

To: All County Boards of Elections, State of Ohio

From: The Brennan Center, AIGA Design for Democracy, the Usability Professionals' Association and Professor David Kimball

Date: September 17, 2008

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Urgent Reminder of Ballot Design Best Practices

As you finalize the design and layout for your November ballots, we write to remind you of some extremely important ballot design principles. As you may already know, the Brennan Center, the Usability Professionals' Association and Professor David Kimball of the University of Missouri, St. Louis recently collaborated with the nation's leading election officials, designers, political scientists and usability experts to produce *Better Ballots*, a study of ballot design flaws and their impact on elections. Design for Democracy, a contributor to *Better Ballots*, has studied ballot design and its impact on elections for several years. Last year, the U.S. Election Assistance Commission (EAC) accepted Design for Democracy's research and best practice recommendations for ballot and polling place information design.

On September 8, 2008, the Ohio Secretary of State issued directive 2008-83, relating to the 2008 General Election Ballots, as well as a sample ballot for this election. The directive and sample ballot incorporated a number of best practices, including using upper- and lower-case letters for names of candidates, placing text flush left (especially for candidate names), and simplifying certain instructions.

In addition to these principles, we urge you to ensure that your ballots comply with the following guidelines, which are consistent with both the EAC guidelines on ballot design and the recommendations in *Better Ballots* (an illustration incorporating these guidelines into the Sample Ballot provided by the Secretary of State can be found on page 3 of this document).<sup>1</sup>

**1. Avoid splitting contests**

It is critical, to the extent possible, that candidates for the same race are listed on the same page and in the same column. This is true even if it means you will have to use paper that is longer than 8 ½" x 11". We know from previous contests that dividing a

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<sup>1</sup> We make these recommendations understanding that many of you are constrained by the technical limitations of your systems and Ohio legal requirements.

race into two columns will lead to voter error. For instance, in 2002, in Kewaunee County, Wisconsin, voters were presented with a ballot that divided the Governor's race into two columns. 11.8% of voters in Kewaunee County did not have a vote recorded in this contest, as against approximately 1% of voters in the rest of the state (where this split contest ballot was not used).

**2. Ensure that candidate choices do not “bleed into” one another**

In reviewing your ballot, it may seem obvious which oval corresponds to which candidate. But for first time voters, voters with reading disabilities, and voters in a hurry, this will not always be so clear. To make the voting process easier for voters, make sure that voters know which oval corresponds with which candidate. In the case of the Presidential contest for the Sample Ballot provided by the Secretary of State, this means aligning the ovals with “For President,” at the top of each candidate grouping (if you were to lead each grouping with the candidate name, rather than “For President,” then the oval should be placed next to the candidate name), and placing the information for each grouping of candidates (“For President,” candidate name, “For Vice-President,” candidate name) closely together, while leaving sufficient space between candidate pairs so that it is clear where one grouping ends and another begins. See the illustration on page 3 of this document for an example of what this might look like if incorporated into the Sample Ballot provided by the Secretary of State.

**3. Use shading to help voters differentiate between voting tasks**

Proper shading and clear borders between ballot items help voters easily identify separate voting tasks and differentiate between instructions, races, and ballot measures. For instance, the Secretary of State's Sample Ballot provides a separate instruction for the presidential contest. We recommend shading this contest heading and instructions, so it is clear to voters where the candidate choices begin.

Please feel free to contact us as you finalize your ballots. We welcome the opportunity to review your ballots and provide feedback, free of charge. You can e-mail any or all of us at the following addresses:

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**Instructions to Voter**

1. To vote, you must completely darken the oval ( ● ) to the left of the candidate or answer of your choice. If you vote for more choices than permitted, your vote for that race will not be counted.

2. To cast a write-in vote, darken the oval ( ● ) to the left of the line provided and write in the candidate's name. Only a candidate who has timely filed a valid notice of intent to become a write-in candidate may have a vote counted in his or her favor.

3. If you make an error, please return your ballot to an election official and obtain a new ballot. Please do not attempt to erase or cross out any marks made in error.

**OFFICIAL OFFICE TYPE BALLOT**

**For President and Vice-President  
Vote For One (1) Pair**

To vote for President and Vice-President, darken the oval at the left of the joint candidates of your choice. Your vote will be counted for each of the candidates for president elector whose names have been certified to the Secretary of State.

For President  
**Chuck Baldwin**  
For Vice-President  
**Darrell L. Castle**  
Constitution Party

For President  
**Bob Barr**  
For Vice-President  
**Wayne Allyn Root**  
Libertarian Party of Ohio

For President  
**Richard Duncan**  
For Vice-President  
**Ricky Johnson**

For President  
**John McCain**  
For Vice-President  
**Sarah Palin**  
Republican

For President  
**Cynthia McKinney**  
For Vice-President  
**Rosa A. Clemente**  
Green Party of the United States

For President  
**Brian Moore**  
For Vice-President  
**Stewart Alexander**  
Socialist Party USA

For President  
**Ralph Nader**  
For Vice-President  
**Matt Gonzalez**

For President  
**Barack Obama**  
For Vice-President  
**Joe Biden**  
Democratic

For President

Write-In \_\_\_\_\_  
For Vice-President

Write-In \_\_\_\_\_