

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

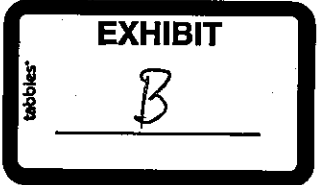
STATE <i>ex rel.</i> SKAGGS, <i>et al.</i>	:	
	:	Case No. C2:08CV-1077
Relators,	:	
	:	
v.	:	<b>Judge Marbley</b>
	:	
JENNIFER L. BRUNNER	:	
SECRETARY OF STATE OF OHIO,	:	
<i>et al.</i> ,	:	
	:	
Respondents.	:	
	:	
	:	

State of Ohio	}	
	}	ss
Franklin County, Ohio	}	

**AFFIDAVIT**

1. I, Ron O'Brien, being first duly sworn, depose and say that I am the duly elected Prosecuting Attorney for Franklin County, Ohio and in that capacity am statutory counsel to the Franklin County Board of Elections but also prosecute the voter fraud and other election law crimes that are primarily contained in Title 35, Ohio Revised Code.

2. During the 2008 general election cycle, numerous election fraud cases were investigated by my office. On November 14, 2008 the Board of Elections voted to refer six additional cases to this office. Such cases have ranged from registration and voting by non-residents, voting twice, voting by non-citizens, and multiple registrations that were forged, fictitious or fraudulent.



3. The Grand Jury returned a twenty-four count election fraud indictment on November 18, 2008 in one of those cases.


4. Ohio statutes require that a voter's signature be contained on a provisional ballot, and that requirement is necessary for two other election law reasons.

5. First, Board of Elections personnel must have a voter's signature to compare with the known signature of a voter that is already on file at the Board, either on registration forms, absentee ballot requests, or the poll book for another precinct. That comparison cannot be done when a signature does not appear on the provisional ballot.

6. Second, all important election documents provided for by Ohio law must be signed under penalty of election falsification, and statutes require a warning above or near the signature. Those laws are to deter election fraud, but more importantly are essential to the prosecution of a voter fraud case. Fraudulent provisional ballots will not be able to effectively be prosecuted if a signature of the purported voter does not exist. A poll worker likely will not be able to visually identify a provisional voter due to the numerous persons met and dealt with on election day. Absent other methods of identification and a confession, any provisional voter fraud cannot effectively be prosecuted.

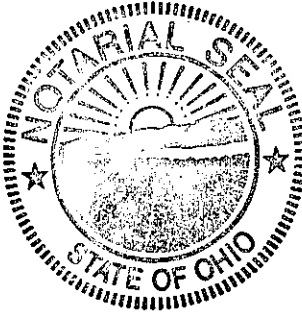
7. The indictment referred to above was possible only because of expert opinion by a handwriting expert that the offender signed the fraudulent registration and absentee ballot forms. Without a signature on a provisional ballot form the ability to prosecute fraudulent forms, voters, or schemes would be virtually impossible.

Further affiant says naught.

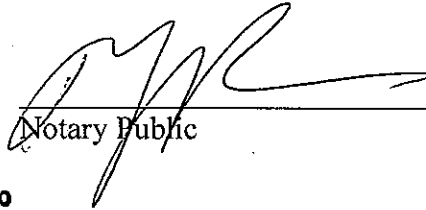
  
Ron O'Brien  
18 Nov 08

Sworn to and subscribed before me in my presence this 10<sup>th</sup> day of November,

2008.



PATRICK J. PICCININNI  
ATTORNEY AT LAW  
Notary Public - State of Ohio  
My Commission Does Not  
Expire RC SEC. 147.03

  
\_\_\_\_\_  
Notary Public