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Columbus City Attorney Leads Push for More Ballot Drop Boxes

*Given COVID-19 and Changes in the U.S. Postal Service,
Voters Need Access to Convenient Ballot Drop Boxes*

COLUMBUS - Columbus City Attorney Zach Klein's office joined by the City of Cincinnati, the City of Dayton, the City of Akron, Summit County and Montgomery County Commissioners Judy Dodge, Deborah Lieberman, and Carolyn Rice, today filed an **amicus brief*** to request a preliminary injunction against Secretary of State Frank LaRose's directive that prohibits county boards of elections from having more than one drop box location per county for the General Election on Nov. 3, 2020. Directive 2020-16 was issued by Secretary LaRose on Aug. 12, 2020, despite nothing in the Ohio Revised Code prohibiting the use of multiple boxes.

"I want to make sure the citizens of Columbus – and all of Ohio – have their voices heard during the 2020 general election," said Klein. **"We're in the middle of a global pandemic and facing unknowns from the U.S. Postal Service. We must add more ballot drop boxes to provide voters another timely, convenient way to securely cast their votes."**

The brief, filed in the Franklin County Court of Pleas, illustrates numerous concerns that could prevent residents from having free and fair access to cast their votes in the 2020 general election – an election that may break all records for absentee balloting in Ohio:

- **COVID-19** -- The State has acknowledged the risks associated with in-person voting in light of the pandemic and, as a result, cancelled in-person voting for the March 17, 2020, primary. A study examining the effects of in-person voting at Wisconsin's April 7, 2020, primary election revealed "a statistically and economically significant association' between in-person voting and the spread of COVID-19 weeks after the election."
- **Postal Service's inability to meet demand** -- The Postal Service recently informed Secretary LaRose that "under [the Postal Service's] reading of Ohio's election laws, certain deadlines for requesting and casting mail-in ballots are incongruous with the Postal Services' delivery standards." Secretary LaRose was further informed that the "mismatch creates a risk that ballots requested near the deadline under state law will not be returned by mail in time to be counted under your laws as we understand them." This comes on the

heels of changes to the system, including the removal of high-speed sorters, the closing of branch offices and other delays.

- Transportation limitations -- With only one drop box per county, access to transportation could be problematic for voters who wish to drop off ballots, with a greater impact to those in impoverished areas. For example, a voter in Columbus who lives in the Hilltop near Broad Street and I-70 must take two buses and spend an hour and 15 minutes each way to get to the current singular drop box. That requires the individual to spend a total of 2 1/2 hours on a bus traveling to deposit a ballot in the drop box.
- Greater Number of Absentee Ballots -- As Secretary LaRose has publicly stated, more Ohioans are expected to cast an absentee ballot for the November 2020 general election than ever before. For perspective, in the 2016 general election in Franklin County, 142,247 voters used mail-in absentee ballots while another 83,494 voters voted in person-absentee at the board of elections. According to the Secretary of State, in March of 2020, Franklin County had in excess of 850,000 registered voters.

“If we don’t take action to make dropping off ballots easier, it’s very possible that many Ohio voters will likely – unknowingly – miss the deadline due to postal service delays and delivery standards,” added Klein. “We saw it happen in the primary election. I will not stand by and watch it happen to Columbus voters again in November when there is a logical, legal fix. Multiple drop boxes are a plain and obvious solution to this problem.”

Adding more drop boxes will give individuals who request mail-in absentee ballots comfort in knowing that their ballots have been returned to the board of elections in a timely manner. There is simply no statutory prohibition against Franklin County to place multiple drop boxes around the county.

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*Editor’s note: A copy of the brief is attached.