Responding to Red Earth-Villeda's conspiracy charges, Barnett said: "It will all sort out in the court of law. We have been conducting hundreds of interviews and continue on the course that I discussed in the past."

Red Earth-Villeda describes herself as "the mother of nine beautiful children, a grandmother of five wonderful grandchildren."

Red Earth-Villeda said that during the course of the year, she has devoted her time and energy to getting Native Americans in South Dakota to register to vote in federal, state and local elections. She said she thoroughly read the South Dakota statutes and laws before beginning her work.

"Through libelous assertions, inferences and innuendos by South Dakota Republican Chair Joel Rosenthal, Republican U.S. Senate candidate John Thune and Republican Attorney General candidate Larry Long ... defamation of my character as a campaign worker to register voters ... is now to my emotional and financial detriment," she said in a written statement.

As a result, South Dakota voters have the false impression that she is responsible for "massive voter registration fraud," Red Earth-Villeda said.

Rosenthal said he has always had the position that there appear to be thousands of irregularities, voters that can't be found, dead people requesting absentee ballots and irregularities in at least 20 counties.

"To my recollection, I have not accused her. She gets her day on trial. Democrats have already said she falsely did two of them," Rosenthal said, referring to voter documents.

"There are a lot of things uncovered, and something isn't right. The people on the reservation deserve to be registered to vote. Both parties ought to be able to register their favorable voters, but I want to have a good election and want people to have confidence," Rosenthal said.

The Thune campaign's position is that Red Earth-Villeda says one thing and the Democratic Party says another.

"We hope the truth will emerge before election day," said Christine Iverson, communications director for the Thune campaign.

Red Earth-Villeda also said Matthew Miller, an FBI agent who interviewed her, did not advise her of her rights. He distorted information she gave him when he filed a written report, she said. Because of the inaccuracies she refused to sign the statement for Miller. She plans today to release a photocopy of the Miller document.

"We're referring all calls to the U.S. attorney's office," said

Dave Heller, supervisor for the FBI office in Sioux Falls.

U.S. Attorney James McMahon would not discuss the case. "I'm not commenting on ongoing investigations," he said.

In the recent controversy, only Red Earth-Villeda has a direct connection to the state Democratic Party registration program, Barnett said.

A Rapid City man, who was working under a separate program run by the United Sioux Tribes, has been charged with five counts of forgery.

Meanwhile, Rosenthal accused Democrats on Monday of "judge shopping" when a law firm for the state Democratic Party asked Federal Judge Lawrence Piersol to be available on election day if they decide to seek an injunction.

Rosenthal said the Democratic Party is putting Piersol in "this untenable ethical position."

Rosenthal should know better, said Sarah Feinberg with the South Dakota Democratic Party.

"He knows it is a standard letter you write at election time. Our lawyer even covered Rosenthal with a copy of the letter as a courtesy," she said.

"In the course of a week, Joel Rosenthal has tried to suppress Native American voting, alienated every state auditor and the secretary of state by suggesting a need for federal election monitors and now discrediting a well-respected federal judge," Feinberg said.

Reach reporter David Kranz at dkranz@argusleader.com or 331-2302

GANNETT GANNETT FOUNDATION

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Barnett: No illegal ballots found

David Kranz
Argus Leader

published: 10/31/2002

Contract worker likely to face charges for submitting forms

The investigation into allegations of voter fraud in South Dakota has not turned up any illegally cast ballots but the woman at the center of the controversy still likely will face charges, Attorney General Mark Barnett said late Wednesday.

Barnett said last week that state and federal authorities had found 15 absentee ballot applications with apparently forged signatures. The bad documents surfaced during an investigation of voter abnormalities in 25 counties including registrations for people who were dead or too young to vote.

News of the probe has fueled nationwide speculation about the integrity of Tuesday's election in South Dakota, which features close races for U.S. Senate and House that are part of fierce struggle for control of Congress.

Throughout the controversy, Barnett has smothered discussion of widespread voting irregularities, saying the investigation was focused on one woman, Becky Red Earth-Villeda of Flandreau who was working as independent contractor under a Democratic Party voter drive.

On Wednesday, the attorney general said the woman's actions, while likely criminal, have not led to fraudulent voting.

"So far I have not found that she had any ballots that have been illegally voted," he said in an interview.

Meanwhile, Red Earth-Villeda was interviewed by state and federal agents for six hours Wednesday. Before the meeting she released a statement admitting she signed absentee ballot applications in the name of the 15 voters in Dewey and Ziebach counties but that she did so only after a mix up about how the system works.

She said the 15 voters in question filled out the applications, which she intended to personally deliver to the auditors in

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those two West River counties. But a Democratic Party worker informed her that, in nearly all cases, those forms must be sent through the mail.

At that point, Red Earth-Villeda admits, she duplicated the signatures on new applications and sent them through the system.

"If I erred in doing so, I pray that Attorney General Barnett will agree with me that I erred on the side of angels," she said in a written statement. "I did not abrogate the spirit and letter of the absentee voting law of South Dakota and É I did not work fraud on the county auditorsÉ"

Barnett said agents have interviewed the 15 people and ballots have not been submitted by them or in their names.

"It is my suspicion that the voter was not involved in the fraudulent procurement" of the ballot, he said.

Interviews in the case will conclude today, he said.

Red Earth-Villeda likely will be charged "sometime next week or possibly sooner," Barnett said.

Those charges probably will include forgery and theft by deception, he said.

Red Earth-Villeda said she hopes to continue her work to bring more Native Americans into the electoral process.

"I pray that the truth will set me free to get as many Native Americans out to vote as I can so that they exercise their most precious and self determinative right as citizens of the United states, that being the right to vote," she wrote.

An Argus Leader/KSFY-TV poll of likely South Dakota voters shows the much-publicized investigation has some positive effect for Republicans in the election.

Fifteen percent of those surveyed said they are more likely to vote for Republicans because of the controversy. Four percent said they were more likely to vote Democrat.

But the majority, 79 percent, said the allegations would have no effect on Tuesday.

The poll of 805 randomly selected South Dakotans has a margin or error of plus or minus 3.5 percentage points.

The controversy wasn't a deciding factor when James Miller, 64, of Meadow made up his mind to vote Republican in the Senate race.

"But it does seem like the Democrats have their fingers in it with voter problems. I don't think their candidates are responsible, though, probably just the workers," he said.

Both major political parties have engaged in substantial get-out-the-vote campaigns in the run-up to Tuesday's election.

The race between incumbent Sen. Tim Johnson and U.S. Rep. John Thune is among the closest in the nation. A few hundred vote here and there could mean the difference in the race and ultimately control of the Senate.

But the Democrats' practice of paying independent contractors for each registration and absentee ballot application has come under criticism since the allegations of fraud emerged.

Sarah Feinberg, spokeswoman for the South Dakota Democratic Party, said Barnett's statements Wednesday provide a measure of vindication for the voter drive.

"The attorney general's comments show the allegations that have been coming from the state Republican Party and the Thune camp for what they truly are, which is pure political spin," she said.

State Republican Party Chairman Joel Rosenthal could not be reached for comment late Wednesday.

State editor Patrick Lalley contributed to this article. Reach reporter David Kranz at dkranz@argusleader.com or 331-2302.

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SD

Absentee forms found burned

Staff & Wire Reports

published: 11/1/2002

Barnett: Flandreau woman tried to destroy originals

Investigators have recovered charred pieces of absentee ballot applications from a Flandreau woman suspected of forging voters' names on such forms.

Attorney General Mark Barnett said Becky Red Earth-Villeda apparently tried to burn the original applications but then decided to retrieve them.

Investigators suspect Red Earth-Villeda tried to copy information including signatures onto new applications.

"It gets stranger every day," Barnett said. "She claims they are the legitimate signatures (on the charred paper).

The Flandreau woman told Barnett that she copied the names of the applicants from the real documents in order to comply with instructions from Democratic Party officials. Barnett said the woman was told that she could not turn in ballot applications that had been signed but not filled out correctly.

"Many hundreds of those absentee ballot applications that were turned in by her, in fact were her signature, attempting to trace or duplicate the signature on the original form, which was rejected by the party," he said.

Red-Earth-Villeda was hired as an independent contractor by the state Democratic Party. She was fired after a county auditor alerted party officials that forged signatures were showing up on applications for absentee ballots.

Barnett said last week that authorities had found 15 absentee ballot applications with apparently forged signatures. Those documents were discovered during an investigation of voter irregularities in 25 counties.

Despite the suspicions of authorities, only those 15 have been verified by contacting the person whose name is on the application, Barnett said.

Democratic officials have cooperated with the investigation,

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Barnett said.

The probe has been laborious because of the sheer volume of election documents in question, he said. Each person whose name is on the application must be contacted by investigators to verify whether it is their signature on the form.

"I have almost 30 agents on this full time, spread out all over South Dakota, going as fast as we can go. We're doing everything we can to sort it out and advise the county auditors," Barnett said. "We're going to be sorting this out for a long time."

No absentee ballots tied to the questionable ballot application forms have been discovered, he stressed.

Investigators interrogated Red Earth-Villeda for several hours on Wednesday. She also released a written statement admitting that she had duplicated signatures but denying wrongdoing.

Kea Warne, state election supervisor, said county auditors are being advised to set aside any absentee ballots that look suspicious.

"If the signatures on the envelopes containing absentee ballots don't match up with the signatures on the applications for those ballots, we're telling auditors to set the ballots aside," she said.

Joyce Hazeltine, secretary of state, said she thinks the election will go smoothly and there will be no problems if questionable absentee ballots are rejected.

"If there's any question, I'm not taking any chances on having a contested election. Let's just not use them," she said.

If absentee ballots are set aside, they would only be considered if any races are within vote margins that allow for recount requests, Warne said.

"The recount board would have the authority to review those uncounted ballots," she said.

Red Earth-Villeda worked in several counties that encompass or border Indian reservations, he said.

"In Buffalo County alone, we probably have 80 or 100 absentee ballot applications that she signed instead of the voter," Barnett said, adding that forgery charges likely would be filed soon in Minnehaha County because that's where the election forms were turned over to the Democratic Party.

Aberdeen News (SD) - Posted on Fri, Nov. 01, 2002

SD

Forged absentee ballot applications could total between 500 and 1,000
Flandreau woman may have charges filed against her today or Monday
By Joe Kafka
Associated Press Writer

PIERRE - Forgery charges may be filed today or Monday against a Flandreau woman who has worked to get more American Indians and others to vote on Election Day, Attorney General Mark Barnett said Thursday.

State criminal agents, in conjunction with the FBI and tribal authorities, have investigated the activities of Becky Red Earth-Villeda in 25 counties, Barnett said.

The woman was hired as an independent contractor by the state Democratic Party. She was fired after a county auditor alerted party officials that forged signatures were showing up on applications for absentee ballots.

Barnett said investigators have talked to hundreds of people and hoped to finish up their last interviews Thursday night. He said Red Earth-Villeda is suspected of forging voters' names on 500 to 1,000 absentee ballot applications.

"We've found several hundred voters who say, 'That's not my signature,' " the attorney general said.

When Red Earth-Villeda was told by a Democratic Party official that she could not turn in ballot applications that had been signed by voters but were not filled out correctly, she filled out new forms and traced the voters' signatures on them, Barnett said.

"Many hundreds of those absentee ballot applications that were turned in by her, in fact were her signature, attempting to trace or duplicate the signature on the original form, which was rejected by the party," he said.

Investigators interrogated Red Earth-Villeda for several hours on Wednesday. She also released a written statement Wednesday admitting that she had duplicated signatures but denying wrongdoing.

"I did not abrogate the spirit and letter of the absentee voting law of South Dakota," the statement said. "If I erred . . . I pray that Attorney General Barnett will agree with me that I erred on the side of angels."

Democratic officials have cooperated with the investigation, Barnett said.

The probe has been laborious because of the sheer volume of election documents in question, he said.

"I have almost 30 agents on this full time, spread out all over South Dakota, going as fast as we can go. We're doing everything we can to sort it out and advise the county auditors," Barnett said. "We're going to be sorting this out for a long time."

No absentee ballots tied to the questionable ballot application forms have been discovered, he stressed.

"So far, I've found no evidence that she got her hands on any actual ballots," Barnett said. "I'm not saying no illegal ballots were cast."

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Kea Warne, state election supervisor, said county auditors are being advised to set aside any absentee ballots that look suspicious.

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"If there's any question, I'm not taking any chances on having a contested election. Let's just not use them," she said.

If absentee ballots are set aside, they would only be considered if any races are within vote margins that allow for recount requests, Warne said.

"The recount board would have the authority to review those uncounted ballots," she said.

Barnett said questionable absentee ballot application forms have been found in several counties, although he was not able to immediately identify all of them Thursday because not all criminal agents had yet filed their final reports. Red Earth-Villeda worked in several counties that encompass or border Indian reservations, he said.

"In Buffalo County alone we probably have 80 or 100 absentee ballot applications that she signed instead of the voter," Barnett said, adding that forgery charges would be filed in Minnehaha County because that's where the election forms were turned over to the Democratic Party.

The attorney general said he doesn't think voters who signed the original forms that were incorrectly filled out have done anything wrong.

"I'm convinced that virtually all these voters are completely innocent."

When Becky Red Earth-Villeda was told by a Democratic Party official that she could not turn in ballot applications that had been signed by voters but were not filled out correctly, she filled out new forms and traced the voters' signatures on them, Attorney General Mark Barnett said. Dakota Briefs Visit www.aberdeennews.com American News Friday, November 1, 2002 7A

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No prison in election fraud case

Activist will spend 6 months at House of Correction for absentee ballot forgeries

By DAVE UMHOEFER
dumhoefer@journalsentinel.com

Posted: Feb. 20, 2004

Bolstered by prominent character witnesses, voting-rights activist Vincent Knox avoided prison Friday on three felony convictions that stemmed from an investigation into absentee-voting fraud in a Milwaukee County recall election last March.

Circuit Judge David Hansher rejected a prosecution request for prison time and sentenced Knox to six months in the House of Correction with work-release privileges.

A prosecutor urged Hansher to hold Knox partly responsible for forgeries on 40 of 160 absentee ballots turned in by workers under Knox's supervision during the recall election involving County Board Chairman Lee Holloway. Knox ran a novel absentee drive that put ballots in the hands of his employer, an organization known as the African-American Coalition for Empowerment (ACE).

"Are we going to tolerate ghost votes being cast?" asked prosecutor Kurt Benkley, who sought a three-year sentence for Knox, half of it in prison time. Benkley recounted how a voter in the 5th District race had gone to vote for Holloway's opponent, Yolanda Staples-Lassiter, but effectively was canceled out because an ACE worker had forged an absentee ballot in the voter's name for Holloway.

Benkley argued that the perjury conviction against Knox, for lying to investigators at a John Doe hearing, alone deserved prison time.

"If citizens feel they can lie (at a John Doe hearing) it renders it dull," Benkley said of the seldom-used investigative tactic, in which witnesses are questioned in secret in front of a judge.

Benkley pressed the prosecution's argument that Knox's effort was designed to help Holloway - an allegation that Holloway and Knox have denied under oath. Holloway won the election handily.

Hansher said evidence at trial left it unclear whether there was a grand scheme to defraud, or merely widespread short-cutting by Knox's crew, or both.

"There's more to this than we know," Hansher said, citing the perjury charges leveled against various ACE workers in separate cases.

A jury found Knox guilty last month of three counts relating to a single forged registration card and perjury at a John Doe investigation. The maximum possible sentence was 13 years in prison.

The absentee drive, which city election officials discouraged Knox from undertaking, put absentee ballots in ACE's hands. Knox's crew went door to door in Holloway's district getting people to apply to vote absentee and agree to have the ballot sent to ACE, which then returned to the would-be voters' homes, witnessed their votes and turned in the ballots at City Hall. The drive did not follow that script, trial testimony showed. The unusual process - which Knox calls "vote by mail" - is legal under state law if performed correctly.

Hansher said the case was not a victimless crime. It had tarnished the city's reputation for clean elections, he said.

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Knox pleaded for leniency Friday, citing his long activism for minority voting rights. His attorney, Tom Erickson, sought probation and community service for his client.

Three witnesses vouched for Knox's character, among them Vel Phillips, a pioneer in electoral politics who was Milwaukee's first black alderman. In addition, state Sen. Gwendolynne Moore, former county executive candidate Tyrone Dumas and many co-workers, friends and neighbors wrote letters of support.

In addition to the House of Correction time, Knox must serve three years of probation. As a convicted felon, he cannot vote while under supervision. Hansher forbade him from doing voter registration work while on probation.

So far, prosecutors have had mixed success in the absentee investigation, in which nine people were charged. One of the ACE workers, Barbara Triblett, was acquitted at trial last month. Prosecutors shortly after that reduced the charges in another case, against Velma Jackson, to two misdemeanors. Jackson pleaded guilty and was fined $200.

Barbara A. Burton, another field worker in the absentee drive, pleaded guilty to a misdemeanor in December and was fined $200.

Five others who worked for ACE under Knox's supervision are awaiting trial on felony charges.

From the Feb. 21, 2004 editions of the Milwaukee Journal Sentinel

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Voting-rights activist convicted of fraud

Knox mishandled drive during county recall election, jury decides

By DAVE UMHOEFER
dumhoefer@journalsentinel.com

Posted: Jan. 14, 2004

Milwaukee voting-rights activist Vincent Knox was convicted Wednesday on three felony counts stemming from irregularities in an absentee-balloting drive he ran during a county recall election last March.

A year after he thought he had hit on a novel idea for boosting sluggish African-American voter turnout, Knox is fighting to stay out of prison.

A Milwaukee County Circuit Court jury deliberated five hours before agreeing with the state's contention that Knox, a 25-year veteran of voting-rights causes, had criminally mismanaged aspects of the absentee drive.

Judge David Hansher set sentencing for Feb. 5. Prosecutors, who pledged to seek prison time, sought to hold Knox in jail until sentencing, but Hansher rejected that idea.

Knox's attorney, Tom Erickson, cautioned his client against commenting after the verdict but questioned why Knox was prosecuted for a voter-registration error.

He mentioned the numerous problems with elector signatures in Milwaukee County Sheriff David Clarke's mayoral nomination papers and asked why that was not being investigated.

"It seems curious that Vince Knox, who's spent his whole life getting people to vote, is on trial," Erickson said.

The absentee drive was run by Knox for an organization known as the African-American Coalition for Empowerment (ACE). The move surfaced just days before the recall campaign won by Milwaukee County Board Chairman Lee Holloway.

Holloway hired ACE to help with his campaign, but he testified that the group's absentee drive was separate from his own campaign work and that he was unaware of it. He has not been charged.

The drive, which election officials discouraged Knox from undertaking, put absentee ballots in ACE's hands.

Knox's crew went door to door in Holloway's district getting people to apply to vote absentee and agree to have the ballot sent to ACE, which then returned to the would-be voters' homes, witnessed their votes and turned in the ballots at City Hall. The unusual process - which Knox calls "vote by mail" - is legal under state law if performed correctly.

District Attorney E. Michael McCann responded aggressively when the alleged ballot problems became public. His investigators were at polling places for the March 4 election on Milwaukee's north side and challenged and sealed 10% of the votes cast.

A police handwriting expert had labeled as suspicious the signatures on dozens of absentee ballot envelopes.

In all, Knox and eight other ACE workers were charged. One pleaded guilty to a reduced charge last month. The others are standing trial separately in the weeks ahead.

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For Knox's trial, prosecutors argued that ACE's motive was to get absentee votes for Holloway, an allegation they tried to back up through testimony about absentee ballots cast for Holloway by fictitious voters at non-existent addresses.

Although evidence suggested forgery and other mischief plagued the absentee effort, Knox's case turned on one voter registration card bearing his signature as a deputized voter registrar. The purported voter, Willie Dawson, had his name forged on the card by a girlfriend, testimony showed. And Knox's explanation of how he could have witnessed Dawson sign the card apparently held little weight with jurors.

Jury foreman Mark Scott told a reporter that while the jury respected Knox's political credentials, the number of mistakes made by Knox's voter-recruitment crew suggested tampering.

"Your voting rights are a privilege," Scott said. "It's not to be taken lightly."

Knox was convicted of perjury, misconduct as a voter registrar and election fraud, which carry a combined penalty of up to 13 years in prison.

The perjury count stemmed from his testimony at an investigative hearing conducted before charges were filed.

Knox and ACE are well-known in political circles. Knox successfully sued Milwaukee County on a race-related redistricting case.

From the Jan. 15, 2004 editions of the Milwaukee Journal Sentinel

THE ROANOKE TIMES
roanoke.com
Tuesday, August 02, 2005

VA

State charges former mayor with vote fraud

By Laurence Hammack
981-3239

The indictments allege voters were persuaded to cast illegal votes by absentee ballot. Background on the disputed Gate City voting

GATE CITY - Charles Dougherty was charged Monday with running a campaign of fraud and deceit to win another term as mayor of Gate City.

Dougherty was indicted on 37 felony counts of voter fraud by a Scott County grand jury in the first charges to come from a lengthy investigation of a small-town election marred by allegations of corruption. The indictments allege voters, many of them elderly or prone to manipulation, were approached by the candidate and persuaded to cast illegal votes by absentee ballot.

Although Dougherty was re-elected mayor in May 2004 with a large number of absentee votes, he lost the job a few months later after his opponent, Mark Jenkins, challenged the results in court.

In a complaint filed in circuit court last year, Jenkins blamed not just Dougherty, but also the Scott County registrar's office for some of the voting irregularities.

The office is headed by Willie Mae Kilgore, mother of Republican gubernatorial candidate Jerry Kilgore.

Willie Mae Kilgore has been accused in a separate lawsuit of running the registrar's office in a partisan way, and her role in the 2004 Gate City elections was cited recently when she was asked to resign by the candidate running against her other twin son, Del. Terry Kilgore, R-Scott County.

Yet Joel Branscom, the Botetourt County commonwealth's attorney who was appointed special prosecutor in the case, said the investigation to date has found evidence to support charges only against Dougherty.

Branscom noted that the probe is ongoing.

"When you stir a pot like this, you never know what might come up," he said.

Monday's indictments marked the second legal action in less than a week involving election fraud in far Southwest Virginia. Last Wednesday, the commonwealth's attorney in neighboring Wise County called for a special grand jury to investigate allegations of vote-buying and ballot theft in May's elections for the town council of Appalachia.

Dougherty, a former Scott County sheriff's deputy who works at the county's regional jail, was charged with 18 counts of aiding and abetting in violating the absentee voting process, 17 counts of making a false statement on an absentee ballot application, and two counts of conspiracy.

Many of the charges involve people who gave false reasons for voting by absentee ballot. Absentee voting is allowed in Virginia under certain circumstances, such as for people out of town on Election Day or unable to vote in person because of heath reasons. It is a felony to make a false representation on an absentee ballot application.

Critics of the absentee voting process in Virginia say it is easy for an unscrupulous candidate to persuade a voter in private to obtain absentee ballots under false pretenses.

Some of the absentee ballot applications in the Gate City election contain similar reasons for a voter not being able to make it to the polls, such as the ailment of "crippling arthrism." [sic]

In Dougherty's case, authorities allege, the candidate took it a step further by also assisting the voters in casting their ballots.

Many people told a state police investigator that they "were voted" by the candidate. "It's a new phrase that I am still trying to find a definition for - 'He voted me,'" Branscom said.

In an interview in February, Willie Mae Kilgore said it is the voter's responsibility to be truthful on absentee ballot applications. As registrar, Kilgore said, she must take their word for why they cannot vote in person.

Rather than charge the voters, Branscom chose to hold the candidate accountable.

"When you subject yourself to 370 years in prison for trying to become the mayor of a small town, you're putting your liberties at risk when you do it," he said.

Each one of the 37 charges Dougherty faces carries a maximum punishment of 10 years in prison. He will be allowed to turn himself over to authorities and remain free on

a personal recognizance bond, Branscom said.

Dougherty could not be reached for comment Monday.

In an interview earlier this year, he said he did nothing wrong in the weeks leading up to the town elections of May 4, 2004.

"I've always worked the absentee ballot hard in every election," he said. "That's part of campaigning. When people say they're going to be out of town or in the hospital, I encourage them to go out and vote absentee."

And as it turned out, the absent electorate proved crucial to Dougherty's two-vote re-election victory.

Of 158 absentee ballots cast in the mayor's race - about one of every five votes cast - Dougherty received 138. Jenkins was quick to challenge the results, and a three-judge panel invalidated the election in September. Jenkins was then named mayor by a new town council appointed by the judges.

Jenkins said Monday he was relieved to hear that criminal charges finally have come from the concerns he raised 15 months ago.

"The voting system is something that we should not be messing with," he said. "It's the foundation of freedom."

The mayor said he hopes the investigation will yield additional charges against others whom he believes have been involved in manipulating the absentee vote in Scott County. "This has been going on for years," he said.

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THE ROANOKE TIMES
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Wednesday, August 03, 2005

√A

Residents say former mayor filled out ballots

By Laurence Hammack
981-3239

"He done the voting, but I signed the paper," Vernoil Littrell said of Gate City's ex-mayor Charles Dougherty. Background on the story

GATE CITY - Vernoil Littrell had lots of reasons for not being able to vote in person in last year's town election: For one thing, he was confined to his home, suffering from crippling arthritis and a bad heart.

He was also working a 13-hour shift at Food Lion on Election Day, according to his absentee ballot application - a document that authorities say was falsified. "I don't even go to Food Lion," Littrell said Tuesday. "I don't know why he put all that down."

The "he" Littrell was referring to is Gate City's former mayor Charles Dougherty, who was charged Monday with election fraud and making false statements on absentee ballot applications submitted on behalf of Littrell and 19 other town residents.

In a brief interview Tuesday, Dougherty said he is innocent of the 37 felony indictments returned against him by a Scott County grand jury.

According to Littrell, Dougherty came to his apartment complex last April looking for votes. Seeking re-election at the time, the mayor had a stack of blank absentee ballot applications in his hand.

Littrell said he signed the paperwork that Dougherty filled out. In handwriting that appears similar to that on other absentee ballot applications on file at the county courthouse, the following reasons are listed for Littrell not being able to vote in person: "crippling arthritis; confined to home; heart condition."

He does have arthritis, Littrell said. And he is confined to his home.

But, he said, "I ain't got no heart problem. I went to the doctor last week. My heart's all right."

The absentee ballot application was submitted to the Scott County registrar's office, which issued Littrell a mail-in ballot

- even though the application seems to raise the obvious question of why someone with so many ailments could be working 13 hours at Food Lion.

After the ballot arrived in the mail, Littrell said, Dougherty came back to his apartment to help him vote. The way he tells it, the mayor did more than help. He filled out the ballot, voting for himself.

"He done the voting, but I signed the paper," Littrell said.

Botetourt County Commonwealth's Attorney Joel Branscom, who last year was appointed special prosector to oversee a state police investigation of the election, said other people have also said they were "voted" by Dougherty under similar circumstances.

Absentee voting abuses - which are also the subject of a special grand jury investigation into another election in neighboring Wise County - can allow dishonest candidates to amass a stealth electorate by focusing on voters who can easily be manipulated, critics of the process say.

Dougherty made the rounds in Littrell's apartment complex, where most of the residents are elderly or disabled, the 67-year-old Littrell said.

"All the way around," Littrell said, waving his arm to indicate the path taken by the allegedly vote-hungry politician that day.

On the other side of town, Dougherty was also seen knocking on the doors of Clinch View Manor Apartments, a government-subsidized complex for the elderly, disabled and handicapped.

He found Maxie Overbey in the laundry room.

"He hunted me down," Overbey said. "Or he looked 'til he found me, anyway."

Like Littrell, Overbey said she signed a blank absentee ballot application that Dougherty filled out. And like Littrell, her reason for not being able to vote was crippling arthritis.

While she does have a touch of arthritis, Overbey said it never prevented her from driving to the polls to vote in other elections.

Voting by absentee ballot would save her a trip to the polls, Overbey said she was assured by Dougherty. It was only after a state police investigator came knocking on her door that she took a close look at the absentee ballot application.

"Oh, Lord. I hate that I did that," she said. "I got took in by it."

A strong showing of absentee votes helped Dougherty squeak out a two-vote victory on May 4, 2004. But his re-election was later invalidated when his opponent, Mark Jenkins, challenged the results in court. Jenkins was later appointed mayor by a new town council named by a three-judge panel that heard the case.

Now, nearly a year later, the botched town election has gone from being the subject of a lawsuit to an ongoing criminal investigation.

After hearing from a state police investigator Monday, the grand jury charged Dougherty with 18 counts of violating absentee voting procedures, 17 counts of making false statements on ballot applications, and two counts of conspiracy.

In a brief telephone interview, Dougherty said he is innocent.

"It was elderly people, mostly, that I voted," he said. "They were the ones that signed the affidavits saying they couldn't go to the polls.

A short time after proclaiming his innocence, Dougherty turned himself over to authorities and was allowed to remain free on a personal recognizance bond. He is scheduled to be arraigned Aug. 15.

While the charges are pending, Dougherty also will keep his job as a correctional officer at the Southwest Virginia Regional Jail in Duffield. He is presumed innocent of the nonviolent charges, said Maj. Matthew Pilkenton of the regional jail.

In an earlier interview, Scott County registrar Willie Mae Kilgore said it is the voter's responsibility to give an honest answer when requesting permission to vote by absentee ballot. Absentee voting is allowed in Virginia only under certain circumstances, such as a voter being out of town on Election Day or unable to make it to the polls because of illness or disability. Making a false statement on an absentee ballot application is a felony that carries up to 10 years in prison.

But Branscom has said he is not comfortable bringing charges against people who were taken advantage of. To date, Dougherty is the only person charged in the investigation.

Ronald Kindle, who lost a bid for town council in the same election, said Tuesday that he believes the registrar's office

should have known that something was amiss.

He and other town residents questioned whether powerful political connections will prevent the full story from ever being told in a courtroom.

Willie Mae Kilgore is the mother of twin sons, Del. Terry Kilgore, R-Scott County, and GOP gubernatorial candidate Jerry Kilgore. Her husband is the longtime chairman of the Scott County Republican Party, and a third son heads the county economic development authority.

While the registrar's politics have been questioned in lawsuits, Branscom said the criminal investigation has produced no evidence to implicate the office - at least not so far.

"I never say never," the prosecutor said. "But certainly at this point I have no intention of going forward in that direction."

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Star-Telegram.com

Posted on Sun, Dec. 28, 2003 Star-Telegram

D.A. ready to close illegal voting probe

TX

Associated Press

HOUSTON - A seven-month voting fraud investigation that produced nearly 30 indictments is nearing its end, a prosecutor said.

Robertson County District Attorney John Paschall said recently the city of Hearne is ready to put the issue of fraudulent absentee ballots in its May 3 election behind it.

"We have it pretty much under control," Paschall told the Bryan-College Station Eagle in Sunday's editions.

A grand jury investigating the election fraud will be dismissed Wednesday, and no more indictments are expected. A handful of criminal cases in the case are pending.

Allegations of voter fraud surfaced shortly after the election. Defeated mayoral candidates Sally Pryor and Kathy Stracener questioned the results, particularly regarding the high percentage of absentee ballots mailed in by people who claimed to be disabled.

Pryor had copies of hundreds of absentee ballot applications, some with similar signatures, that she had requested before the election.

The newspaper asked the city for copies of those applications, but the election judge had locked them in the ballot box with actual ballots. State law requires that the ballot box remain sealed for 60 days after an election unless a court order is obtained to open it.

The only two people eligible to obtain such a court order - City Attorney Bryan Russ and Mayor Ruben Gomez - initially declined to do so, choosing instead to let the 60-day period pass. Both were elected by wide margins in May.

Gomez changed his mind when the issue didn't die down. The ballot box was opened 19 days after the election, and Paschall obtained the documents for his investigation. The newspaper obtained absentee ballot applications.

The 2000 Census said Hearne had 539 people aged 21 to 64 identified as disabled. The newspaper counted 657 absentee ballot applications from voters claiming to be disabled.

In contrast, the May municipal election in Bryan, a city much larger than Hearne, included 35 absentee ballots from voters saying they were disabled.

In August, Paschall announced 17 people had been indicted on charges of voting fraud, a third-degree felony punishable by two to 10 years in prison and a fine of up to $10,000. At the top of that list was Charles Workman, who pleaded guilty in October to illegal voting for casting 34 ballots in the Hearne

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election.

Workman didn't cast a ballot in his own name, but he voted for nearly three dozen other residents using absentee ballots. He also forged forms saying some people had moved from one home to another.

Workman was sentenced to five years probation and will not be allowed to campaign or collect absentee ballots during that time.

"We're not going to tolerate it," Paschall said. "I certainly hope everyone understands you have to vote your own ballot."

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TX

Dallas Morning News -Voters: Mail ballot signatures forged

Candidate denies signing applications; DA investigating
04/22/2003

By DAVE MICHAELS / The Dallas Morning News

A Dallas City Council candidate submitted at least 12 mail ballot applications that contained the forged signatures of voters, according to interviews with voters and the elections administrator.

Clair Conly Woertendyke, a candidate for council District 3, submitted about 265 applications for mail ballots this month. The Dallas County elections department spotted the questionable applications because they appeared to be signed by the same person and came from the same West Dallas precinct. The Dallas County district attorney's office is investigating the possibility of forgery.

In interviews, eight voters said they did not sign the applications that Mr. Woertendyke sent to the elections department. And two of the voters whose applications were submitted moved from West Dallas more than a year ago, neighbors said.

Mr. Woertendyke said he did not forge the signatures and argued that it could not be proved whether the signatures are bogus. He said a voter's relative might have signed the application for the voter, and the voter simply forgot. He said neither he nor his campaign volunteers could ask a voter for identification.

"Most of these seniors ... can't remember what they did yesterday," said Mr. Woertendyke, who lost an election for Dallas County clerk in November. "There is always the possibility that someone in the family signed for it and the person [the voter] did not know."

Bruce Sherbet, Dallas County elections administrator, said Monday that he had sent the applications to the Dallas County district attorney's office for investigation.

"There is no question in my mind that the voters didn't sign those applications," Mr. Sherbet said.

District Attorney Bill Hill said Monday that his prosecutors were investigating the information given them by the elections department.

"We are trying to determine whether or not there were forgeries on these mail-in ballot applications," Mr. Hill said. "And if in fact they were forgeries, who actually committed the offense."

In Texas, residents can vote by mail if they are at least 65 years old, disabled or plan to be gone during the period of early voting and on election day. Voters must sign an application for a mail ballot, which authorizes the elections department to send them a ballot.

Mail ballot controversies

But in Dallas and some other Texas counties, the mail ballot system has been controversial. Campaign workers have visited the homes of elderly voters to influence their votes and even taken ballots before voters could mark them.

A state district judge voided the results of the Dallas City Council District 4 race in 2001 partially because of mail ballot forgeries.

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The Texas Legislature is considering a bill that would tighten regulation of mail ballots. One of Mr. Hill's prosecutors, Ben Stool, helped write the bill with state Rep. Steve Wolens, D-Dallas. It increases the criminal penalties related to mail ballot fraud.

All 12 voters are 65 or older. Several cannot leave their homes without the assistance of relatives, the voters and their relatives said. But some said they vote at the polling place and were visibly upset that someone had submitted an application for them.

"That is not my signature on there," said Norman Jones, a 65-year-old retiree who lives on Vilbig Road. "I try to get down to the polling place to vote. I like to make my vote count."

Said Henry Moore Jr., 70: "If I find out who [signed my name], I'll sue them."

Another couple whose applications were sent, Milas and Lorine Franklin, left West Dallas more than a year ago, said Terry Webster, a former neighbor. Another family, the Alvarados, answered the door on the day a reporter visited the house.

When Mr. Woertendyke sent the applications to the elections department, his campaign put Mark Baker's name and address on the envelope. Mr. Woertendyke said Mr. Baker collected most of the applications in the precinct "except for a few that I picked up."

Mr. Baker is a longtime West Dallas resident who serves on the city's Martin Luther King Jr. Community Center Board. Ed Oakley, one of Mr. Woertendyke's opponents in the May 3 election, appointed Mr. Baker to that board.

Connection denied

Mr. Baker said he often tries to help seniors vote by mail. But he denied dealing with the applications that Mr. Sherbet said were forged.

"I have a regular set of people who vote each election," Mr. Baker, 37, said. "These are not the folks I have written up."

But Mr. Baker allowed his name to be written on the envelope that was sent to elections headquarters, he said. Mr. Baker said he collected perhaps 50 of the 265 applications that Mr. Woertendyke sent.

"Clair asked me if he could use my address," Mr. Baker said. "With him being the candidate, he didn't think it was good having it couriered in under his name – for his protection."

Mr. Woertendyke said he used Mr. Baker's name and address because he doesn't believe that the media should know how he conducts his campaigns.

"The media make something out of nothing," he said. "Everything was done perfectly legal, and you didn't have a right to know."

Mr. Woertendyke is campaigning to represent council District 3, an area that covers parts of West Dallas, Oak Cliff and the Mountain Creek area. His opponents are incumbent Mark Housewright and Mr. Oakley, another sitting council member.

Three-way race

Mr. Oakley was drawn into District 3 during redistricting. Mr. Housewright and Mr. Oakley said they were upset to learn about the questionable applications.

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Those voters who said their signatures were forged have received mail ballots. Several, such as Mr. Jones, said they intended to vote at a polling place.

To cancel the mail application, the voters must submit a request in writing, Mr. Sherbet said.

Otherwise, they have to take the mail ballot to a polling place, where they must surrender it to an election judge to be allowed to vote in person. That measure is intended to protect against people who would vote twice by casting a ballot on election day and then sending a mail ballot later, Mr. Sherbet said.

But the voters who lose their mail ballot or forget to send a cancellation letter might find themselves locked out on election day.

"It's horrible," Mr. Sherbet said. "These folks could lose their right to vote."

E-mail dmichaels@dallasnews.com
Online at: http://www.dallasnews.com/localnews/stories/042203dnmetvotefraud.26f30.html

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Focus:
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San Antonio Express-News (Texas)

December 10, 2002, Tuesday , METRO

SECTION: METRO / SOUTH TEXAS; Pg. 2B

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HEADLINE: News Roundup

BODY: san antonio

Third ballot recount is being considered

The ballot recount from the Nov. 5 election could last until Wednesday because of lingering questions about what to do with vote tallies handled by three election workers who were fired last week.

Bexar County Judge Nelson Wolff is expected to make a statement today about whether elections officials will have to count about seven disputed precincts for a third time.

County Elections Administrator Cliff Borofsky said the precincts handled by the three-person counting team were set aside last week after problems were discovered during a spot check of the ballot boxes.

The team included two Democrats, Mark Garrett and Mike Miklas; and one Republican, Martha Martin.

District Clerk Reagan Greer filed a complaint with Wolff last week asking that the boxes, which include about seven precincts, be recounted because of an allegation that Garrett switched 12 votes from Republican to Democratic candidates.

Garrett vehemently denies tampering with the votes.

No allegations have been made regarding Miklas and Martin. But Martin filed an affidavit with the county judge's office accusing Garrett of calling votes out too rapidly for her to tabulate them properly.

2 bank robbery suspects arrested

Two bank robbery suspects, linked to separate incidents, were arrested within hours of each other Monday.

Stephen Joy, 23, of Chicago, and Michelle Mitchell, 18, of San Antonio, were each being held at the Bexar County Jail late Monday, and were waiting for their bonds to be set.

Joy was charged with robbery. Mitchell was charged with attempted robbery.

According to the FBI, Joy entered the Compass Bank at 7575 Wurzbach Parkway at 10:15 a.m. and handed a teller a demand note. He fled in a late model Chevrolet Caprice, which was found abandoned a short time later, the FBI said. Joy was arrested after San Antonio police traced the vehicle to him, the FBI said.

Two hours after the robbery at the Compass Bank, authorities said Mitchell entered the Sterling Bank at 2700 N.E. Loop 410 and handed a teller a demand note. She was arrested by a security guard at the counter, the FBI said.

In both incidences, no weapons were used.

Man arrested in postal robberies

U.S. Postal inspectors on Friday arrested a 20-year-old man, alleging he robbed the Serna Post Office twice in a week.

Shortly after 3 p.m. on Nov. 29, a man robbed two clerks at gunpoint and fled.

Postal inspectors were working with San Antonio police, who had been investigating several armed robberies on Austin Highway, when the same post office was robbed again on Dec. 6.

At about 3:30 p.m., the robber fled the post office with stolen money and carjacked an elderly woman in the parking lot.

Authorities on Monday said David Aundra Straughn was charged with robbery and carjacking.

Sickly puppies found in pickup

Three sickly chow-mix puppies that were found in the back of a pickup by students at Northwest Vista College have been turned over to the Humane Society for treatment.

The owner of the vehicle turned the bleeding and weak puppies over to Alamo Community College District police, who in turn took them to the Humane Society/SPCA of Bexar County for quarantine.

The puppies are being treated for mange and secondary illnesses, including eye and bacterial skin infections.

ACCD is considering filing criminal charges against the dogs' owner.

The Humane Society will take care of the puppies until they recover. For more information, call (210) 226-7461.

texas

Collision kills teen in New Braunfels

NEW BRAUNFELS - A Canyon High School student was killed late Sunday in a car wreck that also hospitalized a teenager from Seguin.

Gabriel Villalobos, 17, was declared dead at the scene of the accident. Amber Lane, 17, of Seguin, was taken to Brooke Army Medical Center where she was in critical condition, but improving.

Villalobos was driving a 1994 Kia with Lane as a passenger. His car was struck by a 2000 Chevrolet pickup as Villalobos turned left off Kuehler Avenue on Business 35 North at about 8:10 p.m. Sunday, officials said.

The driver of the pickup was treated and released from McKenna Memorial Hospital.

LaSalle residents sue over prison

Claiming that LaSalle County leaders have acted secretively and without giving proper legal notice to the public, a group of Encinal residents sued Monday to block construction of a new federal detention center there.

The suit, filed against LaSalle County Judge Jimmy Patterson, the county commissioners and the LaSalle County Public Facilities Corp., comes more than a month after the corporation sold $22 million in high-interest bonds and paid out the proceeds for the project.

"This suit is about the process. It's about violations of the Texas Open Meetings Act," said Donna Lednicky of Encinal, one of three named plaintiffs.

Supporters say the detention center will bring 150 badly needed jobs to LaSalle County, and provide a boost to the local economy.

Student imposter is sentenced

HOUSTON - Writing a letter of apology to Rice University and paying back $107.99 for food he ate in the school's cafeteria are among the punishments a man who posed as a student received Monday.

County Court at Law Judge Jim Anderson sentenced Rodrigo Fernando Montano, 24, to 18 months probation for passing himself off as a Rice student and practicing with the track team.

Montano was charged with theft for signing vouchers in the school's cafeteria to eat lunch.

Montano also must perform 40 hours of community service as part of his sentence.

Man arrested after strip club rampage

WICHITA FALLS - A man upset that his daughter was working at a strip club was arrested after allegedly going on a

rampage in the building, destroying furniture and carrying what appeared to be a pipe bomb, authorities said.

Lee Wayne Lawrence, 41, was in survival gear when taken into custody unharmed at Maximus after police persuaded him to surrender Saturday night, authorities said.

He was charged with aggravated assault and was being held Monday on $500,000 bond, a jail spokesman said.

Lawrence damaged two 7-foot bubble lamps and a leopard-skin chair and stabbed three table tops with a knife, police said.

Authorities said they were analyzing whether another device he carried was a bomb.

From staff reports

GRAPHIC: Photo: RALPH BARRERA/ASSOCIATED PRESS : EMERGENCY: Firefighters help Star Flight rescue personnel load a crash victim for transport to the hospital after a multicar collision on Interstate 35 in Austin. The wreck happened Monday afternoon.

LOAD-DATE: December 11, 2002

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May 30, 2005 Monday

SECTION: NATIONAL; Pg. 2A

LENGTH: 1011 words

HEADLINE: Gubernatorial election trial highlights

BODY:

The first week of trial has concluded in Republican Dino Rossi's court battle to set aside Democrat Christine Gregoire's Nov. 2 victory in the governor's race. Gregoire won by a scant 129 votes amid many voting irregularities and errors, but the question is whether there is sufficient basis to reverse or nullify the election under state law.

"SINISTER FRAUD:" Republican attorney Dale Foreman alleged in opening statements Monday that "sinister fraud" by high-ranking King County elections officials tipped the election to Gregoire by allowing more illegal votes to be counted in Gregoire-friendly districts. He also alleged ballot-box stuffing and thefts of votes from Rossi.

A fraud finding would have been critical to getting around a 1912 Supreme Court ruling that, in effect, requires the petitioner to show how illegal votes were cast.

TURNING ON KING COUNTY: King County Elections Superintendent Bill Huennekens testified Tuesday that he did not realize a mail-ballot report given to the county's vote canvassing board Nov. 17 had false or incorrect data until later. He also acknowledged errors in ballot counting, including more than 300 provisional ballots fed by voters into Accuvote machines at poll sites before the voters' statuses were verified. Regardless, he said the county followed procedures on dealing with possible felon voters.

MAIL-IN BALLOTS: King County's mail-ballot supervisor, Nicole Way, testified Wednesday that she did not know the mail-in ballot-report numbers were false when she forwarded them to her boss, Garth Fell; Fell then gave them to Huennekens for the vote certification. This appeared to contradict Way's earlier statements in a deposition that she and Fell put false data on the form because they could not properly account for absentee ballots.

MORE VOTES THAN VOTERS: Clark Bensen, a data expert hired by Republicans, testified over Democratic objections Wednesday that Gregoire was favored in five precincts showing more votes than voters credited with voting and that Rossi was disfavored in six precincts showing fewer votes counted than there were voters credited. The implication, according to GOP lawyer Dale Foreman, was that fraud or some other interference led to this "nonrandom" variation in the data, but Democrats say the allegation lacks substance.

STATISTICAL ANALYSIS: Judge John Bridges agreed Thursday to let Republicans present evidence from statistical analyses by two experts that purport to show Rossi would have won. The Rossi victory margin would have been somewhere between 60 and 100 votes if illegal or invalid votes — including those cast illegally by felons or on behalf of dead people — were excluded from the totals, according to the analyses.

JUDGE'S RULING: Bridges said he was reserving judgment on whether he would ultimately accept into evidence the experts' testimony, which Democrats fought to exclude on grounds it is not a reliable way to learn how voters cast ballots.

Bridges explained his decision by saying that he knows the case is destined for appeal to the state Supreme Court and he wants the justices to have "as large a record as possible, for which they may not thank me actually."

"I have some concerns based on the testimony I've heard," Bridges noted. "But I'm going to reserve ruling on this and ask counsel to go ahead and put on their case."

EXPERT TESTIMONY: Republican-hired political science professor Jonathan Katz of the California Institute of

Technology presented his data analysis later Thursday showing that illegal felon votes in Gregoire-friendly precincts likely followed the pattern of other votes in those districts, resulting in her victory. Another Republican consultant, associate professor Anthony Gill of the University of Washington, offered a similar analysis showing that Rossi would win by 94 votes if all invalid votes identified by the GOP were excluded.

Both cited a federal study showing felon voters tend to vote Democratic.

Democrats countered that neither analysis was based on generally accepted science and that both experts failed to account for the full universe of ballots cast improperly, including those in Eastern Washington counties that favored Rossi.

"ECOLOGICAL" FALLACY: Democratic expert Christopher Adolph, an assistant professor at the UW's Center for Statistics and Social Science, said the GOP analyses are invalid and based on a common "ecological" fallacy known to statisticians for 50 years — namely that one could deduce how an individual behaved by knowing something about how a group behaved. He said a better way to learn how individuals voted is to ask them — an impossibility in a case where the identity of many allegedly illegal votes is not known.

To illustrate the fallacy, Adolph used a baseball analogy. If all anyone knew was that the Seattle Mariners' baseball team batted for a .270 average last year, the Republican theory would lead one to infer that Ichiro Suzuki also batted .270 — clearly the wrong answer since Suzuki led the league with a .372 mark and set a record for hits.

THE TRIAL GOES ON: Democrats moved to dismiss the Republicans' case Friday, saying there was no direct evidence showing how illegal votes were cast, which the judge had listed in a May 2 pretrial ruling as one of six tests to meet. Democrats also said there is no evidence of fraud, but Republicans insisted there is circumstantial evidence of wrongdoing and that voting errors and possible fraud make it impossible to know whether Gregoire won.

MAIL-IN BALLOTS: Democrats began presenting evidence, summoning a half-dozen Republican and Democratic county auditors from areas that favored Rossi to testify. They said their election staffs also counted illegal felon ballots; they counted unverified provisional ballots that had been fed improperly into ballot boxes or counting machines; and they had other voting irregularities, including uncounted ballots that turned up after the election, but in smaller numbers than the 96 found in King County and 64 found in Pierce County.

LOAD-DATE: June 3, 2005

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The News Tribune (Tacoma, Washington)

May 24, 2005, Tuesday

SECTION: SOUTH SOUND; Pg. B06

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HEADLINE: GOP must back up claim of election fraud; Dino Rossi's attorney claims the governor's election was stolen - a charge that requires evidence of criminality, not just incompetence.

BODY:

Republicans have flung the political "F word" - fraud - at the King County ballot count that made Christine Gregoire governor. Washingtonians will soon find out if the Republicans have the evidence to make it stick.

Until Dino Rossi's challenge of Gregoire's election challenge went to trial Monday, his supporters had largely focused on mistakes made in heavily Democratic King County, either legal ballots that didn't get counted or illegal ballots cast by felons that did.

The Republicans can cite many hundreds of wrongly excluded or included votes - more than enough, in theory, to erase the paper-thin 129-vote lead that put Gregoire into the governor's mansion.

But the trial judge, John Bridges of Chelan County Superior Court, has made it clear that a case built on election mistakes will face a tough test in his courtroom. Merely establishing a large number of mistakes won't do; he wants Rossi's team to demonstrate that the mistakes actually cost him the election.

That will be hard to do without somehow figuring out how many of those secret ballots were cast for him or Gregoire.

It's easier, though, to overturn an election if fraud can be established. On Monday, Rossi's legal team set out to do just that. In King County, GOP attorney Dale Foreman charged, ballot boxes had been stuffed in Gregoire's strongest precincts, while ballots had disappeared in two of Rossi's best precincts.

"This election was stolen from the legal voters of this state by a bizarre combination of illegal voters and bungling bureaucrats," he argued.

And: "The King County data shows partisan bias and not random error."

The Republicans will indeed have a case for fraud if they can show that the election irregularities in King County clearly and consistently favored Gregoire. In fact, that would be the biggest political scandal this state has seen in decades.

But if the evidence Foreman offers consists of "illegal voters" and "bungling bureaucrats," what he's got is the same old collection of felons and King County blunders Washingtonians have been groaning about for months. While incompetent ballot-handling could easily change the outcome of an election as close as this, it can't "steal" the election. For election fraud, you need more: criminal intent, connivance and actual vote-tampering.

Maybe Foreman has substantial circumstantial evidence to back up this charge. He's certainly piqued our interest. But having alleged fraud, he'd better show the court something more than election glitches no one would have noticed had the winning margin been merely close, not microscopic.

LOAD-DATE: May 25, 2005

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016808

CO Election fraud? Mismanagement

08.06.03 Bjorklund says clerk raises more questions with official response

By GARY HARMON The Daily Sentinel

Mesa County Clerk Janice Ward's official response to his complaint about the 2002 election "raises more questions than it answers," Tom Bjorklund said Tuesday.

Bjorklund has wrangled for months with the clerk's office and filed a complaint last month asking Colorado Secretary of State Donetta Davidson to investigate discrepancies he discovered in the course of studying records of the election.

In her response to Bjorklund's complaint, Ward described the complaint as meritless and an effort to "cast a cloud of suspicion" on her office.

"They're trying to confuse the issue," Bjorklund said Tuesday, pointing to a section of Ward's response dealing with a group of voters whose names appeared on records supplied by the Colorado secretary of state's office, but not on records supplied by the clerk's office to him less than a week after the election.

The nut of Bjorklund's complaint concerns 67 voters who responded to surveys — and in some cases signed affidavits — that they cast ballots in the primary election.

Ward's response addressed some of those cases, explaining some and in other cases simply noting that there was no record of participation in the 2002 primary.

Bjorklund said that all names of people whose claims to having voted in the election weren't reflected in the records would be passed on for further investigation.

If a voter presents a claim to having cast a ballot in the primary that isn't reflected in the records, "Our office would investigate," said Amy Storm-Farley, chief deputy clerk. "Our office not been approached by any elector directly claiming what Mr. Bjorklund is claiming."

One resident who signed an affidavit that he voted in the primary said Tuesday he was "almost positive" of his participation, though he had no specific recollection of casting a ballot.

"I'm a voter," Don McGuire said.

Voter John Grimsley, who was cited on the Bjorklund list, said he had no specific recollection of voting or not in the primary. Another, Carl Burley, said he remembered specifically voting in the November election, but couldn't recall a specific memory about voting in the primary.

Phone calls to several others on the list weren't returned immediately.

It makes little sense that those voters wouldn't have cast ballots, Bjorklund said, because they tended to be politically active, donating to and organizing campaigns. One was a significant Ward contributor, he said.

Aspects of the dispute now have reached district court and the Mesa County District Attorney's Office.

A hearing is scheduled to continue later this month in a case in which Ward sought a ruling on whether some of the information sought by Bjorklund was public record.

Investigators with the district attorney's office also are studying an affidavit to determine whether a crime was committed when the clerk's office disposed of unsigned signature cards after the election.

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The unsigned cards, which were left over after voters presented signed cards to receive ballots at polling places, also are an important part, in their absence, of Bjorklund's case.

The unsigned cards are legitimately a part of the audit trail for the election, Bjorklund said, and their absence is suspect.

Although Ward has promised cooperation, Bjorklund said, the clerk's office "has been less than helpful," in his case.

Officials with the secretary of state are to pick up the primary election records Monday and take them to Denver for an audit.

{M4Gary Harmon can be reached via e-mail at gharmon@gjds.com.

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NC

Precinct workers gone after probe

By BEN EVANS, The Herald-Sun
March 29, 2004 10:05 pm

DURHAM -- The Durham County Board of Elections has cleaned house at an eastern Durham polling precinct and will hire new precinct judges after a state investigation into ballot fraud in the November election found irregularities but no clear-cut wrongdoing.

The state Board of Elections closed its investigation Monday without recommending criminal charges. Instead, the state agency recommended that the six judges and assistants from the Durham precinct step down, even those who were not involved in the alleged incident. Durham elections Director Mike Ashe said precinct officials already have agreed to that request.

"Something happened in the precinct. The numbers don't jibe, and precinct officials were making allegations," Ashe said. "On any given Election Day, the huge, huge majority of our precincts score an A-plus. On this day in this particular precinct, they scored a D-minus, and it's disappointing."

"I don't know if anyone will ever know what happened," he said, emphasizing that the allegations involved only a handful of ballots and would not have affected the election's outcome even if proven true.

The probe centered around chief judge Inez Gooch of Precinct 52, located at Evangel Assembly of God on Lynn Road, off Miami Boulevard in eastern Durham.

One of Gooch's fellow precinct workers, Ruthy Jones, told county elections officials that she saw Gooch sitting at a precinct table filling out a stack of about four to six ballots on Election Day. Jones said she asked Gooch what she was doing with the ballots, and Gooch responded that she was holding them for her children, who are voting-age adults, Jones said.

Later, Jones, a Republican, saw Gooch, a Democrat, walking toward the ballot tabulator with a handful of ballots. Knowing that Gooch already had voted her own ballot, Jones said she confronted Gooch as she tried to insert a ballot into the tabulator, telling Gooch that she was breaking the law. Gooch relented and walked back to her workstation, sliding the ballots into a storage tub containing election supplies, Jones said.

After the polls closed, the official vote count found that the number of ballots inserted into the tabulator didn't match the number of "authorization to vote" forms that had been handed out that day. The authorization forms are the documents handed out after voters verify their names and addresses. Voters then exchange those forms for ballots at a separate table.

In addition -- after a narrow margin in the City Council race between Diane Wright and Thomas Stith prompted a recount -- officials found eight more ballots in Precinct 52 than were originally counted on

016811

Election Day.

Gooch, who refused to discuss the situation Monday, has denied submitting fraudulent ballots for family members, and the state investigator said his probe uncovered no pattern or clear evidence of willful wrongdoing.

"When it was presented to us, we pretty much thought it was a shut and closed case, but when we started looking at it, we realized it was a little more muddled than that," state elections Director Gary Bartlett said. "[Our investigator] tried to get as close to the truth as he could."

Ashe said Monday that he was pleased with the investigation. But in a memo sent to the state in November, he wrote that he suspected misconduct and that Precinct 52 had been having administrative problems for years.

In the memo, he "surmis[ed]" that Gooch was illegally filling out ballots. He suggested that the ballots Jones saw Gooch put in a storage bin on Election Day were subsequently found and included in the recount, explaining the higher number of ballots in the second count.

"I believe that other precinct workers were either 'in on it' or at a minimum looked the other way," he wrote.

Another finding from the probe was that one of Gooch's daughters, Sandra F. McCallum, was working as a precinct assistant in Gooch's precinct, even though the state bars family members from working together in precincts.

Precinct judges are recommended by local political parties and appointed by county elections boards. They are paid between $85 and $125 for their work on Election Day, plus additional payments of between $15 and $25 for training sessions.

URL for this article: http://www.herald-sun.com/durham/4-464372.html

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March 28, 2003 Friday Utica Edition

SECTION: LOCAL; Pg. 4

LENGTH: 1775 words

HEADLINE: The Record

BYLINE: Staff Reports

BODY:

Police NewsCourt date postponed in PBA election case

UTICA — A court date for a civil action by Utica police officers alleging ballot box tampering in the most recent police union election was adjourned to April 17 and 18, court officials said Thursday.

The legal action, requesting a new election, was filed in state Supreme Court last month by Utica police Sgt. Gary Glatt, who was defeated by incumbent Sgt. James Franco in a bid for the John E. Creedon Police Benevolent Association presidency during the Dec. 9-10 election.

The action alleges a discrepancy in vote tallies as well as improper placement of the ballot box and the immediate disposal of the ballots after the election, court documents state.

— Kelly Hassett

Police probe death of baby

UTICA — Utica police are investigating the death of a baby who died in its crib Thursday on West Street, Lt. Mark Williams said.

Further details could not be learned Thursday night.

— Cecilia Le

Police arrest 3 on drug charges

UTICA — Police Thursday arrested three people and seized an ounce of crack cocaine with a street value of $2,500, marijuana and money in the 1200 block of Whitesboro Street, the state police Community Narcotics Enforcement Team said.

Terrel L. Loadholt, 24, was charged with criminal possession of crack cocaine with intent to sell, a felony. Two other Uticans, ages 22 and 27, were charged with unlawful possession of marijuana.

Loadholt was sent to Utica City Jail pending his arraignment today. The other two were released on appearance tickets to return to Utica City Court.

— Cecilia Le

Stolen property: State police in Herkimer charged a man Thursday with numerous vehicle and traffic law violations on state Route 5 in Schuyler. He was also charged with criminal possession of stolen property after police discovered the registration plate on his vehicle was stolen, police said.

BIRTHS

Faxton-St. Luke's Healthcare

Crane — To David and Elizabeth Crane, Holland Patent, March 26, 2003, a son.

Hart — To Jerry and Sarah Comstock Hart, Ohio, March 25, 2003, a son.

Lebron — To George Lebron and Heather Sebastian, Utica, March 26, 2003, a son.

Patterson — To John Patterson and Tiffany Cook, Utica, March 26, 2003, a son.

Schachtler — To Christopher and Kimberly Valenzano Schachtler, Waterville, March 26, 2003, a daughter.

Out-of-town births

Paulson — To Karl Paulson and Nicole Leo, Utica, at Crouse-Irving Hospital, Syracuse, March 18, 2003, a daughter.

Send out-of-town birth announcements to Out-Of-Town Births, Observer-Dispatch, 221 Oriskany Plaza, Utica, NY 13501.

DEATHS

Azzarito, Peter, 92, of Utica, died March 27, 2003. Arrangements by Matt Funeral Home, Utica.

Ciamaga, Emily, 76, of New Hartford, died March 26, 2003. Arrangements by Kowalczyk Funeral Home, Utica.

Costello, Marguerite J., 56, of North Utica, died March 27, 2003. Arrangements by Heintz Funeral Home, North Utica.

DeMichele, Dominick J., 76, of Utica, died March 26, 2003. Arrangements by Eannace Funeral Home, Utica.

Gressler, Lorraine P., 55, of Little Falls, died March 27, 2003. Arrangements by Chapman-Moser Funeral Home, Little Falls.

Guaspari, Lena L., 87, of Rome, died March 27, 2003. Arrangements by Nicholas J. Bush Funeral Home, Rome.

Hazard, Elisabeth A., 77, of Earlville, died March 26, 2003. Arrangements by Burgess & Tedesco Funeral Home, Earlville.

McNamara, James, 73, of Blossvale, died March 25, 2003. Arrangements by Barry Funeral Home, Rome.

Phelps, Charlotte S., 66, of Greensboro, N.C., and formerly of Utica, died March 26, 2003. Arrangements by Forbis & Dick Guilford Funeral home, Greensboro.

St. Germain, Bertha, 92, of Ilion, died March 26, 2003. Arrangements by Nunn & McGrath Funeral Home, Utica.

Stasio, Thomas L., 78, of Rome, died March 25, 2003. Arrangements by Bottini Funeral Home, Rome.

Stenglein, Herbert, 73, of Morrisville, died March 25, 2003. Arrangements by Burgess & Tedesco Funeral Home, Morrisville.

Wyman, Tech. Sgt. David E., 33, of Maxbass, N.D, and formerly of Deansboro, died March 19, 2003. Arrangements by Kloster-Northrop & Bentz Funeral Home, Waterville.

E Obituaries — 2B

LOTTERIES

Thursday

Midday

Numbers: 314

WinFour: 2570

Night

Numbers: 174

WinFour: 5151

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Pick 10: 2, 3, 6, 7, 13, 15, 22, 23, 26, 31, 32, 36, 38, 40, 44, 47, 57, 59, 65, 68

Take 5: 8, 20, 23, 32, 37

Wednesday

Midday

Numbers: 240

WinFour: 7486

Night

Numbers: 775

WinFour: 7137

Pick 10: 12, 16, 18, 20, 21, 25, 27, 28, 30, 37, 41, 49, 55, 56, 58, 59, 68, 73, 74, 76

Take 5: 12, 18, 24, 25, 37

Lotto: 21, 32, 38, 47, 48, 58. Bonus 46

Bankruptcy filings

The following people and organizations filed for bankruptcy protection from the U.S. Northern District Bankruptcy Court.

Vincent and Elizabeth DArrigo, 6089 State Route 167, Little Falls, Chapter 13.

Richard Joseph Fedor, 5813 Youngs Road, Vernon Center, Chapter 7.

Michael and Cheryl Tartaglia, 4 Wood Road, Apt. D-6, Whitesboro, Chapter 7.

David M. Ricketts, 132 Cherry Lane, Sherrill, Chapter 7.

James G. and Jo Ann M. Salamone, 261 Church St., Little Falls, Chapter 7.

David H. and Gloria J. Cox, 308 Russell St., Chittenango, Chapter 7.

Marie A. Cook, 1966 Walker Road, Camden, Chapter 7.

Wendy M. Smith, PO Box 1018, Route 20, Morrisville, Chapter 7.

William L. and Vincetta R. Borst, 4517 State Route 49, Rome, Chapter 7.

David M. and Leta A. Catalani, 8856 Lachausse Road, Boonville, Chapter 13.

Dale M. Budlong, 53 Stone Ridge Lane, Lee Center, Chapter 7.

Robin E. Windhausen, 5762 E. Main St., Verona, Chapter 7.

Jessica A. Colvin, 329 Washington Ave., Oneida, Chapter 7.

Wayne A. and Betty Kicak, 206 W. Bloomfield St., Rome, Chapter 7.

Ward Bonds, 401 N. Levitt St., Apt. 14, Rome, Chapter 7.

Paul F. LaVeck, 316 Third Ave., Frankfort and Kim M. LaVeck, 226 Main St., Ilion, Chapter 7.

Sue D. Breen, 105 S. Berkey Drive, Chittenango, Chapter 13.

Richard Henry Clark Jr., 10375 River Road, Camden, Chapter 7.

Steven C. Linn, 1707 Lincoln Lane, Rome, Chapter 7.

Randolph G. and Jill M. Miller, 37 Whitesboro St., Yorkville, Chapter 7.

Deborah A. OBryan, 512 Main St., New York Mills, Chapter 7.

John J. Prosinksi, 223 Wildwood Ridge, Frankfort, Chapter 7.

Tari L. De Mauro, 161 East Clark St., Ilion, Chapter 7.

Patrick J. and Cheri L. Citro, 1503 Redwood Ave., Utica, Chapter 7.

Michael Khiamdavanh, 1509 Lenox Ave., Utica, Chapter 7.

Mike J. and Karen L. Doolen, 8120 Seneca Mobile Manor #102, Clinton, Chapter 7.

Philip and Maryjane Muscarella, 5635 Rome-Taberg Road, Rome, Chapter 7.

Diane Kane, 4425 Stuhlman Rd. C3, Vernon, Chapter 13.

Dianne M. Miller, 18 Oswego St., Apt. 4, Camden, Chapter 7.

James D. Lancette, 6594 Brewer Road, Oneida, Chapter 7.

Dolores M. Varano, 5988 Cavanaugh Road, Marcy, Chapter 7.

Dolores M. DesGrosielliers, 297 Spohn Road, Ilion and Daniel L. DesGrosielliers, 82nd Ave., Apt. 2, Ilion, Chapter 7.

Joseph A. Acquasanta, 110 1/2 Sixth St., Rome, Chapter 7.

Amanda J. Girven, 78 Myers Road, Lee Center, Chapter 7.

Eva M. Westcott, 15 Meyers Road, Lee Center, Chapter 7.

Jodi L. Saracino, 22 North Helmer Ave., Dolgeville, Chapter 7.

Mehmed and Adisa Mededovic, 1204 Kathleen St., A-2, Utica, Chapter 7.

Kenneth B. and Beverly J. Firman, 418 3/4 N. Prospect St., Herkimer, Chapter 7.

Melissa J. McCann, 138 Bono Blvd., Frankfort, Chapter 7.

Stephanie A. Seely, 111 Richardson Ave., Utica, Chapter 7.

Dawn Elizabeth Winston, 231 C Hillcrest Manor Courts, Utica, Chapter 7.

Felicia Marie Greene, 1211 Neilson St., First Floor, Utica, Chapter 7.

Timothy James Brown, 150 Sale Road, West Winfield, Chapter 7.

Jeffrey John Henry Bruce, 610 Schumaker Road, Mohawk, Chapter 7.

John and Eleanor Wellington, 208 Frank Drive, Mohawk, Chapter 7.

Gary W. Sutch, 933 Mary St., Utica, Chapter 7.

Rachel Hopkins, 10601 Hulser Road, Lot 49, Utica, Chapter 7.

Ann Briggs-Lavine, 9559 Harris Road, Lee Center, Chapter 7.

Alfred M. and Bonnie M. Pierson, 27 Summit St., Middleville, Chapter 7.

Joseph H. and Viola G. Bordelon, 6778 Route 20, PO Box 103, Bouckville, Chapter 7.

Michael E. Garramone, 12187 Woodhull St., Forestport, Chapter 13.

Christopher M. and Rhonda A. Ingham, 1104 Jervis Ave., Rome, Chapter 7.

Rebecca L. Hoffman, 226A Hillcrest Manor Court, Utica, Chapter 7.

Donald Murle McLain, 330 Washington Ave., Oneida, Chapter 7.

Steven James Westcott, 444 Park Drive Manor, Rome, Chapter 7.

Neil Alexander, 1317 Thorn St., Utica, Chapter 7.

Rafael Picart, 1243 Hammond Ave., Utica, Chapter 7.

Robert and JoAnn Giotto Beaty, 610 Mapledale Ave., Utica, Chapter 7.Crystal E. Murphy, 331 Second Ave., Frankfort, Chapter 7.

Thomas J. Lisowski, 344 Fenton Lane, Boonville and Liesa J. Lisowski, PO Box 146, Lee Center, Chapter 7.

Patricia E. Denney, 9031 State Route 20, Waterville, Chapter 7.

Dorinda D. Snyder, 10 N. Helmer Ave., Dolgeville, Chapter 7.

Pauline M. Kraeger, 33 Bramblewood Road, Clark Mills, Chapter 7.

Charles R. Sholtzhauer Jr., 41 Seneca Ave., Oneida, Chapter 7.

Dominick A. Cittadino, 1671 Brinckerhoff Ave., Utica, Chapter 7.

Diane Patricia and Donald James Russ Jr., 6176 McLain Road, Oriskany Falls, Chapter 7.

Sarah A. Stemmer, 1106 Rutger St., Utica, Chapter 13.

John K. Fonner, 5001 Clinton Road, Apt. 22B, Whitesboro, Chapter 7.

Paul W. and Sandra J. Maikranz, 9471 Center St., Holland Patent, Chapter 7.

Glenn J. Roback, 39 Kenyon Court, Utica, Chapter 7.

Richard J. and Tracie A. Pasquale, 503 Second Ave. Ext., Frankfort, Chapter 7.

John Purdy, 1787 Holman City Road, Clayville and Cynthia Purdy 6 Ellis Ave., Apt. 5, Whitesboro, Chapter 7.

Peter Stockton, 14 Center St., Ilion and Bonnie Stockton, Prospect Street, Ilion, Chapter 7.

Robert L. Davey Jr., 6453 State Route 233, Rome, Chapter 7.

Marie E. Sasenbury, 615 West Dominick St., Rome, Chapter 7.

Melissa Lawrence, 202 Folts Road, Herkimer, Chapter 7.

John P. and Michele A. Boucher, 209 Winchester Drive, New Hartford, Chapter 7.

Kevin M. Seymour, 8214 State Route 294, Apt. 2, Boonville, Chapter 7.

John J. Kurgan, 25 Henderson St., New York Mills, Chapter 7.

John J. and Stacy L. McNicholas, 123 Cherry Lane, Sherrill, Chapter 7.

Francis Charles Goff Jr., 9738 Campbell Road, Sauquoit, Chapter 7.

Sha-ron Dock, 509 W. Dominick St., Rome, Chapter 7.

Dawn Marie Martin, 424 W. Liberty St., Rome, Chapter 7.

John S. Palmano, 9445 Jaclyn Ave., Sauquoit, Chapter 7.

Francis S. Ziobro Jr., 11 Oakdale Circle, Whitesboro, Chapter 7.

Frank Macri, 9432 Maynard Drive, Marcy, Chapter 7.

Gloria L. Ingham, 6421 Elmer Hill Road, Rome, Chapter 7.

Clifford G. and Valerie D. Hadden, 927 Rt. 29A, Salisbury Center, Chapter 7.

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USA TODAY

March 12, 2001, Monday, FINAL EDITION

SECTION: NEWS; Pg. 13A

LENGTH: 1243 words

HEADLINE: Rights panel suspects bias in Florida vote debacle

BYLINE: DeWayne Wickham

BODY:

The U.S. Commission on Civil Rights' preliminary report on Florida's badly flawed presidential voting was short and to the point. The sworn testimony of more than 100 witnesses at the panel's two fact-finding hearings and weeks of probing by commission investigators were summed up in a single sentence of the four-page statement the body issued last week.

At this phase of its investigation it appears "that the evidence may ultimately support findings of prohibited discrimination," the commission concluded. Not surprisingly, the reaction from Florida Gov. Jeb Bush, on whose desk the buck for the election mess stops, quickly dismissed the panel's finding.

In a statement released by his office, Bush said he has "yet to be presented with any evidence of intentional discrimination" in the voting that took place in his state's 67 counties.

The good news buried beneath this pile of blame and buck dodging is that we're in the home stretch of the search for answers to the gnawing question of what went wrong in Florida. The commission's final report, which is expected to be released this summer, likely will bring to an end the last of the federal and state investigations spawned by widespread accusations of voting irregularities and disenfranchisement in Florida during the presidential election.

Answer still far off

The bad news is that it doesn't look as if we're any closer to an answer that will dispel the widely held belief that it took an act of grand larceny to foist George W. Bush into the White House, or rebuff the counter that those who level this charge are a bunch of world-class sore losers.

The arguments over whether Bush or Al Gore won Florida — a victory that would have given either candidate enough Electoral College votes to be president — have only become more heated recently as media reports on the results of unofficial recounts of contested ballots produce conflicting conclusions of what might have resulted from a more complete tally of ballots cast in the Sunshine State.

Last month, *The Miami Herald* and USA TODAY announced that an analysis of undervotes in Miami-Dade County revealed that had Gore gotten the hand recount of votes in that county, Bush still would have been declared the winner in Florida. This report left Republicans giddy and Democrats questioning the process.

On Saturday, the roles reversed when *The Palm Beach Post* reported that its review of uncounted ballots in Palm Beach County showed that Gore would have picked up enough votes to overtake Bush's slim victory margin in Florida, if every ballot with a hanging chad, pinhole or dimple in that county had been counted.

Panel looks to future

Wisely, the Civil Rights Commission is focusing on the future, not the past. "In the final analysis, new recounts of old ballots are an academic exercise," the panel said in its preliminary report, which was adopted by a 6-to-2 vote. "Voting is the language of our democracy and regrettably, when it mattered most, real people lost real opportunities to speak truth to power in the ballot box."

The commission believes that Florida officials may have consciously or unconsciously brought about acts of illegal voter discrimination through its use of a database of disqualified voters. The list was supposed to be used to keep convicted felons from voting and to block votes cast by people registered in more than one county or in the name of a deceased person.

A spokesman for ChoicePoint — the company that compiled the list — said Florida officials directed it to include all possible combinations of names that might help election officials ferret out ineligible voters. That list, the commission said, kept hundreds of eligible people from voting in the presidential election.

Preventing a repeat of this grievous error and ratcheting up the pressure on Florida's reluctant legislature to appropriate money that counties with aging, faulty voting machines can use to modernize their election system are the best things that can come out of the commission's ongoing inquiry.

Getting these things done won't settle the nettlesome question of whether last year's presidential election was won or stolen, but it will go a long way toward ensuring that Florida won't be the epicenter of another election debacle.

DeWayne Wickham writes weekly for USA TODAY.

LOAD-DATE: March 12, 2001

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Fraud Provisional

TN

Election panel debates 'fraud'

By Craig Boerner, cboerner@nashvillecitypaper.com
January 12, 2005

The Davidson County Election Commission is debating whether to forward potential cases of perjury or election fraud during the November presidential election to District Attorney General Torry Johnson's office.

Commissioner Lynn Greer wants board members to join him in sending a strong message that there is a legal way to vote.

Greer said 31 provisional voters, for example, are still listed as felons who have not had their voting rights restored.

"If we have some people who have broken the law then we ought to enforce the law," he said.

Other board members aren't as concerned because the votes in question were caught and didn't count.

"The provisional counting board caught the mistake. It's not like the vote became part of the record," Commissioner A.J. Starling said.

"They didn't get away with it. The system works. I don't know if we need to go any further if the system works."

Commission staff members are working to confirm felon status and also to determine which persons were sent a notice of being purged from the voting rolls.

The staff is also investigating if previously registered felons declared their conviction on the application completed to cast a provisional ballot.

Greer's six-part motion to be discussed at the March board meeting doesn't stop at felons; it also includes college students and poll workers.

One request is to "cease to hire" officers of election at precincts that allowed more than five provisional ballots from residents whose address was outside that officer's precinct.

"If we have ineffective poll officials then we don't need to use them again," Greer said. "The truth is these people were trained. They went into breakout sessions learning how to do this provisional voting and they had plenty of chances to ask questions.

By allowing 158 voters to vote at the wrong precinct, poll officials essentially ensured that the person's vote would not count, board members said.

"To turn around and say that, because those officers allowed them to vote, we don't need them anymore is ridiculous," Starling said. "... We are already having enough problems getting people to work at these polls."

Staff is also contacting provisional voters using a university/college campus P.O. box as their address to request they prove residence in Davidson County because a person does not gain residence solely by being a student.

This motion would affect 142 provisional voters from Tennessee State University and 25 Vanderbilt University students.

"What that would do, in my opinion, is frighten people from coming to vote in the first place," Starling said. "If you are prosecuting folks, I'm not going to take a chance if I'm not sure. That defeats the purpose of the provisional ballots."

Other cases include 34 provisional voters who were registered in another jurisdiction. If they voted

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in two jurisdictions then they could be convicted of election fraud.

Three voters were denied at early voting because they didn't live in Davidson County but came back and voted on election day.

Greer also wants to know how many of the 693 provisional voters denied for being "not timely registered" actually submitted a voter registration form prior to the election.

- Read this article online:
http://www.NashvilleCityPaper.com/index.cfm?section=9&screen=news&news_id=38466

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Norfolk pastor sentenced for casting illegal ballot

By MICHELLE WASHINGTON, The Virginian-Pilot
© January 14, 2004
Last updated: 11:17 PM

VA

NORFOLK — On a November day more than two years ago, Chester Moody made his vote count.

The only problem was that it shouldn't have.

A 1986 felony conviction for larceny by check in Chesapeake cost Moody his voting rights. He obtained a voter identification card in 1999, despite never having his rights restored. On Nov. 6, 2001, Moody tried to cast a vote in the general election at the Campostella precinct.

Election officials told him he could not legally vote because of the conviction, but they gave him a conditional ballot and said they would hold it until his voter qualifications could be investigated.

Instead, according to prosecutors, Moody "waited until the voting officer was momentarily distracted, rushed to the ballot box, and slid his ballot in."

Moody entered an Alford plea Tuesday in Norfolk Circuit Court to a misdemeanor charge of illegal voting, a crime that is rarely prosecuted. The plea means he does not admit guilt but acknowledges that prosecutors have enough evidence to convict him.

Judge Jerome James sentenced him to a year in jail but suspended the time on the condition that he remain on good behavior for two years. As part of his plea agreement, he also must "refrain from attempting to vote unless and until he is legally able to do so."

Outside the courtroom, Moody said the court process "coerced" his plea.

"The case is over 2 years old," he said. "The voter identification card I had received was arbitrarily and capriciously ruled issued erroneously."

Moody, 68, wore a black parson's suit with a white collar, a crucifix dangling from his neck. He is an associate pastor at the Garden of Prayer Temple, Church of God in Christ, on Church Street.

Moody said he sought restoration of his voting rights. He said prosecutors manufactured the charge in retaliation because he served as a spiritual adviser to someone who filed a lawsuit against the city of Chesapeake.

And he complained that prosecutors repeatedly delayed his case to force him to plead guilty.

"They sat on it and used it in a timely fashion," he said.

Court and state voter records tell a different story.

Moody's court file brims with requests from prosecutor Marcia Ziegler to have his bond revoked because he refused to cooperate with the court's pretrial services unit.

He never reported to the officers after being assigned to the service in June.

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Court documents show that Moody also failed to stay in touch with his court-appointed attorneys. Lawyer Charles Jenkins asked to withdraw as counsel from the case because Moody never contacted him between July and October.

Another lawyer, Mike Kmetz, asked to withdraw because Moody refused to cooperate and made demands that Kmetz file a motion to transfer the case to federal court.

Two other lawyers withdrew because of conflicts or other causes. Cheryl Footman Banks, who represented Moody on Tuesday, was at least the fifth lawyer to handle his case.

On another occasion, Moody's case was delayed because he asked for a jury trial. And in February, his case was delayed because "he was confused as to the trial date and failed to appear," according to the documents.

A judge issued an order for his arrest when he failed to appear in court in July.

John Merkel, Norfolk's deputy registrar, said Moody registered to vote in the spring of 1999, before the city had computerized databases to check whether a person was eligible to enroll. The city got that system in the fall of 1999, Merkel said.

"Now if you fill out a card, someone goes to a computer, types in your name and Social Security number and does a match," he said. For people on felony conviction lists, he said "flashing lights go off and you won't be allowed to register."

Even so, he said, the registration form asks applicants about felony convictions.

When the board caught the mistake that fall, it sent Moody a letter saying his name had been removed from the voter rolls. That made his card invalid.

When Moody cast his vote anyway, said Commonwealth's Attorney John R. Doyle III, his ballot counted when it should not have. Election officials had no way to tell which ballot was Moody's or how he voted, and his vote could not be deducted from the total.

"I'm sure they freaked," Doyle said. Bernie Henderson, deputy secretary of the commonwealth, said Moody's voting rights were never restored.

Doyle said his office has never prosecuted a similar case, and he never saw one during the five years he served on the electoral board.

If prosecutors didn't enforce it, he said, all kinds of people could sneak into polling places and vote illegally.

"You have to have zero tolerance," he said.

Reach Michelle Washington at 446-2287 or michelle.washington @pilotonline.com

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WI

Inquiry finds evidence of fraud in election

Cast ballots outnumber voters by 4,609

By GREG J. BOROWSKI
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Posted: May 10, 2005

Investigators said Tuesday they found clear evidence of fraud in the Nov. 2 election in Milwaukee, including more than 200 cases of felons voting illegally and more than 100 people who voted twice, used fake names or false addresses or voted in the name of a dead person.

Officials said charges will be filed in coming weeks, as individual cases are reviewed and more evidence is gathered.

Nonetheless, it is likely that many - perhaps most - of those who committed fraud won't face prosecution because city records are so sloppy that it will be difficult to establish cases that will stand up in court.

And even now, three months after the investigation, officials have not been able to close a gap of 7,000 votes, with more ballots cast than voters listed. Officials said the gap remains at 4,609.

U.S. Attorney Steve Biskupic likened it to trying to prove "a bank embezzlement if the bank cannot tell how much money was there in the first place."

Biskupic announced the preliminary findings at a news conference, along with Milwaukee County District Attorney E. Michael McCann, who is also overseeing the joint inquiry.

Tuesday's announcement comes after a Journal Sentinel investigation that found widespread problems with the election in the city, including that the election totals themselves were not double-checked by city and county panels charged with doing so.

Some of the problems identified by the newspaper, such as spotty compliance with procedures to verify same-day registrants, are broader and are the subject of a statewide audit approved by lawmakers.

Tuesday's announcement could breathe new life into the Republican-backed photo ID debate, which did not survive a veto from Democratic Gov. Jim Doyle and might instead eventually go to voters as a proposed constitutional amendment.

A photo ID requirement might have caught some of the problems highlighted in Tuesday's preliminary report. It notes cases of people voting in the name of a dead person or as someone else. Investigators located some people listed as voting who said they did not vote.

In other cases, according to Tuesday's report, people "registered and voted with identities and addresses that cannot in any way be linked to a real person."

Officials did not identify how many fit each category.

Investigators have focused only on the City of Milwaukee in reviewing duplicate-voting offenses. Officials said Tuesday, though, that they would expand the review of felons voting illegally to Milwaukee suburbs.

The newspaper found at least 278 felons who voted statewide, though only a partial review could be completed because of a state law that bars public access to birthdates of voters.

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Election Investigation

Photo/Karen Sherlock

U.S. Attorney Steven M. Biskupic (left), with Milwaukee County District Attorney E. Michael McCann, delivers the preliminary findings of a task force examining possible election fraud at the Federal Courthouse on Tuesday

Preliminary Findings

- More than 200 felons voted illegally, while still on probation or parole. Although the cases will be hard to prosecute, investigators are now looking at Milwaukee suburbs for similar problems.
- More than 100 people voted twice or used false addresses, fake names or voted as a dead person. Charges will be filed against some of these people.
- 4,609 more ballots were cast than voters listed.
- Investigators have

Tracking illegal votes

The fraud investigation has focused on the more than 70,000 people who registered to vote on election day, not the other 200,000-plus voters. That is because registration cards provide a paper trail, which officials said would be stronger in court than computerized records.

It is unclear what identification these 100-plus people provided at the polls to register. State law allows utility bills and leases to be used or for one voter to vouch for another.

Biskupic, appointed by a Republican, and McCann, a Democrat, said they had pledged to avoid partisanship in the matter and avoided questions relating to reforms and proposals.

The announcement, though, prompted renewed calls for photo ID from Republicans, while Doyle pushed again for his set of reforms, which he said would do more to tackle specific problems.

For instance, investigators found "deputy registrars" working for registration drives had submitted at least 65 fake names, though no one apparently voted from the addresses. Doyle's plan would prohibit offering financial incentives, such as paying by the signature, in such drives.

In Madison, Doyle said a photo ID requirement is unnecessary. He urged prosecution of any offenders.

"I don't think many people, if they know there are real consequences for voting twice, and that there have been prosecutions for voting twice, are going to do it because the risk of being caught and the penalty far outweighs the advantage of casting one extra vote," Doyle said.

In response to the findings, Sen. Joe Leibham (R-Sheboygan) said as early as next month he would advance a bill similar to the one vetoed by Doyle. It also could be part of the recommendations from a Legislative Council task force that has been meeting on reforms.

While Doyle has argued the measure would make Wisconsin one of the strictest states in the nation, very few other states allow same-day registration.

Assembly Speaker John Gard (R-Peshtigo) said if Doyle again vetoes the requirement, he would move to make it part of the state constitution, a two-year process that requires a statewide referendum but does not require the approval of the governor.

"The next presidential election in Wisconsin, I guarantee you'll need a photo ID to vote," said Gard, who is running for the U.S. House. "I'll get this done if it is the last thing I do around here."

U.S. Rep. Mark Green, a Green Bay Republican who has introduced a national photo ID requirement, said: "People are having their faith in the election system shaken. This news will make it much, much worse."

Green is running for governor, as is Milwaukee County Executive Scott Walker, who also backs a photo ID requirement.

"Clearly, there is proof that fraud took place in the November 2 election," Walker said.

Milwaukee Mayor Tom Barrett attended the news conference, an unusual occurrence for an announcement by prosecutors.

From the start, Barrett said he welcomed the inquiry but also noted at several points in recent months that he had seen no hard evidence of fraud in the system.

He acknowledged Tuesday the findings pointed to fraud and said again "any individual who committed fraud (should) be prosecuted."

Asked if a photo ID requirement would have made a difference, he said it would not have prevented felons from voting and would have had little impact on other problems.

Biskupic said there was no indication of a widespread conspiracy to commit voter fraud, or of any knowledge or involvement by poll workers or any other city officials.

not been able to locate about 100 same-day registration cards.

By The Numbers

1,000
Minimum of hours logged by investigators from the FBI and Milwaukee Police Department reviewing the 70,000 same-day registration cards. This was required because of sloppy record-keeping by the city.

1,300
Cards that could not be processed because of missing names, addresses and other information.

Photo ID Debate

Should the state adopt a photo ID requirement for voting?

- Yes
- No

VOTE

Related Coverage

Editorial: What's the fraud threshold?

Video: TMJ4 report

Archived Coverage

Archive: Previous coverage of the investigation into Milwaukee's Nov. 2, 2004 election

The city's record-keeping problems meant investigators from the FBI and Milwaukee Police Department have logged more than 1,000 hours reviewing the 70,000 same-day registration cards, including 1,300 that could not be processed because of missing names, addresses and other information.

Indeed, about 100 cards described as "of interest to investigators" cannot be located, officials said. And within the past few weeks, police found a previously lost box of the cards at the Election Commission offices.

Biskupic and McCann said they remain troubled that three months after the investigation began that city officials have been unable to account for a gap of about 4,600 votes, with more ballots counted than people listed as voting.

That reflects a new assessment of the 7,000-vote gap first identified by the Journal Sentinel. Although city election officials initially blamed postelection data entry for the flaws, the newspaper found gaps existed at dozens of wards, with more votes counted than people tallied in log books.

The gap has been narrowed to 4,600 by a closer review of election day logs and other records, which authorities placed off-limits to the newspaper during the investigation.

McCann said: "I will not be satisfied if we cannot uncover that - what the explanation is, or a reasonable explanation."

In all, about 277,000 people in Milwaukee voted in the election. Thus, the cases identified in the investigation constitute a small portion of the total vote.

The findings, however, carry extra significance in a state that had an 11,000-vote margin in the presidential contest, one of the closest in the nation.

Democrat John Kerry topped President Bush in Wisconsin, mainly because of Kerry's margin in Milwaukee and Madison.

Had a larger state, such as Ohio, gone the other way, it could have led to a Florida-style recount here that would have turned on many of the issues that instead were left for the newspaper to uncover in its extensive investigation.

The federal-local investigation was launched Jan. 26, a day after the Journal Sentinel reported that some 1,200 votes in the November election came from invalid addresses.

Among other findings, some 1,300 same-day registration cards were processed by poll workers who allowed people to vote even though the cards were incomplete. Some 548 had no address listed and 48 gave no name - yet the person was allowed to vote. Another 141 listed addresses outside the city.

The newspaper was denied access to those cards, on the recommendation of the city attorney's office, citing the inquiry.

Felons voted

Reviewing information it had access to, including a computerized list of people recorded as voting, the newspaper identified at least 278 felons who illegally voted statewide, though the vast majority came from within the city.

The real number is likely far higher because the newspaper was able to review only about 38% of the 2.98 million people who voted in the state because of the law that bars access to birth dates. The newspaper was able to link various databases and compare them to a state list of felons on probation or parole at the time of the election.

In response to the newspaper's reports, Doyle and many Republican lawmakers said that rule should be rescinded.

In Wisconsin, only felons who have completed probation or parole are allowed to vote.

Biskupic and McCann said these cases can be hard to prosecute, since it must be established that the felon knew he or she was not allowed to vote and voted anyway.

Thus it is unclear how many of the 200 felons investigators had identified will ultimately be charged.

The newspaper also identified numerous cases in Milwaukee where the same person appears to have voted twice, though that analysis was hampered by major computer problems at the city.

Those problems, which city officials labeled a "glitch," meant hundreds upon hundreds of cases where people are incorrectly listed as voting twice. These are in addition to cases of double voting identified by investigators.

The investigators have been focusing on 100-plus cases in this area. The cases take on many forms.

For instance, non-residents used non-existent city addresses to vote in Milwaukee. Officials are checking to see if they also voted elsewhere, such as from their actual address.

Officials indicated some of the fraud cases could be handled at the federal level because the election involved federal candidates, while other cases could involve state charges.

McCann and Biskupic asked anyone with information on possible fraud call the election task force at (414) 935-7802.

In March, Lisa Artison, a Barrett appointee, resigned as executive director of the Election Commission. She had been under fire for her handling of the election.

Sharon Robinson, head of the Department of Administration, has been overseeing the office and is chairing a city task force reviewing the election. Its report could be issued this month.

Patrick Marley of the Journal Sentinel staff contributed to this report.

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WI

82 felons voted in Nov. 2 election

Public records law hinders analysis; more illegal ballots likely cast in presidential race

By GREG J. BOROWSKI
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Posted: March 17, 2005

At least 82 felons voted illegally in the presidential election Nov. 2 in Milwaukee, though the total is likely far higher, a new computer analysis by the Journal Sentinel has found.

Indeed, there are more than 600 potential matches between felons on probation and parole and names and middle initials of people who voted in the city. But a full analysis could not be completed by the newspaper because of a 2003 state law that bars access to birth dates of voters.

The newspaper, though, was able to do a partial analysis by combining several computer databases to capture birth dates for about 39% of those who voted in the November election.

That showed at least 82 votes by felons, who are not allowed to vote until their probation or parole has been completed.

Illegal votes by felons are part of an investigation into possible voter fraud in the city.

Milwaukee Elections

Archived Coverage

Archive: Previous coverage of the investigation into Milwaukee's Nov. 2, 2004 election

U.S. Attorney Steven Biskupic and Milwaukee County District Attorney E. Michael McCann launched the investigation after the Journal Sentinel revealed major problems. Those included 1,200 votes from invalid addresses; 7,000 more ballots cast than people later recorded as voting by the city; and 1,300 same-day registration cards that could not be processed because of missing information.

The review of felons underscores how the lack of access to birth dates limits the public's ability to identify who has voted.

It also provides clear evidence of fraudulent voters in the November election, in which Democrat John Kerry topped President Bush by about 11,000 votes in Wisconsin.

"Anybody found to have voted illegally should be penalized," said Sharon Robinson, acting head of the city Election Commission, when told Thursday of the newspaper's findings.

She said the office's procedure is to delete names of felons from the registration rolls when made aware of convictions. It is unclear, though, how effective this has been or how many remain on the list.

In addition, same-day registration allows anyone to present ID and vote. That makes it difficult, if not impossible, for poll workers to identify felons who should not vote.

"Election signs and materials spell out the penalties," said Robinson, noting voters are expected to comply with laws.

Robinson was named to head a team of city managers helping run the office after the resignation of Lisa Artison on March 1.

Four years ago, the newspaper found that 361 felons voted illegally. Three were charged by McCann, but those charges were dropped when prosecutors couldn't establish that the felons knew they were ineligible to vote.

Felons who vote commit another felony, punishable by up to four years in prison and a $10,000 fine.

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Biskupic declined to comment Thursday on the newspaper's findings, speaking on behalf of the agencies involved, which include the FBI and Milwaukee Police Department. The investigation was launched Jan. 26.

Investigators have access to the full birth date information that is off-limits to reporters and the general public. They would be able to make the same comparison the newspaper did, matching the names of voters to felons who remain ineligible to vote.

Additional legwork would then be needed to establish legal cases against any felons. For instance, investigators may have to show the felon knew he or she was ineligible to vote and did so anyway.

Several felons listed as voting who were reached by the Journal Sentinel hung up when asked whether they voted.

"I'm not interested in this right now," said one, after denying he had voted in the election.

Didn't know they shouldn't

Ronald Gay, 42, who voted from an address in the 4300 block of N. 36th St., could not be reached, but a woman who identified herself as his wife said Gay had definitely voted.

"He voted the same night I did," said the woman, who would give her name only as "Mrs. Gay." Later she asked: "Will he get in trouble for that?"

The woman said she and Ronald Gay are separated and that Gay now lives out of state. He could not be reached for comment.

"I don't think he was aware" he shouldn't vote, the woman said. "If he was aware of it, I would have told him not to."

Although the newspaper has identified 82 felons who voted, it could not determine the actual number.

Because the 2003 change in state law restricted public access to birth date information, as well as driver's license and Social Security numbers, only election workers are allowed to see such information, as a guard against identity theft.

Arguing that the change went too far, state Rep. Mark Gundrum (R-New Berlin) said this week he would draft a bill to reinstate public access to birth dates, a critical means of identifying specific voters.

Gundrum called on investigators to take a hard line with any violation they find.

"It will immediately help clamp down on the abuse of the system," Gundrum said. "There has got to be some oversight on the system to make sure there is integrity to the system."

In Milwaukee, the situation has been compounded by the city's unwillingness to confirm any of the 600 potential matches the newspaper identified between felons and voters.

Officials have cited the ongoing investigation as a reason for withholding election material.

In an attempt to get around the roadblock, the newspaper combined information from several computer databases. This provided an accurate view of felons who voted but also a partial one - the newspaper could link birth dates with only about 39% of the 277,000 people who voted Nov. 2.

To complete its partial analysis, the newspaper began with the city's own computerized list of everyone recorded as having voted. It then used voter ID numbers - a six-digit code used by the city to track voters - to match the 2004 list against a separate computer database obtained in 2000.

That list included anyone registered in the city at the time and their birth dates. The match allowed the newspaper to capture birth date information for 107,616 of those who voted in November.

That list was then matched against a computer database from the state Department of Corrections that listed all felons on probation or parole at the time of the election, along with their birth dates.

There were 82 matches.

The actual number, though, is likely much higher.

016833

First, the list could not be checked against 61% of those who voted. Second, the 7,000-vote gap - between votes cast and those recorded as

voting - means thousands of voters are not even on the city's computer list.

In addition, the newspaper in earlier reviews found hundreds of cases in which voter names were incorrectly listed twice in the computer system.

Voter gap could be larger

That means the 7,000-vote gap may actually be larger.

Likewise, the 1,300 same-day registration cards the city could not process are not in the database. Many of those were missing names or addresses.

Indeed, flawed recordkeeping by the city may mean that some felons who voted are not in the computer records and the reverse - that some who didn't vote are listed as voting.

Annette Deans, who worked at the polls Nov. 2, said she is perplexed as to why her husband, Arthur Deans, 48, is listed as having voted.

"I know he can't vote," said Annette Deans. She added that her husband, convicted of a drug-related offense, did not vote, but that she did.

While the city's computerized list of voters show Arthur Deans as voting, they do not list Annette Deans as voting.

"There were a lot of flaws (at the polls) that day," said Annette Deans. "We didn't have any room to breathe."

From the March 18, 2005, editions of the Milwaukee Journal Sentinel
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Prosecutors accuse 12 felons of voting illegally

Michael Kiefer
The Arizona Republic
Dec. 8, 2005 12:00 AM

Maricopa County Attorney Andrew Thomas announced Wednesday that his office had filed voter fraud charges against 12 county residents who voted in elections even though they were convicted felons.

Thomas called the charges, which are punishable by three years in prison, a "commitment to clean up the voter rolls."

"If we are to have confidence in our election results and preserve our right of self-government, we must ensure that only those with the right to vote do in fact vote," he said.

The voters were caught when they filled out jury questionnaires asking if they had felony convictions.

Los Angeles Times
latimes.com.

http://www.latimes.com/news/local/la-000091641nov16.story

LOS ANGELES

Review of Election Starts in Confusion

Court: About 1,500 ballots are reported missing in the legal dispute over Compton's June 5 mayoral contest.

By JOHN L. MITCHELL
TIMES STAFF WRITER

November 16 2001

The first day of a court-ordered review of Compton's contested June 5 municipal election got off to shaky start Thursday when 1,500 unused ballots were reported missing.

The Superior Court judge hearing former Mayor Omar Bradley's lawsuit alleging voting fraud dispatched Los Angeles County sheriff's deputies to retrieve the ballots. City officials claimed they were left at Compton City Hall by error and would be presented in court today.

However, Bradley said the confusion over the missing ballots strengthens his claims that he was cheated out of the election. "This is unheard of, unheard of," Bradley said in the courtroom Thursday afternoon.

After the court session finished, Bradley's attorney, Bradley Hertz, said: "In the least, the city clerk has a disorganized office and at most, perhaps, a cesspool of illegalities."

Bruce Gridley, the attorney for the city, denied any wrongdoing by the city clerk and said the mistake was made earlier this month when sheriff's deputies picked up boxes of ballots stored from a different election.

The ballot review began Thursday with an election expert inspecting the votes in court and tallying the overall totals, not conducting a candidate-by-candidate recount. He used an automatic counting machine, which can handle more than 1,000 cards a minute and was set up on a table near the jury box.

Scott D. Martin, the election specialist whose company supplied the Compton ballots, inspected the initial batch for texture, printing and color. He pronounced them legitimate.

"They all look like ours," said Martin, of the Anaheim-based firm Martin & Chapman Co.

Once all the ballots are accounted for, court officials estimated, it will take about three days to process the 10,600 cast in June and the additional 20,000 ballots printed for that election but reportedly not used.

The review was ordered by Judge Judith Chirlin, who is hearing the lawsuit brought by Bradley and two City Council candidates on his slate against current Mayor Eric Perrodin, City Clerk Charles Davis and the city of Compton. Bradley lost the mayor's office by 281 votes to Perrodin, a Los Angeles County deputy district attorney. Bradley's side accuses the Perrodin camp of such fraud as stuffing boxes with counterfeit ballots and

having noncitizens vote, allegations Perrodin and Davis deny.

Martin on Thursday said the first bunch of absentee ballots were uniform except that they varied in color in four shades ranging from lavender to white.

Bradley's attorney Hertz, who had offered to give Martin a magnifying glass and flashlight, wondered why the ballots could vary so much in color. "We are intrigued by that," Hertz said.

But Martin said the differences were not significant and resulted from being printed in different batches.

Both sides planned to have experts on hand Thursday. When Bradley's specialist was unable to attend the court session, his side accepted the defense experts.

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CA

LOS ANGELES

Judge Orders Inspection of Ballots in Compton

Court: The ruling involving 10,600 votes is a victory for ex-Mayor Omar Bradley, who lost his reelection attempt and is claiming fraud.

By JOHN L. MITCHELL
TIMES STAFF WRITER

November 15 2001

A day after a startling setback in his legal battle to regain his title as Compton's mayor, Omar Bradley scored a victory Wednesday when a Superior Court judge ordered the inspection of 10,600 ballots.

Judge Judith Chirlin said she was motivated to unseal the boxes because it was important to "instill confidence in the people of Compton who will have to accept the results of this [election] process."

The boxes may be opened at 9 a.m. today if the plaintiffs' ballot expert can make it. But attorneys said that it was more likely that the inspection would begin Monday. In his lawsuit, Bradley, who lost the June 5 election by 261 votes to Deputy Dist. Atty. Eric Perrodin, alleges that the voting was marred by counterfeiting and other irregularities.

On Tuesday, a key witness who was expected to testify on Bradley's behalf dealt a blow to the plaintiffs. Compton school board member Basil Kimbrew denied seeing counterfeit ballots, and accused Bradley's attorney of trying to bribe him. Bradley W. Hertz, the former mayor's lawyer, has said Kimbrew committed perjury on the stand.

Brian Pierik, the lawyer representing Compton and Perrodin, argued Wednesday that there was not enough evidence to open the ballot boxes and that Hertz waited too long to make the request.

But, he added, he was confident that no counterfeit ballots would be found.

Pierik questioned Bradley, who took the witness stand for the first time, about his relationship with Kimbrew, considered a longtime adversary of Bradley.

Pierik asked if they were such opponents in Compton, why did Bradley believe Kimbrew when the school board member told him about the fraud at a meeting in September.

"Every dark cloud has a silver lining, even Mr. Kimbrew," Bradley said with a smile. "That can only be proven by what is in the box."

Under rules agreed to by attorneys, the ballots will be inspected by experts from both sides. Though the vote

will not officially be recounted, the total votes cast will be tallied and the ballots will be inspected for authenticity. The count is expected to take two to three days.

Deborah Seiler, who publishes the California Elections Report, will be coming from Sacramento, Hertz said. The defendants's expert will be available Thursday morning.

Bradley and two City Council nominees who ran on his slate, Melanie Andrews and Frank K. Wheaton, are accusing Perrodin, City Clerk Charles Davis and the city of Compton of wholesale election fraud. They say there were irregularities in more than 500 votes, including some in which the signatures didn't match those on the voting rolls.

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CA

Can anyone count votes?

Friday, November 9, 2001
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URL: http://www.sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/2001/11/09/ED192020.DTL

COUNTING BALLOTS in San Francisco will never be easy. Super-heated interest groups, pushy political leaders and on-the-move apartment dwellers can challenge any registrar of voters.

What's needed are experienced hands, clear rules and reliable operations. This city has none of these.

It goes too far to cry foul, as some partisans in Tuesday's election charge.

But vote counting in San Francisco has become a sad circus with ballot boxes diverted and poorly secured. City Administrative Officer Bill Lee and Elections Director Tammy Haygood refused to spell out what was taking place amid rumors of anthrax-tainted envelopes and a counting room out of sight from election observers.

The city needs an accounting of the tangled events that took place Tuesday night, as Supervisor Aaron Peskin has requested from Haygood. City Attorney Louise Renne is right to ask Secretary of State Bill Jones to investigate the confusion.

San Francisco needs a broader answer to the desultory performance it regularly gets from its elections team. Dating back to 1995, the city has botched the job through improper forms, irregular hours or or computer breakdowns. A succession of registrars never took charge.

San Francisco is still counting ballots long after other Bay Area counties have posted results and hauled vote machines back to storage. What makes this city immune to efficiency?

There are partial answers. Few registrars put up with demands for multilingual forms, absentee ballot requests generated by interest groups and high-pressure watchdogs assigned to the office by candidates and causes.

Also, both Mayor Willie Brown and his foes on the Board of Supervisors have feuded unhelpfully. Haygood, the present registrar, has no background in running elections. The office routinely asks for extra money when it busts its budget because of poor planning and overspending. A new plan, passed by voters,

takes the job away from the mayor's indirect rule and gives it to a commission, meaning more roiling changes.

Voting habits add complications. Nearly a fifth of Tuesday's ballots were absentee or provisional, which require hand checking. Provisional ballots are cast by voters, often residents who recently moved, who don't show up on polling-place books and may be registered elsewhere.

No question: There are headaches in running elections. But, whether in San Francisco or Florida, voters who exercise their sacred right should have their ballots counted with care and precision.

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Count uproar eclipses S.F. election reform
63% of fed-up voters approved overhaul

Ilene Lelchuk, Chronicle Staff Writer
Friday, November 16, 2001
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URL: http://www.sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/2001/11/16/MN232343.DTL

San Francisco -- Lost in the shadow of San Francisco's bizarre ballot controversy last week, voters approved a measure that demands the city clean up the beleaguered Elections Department -- and end its history of elections problems.

Proposition E passed with nearly 63 percent of the vote, a strong signal that voters are fed up with slow counts, conspiracy theories about missing ballots and the director's office revolving door.

Proposition E creates a new seven-member commission to run the Department of Elections and hire a director -- replacing a system that has produced five directors in as many years and is under investigation by the secretary of state.

That could mean the newest elections chief, Tammy Haygood, who is already in the hot seat after last week's election, could be replaced by the new commission.

The proposition was one of several written by the Board of Supervisors to shrink the power of the mayor, who is in control of the elections office. Mayor Willie Brown's chief administrative officer, Bill Lee, has chosen the past few elections' directors, including hiring Haygood a few months ago.

"Prop. E is the first step to ensuring honest and independent elections in San Francisco for the first time in 25 years," said Supervisor Tony Hall, one of the measure's authors.

Hall has a personal interest. He believes votes were tampered with during his tight race last fall against Brown-backed Supervisor Mabel Teng. Hall won by 38 votes.

"I think there's been a lot of maneuvering," Hall said. "I think some elections have been manipulated."

But the mayor has recently defended the elections staff for doing good work under unusual amounts of scrutiny. As for his influence over Haygood or other directors, Brown has said he steers clear of the department precisely so he won't be accused of pulling strings.

Lee also insists that San Francisco runs clean elections.

In fact, few allegations of fraud have ever been proved, although grand jury studies have found bureaucratic fumbles.

"Running the elections office is the most difficult job in the city because if someone loses, they always want to blame the elections office," Lee said.

Haygood saw exactly how difficult her job could be last week, when two controversial measures to create a public power agency hung in the balance.

Miscommunication by Haygood and her staff about whether absentee ballots were moved from City Hall sparked several tense news conferences with the elections director. Despite early denials by elections officials, absentee ballots arriving in the mail were moved to a separate building as a precaution against an anthrax threat. That angered public power advocates who argued that those ballots weren't watched and might have been easy targets for tampering.

History fueled the controversy. Past election follies in the city include incorrectly printed sample ballot books, misplaced and duplicate ballots and wet ballots that had to be dried in a microwave.

Making matters worse, allegations hanging over the November 2000 election remain unresolved. The secretary of state is expected in the coming days to release a report after a six-month investigation into the department's actions in that election.

Proposition E attempts to restore voter confidence. Seven city agencies each will appoint one member to the new Elections Commission, including the mayor and Board of Supervisors. The measure calls for the commissioners to take office in January.

Others making appointments to the commission are the district attorney's office, the city treasurer's office, the board of education, the city attorney's office and the public defender's office -- all headed by elected officials.

City employees from other departments are banned from helping with elections, except on election day, without Board of Supervisors approval.

The measure also mandates that sheriff's deputies escort ballots every step -- from polls to City Hall -- on election day.

The measure further requires poll workers to post how many ballots were cast at their sites and how the precinct voted. The new computerized Eagle machines, where voters deposit their ballots after voting, can make that information available in seconds.

"Then there can't be an allegation made (on election night) that more ballots suddenly appeared from somewhere," said Supervisor Matt Gonzalez, who helped write the proposition.

Jim Chappell of the San Francisco Planning and Urban Research Association, which opposed Proposition E, said cutting the mayor's alleged influence on the cash-strapped and short-staffed department wouldn't solve anything.

"Adequately funding the department will make it different," Chappell said.

Local election reform might not stop here with supervisors considering a variety of other measures.

City attorney candidate Jim Lazarus, who is vying against Dennis Herrera in the Dec. 11 runoff, said that if elected, he would create a legal elections task force that would include representatives of the secretary of state and district attorney.

E-mail Ilene Lelchuk at ilelchuk@sfchronicle.com.

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San Bernardino County Computers Scramble Elections

CA

Glitch: Programmer's error leaves 33 races in doubt. Some counted as last might have won, red-faced officials say.

By BUCK WARGO
SPECIAL TO THE TIMES

November 10 2001

ONTARIO -- Computer ballot-counting errors in San Bernardino County this week have thrown 33 races into doubt and may be so serious that those listed as getting the least votes actually might be winners, the registrar of voters said Friday.

A county employee erroneously programmed the computer so that, for instance, it sometimes read the punch-card lists from the bottom up. A hole punched for the last candidate listed in a race, therefore, would have been read as a vote for the first, county spokesman David Wert said.

A recount of all 82 races and 85,000 ballots cast on Tuesday will be completed by next Tuesday, he said. "There are going to be at least a few races in which people who appeared to have won and were the high . . . [vote-getters] were actually the low . . . ," Wert said. "Some races are going to be reversed."

Most of the races affected were school boards or community college districts throughout San Bernardino County. Nine were in water districts or special districts. No city races were affected.

"It is going to be a long three days," said Bill Klein, who had appeared to be an upset winner in the Chino Valley Unified School District, ousting one of two longtime incumbents. "It is a case where you are frustrated, shocked and concerned."

In the Ontario-Montclair School District, 20-year incumbent David Van Fleet of Ontario said he was shocked to see the final tally showing that he finished sixth out of seven candidates. He had expected to finish in the top three and win his sixth term.

"Everyone that came up to me afterward said they went out and voted for me," he said. "They asked me how could I lose. I couldn't explain it."

The name of the programmer responsible was not released, but officials said the person is a veteran county employee. The employee reported that tests before the election showed the system was working correctly, said Registrar Ingrid Gonzales, who oversees elections.

The county brought in a consultant, software provider DIMS Inc., on Thursday to review the programming and found the errors, Gonzales said. The testing and analysis the employee said had been done apparently was not, Gonzales said.

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In some cases, the computer began counting in the middle of the ballot, so some holes weren't counted at all, Gonzales said.

Based on the review by DIMS, the candidates' totals will certainly change in 26 races. Officials are not sure what effect, if any, the error had on the other seven races in doubt.

"For some races, it may not have any effect on people who were going to lose anyway, but a significant number of races could be changed," Gonzales said.

The city election results will be counted Tuesday as well, just to make sure there were no problems and to give people confidence in the results, Gonzales said. A test showed the computer was programmed correctly for municipal races, she said.

Officials became concerned Tuesday night when the computer showed no votes cast for the Big River Community Services District board of directors.

An extensive review of the election system was conducted Wednesday through Friday, and widespread errors were found, Gonzales said. A letter was mailed to more than 300 candidates on Wednesday notifying them of potential problems.

"This is certainly rare, but it happens," said Gonzales, who has served eight years as registrar and 21 years in the field. "You hear stories across the nation about elections being tainted. I never thought it would happen here."

From now on, an outside firm will be brought in before all elections to confirm that computers are properly programmed.

"It's hard to describe how personally disappointed I am that this has happened," Gonzales said. "I would like to assure the public that we know exactly how this error occurred and that measures are underway to prevent it from ever happening again."

County officials said the good news is that using a card-counting system means that ballots are still around to be recounted. If the same error had occurred with an electronic voting system, there would be no paper record, Wert said.

The employee responsible for the error has been disciplined, but Wert declined to say how. Gonzales said the person still is on the job but has been taken off computer programming duty.

*

Correspondent Tipton Blish contributed to this report.

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TOP STORIES: FLORIDA >>

Officials: Should Sequoia's proposal be tossed?

November 12,2001

By Deborah O'Neil and Thomas C. Tobin
St. Petersburg Times

The Louisiana court documents paint a damning portrait: Voting equipment executive Phil Foster received manila envelopes stuffed with as much as $40,000, to be delivered as kickbacks.

That money was part of a vast voting machine scandal that resulted in charges against 25 people, three of whom told prosecutors Foster was involved.

But Foster's bosses at Sequoia Voting Systems were so confident of his innocence that they let him take a lead in trying to sell, among other packages, $2 million worth of touch-screen voting equipment to Indian River County and $15.5 million worth to Pinellas County.

Indian River County commissioners Tuesday voted to void the deal they had already signed with Sequoia when they learned of Foster's Louisiana indictment.

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Now, amid intense statewide scrutiny, the commissioners are joining their Pinellas colleagues in weighing whether unproven accusations against a company representative should be enough to throw out Sequoia's proposal.

The entire nation is watching as Florida reforms its election process, said Susan MacManus, a University of South Florida political scientist and chairwoman of the Florida Elections Commission.

"Anything related to voter equipment that even smells bad will be and should be carefully investigated for the good of all," MacManus said. "The scrutiny doesn't stop at the county boundary. It goes national."

In Tampa, Hillsborough County has recently launched a review of the case against Foster, said Supervisor of Elections Pam Iorio.

"I think it is important to know what litigation the companies are facing across the country," Iorio said. "These (the charges against Foster) are very serious allegations."

But others wonder how much the charges matter. In Tallahassee, Leon County Supervisor of Elections Ion Sancho, whose county boasted the lowest error rate in the state in the presidential election, said that while news about Foster "raises the specter of impropriety, I don't know to what degree you could point to the company as bad."

Sequoia's product, he said, "is as

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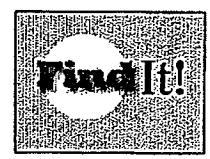

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Sequoia's product, he said, "is as good as what I use."

And the quality of the machines is why Indian River County chose Sequoia, said Kay Clem, the county's elections supervisor.

She said she made the decision knowing all about Foster's legal problems, adding, "I thought everybody knew about it."

"I'm not buying Phil Foster," Clem said. "I'm buying Sequoia's voting system."

Foster's charges are part of a decade-long corruption scandal that reached as high as the state's elections commissioner. Foster is charged with two counts of conspiracy to commit money laundering and one count of conspiracy to commit malfeasance in office.

Already, 15 people have pleaded guilty in the case, said Assistant District Attorney Sandra Ribes in Baton Rouge.

Three of them, including Foster's brother-in-law and the state commissioner of elections, pointed the finger at Foster in their guilty pleas. According to court records, Foster had Sequoia designate his brother-in-law, J. David Philpot, as its exclusive agent in Louisiana.

Then-Louisiana Elections Commissioner Jerry Fowler declared Philpot the sole source of a certain type of voting machine, allowing them to circumvent the state's bidding laws and inflate the prices of the machines.

Foster and Philpot also arranged to sell counters for voting machines at inflated costs, according to court records.

Money was funneled to Fowler in kickbacks, and court records indicate Foster played a role in passing along the cash.

On at least five occasions, Philpot handed Foster manila envelopes with $20,000 or $40,000 of kickback cash to give to another person involved in the scandal, Philpot says in court documents.

Also, Fowler told prosecutors that Foster would put cash kickbacks in a desk drawer for him. Foster's Baton Rouge lawyer, Karl Koch, said the case against his client is built on statements by admitted criminals.

"My investigation of the charges reveals he hasn't done a thing in the world wrong," he said.

Foster didn't know what was in the sealed envelopes he brought to Louisiana for his brother-in-law, who was in Birmingham, Ala., Koch said.

"Phil wasn't handed bundles of cash or wads of cash," Koch said.

Nor was Foster in a position to get his brother-in-law named as a company agent, Koch said.

Both Foster and Sequoia have fully cooperated with the investigation, Koch said.

Clem has stressed that the

company has not been implicated.

Sequoia President Peter Cosgrove said the company has nothing to hide. The company assumed, he has said, that Pinellas and Indian River officials were aware of Foster's legal problems, which he said were "well, well known."

The company has not removed Foster from his responsibilities as Sequoia's southeastern vice president, Cosgrove said, because it doesn't believe he has done anything wrong.

"We will not put down an innocent man," he said.

However, if Pinellas prefers, Sequoia will withdraw him from the project, Cosgrove said.

Clem, in fact, has said she dealt not with Foster but with John Krizka, Sequoia's agent in Jupiter.

Indian River County Administrator Jim Chandler, however, has said Foster was the one who negotiated the final price with him.

Cosgrove added that the charges should not affect the county's decision about the purchase of the new voting equipment. All the reasons that Pinellas and Indian River officials intended to buy the system remain, he said.

"None of those reasons have changed," Cosgrove said.

Press Journal
News staff writer

Henry A. Stephens contributed to this report.

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"Follow The Chad"

an investigation
into the ownership
of america's
"election services industry"

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BAY OF PIGS 2000: THE FLORIDA SURPRISE

FL

It has all the ingredients of a Silent Coup in some jerkwater Banana Republic...

There are shadowy figures from Organized Crime rubbing elbows in Miami restaurants with "retired" CIA agents and Bay-of-Pigs-era Cubans...

"Business" is conducted ever-so-discreetly, covert op style, behind the heavy velvet drapes of dummy "front" companies...

And since these are rarely bloodless affairs, there's a dead body (or two or three) lying around somewhere in the background. In court, one lawyer has even called it a "sinister conspiracy," language uncharacteristically-blunt for civil proceedings.

But this coup isn't just another Central American "transfer-of-power;" it involves, instead, the possible subversion of the very democratic process itself.

Only this time it didn't take place in a country with a foreign-sounding name...but in the United States of America.

In November. In Florida.

"Tangled Webb City"

Here's a brief run-down on a few of our "players:"

Harold and Herb Webb are twin brothers operating election service industry companies in New Jersey. These companies, Garden State Elections and Elec-tec, were used to conceal transactions involving election services industry giant Sequoia Pacific, according to court documents, which fingered that company last week for orchestrating a 10-year long bribery scheme involving the Commissioner of Elections for Louisiana.

But Harold and Herb Webb aren't even the only Webb's in this tangled scheme...Industry giant Sequoia Pacific's General Manager's name is Hugh Webb.

Harold Webb, Herb Webb, and now Sequoia's Hugh Webb. Is it just a 'tangled Webb?'

Or something *more?*

watch a clip (1minute 30 sec.) from "Follow the chad!"

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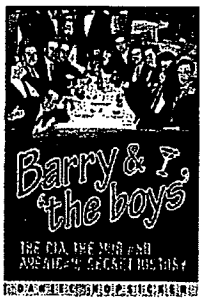

"We don't know why we broke into the Watergate, honest."

Herb Webb, president of a firm proven to have acted illegally on Sequoia Pacific's behalf, denied to this reporter even *knowing* Hugh Webb.

Sequoia Pacific head honcho Hugh Webb returned the favor, denying knowing either Herb *or* Harold Webb... a neat trick, since Harold Webb has admitted to prosecutors that he was acting on behalf of Hugh Webb's company.

Prosecutors have the ability to untangle this tangled Webb. The question is: ***will they?***

There is even *another* extended "family," that of Sequoia Pacific's Southern Regional Sales Manager Phil Foster, with deep connections to the bribery scheme... Phil Foster is about to be indicted in Louisiana, while his brother-in-law, David Philpot, is soon to stand trial.

read the
INTRODUCTION

Part I

PART II

Part III

Part IV

And then there is also James Foster, of James Foster Associates, the Texas firm which printed Florida's Republican absentee ballot applications...Remember *them?* The ballot applications where a voter i.d number had been "***inadvertently***" left off?

"Follow the Chad"

Sequoia Pacific operates through a number of dummy front companies.

Pasquale "Rocco" Ricci's company, International Voting Machines, was really Sequoia Pacific. Harold Webb's Garden State Elections was really Sequoia Pacific. So was Herb Webb's Elec-tec. This is a list which could quickly grow much longer.

Many Florida Counties involved in the Vote Snafu used tabulating machines from Sequoia Pacific disguised as being from other vendors;
Sequoia actually supplied both computer and punch card systems to Florida, in counties where their name has not yet surfaced.

The reason for all this elaborate deception? Clearly, some people have gone to some little trouble in an elaborate attempt to conceal Sequoia Pacific's role. Why?

Posted to the Internet
December 26, 2000
(email the editor)

A reporter for the Fresno Bee interviewed Hugh Webb recently. He told us, about Webb, "I was taken aback by his secretive nature."

There is a joke making the rounds just now in Southern State Capitals; like much humor it contains an uncomfortable truth that cannot yet be spoken in polite company...

"The *real* vote snafu in Florida," goes the joke, "concerns what happened after the Sunshine State purchased used election machines from the state of Louisiana, and on *those* machines Edwin Edwards was elected President in a landslide."

There's a hidden truth behind the sarcasm: Edwards is the convicted former Louisiana Governor, and the 'one-liner' describing this budding scandal threatening

to burst out in screaming Technicolor is this:

"Florida used the same (doctored) machines as Louisiana. And they came from the same 'shadowy' sources."

(to be continued.)

Detroit Free Press
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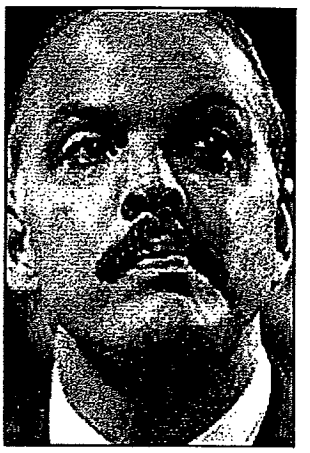
State is ordered to seize ballots in Detroit election

MX

BY BEN SCHMITT
FREE PRESS STAFF WRITER

November 24, 2005

Acting on a request from defeated Detroit mayoral candidate Freman Hendrix, a Wayne County judge ordered the Michigan Secretary of State's Office on Wednesday to take control of all the ballots in the Nov. 8 election and keep them locked in a vault until a recount can be done.



Freman Hendrix

A federal investigation of possible irregularities with absentee ballots, trouble with vote-tabulating equipment on election night, the fact that about 3,000 votes weren't counted until two days after the election and suspicions of ballot tampering led to the request.

Detroit city attorneys vehemently opposed Hendrix's move, calling it unnecessary. Detroit City Clerk Jackie Currie, who oversaw the election, did not object.

After Wednesday's ruling by Chief Circuit Judge Mary Beth Kelly, state elections officials had trucks en route to Detroit to take control of the ballots. State Elections Director Chris Thomas said the office would keep the ballots in a state building in Detroit.

The ruling came a day after Hendrix filed the request for a recount in an election that he lost to incumbent Mayor Kwame Kilpatrick by more than 14,000 votes.

Nonetheless, Hendrix's attorney, Elizabeth Hardy, said Hendrix had no choice but to request the ballot seizure after learning that Department of Elections rooms, where ballots were being held, were left open without a security guard during Tuesday's meeting of the city Board of Canvassers to certify the election.

Hardy also said Hendrix suspects there was fraud in the election. The suspicion "is based upon very pronounced anomalies in the election results," Hardy said. "If there was fraud, there obviously would be a motivation to destroy the evidence of fraud."

City Attorney Ruth Carter said there is no evidence of tampering and urged Kelly not to be persuaded by perceptions that something is amiss.

"There's no evidence of fraud," Carter said.

But Kelly said that ordering the state to take the ballots wouldn't harm either candidate.

"If there is to be a recount, the mayor has a stake in it," Kelly said. "I think the integrity of that recount is served by having the ballots removed from the possession of the city. I also think the public interest is served."

Kilpatrick has not yet decided whether he will file an objection to the recount, which county officials said will cost $250,000 to $500,000.

Kelly noted that Currie, through her private attorney, Steven Reifman, did not object to the state taking control of the ballots.

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Kelly said Currie's acceptance of Hendrix's request -- coupled with concerns over ballot security and election irregularities -- caused her to make the decision. She noted that Detroit officials had lost track of ballots in nine precincts and did not count them until two days after polls closed.

In one case on election night, a poll worker took home two computer data packs containing ballot information and didn't turn them in until the following day.

"I don't think anyone can dispute that there have been irregularities," Kelly said.

Kelly had already granted federal prosecutors' Election Day request that the state preserve absentee ballots to make sure Currie's office handled them fairly and legally.

On Tuesday, city Department of Elections Director Gloria Williams asked Thomas to take possession of all the ballots, and he refused. Carter argued that Thomas' refusal showed the state has no concerns about tampering.

*Contact **BEN SCHMITT** at 313-223-4296 or schmitt@freepress.com.*

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Detroit Free Press
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Sheriff's office joins watch over Detroit ballots

MI

2 judges divide on security needs

BY KATHLEEN GRAY and BEN SCHMITT
FREE PRESS STAFF WRITERS

November 26, 2005

So who's minding the ballots from Detroit's election?

Seems like just about everybody at this point.

Responding to an emergency request from Mayor Kwame Kilpatrick, a Wayne County judge, early Thursday, ordered the county sheriff's department to guard a Secretary of State office to make sure no one tampers with ballots cast in the Nov. 8 election.

Detroit Mayor Kwame Kilpatrick was granted a request Thursday to increase security for ballots from the Nov. 8 election.

Those guards are in addition to the Michigan State Police troopers already protecting the ballots at the office in Detroit's New Center, where they were taken Wednesday after another Wayne County judge ordered them held for safekeeping.

Even before the election, there were concerns about the counting of absentee ballots. Since then, it has only gotten more complicated.

On Wednesday, Freman Hendrix, who lost the election to Kilpatrick by more than 14,000 votes, won an order from Chief Circuit Judge Mary Beth Kelly to place the ballots in the state's control until Hendrix's recount request is considered by the county.

Then, in the wee hours Thursday, Circuit Judge Cynthia Stephens signed an order granting Kilpatrick's request that the sheriff's department provide additional security.

Kilpatrick's lawyers said it was essential to maintain the integrity of the ballots. Questions of tampering had already been raised: Detroit officials lost track of ballots in nine precincts and did not count them until two days after polls closed. In one case on election night, a poll worker took home two computer data packs containing ballot information and didn't turn them in until the next day.

"When I spoke to the people from the state Bureau of Elections, they were not sure what security would be available," said Kilpatrick lawyer Reginald Turner. "Needless to say, all the parties in this matter have an interest in the security of the ballots."

State Elections Director Chris Thomas said as soon as the state took custody of the ballots, a trooper was dispatched to guard them.

"This is more theater than anything else. These ballots are getting more security than any ballots in the history of the state," said Thomas, who has noted that there has been no evidence yet of vote tampering. "It's very disappointing."

In Kilpatrick's request, Turner said they couldn't reach the other parties involved in the case. They also said they couldn't reach Kelly.

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But Kelly and lawyers for Hendrix and for City Clerk Jackie Currie, who is named as a defendant in Hendrix's lawsuit, said Friday that they weren't called.

"I was physically available Wednesday and Thursday," said Kelly.

"Clearly, Judge Stephens has no jurisdiction to act in this matter. Her order is void and will be vacated first thing Monday morning,"

Hendrix's lawyer, Elizabeth Hardy, said the mayor's representatives are showing their "desperation to take control of the ballots."

Currie's lawyer, Steven Reifman, added, "I am shocked by the procedure and the fact that nobody made any attempt to communicate."

*Contact **KATHLEEN GRAY** at 313-223-4407 or gray@freepress.com.*

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MS

Local News - Tuesday, February 24, 2004

SUBSCRIBE TO THE HATTIESBURG AMERICAN

Lott says voting fraud is problem

By Kevin Walters
American Staff Writer kwalters@hattiesb.gannett.com

Even though both Rep. Mike Lott, R-Hattiesburg, and Secretary of State Eric Clark favor voter identification, a rift between the two over the matter was exacerbated by comments Lott made during a speech Monday.

"Our secretary of state told me face-to-face that apparently we don't have much voting fraud because we don't hear much about it," Lott told about 40 people at the Lake Terrace Convention Center during his Legislative Update speech. "I told him face-to-face we have a lot more rapes going on on our college campuses than we know about because they don't get reported. Just because they're not reported does not mean that it's not happening."

Voter identification would require voters to show proof of who they are before they vote.

As an example of voter fraud, Lott, 47, who is seeking the Republican nomination to challenge Democratic U.S. Rep. Gene Taylor for the 4th District House of Representatives seat, cited a voter list he said was used at a voting precinct in Clinton in the November election that he said had numerous discrepancies such as:

- Eight voters' names in a row, all in alphabetical order. "It was amazing that people came in in alphabetical order to vote," Lott said.

- A man's name was repeated twice in the voter roll - in two different styles of handwriting, Lott reported.

- That same man's wife was also on the roll, Lott said, although the woman had been dead for three years.

Lott said later that he was uncertain if the person who showed him the information - whom he did not identify - had alerted authorities about the fraud.

The Hinds County District Attorney's office did not return a call about this matter.

Clark said later Monday he had no knowledge of the Clinton voter roll problems, but said Lott had misrepresented his side of their conversation about voter identification legislation in Mississippi.

"I'm sorry that Rep. Lott decided he needed to misquote me and be critical,"

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Clark said in a phone interview. "I have the strongest track record of anybody in the state of combating voter fraud."

Lott also said Monday that Mississippi could lose $40 million in federal funding if legislators do not pass voter I.D. during this session.

But Clark's office said Monday that Mississippi's share of money from the federally funded Help America Vote Act is actually $34 million and that the federal funding is not endangered. The money would be used to upgrade the state's outdated voting equipment.

Called for clarification about the federal funding, Lott said he and other legislators in the House were misled last year about a deadline existing this year to receive the funding.

"We were led to believe that this had to be passed, that we were pushing against a deadline and we would not receive the money," Lott said later after he personally called Clark's office for more information. "There seems to be a lot of changing of minds going on in the secretary of state's office."

Clark said he is trying to improve voting rolls by tightening absentee ballot procedures and removing the names of dead people and those in jail.

"However much there is (of voter fraud) is too much," Clark said.

Email this story

Originally published Tuesday, February 24, 2004

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The Denver Post

Ca

Baker blamed for downed machines needed in recall vote

By George Merritt
Denver Post Staff Writer

Thursday, February 12, 2004 -

ARAPAHOE COUNTY - County officials have said they will have to spend nearly $100,000 to replace batteries in 800 voting machines to ready them for Tracy Baker's recall election Feb. 24.

County Attorney Kathryn Schroeder placed the blame on Baker, saying that maintaining the machines is one of the most basic parts of his job as clerk and recorder.

"It is crucial to holding our elections," Schroeder said.

A county employee has accused Baker of ordering him to discontinue maintenance of the machines, effectively disabling them. The employee is now on leave after filing a complaint against Baker with the Equal Employment Opportunity Commission.

"It is an act of sabotage," said Marl Newman, the attorney for Woodrow Barnes, the employee making the claims.

Newman said that when her client protested Baker's order, Lisa Sale - Baker's girlfriend and assistant chief deputy - told him, "Well, that is (the county's) problem, and they can deal with that."

The problem was discovered in October, but officials said the batteries can't be recharged once they are drained.

Denver attorney Rick Daily said that if the county could prove Baker told an employee to neglect equipment, Baker could face criminal charges.

Baker denies any responsibility for the gaffe. He said Barnes' and Newman's claims were "libelous."

Baker said he installed the election machines himself in 1986 and would never sabotage them. County officials are at fault for placing Barnes, who was responsible for the machines, on leave, Baker said.

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CT

Caruso is campaigning to bring election reform to Bridgeport

PRINT ARTICLE

(09/23/03) **BRIDGEPORT** - After his failed run in the Bridgeport Democratic mayoral primary, State Representative Chris Caruso (D-Bridgeport) has decided not to challenge the results in court. Instead, he plans to file fraud complaints with the state Elections Commission.

Caruso says he discovered that 144 people went into the poling places, but their names were not check off on a voting list. He also alleges some voters were able to vote twice while other were denied voting privileges.

By not going to court, Caruso has given up the possibility of a judge overturning the election, which means he won't have a chance to run for mayor in November.

As for any fraud in the Primary election, it will be up to the state Elections Commission to investigate.

Video : http://ondemand1.cv.net/news12/CCCC923T.asx

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back

Ballots held in county races

Albany -- Court order sets out extensive process to verify absentee votes in three Democratic primaries

By CATHY WOODRUFF, Staff writer
First published: Saturday, March 6, 2004

All absentee and paper ballots and 47 voting machines used in three Democratic primaries for the Albany County Legislature were impounded Friday under a court order that also sets out an extensive process for verifying the votes.

State Supreme Court Justice Louis Benza signed the order requested by Democratic primary candidates Wanda Willingham and Lucille McKnight, both incumbents, and Ward DeWitt, who challenged District 4 incumbent Virginia Maffia-Tobler.

The three candidates, all African-Americans represented by attorney Paul DerOhannesian, asked that no winners be certified in the special primaries until voting machines are inspected and recanvassed and the validation of absentee and other paper ballots is completed.

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The court order and heightened ballot scrutiny are the latest developments in a hotly contested special election ordered by federal courts earlier this year to correct district lines that shortchanged minority voters.

In all three races, significant numbers of absentee ballots remain to be counted, including many that were distributed by a Democratic ward leader and other supporters of the three candidates' opponents.

"There is at least the perception of the possibility of influence on voters with someone delivering ballots and looming over you as you fill it out," DeWitt said Friday. "The process is fraught with the opportunity for influencing the voter."

The closest race, according to unofficial machine tallies, is in Legislative District 3, where Willingham holds a slim 217-213 lead over Jestin Williams.

However, Board of Elections records show that 225 absentee ballots were issued for District 3. More than half -- 131 -- were released to 3rd Ward Leader Jamie Gilkey -- who backs Williams -- for delivery to voters.

Of the 139 absentees returned to the board as of Thursday afternoon, 105 were handled by Gilkey.

Willingham called the distribution of so many ballots through a partisan campaign worker "an embarrassment to the Albany County Democratic Party." She said she believes she has been targeted by a small party faction "because I have my constituents at heart, not the interests of a particular administration at City Hall or the head of the county Democratic Committee."

Efforts to reach Mayor Jerry Jennings and Democratic Chairwoman Betty Barnette for comment Friday were unsuccessful.

Many District 2 absentee ballots also were handled by Gilkey and an associate who worked for

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McKnight's challenger, Marilyn Hammond.

In unofficial machine results, McKnight trails Hammond, 210-177. Of 113 absentee ballots issued, 11 were released to Gilkey and 27 to Dennis Bagley, a Democrat who ran against Common Council member Carolyn McLaughlin, Willingham's sister, in 2001.

Bagley and Gilkey, an employee of the Albany Housing Authority, distributed 18 of the 41 absentee ballots returned for District 2.

Hammond and Williams both released statements Friday asking that all the absentee votes be counted and the results allowed to stand.

"They shouldn't try to use the courts to block the will of the voters," Hammond said. "We should just let everyone's voice be heard in the political process and count all the votes."

Williams said: "Those ... people have a right to have their votes counted."

McKnight, however, said Bagley and Gilkey's control over distribution of so many ballots in her heavily minority district makes it unclear whose voice is speaking through those votes.

"Why are these two white men serving as an agent for someone trying to defeat two black women?" she asked, referring to Bagley and Gilkey.

Hammond and Williams, like McKnight and Willingham, are black.

In District 4, where new district boundaries were supposed to improve chances for minority voters to elect candidates of their choice, unofficial machine tallies show DeWitt, who is black, trailing incumbent Maffia-Tobler, who is white, 168-157.

Some 195 absentee ballots were issued in District 4, including 26 to Tyler Trice, who DeWitt says seemed to be participating in the Maffia-Tobler campaign. Trice has been an employee of the Albany Housing Authority, though it could not be determined on Friday whether he still is. He ran unsuccessfully for the city school board in 2002, with the backing of the mayor.

Trice handled 17 of the 101 absentee ballots for District 4 returned by Thursday afternoon, according to Board of Elections records.

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per machine may also be needed in polling places that have large numbers of elderly voters or persons with limited ability in English because such voters may require more time.

FEDERAL OBSERVERS MONITOR STATE AND LOCAL ELECTIONS IN 15 COUNTIES IN 8 STATES

The Justice Department sent 160 federal observers and 39 Civil Rights Division personnel to 15 counties in 8 states to monitor the November 4 state and local elections. Reasons for the observers varied with the counties.

For three counties, the federal observer authority came from court orders. Observers were sent to another eight counties based on special coverage provisions of the Voting Rights Act. Federal observers monitored eight counties in Mississippi: Humphrey; Jones; Kemper; Leake; Neshoba; Newton; Noxubee; and Winston. They also observed elections in Wayne County (Hamtramck), Michigan; Passaic County, New Jersey; and Berks County, Pennsylvania.

Civil Rights Division personnel, most of whom were attorneys, monitored elections in San Francisco County, California; Jefferson County, Kentucky; Essex County (Lawrence), Massachusetts; Queens County, New York; and Harris County, Texas.

The observers and Department personnel monitored to determine whether these counties and localities were complying with federal voting laws, including minority language provisions of the Voting Rights Act; whether voters are challenged improperly on the basis of race, color, or language minority. The observers also monitored to determine whether jurisdictions were permitting voters who are blind, disabled, or unable to read or write to have assistance by a person of their choice, as well as permitting all eligible voters to cast a ballot.

ONONDAGA COUNTY N.Y. IMPROVES ITS PROCEDURES TO ENSURE VOTING MACHINE BALLOTS ARE CORRECT

NY 7

The Onondaga County, New York Board of Election Commissions following the election November 4 introduced improved procedures for voting machine preparation to ensure that all candidate's names are on the ballot, and that they are in the right row or rows.

Onondaga County uses AVM lever voting machines in which the names of the candidates are on strips that are inserted into the ballot face of each machines. On election morning in November, election officials were advised that one voting machine had been set up incorrectly.

When election officials checked the machine after 26 persons had voted, they discovered that *no* Democratic candidates were listed because that machine contained no B row strips. Instead the machine had two C row strips with the names of the Independence Party candidates. Technicians inserted a row B strip that contained the names of Democratic candidates, but the strip contained the wrong ballot style for that election district. The name of county legislative candidate Donald MacLaughlin never appeared in the Democratic row on that machine.

The omission took on added importance when the votes were tallied and MacLaughlin lost to incumbent Republican Bernard Kraft by only 165 votes. MacLaughlin's name, which should have

appeared twice -- as the nominee of the Democratic and Working Families Party -- only appeared once on this voting machine as the nominee of the Working Families Party. Kraft's name appeared on the ballot face three times, as the nominee of the Republican, Conservative, and Independence Parties.

After examining the situation, MacLaughlin conceded the election because the error could not have reversed the outcome. Only 164 votes had been cast on the machine in question of which MacLaughlin received 40 votes on the Working Families row. Because no other candidate on the Working Families line received more than 10 votes on this machine, it appeared that some voters Democrats who wished to voted for MacLaughlin as a Democrat found his name on the Working Families party line.

Onondaga's corrective actions. Onondaga election procedures will now require two persons (rather than one) to check both the front and back of each voting machine when it is set up. Polling place officials will have a checklist of items they must check off including verification of each party strip, and each name on each strip.

In addition, the ballot style numbers, which had been printed in small type, will now be printed in large numerals so that ballot style numbers will not be easily confused. In this election for example, with the small print it was easy to confuse ballot style 36 with ballot style 38. The row initials, Row A, B, C, D, or E, will also be printed in large letters on the right side of the ballot strip.

TAVARES, FLORIDA SAVES $5,000 FLIPPING COINS INSTEAD OF CONDUCTING COUNCIL ELECTION

The City of Tavares, Florida decided that $4,500 to $5,000 it would have to spend on an election to determine which councilmembers would serve two-year terms, and which one would serve a one-year term could be better spent elsewhere. With the agreement of the only three candidates for at-large council seats, the city council passed a resolution to settle the matter by flipping coins rather than going to the voters.

Three at-large council seats were up for election in November, 2003, with two of them for two-year terms. The third seat, held by Councilmember Nancy Clutts, was for the one-year remainder of a term to which Councilmember Norb Thomas had originally been elected.

Only three candidates, including Clutts, qualified to run for council, therefore all were deemed elected. Because the city charter failed to specify how the three seats were to be assigned, the city council resolved the matter in September by resolution rather than holding a November election.

The resolution provided that on November 5 the three newly-elected council members simultaneously flip a coin provided to them by the City Clerk. "*The two candidates whose coins land on the same face (either both heads or tails) shall be deemed elected to the two year council terms. The candidate whose coin lands on the opposite face shall be deemed elected to a one-year term.*" The resolution provided for a re-toss if all coins land on the same face.

City Clerk Nancy Barnett, who supplied half-dollar coins for the flip, told *Election Administration Reports* the candidates had to flip three times before they produced a 2-1 split that determined the terms.

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Police NewsCourt date postponed in PBA election case

UTICA — A court date for a civil action by Utica police officers alleging ballot box tampering in the most recent police union election was adjourned to April 17 and 18, court officials said Thursday.

The legal action, requesting a new election, was filed in state Supreme Court last month by Utica police Sgt. Gary Glatt, who was defeated by incumbent Sgt. James Franco in a bid for the John E. Creedon Police Benevolent Association presidency during the Dec. 9-10 election.

The action alleges a discrepancy in vote tallies as well as improper placement of the ballot box and the immediate disposal of the ballots after the election, court documents state.

— Kelly Hassett

Police probe death of baby

UTICA — Utica police are investigating the death of a baby who died in its crib Thursday on West Street, Lt. Mark Williams said.

Further details could not be learned Thursday night.

— Cecilia Le

Police arrest 3 on drug charges

UTICA — Police Thursday arrested three people and seized an ounce of crack cocaine with a street value of $2,500, marijuana and money in the 1200 block of Whitesboro Street, the state police Community Narcotics Enforcement Team said.

Terrel L. Loadholt, 24, was charged with criminal possession of crack cocaine with intent to sell, a felony. Two other Uticans, ages 22 and 27, were charged with unlawful possession of marijuana.

Loadholt was sent to Utica City Jail pending his arraignment today. The other two were released on appearance tickets to return to Utica City Court.

— Cecilia Le

Stolen property: State police in Herkimer charged a man Thursday with numerous vehicle and traffic law violations on state Route 5 in Schuyler. He was also charged with criminal possession of stolen property after police discovered the registration plate on his vehicle was stolen, police said.

BIRTHS

Faxton-St. Luke's Healthcare

Crane — To David and Elizabeth Crane, Holland Patent, March 26, 2003, a son.

Hart — To Jerry and Sarah Comstock Hart, Ohio, March 25, 2003, a son.

Lebron — To George Lebron and Heather Sebastian, Utica, March 26, 2003, a son.

Patterson — To John Patterson and Tiffany Cook, Utica, March 26, 2003, a son.

Schachtler — To Christopher and Kimberly Valenzano Schachtler, Waterville, March 26, 2003, a daughter.

Out-of-town births

Paulson — To Karl Paulson and Nicole Leo, Utica, at Crouse-Irving Hospital, Syracuse, March 18, 2003, a daughter.

Send out-of-town birth announcements to Out-Of-Town Births, Observer-Dispatch, 221 Oriskany Plaza, Utica, NY 13501.

DEATHS

Azzarito, Peter, 92, of Utica, died March 27, 2003. Arrangements by Matt Funeral Home, Utica.

Ciamaga, Emily, 76, of New Hartford, died March 26, 2003. Arrangements by Kowalczyk Funeral Home, Utica.

Costello, Marguerite J., 56, of North Utica, died March 27, 2003. Arrangements by Heintz Funeral Home, North Utica.

DeMichele, Dominick J., 76, of Utica, died March 26, 2003. Arrangements by Eannace Funeral Home, Utica.

Gressler, Lorraine P., 55, of Little Falls, died March 27, 2003. Arrangements by Chapman-Moser Funeral Home, Little Falls.

Guaspari, Lena L., 87, of Rome, died March 27, 2003. Arrangements by Nicholas J. Bush Funeral Home, Rome.

Hazard, Elisabeth A., 77, of Earlville, died March 26, 2003. Arrangements by Burgess & Tedesco Funeral Home, Earlville.

McNamara, James, 73, of Blossvale, died March 25, 2003. Arrangements by Barry Funeral Home, Rome.

Phelps, Charlotte S., 66, of Greensboro, N.C., and formerly of Utica, died March 26, 2003. Arrangements by Forbis & Dick Guilford Funeral home, Greensboro.

St. Germain, Bertha, 92, of Ilion, died March 26, 2003. Arrangements by Nunn & McGrath Funeral Home, Utica.

Stasio, Thomas L., 78, of Rome, died March 25, 2003. Arrangements by Bottini Funeral Home, Rome.

Stenglein, Herbert, 73, of Morrisville, died March 25, 2003. Arrangements by Burgess & Tedesco Funeral Home, Morrisville.

Wyman, Tech. Sgt. David E., 33, of Maxbass, N.D, and formerly of Deansboro, died March 19, 2003. Arrangements by Kloster-Northrop & Bentz Funeral Home, Waterville.

E Obituaries — 2B

LOTTERIES

Thursday

Midday

Numbers: 314

WinFour: 2570

Night

Numbers: 174

WinFour: 5151

Pick 10: 2, 3, 6, 7, 13, 15, 22, 23, 26, 31, 32, 36, 38, 40, 44, 47, 57, 59, 65, 68

Take 5: 8, 20, 23, 32, 37

Wednesday

Midday

Numbers: 240

WinFour: 7486

Night

Numbers: 775

WinFour: 7137

Pick 10: 12, 16, 18, 20, 21, 25, 27, 28, 30, 37, 41, 49, 55, 56, 58, 59, 68, 73, 74, 76

Take 5: 12, 18, 24, 25, 37

Lotto: 21, 32, 38, 47, 48, 58. Bonus 46

Bankruptcy filings

The following people and organizations filed for bankruptcy protection from the U.S. Northern District Bankruptcy Court.

Vincent and Elizabeth DArrigo, 6089 State Route 167, Little Falls, Chapter 13.

Richard Joseph Fedor, 5813 Youngs Road, Vernon Center, Chapter 7.

Michael and Cheryl Tartaglia, 4 Wood Road, Apt. D-6, Whitesboro, Chapter 7.

David M. Ricketts, 132 Cherry Lane, Sherrill, Chapter 7.

James G. and Jo Ann M. Salamone, 261 Church St., Little Falls, Chapter 7.

David H. and Gloria J. Cox, 308 Russell St., Chittenango, Chapter 7.

Marie A. Cook, 1966 Walker Road, Camden, Chapter 7.

Wendy M. Smith, PO Box 1018, Route 20, Morrisville, Chapter 7.

William L. and Vincetta R. Borst, 4517 State Route 49, Rome, Chapter 7.

David M. and Leta A. Catalani, 8856 Lachausse Road, Boonville, Chapter 13.

Dale M. Budlong, 53 Stone Ridge Lane, Lee Center, Chapter 7.

Robin E. Windhausen, 5762 E. Main St., Verona, Chapter 7.

Jessica A. Colvin, 329 Washington Ave., Oneida, Chapter 7.

Wayne A. and Betty Kicak, 206 W. Bloomfield St., Rome, Chapter 7.

Ward Bonds, 401 N. Levitt St., Apt. 14, Rome, Chapter 7.

Paul F. LaVeck, 316 Third Ave., Frankfort and Kim M. LaVeck, 226 Main St., Ilion, Chapter 7.

Sue D. Breen, 105 S. Berkey Drive, Chittenango, Chapter 13.

Richard Henry Clark Jr., 10375 River Road, Camden, Chapter 7.

Steven C. Linn, 1707 Lincoln Lane, Rome, Chapter 7.

Randolph G. and Jill M. Miller, 37 Whitesboro St., Yorkville, Chapter 7.

Deborah A. OBryan, 512 Main St., New York Mills, Chapter 7.

John J. Prosinksi, 223 Wildwood Ridge, Frankfort, Chapter 7.

Tari L. De Mauro, 161 East Clark St., Ilion, Chapter 7.

Patrick J. and Cheri L. Citro, 1503 Redwood Ave., Utica, Chapter 7.

Michael Khiamdavanh, 1509 Lenox Ave., Utica, Chapter 7.

Mike J. and Karen L. Doolen, 8120 Seneca Mobile Manor #102, Clinton, Chapter 7.

Philip and Maryjane Muscarella, 5635 Rome-Taberg Road, Rome, Chapter 7.

Diane Kane, 4425 Stuhlman Rd. C3, Vernon, Chapter 13.

Dianne M. Miller, 18 Oswego St., Apt. 4, Camden, Chapter 7.

James D. Lancette, 6594 Brewer Road, Oneida, Chapter 7.

Dolores M. Varano, 5988 Cavanaugh Road, Marcy, Chapter 7.

Dolores M. DesGrosielliers, 297 Spohn Road, Ilion and Daniel L. DesGrosielliers, 82nd Ave., Apt. 2, Ilion, Chapter 7.

Joseph A. Acquasanta, 110 1/2 Sixth St., Rome, Chapter 7.

Amanda J. Girven, 78 Myers Road, Lee Center, Chapter 7.

Eva M. Westcott, 15 Meyers Road, Lee Center, Chapter 7.

Jodi L. Saracino, 22 North Helmer Ave., Dolgeville, Chapter 7.

Mehmed and Adisa Mededovic, 1204 Kathleen St., A-2, Utica, Chapter 7.

Kenneth B. and Beverly J. Firman, 418 3/4 N. Prospect St., Herkimer, Chapter 7.

Melissa J. McCann, 138 Bono Blvd., Frankfort, Chapter 7.

Stephanie A. Seely, 111 Richardson Ave., Utica, Chapter 7.

Dawn Elizabeth Winston, 231 C Hillcrest Manor Courts, Utica, Chapter 7.

Felicia Marie Greene, 1211 Neilson St., First Floor, Utica, Chapter 7.

Timothy James Brown, 150 Sale Road, West Winfield, Chapter 7.

Jeffrey John Henry Bruce, 610 Schumaker Road, Mohawk, Chapter 7.

John and Eleanor Wellington, 208 Frank Drive, Mohawk, Chapter 7.

Gary W. Sutch, 933 Mary St., Utica, Chapter 7.

Rachel Hopkins, 10601 Hulser Road, Lot 49, Utica, Chapter 7.

Ann Briggs-Lavine, 9559 Harris Road, Lee Center, Chapter 7.

Alfred M. and Bonnie M. Pierson, 27 Summit St., Middleville, Chapter 7.

Joseph H. and Viola G. Bordelon, 6778 Route 20, PO Box 103, Bouckville, Chapter 7.

Michael E. Garramone, 12187 Woodhull St., Forestport, Chapter 13.

Christopher M. and Rhonda A. Ingham, 1104 Jervis Ave., Rome, Chapter 7.

Rebecca L. Hoffman, 226A Hillcrest Manor Court, Utica, Chapter 7.

Donald Murle McLain, 330 Washington Ave., Oneida, Chapter 7.

Steven James Westcott, 444 Park Drive Manor, Rome, Chapter 7.

Neil Alexander, 1317 Thorn St., Utica, Chapter 7.

Rafael Picart, 1243 Hammond Ave., Utica, Chapter 7.