



JENNIFER BRUNNER
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July 31, 2009

Michael S. Miller, Editor in Chief
Toledo Free Press
300 Madison Ave., Ste. 1300
Toledo, Ohio 43604

Re: Request for Investigation

Dear Mr. Miller:

I am in receipt of your July 30, 2009 letter to Linda Howe, the Director of the Lucas County Board of Elections, in which you request the Lucas County Board of Elections to investigate whether James Damas's name was forged on several documents filed with the Board of Elections' Office. You contend that certain campaign finance forms that were submitted under signature of James Damas, Treasurer of the Lucas County Republican Party, may not have been signed by Mr. Damas, but may have been signed by another person or persons. You write that handwriting expert and forgery detectors retained by the *Toledo Free Press* "have stated the signatures appear to be the work of different people." You further allege that this may constitute a violation of R.C. 3517.10(C)(1), which provides: "[t]he statement of contributions and expenditures shall be signed by the person completing the form."

Pursuant to Ohio law, a county board of elections has a duty to "investigate irregularities, nonperformance of duties, or violations of Title XXXV of the Revised Code by election officers and other person * * * and report the facts to the prosecuting attorney or the secretary of state." R.C.3501.11(J). Accordingly, we have advised the Lucas County Board of Elections to review the letter and supporting documentation sent to it by the *Toledo Free Press*. After having conducted that initial investigation, the Board shall exercise its discretion in determining whether further investigation is warranted or whether to immediately refer the matter to the Lucas County Prosecutor.

In the meantime, if you have questions or concerns, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "David M. Farrell".

David M. Farrell
Deputy Assistant Secretary of State and Director of Elections
Ohio Secretary of State

cc: Lucas County Board of Elections