

**STUDY OF OUTCOMES OF 5,401 REGISTRATIONS SUBMITTED TO THE  
CUYAHOGA COUNTY BOARD OF ELECTIONS BY THE GREATER  
CLEVELAND VOTER COALITION IN 2008:  
(June 23, 2009)**

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**Summary**

If a registration form is not entered properly by either the voter or the Board of Elections, a voter may show up at the polls and be forced to vote a provisional ballot, which may be rejected because the voter is deemed “not registered”. Alternatively, if an address update has not been entered, such voters will not be on the rolls at their new address, will not receive information about their voting place, and will have to vote a provisional ballot which may or may not be accepted. All these problems were found in 2004<sup>3</sup>. In order to determine whether there were still serious problems with data entry or maintenance by the Cuyahoga County Board of Elections (CCBOE), the Greater Cleveland Voter Coalition (GCVC) looked up the outcomes of 5,401 registrations it had submitted to the CCBOE in 2008. Of these, 1.5 % of such registrations could not be found on the CCBOE look-up site (1% data entry or website problems and 0.5% voter errors, such as omission of birth date). In addition, 0.6 % of submitted registrations had address updates which were not entered. Others were listed at addresses which could also have been older or, more likely, were more recent updates. For Cuyahoga County, the 2008 results represent significant improvement over 2004. If similar percentage of problems found in Cuyahoga County applied to the 660,000 registrations received statewide in 2008, then 9,900 voters might be disqualified as “not registered” if they attempted to vote and 3,960 voters would have been at risk of disenfranchisement if, because of address confusion, their provisional ballots were not cast in the correct precinct. Solutions to these problems are proposed in this report, and have been discussed with the CCBOE.

**Background and Objectives**

It is difficult to believe that voters would take time, especially in bad weather, to try to vote if they did not truly believe they were registered. Yet, statewide, the provisional ballots of some 22,000 voters in 2004<sup>2</sup>, 7,400 voters in 2006<sup>3</sup>, and 18,860 voters in 2008<sup>4</sup> were rejected as “not registered”. Part of the reason appeared to be that about 1% of our

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<sup>2</sup> 1) “Analyses of Voter disqualification, Cuyahoga County, Ohio, November 2004” at [http://www.clevelandvotes.org/news/reports/Analyses\\_Full\\_Report.pdf](http://www.clevelandvotes.org/news/reports/Analyses_Full_Report.pdf) 2) “Some major sources of voter disenfranchisement in Cuyahoga County: Report to the Cuyahoga Election Review Panel, June 9, 2006”

<sup>3</sup> Analysis of the 2006 Election submitted to the U.S. Elections Assistance Commission by Secretary of State Brunner in 2007.

<sup>4</sup> <http://www.sos.state.oh.us/sos/upload/elections/2008/gen/provisionals.pdf>

2004 registrations were entered incorrectly or lost from the database after being correctly submitted, as reported by the Greater Cleveland Voter Coalition in the cited 2004 study. Fortunately, the CCBOE improved its quality control of registration data entry in 2007, and still further in summer 2008<sup>5</sup> (see Solutions section). In order to determine if this improvement had reduced the number of “not found” registrations, the GCVC repeated a similar study in October 2008, as reported below.

Another group of voters put at risk for rejection were those whose address updates were not entered. About 1.6% of registrations were found to be in this category in 2004<sup>3</sup>. Such voters would not receive a notice of election from the BOE, would be flagged to produce current address ID, and could become confused and vote in the wrong precinct, in which case their ballot would be rejected. Statewide, there were an estimated 10,500 provisional ballots rejected for “wrong precinct” in 2004, 10,610 rejected in 2006, and 14,335 in 2008<sup>6</sup>, but there is no information as to how many of these were voters whose registration address updates were not made. In any event, this category was also re-investigated.

In 2004, we also found registration entry errors made by voters, notably omission of birth date or mistakenly supplying non-existent street addresses. Such registrations would require revision by the voter if they were to be accepted by the CCBOE. The extent of these voter errors in our 2008 registrations was also investigated.

Fortunately, we were able to work closely with the CCBOE in determining the sources of some of the errors we identified and also in finding and not including any of our own errors. The ultimate goal was to identify practical solutions to the problems we uncovered, and to work with the CCBOE to put as many as possible into practice.

## **Methods**

The GCVC made copies of all registrations obtained by our volunteers before submitting the originals to the BOE. We also kept track of the “transmittal date” of submitted groups of registrations, as certified by the CCBOE. Beginning in mid-October 2008, the secretarial staff looked up every 2008 GCVC registration at the CCBOE website look-up page, which required last name and birth date. If the registration was not found and the handwriting was poor or ambiguous, other variations of the registrant’s name were tried before classifying the registration as “not found”. In addition, those “not found” on the CCBOE website were also sought on the Secretary of State’s website, which required last name, street name, and zip code. Since the CCBOE, not the Sec. of State’s website, was used to create the polling books, we counted as “not found” all registrations not found on the CCBOE website, whether or not they were found on the Sec. of State website. Also, we deleted from the “not found” list: (1) registrations which had been purged, according to a list of purged voters as of October 2008, supplied by the CCBOE, and (2) registrations in which the voter supplied a “non-existent” street address, or failed to supply essential information (in these cases, they would not be registered).

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<sup>5</sup> According to Betty Edwards, CCBOE

<sup>6</sup> <http://www.sos.state.oh.us/sos/upload/elections/2008/gen/provisionals.pdf>

If the address on either website was different from that on the registration form, the result was put in one of two categories: 1) if the registrant had listed their old address (in addition to their new address) and if the address found on the website was still the old address, this case was included under “address not updated”; or 2) If the address were different from either the old address or the current address (including the majority of cases in which only one address was given), then this case was classified as “address different from registration”. We were unable to tell whether the latter case occurred because an old address had not been updated, or because the registrant had moved and re-registered after having registered with us.

For all the categories described above, the registrants name, address, birth date, signature date, transmittal date, and any other comments were entered on an Excel file. The copies of the registrations were also grouped and preserved in the same categories. Registrations of voters who moved out-of-county were excluded from the “not found” or “address not-updated” categories.

## **Findings**

In order to preserve confidentiality, only total numbers in each category are supplied here (Table), with no personal information.

Of the submitted and complete registrations, 1.5% could not be found on the CCBOE look-up site. 55 (1%) were probable or definite CCBOE errors, and 25 (0.5%) were registration errors. The largest category of CCBOE errors were in spelling of the voter’s name. Of these 80 registrations, 10 were nonetheless found on the Sec. of State’s look-up website (which required last name, street name, and zip code but not birth date). 15 of the 70 “not found” registrations, the group listed in the Table as “unresolved”, were reported as registered by the CCBOE, but nonetheless were not found by us on the CCBOE website during the 10 day window of our investigation (October 20-30,2008). However, most but not all of these 15 voter registrations were found on the CCBOE website in the spring of 2009. The reason for this discrepancy is still unresolved. Errors made by our investigators (discovered with the help of the CCBOE) were deleted from the reported results, but a few remained unresolved because the voter’s birth date numbers were unclear.

In 0.5% of submitted registrations, where the voter had supplied the previous old address, address updates were not updated on the CCBOE website. These numbers are clearly an underestimate because not all voters took the trouble to supply an old address. Without that information, in the group of 239 registrations where the address found on the BOE site was different from the registration (Table), we could not distinguish between voters who moved and re-registered at a later date at a different address, and voters whose old addresses had not been updated.

**Table. Outcome of 5401 registrations submitted by the GCVC to the Cuyahoga County Board of Elections, Jan 1-Oct. 6, 2008**

<b>Problem Category</b>	<b>Number</b>	<b>Percent of total registrations</b>	<b>Comparable percentages found in the 2004 study*</b>
<b>1. Not found on the BOE web look-up site (BOE or voter error, or unresolved)</b>	<b>80</b>	<b>1.5%</b>	<b>4.6%</b>
<b>Categories of Error:</b>			
<i>BOE errors and unresolved</i>			
a. BOE spelling entry error	23		
b. BOE Date of birth error	4		
c. BOE address entry error**	6		
d. Possible BOE birth date error	3		
BOE data process error	3		
e. Submitted registration not found	1		
f. Unresolved with BOE (?look-up website problem)	15		
<b>Subtotal: BOE errors (not including Unresolved)</b>	<b>40</b>	<b>0.7%</b>	
<b>Subtotal: BOE errors (including Unresolved)</b>	<b>55</b>	<b>1.0%</b>	<b>3.5%</b>
<i>Deficient Voter Registration card</i>			
a. Registration missing DOB	17		
b. Invalid address	4		
c. No ID supplied	4		
<b>Subtotal voter registration errors</b>	<b>25</b>	<b>0.5%</b>	<b>1.1%</b>
<b>2. Old address not updated on the BOE look-up site</b>	<b>31</b>	<b>0.6%</b>	<b>1.6%</b>
a. BOE said updated but old address still on look-up website 10-20 to 10-30-08	20		
b. BOE data entry or look-up error	7		
c. Voter address or omission error	4		
<b>3. Address different from that of original registration (?voter moved)</b>	<b>239</b>	<b>4.4%</b>	<b>--</b>

\*See Table 2, [http://www.clevelandvotes.org/news/reports/Report\\_to\\_ElectionComm.pdf](http://www.clevelandvotes.org/news/reports/Report_to_ElectionComm.pdf)

The total of BOE errors in the 2004 study includes the category “registrations never entered”, meaning “not found and no explanation”, as well as all data entry errors

\*\* In 4 of these cases, address entry error led to address being considered “invalid”

Finally, 0.5% of registrations submitted by the GCVC were missing information, mostly birthdates, but in some cases addresses and social security numbers. None of these registrations were found on the BOE website. Therefore, they had probably not been corrected after being sent to the BOE, even though where addresses were available, the BOE would have mailed such registrants a request to supply the missing information.

Between the 2004 and this 2008 study, there was a decided reduction of “not found” errors due to both fewer CCBOE errors (from 3.5% to 1.0%) and fewer voter errors (1.1% to 0.5%).

### **Discussion**

***Submitted registrations not found on the BOE website:*** The percentage of “not found” registrations was considerably lower in 2008 than in 2004 (1.5 and 4.6%, respectively), probably mostly due to the CCBOE’s improved quality controls. The CCBOE errors we did identify included:

- Misreading of registrant’s name by BOE clerks, especially where handwriting was poor, so that our attempts to look up the registrant used different spellings than those used by the CCBOE in the database;
- Clerical errors in entering address or date of birth;
- One case where a registration appeared to be lost at the CCBOE, even after they searched using a copy of the original registration which the GCVC supplied;
- Unresolved cases where, the voter was not found by us on the CCBOE website in late October, 2008 but in most cases was found in spring of 2009, and in which the voter’s data was entered correctly. Some kind of glitch in transferring entered data to the web site database seems to be the problem. Indeed, even in April 2009, two registrations said to be OK by the CCBOE were still not found on the website.

Given about 275,000 registrations/updates received by CCBOE in 2008, the 1% CCBOE data entry error we found could disqualify the votes of 2,750 Cuyahoga voters.

How prevalent is this problem statewide? We don’t know because comparable studies have not, to our knowledge, been done by other registration groups or in other counties. If we assume that the 660,000 registrations submitted statewide from Jan. to Oct 6, 2008 encountered the same problems as we found in Cuyahoga County, then 1.5% of such registrations would amount to 9,900 “missing” voter registrations that could have led to disenfranchisement of citizens attempting to vote.

### ***Address updates not found:***

There was also significant improvement in reducing errors in address updates between 2004 (1.6% error) and 2008 (0.6%). Again, as for the “not found” category, there were a large number of cases in which the website look-up in late October, 2008, showed the voter’s old address and yet the CCBOE reported that the addresses had been updated in time for the election.

If the 0.6% problem found with updating submitted change of addresses applied to all the 275,000 registrations received by the CCBOE in 2008, it could lead to confusion and possible loss of vote by 1,650 people. If the 0.6% of registrations not updated applied to the statewide 660,000 pre-election registrations submitted in 2008, then about 3,960 voters could be confused or disqualified if they voted in the wrong precinct.

***Incomplete registrations:***

Voters and registrars must bear responsibility for incomplete registrations, as found in 0.5% of those analyzed here. If this occurred statewide with 660,000 registrations, about 3300 would have been defective. A separate report will soon be available based on research into types and sources of defective registrations submitted to the CCBOE in 2008. In fact, the overall rate of defective registrations for Cuyahoga County in 2008 was 3.6%, i.e. far higher than those submitted by the Voter Coalition. The solutions for the voter errors reported both in this study and in the second study (see below) are identical.

**Solutions**

***State level:***

Citing the 2004 study and preliminary data of this study in 2008, both a group of election reform advocates and separately a group of the Secretary of State's Voting Rights Institute Advisory Council, sent letters to the Sec. of State on Oct. 28 and Oct. 29. The letters included a request that the Sec of State advise all state BOEs to do an enhanced search of the data base including a specific "wild card search", so that voters with entry errors, such as those uncovered in this study, would not be disqualified if their names were not on the rolls and they voted a provisional ballot. In a remarkably quick response, the Sec of State issued, on October 30, 2008, Advisory 2008-32 to this effect. A still more comprehensive approach to the problem at the "county and state" level is proposed below.

***Cuyahoga County level***

(As a result of conversations with the CCBOE, the following solutions were proposed and discussed with the Asst. Director and with the Director of Registrations. Those that were accepted by 6-23-09 are marked with a +).

Recommendations to reduce BOE and Registration group error rates:

- a. + Establish a 2-way quality control effort between CCBOE and interested registration sources (e.g. non-governmental groups, BMV, BOE desk). Notify registration groups and then make available to them (*only upon request*) monthly *standard* spread-sheet reports on all registrations and their outcomes, including all sources of registration. This will supply feedback to registration groups on their quality control, alerting them to errors they have made, as well as providing feedback to the BOE if they think BOE errors may have occurred.
- b. (County & State) Because data entry errors have been documented by our collaborative research with the CCBOE, the Director should urge the SoS to supply all BOEs with an automated one-button "soft search" capacity of the state data base so that BOE can uncover registered voters, whose data has been entered or treated incorrectly. This would be useful both when voters inquire as to their

registration status or when the BOE is investigating provisional ballots. This would save all the time that staff take to try different combinations of name, ID, DOB, wild card, etc. in order to find a voter who doesn't appear registered at first.

Recommendations to reduce errors in submitted registration forms:

- a. + On future BOE lists of defective registrations, separate the "Registration Desk" category into two categories such as "Registration desk reviewed" and "Registration drop-offs not reviewed"
- b. Since more than half of the defective registrations are due to "invalid address" (probably because people who move are confused about house number), encourage registration groups, BOE desk and agencies to request (not require) people to check their address against any document they may have (e.g. license or another other document) to be sure it is accurate.
- c. + On registration card, change the wording from "house number" to "address (house number and street)" so it is more clear.
- d. On registration card, put phone number as "strongly recommended" so BOE can follow up on invalid addresses or poorly written entries.
- e. + Instructions to registration groups should include advice to strongly encourage that voters supply phone numbers, even though it is listed as "optional"
- f. Train registration groups to fill out forms for voters whenever possible, before voter checks and signs the application AND if not, to check for most frequent errors (missing DOB, address & signature).
- g. + Alert BMVs to double check that voters have signed their forms
- h. + Use yellow highlight around perimeter of signature box.

**Overall**

As many have pointed out, Ohio was spared massive litigation in the 2008 Presidential election because the margin of victory was about 4%. If this margin had been far less, as in some previous Ohio elections, the few percent of registration errors reported here would have become a source of intense litigation. Therefore, even though the CCBOE has significantly improved the quality control of its registration data entry since 2004, there is still room for further improvement. The genuine cooperation of the CCBOE in helping to clarify the data and in carefully considering our suggestions for improvement bodes well for the future. Similar studies are necessary in other counties than Cuyahoga to ensure that errors in registration elsewhere are also being monitored and reduced.