DECLARATION OF JEN MILLER

I, Jen Miller, am over the age of 18 and fully competent to make this declaration. Under penalty of perjury, I declare the following:

**Personal Background**

1. I serve as the Executive Director of the League of Women Voters of Ohio (“LWVO”).
2. I have served in this capacity for two years.

**LWVO Membership and Voter Engagement**

3. LWVO is a membership organization that is affiliated with the League of Women Voters of the United States—we recruit and develop members and provide support to 30 local leagues in the State of Ohio.
4. LWVO has approximately 3,000 members across the State.
5. LWVO is a non-partisan, non-profit peoples’ organization that has fought for fundamental rights since it was founded in 1920 by the suffragists, after the enactment of the Nineteenth Amendment of the U.S. Constitution granting women’s suffrage.
6. LWVO’s goal is to help citizens exercise their right to vote, improve our systems of governance, and encourage all Americans to take part in the political process.
7. LWVO has fulfilled this goal for decades by registering new voters, providing nonpartisan voter guides, helping to educate citizens about when and how they may cast a ballot, and advocating in favor of positive voting reforms. LWVO provides many voter services and educational projects, such as conducting voter registration drives, publishing in journals and brochures, hosting nonpartisan candidate and issue forums, publishing online electronic voter information and candidate guides, and providing rapid response emergency support to local leagues in times of crisis.
8. Prior to any election, LWVO engages in voter education and protection work, helping voters learn the location of their polling places, providing information to voters around registration status, and making sure voters know what types of identification are required at the polls.

9. LWVO members work with state officials and local county officials to ensure that they are ready for Election Day and have trained poll workers. LWVO’s local league members also attend local county board meetings to watch county elections officials decide whether to accept or reject absentee ballot applications.

10. Ahead of the primary election which was scheduled for March 17, LWVO and local leagues registered voters across the State of Ohio.

**H.B. 197 and Ohio’s 2020 Primary Election**

11. I am aware that last week, the Ohio legislature passed Am. Sub. H.B. 197 (“H.B. 197” or “Act”). H.B. 197 moves the primary election’s endpoint to April 28, 2020 and requires all but a couple of categories of Ohio voters to vote by mail.

12. I feel that H.B. 197 creates insurmountable obstacles to voting that will deprive people, including league members, of their fundamental right to vote.


14. LWVO has fielded calls from numerous league members and prospective voters about the February 18 cut-off deadline. On these calls, LWVO has informed voters that their county boards of elections will not process new voter registration applications or updated voter registration applications, including address changes, submitted after February 18 and that these prospective registrants will not be able to vote on April 28.
15. LWVO works with many college students in the State. These students have had to move home to a different state or county, resulting in a change to their mailing address. Many of these students registered prior to February 18 but will not be able to vote on April 28 because they cannot update their voting addresses online under H.B. 197 and may have trouble receiving election information at their old addresses.

16. I am aware that H.B. 197 establishes a multi-step vote-by-mail only process that must be completed in the span of one month. I believe this timeline is too tight for the state to effectively administer a vote-by-mail only scheme and for voters to get their ballots back to their county boards of election in time to count.

17. I understand that under H.B. 197, county boards of elections must first send a postcard informing voters that they can apply for an absentee ballot.

18. Many LWVO members as well as those the LWVO helps do not have reliable postal service. LWVO helps students and many are locked out of their dormitories and no longer have access to the mail that arrives at their dorm. These individuals will likely not receive a postcard. LWVO has had to educate these individuals about H.B. 197’s new vote-by-mail only process and will not be able to reach all of our constituents.

19. I understand that H.B. 197 requires voters to print an absentee ballot application or otherwise obtain one, fill it out, place the application in an envelope with a stamp, and send the application in to their county board of elections—just to get their absentee ballots.

20. I am aware that this process is cumbersome for many LWVO members who do not own printers or have money to buy ink or stamps. I, myself, do not own a printer and neither do members of my immediate staff. Print shops, libraries, schools, and other public
places, where most LWVO members would go to download and print applications, are closed due to the COVID-19 crisis.

21. I am aware that under current Ohio law, a prospective voter who wishes to vote by absentee ballot must submit that request in writing. This prevents many LWVO members from calling their boards of elections and submitting requests for absentee ballots over the phone.

22. I understand that H.B. 197 requires county boards of elections to process absentee ballot requests before mailing voters absentee ballots.

23. In the past, I am aware that boards of elections have flagged or rejected absentee ballot applications because of mismatching signature issues, missing or erroneous date of birth issues, or minor errors such transposing numbers in the SSN or Driver’s License fields on the ballot identification envelope. This has caused prospective applicants to start from scratch in the process of requesting absentee ballots.

24. I understand that H.B. 197 requires voters to complete their ballots and return them to the board, postmarking it by April 27, 2020 or dropping it off at the board of elections prior to 7:30 p.m. on April 28, 2020.

25. I am aware that under Ohio law boards of elections have the power to reject voted absentee ballots because of mismatched signature issues, missing or erroneous date of birth issues, or other immaterial errors on ballot ID envelopes. I understand that these voters must be given a chance to cure mistakes on their ballots.

26. HB 197 does not identify how, if at all, this process would change in the new vote-by-mail only system. If county boards of elections reject absentee applications and ballots, then voters must either start the process again or try to cure their ballots. This takes more
time and resources. Given the shortened election timeline and large influx of new vote-by-mail voters, I fear there is not enough time for these voters to submit absentee ballots and have them count.

27. In my own experience living in Ohio and in the experience of many LWVO members, mail delivery normally takes 3-5 days. I feel that due to the COVID-19 crisis, potentially increased mail volume, and pressure on a limited number of postal workers, mail delivery times may lag even more.

28. I am aware that most people in Ohio vote in-person at their boards of elections or designated polling place.

29. From public data available on the Secretary of State’s website, 

**COVID-19 and H.B. 197’s Impact on LWVO’s Work**

30. Since the spread of COVID-19, LWVO has diverted its resources towards making sure that prospective voters are not disenfranchised.

31. The current pandemic has caused local League members to feel panic and chaos as they grapple with new realities and hurdles, in particular, how to safely participate in the electoral process and guide community members in doing the same.

32. LWVO has conducted education and advocacy in the community around COVID-19—emphasizing the importance of staying safe.
33. LWVO has supported those who are most impacted by these changes including individuals in nursing homes, retirement centers, senior center facilities, and students.

LWVO members:

a. have called prospective voters in the community to help them navigate the ever-changing election-related developments in Ohio;

b. have checked in with local boards of elections to understand how the boards are handling these developments; and

c. are working to inform community members of any new changes including those introduced by the passage of H.B. 297.

34. Because of the passage of H.B. 197, LWVO members have convened meetings to discuss how best to help others vote in the upcoming primary election, including strategizing about working with local officials.

35. LWVO’s local League members in Summit County have been helping elderly individuals at a 500-person retirement center in Hudson to vote since before March 17.

36. Local League members helped eligible individuals at the retirement center request absentee ballots for the regularly scheduled March 17 primary election and couriers requests to the county board of election.

37. A significant number of retirement center residents did not request absentee ballots because they planned on League members to give them rides to the polls on Election Day so that they could vote in person. None were able to vote on March 17 because polls were closed.
38. Local League members are now diverting their resources to ensure that the residents who did not get a chance to vote in-person on March 17 are able to navigate the new vote-by-mail only process.

39. Local League members have printed absentee ballot requests and have set a deadline of April 5 for retirement center residents to fill in their application forms.

40. Local League members will then check each resident’s completed request form to ensure that all fields have been properly filled, in order to minimize the risk that the board of election will reject applications.

41. Local League members plan on couriering completed applications to the board of election by April 10. They hope that this will allow enough time for the board to process applications and mail ballots to applicants, and for applicants to vote, postmark, and return ballots to the board by April 28.

42. I am aware that local League members feel an immense amount of pressure to carry out these tasks in such a short period of time.

43. I am aware the LWVO staff and members are concerned that LWVO members and constituents will be disenfranchised by H.B. 197’s cumbersome, multi-stage absentee voting process.

I declare under penalty of perjury that the foregoing is true and correct.

Jen Miller