

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**SERVICE EMPLOYEES
INTERNATIONAL UNION,
LOCAL 1199, ET AL**

Civil Action No.: C2 06 896

**JUDGE ALGENON L. MARBLEY
Plaintiffs,
MAGISTRATE JUDGE KEMP**

v.

**J. KENNETH BLACKWELL, in his official
capacity as Secretary of State of Ohio,**

Defendant.

**PLAINTIFFS' COMBINED RESPONSES TO DEFENDANT OHIO SECRETARY OF
STATE J. KENNETH BLACKWELL'S COMBINED INTERROGATORIES AND
REQUEST FOR PRODUCTION OF DOCUMENTS**

INTERROGATORY NO. 1:

State the name and address of each person answering or assisting in answering these Discovery Requests including job or organizational titles if applicable.

ANSWER:

Mary Jo Ivan, Assistant to the President
SEIU Local 1199
1395 Dublin Road
Columbus, Ohio 43215

Lee Evans
Asst. Director of Leadership Development
SEIU Local 1199
1395 Dublin Road
Columbus, Ohio 43215

Caroline Gentry, Esq.
Porter Wright Morris & Arthur
One South Main Street, Suite 1600
Dayton, OH 45419

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INTERROGATORY AND REQUEST FOR PRODUCTION NO. 2:

Please state the name, address, telephone number, date of birth and social security number for ten (10) registered voters in the State of Ohio who you claim will be unable to cast a regular ballot/vote in the election to be held on Tuesday, November 7, 2006. For each person identified, please state as follows:

- a. Please state with particularity the reason(s) you believe each person will be unable to cast a regular ballot/vote in the election.
- b. Please produce each and every document of any kind which you believe supports your allegation that each individual identified will be unable to cast a regular ballot/vote, or which you intend to introduce at any evidentiary or preliminary injunction hearing in this matter.

ANSWER:

Any registered voter in the State of Ohio who does not bring one of the forms of identification listed in R.C. sec. 3505.18(A) to the polls on Election Day will be unable to cast a regular ballot/vote in the November 7, 2006 election. Those persons include, but are not limited to:

Michael Holstein, Information Services & Technology, Cleveland State University, 2121 Euclid Avenue, Cleveland, OH 44115, 216-875-9662.

Sarah Shive, The Ohio State University Moritz College of Law, 249 West 10th Avenue, Columbus, Ohio 43201.

Micky Trammel, DOB 12/12/54, homeless for 15 months, resides when able to do so at a shelter located at 2100 Lakeside in Cuyahoga County, OH.

Edward Rinn, DOB 8/16/70, homeless for 45 days, resides when able to do so at a shelter located at 2100 Lakeside in Cuyahoga County, OH.

James Caldwell, DOB 10/24/65, homeless for 3 years, resides when able to do so at a shelter located at 2100 Lakeside in Cuyahoga County, OH.

Anthony Willis, DOB 9/10/60, homeless for 6 months, resides when able to do so in a shelter located at 1701 Payne in Cuyahoga County, OH.

INTERROGATORY AND REQUEST FOR PRODUCTION OF DOCUMENTS NO. 3:

Please state the name, address, telephone number, date of birth and social security number for ten (10) registered voters in the State of Ohio who you claim will be unable to cast a provisional ballot/vote in the election to be held on Tuesday, November 7, 2006. For each person identified, please state as follows:

- a. Please state with particularity the reason(s) you believe each person will be unable to cast a provisional ballot/vote in the election.
- b. Please produce each and every document of any kind which you believe supports your allegation that each individual identified will be unable to cast a provisional ballot/vote, or which you intend to introduce at any evidentiary or preliminary injunction hearing in this matter.

ANSWER:

Any registered voter in the State of Ohio who does not have one of the forms of identification listed in R.C. sec. 3505.18(A), but does have a Social Security Number, will be unable to cast a provisional ballot/vote in the November 7, 2006 election. See R.C. sec. 3505.18(A) and 3505.181. Those persons include, but are not limited to:

Michael Holstein, Information Services & Technology, Cleveland State University, 2121 Euclid Avenue, Cleveland, OH, 44115, 216-875-9662.

Sarah Shive, The Ohio State University Moritz College of Law, 249 West 10th Avenue, Columbus, Ohio 43201.

Micky Trammel, DOB 12/12/54, homeless for 15 months, resides when able to do so at a shelter located at 2100 Lakeside in Cuyahoga County, OH. No telephone number available.

Edward Rinn, DOB 8/16/70, homeless for 45 days, resides when able to do so at a shelter located at 2100 Lakeside in Cuyahoga County, OH. No telephone number available.

James Caldwell, DOB 10/24/65, homeless for 3 years, resides when able to do so at a shelter located at 2100 Lakeside in Cuyahoga County, OH. No telephone number available.

Anthony Willis, DOB 9/10/60, homeless for 6 months, resides when able to do so in a shelter located at 1701 Payne in Cuyahoga County, OH. No telephone number available.

INTERROGATORY AND REQUEST FOR PRODUCTION NO. 4:

Please state the name, address, telephone number, date of birth and social security number for ten (10) registered voters in the State of Ohio who have been denied the right to cast an absentee ballot/vote in the election to be held on Tuesday, November 7, 2006. For each person identified, please state as follows:

- a. Please state with particularity the reason(s) you believe each person was not able to cast an absentee ballot/vote in the election.
- b. Please produce each and every document of any kind which you believe supports your allegation that each individual identified was not able to cast an absentee ballot/vote, or which you intend to introduce at any evidentiary or preliminary injunction hearing in this matter.

ANSWER:

Any registered voter in the State of Ohio who attempted to vote by early in-person voting in counties that would not accept a driver's license number or Social Security number in lieu of one of the listed forms of identification in R.C. sec. 3505.18(A)(1), and who did not possess such identification or presented such identification but had it be rejected (e.g., a driver's license with a former rather than current address), were denied the right to cast an absentee ballot/vote in the November 2006 election. These persons include, but are not limited to, Kenyetta Thomas, Administrative Organizer, Long Term Care Division, Service Employees International Union, Local 1199, 2570 Superior Avenue 7th Floor, Cleveland, OH 44114 (216) 496-6732.

Absentee mail-in voters who provided identification that will be deemed to be insufficient cannot be known at this time because they are in the possession of the Boards of Elections.

INTERROGATORY AND REQUEST FOR PRODUCTION NO. 5:

Please state the name, address, telephone number, date of birth and social security number for ten (10) registered voters in the State of Ohio who have been denied the right to participate in early, in person voting in the election to be held on Tuesday, November 7, 2006. For each person identified, please state as follows:

- a. Please state with particularity the reason(s) you believe each person was denied the right to participate in early, in person voting in the election.
- b. Please produce each and every document of any kind which you

believe supports your allegation that each individual identified was denied the right to participate in early, in person voting, or which you intend to introduce at any evidentiary or preliminary injunction hearing in this matter.

ANSWER:

See answer to Interrogatory Number 4.

INTERROGATORY AND REQUEST FOR PRODUCTION NO. 6:

Please state the name, address, telephone number, date of birth and social security number for ten (10) registered voters in the State of Ohio who you allege may be denied the right to cast an absentee ballot/vote in the election to be held on Tuesday, November 7, 2006. For each person identified, please state as follows:

- a. Please state with particularity the reason(s) you believe each person may be denied the right to cast an absentee ballot/vote in the election.
- b. Please produce each and every document of any kind which you believe supports your allegation that each individual identified may be denied the right to cast an absentee ballot/vote, or which you intend to introduce at any evidentiary or preliminary injunction hearing in this matter.

ANSWER:

Any registered voter in the State of Ohio who will attempt to vote by early in-person voting in counties that will not accept a driver's license number or Social Security number in lieu of one of the listed forms of identification in R.C. sec. 3505.18(A)(1), and who does not possess such identification or presents such identification but has it be rejected (e.g., a driver's license with a former rather than current address), will be denied the right to cast an absentee ballot/vote in the November 2006 election. The identities of these voters are cannot be known at this time.

Absentee mail-in voters who provided identification that will be deemed to be insufficient cannot be known at this time because they are in the possession of the Boards of Elections.

INTERROGATORY AND REQUEST FOR PRODUCTION NO. 7:

Please state the name, address, telephone number, date of birth and social security number for ten (10) registered voters in the State of Ohio who you allege may be denied the right to participate in early, in person voting in the election to be held on Tuesday, November 7, 2006. For each person identified, please state as follows:

- a. Please state with particularity the reason(s) you believe each person may be denied the right to participate in early, in person voting in the election.
- b. Please produce each and every document of any kind which you believe supports your allegation that each individual identified may be denied the right to participate in early in, person voting, or which you intend to introduce at any evidentiary or preliminary injunction hearing in this matter.

ANSWER:

See answer to # 6.

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 8:

Please produce copies of all exhibits you intend to introduce at the time of trial or any evidentiary, pretrial or injunction hearing in this matter.

RESPONSE:

See attached. Plaintiffs also intend to introduce part or all of the voter-identification provisions in House Bills 3 and 234, all documents produced on October 31, 2006 by Defendant, and all declarations, deposition exhibits and depositions that either have been or will be filed with this Court. Plaintiffs reserve the right to supplement this list with additional exhibits for any newly- or recently-identified witnesses (including the Secretary of State's employee, Judy Grady, who was named as a witness today).

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 9:

If you are an organizational Plaintiff, please produce copies of any by-laws, written policies, or other documents that set forth the requirements for membership in your organization as well as those documents that set forth the "mission statements" for the organization.

RESPONSE:

See attached.

REQUEST FOR PRODUCTION OF DOCUMENTS NO. 10:

If you are an organizational Plaintiff, please produce copies of your Board Minutes authorizing you to proceed with this lawsuit.

RESPONSE:

No documents responsive.

INTERROGATORY NO. 10

If you are an organizational Plaintiff, are you claiming associational standing for your members or any one else? If so, please identify for what injuries Plaintiff claims associational standing.

ANSWER:

Members. Unequal, unfair and arbitrary application of laws and procedures with respect to identification for purposes of voting by absentee ballot or at the polls.

INTERROGATORY AND REQUEST FOR PRODUCTION OF DOCUMENTS NO. 11:

If you are an organizational Plaintiff, please produce any and all records in your possession and in regard to your membership that identify:

- a. Those in your membership who do or do not possess a driver's license; and

Complete list cannot be known at this time.

- b. Those members of your organization who do or do not possess a photo identification of any type.

ANSWER:

Complete list cannot be known at this time. Objection: Overbroad. See R. C. 3501.01(AA).

INTERROGATORY NO. 12:

Please list with particularity and describe each and every "other government document" as stated in your Complaint that will be refused by any County Board of Election if produced as identification by a registered voter. For each and every "other government document" identified by you, please state as follows:

- a. The name, address, telephone number and social security number of fifteen (15) registered voters who intend to present this form of "other government document" as identification to the particular County Board of Election;
- b. Please state the name, address, business telephone number and job title of each and every employee of a County Board of Election who has told any individual identified in subsection (a) that they are not allowed to use said "other government document" as identification for voting.

ANSWER:

Cannot be known at this time.

INTERROGATORY NO. 13:

Please state the name address, telephone number and social security number of fifteen (15) registered voters who intend to present a utility bill, bank statement, pay check, government check or other government document that is older than six (6) months old as identification for voting on November 7, 2006.

ANSWER:

Cannot be known at this time.

INTERROGATORY NO. 14:

Please state the name, address, telephone number and social security number of fifteen (15) registered voters who have been denied the right to cast an absentee ballot or in person early vote as a result of supplying an Ohio Driver's License "photograph number" as opposed to an Ohio Driver's License "license number."

ANSWER:

Cannot be known at this time.

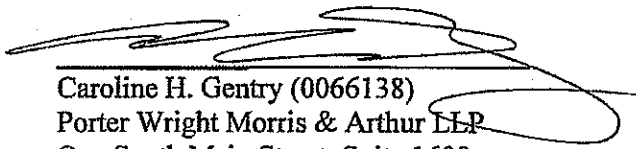
INTERROGATORY NO. 15:

Please state the name, address, telephone number and social security number of each and every witness, including expert witnesses, you intend to call at the time of trial in this matter, or at any pretrial, evidentiary or injunction hearing.

ANSWER:

See Plaintiffs' Initial Disclosure of Witnesses served on October 31, 2006.

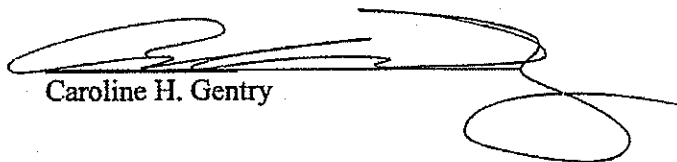
Respectfully submitted,



Caroline H. Gentry (0066138)
Porter Wright Morris & Arthur LLP
One South Main Street, Suite 1600
Dayton, OH 45419
Tel: 937-449-6748
Fax: 937-449-6820
cgentry@porterwright.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served upon all counsel of record via electronic mail on October 31, 2006.


Caroline H. Gentry

Northeast Ohio Coalition for the Homeless

HOMELESS ADVOCACY INITIATIVES



Photo by Steve Cagen

Internships in Advocacy

Advocacy Priorities from 2000

Goals for the Northeast Ohio Coalition for the Homeless

2005-2010

General Principles:

1. NEOCH should confine its advocacy efforts to local positions since state and federal advocacy will be nearly impossible to see any results.
2. Over the next four years it is anticipated that there are going to be large cuts to homeless funding from the state and national governments. Since there is unlikely to be any ability to change these budget shortages, NEOCH should not get involved in advocacy around reductions in funding.

advocacy agenda

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3. NEOCH will concentrate on four areas and will attempt to maintain and where possible improve local services in the area of housing, health care, economic justice and civil rights.

Housing:

4. Housing: NEOCH will assist with monthly housing preservation meetings to assure that the community is aware of possible foreclosures or reductions in affordable housing.
5. Housing: Work on a local strategy for those leaving the corrections system and enter shelter and especially those with sexually based offence.
6. Housing: Continue to monitor the three large subsidized housing programs locally including Public Housing, and both forms of the Section 8 program to ensure no loss in affordable housing.
7. Housing: Work with other groups in the community to develop alternatives to shelter in the community for those experiencing a housing emergency.
8. Housing: Expand the marketing of the website www.housingcleveland.org to assure that all subsidized landlords are participating, and that the homeless community is aware of the website. The long term goal should be to host a center in which homeless people can come to get referrals and use the various websites in the community.

Civil Rights:

9. Civil Rights: Monitoring and documentation of civil rights violations or violence against homeless people. Reiterate with the Cleveland Police the agreement preventing harassment for purely innocent behavior.
10. Civil Rights: Develop a set of standards for local shelters to ensure that NEOCH is not excluded from the shelters, a consistent process for grievances, and some standard for dissemination of information about the programs.
11. Civil Rights: Protection of the privacy rights of homeless people in reporting confidential information to enter the local shelters.
12. Civil Rights: Pass legislation that would make attacks on homeless people a hate crime.
13. Civil Rights: Work to assure that all homeless people are registered to vote, and reduce barriers to registering and homeless people actually voting. This includes assistance with obtaining identification in order to vote.

Health Care:

14. Health Care: Work with all local public entities to assure access by homeless people to alcohol/drug services, mental health and emergency medical care.
15. Health Care: Work to develop a better approach to homeless people with a substance abuse problem. This needs to involve better use of existing resources and the expansion of resources.
16. Health Care: NEOCH will work with the Center for Community Solutions to apply for a comprehensive health care grant to serve homeless people in collaboration with all the hospitals and health service providers.
17. Health Care: NEOCH will work with other local advocates to develop a better strategy for assistance to homeless people with a mental illness. This should include expansion of drop in services and specialized care to those without disabilities.

Economic Justice Issues:

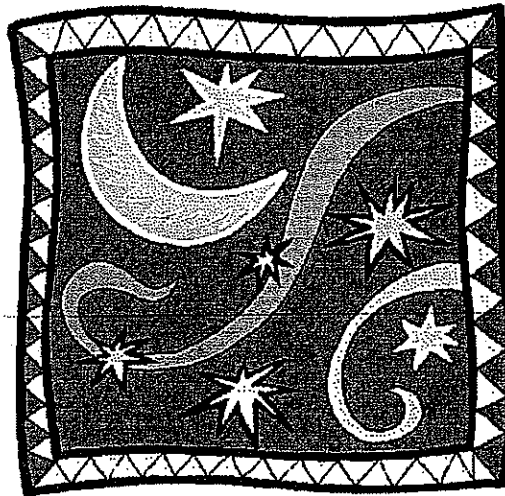
advocacy agenda

18. Economic Justice: Work with other local advocates to pass legislation to protect the rights of those who work at temporary labor companies including the expansion of the job training opportunities developed specifically to serve homeless people.
19. Economic Justice: Demand reform of Social Security Disability, Medicare and Medicaid hearings so that those with a mental illness and a physical disability do not have to wait extended periods of time for a hearing on their cases.

Recent Additions Based on Advocacy Meetings and events over the last year

1. Disaster Plan: We need a plan for evacuating homeless people in the event of a natural or man made disaster within the Downtown area of Cleveland.
2. Empowerment: Develop a representative body of homeless people to divide up local resources and set policy for the social services. This should include the creation of leaders who are currently homeless.
3. Shelter overcrowding: Assure that the overflow shelters are not closed without a suitable replacement put in place to accommodate everyone in need of a place to sleep. The Coalition should also look at the extent of suburban and even neighboring counties are utilizing the homeless services, but not providing any funds.
4. Outreach: With recent removal of homeless people from the airport and the Convention Center, we need better coordination of outreach efforts. The City needs one entity to turn to in order to dispatch social service help to a person in need instead of law enforcement. There needs to be some coordination of the churches that come downtown to provide a meal especially on Sunday night and holidays.
5. Transportation: With the increases in bus fare and the decreasing availability of bus passes, the Coalition should investigate ways to make transportation of homeless people to meetings with landlords, jobs, health care meetings, and classes more readily available.

Homeless Organizing



 **What is Homeless Organizing?**

 **Why did this program develop?**

 **Making Contact**

What is Homeless Organizing?:



As a continuation of the Creating Positive Solutions discussion, NEOCH attempts to meet with different populations of homeless people every month to talk about the issues, the gaps in services, and possible solutions. Through this effort we have tried to concentrate our energies in filling some of the gaps by those with homeless experience. Currently, we are working on a central referral center so that a homeless person can go to one place and find information about jobs, housing, shelter, and education. They can talk to a referral specialist and can use a computer to find resources and improve their skills. We are also working on the problems associated with the temporary labor agencies including the low pay rate and dead end nature of the jobs.

We have tried at various time to establish a homeless leadership union to work in cooperation with NEOCH to carry out a solution orientated agenda and lobby the government. This has had various levels of success because of the transient nature of the population.

Other organizing projects include voter registration drives to get homeless people registered and assisting them to go to the voting booth. NEOCH has also worked to assure that homeless people are represented on various boards and serve on advisory committees. NEOCH has assisted squatters attempting to preserve the building that they were using for a shelter. NEOCH has also begun organizing Coalitions of homeless people throughout the state of Ohio.

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Why did this develop?



The Coalition was founded on the principle of providing advocacy to Greater Cleveland around the issues of homelessness. We realized quickly that the only way to accomplish this goal in the long term is to energize the population with the confidence to make dramatic changes in their own community. This means empowering homeless people into a community or returning power to those long since disenfranchised. In everything we do, we attempt to amplify the voice of homeless people and take direction from those who have lived through homelessness.

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Making Contact



If you would like to assist with this project, go to the volunteer opportunities section. We need people who want to help organize people who are homeless. We want to again hold leadership meetings and get people to begin to shake off the sense of powerless that so often prolongs a persons stay on the street. Please contact NEOCH for more information.

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