

# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

**Board Meeting**  
**5/7/2024**

**Attending:**

Henry F Curtis, IV, Chairman  
Inajo Davis Chappell, Board Member  
Terence M. McCafferty, Board Member  
Lisa M. Stickan, Board Member  
Anthony Perlatti, Director  
Tony Kaloger, Deputy Director  
Mark R. Musson, Assistant Prosecutor, Cuyahoga County

Mary Bejjani, Clerk to the Board  
Skip White, Clerk to the Board

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The Cuyahoga County Board of Elections Meeting began at 9:30 a.m. Hereinafter referred to as the CCBOE/Board.

Chairman Curtis noted that all Board Members were in attendance.

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**Agenda Item 1: Approval of the minutes from the a) April 1, 2024, b) April 9, 2024, and c) April 22, 2024, board meetings**

Chairman Curtis moved to approve the minutes from the a) April 1, 2024, b) April 9, 2024, and c) April 22, 2024, board meetings. Board Member Davis Chappell seconded and abstained from the vote on April 22, 2024. Board Member McCafferty abstained from the vote on April 9, 2024. The motion passed.

**Walk-on Agenda Item: Acknowledgement of Secretary of State Directive 2024-06: Data Collection, Notice, and Cancellation Procedures for Completion of 2020 National Change of Address (NCOA) Process and Past Due Cancellations**

Chairman Curtis moved to acknowledge Secretary of State Directive 2024-06: Data Collection, Notice, and Cancellation Procedures for Completion of 2020 National Change of Address (NCOA) Process and Past Due Cancellations. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 2: Certification of the Post-Election Audit Summary from the March 19, 2024, Presidential Primary Election**

Brian Cleary, Ballot Department Manager, presented information from the board materials regarding the Post-Election Audit Summary for the March 19, 2024, Presidential Primary Election.

Chairman Curtis moved to certify the Post-Election Audit Summary from the March 19, 2024, Presidential Primary Election. Board Member Davis Chappell seconded. The motion passed unanimously.

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Narrative that is underlined in the CCBOE minutes relates to a motion that was acted on by the Board.

### **Agenda Item 3: Acknowledgment of appointment to elected office**

Chairman Curtis moved to acknowledge the appointment to elected office, as provided in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

### **Agenda Item 4: Acknowledgment of candidate withdrawal from the November 5, 2024, Presidential General Election**

Chairman Curtis moved to acknowledge a candidate withdrawal from the November 5, 2024, Presidential General Election, as provided in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

### **Agenda Item 5: Acknowledgment of the Early In-Person Voting PEO Performance Report from the March 19, 2024, Presidential Primary Election**

Steve Doell, Candidate and Petition Services Supervisor presented a summary regarding the Early In-Person PEO Performance Report from the March 19, 2024, Presidential Primary Election.

Chairman Curtis moved to acknowledge the Early In-Person Voting PEO Performance Report from the March 19, 2024, Presidential Primary Election. Board Member Davis Chappell seconded. The motion passed unanimously.

### **Agenda Item 6: Acknowledgment of Precinct Election Official (PEO) Performance Report for the March 19, 2024, Presidential Primary Election**

Marlene Robinson Statler, Election Officials Assistant Manager, presented information from the board materials regarding the PEO Performance Report.

Chairman Curtis moved to acknowledge the Precinct Election Official (PEO) Performance Report for the March 19, 2024, Presidential Primary Election. Board Member Davis Chappell seconded. The motion passed unanimously.

### **Agenda Items 7 through 30**

*A transcript of the hearings can be obtained by contacting Mary Bejjani, CCBOE Clerk to the Board at 216-443-6430/mbejjani@cuyahogacounty.gov.*

Director Perlatti stated the voter challenges would be broken down into four groups with similar fact patterns. One group pertains to individuals registered at the Cleveland Institute of Music; the second group consists of individuals registered at a UPS store on Mayfield Road in Cleveland, and the third group consists of two individuals registered at a UPS store in North Royalton. All individuals were notified of the challenges, and four responded and updated their voter registration address. Director Perlatti said the last challenge is for Norma King, who voted provisionally in the March Primary and listed 1735 Elsinore, East Cleveland, as her residential address. Deputy Director Kaloger has communicated with the Secretary of State (SOS) Public Integrity Division and the Attorney General's offices, who have been investigating the matter and have not come to a conclusion. Director Perlatti said depending on what the Board decides, the matter may need to be referred to the SOS a third time. The Board discussed proactive ways to inform voters that they must register at the address where they live, including adding additional information to the website. Discussions also included informing local colleges on registering students to vote from their residences. The Registration Department will be tasked with actively looking for potential commercial and

postal services stores, such as UPS, Mailboxes Plus, etc. Once a location is identified, the address will be locked down in the registration database to prevent individuals from registering at the commercial address.

#### **Agenda Items 7 through 14**

Hasani Wheat, Registration Department Manager, presented information outlined in the board materials regarding the Challenge of Right to Vote filed by Mikhail Alterman for Agenda Items 7 through 14. Mr. Alterman, a registered voter in Cuyahoga County, challenged eight voters registered at the Cleveland Institute of Music (CIM) 11021 East Boulevard, Cleveland, Ohio, which is not a residential address. Hearing notices were mailed to each individual on April 16, 2024. Subsequently, on April 26, 2024, the CCBOE received a letter from Miss. Hogan, Assistant Vice President at CIM which, explained that CIM did not initially have a dormitory and students were advised to use the 11021 East Boulevard address as their voter registration address. CIM has since acquired a dormitory on Hazel Drive. Before the hearing, the CCBOE received two voters' updated voter registration cards for Ruby Pine and Curtis Li to acceptable residential addresses. The remaining six voters are still being challenged for being registered at 11021 East Boulevard and are, therefore, being challenged under the Ohio Revised Code 3503.02.

**Agenda Item 7: Challenge of Right to Vote filed by Mikhail Alterman against August Dubeau**

**Agenda Item 8: Challenge of Right to Vote filed by Mikhail Alterman against Tatum Hodgson**

**Agenda Item 9: Challenge of Right to Vote filed by Mikhail Alterman against Julia Hyeong Ju Kim**

**Agenda Item 10: Challenge of Right to Vote filed by Mikhail Alterman against Curtis Li**

**Agenda Item 11: Challenge of Right to Vote filed by Mikhail Alterman against Kiana Lilly**

**Agenda Item 12: Challenge of Right to Vote filed by Mikhail Alterman against Cerianne Nuang**

**Agenda Item 13: Challenge of Right to Vote filed by Mikhail Alterman against Ruby Pine**

**Agenda Item 14: Challenge of Right to Vote filed by Mikhail Alterman against Alice Tan Zhang**

Board Member Davis Chappell moved to cancel the registrations at the Cleveland Institute of Music addresses for Julia Hyeong Ju Kim, August Dubeau, Tatum Hodgson, Kiana Lilly, Cerianne Nuang, and Alice Tan Zhang. Chairman Curtis seconded. The motion passed unanimously. Chairman Curtis made a friendly amendment to deny the Challenges for Curtis Li and Ruby Pine, given they had updated their registration. Board Member Chappell seconded. The motion passed unanimously.

#### **Agenda Items 15 through 27**

Mr. Wheat presented information outlined in the board materials regarding the Challenge of Right to Vote filed by Hasani Wheat for Agenda Items 15 through 27. Mr. Wheat, a registered voter in Cuyahoga County, challenged the voter registration of 13 individuals registered at 11459 Mayfield Road, Cleveland, Ohio. The address is identified as a commercial postal box, which can be used to receive election mail but cannot be used as a voter registration address. Mr. Wheat said notices were mailed to the 13 individuals on February 2, 2024, informing them to update their voter registration, and the voters were placed in a must-vote provisional status on February 21, 2024, following the close of registration for the March 19, 2024, Presidential Primary Election. Mr. Wheat stated since sending out the hearing notices, two voters,

Ian Charnas and Debora Pruitt Sullivan, updated their voter registration to acceptable residential addresses. The remaining 11 voters are still registered at 11459 Mayfield Road and were being challenged under the Ohio Revised Code 3503.02.

**Agenda Item 15: Challenge of Right to Vote filed by Hasani Wheat against Sarah Almahdali**

**Agenda Item 16: Challenge of Right to Vote filed by Hasani Wheat against Patricia Antoine**

**Agenda Item 17: Challenge of Right to Vote filed by Hasani Wheat against Tania Carter**

**Agenda Item 18: Challenge of Right to Vote filed by Hasani Wheat against Ian Charnas**

**Agenda Item 19: Challenge of Right to Vote filed by Hasani Wheat against Irene Day**

**Agenda Item 20: Challenge of Right to Vote filed by Hasani Wheat against Lori Franklin**

**Agenda Item 21: Challenge of Right to Vote filed by Hasani Wheat against Isaiah Freeman**

**Agenda Item 22: Challenge of Right to Vote filed by Hasani Wheat against Robert Huck**

**Agenda Item 23: Challenge of Right to Vote filed by Hasani Wheat against Debora Pruitt Sullivan**

**Agenda Item 24: Challenge of Right to Vote filed by Hasani Wheat against Alexander Rodriguez**

**Agenda Item 25: Challenge of Right to Vote filed by Hasani Wheat against Charles Scott**

**Agenda Item 26: Challenge of Right to Vote filed by Hasani Wheat against George Scott**

**Agenda Item 27: Challenge of Right to Vote filed by Hasani Wheat against Chester Starks, Jr.**

Board Member Davis Chappell moved to cancel the voter registrations for Sarah Almahdali, Patricia Antoine, Tania Carter, Irene Day, Lori Franklin, Isaiah Freeman, Rober Huck, Alexander Rodriguez, Charles Scott, George Scott, and Chester Starks, Jr. be canceled. Chairman Curtis seconded. The motion passed unanimously. Board Member Davis Chappell motioned to deny the challenges against Ian Charnas and Debora Pruitt Sullivan, who did, in fact, update their registration. Chairman Curtis seconded. The motion passed unanimously.

### **Agenda Items 28 through 29**

Mr. Wheat presented information outlined in the board materials regarding the Challenge of Right to Vote filed by Hasani Wheat for Agenda Items 28 through 29. Mr. Wheat, a registered voter in Cuyahoga County, challenged the registration of two voters registered at 6090 Royalton Road, North Royalton, Ohio. The address is identified as a commercial postal box, which can be used to receive election mail but cannot be used as a voter registration address. Mr. Wheat said a notice was mailed to the two individuals on February 2, 2024, informing them to update their voter registration, and the two voters were placed in a must-vote provisional status on February 21, 2024, following the close of registration for the March 19, 2024, Presidential Primary Election. Mr. Wheat stated that neither individual had updated their voter registration and were being challenged under the Ohio Revised Code 3503.02.

**Agenda Item 28: Challenge of Right to Vote filed by Hasani Wheat against Nickolas Clark**

**Agenda Item 29: Challenge of Right to Vote filed by Hasani Wheat against Mark Mazanec, Jr.**

Board Member Davis Chappell moved to cancel the registrations for Nickolas Clark and Mark Mazanec, Jr. because they cannot be registered at the UPS North Royalton store located at 6090 Royalton Road. Chairman Curtis seconded. The motion passed unanimously.

**Agenda Item 30: Challenge of Right to Vote filed by Hasani Wheat against Norma King**

Mr. Wheat presented information outlined in the board materials regarding the Challenge of the Right to Vote filed by Hasani Wheat for agenda item 30. Mr. Wheat, a registered voter in Cuyahoga County, challenged the voter registration of Norma King. The voter registration database currently lists Mrs. King's address at 1735 Elsinore Avenue, East Cleveland, Ohio. On May 23, 2023, Mrs. King testified in person under oath that she does not reside at 1735 Elsinore Avenue. A determination was made at that Board hearing that Mrs. King's voter registration be canceled. On June 24, 2023, Mrs. King re-registered at the 1735 Elsinore Avenue address. A second hearing was held on November 28, 2023, regarding Mrs. King re-registering at the 1735 Elsinore address. After the Board hearing, Mrs. King's registration was canceled a second time. Mrs. King again cast a provisional ballot based on the 1735 Elsinore address in the March 19, 2024, Presidential Primary Election. Mr. Wheat is challenging the voter registration status at 1735 Elsinore address under the Ohio Revised Code 3503.02. Chairman Curtis noted that neither Mrs. King nor a representative attended today's hearing. Chairman Curtis asked Mr. Wheat if it is indicated that on May 23, 2023, Mrs. King stood before the Board and testified under oath that she did not reside at the 1735 Elsinore address. Mr. Wheat said correct. Chairman Curtis asked if on May 7, 2024, the Board is still having this discussion. Mr. Wheat said correct. Board Member Davis Chappell added that Mrs. King also testified affirmatively that she lived at a Richmond Heights address. Not only did she not live at the address where she re-registered, but she affirmatively stated her residence was Richmond Heights address. Chairman Curtis stated Mrs. King then re-registered and voted in the ensuing election. Board Member Davis Chappell asked Mark Musson, Assistant Prosecuting Attorney, whether or not the Board is entitled to rely on those admissions from the May 23, 2023, hearing or whether the Board has within its discretion to rely on that affirmative testimony or have any obligation to conduct any follow-up hearing. Mr. Musson stated no, the Board can take notice of the prior testimony that she lived at the Richmond Heights address and had for a long time before the hearing. That would be sufficient evidence to take further action or additional action on this re-registration. Board Member Stickan asked Mr. Musson if Mrs. King keeps re-registering if the Board has to address it each time. Mr. Musson said that this is the only way to address the issue as there is nothing to prevent her from re-registering. Mrs. King could move back to the Elsinore address, but absent other evidence to contradict her prior testimony that she does not live there, there is nothing else before the Board to rely on. Board Member Davis Chappell asked if the CCBOE gave notice of this hearing and the challenge. Director Perlatti said yes. Board Member Davis Chappell stated at some point that it would be expected there to be the argument Mrs. King would make about why she was registering at the Elsinore address or whether she moved back or intended to. Board Member Davis Chappell asked Mr. Musson if the Board has any further duty, and it is within the Board's discretion to cancel the registration based on the former testimony. Mr. Musson stated that was correct. Board Member Stickan asked if the CCBOE has to re-refer this to the SOS Election Integrity division. Deputy Director Kaloger stated the CCBOE will continue to update the SOS with each additional action.

Board Member Davis Chappell moved that the CCBOE cancel Mrs. Norma King's registration at 1735 Elsinore Avenue, East Cleveland address. Chairman Curtis seconded. The motion passed unanimously.

**Agenda Item 31: Approval of Resolution and/or contract for FIS-C-A) Renewal of Tenex Software Solutions, Asset Inventory Management Software System (AIMS) Contract**

Shaunquitta Walker, Fiscal Services Manager, presented the information from the board materials regarding the approval of the Resolution and/or contract for the renewal of the Tenex Software Solutions Asset Inventory Management Software System (AIMS) Contract. Board Member Davis Chappell asked that the vendor's name be included in the Resolution.

Chairman Curtis moved to approve the Resolution and/or contract for FIS-C-A) Renewal of Tenex Software Solutions, Asset Inventory Management Software System (AIMS) Contract, as amended. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 32: Approval of the personnel agenda**

Director Perlatti summarized the items presented in the board packet regarding adding a new department to the CCBOE structure, the Absentee Services Department.

Chairman Curtis moved to approve the personnel agenda as presented in the board materials. Board Member Davis Chappell made a friendly amendment that the CCBOE is also creating an Absentee Services Department for which the positions will be classified. Board Member Davis Chappell seconded. The motion passed unanimously.

**NEW BUSINESS**

**Voter Identification and Provisional Voting Update**

Peter James, Election and Compliance Administrator, presented information from the board materials regarding provisional voting and missing identification (ID). Mr. James stated one of the changes from the passage of House Bill (HB) 458, which became law in 2023, was the acceptable forms of ID to cast a provisional ballot. Before HB 458, a voter could cast a provisional ballot using the same acceptable forms of ID to cast a regular ballot at the polls, which was a driver's license, state ID, and items such as a utility bill, bank statement, etc. The voter could also use the last four digits of their social security number. Mr. James said that once HB 458 became law, the valid forms of ID needed to cast a ballot at the polls included a valid photo ID, such as a driver's license, state ID, passport, or military identification. The last four digits of a social security number are no longer valid. He also explained how a provisional voter can cure their ballot by coming to the CCBOE within four days after the election to provide a valid ID. At a previous board meeting, the Board requested a closer look at the impact of removing the last four digits of the social security number as an option to vote a provisional ballot and what effect that had on rejecting a provisional ballot compared to previous elections. Mr. James recapped the report data from the board materials. He also provided data comparing Cuyahoga County to statewide data, and Cuyahoga has significantly lower rejections in the compared categories. Mr. James summarized that there has been an increase in the number of missing ID provisionals rejected due to HB 458; overall, 97% of provisional voters who cast a provisional ballot are presenting valid identification. Cuyahoga County is doing better than the statewide data regarding the number of voters that fall into this category, which can be credited to outreach and communication with voters. He said the CCBOE should increase its efforts to communicate ID requirements at the polls. The Board discussed the matter and ways to proactively inform voters of ID requirements for voting at the polls, including the ID requirements for provisional voting.

### **November 5<sup>th</sup> Presidential General Election Early Vote Center Discussion**

Director Perlatti provided an update to the Board recommending that the November 5, 2024, Presidential General Election early voting be conducted at the CCBOE's current location of the Hughes Building, 2925 Euclid Avenue. Director Perlatti explained the timelines and unknowns of potentially moving the Early In-Person (EIP) voting to 1801 Superior Avenue in time for the November 5, 2024, Presidential General Election. He said that as of today, the County still needs to approve the lease agreement, and approval is under consideration by the County Committee of the Whole. The lease must be approved before the permits and production schedule for 1801 Superior can be fulfilled. Director Perlatti stated the Ohio Secretary of State's office strongly advised the CCBOE to remain at the current location, for the November election. The Director and Deputy Director have been preparing for EIP at both locations. Director Perlatti provided information on additional parking and other logistics that are being planned for November's EIP voting at 2925 Euclid Ave. Director Perlatti also stated that due to the required preparations for the 2025 municipal elections, the CCBOE would need to be in the new location at the beginning of 2025. The Board discussed their concerns and agreed with the recommendation to conduct the November 5, 2024, Presidential General Election at 2925 Euclid Avenue. Board Member Davis Chappell stated it is essential to continue working with the County to communicate the CCBOE's critical timelines to relocate in time for the 2025 elections. Director Perlatti will notify the County Executive and County Council that the Board agreed the County needs to work on a permanent solution by January 2025 and that the Early In-Person Voting for the November 5, 2024, Presidential General Election will be at 2925 Euclid Avenue.

### **DIMS Voter Registration System and the DATA Act**

Deputy Director Kaloger provided an update on the DATA Act and the DIMS voter registration database. He stated that in July of 2023, lawmakers included funding for creating a State Office of the Data Analytics and Archives Agency that would fall under the SOS's office. The agency will function as a central repository to collect and retain information on voter transactions and voter history, and it will go live in January 2025. Recently, Director Perlatti and Deputy Director Kaloger had communications with Election Systems and Software (ES&S), the provider of the DIMS voter registration database, and ES&S notified the CCBOE that they are unable to support all of the requirements of the DATA Act legislation as well as the additional information sought by the SOS. The SOS's office and ES&S are actively working together to come up with solutions on how to move forward. ES&S recently developed a Power Profile Platform for Alabama, and they want to add the additional Ohio requirements to the platform. ES&S hopes to have the new system ready by November 20, 2025. The DIMS voter registration system is over 20 years old and touches all agency departments and everything throughout the voting process. DIMS is used not only to register voters but also to hire poll workers, create the elections, enter the candidates and issues to verify petitions, duplicate resolutions, vote by mail applications, and provisional verifications, which are processed through DIMS. The Board discussed the requirements and challenges of acquiring a new system or upgrading to the ES&S platform in a sufficient amount of time to comply with the DATA Act or if a reprieve could be granted.

### **PUBLIC COMMENT**

Maria Melinis provided public comment regarding election integrity.

### **EXECUTIVE SESSION**

There was no executive session.

Chairman Curtis moved to adjourn the meeting at 11:35 a.m. Board Member Davis Chappell seconded. The motion passed unanimously.

Certification: I have reviewed the above minutes and certify that they are an accurate summary of the actions taken by the Cuyahoga County Board of Elections at its meeting held on May 7, 2024.

Henry F Curtis, IV, Chairman



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Inajo Davis Chappell, Board Member

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Terence M. McCafferty, Board Member



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Lisa M. Stickan, Board Member



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Anthony Perlatti, Director



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