

**Roberson/Quinn Declarations and Evidence in Support**

- **Declaration of Evelyn Roberson**
- **Declaration of Joan Quinn**
- **Exhibit \*A\* Official Cumulative Report  
General Election – Greene County**
- **Exhibit \*B\* Office/Issue Results by Precinct  
General Election – Greene County**
- **Exhibit \*C\* Precinct 354/Voters**
- **Exhibit \*D\* Requested Declaration from Carol  
Gorman/UNSIGNED**
- **Exhibit \*E\* Memo to Carol Gorman (requesting to be present  
during phone conversation with county attorney)**
- **Exhibit \*F\* Ohio Election Code – Applicable Statutes**

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**To See Documents in Their Entirety:** *playthink.com*

**\*A\*** Go to: Official Cumulative Report.pdf

**\*B\*** Go to: Greene GE by Precinct.pdf

**\*C\*** Go to: Precinct 354 voters.pdf

Precinct 354 voters2.pdf

**\*D\*** Go to: JQ Declaration.pdf

**\*E\*** Go to: Carole Gorman.pdf

**\*F\*** Go to: Ohio Revised Code.doc

Declaration of Evelyn Roberson

I, Evelyn Roberson, declare as follows:

I am a retired election official who resides at 113 Larkspur Drive, Santa Rosa, CA 95409, phone 707-537-6760, cell 707-332-0719. I am acting as a citizen volunteer in preparing for an accurate recount of the November 2004 election.

**On Thursday, December 9, 2004**, at 3:30 p.m., Joan Quinn and I visited the Greene County, OH , Board of Elections office at 651 Dayton-Xenia Road, Xenia, OH 45385 to obtain copies of November 2, 2004 election documents. We met with Carole Garman, Director, Greene County Board of Elections. We requested, received and paid for copies of the following documents:

CD purported to contain individual voter information and voting history

Greene County Official Cumulative Report

Greene County G.E. Results by Precinct

Ms. Garman advised us of the following: That they used ballot punch card voting machines which the Poll Managers had been trained to take apart and repair by themselves at the polls. In response to questions she confirmed that there were 18,056 new registered voters since January 1, 2004. When questioned as to why some consolidated precincts had almost the limit of 1,400 registered voters and others had only a few hundred voters, she said she had chosen to use the same polling places as in the last three elections as she did not want to confuse voters with new polling places. She had previously acknowledged that there had been two-hour waits to vote at some precincts. In response to a question Garman identified Central State University and some parts of Xenia as primarily low income areas.

At 4:30 p.m. at office closing time we departed. That evening Joan Quinn and I studied the documents we had been provided so that we could understand the details of the November 2, 2004 election in Greene County.

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

Dated: Dec. 12, 2004 Evelyn Roberson: Evelyn Roberson

## **Declaration of Evelyn Roberson**

I, Evelyn Roberson, declare as follows:

I reside at 113 Larkspur Drive, Santa Rosa, CA 95409, phone: 707-537-6760, cell: 707-332-0719. I am a retired election official and am acting as a citizen volunteer in preparing for an accurate recount of the November 2, 2004 election.

**On Friday, December 10, 2004 at 10:00 a.m.**, I arrived, with Joan Quinn, at the Greene County, Ohio Board of Elections office. We asked Elections Board Director Garman for the voter signature books from Precinct Nos. 224, 275, 354 and 355 from the November 2004 election for copying. She seated us at the table in the employee break room and retrieved the books from the basement and placed them on the table. We began listing the names of the voters who had not voted in Precinct No. 354, which had had only a 44.39% voter turn-out when the voter turn-out over-all had been 77.4%. This was one of the areas Garman had identified as primarily low income residents as well as Central State University students.

Quinn and I left the office at Noon and returned at approximately 3 p.m.

At 3:15 p.m. Quinn spoke by cell phone to Katrina Sumner, who was coordinating recount efforts in Greene and Clark Counties. Sumner advised Quinn that, on behalf of the candidates who requested the recount, we were entitled to receive free copies of the voter signature book sheets from the precinct books that we were currently using, as well as all other voting information relevant to the recount. Quinn and I then entered the office of Carole Garman, Director, Greene County Board of Elections and requested copies of the sheets. She did not agree with our request and telephoned the office of Ohio Secretary of State Kenneth Blackwell. She conveyed our request to Pat Wolfe, Election

Administrator for the Secretary of State. After some conversation Garman hung up the phone and informed us that Secretary of State Blackwell had ruled that all voter records for the State of Ohio were “locked down” and that they now were “not considered public records.” I asked what legal authority Blackwell had given for “locking down” those public records. Garman responded that it was Blackwells’s decision she was following. I then asked Garman if we could have the requested copies if we paid for them but she refused. Quinn then handed Garman copies of the following Ohio Elections Code which required her to comply with our request for inspection and copying of public election records. Garman then left the room and copied and returned the documents to Quinn.

**Ohio Revised Statute Title XXXV Elections, Sec. 3503.26** that requires all election records to be made available for public inspection and copying.

**Ohio Revised Statute Title XXXV, Elections, Sec. 3599.42** makes a violation of any provision of the Election Code a prima-facie case of fraud.

**Ohio Revised Statute Title XXXV, Elections, Sec. 3599.161 (C)** provides that failure to allow inspection of election records is a minor misdemeanor and requires that Board of Elections officials who are found guilty of prohibiting inspection of election records must be dismissed from their position with the Board of Elections.

Garman called the County Prosecutor and left a message for him to return the call. She then excused herself as she had another appointment and we left the room.

At approximately 4:00 p.m. Quinn and I returned to the employee break room and Quinn placed a cell phone call while I continued to copy down names from the precinct books. Garman then entered the room and physically removed the books from my hands, gathered up the remaining precinct books and departed the room to go back to her office.

Quinn then wrote a statement for Garman’s signature stating for the record the reason for Garman’s withdrawal of the precinct books. Quinn also wrote a note to

Garman asking to be present when the County Prosecutor returned Garman's call and we delivered that note to Ms. Funk whose desk was outside Garman's office. Funk then took the note into the office. Quinn stepped down the hall and Funk came out of the office and handed the note back to me saying that Garman had already spoken to the County Prosecutor and he agreed with the Secretary of State's ruling that we could no longer view any election records.

At 4:15 p.m. we noticed that Garman's appointment had departed her office and Quinn and I asked to speak with her again. We again reiterated our request for the records and Garman again rejected it. Quinn and I then departed the Board of Elections office at approximately 4:20 p.m.

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

Dated: Dec 12, 2004 Evelyn Roberson: 

## **Declaration of Evelyn Roberson**

I, Evelyn Roberson, declare as follows:

I reside at 113 Larkspur Drive, Santa Rosa, CA 95409, phone 707-537-6760, cell: 707-332-0719. I am a retired election official and am acting as a citizen volunteer in preparing for an accurate recount of the November 2, 2004 election.

**On Saturday, December 11, 2004 at 11:15 a.m.** Joan Quinn and I arrived at the Greene County Board of Elections office at 651 Dayton-Zenia Road, Xenia, OH 45386 and observed a number of cars parked in its parking lot. Thinking the election recount process might be proceeding in the office, Quinn and I walked up the back ramp, where we had entered the office the day before. We opened the door and walked in and were shocked to find no lights on and no one in the office. Quinn and I walked down the hall calling out "Hello, anybody here?" We were disturbed to find the door unlocked and no one there and we departed the office at approximately 11:16 a.m.

Quinn and I then went back to our car and Quinn used her cell phone to call Katrina Sumner, whom we had been planning to meet to interview Central State University students to get information about their voting experience. Sumner arrived at approximately 11:25 a.m. and we were all extremely disturbed to find that vital election records had been left in an unsecured, unattended office, whether done intentionally or not. Quinn, Sumner and I walked together up the back ramp of the building. In order to document this shocking and suspicious breach in protection of vital election records, Sumner brought an audio-video camera from her car and she and I walked together through the Board of Elections office, documenting on film the computers and election papers that we observed there. Quinn remained outside the unlocked door to keep watch

for further suspicious circumstances. By this time our concern was that someone might indeed still be in the building tampering with sensitive voting records in order to subvert the recount process.

Sumner and I then went together down the stairs at the end of the office hall to check whether the basement door was also unlocked. We found it, too, was unlocked and together we walked around the two rooms with Sumner filming the various election materials stored there. She filmed the precinct voter signature rosters which were placed on shelves around the first room. These were the ones that Quinn and I had been using the day before and which had been taken from us pursuant to Secretary of State Blackwell's order to "lock down" all election records. In the same room, we noticed stacked on the shelves there were a number of metal boxes with seals over the padlocks. They were oblong in shape and heavy, and it appeared to me that they could very likely contain stacks of card punched ballots. The second room contained voting booths and more election equipment and supplies. Sumner completed her filming and we went back upstairs together.

At approximately 12:15 p.m. Sumner and I left the office exactly as we had found it, including the unlocked door. We returned to our cars which were parked in front of the Election Board office so that we could keep watch over the unlocked door. Shortly thereafter two Xenia police cars, arriving separately, pulled up alongside the building and the officers walked up the ramp into the unlocked Board of Elections office door. At approximately 12:45 p.m. a truck pulled up behind one police car and the male occupant got out and walked up the ramp. Quinn followed him up the ramp and talked to him about the open door. He was working on the door and confirmed the lock had not



malfunctioned. He offered that “sometimes people make mistakes” which meant that someone had indeed left the door unlocked.

Shortly thereafter Quinn and I departed in her car in an unsuccessful attempt to obtain a copy of the video tape as soon as possible. Sumner remained in her car in the parking lot. When Quinn and I returned a short while later, still unsuccessful, I joined Sumner. Quinn again drove away to attempt to find a place to obtain a copy of the tape.

At approximately 1:00 p.m. I saw the Director of Elections Carole Gorman pull up in a car alongside the back entrance to the Board of Elections office. An older man was driving the car. I did not see Gorman exit the car so I walked over and inquired as to what had happened. She told me she had received a report that the office door was unlocked and she had no idea how it had happened. I asked who was the last to leave Friday at 4:30 p.m. when the office closed and she said they had all left the office at the same time. In response to my query, she confirmed the office had no security alarm system. Before Gorman departed I had noticed Deputy Director of Elections Lynn McCoy had arrived and entered the front door of the office.

At approximately 1:15 p.m. the following citizens arrived and Sumner and I walked with them up the ramp to the back door of the Board of Elections office: Mehul Srivastava of the Dayton Daily News, Bill Slattery and Kat Bundy. I tapped on the back door and Deputy Director of Elections McCoy opened the door and I asked if we could come in and she agreed. I asked her if there had been any change with regard to Quinn and I viewing election records and she said no and, in fact, the Attorney General had even tentatively agreed with the “lock down” but she acknowledged they had not yet received anything in writing on it. McCoy then assured us the door had been accidentally left

unlocked but that it did not appear that anything had been disturbed. She said they would have their computer technician check over their computers on Monday in case they had been tampered with. Srivastava asked if we could see the basement area and McCoy agreed. We all followed her downstairs to the basement, which I noticed was still unlocked, however, she indicated the door was kept locked. In the basement, McCoy pointed to one locked door and said the ballots were kept in there and she would not open it. She answered questions as to the election supplies stored in both open rooms and said that only routine materials were stored there. I pointed out the "locked down" precinct voter signature books that were on the shelves and she did not respond. I asked her about the locked and sealed metal boxes on the shelves that were the size and shape of the ballot punch cards used in voting. She said the boxes contained ordinary precinct supplies. I asked why they had locks and seals on them and she replied: "So we could tell if they had been tampered with". She then hastened to reassure us that just unimportant precinct supplies were in the boxes.

At 1:30 p.m. we thanked McCoy for her courtesy and we all departed the office. Thereafter in the parking lot, Srivastava interviewed Quinn, Sumner and I on the events of the day. We all departed the parking lot at approximately 2:00 p.m..

*I declare under penalty of perjury the foregoing is true and correct. E.R.*

Dated: Dec 12, 2004 Evelyn Roberson: Evelyn Roberson

I, Joan Quinn, declare as follows:

I am 57 years old. I am a retired attorney on “inactive status” with the State Bar of California. My address is 415 Alhambra Blvd, Sacramento, CA 95816. My home telephone number is 916-444-5814. My cell phone number is 916-396-9714..

**Wednesday, December 8, 2004**

I arrived in Dayton, Ohio on December 8, 2004. I came to volunteer as a recount observer and to volunteer my services in any way possible to ensure a fair and open recount of the votes cast in the November 2, 2004 presidential election. I flew to Ohio with fellow volunteer and retired election official, Evelyn Roberson (whom I hereinafter refer to as Eve).

That night, Eve and I researched Ohio Election law. We downloaded and made copies of the following Ohio Revised Statutes, Title 35, and Election Code:

Title 35, section 3503.26, which requires all election records to be made available for public inspection and copying. (See attached Ex. F.)

Title 35, section 3599.161, which makes it a crime to prevent the public from inspection and copying of election records and which requires dismissal of any Board of Election employee from his/her position if found guilty of violation of this section. (See attached Ex. F.)

Title 35, section 3599.42, which provides that “a violation of any provision of Title XXXV (35) of the Revised Code constitutes a prima facie case of election fraud within the purview of such Title.” (See attached Ex. F)

**Thursday, December 9, 2004**

Eve Roberson and I went to the Greene County Board of Elections (hereafter BoE) at 651 Dayton-Xenia Road, Xenia, Ohio 45385. We introduced ourselves to the Director of the Board of Elections, Carole L. Garman. We requested, paid for, and received voter information, oral and documentary, (See attached Exs. A & B ) including a CD, which we were told by Ms. Garman contained “all voter information for Greene County except voters’ social security numbers.” (Upon request, a copy of the CD will be made available.)

In response to our questions, Ms. Garman told us that the CD contained all Greene County voting records and information except voters’ social security numbers, including information regarding the 2002 election.

In response to our questions, Ms. Garman told us that the precincts that contained the largest number of minority voters were East Xenia and the area of Central State University.

That night, Eve and I reviewed the voter information, “crunched the numbers, and found a suspicious pattern. Although the average voter turnout in Greene County was almost 77%, in the four precincts that contained the largest number of minority voters, voter turnout was reported as follows: Precinct #354 (44%), #275 (44%), #355 (50%), and #224 (55%).

**Friday, December 10, 2004**

On Friday December 10, 2004, we went to the BoE and requested the voter signature precinct books of the 4 lowest voter turnout areas. We first looked at the precinct (#354) which contained Central State University students because Katrina Sumner, our volunteer coordinator, told us that CSU students had many problems

registering to vote. We concentrated on the voter signature boxes in the precinct book that were not signed, indicating that voter did not vote. Specifically, Katrina told us that the BoE had returned registration forms to students because they gave the only the street address of their dorms/residence halls.

I was informed that the BoE told students that their registration applications must contain specific information, such as "box numbers" that showed where the student received mail. Students were required to provide this info in order to register to vote. They must have provided this information in order to be listed in the voter signature precinct book. However, when Eve and I were going through the voter signature precinct book for the CSU students' precinct (#354), only the street address was listed (1400 Brush Row Road Wilberforce, Ohio 45384), but no box numbers where students' received their mail! Now, these box numbers were necessary in order to be registered: were obviously provided or the voter's name would not have appeared in the precinct book, but mysteriously disappeared when entered into the precinct voter signature book.

Because these box numbers were required for a valid registration, their absence from the poll book was a reason to disqualify the voter when s/he attempted to vote! Allegedly, 66% of the voters in that precinct failed to vote. We checked almost all of the registered voter who allegedly failed to vote in that precinct (couldn't do it all because Secretary of State Blackwell ordered records locked down as detailed below). But, we made detailed notes regarding the alleged non-voters: names, voter ID number, and address. (See attached Ex B. ) Almost all of the addresses I checked were the same address (1400 Brush Row Road Wilberforce, Ohio) with no box number (sufficient to

disqualify from voting). Eve also had an overwhelming number of alleged non-voters which had that same address, also with no box numbers.

It appears that the required box numbers were provided with the registration applications (or else the voters name would not be put in the precinct book) but were removed when the voter's name was put in the precinct book. Without the box numbers, the voter would be disqualified from voting.

Public voting records were "locked down" by order of Sec. of State Blackwell

Eve and I went to the officer of the Director of the BoE, Carole Gorman to request Xerox copies of the 4 voter signature precinct books we were working on. While we were waiting in her office, Ms. Garman telephoned the Office of Ohio Secretary of State Blackwell and spoke to Ohio State Election Administrator, Pat Wolfe. She informed Pat Wolfe of our request for copies of election records. This conversation took place in our presence and we could hear everything Ms. Garman said. Ms. Garman told us that Secretary of State Blackwell had ordered that all voting records were "now locked down" and "are not now considered public records."

We immediately provided Ms. Garman with copies of the relevant Ohio statutes:

Title 35, section 3503.26, which requires all election records to be made available for public inspection and copying. (See attached Ex. F.)

Title 35, section 3599.161, which makes it a crime to prevent the public from inspection and copying of election records and which requires dismissal of any Board of Election employee from his/her position if found guilty of violation of this section. (See attached Ex.F.)

Title 35, section 3599.42, which provides that “a violation of any provision of Title XXXV (35) of the Revised Code constitutes a prima facie case of election fraud within the purview of such Title.” (See attached Ex.F.)

I explained to Ms. Garman that we had a right to inspect and copy election records and that it was a crime for her to deny us that right. We offered to pay for the copies we requested. I also asked Ms. Garman to do the right thing – that I believed that Ms. Garman knew the right thing was to follow the requirements of the Ohio Election Code. Indeed, Ms. Garman had what appeared to be a complete set of the Ohio Election Code on a shelf in her office. However, Ms. Garman again stated that she would follow the orders of Secretary of State Blackwell.

Ms. Garman immediately picked up the phone and telephoned the Greene County Prosecutor. He was not available and she left a message. She then asked us to leave her office as she had an appointment.

We went back where we had been working and attempted to continue recording voting information from the voter signature precinct book we had been working on. However, Ms. Garman came into the room and took the voter signature precinct book right out of Eve Roberson’s hands. She also took the other 3 voter signature precinct books that we had not yet had a chance to review.

I wrote a note to Ms. Garman requesting to be present when she spoke to the County Prosecutor. (See attached as Ex.E.) We gave the note to Ms. Funk, a BoE employee, who delivered it to Ms. Garman. Ms. Funk soon returned to tell Eve Roberson that Ms. Garman had already spoken to the County Prosecutor who told her to follow Secretary of State Blackwell’s orders.

We then left the offices of the BoE. .

**Saturday, December 11, 2004**

On Saturday, December 11, 2004, Evelyn Roberson, and I were to meet Katrina Sumner to attempt to find CSU students and get information regarding their voting experiences. While waiting for Ms. Sumner, Eve and I decided to drive to the BoE which was nearby. Eve and I arrived at the BoE at approximately 11:15 am. Seeing cars in the parking lot, it appeared that people would be in the Board of Elections office. I wondered whether the recount had started early. Eve and I went to the door we had used both times we entered the BoE, which was the back door on the second floor. The door was unlocked, just as it had been the previous Thursday and Friday we were in the BoE.

We opened the door and went into the office. The lights were out and when we called out, no one answered. We walked down the short hallway, calling to see if anyone was there. When it was clear that no one was there, we left the office. We were extremely shocked, surprised, and concerned that the office that contained vital election records was left totally unsecured!

We returned to our car, keeping an eye on the BoE building, alert to any possible suspicious activity. We called Katrina and told her she wouldn't believe what we had just found - that the whole Board of Elections building, which contained all the election records of Greene County had been left totally open and unguarded! All the voting records that had been denied to us because they were "locked down" and "now no longer public records" were in that office, totally unsecured! Absolutely incredible! The "chain of custody" of those records had to be totally compromised!



Katrina arrived shortly. She, too, was incredulous that the election records had been left unsecured. In order to document this incredible breach of security of the Greene County election records, Katrina, Eve, and I agreed that this breach of security must be documented. Katrina got her audio-video camera from her car and we went to the unlocked door of the BoE office. In light of the suspicious and unusual circumstances, we were all a bit afraid. It was not at all unreasonable to believe that someone might in the basement tampering with the election records that were kept there. We knew these records were in the basement because Ms. Gorman told us when she brought us the precinct voter signature record books we had requested.

While Katrina and Eve went into the BoE office to document the Greene County BoE's incredible security lapse, I stayed outside the door to keep watch. Katrina and Eve were not in the office for more than 5 minutes. When they came out, we went to our cars, which were parked directly in front of the BoE office. In order to safeguard our important evidence, we wanted to make copies of the audio-video tape immediately. Katrina took the sim card out of her camera and gave it to Eve and me. We immediately went to Walmart and then Kroegers in an unsuccessful attempt to duplicate the tape. It turned out that the audio-video record was not on the sim card. We returned to the BoE parking lot to get Katrina's camera. I took the camera back to Kroegers but was told they didn't have the proper equipment to extract and copy the audio-video tape from the camera. I immediately returned to the BoE parking lot and returned the camera to Katrina, who later told me that she made copies of the audio-video tape.

We sat in our cars, watching to see if someone would attempt to enter the BoE office. It wasn't too long before 2 Xenia police cars drive up. The officers went to the

unsecured back door and entered the BoE office. Shortly thereafter, a blue pickup drove up and a man got out, retrieved some tools from his toolbox and walked up the ramp to the back door. I followed him up the ramp to the back door and saw through the glass door that he was his back on the floor just inside the door. He was shining a flashlight on the area of the doors inside lock. He quickly returned to his truck. Before he left, I asked him if something was wrong with the door. He told me that “nothing was wrong with the door, sometimes people just make mistakes.”

Shortly thereafter, while watching from my car, I saw the Assistant Director of the BoE open the back door of the office to admit a man whom she greeted. She must have arrived at the BoE office while I was attempting to have the tape copied because I never saw her drive up.

While I was gone, other people had come to the BoE and were standing near the building. One man introduced himself to me as a reporter and interviewed me regarding the above events; however, I do not remember his name. There was also a woman named Kat Bundy and another man named Bill Slattery. Mr. Slattery’s telephone number is: 937-767-2760. We stood around talking for awhile then we all left because it was so cold.

I declare the above to be true under penalty of perjury.

Dated:

12/13/04


  
Joan Quinn

Exhibit A

GENERAL ELECTION  
NOVEMBER 2, 2004  
GREENE COUNTY, OHIO  
142 PRECINCTS

PRECINCTS COUNTED - COUNTY WIDE	COUNT	PERCENT		COUNT	PERCENT
PRECINCTS COUNTED - 70TH HS OF REP	142	100.00			
PRECINCTS COUNTED - 84TH HS OF REP	104	100.00			
PRECINCTS COUNTED - BEAVERCREEK CTY	38	100.00			
PRECINCTS COUNTED - BEAVERCREEK CTY	39	100.00			
PRECINCTS COUNTED - FAIRBORN	26	100.00			
PRECINCTS COUNTED - CEDARVILLE TWP	4	100.00			
PRECINCTS COUNTED - SILVERCREEK TWP	4	100.00			
PRECINCTS COUNTED - SUGARCREEK TWP	6	100.00			
PRECINCTS COUNTED - XENIA TWP	8	100.00			
PRECINCTS COUNTED - BEAVERCREEK CSD	47	100.00			
PRECINCTS COUNTED - FAIRBORN CTY SD	31	100.00			
PRECINCTS COUNTED - GREENVIEW LSD	14	100.00			
PRECINCTS COUNTED - CEDAR CLIFF LSD	8	100.00			
PRECINCTS COUNTED - BEAVERCREEK	4	100.00			
PRECINCTS COUNTED - BATH	4	100.00			
PRECINCTS COUNTED - PARK DISTRICT	13	100.00			
REGISTERED VOTERS - TOTAL	105,079				
<b>BAILOTS CAST - TOTAL</b>	<b>80,602</b>	<b>76.71</b>			
<b>PRESIDENT AND VICE PRESIDENT*</b>	<b>217</b>	<b>.27</b>			
MICHAEL BADRARIK - OTHER PARTY					
RICHARD V. CAMPAGNA					
GEORGE W. BUSH - REPUBLICAN	48,377	61.03			
DICK CHENEY					
JOHN F. KERRY - DEMOCRATIC	30,530	38.51			
JOHN EDWARDS					
* CANDIDATES WITHDRAWN					
MICHAEL A. PEROUTKA - OTHER PARTY	144	.18			
CHUCK BALDWIN					
UNITED STATES SENATOR*					
ERIC D. FINGERHUT - DEMOCRATIC	22,160	28.72			
GEORGE V. VOINOVICH - REPUBLICAN	55,043	71.28			
REPRESENTATIVE TO CONGRESS 7 TH DISTRICT*					
KARA ANASTASIO - DEMOCRATIC	24,097	32.01			
DAVE HOBSON - REPUBLICAN	51,171	67.99			
STATE SENATOR - 10 TH DISTRICT*					
STEVE AUSTRIA - REPUBLICAN	52,046	69.14			
CHARLES E. HART - DEMOCRATIC	23,235	30.86			
STATE REPRESENTATIVE - 70 TH DISTRICT*					
KEVIN DEMING - REPUBLICAN	38,702	69.31			
LAWRENCE W. GORDON - DEMOCRATIC	17,137	30.69			
STATE REPRESENTATIVE - 84 TH DISTRICT*					
WILLIAM EBY - DEMOCRATIC	6,533	34.33			
CHRIS WIDENER - REPUBLICAN	12,496	65.67			
STATE BOARD OF EDUCATION - 10 TH DISTRICT*					
JANE SONENSHRIN	50,000	100.00			
CHIEF JUSTICE OF THE SUPREME COURT*					
(FULL TERM COMMENCING 1-1-05)					
C. ELLEN CONNALLY	27,152	43.48			
THOMAS J. MOYER	35,289	56.52			
CHIEF JUSTICE OF THE SUPREME COURT*					
(FULL TERM COMMENCING 1-1-05)					
NANCY A. FUERST	21,434	31.29			
JUDITH ANN LANZINGER	41,083	65.71			
JUSTICE OF THE SUPREME COURT*					
(FULL TERM COMMENCING 1-2-05)					
PAUL B. PPIFFER	50,786	100.00			
JUSTICE OF THE SUPREME COURT*					
(REXYIRED TERM ENDING 12-31-06)					
TERENCE O'DONNELL	40,968	66.65			
WILLIAM O'NEILL	20,502	33.35			
JUDGE OF THE COURT OF APPEALS - 2 ND DISTRICT*					
(FULL TERM COMMENCING 2-9-05)					
MAKY E. DONOVAN	40,170	58.17			
JEFFREY M. PATZER	18,756	31.83			
JUDGE OF THE COURT OF APPEALS - 2 ND DISTRICT*					
(FULL TERM COMMENCING 2-10-05)					
JAMES A BROGAN	48,051	100.00			
JUDGE OF THE COURT OF APPEALS - 2 ND DISTRICT*					
(FULL TERM COMMENCING 2-11-05)					
MIRK FAIN	47,094	100.00			

OFFICE / ISSUE RESULTS BY PRECINCT  
 11/15/04  
 05:31 PM

GENERAL ELECTION  
 NOVEMBER 2, 2004  
 GREENE COUNTY, OHIO  
 142 PRECINCTS

==035: REGISTERED VOTERS - TOTAL  
 ==036: BALLOTS CAST - TOTAL  
 %035: VOTER TURNOUT PERCENT  
 PRESIDENT AND VICE PRESIDENT\*  
 ==037: MICHAEL BADNARIK - OTHER PARTY  
 RICHARD V. CAMPAGNA  
 ==038: GEORGE W. BUSH - REPUBLICAN  
 DICK CHENEY  
 ==039: JOHN F. KERRY - DEMOCRATIC  
 JOHN EDWARDS  
 \* CANDIDATE WITHDRAWN

UNTRD STATES SENATOR\*  
 ==042: ERIC D. PINGERHOT - DEMOCRATIC  
 ==043: GEORGE V. VOINOVICH - REPUBLICAN  
 REPRESENTATIVE TO CONGRESS 7 TH DISTRICT\*  
 ==044: KAYA ANASTASIO - DEMOCRATIC  
 DAVE HOESON - REPUBLICAN  
 ==045: STATE SENATOR - 10 TH DISTRICT\*  
 STEVE AUSTRIA - REPUBLICAN  
 ==046: CHARLES B. HART - DEMOCRATIC  
 ==047:

==041: MICHAEL A. PEROUTKA - OTHER PARTY  
 CHECK HALLMANN

BUSH KERRY

PRECINCT/DISTRICT	==035:	==036:	%035:	==037:	==038:	==039:	==041:	==042:	==043:	==044:	==045:	==046:	==047:
322 XENIA CITY AIN	656	563	85.82%	2	406	147	3	108	434	136	385	416	116
351 XENIA TWP A1K	576	575	85.06%	0	365	197	4	166	366	165	368	373	165
352 XENIA TWP A1L	519	455	87.67%	0	284	159	1	119	329	121	319	330	114
353 XENIA TWP A1M	304	230	75.66%	0	174	161	0	134	85	137	76	87	122
354 XENIA TWP A1N	1,316	593	44.39%	0	143	553	0	464	85	475	45	73	448
355 XENIA TWP A1O	1,192	603	50.59%	3	589	159	3	352	211	391	171	105	399
356 XENIA TWP A1P	755	591	78.28%	1	393	189	2	146	417	147	406	417	108
357 XENIA TWP A1Q	604	515	85.26%	0	368	140	1	92	410	116	382	387	107
358 XENIA TWP A1R	582	458	85.57%	0	342	143	1	90	393	107	376	394	107
400 BOWERSVILLE VILL	206	151	73.30%	0	55	46	1	35	110	38	105	102	35
401 JEFFERSON TWP A1	564	453	80.09%	2	344	114	2	95	350	97	341	356	85
405 CEDAR VLG A1A	820	532	64.88%	1	472	54	0	35	470	40	458	448	45
406 CEDAR VLG A1B	776	575	74.10%	3	452	112	0	84	479	84	464	463	83
410 CEDAR TWP A1V	585	519	88.72%	0	393	113	3	62	435	435	404	414	78
411 CEDAR TWP A1W	451	394	87.36%	0	324	67	0	42	342	342	322	344	35
420 JAMESTOWN VILLAG	741	559	75.44%	1	354	195	1	139	396	253	370	390	144
421 JAMESTOWN VILLAG	497	370	74.45%	0	231	120	2	89	289	90	280	276	71
425 SILVERCREEK TWP	480	373	77.71%	1	271	99	2	72	289	78	280	278	77
426 SILVERCREEK TWP	715	589	82.38%	0	415	162	2	127	437	147	412	424	137
430 SPG VLY VLG A1C	387	284	73.39%	0	167	110	0	81	190	95	171	179	82
435 SPG VLY TWP A1Z	864	687	79.51%	1	456	224	0	175	491	182	463	487	170
436 SPG VLY TWP A1A	715	611	85.45%	1	450	154	0	108	478	173	452	449	116
440 YBL SPG VLG A1H	916	749	81.77%	3	59	638	0	173	546	573	143	150	559
441 YBL SPG VLG A1I	724	582	80.39%	1	52	521	0	449	111	446	103	96	442
442 YBL SPG VLG A1J	1,108	806	72.74%	4	52	732	1	672	101	666	100	100	442
443 YBL SPG VLG A1K	746	631	84.58%	2	88	534	3	449	155	429	132	132	449
455 MIAMI TWP A1F	478	352	82.01%	0	207	178	0	126	249	141	226	226	124
456 MIAMI TWP A1G	492	421	85.57%	0	229	262	0	211	192	209	193	182	214
460 CAESARS CREEK AGW	342	296	86.55%	0	229	50	0	54	231	54	225	231	53
461 CAESARS CREEK AGX	542	457	84.32%	1	268	111	1	86	352	99	332	339	87
465 NEW JASPER A1O	489	391	79.96%	2	268	111	3	77	295	95	273	298	85
466 NEW JASPER A1R	622	517	83.12%	2	380	127	0	93	403	111	373	390	99
467 NEW JASPER A1S	660	539	81.67%	1	406	125	1	98	416	106	402	410	103
475 ROSS TWP A1U	545	446	81.83%	0	315	121	0	96	342	124	304	322	104



C

13  
Paw Rd  
Sims  
Pd

No Sigs

Proc 354

CA - confirm address (1)

SI - show ID (new voter)

(?) - MVP - must vote provisional  
Voter Reg Form #

(A)

Abington LB	143648	Anthony PM	153257
✓ Adair M L	143586	Armstrong TR	126639 CA
✓ Abdul-Rahim H	132443	Arnett CN	130542
✓ Abdullaha Fy	115215	Asby JRF	128821
Adams III RA	143140	Austin AD	143140
✓ " Cooper V	121525	✓ " KD	89660 CA
✓ Adabusoye SA	143858	Bayley AC	
Afflate TM	130424	Bailey TL	2626
✓ Adkins C AM	123933	✓ Baird BA	143574 Bianca
Adkins BA		" BA	143591 Britney A
✓ Alexander CS	122850	Baker VM	135892 CA
<del>Adkins CA</del>		Baker AM	153564
✓ " SM	122706	Ballard AN	153815
Adkins AA		Banks Jr C E	130509
Adkins BT	155456	✓ " NC	99381 CA
Allen L S	109819	" SA	143978
" MS	143994	Barbados TR	14554 CA
B " MA	126314	Barlow TS	153258
" MA	144055	Barnett T	130541
Alvarez E T	153242	Barnett S AD	143137
✓ Amegboh Z T	142040	Barrow EE	122742 CA
Amos DC	136410	Bass CA	111278
Anderson AJ	122870	✓ " KL	92043
Anderson Jr DS	143998	Beane F	115541 CA
" OD	144083	Beard CR	157118
✓ " TD	143667	Beeton DM	143803
✓ Andrews EAA	122751	Bell FD	126637 CA
" " " "	122512	" " " "	" " " "

Must  
Vote  
Provisional

12/10/04

D

I, CAROL GARMAN, declare as follows:

I WAS TOLD BY PAT WOLF, ELECTION ADMINISTRATOR FOR SECRETARY OF STATE BRACKWELL, THAT ALL ELECTION RECORDS ARE NOW LOCKED-DOWN AND, AT THIS TIME, ARE NOT CONSIDERED PUBLIC RECORDS. THIS CONVERSATION TOOK PLACE OVER TELEPHONE TODAY AT APPROXIMATELY 3:20 P.M.

DATED:

CAROL GARMAN  
DIRECTOR, BOARD OF  
ELECTIONS, GREENS  
COUNTY, OHIO



12/10/04

E

Carole -

When you speak to the  
county attorney, may we  
be present?

Thank you,

Joan Quinn

I saw Joan Quinn  
3:45 PM, I gave this note to  
Kathleen Funk, employee of  
Greene County Bd of Elections.  
Ms Funk entered the office of Carole  
Garman, Director, Board of Elections  
of Greene County. Ms Funk  
shortly returned this note to me,  
stating: "Carole said that the  
Secretary of State's ruling is  
what we are following + the  
Greene County Prosecution agrees  
with that.

I declare the above to be true  
~~and~~ of my own personal knowledge  
under penalty of perjury.

Date: 12-10-04

Lucy Roberson  
Lucy Roberson  
113 Lankspur Drive  
Santa Rosa, CA 95409

## Ohio Revised Code – Applicable Statutes

### **§ 3503.26. Custody of records and lists; inspection and copying.**

(A) All registration forms and lists, when not in official use by the registrars or judges of elections, shall be in the possession of the board of elections. Names and addresses of electors may be copied from the registration lists only in the office of the board when it is open for business; but no such copying shall be permitted during the period of time commencing twenty-one days before an election and ending on the eleventh day after an election if such copying will, in the opinion of the board, interfere with the necessary work of the board. The board shall keep in convenient form and available for public inspection a correct set of the registration lists of all precincts in the county.

(B) Notwithstanding division (A) of this section the board of elections shall maintain and make available for public inspection and copying at a reasonable cost all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of voter registration lists, including the names and addresses of all registered electors sent confirmation notices and whether or not the elector responded to the confirmation notice. The board shall maintain all records described in this division for a period of two years.

HISTORY: GC § 4785-54; 113 v 307(333), § 54; 119 v 265; 122 v 325; Bureau of Code Revision, 10-1-53; 137 v S 125 (Eff 5-27-77); 145 v S 300. Eff 1-1-95.

### **§ 3599.42. Prima-facie case of fraud.**

A violation of any provision of Title XXXV [35] of the Revised Code constitutes a prima-facie case of fraud within the purview of such title.

HISTORY: GC § 4785-231; 113 v 307(412), § 231; Bureau of Code Revision. Eff 10-1-53.

### **[§ 3599.16.1] § 3599.161. Prohibiting inspection of election records.**

(A) The director of elections, deputy director of elections, or an employee of the board of elections designated by the director or deputy director shall be available during normal office hours to provide any person with access to the public records filed in the office of the board of elections.

(B) No director of elections, deputy director of elections, or employee of the board of elections designated by the director or deputy director shall knowingly prevent or prohibit any person from inspecting, under reasonable regulations established and posted by the board of elections, the public records filed in the office of the board of elections. Records relating to the declination of a person to register to vote and to the identity of a voter registration agency through which any particular person registered to vote are not public records for purposes of this section.

(C) Whoever violates division (B) of this section is guilty of prohibiting inspection of election records, a minor misdemeanor, and shall, upon conviction, be dismissed from his position as director of elections, deputy director of elections, or employee of the board of elections.

HISTORY: 137 v H 86 (Eff 8-26-77); 145 v S 300. Eff 1-1-95