



## Jon Husted Ohio Secretary of State

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### **ADVISORY 2015-03**

June 17, 2015

To: All County Boards of Elections  
Members, Directors, and Deputy Directors

Re: Suspicious Voter Registration Forms

### **SUMMARY**

This Advisory is issued in response to reports from county boards of elections about suspicious and irregular voter registration forms received from agents of The Strategy Network who are circulating petitions on behalf of ResponsibleOhio. Boards of elections are reminded of their statutory duty to investigate the qualifications of electors, including any irregularities or possible violations of Ohio's election laws.

### **BACKGROUND**

Over the past several weeks, this office has received reports from county boards of elections expressing concern about suspicious voter registration applications submitted by The Strategy Network, a group circulating petitions on behalf of ResponsibleOhio's proposed constitutional amendment for Marijuana Legalization. These Boards have reported significant irregularities among the applications. For example, multiple forms appear to have been completed in the same handwriting by a single person. Several of the addresses that applicants provided do not exist in the county, and many of the applicants' signatures are illegible or do not match the signature on file for the applicant in the voter's existing registration record. Some counties have received more than one application from a single applicant completed on the same day with different addresses. There also have been reports of applications from individuals who are only 16 years old and not yet eligible to register as an elector under Ohio law.

### **INSTRUCTIONS**

Ohio law protects the integrity of the election process by prohibiting fraudulent registration practices. This includes, among other things, knowingly helping an unqualified person register to vote, completing false registration forms, and signing another person's name to a voter registration form.<sup>1</sup> Such conduct is punishable under Ohio law.

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<sup>1</sup> R.C. 3599.11; R.C. 3599.28.

County boards of elections are charged with determining the qualifications of electors and investigating irregularities and possible violations of Ohio's elections laws.<sup>2</sup> Ohio law imposes a duty on Boards to check the eligibility of registrants<sup>3</sup> and to keep careful track of registration applications to prevent multiple registrations by the same person.<sup>4</sup> This situation is no different.

As a result of the increase in reports of potentially fraudulent registration practices, Boards should be increasingly mindful of these statutory duties and should investigate any voter registration that appears to be suspicious or irregular. As with any investigation, Boards are encouraged to consult with their legal counsel, the prosecuting attorney. Any formal referrals by the Board to the prosecuting attorney for further investigation and/or prosecution should also be reported to the Secretary of State's Office.

If you have any questions concerning this Advisory, please contact the Secretary of State's elections counsel assigned to your county at (614) 466-2585.

Sincerely,



Jon Husted

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<sup>2</sup> R.C. 3501.11(J) and (Q); R.C. 3503.25.

<sup>3</sup> R.C. 3503.01, and 3503.07.

<sup>4</sup> R.C. 35013.12.