. A partial view of that voter's record might look like this:

Voter Table

State Voter Id	Voter Status	Dup_Resolution_flag	BMV_Confirmation_flag
A	ACTIVE	N	Y

This record shows that the voter is ACTIVE, no duplicates have been identified and that they are confirmed with the BMV.

Then assume that a number of SOS_VR_DUPLICATE packets arrive for this voter. Each packet should be acknowledged once the software determines that the primary voter id exists in the county. This is an automatic acknowledgement and does not involve BOE workers. In addition, the Dup_Resolution_flag for the primary voter should be set and the information about the duplicates stored in a separate table under the primary voter id as the key. In this case we might expect the tables to look like this after receiving and processing the packets.

Voter Table

State Voter Id	Voter Status	Dup_Resolution_flag	BMV_Confirmation_flag
A	ACTIVE	Y	Y

Duplicate Table

Primary_id	Dup_Id	County_co	Boe_id	Reg_da
A	B	02	Xxx	03/27/89
A	B	02	Xxx	03/27/89
A	C	01	Yyy	02/15/93
A	D	05	Zzz	06/07/03

The vendor can choose to store the repeated notifications or simply not insert rows that match all the fields of an existing row. If the BOE worker sees the list of duplicate voters sorted by the DUP_ID it should be obvious if the same id shows up more than once. This is not a problem it will just save time.

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After working on this duplicate there are only three possible outcomes:

1. My voter A is the same as some other voter and my registration is the older, out-of-date registration. (Whether in the same county or not)
2. My voter A is the same as some other voter and my registration is the newer, more current registration. (Whether in the same county or not)
3. My voter A is not the other voter(s) identified. (Whether in the same county or not)

Given these possible scenarios here is how you resolve each duplicate in the SOS system for the data above:

Scenario (1)

- A. Merge my voter into the other county's voter with a BOE_VR_MERGE where the SOS_VOTER_ID is B the state voter Id of the voter that is being kept, and the BOE_MERGE_ID is A (my older voter's id).
- B. When the merge is acknowledged, clear the dup_resolution flag for A, clear the duplicate rows for A, mark A as removed and update the State Voter ID to B.
- C. Contact the county whose voter you merged A under and let them know you have handled your side.

Final State:

Voter Table

State Voter Id	Voter Status	Dup_Resolution_flag	BMV_Confirmation_flag
B	REMOVED	N	Y

Duplicate Table

Primary_id	Dup_Id	County_co	Boe_id	Reg_da
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Scenario (2)

- A. When the merging county contacts you that they have completed the merge, send an update packet on the voter and clear the dup_resolution_flag and the duplicate table rows for this voter on receiving a positive acknowledgement.

Final State:

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Voter Table

State Voter Id	Voter_Status	Dup_Resolution_flag	BMV_Confirmation_flag
A	ACTIVE	N	Y

Duplicate Table

Primary_id	Dup_Id	County_co	Boe_id	Reg_da
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Scenario (3)

- A. Generate an update packet for the voter placing one or more of the other state ids that have been confirmed to not be duplicates into the exclude duplicates list of that update. Clear the dup_resolution_flag and the duplicate table on receiving the positive acknowledgement back.

Final State:

Voter Table

State Voter Id	Voter_Status	Dup_Resolution_flag	BMV_Confirmation_flag
A	ACTIVE	N	Y

Duplicate Table

Primary_id	Dup_Id	County_co	Boe_id	Reg_da
------------	--------	-----------	--------	--------

In scenario 2 and 3 above, if there are additional duplicates that are not handled by the merge or the update with exclude duplicates, the state system will re-identify those duplicates and send them again. For instance, in the example given above, if county 01 identified voter B, C and D as not duplicates with A in an update, then these would not be reported again to the county. If on the other hand, they identified only B as not being a duplicate, then their tables would look like this after the update:

Voter Table

State Voter Id	Voter_Status	Dup_Resolution_flag	BMV_Confirmation_flag
A	ACTIVE	N	Y

Duplicate Table

Primary_id	Dup_Id	County_co	Boe_id	Reg_da
------------	--------	-----------	--------	--------

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Some time later, the SOS would resend one or more SOS_VR_DUPLICATE packets identifying C and D so the tables would look like this:

Voter Table

State Voter Id	Voter_Status	Dup_Resolution_flag	BMV_Confirmation_flag
A	ACTIVE	Y	Y

Duplicate Table

Primary_id	Dup_Id	County_co	Boe_id	Reg_da
A	C	01	Yyy	02/15/93
A	D	05	Zzz	06/07/03

The duplicate resolution process starts again for this voter with C and D.

There is no need for the BOE to track the transaction numbers of the duplicate messages other than to acknowledge them with BOE_ACK packets.