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Board Meeting

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Agency: [Cuyahoga County Board of Elections](#)

Date: Aug. 16, 2023

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Summary

- The board was informed that 4,449 provisional ballots were cast in the county for the Aug. 8 special election. Of these ballots, 3,663 were confirmed as valid, while 786 were rejected. The board unanimously approved the staff to count the valid provisional ballots *[Editor's note: Voters can use [provisional ballots](#) when their eligibility to vote is in question]*.
- The board discussed the validity of seven political candidates for Nov. 7 elections. It is set to vote [Aug. 21](#) on their candidacies, which appear to be invalid because they left part of the candidacy application form incomplete. *[Editor's note: The Board of Elections told Signal Cleveland that five candidates withdrew their petitions and filed to be write-in candidates. The board did not say who the five write-in candidates are, but the two named in these notes are not included]*.

Follow-Up Questions

- The [audio of the meeting](#) was garbled and unintelligible at numerous points (including when important issues were being debated), making it difficult or impossible to follow the discussion or understand the speech of meeting participants. In addition, I wasn't always able to determine the position/title of the speaker (board member, chair, or general counsel). In those cases, I would refer to the speaker as an "unknown board member." Can the audio be improved?
- I'm not sure about the issue of voting for individuals experiencing homelessness. I wanted to include this [FAQ from the Office of the Ohio Public Defender](#), however:
 - 1) It has no up-to-date information about using non-photo ID documents to vote, and
 - 2) It contradicts Deputy Director Anthony Kaloger's statement that a voter must state a specific location (such as a street intersection) in order to vote (i.e., the FAQ states a voter can list a "park bench" as an address).
- I was curious about the seven candidates facing disqualification from the Nov. 7

general election due to not completing the nominating petition part on the application. Although I couldn't find any coverage of this situation, I did find this [2021 Cleveland Scene article](#) where potential Cleveland City Council candidates expressed frustration over the "stringent" requirements on the candidate-petition part of the application, especially potential candidates from low-income wards with large shifts in populations (where it may be more likely that current addresses listed by residents signing a petition wouldn't match a voter registration address). Since Board Member Inajo Davis Chappell stated multiple times that this provision hadn't been enforced until now, are these seven potential candidates being specifically targeted? I don't know any background or context around this, but it did raise questions for me as an observer.

Notes

The meeting began shortly after 9:30 a.m. with the Pledge of Allegiance. All [board members](#) were present. The notes are organized by categories on the [agenda](#).

Administrative:

The board unanimously acknowledged Ohio Secretary of State Directive 2023-15, which contains instructions related to the petition to place the recreational marijuana issue on the statewide November ballot.

Registration:

The board considered challenges to the right to vote initiated by Mikhail Alterman, who ran for state senator in 2022, against four voters residing in Beachwood. Neither Alterman nor any of the four residents were present. Two of the residents had their voter registration tied to a commercial property, while the other two had their voter registrations at an extended-stay hotel. In all four cases, the challenges were upheld and the voter registrations were canceled. Only one resident voted in the Aug. 8 2023 special election; the board also referred the cases to the Public Integrity Division of the Ohio Secretary of State.

[Editor's note: Signal Cleveland chose to not include the names of the residents who had their voter registrations canceled. At times, Signal uses discretion with information about private residents, particularly in cases where they do not attend the public meeting to give input on the matter or volunteer information. The public agenda lists their names, and video of this meeting -- where they are named -- lives on the board's YouTube channel].

During the discussion regarding the four voter registration challenges, the following

three issues were mentioned:

- Board Member Chappell asked whether a person could live at a commercial property. Upon further dialogue, board members decided that since the property was zoned commercial, the basic understanding was that it wasn't a residence, especially given that one resident didn't attend the meeting to state otherwise.
- In a discussion about a resident registered to an extended-stay hotel, Board Member Terence McCafferty asked about voting rights for individuals staying in homeless shelters. The board agreed that individuals experiencing homelessness can vote if an address or street "intersection" is provided, according to Kaloger.
- Chappell asked if the board could identify commercial properties that residents couldn't register to vote at those properties. Kaloger and Board Director Anthony Perlatti said commercial properties were currently being flagged using available software, but that this process wasn't perfect and some commercial properties in the county are not in their system.

Ballot:

- The board was informed that 4,449 provisional ballots were cast in the county for the Aug. 8 special election. Of these ballots, 3,663 were confirmed as valid, while 786 were rejected. The board unanimously approved counting the valid provisional ballots.
- With no discussion, the board gave final approval of the ballot order for the [Sept. 12 primary election](#) and gave preliminary approval of the ballot order for the [Nov. 7 general election](#).

Candidate and Petition Services:

Board Chair Henry Curtis asked the board to acknowledge the resignation of an individual from the Richmond Heights Board of Education and the appointment of an individual to the Maple Heights Board of Education. Curtis also informed the board about the withdrawal of multiple candidates and issues from the Nov. 7 general election ballot. The candidates were mainly council members and board of education members from local municipalities, and the issues all involved local liquor licenses. The board unanimously acknowledged the above resignations, appointments and withdrawals.

Human Resources:

The board unanimously acknowledged the resignation of an employee from the Board of Elections Registration Department effective Aug. 26.

New Business:

Perlatti provided the board with an update on the Sept. 12 primary election. Early in-person voting began Aug. 15. Perlatti stated that “all things are on schedule” for this election.

Perlatti informed the board that (Aug. 21 is the deadline to qualify for the Nov. 7 general election ballot and that the “crux” of the board meeting that Monday would be to approve those candidacies. Perlatti also informed the board that staff learned on Aug. 11 that seven candidates for the Nov. 7 ballot had left blank the nominating petition section of the application and would therefore be excluded from the ballot (pursuant to a 2019 Ohio Supreme Court ruling on the issue).

Chappell said she had received an email from one of the affected candidates -- Jason Hubbell for the Brooklyn Board of Education -- who stated that the BOE website had considered his candidate application valid. The board held discussion about to what degree candidates can rely on the BOE website when completing pre-check for their candidacy.

The board general counsel stated that the Ohio Secretary of State had previously stated that local election boards shouldn't provide any information on their website about candidate petitions validity. The board discussed whether candidates could correct or “cure” missing candidate petitions, with the general counsel stating that an incomplete petition on the candidate form couldn't be corrected and that a new petition would have to be started. The filing deadline for the November election has passed.

The board discussed whether the BOE could exercise any discretion in this matter, especially given how this requirement hadn't been enforced since the 2019 ruling. This issue will be discussed more fully at the Aug. 21 meeting, though the general counsel did not think the board has much discretion.

Public Comment:

There were two individuals with public comments for the board, with both comments related to the disqualification of the seven candidates.

- Tony Walker, who sought to run for Richmond Heights City Council, identified himself as one of the seven candidates and stated that he had spent a long time with a BOE employee completing the candidate application before submission. Walker also stated that nothing on the application or the candidate petition rules indicated that leaving the nominating petition blank would be a “fatal error.”

- Cynthia Beard, a Shaker Heights resident who said she was an observer, asked whether the candidates who were disqualified due to blank candidate petitions would be eligible as write-in candidates. Curtis said he didn't know but would get back to Beard with an answer.

After public comment, the board voted unanimously to go into recess.

If you believe anything in these notes is inaccurate, please email us at cleDOCUMENTERS@gmail.com with "Correction Request" in the subject line.