

**OCTOBER 30, 2006 TESTIMONY BY BOARD OF ELECTIONS OFFICIALS REGARDING
THEIR PRIOR AND CURRENT INTERPRETATIONS OF THE VOTER IDENTIFICATION LAWS**

(NEOCH/Brunner)

	Interpretation of “Current”?	Interpretation of “Other Government Document”?	Accepting Photograph Number on Driver’s License?	Accepting Military I.D. Without Current Address?	Requiring Identification From Early In Person Absentee Voters?
SOS DIR. 2006-78 (ISSUED 10/26/06)¹	<p>“[A] document which is dated not more than six months from the date that it is presented to the election official.”</p> <p>(Dir. 2006-78 at 3.)</p>	<p>“[A]ny local, state or federal government document.”</p> <p>(<i>Id.</i>)</p>	<p>The photograph number “is not the driver’s license number” and does not provide proof of identity.</p> <p>(<i>Id.</i>)</p>	<p>Not addressed.</p>	<p>“If the absent voter’s ballot is cast in person, the voter must present” one of the required forms of identification.</p> <p>(<i>Id.</i> at 2.)</p>
BUTLER COUNTY²	<p>Before receiving Directive 2006-78, had interpreted “current” to mean one year.</p> <p>(McGary Dep. at 7.)</p>	<p>Any document from a federal, state, or local government entity, including a municipality or county.</p> <p>(<i>Id.</i> at 12.)</p>	<p>Not accepting the photograph number.</p> <p>(<i>Id.</i> at 13-15.)</p>	<p>Not accepting any military I.D. without a current address.</p> <p>(<i>Id.</i> at 17-19.)</p>	<p>Had allowed early in person absentee voters to provide last four digits of Social Security number or driver’s license number in lieu of other identification; after receiving Directive 2006-78,</p>

¹ Directive 2006-78 (filed separately at Doc. No. 15-2) was issued after this lawsuit was filed and after absentee voting had begun.

² See Deposition of Betty McGary (“McGary Dep.”), filed separately at Doc. No. 38.

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					undecided as to what identification to require of early in person absentee voters. (<i>Id.</i> at 19-30.)
CUYAHOGA COUNTY ³	Before receiving Directive 2006-78, had not formulated or communicated an interpretation of “current.” (Vu Dep. at 6-12.)	No interpretation of “other government document.” (<i>Id.</i> at 13-15.)	No policy as to whether to accept the photograph number. (<i>Id.</i> at 15-19.)	No policy as to whether to accept military I.D. without a current address. (<i>Id.</i> at 19-21.)	Had allowed early in person absentee voters to provide last four digits of Social Security number or driver’s license number in lieu of other identification; after receiving Directive 2006-78, began requiring early in person absentee voters to show identification. (<i>Id.</i> at 22-24.)

³ See Deposition of L. Michael Vu (“Vu Dep.”), filed separately at Doc. No. 41.

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FRANKLIN COUNTY⁴	Before receiving Directive 2006-78, had not formulated or communicated an interpretation of “current.” (Damschroder Dep. at 9-12.)	No interpretation of “other government document.” (<i>Id.</i> at 13-14.)	No policy as to whether to accept the photograph number; would determine at a later date whether to accept the ballot after guidance from the Franklin County Prosecutors Office. (<i>Id.</i> at 14-23.)	-----	Allowing early in person absentee voters to provide last four digits of Social Security number or driver’s license number in lieu of other identification, both before and after receiving Directive 2006-78 from the Secretary of State. (<i>Id.</i> at 24-31.)
HAMILTON COUNTY⁵	Before receiving Directive 2006-78, had not formulated or communicated an interpretation of “current” but used “common sense.” (Williams Dep. at 6-10.)	Any document from a federal, state, or local government entity, but does not include a state university I.D. (<i>Id.</i> at 16-19.)	Not accepting the photograph number. (<i>Id.</i> at 20-24.)	For absentee voters, accepting military I.D. without a current address; on Election Day, a voter with a military I.D. without a current address but with a Social Security number could vote a provisional ballot but	Had allowed early in person absentee voters to provide last four digits of Social Security number or driver’s license number in lieu of other identification; after receiving Directive 2006-78,

⁴ See Deposition of Matthew Damschroder (“Damschroder Dep.”), filed separately at Doc. No. 39.

⁵ See Deposition of John Williams (“Williams Dep.”), filed separately at Doc. No. 48.

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				not a regular ballot. <i>(Id. at 26-27.)</i>	undecided on identification to require of early in person absentee voters but likely would not follow that portion of the Directive because it does not comport with the voter I.D. statutes. <i>(Id. at 14-16.)</i>
LUCAS COUNTY⁶	Before receiving Directive 2006-78, interpreted “current” to mean approximately one month old. <i>(Kelly Dep. at 8-11.)</i>	No interpretation of “other government document” but planned to consult Lucas County Prosecutors Office on a case-by-case basis. <i>(Id. at 11-12.)</i>	Not accepting photograph number; would determine at a later date whether to accept ballot after guidance from Lucas County Prosecutors Office and the Secretary of State. <i>(Id. at 12-18.)</i>	Accepting military I.D. without a current address. <i>(Id. at 19-23.)</i>	Requiring early in person absentee voters to provide identification other than Social Security number or driver’s license number, both before and after receiving Directive 2006-78. <i>(Id. at 24-30.)</i>

⁶ See Deposition of Jill Kelly (“Kelly Dep.”), filed separately at Doc. No. 49.

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TRUMBULL COUNTY ⁷	<p>Before receiving Directive 2006-78, interpreted “current” to mean the current or prior month.</p> <p>(Pallante Dep. at 7-11.)</p>	<p>“[A]ny other document that is issued by any government entity . . . if it has the proper information. These include, but not limited to car registration, W-2, income tax papers (1040s and so on), state university bills or grade reports, real estate tax bills, notices from the Clerk of Courts.”</p> <p>(<i>Id.</i> at 11-13.)</p>	<p>Not accepting photograph number; ballot will be rejected.</p> <p>(<i>Id.</i> at 13-14.)</p>	<p>Not accepting military I.D. without a current address.</p> <p>(<i>Id.</i> at 14.)</p>	<p>Had allowed early in person absentee voters to provide last four digits of Social Security number or driver’s license number in lieu of other identification; had not yet put into effect Directive 2006-78, but if ordered by the Secretary of State to do so, would require early in person absentee voters to show identification.</p> <p>(<i>Id.</i> at 16-17.)</p>

⁷ See Deposition of Kelly Pallante (“Pallante Dep.”), filed separately at Doc. No. 37.

WARREN COUNTY ⁸	<p>Before receiving Directive 2006-78, had not formulated or communicated an interpretation of “current.”</p> <p>(Johnson Dep. at 7-11.)</p>	<p>No interpretation of “other government document.”</p> <p>(<i>Id.</i> at 11-12.)</p>	<p>No policy as to whether to accept the photograph number; Board would determine at a later date whether to accept ballot.</p> <p>(<i>Id.</i> at 12-14.)</p>	<p>Issue had not arisen but planned to accept military I.D.</p> <p>(<i>Id.</i> at 15-16.)</p>	<p>In some instances, would require early in person absentee voters to provide identification other than Social Security number or driver’s license number.</p> <p>(<i>Id.</i> at 16-18.)</p>
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⁸ See Deposition of Susan Johnson (“Johnson Dep.”), filed separately at Doc No. 36.