

VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

**Board Meeting
8/19/2024**

Attending:

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

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

The Cuyahoga County Board of Elections Meeting began at 9:30 a.m. Hereinafter referred to as the CCBOE/Board. Chairman Curtis noted that Board Members Davis Chappell and McCafferty, were in attendance. Board Member Stickan arrived at 9:34 a.m.

Agenda Item 1: Approval of the minutes from the July 25, 2024, board meeting

Chairman Curtis moved to approve the minutes from the July 25, 2024, board meeting. Board Member Davis Chappell seconded. Board Member Davis Chappell made a friendly amendment to page three of the minutes, eliminating the words "needs to be." The sentence will state, "Perhaps it is important to have a sublease executed." The motion passed.

Agenda Item 2: Acknowledgement of Secretary of State Directives: Directive 2024-16: Removal of Non-Citizen Records; Directive 2024-17: Examination and Verification of Petitions from Independent Candidate for President and Vice President Filed with the Secretary of State's Office

Chairman Curtis moved to acknowledge Secretary of State Directives: Directive 2024-16: Removal of Non-Citizen Records; Directive 2024-17: Examination and Verification of Petitions from Independent Candidate for President and Vice President Filed with the Secretary of State's Office. Board Member Davis Chappell seconded. The motion passed.

Agenda Item 3: Approval of the CCBOE Security Policy

Peter James, Election and Compliance Administrator, presented information regarding the CCBOE Security Policy. This policy is exempt from public viewing under R.C. 149.433.

Chairman Curtis moved to approve the CCBOE Security Policy. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 4: Acknowledgment of resignation from, and appointment to elected office

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

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

Agenda Item 5: Acknowledgment of issues withdrawn from the November 5, 2024, Presidential General Election

Chairman Curtis moved to acknowledge the issues withdrawn 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 6: Certification of candidates for the November 5, 2024, Presidential General Election

Chairman Curtis moved to certify the candidates for the November 5, 2024, Presidential General Election, as provided in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 7: Certification of issues for the November 5, 2024, Presidential General Election

Before the certification of issues, Brent Lawler, Candidate and Petition Services Manager, presented information from the board materials regarding petitions for the Board to review.

Mr. Lawler stated that the petition for Bay Village Ward 01, Precinct B for All In Restaurants was two signatures short, and the petitioners had provided the CCBOE with two affidavits. Mr. Lawler said the affidavit signatures do match the signatures in the CCBOE registration database. The petitioner asks the Board to acknowledge the two signatures, making the petition valid for certification.

Chairman Curtis moved to accept the two affidavits and certify to the ballot the petition for Bay Village Ward 01, Precinct B for All In Restaurants for the November 5, 2024, Presidential General Election. Board Member Davis Chappell seconded. The motion passed unanimously.

The Board reviewed a petition for Local Liquor Option, Cleveland 03, Precinct B, for Imposters LTD. The Local Liquor Option Election Petition states the petition is for either beer, wine and mixed beverages, or spirituous liquor. The three classifications cannot be combined. The petition lists the sale shall be for wine and spirituous liquor, which is not a category. Attorney John Neil, representing Imposters, LTD., presented the Imposters LTD. case and exhibits.

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

Chairman Curtis moved to reject the petition from Imposters, LTD, and it not be certified to the November 5, 2024, Presidential General Election. Board Member Davis Chappell seconded. The motion passed unanimously.

Chairman Curtis moved to certify the issues for the November 5, 2024, Presidential General Election, as provided in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 8: Acknowledgment of the updated Precinct Election Officials (PEO) Performance Policy

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

Chairman Curtis moved to acknowledge the updated PEO Performance Policy. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 9: Approval of Resolutions and/or Vouchers for a) R2024-08-19-0004V – Diltex, Inc., b. R2024-08-19-0005V– Weekley's Mailing Service

Director Perlatti said the Resolution for Diltex is for a qualifiable Cyber Security Grant purchase of 25 computers. The purchase went through the bid as required, and the computers will be received and installed for the November 5, 2024, Election in the Vote-by-Mail area, and will operate with Windows 11. He stated the Resolution to Weekley's Mailing Service is the printing of the CCBOE Voter Information Guide which is mailed to the households of registered voters.

Chairman Curtis moved to approve the Resolutions and/or vouchers for a) R2024-08-19-0004V – Diltex, Inc.; b) R2024-08-19-0005V– Weekley's Mailing. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Items 10 – 12

Director Perlatti stated there were three related challenges filed by different individuals. Brian Gresham filed agenda item 10, and agenda items 11 and 12 were filed by Hasani Wheat, Registration Manager. All of the challenges relate to the same address. Mr. Grisham filed a challenge when he received a voter confirmation notice for Da'Viaghne Thomas. The CCBOE then contacted Mr. Thomas, who said he never lived at the challenged address. The CCBOE mailed Mr. Thomas a registration card to update his address, but he had not updated his address. Therefore, the voter challenge is proceeding. Director Perlatti said in the meantime, the CCBOE received two additional registration cards at the same address with the same surname, and date of birth. The CCBOE determined those voter registrations should also be challenged.

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

Agenda Item 10: Challenge of Right to Vote filed by Brian Gresham against Da'Viaghne Thomas

Hasani Wheat, Registration Department Manager, presented information outlined in the board materials regarding the Challenge of Right to Vote filed by Brian Gresham against Da'Viaghne Thomas. The Challenger, Mr. Gresham, is a registered voter in Cuyahoga County, and his challenge stated that Mr. Thomas did not live at 20508 Hansen Road, Maple Heights, Ohio. Mr. Thomas signed the registration form on April 11, 2024. Black Fork Strategies submitted the registration form on April 23, 2024, and the CCBOE processed the registration on May 1, 2024. Upon receipt of the voter challenge, the CCBOE contacted Mr. Thomas by phone on May 29, 2024, regarding his registration. Mr. Thomas stated that he never lived at 20508 Hansen Road and lives at 4705 Walford Road, Apartment 6, Warrensville Heights, Ohio. The CCBOE sent Mr. Thomas a registration card to update the address and held the challenge in abeyance for one month to update his record. Mr. Thomas did not update his address. Mr. Thomas has not voted in any election at either the Maple Heights or Warrensville Heights addresses. Board Member Davis Chappell asked if Mr. Thomas said why he signed the card if he did not live at the Hansen Road address. Mr. Wheat stated that Mr. Thomas did not give a reason.

Chairman Curtis confirmed that Mr. Gresham, Mr. Thomas, nor any representatives attended the hearing.

Chairman Curtis moved to uphold the challenge filed by Brian Gresham against Da'Viaghne Thomas and to cancel Da'Viaghne Thomas's voter registration. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 11: Challenge of Right to Vote filed by Hasani Wheat against Dave J. Thomas

Mr. Wheat presented information outlined in the board materials regarding two Challenges of Right to Vote filed on August 9, 2024, by Hasani Wheat against Dave J. Thomas and David Thomas. The Challenges note the registration address as 20508 Hansen Road, Maple Heights, Ohio, which is the same address as in the Challenge Brian Gresham versus Da'Viaghne Thomas. Mr. Wheat stated in the challenge that all three registrants have the same surname and birthdate. The registration card for David Thomas was received from Black Fork Strategies on July 2, 2024, and the card for Dave Thomas was received on July 22, 2024, from Second Street Associates. Both voters were placed in inactive status's based on routine Secretary of State (SOS) and CCBOE quality assurance measures that were unable

to verify relevant voter information through the BMV and SSA verification process. The CCBOE was unable to reach either individual. Chairman Curtis stated both signatures appear to be very similar. Board Member Stickan asked to clarify the timeline for when both of these registration cards came which was after the card for Da'Viaghne Thomas. Mr. Wheat said yes. Board Member Davis Chappell said a probative fact is that three people have the same last name and birthday. She stated whoever is circulating is creating names based on the derivatives, which is very concerning.

Chairman Curtis confirmed that Dave J. Thomas, David Thomas, nor any representatives attended the hearing.

Chairman Curtis moved to uphold the challenge filed by Hasani Wheat against Dave J. Thomas and to cancel their voter registration. Board Member Davis Chappell seconded. The motion passed unanimously.

Agenda Item 12: Challenge of Right to Vote filed by Hasani Wheat against David Thomas

Chairman Curtis moved to uphold the challenge filed by Hasani Wheat against David Thomas and to cancel their voter registration. Board Member Davis Chappell seconded. The motion passed unanimously.

Board Member Stickan said these issues are usually referred to other agencies. This being an issue where, this person was notified, and they did not live in Maple Heights. She stated there is a concern about signing the registration card or being presented with one or multiple cards. She asked if it would be appropriate to refer this to the SOS. Board Member Stickan said the Board will be discussing the entities that are circulating registration cards, which is a separate concern from this individual. She questioned if they purposely are signing these, or are they being taken advantage of if they are not understanding what is occurring? Board Member Davis Chappell said they may not be signing any cards. Director Perlatti said Da'Viaghne Thomas's registration was changed from Warrensville Heights to Maple Heights, which has been canceled, and he no longer has an active registration. Board Member Davis Chappell said he could update his voter registration with his correct address. Board Member Stickan said the CCBOE did have personal contact with him. She said there is a concern about either his conduct or his being potentially taken advantage of. Board Member McCafferty stated the danger would be, in this case, if you were registered and somebody had submitted a fraudulent card with another address, which would negate your registration. Board Member Stickan noted that this person was advised by the CCBOE and admitted they did not live in Maple Heights, and two cards came later. Director Perlatti said it is very concerning and will lead to the next agenda item: the discussion of questionable registration cards.

Agenda Item 13: Discussion on questionable registration cards

Director Perlatti stated at the previous board meeting that the CCBOE had canceled registrations, which had a similar pattern to today's challenges. He said the CCBOE is receiving registration cards on a regular basis from two main circulation organizations, Second Street Associates and Black Fork Strategies. The CCBOE has identified at least three categories of concern for the Board to discuss. These scenarios are also something other boards of elections across the State are experiencing and is not unique to Cuyahoga County.

Deputy Director Kaloger stated that the homeowners' challenges are the first category to discuss. When an individual registers to vote or updates their voter registration, the CCBOE sends a postcard to the individual. The confirmation notice informs the voter about their polling location, voting district information, etc. It also acts as a mechanism to help verify the individual actually lives at that address. If a card is returned from the postal service as undeliverable, that record is marked that they must vote provisionally, and when they go to the polls, they are asked to confirm their address. The CCBOE now sees more voter challenges where someone says the individual on the card does not live at that address. They bring it to the CCBOE's attention and take action accordingly. The second category is where three deceased individuals were re-registered by Black Fork Strategies and Second Street Associates. Deputy Director Kaloger reviewed the three instances with the Board. He said every month, the CCBOE receives reports from the Ohio Department of Health notifying the CCBOE of who has passed away, and the registrations are then canceled. He stated that the CCBOE requests voter registration drives to have their circulators indicate on the registration card coding that would identify the circulator. The identifiers would help the CCBOE

recognize issues of concern. The recommendation for indicators is not a requirement by law, but it is a good quality assurance measure. Initially, the registration drives were not cooperative, but for the last month or so, they have included the circulators' initials, which helped identify who the circulator was. Board Member Davis Chappell asked if the circulators who submitted the registration cards for the deceased individuals have been fired? Deputy Director Kaloger stated he did not know. Board Member Davis Chappell asked if that was their policy? Deputy Director Kaloger said that based on previous instances, the voter registration drives have terminated people. He added the CCBOE has met with the registration drives. Director Perlatti said the voter registration drives have not yet had an opportunity to terminate these individuals, as the meeting was just a few days ago. The CCBOE will be having follow-up calls with the organizations. He said two cards were submitted by Black Fork Strategies, and one card was from Second Street Associates. Director Perlatti said there were three different circulators for these three deceased individuals. Board Member McCafferty questioned where people get access to this particular information for deceased individuals to have the name, address, date of birth, and social security number? He asked if the canvassers are paid per registration card? Deputy Director Kaloger said the organizations do not pay per registration card; they pay per day and there are certain expectations, but not a quota, per se. Board Member Davis Chappell asked how the same individuals are registered by two different organizations? Deputy Director Kaloger said the CCBOE Registration Department does a great job. The department processes a high volume of registration cards with due diligence; these issues are identified and can be brought before the Board for action. As the Registration Department were entering voter registration cards, they noticed a lot of duplicates with the same person being registered repeatedly. The Registration Department worked with the Information Technology Department and derived a report from March 1, 2024, to August 14, 2024, to see how many duplicate registrations were received. An analysis was done on duplicate registration of three or more registrations for the same individual. During those four and a half months, the CCBOE received 17,000 voter registration cards for 6,500 voters. There were 1,300 cases where the CCBOE received three duplicate registration cards. The board materials provided a breakdown of the duplicate registration data, which detailed as many as 19 duplicate registrations for the same individual. He said these situations are identified as duplicate registrations and not registered multiple times. The impact these situations has is it creates a burden for the CCBOE staff, preventing a situation where a duplicate is not identified, and protecting voter registrations from becoming corrupted. There are multiple circulators involved who are working at these organizations, and additional efforts should be made to help prevent these issues rather than deal with them on the back end. Board Member Davis Chappell asked if the CCBOE has talked to the organizations about their quality assurance efforts. Deputy Director Kaloger said the organizations have expressed they have quality assurance operations they conduct. The CCBOE has identified these issues and shared them with the organizations, but the CCBOE is not involved with the organizations to know their solutions. Board Member Davis Chappell asked if there will be a follow-up call? Director Perlatti said the CCBOE will provide the organizations with the names of the individuals who registered the deceased voters. Board Member Davis Chappell recommended that the CCBOE meet with the organizations, as it has done in the past, to share their organization's quality assurance process. Board Member Stickan stated the CCBOE had made previous referrals to the SOS regarding Black Fork Strategies. She asked if the CCBOE is updating the SOS on these recent situations or identified circulators and if it needs to be approved at each board meeting? Director Perlatti said the CCBOE has not provided any more information to the SOS, and this would be an appropriate time to send these issues to the SOS Public Integrity Division. He added the CCBOE has referred previous activities regarding Black Fork Strategies, but there has not been a second referral. Board Member Stickan said it is appropriate to continue to refer these issues to the SOS and include referrals regarding Second Street Associates. Chairman Curtis stated the CCBOE did reach out to the organizations and made them aware of today's meeting. He asked if anyone representing Black Fork Strategies or Second Street Associates was present who would want to make a public comment. He noted that neither organization was present.

Board Member Stickan made a motion to refer Second Street Associates and combine it with allowing the CCBOE Director, Deputy Director, and staff to provide additional information on previous referrals on an ongoing basis. The previous referral is Black Fork Strategies and anything additional for Second Street Associates. The motion would include anything submitted to the Board to be submitted under the previous referral. Board Member Davis Chappell seconded. The motion passed unanimously.

Board Member Stickan asked if there were any updates regarding the previous investigations sent to the SOS. Deputy Director Kaloger said there was a follow-up with the SOS, and the CCBOE received a notice that both the

Black Fork Strategies and 1735 Elsinore referrals are still active and are ongoing investigations. Director Perlatti stated those updates are coming from the Ohio Attorney General's office.

Agenda Item 14: Approval of the personnel agenda

Chairman Curtis moved to approve the personnel agenda, as provided in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

Chairman Curtis moved that in order to effectively administer the November 5, 2024, General Election, the Cuyahoga County Board of Elections will observe Columbus Day, Monday, October 14, 2024, and Veterans Day, Monday, November 11, 2024, on alternate dates. The CCBOE will be open to the public on October 14, 2024, and November 11, 2024. Columbus Day and Veterans Day will be observed on Thursday, December 26, 2024, and Friday, December 27, 2024, and the Board will be closed to the public on December 26, 2024, and December 27, 2024. Board Member Davis Chappell seconded. The motion passed unanimously.

Chairman Curtis moved that effective August 19, 2024, the Election Officials Department will be returned to the previous name of the Poll Worker Department. Board Member Davis Chappell seconded. The motion passed unanimously.

NEW BUSINESS

November 5, 2024, Presidential General Election Update

Director Perlatti stated that vote-by-mail (VBM) applications are coming into the CCBOE. There are currently 24,915 non-UOCAVA applications, and 1,530 are UOCAVA applications. The SOS will send out VBM application state-wide around Labor Day, which will skyrocket the number of ballot requests. The recruitment of poll workers has started. The CCBOE is reaching out to voting location managers (VLM) and voting location deputies (VLD) first. There are 263 individuals already signed up for classes that will begin on September 6, 2024. Another email will go out to that group who have not yet signed up to get closer to the goal of 300. On Wednesday, August 21, 2024, a mass email will be sent from the CCBOE to returning poll workers who worked the March Primary Election to sign up for poll worker training. He said regarding Early In-Person (EIP) voting, the CCBOE has released and received bids back for tents in the parking lot and has awarded the bid. The CCBOE has filed permits with the City of Cleveland for obstruction permits to place the tents on the sidewalk. The ballot box is in the process of being moved, and the electricians have moved the streaming camera. The week of August 26, 2024, the Ballot Department will begin importing the ballot to start the ballot layout. Once that is completed, the ballot-proofing process will begin. The Community Outreach department has arranged with IHeart Radio to provide free public service announcements (PSAs). The Director will begin recording the PSAs today, and the announcements will be broadcast over 11 channels. Director Perlatti updated the Board on various security meetings in preparation for the upcoming November election. At the September meeting, the Director and Deputy Director anticipates making a recommendation to the Board to request approval to collect ballots from the turn lane on East 30th for all hours that the CCBOE is open for EIP voting. A safety square will be temporarily constructed in the turn lane with tents, where people can drop off their ballots from both directions on the East 30th Street. The CCBOE has reached out to the SOS to see if it is acceptable, meets the criteria of Directives, and promotes safety to voters. Additionally, the CCBOE has reached out to Cleveland Police and the Traffic Commissioner for their approval, as permits would probably be required. This solution would provide an easier way for the public to drop off their VBM applications and ballots without entering the CCBOE parking lot, which has limited space due to ADA and curbside voting. The Board discussed other logistics for EIP voters, including traffic patterns and voter lines.

PUBLIC COMMENT

There was no public comment.

EXECUTIVE SESSION

There was no executive session.

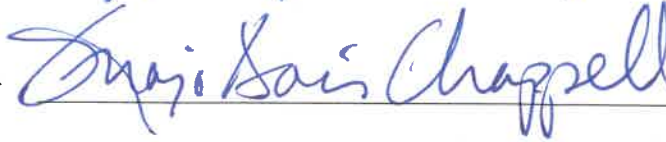
Chairman Curtis moved to adjourn the meeting at 11:19 a.m. Board Member Davis Chappell seconded. The motion passed unanimously.

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 August 19, 2024.

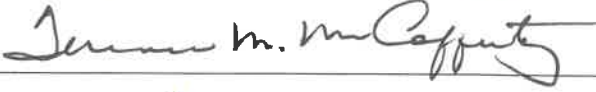
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