

IN THE COMMON PLEAS COURT OF DELAWARE COUNTY, OHIO

STATE OF OHIO,

Plaintiff

CASE NO. 2021CR-I-01-0040

-vs-

EDWARD D. SNODGRASS ,

JUDGE DAVID M. GORMLEY

Defendant.

PLEA AGREEMENT

NOW COME THE PARTIES and hereby make this Plea Agreement pursuant to Rule 11(F) of the Ohio Rules of Criminal Procedure. The State of Ohio is represented in this matter by Morrow County Assistant Prosecutor David Homer, a Special Prosecutor for Delaware County appointed pursuant to Sections 2938.13 and 2941.63. The Defendant, Edward D. Snodgrass, is represented in this matter by Attorney Anthony Heald of Delaware, Ohio. The defendant has reviewed the discovery materials presented by the State in this action with his counsel and has had sufficient opportunity to consult with his retained counsel about all aspects of this case. The defendant represents that any plea he would make in this matter would be knowingly and voluntarily made after fully consulting with his chosen counsel and would therefore be his true and voluntary action after considering all the facts and circumstances of this case and all his legal rights and responsibilities in the circumstances presented herein.

WHEREAS Criminal Rule 11(F) provides that when a negotiated plea of guilty or no contest to one or more offenses charged or to one or more other or lesser offenses is offered, the underlying agreement upon which the plea is based shall be stated on the record in open court. The Rule further requires that the trial court allow an alleged victim of the crime to raise any objection to the terms of the plea agreement. In this case, the alleged victim is the State of Ohio and no separate individually-named victim is present. The underlying agreement upon which the plea is based is as follows:


1. The State will dismiss the charge of Illegal Voting in violation of Section 3599.12(A)(3) of the Ohio Revised Code, a Fourth Degree Felony.
2. The Defendant will enter a plea of Guilty to an amended charge of Falsification in violation of Section 2921.13(A)(1) and stipulate to the factual finding that he did knowingly make a false statement or knowingly swear or affirm the truth of a false statement in an official proceeding, to wit: on or about the 5th through the 15th day of October, 2020 in Delaware County, Ohio, in the 2020 General Election, by means of an Absentee Ballot.
3. The Defendant acknowledges that pleading guilty to Falsification in violation of R.C. 2921.13(A)(1) is a First Degree Misdemeanor, for which the possible penalty in sentencing is a maximum sentence of 180 days in confinement in the county jail and a fine of \$1,000.00. The court may also sentence the offender to any community control sanction or combination of community control sanctions in addition to the jail term imposed that the court considers appropriate for a period of time not to exceed five years.

4. The State and the Defendant mutually agree and recommend to the court that the sentence to be imposed on the Defendant shall be as follows:
 - (a) That the jail sentence shall be three days in the county jail (72 consecutive hours);
 - (b) That the fine shall be Five Hundred Dollars (\$500.00): and
 - (c) That community control sanctions are unnecessary after the defendant has served his jail sentence and paid his fine, along with any court costs due and owing in the court case(s), which shall be paid in full before all community control sanctions are vacated by serving the jail time, paying the fine, and paying the court costs.
5. The State and the Defendant mutually agree and recommend to the court that this case be dismissed and a new charge be filed in the Municipal Court for Falsification, to which the Defendant will plead "Guilty" and be sentenced as set forth herein.
6. The State and the Defendant mutually agree and the Defendant acknowledges that if the misdemeanor plea and sentence for Falsification set forth in this Plea Agreement is not made and executed as set forth herein, the felony charge of Illegal Voting will be reinstated and this Plea Agreement will be vacated and held for naught.
7. This writing is the entire agreement of the parties hereto.

THIS PLEA AGREEMENT is made at Delaware, Ohio on the 13th day of May, 2021.

/s/ by telephone authority

EDWARD D. SNODGRASS
DEFENDANT



DAVID HOMER (0030870)
SPECIAL PROSECUTOR
ATTORNEY FOR THE STATE OF OHIO

/s/by telephone authority

ANTHONY M. HEALD (0002095)
ATTORNEY FOR THE DEFENDANT