

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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October 20, 2020

Douglas J. Preisse
Chairman
Franklin County Board of Elections
1700 Morse Road
Columbus, Ohio 43229

Dear Mr. Preisse:

We write to express our deep concern about recent reports that tens of thousands of inaccurate absentee ballots were sent to voters in Franklin County. According to recent reports, the Franklin County Board of Elections sent nearly 50,000 inaccurate absentee ballots to voters in Franklin County, with the affected ballots bearing the wrong congressional district race, incorrect local races, and/or being sent to voters in the wrong precinct.¹ These reports come against a larger backdrop of growing instances across the country of administrative error, or worse, by election officials and others in the wake of the rapid expansion of mail-in balloting. In light of these reports, we write to request additional information to ensure the Franklin County Board of Elections is taking requisite measures to guard against further error or fraud.

Substantive procedures to detect and prevent voters from casting multiple ballots are essential when conducting any election with a large mail-in component, which presents a voter with the opportunity to vote by mail and in person.² This is not a hypothetical scenario. It was recently discovered that at least 1,000 residents voted twice in Georgia's June 2020 primary, each having submitted an absentee ballot but then voting again in person on the day of the election.³ Yet such procedures become even more necessary where voters are erroneously receiving multiple absentee ballot packages, as receiving multiple ballots permits individuals to potentially fraudulently cast multiple ballots.

¹ Rouan, Rick, *Many Franklin County voters receive wrong absentee ballots in mail; no fix is ready yet*, THE COLUMBUS DISPATCH (Oct. 6, 2020), available at <https://www.dispatch.com/story/news/politics/elections/2020/10/06/some-franklin-county-voters-receive-wrong-absentee-ballots-mail/5900613002/>.

² Republican Staff Report, *How Democrats are Attempting to Sow Uncertainty, Inaccuracy, and Delay in the 2020 Election*, U.S. House of Representatives, Comm. on the Judiciary & Comm. on Oversight and Reform (Sept. 23, 2020), available at <https://republicans-judiciary.house.gov/wp-content/uploads/2020/09/2020-09-23-How-Democrats-Are-Attempting-to-Sow-Uncertainty-Inaccuracy-and-Delay-in-the-2020-Election.pdf>.

³ Curl, Joseph, *1000 people Double-Voted in Georgia Primary, Face 10 Years in Prison, \$100,000 Fine*, DAILY WIRE (Sept. 8, 2020), available at <https://www.dailywire.com/news/1000-people-double-voted-in-georgia-primary-face-10-years-in-prison-100000-fine>.

According to a statement released by the Board of Elections on October 9, the errors affected exactly 49,669 voters in Franklin County who received inaccurate ballots as part of 237,498 total ballots mailed out to voters: more than 1 in 5 ballots.⁴ The statement indicates that the Board will send each affected voter a replacement ballot in addition to an informational postcard.⁵ The statement asserts that “[s]tringent tracking measures are in place to guarantee that a voter can only cast one vote,” and details some processes in place to guard against double voting.⁶ Yet the statement has no information about what will happen to the 49,669 inaccurate ballots, or what affected voters should do with those ballots.

This statement raises more concerns than it alleviates. The Board apparently failed to adequately supervise the quality control operations of a third-party vendor, BlueCrest.⁷ Although the Board acted promptly to begin the process of sending corrected ballots to affected voters, it remains unclear what the procedures are for collecting and disposing of the incorrect ballots to ensure they are not cast.

Furthermore, although the Board appears to have an accurate accounting of which voters were affected by the incorrect ballot packages, it is not clear what safeguards are in place to prevent multiple ballot packages from being cast by a single voter in races appearing on all ballots, namely the contest for the office of President of the United States. The Board’s statement asserts that “[r]edundancies are built into our system to ensure every voter is allotted only one voted ballot,”⁸ but the checks cited appear only to guard against voters voting twice by submitting an absentee ballot and then voting in person, and do not contemplate a scenario where multiple absentee ballot packages are sent to the same voter. Even though the Board claims a “guarantee that a voter can only cast one vote,”⁹ it is not apparent what procedures are in place to detect fraudulent ballots or prevent an individual from casting multiple absentee ballots sent as part of this error.

To assist the Committee in understanding the Board of Elections’ procedures and protections in place as it relates to its absentee balloting process, please provide information sufficient to answer the following questions by October 27, 2020:

1. Does the Board of Elections indeed have an accurate accounting of each inaccurate ballot package that was sent in order to send a new ballot package only to affected voters and no others?

⁴ Franklin County Board of Elections Determines 49,669 Voters Received Inaccurate Ballots; Board Will Send Corrected Ballots, *available at* <https://vote.franklincountyohio.gov/BOEL-website/media/Documents/Press-Releases/2020/2020-10-09-FCBOE-Number-of-Impacted-Voters.pdf>.

⁵ *Id.*

⁶ *Id.*

⁷ *See id.*

⁸ *Id.*

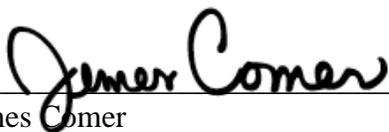
⁹ *Id.*

2. How will the Board of Elections ensure that the inaccurate ballots are collected and disposed of and not used to cast multiple votes?
3. What procedures are in place to prevent counting an inaccurate absentee ballot cast by a voter prior to casting the ballot contained in their corrected ballot package?
4. Does the Board of Elections have procedures in place to detect instances where an individual might intentionally attempt to cast multiple ballots, including one sent to them in error?
5. What procedures are in place to ensure that voters who cast ballots by mail are prevented from also attempting to cast a ballot in-person through early voting or on election day, or in the event such voting is permitted, what procedures are in place to ensure that only one ballot is counted in such a scenario?
6. What procedures are followed in the case that the Board of Elections detects a fraudulently cast ballot?

To schedule a briefing or document delivery, or to ask any follow-up or related questions, please contact Committee on Oversight and Reform staff at (202) 225-5074.

The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



James Comer
Ranking Member
Committee on Oversight and Reform



Jody Hice
Ranking Member
Subcommittee on Government Operations

cc: The Honorable Carolyn B. Maloney, Chairwoman
Committee on Oversight and Reform

The Honorable Gerald Connolly, Chairman
Subcommittee on Government Operations