

request of Gordon's lawyer, James Anderson.

Monday's hearing began with Gordon's attorneys reading a deposition from a doctor about the mental competency of several people who cast absentee ballots in the runoff. That part of the hearing was held in private because of concerns about publicly airing people's medical information.

Afterward, Richard Roper, a retired document examiner for the Alabama Department of Forensic Science, spent about two hours detailing the minutiae of signatures -- things such as pen pressure, tapering finishing strokes and how a person scrawled an "X".

He said signatures on about 75 absentee ballots did not match signatures on affidavits, driver's licenses or voter registration forms.

Flott's attorneys argued that the inconsistencies in the signatures could be due to the old age of the signers. Addie Clark, a 78-year-old woman whose signature was alleged to have been forged, testified that she did sign her ballot.

Flott's lawyers then showed the panel 55 more ballots, they thought were questionable. They did not hire an expert to examine the signatures on the ballots, and Burks did not let them use Roper because he was being paid by Gordon's team.

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PRESS-REGISTER

Gordon: Absentees had mass forgeries

Tuesday, August 15, 2006

By **BILL BARROW**
Capital Bureau

MONTGOMERY -- An attorney for Mobile chiropractor James Gordon said Monday that he will present evidence of widespread absentee ballot forgeries, some on behalf of mentally incompetent or unaware senior citizens, as he challenges respiratory therapist Darren Flott's Democratic runoff win in Alabama House District 98.

The election contest hearing, in which Gordon is protesting the 65-vote margin Flott captured July 18, opened here Monday before a group of state Democratic Party leaders. But the panel, acting on the request of Gordon's lawyer, voted to move the hearing to Mobile, where attorney James Anderson said he can more easily obtain relevant election records and testimony. The five-person board plans to reconvene this coming Monday morning at an undetermined site.

The two candidates, both residents of Eight Mile, remained silent during the proceedings. Flott has denied that his campaign engaged in any concerted effort to distribute or collect absentee ballots.

Anderson said during the hearing that he plans next week to call as expert witnesses a handwriting expert and a medical doctor. He had already given the panel the names of 313 absentee voters whose ballots could be at issue in the case.

Anderson said the handwriting expert is reviewing signatures on voters' absentee applications and on documentation that must accompany a ballot when it is returned to the Mobile County absentee ballot office. Those records, along with the ballots themselves, must be maintained in case of an election contest.

A former statewide judicial candidate, Anderson frequently represents clients involved in voting disputes.

During a recess, Anderson showed the Press-Register a voter's absentee application marked with a legible signature, but whose ballot was returned signed with an "X." He said there are several other similar instances.

Further, Anderson said he expects his forensics expert to identify scores of cases where the handwriting of the voter's signature appears to be similar to that of the required witness or where the signature on a voter's application appears different from the signature on the returned ballot.

Anderson said he has not inspected any actual ballots, which means it cannot be known whether the discrepancies involve votes that went for Flott. Ballots can be reviewed only in court or in front of the quasi-judicial panel convened to hear Gordon's contest.

Absentee ballots are numbered, however, so in Monday's proceeding, individual ballots could be matched with the 313 names.

Runoff returns show Flott with 283 absentee votes to Gordon's 143. That 140-vote advantage is more than double Flott's overall margin of victory. Gordon posted a 75-vote advantage among ballots actually cast on July 18 in precincts around the district.

Gordon led a three-man field in the June 6 primary. In that round of voting, Gordon garnered 85 absentee votes. Flott received 69. Absentee votes were 15.5 percent of the total July turnout and 4.6 percent of the total turnout in June.

In previous public comments, Gordon has called particular attention to the Eight Mile Nursing and Rehabilitation Center, where, according to Mobile County election records, almost 70 residents applied for absentee ballots, with at least 58 returning completed ballots. The records offered no indication about which candidates individual voters supported.

An administrator at the St. Stephens Road facility has told the Press-Register that he was unaware of any unusual voting practices connected to residents there. Gordon has suggested that Flott's work as a respiratory therapist gives him personal connections to the center, a charge Flott has denied.

Monday's hearing was a series of small defeats for Flott, whose attorneys argued that the complaint should be thrown out because of alleged procedural violations. Flott's attorneys also said Anderson failed in his pre-hearing filings to provide evidence of any illegal votes.

Christopher Couch, who practices in the Birmingham office of Mobile-based Miller, Hamilton, Snider & Odom, then argued unsuccessfully against moving the

rest of the hearing to Mobile.

With no Republican in the race, the eventual winner in the dispute will succeed the retiring Rep. Bill Clark, D-Prichard. Clark endorsed Gordon.

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Group battles voter fraud

By Francis X. Gilpin
October 10, 2006
Montgomery Advertiser

GREENSBORO -- LaKiesha M. Williams got a surprise last year when she went to vote in this west Alabama city of fewer than 3,000. Somebody else had already cast her vote -- by absentee ballot.

Williams, 30, remembers applying for an absentee ballot by mail. But Williams is sure she never received it.

"I'm still ticked off," said Williams. "No matter what, I still can't get that vote back."

Williams' experience in Hale County is hardly unique. Elections in Alabama's portion of the impoverished Black Belt have been tainted for decades by slipshod processing of absentee ballots. Some of those implicated in the vote fraud have held public office themselves.

But there is growing recognition that desperately needed new industry will continue to elude the region until local elections are cleaned up. The Black Belt Action Commission, a state panel trying to improve the local standard of living, has declared vote fraud to be the region's biggest challenge, even ahead of improving public education.

Citizens are no longer standing by while they say their elections are hijacked. A group of mainly Hale County residents formed the Democracy Defense League last year to encourage law enforcement officials to investigate election fraud here and elsewhere in Alabama. In addition, the DDL is lobbying state officials to tighten absentee-voting procedures.

"We can't change state law from Hale County," said DDL co-founder Perry Beasley, who helped spearhead the last major vote-fraud prosecution in the county before his retirement from the Alabama Bureau of Investigation. "It has to come from Montgomery."

Faye Cochran, who chairs the local board of registrars, recalls a lull in suspiciously high absentee voting after the ABI probe, which sent a former Greensboro city councilman to state prison in 2001 on election-related forgery charges. But recent Black Belt elections have resumed the historical pattern. The losers of two 2004 mayoral elections, including one in Greensboro, have gone to court to overturn what they claim were fraudulent results.

Alabama Attorney General Troy King has been investigating potential vote fraud. To date, however, the only thing resembling an arrest nabbed somebody from King's own staff. Last fall, George Barrows had to turn himself in to the Hale County sheriff after a woman accused the King investigator of harassing her while serving a subpoena. A judge later dismissed the case.

With voters due at the polls again Nov. 7, DDL members are getting edgy.

"The same thing's going to go on unless something is done to stop it," said Cochran.

Judge versus judge

The most recent round of contested Black Belt elections began with a 2002 race for Hale County commissioner. Yolanda A. Watkins unseated incumbent Commissioner James "Buster" Brown by 34 votes in a Democratic primary. Brown promptly filed a challenge, blaming his defeat on illegal votes acquired through bribery and intimidation. Brown wasn't alone with his concerns.

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Edgar W. Greene Jr., the district attorney at the time for the circuit covering Hale County, received complaints that unregistered voters had cast absentee ballots while legitimate absentee votes weren't tabulated. Greene sought to impound the ballots as evidence, but Circuit Judge Marvin W. Wiggins wanted them, too.

Wiggins unilaterally deemed the ballots to belong with Hale County's circuit clerk, Gay Nell Tinker, who also happens to be the judge's sister. But Hale County Probate Judge Leland Avery refused to turn over the election records. That prompted Wiggins to order Avery's arrest.

While Avery sought refuge in an appeal to the state Supreme Court, the probate judge stored the ballots at a local bank. The ballots were nearly destroyed when an arsonist torched the 95-year-old bank building in the wee hours of July 7, 2002. Fortunately for Greene's probe, the ballots survived because they were secured in a fireproof vault. A fire marshal's investigation into the unsolved arson remains open, according to state officials.

The Supreme Court eventually awarded custody of the ballots to Greene, who had argued that Tinker, as the county's absentee voting manager, shouldn't have access to the disputed ballots while his office investigated the election.

The justices also found that Wiggins had no business getting involved in the matter because no legal action was filed in his court. Wiggins says he cannot answer questions about the 2002 case because it may be part of the attorney general's current investigation.

Brown, who has since passed away, withdrew his 2002 election challenge because he didn't want to impede the criminal investigation. But Greene filed no charges. His successor, District Attorney Michael W. Jackson, speculates that Greene's probe died with Brown.

King's investigation is believed to be focusing on the 2004 Greensboro mayoral election.

Cochran, whose office is in charge of Hale County's voter rolls, says the attorney general opened his inquiry even before the controversial mayoral runoff. In the weeks leading up to the Greensboro election, Cochran says her office received a slew of change-of-address forms purportedly from voters moving inside the city limits. Cochran says she was suspicious of who was bringing many of the forms to her office.

It was Aaron Evans, the former city councilman who was ousted from office following a 1998 election-fraud conviction. State records show Evans, 55, who was also a former city police officer, got released from prison in 2003 after serving about two years on charges of forging absentee ballot documents for a 1995 Greensboro election. Upon his release, Evans was welcomed back to Greensboro with a parade and a new city job.

In a telephone interview, Evans spoke only briefly about his election activities before hanging up.

"I wasn't guilty then and I'm not guilty now," Evans said. "You have a good day."

Cochran says she began checking some of the city addresses listed on the forms that Evans turned in. At one address, there was nothing but a fire hydrant.

"One of them was this rundown mobile home," she called Cochran. "No way anybody could live in it. The windows were out. Vines were growing even into the mobile home."

Who's the mayor?

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J.B. Washington claimed the Greensboro mayor's office in a Sept. 14, 2004, run off with 762 votes to Vanessa Hill's 672. His tally included 251 absentee votes, about a third of his total.

Hill filed an election challenge with Tinker in the circuit clerk's office. But it wasn't easy. At first, Tinker refused Hill's filing, according to court records. Then, the clerk demanded a \$2,500 cash bond. Hill's lawyer, Walter E. Braswell of Birmingham, stated in a court filing that the bond demand was unprecedented for a Hale County election challenge. Finally, after accepting Hill's legal paper work, Tinker neglected to have the documents served on Washington until ordered by a judge, according to Braswell.

Tinker declined a request for an interview. The circuit clerk says she isn't interested in what the DDL or its allies have to say.

"They're anti-Gay Nell anyway," Tinker said. "I'm going to let God handle it. This comes up every election cycle. All I'm going to say is whatever God has in mind is fine with me."

A Montgomery County circuit judge was assigned to hear Hill's legal challenge to the Greensboro mayoral election outcome. In January, Judge William Shashy threw out 148 illegal absentee ballots, effectively declaring Hill to be Greensboro's mayor. Washington remains mayor of the Hale County seat, more than two years after the polls closed, as he appeals to the state Supreme Court.

Braswell summed up Hill's case at a court hearing before a special master appointed by Judge Shashy. "We're here because there was an attempt to steal this election," said Braswell, a former federal prosecutor.

Shashy tossed out more than half of Washington's 251 absentee votes. The judge cited absentee ballot affidavits that were forged, ballot envelopes that contained none of the required postmarks, and ballots that had been cast by voters who didn't show valid identification.

During court proceedings, Hill attorney Braswell linked Tinker to suspect ballots.

"The record would show that on more than 50 of the illegal votes she was the notary," Braswell said during the special master's hearing.

The special master, Montgomery attorney James H. Anderson, cautioned that court clerks often notarize official documents.

In a subsequent Supreme Court filing, however, Braswell pointed out that Tinker and her husband, state Sen. Bobby D. Singleton, D-Greensboro, were active supporters of Washington's mayoral campaign. Braswell went on to note that Tinker notarized "numerous absentee affidavits later found to be false or forged," while Singleton's name "appears as a witness on a number of the disqualified ballots." Those ballots were counted for Washington on election night, Braswell added.

Singleton says he and his wife did nothing improper to help get Washington elected. The senator says the rejected absentee ballots with signatures witnessed by him were tossed out because there were questions about voter identification, not the validity of the signature.

"Absentee voting is a legal process," Singleton said. "They want to make it out like there is something wrong with it."

Across the county line in Marion, absentee ballots have taken center stage in another disputed 2004 mayoral election.

Both the declared winner, Anthony J. Long, and the losing candidate, Robert D. Bryant, depended heavily on absentee votes. About 58 percent of Long's total vote came from absentee ballots. Bryant's campaign manager, Perry County Commissioner Albert F. Turner, seized on the unusually high figure, despite his own candidate relying on absentee ballots for nearly 36 per cent of his vote.

Although some experts say absentee percentages above single digits are out of the norm, Birmingham election lawyer Edward Still says the Black Belt's commuting workforce votes absentee in higher numbers because workers cannot get to the polls on Election Day.

At a Perry County trial in 2005, Bryant's lawyer introduced evidence that dozens of Long's absentee ballots were mailed to the same two post office boxes. While fending off additional allegations that felons voted illegally for the winner, Long's attorney questioned the legality of several absentee ballots notarized by Turner and other Bryant supporters.

Both sides claim they proved more than 100 absentee votes should be disallowed. Circuit Judge Marvin Wiggins, who presided at the trial, has yet to render a decision more than a year after testimony concluded. Wiggins says he cannot comment on pending cases.

Albert Turner, 42, son of a legendary Alabama civil- rights activist who beat a 1985 vote-fraud indictment, couldn't be reached for comment at his Perry County office. The younger Turner has expressed disappointment that the DDL didn't assist Bryant.

"This showed that their real purpose is not to fight voter fraud at all," Turner told the Demopolis Times last year. "I feel their real purpose is to gain political power in Hale and Perry counties."

Unhappy novice voter

DDL leaders may have hesitated because of an episode from Turner's unsuccessful 2005 election campaign against Ralph A. Howard for the Alabama House of Representatives.

Cynthia Y. Davis, a Francis Marion High School student at the time of the 2005 election, states in an affidavit that she was taken out of class and transported by Turner to her Perry County polling place. One of Turner's campaign workers then escorted the 18-year-old Davis in to vote for the first time.

Davis says the Turner campaign worker stood over her while she marked a ballot for Howard. When the Turner worker saw that, Davis says the woman grabbed the ballot and requested another from election officials. This time, leaving nothing to chance, the Turner worker marked the ballot for Turner and dropped it into a tabulating machine, according to Davis. "My rights were deprived," Davis said.

Like LaKiesha Williams, Davis filed a complaint with law enforcement. After Williams filed hers with the Hale County sheriff, she says she received a series of telephone calls, including a few from Sen. Singleton.

Before the 2005 House election, Williams says in a sworn statement, the senator's wife and his aunt, Shirley Pickens, visited her at home. Williams says Tinker and Pickens had her sign some paperwork and told her to expect an absentee ballot in the mail within a few days. But Williams was adamant that she never received the ballot, as the women had promised.

When the absentee ballot didn't arrive, Williams says she went to the polls on May 3, 2005, expecting to support Howard, who won the open House seat that day. Instead, Williams says she later learned that an absentee ballot in her name had been marked for Turner.

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In a phone call after she filed the sheriff's complaint, Williams claims Singleton suggested she recant the allegations against his wife and his aunt. "Don't help the white man," Williams says Singleton told her. Both Williams and Singleton are African-Americans.

Pickens had a simple response to the accusations from Williams: "Those are lies." She declined further comment.

Singleton, who won a special Senate election last year with 42 percent of his vote coming from absentee ballots, denied making the statements attributed to him. The senator says he only suggested Williams, a friend of his family, report the incident to District Attorney Michael Jackson. "I didn't trust the sheriff to do the right thing," said Singleton.

Hale County Sheriff Larry Johnson says he turned over the Williams complaint to the state attorney general because it concerned possible voter fraud. Johnson added that he did not forward the case file to Jackson's office because the district attorney is Singleton's friend and would have a potential conflict of interest.

Singleton says the DDL pressured Williams into complaining. The senator accused the DDL, with a predominantly white membership, of attempting to restore white politicians to their former positions of county power.

"The whites, they've stolen elections year after year after year," Singleton said. "Now the black folk have taken over the county and are voting for their own. Then, it's voter fraud." Beverly M. Bonds, DDL's secretary and treasurer, says the election reform group has black and white members.

DDL leaders say they are somewhat relieved that Tinker was soundly defeated in this year's Democratic primary for circuit clerk. But, four months after the primary, Tinker hasn't taken down all of her campaign signs.

Tinker declined to say whether she might try to keep her job by running a write-in campaign for this fall's general election. Since her name won't appear on the ballot, Tinker may serve as the county's absentee voting manager next month.

017079

Alabama

Voting fraud hurts democracy (Montgomery Advertiser editorial)

Montgomery Advertiser
Editorial
October 8, 2006

There are few things more important to a functioning democracy than the sanctity of the ballot and a sense among potential voters that elections are honest and fair.

If people come to believe that their vote truly doesn't count, or that their legitimate vote is offset by an illegitimate one, then faith in the democratic process is eroded. The result is low voter turnout and lack of faith in government.

That's why it is crucial that federal, state and local authorities come down hard on anyone who in any way attempts to stuff ballot boxes or buy votes or unduly influence individual voters.

In Alabama, unfortunately, one way that the voting system historically has been abused has been through misuse of absentee ballots. Past court cases have disclosed numerous instances where the outcomes of elections have been skewed by people who manipulate absentee ballots in one way or another.

In an article on Page 1A today, Montgomery Advertiser reporter Francis X. Gilpin explores problems with voting in several counties in West Alabama that center on absentee ballots.

This isn't just a West Alabama issue, however.

The state was shocked in 2000 to learn that 11 people in Winston County in North Alabama were indicted in a federal state investigation into voter fraud. Among the indicted were the sheriff, the circuit clerk, a district judge and the county commission chairman. Nine of them pleaded guilty to charges involving such things as buying of absentee ballots with money or alcohol. In the affected Republican primary election that year, there were 1,102 absentee ballots cast. During a subsequent election there were about 150.

But despite that case, the abuse of absentee ballots seems centered in West Alabama, including Hale, Marion and Perry counties.

There some voters have shown up at the polls to vote only to find that someone had filed for an absentee ballot in their name and voted it without their knowledge. In other instances, large numbers of absentee ballots have been sent to one address. Reporters have found instances where absentee ballots were mailed to addresses where no one lived.

The sheer number of absentee ballots cast in some elections raises serious questions about voter fraud. It is not uncommon for 20 or 25 percent of the total vote in a West Alabama county or city election to be cast by absentee ballots, when 2 to 5 percent is the norm in other parts of the state.

For years some political leaders have defended those large absentee ballot percentages by claiming that large numbers of voters from those affected counties have to commute long distances to work and cannot get back to their home communities in time to vote.

But that explanation simply doesn't hold up to rational scrutiny.

Consider that the U.S. Census Bureau lists the commuting time to work for Hale County residents at about 29 minutes on average, compared to about 25.5 minutes for the nation as a whole. That might justify absentee ballot use slightly above the state and national norm, but not five or six times the norm.

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Nor does it explain why it is common for one candidate in an election to get a ridiculously high percentage of their votes from absentee ballots while their opponents get relatively few.

If the use of absentee ballots were simply a function of a high percentage of workers who commute, then all candidates should get higher than average absentee votes.

But as Gilpin's reporting shows, often those votes are outrageously skewed in favor of one candidate. Something is clearly amiss when one candidate gets 39 percent of his or her votes from absentee ballots while their opponent gets 2 percent, for instance. In one election, one candidate, Albert F. Turner, got 59 percent of his votes from absentee ballots while only 1 percent of his opponent's votes were absentee.

Such numbers defy logic.

It is crucial that federal and state law enforcement officials, especially Alabama Attorney General Troy King, not tolerate such abuses. We urge King to make it a priority to thoroughly investigate any substantive allegations of voter fraud and to prosecute all violators to the full extent of the law. We also urge him to ensure that the election process in November is closely monitored.

In a democracy, voter fraud cannot be tolerated. The entire democratic process depends upon the public believing in the sanctity of the ballot.



Eufaula Tribune

07/11/2006

AG's office subpoenas election records

By: Evelyn Pelfrey, Media General News Service

The Alabama Attorney General's office is investigating the June 6 primary election in Barbour County, according to Joy Patterson in the AG press office. She confirmed Friday that Barbour County Probate Judge Nancy Robertson and Sheriff Marshall Williams, Jr. have complied with subpoenas to turn over all of the ballots and the voting machines stolen from one precinct before the polls opened on election day.

"It is part of an investigation into alleged voting irregularities and theft of voting machines," Patterson said.

Patterson said no further information is being released at this time.

"I don't know what they're looking for," Robertson said. "I don't have a clue."

Williams and Circuit Court Clerk David Nix managed the primary election because Robertson was running for a second term as probate judge.

"I haven't done anything wrong and I don't think any of the other election officials have done anything wrong," Williams said. "It is a big job and we handled it according to the law."

Shortly after the primary election, it was discovered that the 690 Clayton precinct votes had been left off of the unofficial summary report on election night, so a computerized re-count was conducted.

"The central counting machine kept dropping the Clayton Courthouse votes," Robertson said. "It was a computer glitch."

After the re-count, in which Robertson gained 491 more votes, the results were re-certified by the Barbour County Democratic Executive Committee.

"It didn't change the runoffs or the other races' results," Robertson said.

The stolen voting machine and handicap voting machine, which had no ballots in them, were found unharmed the next day on the side of the road.

"They didn't take any ballots," Williams said. "Our ballots are numbered and they have to correspond with the voter list."

A spare voting machine was rushed to the precinct on election day so votes were not missed.

Williams said the investigation into the theft is at a standstill.

"I have no leads, no nothing on it," Williams said. "I still think it was young people with no motive, really."

Williams and Robertson said they don't think the attorney general's investigation will reveal anything that would change the primary election results.

Robertson beat challenger Orvie Locklar, chief investigator for the Barbour County District Attorney's

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Office, by 55 percent to 44 percent of the primary vote. Two of the local races ended up in a run-off, scheduled for July 18.

In the six-man sheriff's race for the office Williams is vacating, two sheriff's deputies are in a run-off.

Grady Wilburn Bush got 21 percent of the primary vote to Leroy Upshaw's 33 percent.

In the District Six county commission race, which includes the Mount Andrew Community Center precinct where the voting machines were stolen, incumbent commissioner Pat Ivey got 363 votes in the primary to Jason Guice's 325 and Debbie Tyler's 96.

Absentee voter records were not subpoenaed, according to Nix, who is the absentee election manager.

"The absentee ballots are turned over to a polling board," Nix said.

Robertson said she held on to the black data packs from the voting machines in case another re-count is necessary.

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017083

Why renew Voting Rights Act? Ala. town provides answer

By DeWayne Wickham

When Asian-American residents of Bayou La Batre, a small Alabama town that was made famous by Forrest Gump, went to the polls in August 2004, they might have had one of the film's most memorable lines on their mind. "Momma always said life was like a box of chocolates. You never know what you're gonna get," Gump, the title character in the Oscar-winning movie, said prophetically in the opening scene. After being urged by several candidates to vote in the municipal election, many of the Southeast Asian-Americans in the town of about 3,000 had their ballots challenged. Nearly 50 of them were forced to fill out paper ballots and have another registered voter vouch for them.



Huynh

Despite these hurdles, Phuong Tan Huynh — the first Asian-American to run for City Council there — defeated Jackie Ladnier in the October runoff, but only after the Justice Department intervened.

Tuesday, the Lawyers' Committee for Civil Rights Under Law, a non-partisan group, released a 187-page report that argues the need for reauthorizing the sections of the Voting Rights Act that are set to expire next year. One of them empowered the Justice Department to send observers to monitor Bayou La Batre's runoff election.

Though the law "has accomplished much during its first 40 years, more remains to be done in order to protect the rights of racial and ethnic minorities to fully and equally participate in the electoral process," the report concludes.

Prime example

What happened in Bayou La Batre is proof of that. The voter challenges came from supporters of Ladnier, who is white. The challengers complained that the Asian-American voters were not citizens, had criminal records or didn't live in Bayou La Batre.

Ladnier told the *Mobile Register* he knew that some of the Asian-Americans had been in trouble with the law. "A lot of them we didn't know but had to make a judgment, say if someone came and met them outside and ... seemed to be guiding them through it," he told the newspaper. "Also, we figured if they couldn't speak good English, they possibly weren't American citizens."

That's just the kind of knee-jerk opposition the Voting Rights Act is supposed to guard against.

"We can confirm that there were race-based challenges to Vietnamese voters in the city's primary election," Justice Department spokesman Eric Holland told me. "We monitored the election and in concert with local officials prevented any race-based challenges" in the runoff. That's the sort of good news ending that drafters of the report, "Protecting Minority Voters: The Voting Rights Act at Work 1982-2005," want to safeguard.

Support, but concern

Both President Bush and the Republicans who control Congress support renewal of the Voting Rights Act. But that hasn't stanching the concerns of civil rights activists.

"The president has made a general statement of support for reauthorization of the Voting Rights Act ... (but) the devil is in the details," Theodore Shaw, the president of the NAACP Legal Defense Fund, said during a January conference call with The Trotter Group, an organization of black columnists.

Likewise, Karen Narasaki, executive director of the Asian American Justice Center, told the group that she fears conservatives will weaken the law even as they renew it. "You can reauthorize something, but it does not necessarily mean that it is actually going to be effective and strong" when the process is completed, she said.

And that's what worries me. The renewable sections of the Voting Rights Act are the heart of this important law. They require "preclearance" of voting law changes; they permit the use of federal election monitors and language assistance for voters in jurisdictions that have a history of discriminatory treatment of minority voters.

It was these protections that paved the way for the election of Phuong Tan Huynh — and which need to be renewed intact.

DeWayne Wickham writes weekly for USA TODAY.

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Initiative: Check voting machines

By Howard Fischer

CAPITOL MEDIA SERVICES

PHOENIX — A self-described grass-roots organization wants to force a sample manual count of ballots cast with electronic voting machines to ensure they are recording votes accurately. Arizona Citizens for Election Reform has filed the necessary papers to begin circulating petitions to put the issue on the November ballot. The group has until July 6 to get 122,612 valid signatures.

But Kevin Tyne, deputy secretary of state, said the measure is unnecessary and would be a step backward. He said all the research shows machines are more accurate than hand-counted ballots.

Stefan Silverston, vice chairman of the citizens group, said there is a concern that electronic machines — particularly the touch-screen machines that are becoming more popular — are subject to tampering and other problems that could change the outcome of an election. One provision of the initiative would require all machines to produce a paper receipt people can review to make sure their vote was recorded properly. Tyne said that's already a requirement for the touch-screen machines the state is buying for use by the visually handicapped. Most other machines use paper ballots marked by individuals, which are fed into optical scanners.

The proposal also would require that a sample number of electronic votes be compared with paper ballots. If the difference in count at any polling places is more than four, a full hand count would be required. Silverston said that would ensure the machines are accurate. Tyne said that ignores evidence showing the hand counts are more likely to produce errors than the machines. But he acknowledged there have been problems with machines. Most recently, there was a recount of ballots in a Republican legislative primary in Phoenix, made necessary by the closeness of the vote. But the recount — in this case, feeding the same paper ballots back through scanners again — produced nearly 500 additional votes and changed the outcome of the race.

Harper withdraws his election lawsuit

Casey Newton

The Arizona Republic

Jan. 12, 2006 12:00 AM

A state senator investigating a disputed election has withdrawn a lawsuit seeking access to the ballots, but he said he would file a new suit soon.

Sen. Jack Harper, R-Surprise, said he decided to drop his suit in Superior Court after the Maricopa County Attorney's Office opposed his request for a continuance.

He said he needed more time to read a report by an outside investigator, which he expected to receive late Wednesday.

The investigator, Douglas Jones, and the circumstances of his hiring have brought criticism to Harper.

The controversy concerns the September 2004 District 20 primary race, in which John McComish defeated Anton Orlich after a recount found more than 400 new votes and reversed the initial outcome.

After the Senate refused to pay for Harper's investigation into the recount, Harper turned to the weekly newspaper *New Times*, which paid \$3,000 for a University of Iowa computer-science expert to examine the results.

Last week Democratic Sen. Bill Brotherton filed an ethics complaint against Harper, arguing he might have acted improperly in issuing a legislative subpoena to assist in an inquiry funded by a private party.

Harper said he expected to file a new lawsuit after Jones releases his report.

"If Jones says that he cannot determine where the nearly 500 new votes showed up, then we need to see the ballots," Harper said. "And I understand that his report says that he needs to see the ballots."

Efforts to reach Jones on Wednesday were unsuccessful.

County Attorney Andrew Thomas said that if Harper needed more time to build his case, he shouldn't have requested an emergency court order to grant access to the ballots.

"For him to file this lawsuit, claim it was an emergency, then ask for a delay, and dismiss his lawsuit when he didn't receive it, makes absolutely no sense," Thomas said. "The reality is, he filed a frivolous lawsuit, the taxpayers of Maricopa County are out thousands of dollars in attorneys' fees devoted to responding to this suit, and rather than facing the music in court, he's dismissed the action and refuses to accept responsibility for what he's done."

Voting expert says ballots from primary should be examined

Harper to face ethics panel

Casey Newton

The Arizona Republic

Jan. 13, 2006 12:00 AM

A voting-technology expert is calling for the examination of ballots cast in a District 20 primary election, saying it is the only way to quell concerns that the ballots were tampered with.

While the report gives support to those who have questioned the handling of the September 2004 recount, the circumstance of its release could mean trouble for the state senator who sponsored it.

"Without empirical examination of a random sample of voted ballots, there is no way to decide between the hypothesis that ballots have been altered and the hypothesis that ballots were miscounted by poorly calibrated machines," University of Iowa Associate Professor Douglas Jones wrote in a report released Thursday.

The study's release marked the latest chapter in a saga that began as a simple inquiry into the results of an election.

It has grown into a contentious fight over voting machines, Senate ethics and the role of the press in government investigations.

State Sen. Jack Harper, who had commissioned the report, said he was disturbed by the possibility that someone tampered with ballots cast in the Republican primary between John McComish and Anton Orlich.

McComish beat Orlich after a recount found nearly 500 new votes, reversing the initial outcome.

"I'm very alarmed that Dr. Jones believes one of the options may be fraud," said Harper, R-Surprise.

Last year, an investigation by the Maricopa County Attorney's Office found no wrongdoing in the handling of the recount.

But the appearance of so many new votes has baffled investigators, Jones included. He was traveling Thursday and could not be reached for comment.

The results of Jones' examination were first published Wednesday on the Web site of *New Times*, the weekly newspaper that agreed to pay for the study after the Senate refused.

Sen. Bill Brotherton said Thursday that he would pursue an ethics complaint against Harper, arguing he used his legislative subpoena power to "provide a scoop for a newspaper."

The Senate Ethics Committee is expected to discuss the issue next week.

In a story in Thursday's *New Times*, Editor Rick Barrs defended the paper's decision

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to pay for the outside expert.

"It's done frequently across the country," he wrote. "Otherwise, public officials would get away with way more cover-ups."

But Brotherton, D-Phoenix, rejected what he described as an "ends-justify-the-means mentality" among those seeking access to the ballots.

"What I believe is that whatever the circumstances, you should do the right thing in the right manner," Brotherton said.

Harper said he plans to file a lawsuit seeking access to the ballots.

He added that he had received an offer from an unnamed outside group to fund the ballots' examination, should one be allowed.

Still, Harper acknowledged that the Ethics Committee inquiry could be cause for concern.

"If they let the facts speak for themselves, I don't have anything to worry about," Harper said. "If politics comes into it, then who knows what'll happen."



The Birmingham News

Ex-sheriff, attorney deny conspiracy

Tuesday, January 10, 2006

VAL WALTON
News staff writer

Former Jefferson County Sheriff Jim Woodward and attorney Albert Jordan told jurors in their federal trial Monday they did not conspire to illegally run criminal history checks on absentee Bessemer voters for Woodward's election contest.

Woodward, testifying in his own defense, said he gave Sheriff's Department employees authorization to conduct background checks using restricted federal databases as part of a legitimate investigation into allegations of voter fraud in Bessemer.

His office started receiving more calls about voting irregularities following the Nov. 3, 1998, general election, he testified.

"I felt that it was necessary to investigate these complaints of voter fraud," Woodward said during the fourth day of testimony. "I felt there was a lot of evidence there."

Woodward testified he brought in the Alabama Bureau of Investigation and tried to get the state Attorney General's office to also investigate.

But Justice Department lawyers contend Woodward's investigation of voter fraud began only after election officials announced he lost the general election to his Democratic challenger, Mike Hale.

The prosecution said Woodward and Jordan, who headed Woodward's legal battle to regain his office, searched for ways to challenge those votes and zeroed in on absentee ballots, particularly those cast in the Bessemer Cutoff that went decisively for Hale.

Asked about timing:

Prosecutor Natasha Tidwell quizzed Woodward during cross-examination about the timing of the probe, suggesting the two men initiated a cover-up on Nov. 20, 1998, using complaints from earlier elections after media reports that criminal databases were being used illegally.

Woodward denied the accusation.

Woodward testified his purpose was above board to "ferret out" voter fraud crime and to prosecute.

"Was it a legitimate investigation?" his attorney Al Agricola asked.

"Absolutely," Woodward answered.

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Woodward said he sought Jordan's assistance because of his past expertise in challenging voter fraud.

"He was my attorney," Woodward said. "I thought I could provide my attorney with anything."

Jordan is accused of calling Royce Fields, then an assistant sheriff in command of the Bessemer division, to get absentee voter lists in Bessemer and to run the checks using department employees, including secretaries.

Prosecutors said Jordan had no independent authority to access the database or have access to the results from the restricted National Crime Information Center database.

Jordan told jurors he never called Fields and did not authorize anyone to conduct criminal checks.

"I didn't ask him to do anything," he said.

Fields testified last week that Jordan, with Woodward's approval, called him two days after the election for the checks. Fields said Woodward later directed him to take the results to Jordan's office.

Testimony disputed:

Jordan disputed Fields' testimony.

Jordan said he was unaware that Fields and a private investigator were coming to his office. He said he also did not know the information Fields brought contained information from the restricted database. He did recall seeing notations on the voter list, which is public information, he testified.

Jordan said he did not assist Woodward in investigating voter fraud but offered a recommendation for the checks to be conducted in a non-discriminatory way.

Jordan's attorney, Bill Clark, suggested Fields, who was granted immunity from prosecution as an unindicted co-conspirator, suggested running the background checks.

Woodward filed an election contest on Nov. 24, 1998. Jordan said information used for the challenge came from other sources such as a list of people suspected of voter fraud provided by Lawrence McAdory, a former state representative.

Also Monday, defense lawyers presented witnesses to testify about the men's character. The defense rested, and the prosecution did not offer any rebuttal witnesses.

Jurors will return to the courtroom today for closing arguments.

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PRESS-REGISTER

Worley: Chapman plan is a 'stunt'

Wednesday, May 17, 2006

By **BILL BARROW**
Capital Bureau

MONTGOMERY -- Secretary of State Nancy Worley, a Democrat, has accused Republican Beth Chapman of politicizing the voting process by promising to watch polls in a heavily Democratic county and offering monetary rewards to voter fraud whistleblowers.

Chapman, the state auditor running for secretary of state, announced her plans last week in a made-for-TV news conference, complete with Chapman and a group of Hale County voters raising purple index fingers, a la Iraq, in support of honest elections.

Chapman said the Hale voters invited her to spend the June 6 primary in their county, long a hotbed for election disputes and alleged irregularities. It was her idea, she said, to offer two \$5,000 rewards to voters who provide information about primaries that leads to voter fraud convictions.

The intent, Chapman said, is merely to highlight the need for "honest and fair elections." Worley cast the exercise as a cynical political ploy.

"To take a very serious matter such as voter fraud and turn it into a political stunt is an affront to the Legislature who passed the voter fraud laws, the district attorneys who enforce the laws and the citizens of Alabama who may call the attorney general's office or the secretary of state's office at any time to report voter fraud," she said.

Worley said offering cash rewards could lead citizens to manufacture fraud that they could then report. "We should encourage all Alabamians to follow the law, not offer them monetary rewards to do what is right," she said.

Chapman retorted Tuesday: "If someone is willing to commit voter fraud to get money, chances are they've committed voter fraud before, and if not, they will in the future."

She challenged Worley to match her offer: "Then we'll have \$20,000 to work with ... and we can get four convictions, because I'm sure there will be at least four instances of voter fraud in this state on June 6th."

Chapman said she has not asked Attorney General Troy King whether she can use campaign money or must instead use personal funds for the rewards.

"I won't even ask that question until there's a need to pay," she said. "My hope and my prayer is that there won't be one incident of voter fraud. I'm an optimist. I believe people will do the right thing, whereas Ms. Worley believes that some people may commit voter fraud as a way to get money. ... That doesn't sound like a very clear trust of the people to me."

Disputed Hale County elections have landed in court in recent years. The U.S. Justice Department, which

enforces provisions of the Voting Rights Act; has sent observers and investigators to the county more than 20 times, according to published reports.

State Sen. Bobby Singleton, D-Greensboro, recently testified before a federal panel that white poll watchers at majority black precincts had closed polls early. And earlier this year, the Alabama Democratic Party took over the local party's duties to handle candidate qualifying.

Unopposed in the GOP primary, Chapman awaits the Democratic nominee in the Nov. 7 general election. Worley faces a primary challenge from Ed Packard, one of her employees in the secretary of state's elections division. The secretary of state is the top election official in Alabama.

Chapman and Worley have fired veiled shots at one another before. As state auditor, Chapman appoints registrars in 66 of Alabama's 67 counties. She has generally been critical of how Worley has dealt with registrars and other local officials when administering elections and implementing new policies related to federal voting laws.

Currently, the federal government is suing Worley over the state's noncompliance with some federal election law changes. Worley has also faced criticism over high staff turnover and her purchase of a luxury sport utility vehicle for her official use rather than the standard edition included on the state purchase list.

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Prop. 200 focus of House hearing

Chris Ramirez

The Arizona Republic

Aug. 4, 2006 12:00 AM

Proposition 200 has helped prosecutors find - and, for the first time, prosecute - non-citizens who have tried to vote in Arizona elections, Maricopa County Attorney Andrew Thomas told a congressional subcommittee.

Thomas and Secretary of State Jan Brewer on Thursday each testified to the Committee of House Administration that the controversial law is a safeguard against voter fraud.

And although the number of cases at this point is small and there are plenty who say the issue is overblown, the pair stressed that fraud is a reality.

"We're only now just chipping away at this problem," Thomas said.

Thursday's hearing was the latest in a series of 21 hearings that have crisscrossed the nation this summer. Leaders of the U.S. House of Representatives have been holding the sessions to get input for a proposed immigration-reform law.

Critics of Proposition 200 dismissed the hearings as a sham and a tactic to delay passage of a comprehensive immigration bill.

"We don't need Congress to come here and tell us our immigration policy has problems," state Rep. Steve Gallardo, D-Phoenix, said in a press conference before the hearing. "We need them to go back to Washington and fix them."

Last year, 10 non-citizens who registered to vote were indicted, Thomas said. Four actually voted. Prosecutors also are reviewing another 149 voter-fraud cases involving non-citizens attempting register.

"When non-citizens vote, their votes undermine the franchise of all American voters," Thomas said. "This may represent only a fraction of the fraud that's probably going on."

Prosecutors also have brought charges against 13 convicted felons who voted in recent elections, Thomas said.

Phoenix immigration attorney Daniel Ortega, who also testified, disputed claims

that voter fraud involving immigrants was a rampant problem. Proposition 200 will do "disproportionate harm" to minority voters, particularly those living in poverty, he said.

"It's a harmful solution to a problem that doesn't exist," Ortega said.

Outside the hearing, religious groups and immigrant advocates demonstrated against Proposition 200 and criticized both the law and the hearing series.

Roberto Reveles, president of the We Are America Coalition, believed the proposition alienates voters and discourages others, including the disabled and first-time voters, from casting ballots.

"The only fraud that's going on is the fraudulent notion that there's hordes of illegal immigrants going to the polls," he said. "They're trying to create fear."

At one point, a crowd of about 70 pro-immigration demonstrators gathered near the Capitol lawn. A lone Spanish-speaking anti-immigration supporter heckled them.

A shouting match ensued, but there the heckler walked away without incident.

The next hearing in Arizona will be Aug. 17 in Sierra Vista.

October 18, 2006

California Letter Investigated for Warning to Immigrants

By JESSE MCKINLEY

SAN FRANCISCO, Oct. 17 — Federal and state authorities are trying to determine who sent a letter to some Latinos in Southern California that falsely suggested that it would be a crime for immigrants to vote in the coming election.

The letter, written in formal, sometimes clumsy Spanish and signed “Sergio Ramirez,” was mailed last week to an undetermined number of people with Spanish surnames in Orange County, the authorities said. It advised recipients that “if you’re an immigrant, voting in a federal election is a crime that can result in incarceration,” or deportation.

While illegal immigrants are barred from voting, legal immigrants who have become citizens are permitted to do so.

The letter also stated that the federal government had installed a computer system to verify the names of new registered voters who vote in October and November and that anti-immigration groups would be able to access that information. Election Day is Nov. 7, but early voting is allowed Oct. 20-29 in Orange County.

Cynthia Magnuson, a spokeswoman for the Justice Department, which along with the California attorney general’s office is investigating the letter’s source, said there was no such database.

“The letter contains false information,” Ms. Magnuson said.

The letter was printed on stationery labeled with the name of the California Coalition for Immigration Reform, a strident anti-illegal-immigration group whose Web site features a video on how illegal immigrants bring disease to the United States.

But Barbara Coe, the group’s leader, told The Los Angeles Times, which first reported the letter on Tuesday, that her group had not sent or authorized it, and that she did not know a Sergio Ramirez. On Tuesday, Ms. Coe did not return repeated phone calls and e-mail seeking comment.

Some Latino leaders expressed doubts on Tuesday about Ms. Coe’s denial and said they suspected the letter was part of a concerted, long-term effort on the part of groups like hers to intimidate voters.

“They’re taking as much action as they can to make the lives of Latinos as miserable as possible,” said Brent Wilkes, the national executive director of the League of United Latin American Citizens, a civil rights group.

Gov. Arnold Schwarzenegger called the letter racist and urged Bill Lockyer, the California attorney general, to prosecute those responsible with a hate crime. A collection of other civil rights groups also called on Attorney General Alberto R. Gonzales to investigate the letter as a violation of federal voting laws.

Nathan Barankin, a spokesman for Mr. Lockyer, said his office had been alerted to the letter on Monday morning, after a weekend in which Latino leaders fielded calls from outraged constituents.

“They could be naturalized citizens or they could be fourth-generation Californians,” Mr. Barankin said of the recipients. “What we do know is that some of the recipients of this letter are legal and longtime registered voters in California.”

Mr. Barankin said the letter could have violated two California laws. One bans the use of coercion or intimidation in an effort to prevent someone from voting; the other makes it illegal to knowingly challenge a person’s right to vote on fraudulent and spurious grounds.

It was unclear, Mr. Barankin said, how many of the letters were distributed, but his office expected more complaints.

“We’re going to determine who sent it, and why they sent it and then from that, if there’s enough evidence to prosecute,” Mr. Barankin said.

Orange County, between Los Angeles and San Diego, has seen a substantial increase in its Latino population over the last two decades. A 2005 estimate by the Census Bureau reported that nearly one in three Orange County residents was of Latino or Hispanic origin.

Representative Loretta Sanchez, a Democrat from Garden Grove, in northern Orange County, said that she had heard from a handful of constituents in her district who received a letter, and that she feared it could scare off first-time voters.

“Santa Ana and Anaheim are the new Ellis Island of the United States,” Ms. Sanchez said, mentioning two Orange County cities with large Latino populations. “New people are becoming citizens every day, and who knows the sophistication level when they get a letter like this?”

But others thought the letter would have little effect.

“I think Latino voters are astute enough not to be intimidated,” said John Trasviña, the interim president and general counsel for the Mexican American Legal Defense and Educational Fund in Los Angeles. “And they’ve seen the same tactics used against them in the recent past as well as the farther ago past. And they won’t take it.”

State Investigating Intimidating Letter Sent to O.C. Latinos

Anti-illegal immigrant group disavows the letter, which focuses on voting issues.

By Jennifer Delson, LA Times Staff Writer
October 17, 2006

The state attorney general is investigating a Spanish-language letter warning some Orange County Latinos that they could be jailed or deported if they vote in the November election.

The letter, which purports to be from a Huntington Beach-based group, also warns that the state has developed a tracking system that will allow the names of Latino voters to be handed over to anti-immigrant groups.

"You are advised that if your residence in this country is illegal or you are an immigrant, voting in a federal election is a crime that could result in jail time ...," the letter says.

The letterhead resembles that of the California Coalition for Immigration Reform, a group that advocates tightening the border, among other things. But the group's founder, Barbara Coe, said she believed it was fraudulent. She said she did not know the person who signed the letter, "Sergio Ramirez," that she did not authorize it and was unaware of anyone in her group who did.

Nonetheless, it has riled Latino leaders and voters.

One person who received the letter is the wife of a Garden Grove City Council candidate. She said her husband, Benny Diaz, called friends after the letter arrived and found five others with Latino surnames who had received the note.

"It's a very malicious and degrading letter. It's to pull Latinos down and make them afraid," said Diaz, who is president of the Garden Grove chapter of the League of United Latin American Citizens.

"Of course it's going to affect me and any other Latino candidate in Orange County," he added.

John Trasviña, interim president and general counsel for the Mexican American Legal Defense and Educational Fund, said he had asked the U.S. Department of Justice to investigate the letter.

Sen. Gloria Romero (D-Los Angeles), who called on California Secretary of State Bruce McPherson and state Atty. Gen. Bill Lockyer to investigate, believes the letter is an effort to scare Latinos from voting in Orange County.

"You can't help but feel disgusted with the contents of this letter.... I'm not just going to sit silent," said Romero, who is up for reelection in November.

Lockyer spokesman Nathan Barankin said the letter was "something we are investigating aggressively right now," he said.

The sender could be charged with a felony and receive up to three years in state prison, he said.

Trasviña wants an investigation of a "potential violation" of federal election law, which prohibits intimidation, threats or coercion.

He said he was aware of six people who received the letter, all of whom "appear to be naturalized citizen voters from Latin American countries." Voters' birthplaces are available from voter registration records.

Coe said that in the last four days she had taken dozens of calls from irate Orange County Latinos who received the letters, which does not have the group's logo — an outline of the state

of California — but has a variation of an eagle logo used on the group's website.

The letter "puts a shadow on our credibility, that we would target certain people who might be citizens of our country," Coe added.

She said her group was investigated by the FBI in 1996 and 1998 because members held signs near polls stating that only citizens can vote.

The letter's assertion that immigrants can't vote is untrue, because immigrants who become naturalized citizens can register to vote. Trasviña said that an undocumented immigrant who voted could be subject to deportation and jail.

The letter's assertion that the state has developed a computer system that will make it easy to track down immigrants and illegal residents, however, is false, he said.

Amin David, who leads the civic group Los Amigos of Orange County, said the Spanish used in the letter is very formal, perhaps suggesting it was written by a non-native speaker. The Spanish includes grammatical errors.

jennifer.delson@latimes.com



The Web Site of The Sacramento Bee

This story is taken from [Sacbee / Politics](#).

Officials probe mailer that warns Latino voters

By Aurelio Rojas - Bee Capitol Bureau

Published 12:00 am PDT Wednesday, October 18, 2006

Gov. Arnold Schwarzenegger said Tuesday that whoever sent a mailer to Latino voters in Orange County warning them it is illegal for immigrants to vote committed an act of political intimidation and should be prosecuted "to the fullest extent of the law."

"Nothing is more un-American than the kind of political intimidation represented by these acts," Schwarzenegger said in a statement. "Further, targeting voters of Hispanic descent is racist and constitutes a hate crime under California law."

Secretary of State Bruce McPherson said he has "ordered a thorough, prompt and vigorous investigation" of the mailer sent to Latinos warning them they could be jailed or deported if they vote in the Nov. 7 election.

The mailer, written in Spanish, erroneously states that it is a crime for immigrants to vote. It also says the state has developed a computer system -- available to anti-immigration groups -- that will make it easy to track down the names of Latino voters.

"You are advised that if your residence in this country is illegal or you are an immigrant, voting in a federal election is a crime that could result in jail time," the mailer says.

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Investigators for the state attorney general's office today are scheduled to interview the founder of the Huntington Beach organization whose letterhead resembles that on which the mailer was sent.

But Barbara Coe, chairwoman of the California Coalition for Immigration Reform, said her group had nothing to do with the mailer.

"It was on altered letterhead," said Coe, whose group was investigated twice by federal officials in the 1990s for allegedly intimidating Latino voters. "We did not send it, and we would never send a letter to individuals. We don't know what their status is."

In a letter issued Tuesday, the Mexican American Legal Defense and Educational Fund and 21 other Latino and Asian American civil rights organizations requested that U.S. Attorney General Alberto Gonzales conduct a federal investigation into voter intimidation and suppression tactics in Orange County.

"The letter is a naked attempt to intimidate duly registered Latino citizens from exercising their right to vote," said John Trasvina, MALDEF's interim president.

MALDEF noted the letter misleadingly claims that voting by all immigrants is illegal -- naturalized citizens can register to vote -- and that anti-immigrant groups have access to a federal government database of voters.

Coe's group was investigated in 1996 by the FBI and in 1998 by the U.S. Department of Justice after members held signs near polling stations stating only citizens can vote. No charges were filed.

Coe said investigators from the state attorney general's office called her Tuesday to inform her they would visit her today.

Nathan Barankin, a spokesman for state Attorney General Bill Lockyer, confirmed Coe's account and said his office has launched a vigorous investigation.

Under state law, the sender of the mailer could be charged with a felony and receive up to three years in state prison.

Barankin emphasized it is not illegal for immigrants to vote.

"If that were true, then Arnold Schwarzenegger couldn't vote," said Barankin, referring to the Austrian-born governor.

Most of the mailers have been sent to homes in Garden Grove, where Democratic Assemblyman Lou Correa -- a Latino -- is in a heated race against Republican Assemblywoman Lynn Daucher for a state Senate seat.

Phil Angelides, the Democratic nominee for governor, charged the mailers are designed to suppress the Latino vote in Orange County.

He noted that in the 1980s the Republican Party hired uniformed security guards to stand outside polling stations.

In response to allegations that voters were intimidated, the state enacted a series of laws aimed at such tactics.

"This is the latest in a disgraceful pattern of efforts to intimidate Latino voters and silence their voice at the polls," Angelides said in a statement.

ARIZONA CAPITOL TIMES

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TOP STORIES

Officials welcome FBI probe; hope it will end recount controversy

Federal intervention puts state inquiry on hold

By Phil Riske

Negotiations between Senate and Maricopa County officials to examine a random sample of ballots from a 2004 recount election were underway when FBI agents took control of all 17,000 ballots for a U.S. Justice Department investigation.

Under a U.S. District Court grand jury subpoena and after two days of arrangements with federal officials, County Treasurer David Schweikert turned over all District 20 Republican primary ballots and original envelopes in which early ballots were placed. The materials will undergo forensic examination by the FBI to determine whether there was ballot tampering, said Barnett Lotstein, special assistant county attorney.

"We accomplished our objective and that was of an independent review," Mr. Lotstein said. "With the grand jury involved, theoretically every investigation is a criminal investigation, but there is no targeted suspect.

"They will not do a recount, which is one of the concerns [County Attorney] Andrew Thomas had. In our judgment, there was no tampering," Mr. Lotstein said.

Senate President Ken Bennett said, "I'm glad that the ballots are going to be looked at." He added, however, that he would have preferred the Senate complete its investigation, which was launched by Sen. Jack Harper, R-4.

"I could not support what I felt was his [Mr. Harper's] goal of doing a full recount," Mr. Bennett said. "I was looking forward to the Senate wrapping it all up because of all the publicity about it..."

Federal officials would not comment on the investigation, and it remained a mystery who contacted the Justice Department.

What happened in 2004

On primary election night 2004, conservative candidate Anton Orlich led moderate John McComish by four votes, triggering an automatic recount. (State law requires a recount when the spread is 50 or fewer votes in a legislative race.)

The recount, where 489 additional votes were tabulated, gave Mr. McComish the nomination by 13 votes, triggering an 18-month controversy that has seen an unsuccessful lawsuit by Mr. Orlich, a review of the vote by the Maricopa County Attorney's Office that found no wrongdoing and, more recently, Mr. Harper's Senate investigation.

As part of that investigation, *New Times* reporter John Dougherty, Mr. Orlich and Mr. Harper paid expenses for Iowa University voting machine expert Douglas Jones to come to Phoenix and conduct an audit of machines used in the recount with sample ballots that he had marked with a variety of pens.

While he did not allege fraud in the recount, Mr. Jones concluded there was an opportunity for wrongdoing. His report, which was later paid for by the Senate, confirmed what the county had said were problems with the sensitivity of Opti-Scan machines to read different marks made by voters who mailed in early and absentee ballots.

Mr. Jones said that only an audit of the recount ballots could determine the disparity in the District 20 results.

With the backing of 20 other senators, Mr. Harper had planned to subpoena the county for access to the ballots, but the Justice Department intervention has put his investigation on hold.

"It was my hope the Senate could have gotten to the bottom of what had happened," he said. "It didn't look like we were making progress. I'm ecstatic the Justice Department is stepping in, and we can be sure that an independent expert is going to be inspecting the ballots, and the questions that have surfaced will be answered.

"I imagine the Justice Department wouldn't have gone out on a limb unless they had probable cause. They pretty much know more than I do. I think information I know probably doesn't rise to probable cause," said Mr. Harper, who had called for a federal investigation in a press conference, but would not confirm or deny that he contacted the Justice Department.

"I had heard the Justice Department was interested," he said. "Actually, there are many things under investigation, and I probably shouldn't talk about the details of the investigation."

Secretary of State Jan Brewer, the state's chief elections officer, said she has sought more information about the recount problems and has no objection to an examination of the ballots.

"That's what we've said all along: Just go through the appropriate measures to obtain them, and that's what they've done," she said upon learning of the Justice Department action. "Certainly it has reached a high level."

Mrs. Brewer said there has been a lot accurate and inaccurate information about the recount, and "The public and the people are really, really confused." She said she believes there was no fraud committed in the recount, and only the results of the federal investigation will determine the level of public confidence in the state election system.

In a Jan 26 letter to Mrs. Brewer, the Arizona ACLU asked Mrs. Brewer to "take control" and order an independent examination of the recount ballots.

Karen Osborne, county elections director, said, "We are just very pleased that a neutral agency — certainly with the FBI capability — has the ballots, and they can make their forensic examination, and we can get this issue settled once and for all."

Sen. Huppenthal: Pull samples from another district

Sen. John Huppenthal, R-20, says he studied Mr. Jones' analysis of the vote disparity, adding that votes from another district should be included in the federal investigation.

"The statistics indicate something strange happened," he said. "They're not only going to have to look at the District 20 ballots, they're going to have to look at another district and pull out a sample because they're not going to have a comparison by just looking at District 20.

"This could be cleared up in as little as a week, and I hope they don't go and bunker down for months. That would be inappropriate."

Mr. Jones, who said he was surprised and puzzled by the FBI intervention, agrees with Mr. Huppenthal about comparing the District 20 ballots with another district.

"That would make good sense in terms of good science to find out what's normal," he said. "From the legislative perspective, finding out what's normal is even more important than finding out whether there was wrongdoing here."

If the FBI conducts a criminal investigation, Mr. Jones said, information will be slow in coming to the public, and there will be little benefit to the Legislature.

Sen. Harry Mitchell, D-17, is sponsoring a bill requiring that the speaker of the House or the Senate president must first approve the issuance of a legislative subpoena, and that the state pay all expenses resulting from a subpoena.

"Maybe the cost will be the federal government's, not us," he said upon learning of the Justice Department's action.

Mr. Lotstein said the federal grand jury subpoena does not mean there is a grand jury investigation — that it's the process for acquiring the ballots, which were stored in a warehouse near Sky Harbor International Airport.

By law, ballots with federal office races must be held for 18 months, he said. Because of federal requirements, the county was reluctant to turn the ballots over to Mr. Harper.

"Now it's [the ballot examination] independent," Mr. Lotstein said. "Orlich will have no input. Harper will have no input. The *New Times* will have no input. They'll do it and put it to bed, and that's the end of it."

Mr. Orlich still refuses to comment for the record, but he denied he contacted the Justice Department.

Carol Corsica, chairman of Arizona Citizens for Election Reform (ACER) said she is worried nothing will come of the investigation.

"Mostly I'm concerned if an investigation is going to be done and made public," she said.

ACER has filed to place an elections reform measure on the general election ballot.

Rep. John McComish said, "After letting the news settle in for a little bit, it may be a good thing it's in the hands of the [federal government]. He said the public should wait for a report on the investigation before they lose confidence in the election system.

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Today | This Week

Feds look into 2004 primary ballots

Feb. 2, 2006 12:00 AM

The FBI took control of ballots cast in a 2004 Republican primary on Wednesday, a move that could put to rest a long-running dispute over who won the race.

At issue is the outcome of the close contest between John McComish and Anton Orlich. McComish prevailed after an automatic recount found nearly 500 new votes, reversing the initial outcome. Although election officials insist nothing is wrong with Maricopa County's voting machines, the recount has raised questions about the machines' reliability.

And while the U.S. Attorney's Office wouldn't comment on their subpoena of more than 11,000 ballots, county officials are hopeful the investigation will put to rest concerns that the ballots could have been tampered with between the primary and the recount.

While the investigation won't change the election's outcome, County Treasurer David Schweikert said he hopes the Department of Justice investigation puts the issue to rest.

For the full story, see **B8**.

- Casey Newton

Arizona
Arizona Ballot Could Become Lottery Ticket

By RANDAL C. ARCHIBOLD
New York Times
July 17, 2006

TUCSON, July 13 — To anyone who ever said, "I wouldn't vote for that bum for a million bucks," Arizona may be calling your bluff.

A proposal to award \$1 million in every general election to one lucky resident, chosen by lottery, simply for voting — no matter for whom — has qualified for the November ballot.

Mark Osterloh, a political gadfly who is behind the initiative, the Arizona Voter Reward Act, is promoting it with the slogan, "Who Wants to Be a Millionaire? Vote!" He collected 185,902 signatures of registered voters, far more than the 122,612 required, and last week the secretary of state certified the measure for the ballot this fall.

If the general election in 2004 is a guide, when more than 2 million people voted, the 1-in-2-million odds of winning the election lottery would be far better than the Powerball jackpot (currently about 1 in 146,107,962) but not nearly as great as dying from a lightning strike (1 in 55,928).

"People buy a lot of lottery tickets now," Mr. Osterloh said, "and the odds of winning this are much, much higher." (And most of the time there is not much lightning in Arizona.)

If some see the erosion of democracy in putting voting on the same plane as a scratch-and-win game — and some do — Mr. Osterloh sees the gimmick as the linchpin to improve voter turnout and get more people interested in politics.

In 2004, the year of a heated presidential election, 77 percent of registered voters cast ballots in Arizona, but in 2002 — the year Mr. Osterloh, a Democrat, ran for governor in what might politely be called a dark-horse campaign — it was 56 percent. Primary election turnouts are much lower.

About 60 percent of the voting-age population is registered, though that includes people who are ineligible to vote, like illegal immigrants and felons.

"Basically our government is elected by a small minority of citizens," said Mr. Osterloh, 53, a semiretired ophthalmologist who has helped write and campaign for various successful ballot initiatives.

Curtis Gans, director of the Center for the Study of the American Electorate in Washington, said the idea of a voter lottery had come up in other states, but he could not recall any moving forward with it. And he's glad.

"People should not go vote because they might win a lottery," Mr. Gans said. "We need to rekindle the religion of civic duty, and that is a hard job, but we should not make voting crassly commercial."

Editorial writers, bloggers and others have panned the idea as bribery and say it may draw people simply trying to cash in without studying candidates or issues.

"Bribing people to vote is a superficial approach that will have no beneficial outcome to the process, except to make some people feel good that the turnout numbers are higher," said an editorial in The Yuma Sun. "But higher numbers do not necessarily mean a better outcome."

The initiative calls for financing the award through unclaimed state lottery prize money, private donations and, if need be, state money. A spokeswoman for the Arizona Lottery Commission said its unclaimed prize pot fluctuated greatly, but it now stood at more than \$1 million.

Mr. Osterloh said private donors could add their own incentives, like a car dealership offering a new car to a random voter.

But he may be getting ahead of himself. There is the not-so-small matter of whether such a voter lottery is legal.

Passage of the initiative would supersede a state law barring any exchange of a vote for money, legal experts agreed, but whether it would get around similar federal laws was a matter of debate.

One federal statute calls for fines or imprisonment of up to one year to anyone who “makes or offers to make an expenditure to any person, either to vote or withhold his vote, or to vote for or against any candidate; and whoever solicits, accepts, or receives any such expenditure in consideration of his vote or the withholding of his vote.”

“It’s clearly illegal,” said Jack Chin, a professor at the University of Arizona law school who has studied voting rights issues.

“This is cute and clever, but even though it responds to a real problem, it does so in a way that threatens to degrade the process,” Mr. Chin said.

But Mr. Osterloh, who has a law degree, and the lawyer who helped write the initiative, Anthony B. Ching, a former state solicitor general, said the laws were meant to stop individuals from buying or selling votes for particular candidates or parties. In this case, it would be a state-sanctioned program with a high purpose and, they add, offering the chance to win — voters opt into the program — was not the same as giving everybody money to vote.

“I don’t think the federal law would cover this kind of situation,” Mr. Ching said.

State political leaders so far are keeping their distance.

Gov. Janet Napolitano, a Democrat who will also be on the November ballot as a candidate for reelection, has declined to take a position. The leaders of the State Senate and House, both Republicans, did not answer messages seeking comment.

But Mr. Osterloh presses on. He predicted the idea would spread to the two dozen states that allow citizen ballot initiatives if it was successful here.

The local chapter of We Are America, a group seeking to register Latinos to vote after large pro-immigration demonstrations last spring, plans to promote the initiative in its voter education and registration drives.

“We’ve certainly tried everything else, and people don’t seem to turn out,” said Roberto Reveles, president of the group.

And some voters are giving it serious thought.

“I’m pretty up on the issues, so I don’t need it,” said Beverly Winn, a grocery store clerk here. “But who wouldn’t take money if they offer it?”

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<http://www.latimes.com/news/local/la-me-gop2mar02,1,7468761.story?coll=la-headlines-california&ctrack=1&cset=true>

From the Los Angeles Times

Dozens of New O.C. Democrats Were Signed Up as Republicans

Registrar will turn over 100 cases of improper registration for possible prosecution. The GOP practice of paying for new voters is blamed.

By Jean O. Pasco

Times Staff Writer

March 2, 2006

Orange County election officials said Wednesday they were preparing to turn over 100 instances of improper voter registration for possible criminal prosecution.

Included are three dozen complaints of Democrats being signed up as Republicans in one of the county's most competitive legislative districts.

Most of the examples being handed over to the district attorney's office emerged from a routine review by county officials, but Democrats independently found others.

The Democratic Voter Education and Registration Fund found numerous problems with registrations in central Orange County's 34th state Senate District, spokesman Paul Hefner said, including invalid phone numbers and addresses on hundreds of forms.

"You don't have to go to Washington to find the latest Republican scandal; they're footing the bill for registration fraud right here in California," Hefner said from Sacramento.

At issue is a GOP registration effort that began two years ago, said county GOP Chairman Scott Baugh. The Republican Party has paid bounties of up to \$10 for each new voter, hoping to make the central county friendlier turf for GOP candidates.

Baugh said the first complaints, from six people, came in February after welcome letters were sent to the new voters. Three registration workers have since been fired for being too aggressive or for submitting faulty paperwork, he said.

"We have no interest in bullying people into becoming Republicans because that's lost bounty money, lost mailing costs, and they're not going to vote Republican," Baugh said.

In complaints submitted to the registrar's office, several Democrats said they were either pressured into registering as Republicans or had their party switched without their knowledge.

"I told the gentleman that I was a Democrat, but he wanted to sign me up as a Republican so he can get credit for it," Xochi Avila of Anaheim wrote in a complaint. "I was not happy about it, but I went along with it."

Another voter, Araceli Mendez of Buena Park, said she was asked to sign a petition and the worker "changed my party to Republican. I informed him that it was Democrat, and he said it wouldn't change my party. I was lied to."

Neal Kelley, acting registrar of voters, said each voter was sent a notification card from the county to confirm that the registration information was correct. Filing false voter affidavits is a felony punishable by fines and up to three years in prison.

"When bounties are involved, this kind of thing happens," he said. "The parties have been very responsive to problems, and we're able to catch who is doing it."

The 34th Senate District currently is represented by Sen. Joe Dunn (D-Santa Ana), who must leave because of term limits and is running for state controller. The district includes Anaheim, Buena Park, Fullerton, Garden Grove, Santa Ana, Stanton and Westminster.

A lively Democratic primary contest is expected between Assemblyman Tom Umberg (D-Anaheim) and Orange County Supervisor Lou Correa of Santa Ana. Republicans so far in the race are Assemblywoman Lynn Daucher (R-Brea) and Lupe Moreno, an anti-illegal-immigration activist from Santa Ana.

The filing deadline for candidates is March 10.

Desert Dispatch

Tuesday, March 7, 2006

County GOP reports possible voter registration fraud

By TRACIE TROHA

Staff Writer

SAN BERNARDINO -- The San Bernardino County Republican Party has asked the District Attorney's office to investigate more than 3,000 instances of voter registration fraud during the past two months.

The party alleges the fraud may have been committed by individuals hired by the GOP's voter registration consultant, John Burkett of Riverside, to conduct registration drives in the county.

Kari Verjil, county registrar of voters, said many of the registration forms the county received from the drives had the same last four digits of a social security number and did not have the required driver license numbers.

"There is a possibility that someone made up the last four social security numbers to turn the cards in," Verjil said.

Republican staffers and the Registrar of Voters office also found registration forms filled out by a coordinator rather than a registrant and received complaint letters from registrants who were not U.S. citizens or did not register as Republican.

County Republican Party Chairman Bill Postmus said he halted the paid voter registration program and ordered that no one involved in the registration drives be paid until the county's investigation is complete and all the forms are verified as authentic. The party also hasn't paid Burkett's firm for any voter registrations this year.

"I spoke to Mike Ramos, the district attorney, this morning and asked for an immediate investigation with respect to this," Postmus said. "These people need to be prosecuted to the full extent of the law."

Verjil said a member of her staff will also be contacting some of the voters by mail to ask for their driver license numbers in order to verify authenticity.

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Veril and Postmus said these alleged acts of fraud were caught through the state's new Cal Validator system. The system, first introduced in January, checks newly registered voters against their state driver license or social security numbers.

"Prior to January 1 California election officials didn't have the ability to verify each and every registration card in this manner," said Adam Aleman, county GOP Executive Director.

Postmus said he does not believe High Desert residents were impacted by the possible case of fraud.

San Bernardino residents who believe they may have been improperly registered to vote should call the Registrar of Voters office at (909) 387-8300.

017114

Posted on Wed, Mar. 08, 2006

Calif. GOP halts fee-based voter registrations amid fraud probe

Associated Press

SAN BERNARDINO, Calif. - California Republican Party officials say they've suspended their fee-based voter registration program while prosecutors in San Bernardino county investigate whether people were improperly signed up.

"Having just one instance of voter fraud is too many," California Republican Party Chairman Duf Sundheim said in a statement released Tuesday. "Any sign of voter fraud must be investigated and those responsible for the fraud should be prosecuted to the full extent of the law."

Under the program, workers were paid \$3 for each person they registered as a Republican.

However, election officials discovered thousands of registration forms that appeared to be filled out by the signature gatherers rather than the person supposedly registering to vote. Additionally, some people who claimed to be Democrats were allegedly registered as Republicans, and some non-citizens were apparently registered to vote.

Similar problems were discovered in Orange County.

The registration cards in both counties were collected by people working for Tom Bader and Associates, an Orange County petition-circulating firm. Company president Tom Bader was a leading figure in the recall of former Gov. Gray Davis.

Bader said Tuesday that he tries to run a clean operation "and all you can do is enforce the standards and not pay people when you catch fraud."

In the statement released Tuesday, the California Republican Party encouraged the secretary of state to aggressively investigate voter fraud allegations.

The state GOP pays more than 120 companies and organizations throughout California to register voters. The program was credited with adding 750,000 Republican voters to state voter rolls during the last three years.

State Democrats also run a so-called bounty program, but pay \$4 per registration form only to volunteers affiliated with party clubs or committees, said party Chairman Art Torres.

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GOP spokesman Hector Barajas said the party will continue using volunteers to register people to vote.

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0171110

California

Candidate vows to stay in race despite letter to Hispanic voters

By PETER PRENGAMAN

Associated Press Writer

October 20, 2006

GARDEN GROVE, Calif. (AP) – A Republican congressional candidate who acknowledged his campaign sent a letter threatening Hispanic immigrant voters insists he will stay in the race despite mounting pressure for him to step aside.

Tan D. Nguyen, a Vietnamese immigrant trying to unseat a popular Democratic incumbent, resisted calls on Thursday from leaders in his own party to quit the race. He said he had no prior knowledge of the letter that wrongly told thousands of Orange County immigrants they could be jailed if they voted.

"I did not do this. I did not approve of any letter," Nguyen told The Associated Press in a telephone interview. He said he has since fired his campaign's office manager, who he said helped produce the mailer.

County Republican Chairman Scott Baugh said that after speaking with state investigators and the company that distributed the mailer, he believes Nguyen had direct knowledge of the "obnoxious and reprehensible" letter. He said the party's executive committee voted unanimously to urge Nguyen to drop out of the race against Democratic U.S. Rep. Loretta Sanchez.

"I learned information that allows me to draw the conclusion that not only was Mr. Nguyen's campaign involved in this, but that Mr. Nguyen was personally involved in expediting the mailer," Baugh said in a telephone interview.

State and federal officials were investigating the mailing for possible violations of election law. Investigators met with Nguyen for two hours Thursday, said his attorney David Wiechert, who declined to elaborate.

"Mr. Nguyen has no intention of dropping out of the race. He would do the public a disservice if he dropped out," Wiechert said.

The letter, written in Spanish, was mailed to an estimated 14,000 Democratic voters in central Orange County. It warns, "You are advised that if your residence in this country is illegal or you are an immigrant, voting in a federal election is a crime that could result in jail time."

Immigrants who are adult naturalized citizens are eligible to vote.

017117

Numerous political leaders denounced the letter, including Gov. Arnold Schwarzenegger, who called it "a despicable act of political intimidation and a hate crime."

Illegal immigration has been a centerpiece of Nguyen's campaign to oust Sanchez, a five-term congresswoman who said she hasn't spoken to Nguyen and never saw him as a threat to her re-election.

"If it is in fact this guy (who sent the letter), the most disgusting and saddest thing about it is that it comes from another immigrant," said Sanchez, who was born in the U.S. to Mexican parents. "These communities have spent years trying to get naturalized immigrants to vote."

Nguyen's campaign Web site says he was born in 1973 in Vietnam, where his family fled the communist regime.

In 2004, he unsuccessfully ran in the Democratic primary to challenge GOP Rep. Dana Rohrabacher in a heavily Republican coastal district. He later changed his party affiliation and declared his bid to upset Sanchez.

Orange County for years has been a battleground on immigration issues.

One founder of the Minuteman civilian border patrol group ran for Congress here and cities have debated issues such as the value of public centers for day laborers and the use of local police to arrest illegal immigrants.

Associated Press writers Michael R. Blood in Los Angeles, Don Thompson and Steve Lawrence in Sacramento and Michael J. Sniffen in Washington contributed to this report.

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<http://www.latimes.com/news/politics/la-me-voterfraud7mar07,1,5020141.story?coll=la-headlines-politics>

From the Los Angeles Times

S.B. County Probes Voter Signup Firm

Thousands of allegedly flawed GOP registration forms submitted by a Riverside company are being checked. ID's are said to be lacking.

By Ashley Powers

Times Staff Writer

March 7, 2006

San Bernardino County prosecutors are investigating a signature collection firm that submitted thousands of flawed voter registration forms on behalf of the county's Republican Party, authorities said.

The district attorney's public integrity unit launched an investigation after the registrar of voters received complaints from people who said they had been improperly registered as Republicans during a recent GOP registration drive.

County voting officials said they found problems with many of the nearly 3,000 registration forms submitted by the company, including 1,800 that lacked voters' driver's license numbers or other official forms of identification, which were required by a state law this year.

The district attorney's office is also investigating whether the same political firm, John Burkett Petition Management of Riverside, was responsible for the large number of signatures declared invalid in a recent petition drive in Rialto, said Deputy Dist. Atty. Frank Vanella.

County GOP officials said they had severed ties with the owner of the firm, John Burkett, who had run the party's registration drive since January.

Burkett said Monday that the allegations seemed "impossible" and that he only recently became aware of the state law requiring official documentation numbers on the forms.

"For somebody to pop up and say 3,000 are bad ... it sounds kind of incredible," he said.

Burkett has run his company — with more than 100 signature-gatherers in Riverside and Arizona — for nearly two decades, contracting mainly with Republican organizations.

"I know John verifies every voter registration that comes across his desk," said his sister-

in-law Barbara Burkett, who runs the firm's Arizona office. "He calls the person. He's honest like you wouldn't believe. He'd never cheat at all."

Republicans have aggressively courted voters in rapidly growing San Bernardino County.

They hold a registration edge over Democrats, 42% to 38%, and hold four of five seats on the Board of Supervisors.

Burkett said he had worked with the county GOP since 2000. His firm is paid for each voter registration form it collects, usually \$3. But the San Bernardino County Republican Party recently offered \$6 for each GOP voter registered in the San Bernardino and Ontario areas, said party officials.

County Registrar Kari Verjil said Burkett dropped off nearly 3,000 voter registration forms a few weeks ago, along with petitions that supported "Jessica's Law," a proposed state initiative that would bar convicted sex offenders from living in many California neighborhoods.

Voting officials immediately noticed problems.

More than half of the forms lacked an identification number, such as a driver's license number, they said.

They also discovered a few people had been registered multiple times, and received one complaint from someone who was not a U.S. citizen and couldn't understand how he could be eligible to vote.

Verjil contacted the district attorney's office and state officials. The county is sending letters to the people on the forms to see whether their registration is legitimate, she said.

Officials with the San Bernardino County GOP said they also noticed irregularities on registration forms, such as repeated names, and had contacted the registrar's office, said Adam Aleman, the executive director.

Burkett billed the party \$25,000, which Aleman said would not be paid until the investigations were complete.

The district attorney's office had already been asked to look into possible improprieties in a Rialto signature drive that Burkett led.

About 4,800 of more than 5,600 signatures submitted were found to be invalid and were tossed out by election officials.

A community group called Voice United had hired Burkett's firm to promote a ballot initiative that would have required voter approval for the city to contract with the county to provide city police services.

In Riverside County, Burkett has turned in cards with missing or incomplete information and wrong addresses, said Rebecca Martine, chief deputy registrar of voters.

Residents have also complained that the person registering them incorrectly marked them as a Republican, she said.

"We'll start actually taking a closer look at all the registration cards, whether they're from him or another paid contractor, just to make sure that we're not going to face the same problem," said Riverside County Registrar Barbara Dunmore.

San Bernardino County's investigation comes after an unrelated investigation into possibly fraudulent voter registration cards in Orange County.

Election officials last week turned over 100 instances of allegedly improper voter registration to the district attorney's office in Orange County, including three dozen complaints of Democrats being signed up as Republicans.

Times staff writers Susannah Rosenblatt and Lynn Doan contributed to this report.

Election Updates

How to steal an election: steal the ballots

There is a story circulating on the news wires on how someone stole balloting materials just before Tuesday's California primary elections in Fresno ... but was caught. Here's the relevant part of the report from the [Fresno Bee](#):

A Sanger man was arrested Tuesday on suspicion of stealing 1,000 blank election ballots, two voting machines and a bag containing other supplies that had been assigned to a poll worker in Fresno.

...

Victor Salazar, Fresno County clerk, said an investigation by Fresno County sheriff's deputies was started when a worker in charge of the election equipment failed to show up Tuesday morning at her polling station at 8234 E. Belmont Ave.

Salazar said the worker, Regina Pico, 19, was trained as an inspector at the polling place and had been given the blank ballots and other equipment for setting up the station.

Pico had stored the property in a garage on East Garrett Avenue in southeast Fresno. She told investigators that when she when she got ready to report to the polling station about 3 a.m. Tuesday, the election equipment was gone.

Salazar said when his office was notified of the missing ballots, they were declared void so they could not be used.

Another inspector was sent to the polling station with replacement ballots and equipment. Salazar estimated the value of the voting machines at \$3,500 to \$5,000 each.

...

Arrest made in theft of ballots

Sanger man also is accused of taking two voting machines.

By Louis Galvan / The Fresno Bee

(Updated Thursday, June 8, 2006, 4:49 AM)

A Sanger man was arrested Tuesday on suspicion of stealing 1,000 blank election ballots, two voting machines and a bag containing other supplies that had been assigned to a poll worker in Fresno.

Fresno police Sgt. Tim Tietjen said all of the items were recovered and that the suspect, Sonny James Avalos, 20, was arrested at his home on the 1200 block of O Street in Sanger.

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Avalos was booked into Fresno County Jail on suspicion of grand theft of polling equipment.

Victor Salazar, Fresno County clerk, said an investigation by Fresno County sheriff's deputies was started when a worker in charge of the election equipment failed to show up Tuesday morning at her polling station at 8234 E. Belmont Ave.

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Another inspector was sent to the polling station with replacement ballots and equipment. Salazar estimated the value of the voting machines at \$3,500 to \$5,000 each.

Each of the 422 voting polls in Fresno County was issued two voting machines, he said.

Salazar applauded the work of Fresno police, sheriff's deputies and Sanger police in resolving the case.

The reporter can be reached at lgalvan@fresnobee.com or (559) 441-6139.

Allegations of bogus voting, coercion emerge in tiny LA suburb

By MICHAEL R. BLOOD
AP Political Writer Thursday, April 13, 2006

VERNON, Calif. (AP) -- It took a judge's order to force the first local election in 25 years in this gritty industrial city -- and it was an election replete with allegations of voter intimidation, harassment and undercover surveillance.

Then, after polls closed Tuesday, a clerk promptly carried a metal ballot box into the City Council chamber and announced he wouldn't count the votes.

The bizarre, and some say illegal, decision comes as the latest eyebrow-raising political turn in Vernon, a city on the edge of Los Angeles where the mayor and City Council members have served for decades and most of the voters hold municipal jobs while living in city-owned houses.

It's the latest twist in a story that began when a trio of new residents filed as candidates earlier this year to contest three of the City Council's five seats.

One of them is Don Huff. The paper company salesman alleges that soon he was being shadowed by private investigators, and that it wasn't long before city crews shut off the power and police watched his building. Eventually Huff, 41, was evicted, and lately he's been living in his car.

"They wanted to run us out, totally," he said. "The mayor owns the whole town. He controls it."

Huff filed a lawsuit along with the other two newcomers after the city of fewer than 100 residents threw their names off the ballot. The judge reinstated them as candidates.

In their legal papers, the challengers charge that voters here are beholden to a City Hall that dispenses paychecks and sweetheart rents. Vernon, they say, is the epitome of a company town where the government has become the company.

On Tuesday, acting City Clerk Bruce Malkenhorst Jr. said he would keep the ballot box locked until the court fight is resolved. An attorney for the challengers, Albert Robles, called the decision to commandeer the votes "absolutely not legal."

If nothing else, it might be unprecedented.

"I've never seen anybody, en masse, take an election and say, 'I'm not going to count the ballots until a court tells me,'" said election-law attorney Fred Woocher, who is not involved in the dispute.

Although within sight of downtown Los Angeles, Vernon is a world away.

Founded in 1905, the motto of the 5-square-mile city is "Exclusively Industrial." Rugged roads and railroad tracks cut through a densely packed maze of warehouses, meatpacking plants, fuel tanks and an occasional overgrown, vacant lot. There is no high school, no movie theater, no parkland.

Under an unusual arrangement, Vernon owns virtually all the roughly two-dozen homes in town. In its century-long history, it's had just four mayors, all related to its founders. Mayor Leonis Malburg has held public office since the Eisenhower administration -- first as a councilman and as mayor since 1974.

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About the only city official to talk in recent days has been police Chief Sol Benudiz, who released a statement that the department is committed to the rights and safety of all residents.

Councilman William Davis, questioned outside his home Tuesday, referred calls to City Hall. Attorneys representing Vernon and the city clerk's office did not respond to repeated phone calls.

In legal papers, city officials charged that the new residents were part of a group, linked to a corrupt politician from the nearby city of South Gate, trying to engineer a coup. The city alleges the group tried to gain control of buildings to plant "phony" residents in the community, and used "strong-armed thugs" to intimidate one property owner where they hoped to open a 60-bed halfway house as part of the scam.

"The fact that Vernon is a unique industrial city with less than 90 registered voters makes it an easy target for voter fraud," according to city papers filed Tuesday that sought to strike voter registrations for several people it said were linked to the scheme.

Last year, the Los Angeles Times reported that a city administrator had been paid \$600,000 in annual salary, bonuses and other compensation, and his benefits included a leased Cadillac Escalade, use of a city-owned apartment and \$120,000 for limousine services. The administrator, Bruce V. Malkenhorst Sr., father of the current clerk, retired last year.

Robles said at a Wednesday news conference that he also planned to file a federal complaint accusing the city of violating voters' civil rights.

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GOP Challenging Voter Registrations

Civil Rights Groups Accuse Republicans Of Trying to Disenfranchise Minorities

By Jo Becker

Washington Post Staff Writer

Friday, October 29, 2004; Page A05

Republicans yesterday continued to challenge the validity of tens of thousands of voter registrations in Ohio and other key states in the presidential election while a coalition of civil rights and labor groups sued the GOP, contending the Republican efforts were aimed at removing eligible minority voters from the rolls.

After initially saying he would not contest a Wednesday ruling halting the challenges, Secretary of State J. Kenneth Blackwell (R) worked with other election officials who asked the U.S. Court of Appeals for the 6th Circuit in Cincinnati to allow GOP challenges to 35,000 voters from mostly urban and minority areas to proceed before the election. As of late last night, the court had not ruled.

Also yesterday, Republicans in Wisconsin attempted to challenge the registrations of 5,600 voters in Milwaukee but were turned down in a unanimous decision by the city's bipartisan election board.

The Republican challenges in Ohio, Wisconsin and other battleground states prompted civil rights and labor unions to sue in U.S. District Court in Newark, saying the GOP is violating a consent decree, issued in the 1980s by Judge Dickinson R. Debevoise and still in effect, that prevents the Republicans from starting "ballot security" programs to prevent voter fraud that target minorities.

Judith A. Browne, acting co-director of the Advancement Project, which filed the lawsuit along with the Leadership Conference on Civil Rights, said the Republican "challenges were, and currently are, used to disenfranchise minority voters."

But Republicans denied that they were targeting black voters. Bobby Burchfield, an attorney for the Republican National Committee, told Debevoise that "troubling reports" of fictitious names such as Mary Poppins appearing on Ohio's rolls prompted the challenges.

Debevoise, who scheduled a hearing for Monday, expressed concern that widespread challenges on the fear of fraud could unnecessarily disrupt polling places.

The legal maneuvering is a testament to the legalization of presidential politics that resulted from the bitterly disputed presidential contest in 2000 between George W. Bush and Al Gore, which deadlocked in Florida. Both parties have embarked on litigation over voting rules in many states and have thousands of lawyers poised for Election Day.

The move in Milwaukee, a heavily minority and Democratic stronghold, is part of a national effort by Republicans in many battleground states to challenge voter registrations.

017126

A similar effort by a former Nevada GOP operative to question 17,000 Democratic voters in Las Vegas was rejected earlier this month by election officials there. Republicans have also filed plans in Florida and Colorado to place watchers who can challenge voters in those key states on Election Day.

Challenge rules vary by state. In general, challengers must supply evidence that the voter may not be eligible. Grounds can include that a voter is not a U.S. citizen, is not a resident of the state or county where he or she is registered, or is younger than 18. The complaints are settled by election board members or precinct judges.

Republicans argue that their program -- the most robust in recent history -- is necessary because unprecedented voter registration drives by Democratic-leaning interest groups have produced thousands of phony registrations. But Democrats say that the GOP's Milwaukee challenges are a perfect example of the party trying to imply fraud where none exists. Lawyers for John F. Kerry's campaign successfully argued before the election board there that the analysis the GOP used to challenge voters was riddled with mistakes.

Courts in the past found that Republicans used tactics that were aimed at intimidating minority voters and suppressing their votes. The consent decrees in New Jersey stemmed from several incidents in the 1980s.

In 1981, the Republican National Committee sent letters to predominantly black neighborhoods in New Jersey, and when 45,000 letters were returned as undeliverable, the committee compiled a challenge list to remove those voters from the rolls. The RNC sent off-duty law enforcement officials to the polls and hung posters in heavily black neighborhoods warning that violating election laws is a crime.

In 1986, the RNC tried to have 31,000 voters, most of them black, removed from the rolls in Louisiana when a party mailer was returned. The consent decrees that resulted prohibited the party from engaging in anti-fraud initiatives that target minorities or conduct mail campaigns to "compile voter challenge lists."

Undeliverable mail is the basis for this year's challenges in Ohio. Republicans also sent mail to about 130,000 voters in Philadelphia, another heavily black and Democratic stronghold.

The civil rights groups and labor unions, which are backed by the Democratic Party, also charged that GOP plans to put challengers in thousands of precincts nationwide on Election Day are race-based. In several Florida counties, for instance, GOP challengers will disproportionately be based in black precincts.

Republicans said their plans involve putting challengers in precincts won handily by either Bush or Gore and has nothing to do with race.

Special correspondent Michelle Garcia in Newark contributed to this report.

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Article Last Updated: 12/15/2005 12:35 AM

local

Mom was dead but still cast ballot

By Howard Pankratz
Denver Post Staff Writer
DenverPost.com

Winston Keyes apparently believes so much in the right to vote that he voted for his dead mother, investigators said.

Keyes, 44, is accused of sending in a 2005 general-election ballot for his mother, Della Mayo, in October, although she died in July.

According to an arrest warrant, Keyes provided some critical evidence against himself.

In August, Keyes went to the Denver district attorney's office and filed a complaint against the mortuary that hand led his mother's funeral.

He handwrote the complaint on the district attorney's economic-crime-unit form, which was used to eventually link him to the bogus ballot.

Kent Prose, a handwriting expert for the unit, determined by comparing the handwriting on the complaint with the writing on the ballot that it was Keyes who forged his mother's absentee ballot.

Investigators said in court documents that Keyes admitted to signing the absentee ballot and said he often voted for his mother and signed her name to absentee ballots in previous years.

When the election commission first received the ballot, the signature on the absentee-ballot envelope appeared to match the known signature of Mayo. However, during the signature-verification process, it was discovered by the commission staff that Mayo had died earlier in 2005 and her voter status had changed from "active" to "death delete" on Sept. 20.

Prose said in court documents that an examination of the "Della Mayo" signature revealed unusual pen-lifts, called "patching," and indications of slow line speed, indicating that the signature was simulated to look like Mayo's. Keyes has been charged with one count of forgery.

Staff writer Howard Pankratz can be reached at 303-820-1939 or hpankratz@denverpost.com.

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VotersUnite.Org

Freedom is when the people can speak
democracy is when the government listens
~ Alastair Fiske

Voter fraud probed in state

Double dippers, felons targeted

By Susan Greene and Karen E. Crummy
Denver Post 24 March 2005

Hundreds of Coloradans are being investigated for voter fraud in the November election.

Prosecutors in at least 47 counties are probing cases involving accusations of forged signatures, felons voting or people who attempted to vote twice.

At least 122 voters gave new meaning to the adage "vote early and vote often" by apparently casting absentee ballots through the mail, then showing up in person to vote on Election Day. And, officials say, at least 120 felons statewide cast ballots and now face possible prosecution.

So far, there have been at least two indictments - both in El Paso County - and prosecutors expect more to follow elsewhere in the state.

"Obviously these numbers are higher than we want them to be," said Dana Williams, a spokeswoman for Secretary of State Donetta Davidson, who was not available for comment Wednesday.

It's unclear whether prosecutors have enough evidence in the cases to prove criminal intent.

More than four months after the Nov. 2 election, 47 of 64 counties have reported voting irregularities to Davidson's office. This is the first year the state has required reports on suspected voting fraud.

Scrutiny of voting practices increased dramatically in Colorado and elsewhere in the nation after election snafus in Florida held up the outcome of the 2000 presidential race for weeks.

Counties also referred possible criminal fraud to their own district attorneys.

The Denver Election Commission, which experienced by far the most voting problems, failed to meet Davidson's March 11 deadline for reporting cases to the state. On Wednesday, an election official told The Denver Post that 81 Denverites voted twice and 52 felons cast ballots.

Last week, Jefferson County's election department sent 286 cases to its district attorney to investigate. Of those, 30 involved people who attempted to vote twice, and 256 stemmed from

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ballots bearing suspicious signatures.

Jefferson County election director Susan Miller noted that voters probably didn't succeed in having more than one ballot counted because her county has safeguards to make sure only one vote per person is tallied.

Miller's staff discovered the signature problems by comparing signatures on 130,000 absentee ballots cast in Jefferson County with those signed on voters' registration cards. That process is required by a state law passed in 2003.

Colorado is one of a handful of states that require election officials to verify signatures on mail ballots.

"Colorado has substantially more security measures than federal law requires and more in combination than virtually any other state," said Mary Wickersham, who analyzes state election laws.

In October, The Post found as many as 6,006 felons who should have been ineligible to vote were registered to do so in Colorado. State law says that "no person while serving a sentence of detention or confinement in a correctional facility, jail, or other location or while serving a sentence of parole shall be eligible to register to vote or to vote in any election."

Davidson last fall said she was unaware state felons were registered and pointed blame at the state Department of Corrections for failing to give her a list of prisoners and parolees. Correction officials, in turn, said she never asked.

Davidson later passed a set of emergency rules requiring counties to flag the names of felons on registration rolls. Felons were allowed to cast emergency, or "provisional," ballots as a matter of policy because Davidson didn't want to "needlessly disenfranchise anyone."

In El Paso County, election officials turned over 23 cases of prisoners or parolees who voted.

"This is the first year we would have caught them because of the emergency rules," said Marguerite Duncan, El Paso County's election manager.

But felons may be tough to prosecute because many, especially parolees, didn't know they shouldn't vote.

"They don't make really good criminal cases because it's difficult to prove criminal intent, that there was a knowing violation of election law," said 4th Judicial District Attorney John Newsome of El Paso County.

Bill Thiebaut of Pueblo's 10th Judicial District countered that felons are responsible for knowing law.

"If people violate it, sometimes you just have to send a message that they have to be more cognizant of what's going on," he said.

In the Arapahoe County-based 18th Judicial District, officials reported several cases of voters mistakenly filling out and signing their spouse's ballots, and residents submitting ballots sent to

voters who previously lived at the same address.

A husband and wife in Douglas County each cast absentee ballots, then cast provisional ballots at the polls for fear their mail-in votes wouldn't count.

"They were not trying to intentionally vote twice. They just wanted to make sure their vote counted. Those aren't the kind of cases we'd be likely to prosecute," said spokesman Mike Knig

"What you'll see is a lot of stuff forwarded to the DA and almost no prosecutions," Wickersham added.

Election-law changes proposed recently by Davidson and state lawmakers deal less with voter fraud than with tightening security around voter-registration drives. Bills stem from news last fall that some workers who were paid to sign up new voters were forging registration documents.

Fourth Judicial District officials have indicted Joseph Battles and Keith Bohannon on 19 and 29 counts of forgery, respectively, related to voter-registration drives. Battles is set for arraignment in May, and Bohannon is scheduled for a jury trial in June, Newsome said.

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<http://www.latimes.com/news/local/la-me-voterfraud7mar07,1,7266647.story?coll=la-headlines-california>
From the Los Angeles Times

S.B. County Probes Voter Signup Firm

Thousands of allegedly flawed GOP registration forms submitted by a Riverside company are being checked. ID's are said to be lacking.

By Ashley Powers
Times Staff Writer

March 7, 2006

San Bernardino County prosecutors are investigating a signature collection firm that submitted thousands of flawed voter registration forms on behalf of the county's Republican Party, authorities said.

The district attorney's public integrity unit launched an investigation after the registrar of voters received complaints from people who said they had been improperly registered as Republicans during a recent GOP registration drive.

County voting officials said they found problems with many of the nearly 3,000 registration forms submitted by the company, including 1,800 that lacked voters' driver's license numbers or other official forms of identification, which were required by a state law this year.

The district attorney's office is also investigating whether the same political firm, John Burkett Petition Management of Riverside, was responsible for the large number of signatures declared invalid in a recent petition drive in Rialto, said Deputy Dist. Atty. Frank Vanella.

County GOP officials said they had severed ties with the owner of the firm, John Burkett, who had run the party's registration drive since January.

Burkett said Monday that the allegations seemed "impossible" and that he only recently became aware of the state law requiring official documentation numbers on the forms.

"For somebody to pop up and say 3,000 are bad ... it sounds kind of incredible," he said.

Burkett has run his company — with more than 100 signature-gatherers in Riverside and Arizona — for nearly two decades, contracting mainly with Republican organizations.

"I know John verifies every voter registration that comes across his desk," said his sister-

in-law Barbara Burkett, who runs the firm's Arizona office. "He calls the person. He's honest like you wouldn't believe. He'd never cheat at all."

Republicans have aggressively courted voters in rapidly growing San Bernardino County.

They hold a registration edge over Democrats, 42% to 38%, and hold four of five seats on the Board of Supervisors.

Burkett said he had worked with the county GOP since 2000. His firm is paid for each voter registration form it collects, usually \$3. But the San Bernardino County Republican Party recently offered \$6 for each GOP voter registered in the San Bernardino and Ontario areas, said party officials.

County Registrar Kari Verjil said Burkett dropped off nearly 3,000 voter registration forms a few weeks ago, along with petitions that supported "Jessica's Law," a proposed state initiative that would bar convicted sex offenders from living in many California neighborhoods.

Voting officials immediately noticed problems.

More than half of the forms lacked an identification number, such as a driver's license number, they said.

They also discovered a few people had been registered multiple times, and received one complaint from someone who was not a U.S. citizen and couldn't understand how he could be eligible to vote.

Verjil contacted the district attorney's office and state officials. The county is sending letters to the people on the forms to see whether their registration is legitimate, she said.

Officials with the San Bernardino County GOP said they also noticed irregularities on registration forms, such as repeated names, and had contacted the registrar's office, said Adam Aleman, the executive director.

Burkett billed the party \$25,000, which Aleman said would not be paid until the investigations were complete.

The district attorney's office had already been asked to look into possible improprieties in a Rialto signature drive that Burkett led.

About 4,800 of more than 5,600 signatures submitted were found to be invalid and were tossed out by election officials.

A community group called Voice United had hired Burkett's firm to promote a ballot initiative that would have required voter approval for the city to contract with the county to provide city police services.

In Riverside County, Burkett has turned in cards with missing or incomplete information and wrong addresses, said Rebecca Martine, chief deputy registrar of voters.

Residents have also complained that the person registering them incorrectly marked them as a Republican, she said.

"We'll start actually taking a closer look at all the registration cards, whether they're from him or another paid contractor, just to make sure that we're not going to face the same problem," said Riverside County Registrar Barbara Dunmore.

San Bernardino County's investigation comes after an unrelated investigation into possibly fraudulent voter registration cards in Orange County.

Election officials last week turned over 100 instances of allegedly improper voter registration to the district attorney's office in Orange County, including three dozen complaints of Democrats being signed up as Republicans.

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Times staff writers Susannah Rosenblatt and Lynn Doan contributed to this report.

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From the Los Angeles Times

Voter Fraud Charges Probed

State has launched an inquiry into allegations of improper Republican registrations in Orange and Riverside counties.

By Ashley Powers and Susannah Rosenblatt
Times Staff Writers

April 8, 2006

Investigators for California's attorney general and secretary of state have launched an inquiry into allegations of voter registration fraud in Orange and Riverside counties, state officials said Friday.

The investigation comes a month after the California Republican Party suspended its paid voter registration program, following the discovery by elections officials in Orange and San Bernardino counties of thousands of flawed registration forms submitted by private firms the county parties had hired.

Elections officials turned over those forms to local prosecutors and the secretary of state. The state Democratic Party requested that the attorney general investigate, calling the allegations "even more disturbing than first thought."

A statement released Friday by the California Republican Party said it welcomed the inquiry and that "one instance of voter fraud is one too many and any suggestion of voter fraud must be investigated."

Riverside, Orange and San Bernardino counties have recently received complaints from residents who said they had been improperly registered as Republicans, elections officials said.

It was unclear Friday whether the allegations in Riverside County stemmed from those complaints. "To my knowledge, we don't have any gross irregularities in our registrations in Riverside County," said county Registrar Barbara Dunmore.

Orange County officials did not return phone calls seeking comment. The San Bernardino County district attorney's office has chosen to head its own investigation, though there appears to be "significant overlap" in the conduct of signature-gatherers in the three counties, said Nathan Barankin, a spokesman for Atty. Gen. Bill Lockyer.

The state GOP voter registration program paid private contractors \$3 for each new

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registration submitted. It was credited with adding 750,000 Republican registrations to state voter rolls in the last three years.

State Democrats run a similar program, but said they pay only volunteers affiliated with party clubs or committees.

In Orange County, the voter fraud allegations have centered on a subcontractor working for Bader & Associates, a Newport Beach-based signature-collection firm headed by Thomas Bader, who ran voter registration programs for the state Republican Party from 2003 to 2005.

Contractor Christopher Dinoff appears to be connected to the 100 or so cases of alleged improper registration, Orange County election officials have said. Bader also hired John Burkett, who took charge of the San Bernardino County GOP's registration program this year.

Election officials said Burkett had turned in thousands of flawed voter registration forms to the San Bernardino County registrar's office, including 1,800 that lacked driver's license numbers or other forms of required identification.

After the allegations, state Sen. Debra Bowen (D-Marina del Rey), who is running for secretary of state, last month amended a pending bill so that it would ban so-called "bounty" programs in which political parties pay for each signature or registration collected.

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Times staff writer Jean O. Pasco contributed to this report.

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Saturday, April 1, 2006

O.C. voters were duped into GOP registration

Petitioners lie, cajole and commit forgery while duping more than 100 O.C. residents into joining the Republican Party.

By TONY SAAVEDRA, KIMBERLY KINDY and BRIAN JOSEPH

The Orange County Register

More than 100 Orange County residents who thought they were simply signing petitions to cure breast cancer, punish child molesters or build schools were duped into registering as Republicans, an Orange County Register investigation found.

The ruse took place over several days in December and January at shopping centers throughout Anaheim, Santa Ana, Buena Park, Westminster and Garden Grove, where paid petitioners begged, cajoled, lied and committed forgery to get so-called Republican converts. Petition circulators were paid as much as \$7 for each GOP registration.

Orange County election officials have received complaints from 167 people who were flipped to the Republican Party without their permission. The Register found the problem was far wider, interviewing 112 others who were not only switched, they were tricked and deceived. Among the victims is a lifelong Democrat who was pressured to fill out forms even though she didn't have her glasses and couldn't see what she was signing.

The Register traced the bogus registrations to Christopher Scott Dinoff, who took out 13,000 blank affidavit cards from the Orange County Registrar of Voters Office, records show.

Each affidavit is numbered, linking Dinoff to the doctored cards.

Dinoff, who was fired from the Orange County Republican registration drive for being too aggressive, declined to comment. It is unlikely that he acted alone; professional petition circulators such as Dinoff usually hire other people to help harvest signatures.

"I think they need to be punished," said Ericka Lopez of Anaheim, who said she was unwillingly switched from Libertarian to Republican in January. "We were deceived."

California Secretary of State Bruce McPherson is looking into the allegations of voter registration fraud in Orange County, as well as in San Bernardino and Riverside counties, where hundreds of complaints have been linked to a petitioner identified as John Burkett.

A spokeswoman for McPherson declined to comment on the Register's findings. In Orange County, local GOP Chairman Scott Baugh said he considers his party a victim in the scam.

"Not only do we get hit for the dollars we are paying vendors, but if they are reluctant Republicans, we are also wasting money on follow-up mailers and efforts to contact (them)," Baugh said.

Virtually all the victims interviewed by the Register told the same story:

They were asked to sign petitions while shopping. Without realizing it, they also signed voter registration cards listing their party designation as Republican. When pressed for an explanation, signature gatherers said they needed to list people that way because it was a Republican-sponsored petition. They said it wouldn't change the party affiliation. Sometimes petitioners told victims to leave blank the box designating party.

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Other signature gatherers were more creative.

Consider what happened to Carol Heckerman.

Without her glasses, everything was a blur for the 64-year-old Anaheim woman.

She could barely see as she pushed her loaded shopping cart through the hazily lighted parking lot outside an Anaheim Wal-Mart.

And she sure couldn't read the small print when a signature gatherer stuck a voter registration card beneath her nose, Heckerman said.

"Don't worry," Heckerman recalls the man saying, "I'll fill it out for you."

That's how Heckerman, a Democrat since John F. Kennedy occupied the White House, became an Orange County Republican.

Many of those interviewed by the Register were college students or people with a limited command of English.

"We really don't know how the system works, and we're a little more naive than the rest of the population," said Evelyn Maldonado, 19, a Santa Ana College sophomore who was approached by a signature gatherer after class.

The registration drive was concentrated mostly in the heavily contested 34th Senate District, where the GOP is beefing up its ranks to challenge the Democrat incumbent. However, the bogus registrations may give Republicans a false sense of strength that could bite them at the polls.

"I got a surprise for them," said Joseph Serio, a 40-year-old freight agent who was flipped from "Decline to State" to Republican.

"I thought I was just filling out a petition to keep child molesters away from schools, then they threw this other (stuff) in," Serio said, "They were camouflaging another agenda."

Dinoff was hired by a subcontractor for Bader and Associates, the Newport Beach consultant used by the GOP to conduct the registration drive.

Consultant Tom Bader said his firm tries to weed out bad registrations by analyzing the forms, looking for patterns that could indicate fraud. Bader said none was found. He added that the only group that profits from forged registrations are the street-level bounty hunters.

"I don't believe any companies would do it intentionally," Bader said. "They'd be nutty to try anything like that."

Orange County Republican officials say they took immediate action when they learned of "over-aggressive" petitioners, refusing to pay for anymore registrations from Dinoff.

But Frank Barbaro, Orange County Democratic Party chairman, isn't so sure that the Republican Party is blameless. Barbaro said the GOP benefited because the boosted numbers strengthened the party's fundraising ability in the heated 34th District.

"It gives the Republicans all this energy," Barbaro said. "They take those numbers around the state and raise money, saying, 'We can win that district.'"

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tricks of the trade

Sean Dailey, an 18-year-old Cypress College student, said he was among those hired to harvest signatures outside a Buena Park Wal-Mart. Dailey said he quit after two weeks because he was uncomfortable with the tactics taught by a supervisor he knew only as "Dan."

"It was supposed to be on the up and up," Dailey said. "But the guy was sitting there telling people they could make \$15,000 a week – tax-free money." Dailey said he was wary about accepting money under the table.

He said his group met at an apartment near Anaheim Plaza, where the cash was distributed and the registration cards were collected at the end of the day. Many of the party affiliations were switched in the field – right in front of victims. In other cases, the cards were doctored at the apartment, Dailey said.

The tables turned on Dailey when his own registration card, and those of his father and brother, were forged as well – unbeknown to him.

His father, Kenneth Dailey, learned of the deception from a reporter.

"That's a crock," roared Kenneth Dailey. "I ain't never been a Republican. I signed a petition for my kid. ... I never did anything that declared 'Republican.'"

The Lies

Celia Trevino and her husband, Joseph, both 71, tried to ignore the young couple waving a clipboard at them as they left the Anaheim Wal-Mart.

But the petitioners said the two words Celia Trevino couldn't ignore: child molesters.

"Right away, your bulb lights up," Trevino said. That night the Trevinos, lifelong Democrats, left the parking lot as Republicans. But they didn't know it until they got a card from the Orange County registrar's office.

Deborah Haertel thought somebody screwed up when she got a postcard welcoming her to the Republican Party. But she grew concerned when more and more GOP mailers began to arrive.

"Excuse me. I am NOT a Republican," said Haertel, 42. "I think they have no business taking over your life and turning it into something else without your permission. It's sneaky and underhanded."

Lessie Wood, another victim, doesn't want to stay Republican any longer than she has to. Wood said she was told that her signature on an anti-pedophile petition wouldn't count unless she was Republican. She now plans to change back to the Democratic Party.

"I didn't want to be Republican," said Wood, 49, of Stanton. "But I wanted my signature to count."

Sonia Olivarez, 26, didn't really understand what the pushy man outside the Santa Ana Target store wanted her to sign. But the mother of three was in a hurry to pick up her kids from school. So she pushed her pen across everything the man put in front of her.

Now she is Republican, at least on paper.

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The Web Site of The Sacramento Bee

This story is taken from Politics at sacbee.com.

GOP finds faked voter affidavits

By Kevin Yamamura -- Bee Capitol Bureau

Published 12:01 am PDT Friday, September 1, 2006

Several GOP voter-registration workers created fake individuals in documents submitted to the California Republican Party, which said Thursday that it discovered the fraudulent activity through an internal review and forwarded its findings to Secretary of State Bruce McPherson.

GOP spokesman Patrick Dorinson said the party caught the undisclosed number of falsified voter affidavits early enough that it avoided registering any fraudulent names with the state.

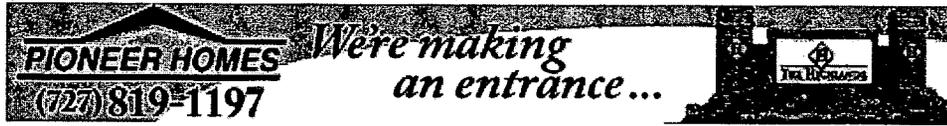
The documents were filed two weeks ago by an unnamed Southern California subcontractor hired by the party's principal registration vendor, California Grassroots Mobilization, according to Dorinson. The party has since fired the subcontractor, and Dorinson said California Grassroots Mobilization is working with the party to expose the fraudulent actions.

Dorinson would not name the subcontractor or the workers. Nor did he disclose how many fraudulent documents the party found because he said the matter is under investigation.

"We felt it was necessary to come forward because we're trying to maintain the integrity of our program," Dorinson said.

McPherson, a Republican, said in a statement he will conduct a full investigation, adding that "if credible evidence of wrongdoing is found, we will work with local prosecutors to vigorously prosecute to the fullest extent of the law."

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Vote fraud case raises bullying cries

By DAVID KARP, Times Staff Writer
Published September 28, 2004

ORLANDO - Local politicians call him the absentee ballot king.

Before each election, Ezzie Thomas appears at the homes of hundreds of black voters and picks up their absentee ballots.

In a predominately black Orlando neighborhood, it seems everyone knows the 73-year-old Thomas. He was the local television repair man for years, extending credit to black residents when no one else would.

But now Thomas' tactics in the spring Orlando mayoral election are at the center of a controversy that once again has put Florida elections in the national spotlight. The Florida Department of Law Enforcement investigated Thomas, closed its case, then reopened it. Now the U.S. Department of Justice and the U.S. Commission on Civil Rights are investigating the FDLE investigation.

Critics of Thomas' methods argue they are illegal and give Democrats an edge. Critics of the FDLE investigation say all candidates go after absentee ballots like Thomas does and call the probe an attempt to scare black residents into not voting in November, which would help Republicans.

"If there was evidence of widespread absentee ballot fraud, I don't think anyone would question their right to investigate," said Democratic lawyer Joseph Egan, who wonders why the FDLE would focus so hard on someone like Thomas.

Since the investigation began, writers from the *New York Times*, the *Los Angeles Times* and *The Independent* of London have weighed in. An international elections commission began interviewing witnesses last week.

How did something so local become so big?

It started on election night in March at the Orange County Supervisor of Elections Office. As results in the mayor's race trickled in, it appeared challenger Ken Mulvaney may have won enough votes to force a runoff election with Buddy Dyer.

But someone told Mulvaney's brother that Dyer had swept the absentee ballots. Brian Mulvaney was new to campaigns, but he could not see how that could happen.

The next day two black activists called Brian Mulvaney and told him to look at the absentee ballots. It turned out Thomas' signature was on about 265 absentee ballots as a witness. Other people who were paid \$100 by Thomas witnessed another 100 ballots.

Mulvaney's group began knocking on voters' doors. Most voters whom Thomas helped were elderly. A few were blind.

Exactly what happened in some of those homes is in dispute. Thomas, who was paid \$10,000 by the Dyer campaign, says he only showed voters how to properly fill out ballots. He also would take a ballot if people asked.

But others said Thomas did more.

Some voters handed Thomas blank ballots, without votes marked. Others didn't seal ballots in an envelope.

"He'll tell you where to sign it," said Rose Lee Jackson. "I never sealed none of them."

"He'd be the one to write it all out," said Martha Glenn. "He asked me who do I want to vote for. He had the people's names. He'd call them off and everything."

No one claimed Thomas gave them money. No one saw Thomas change a vote.

Democrats say minority voters accept the practice, which makes it easier to vote. Critics say it invites fraud. It also violates a seldom-enforced law against getting paid to request, collect or physically possess absentee ballots.

Republicans, who have mastered absentee ballot campaigns, say they don't collect voters' ballots by hand.

"I've never heard of that," said consultant Mark Proctor. "That's pretty aggressive."

* * *

A week after the election, Brian Mulvaney called Orlando police. "What was happening was illegal," he said.

Months passed. Then he read in the *Orlando Sentinel* that Dyer had been cleared.

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In a letter, FDLE regional director Joyce Dawley said the agency found no basis to charges that Dyer campaign staffers had illegally collected absentee ballots.

Dawley said later that someone - she can't recall who - asked her to issue the letter.

Mulvaney called FDLE and asked how agents could clear Dyer when they had not interviewed him.

Dawley apologized and said she only meant to clear Dyer, not close the entire case.

After she met with Mulvaney, the investigation began again. A week later, FDLE agents talked about big-time charges. Agent Wayne Ivey told the *Sentinel* the investigation could lead to racketeering charges.

* * *

In early June, FDLE agents began knocking on voters' doors in Lake Mann Homes, a public housing complex on Orlando's west side.

When they first stopped by Hattie Bowman's house, she wasn't home. So agents questioned her 9-year-old daughter. They wanted to know where mom was, who she was with, what type of car she drove.

When Bowman returned, she could see firearms under the agents' coats. They told her they were conducting a criminal investigation.

"When they said 'criminal,' I said, 'Oh my God,'" Bowman said. They wanted to ask her 19 questions - on tape.

"As scared as I was," she said, "I didn't believe it."

She knew it was legal to vote by absentee ballot. And she did that again during the Aug. 31 primary.

About a mile away, agents asked voter Annie Justice if Thomas bribed her.

"If he bought votes, I want my money," she joked.

The agents didn't frighten her either, she said.

"I am not easily intimidated - believe me," she said.

In late June, Thomas called a news conference to decry the FDLE's tactics. Democratic activists claimed scores of voters were too scared to vote absentee.

"There are African-Americans who believe that if you vote absentee, you will have cops showing up at your door," said Egan, the Democratic lawyer.

New York Times columnist Bob Herbert compared the FDLE to sheriffs who suppressed the black vote in the segregated South.

FDLE agents said they behaved professionally and will release tapes of the interviews at the end of the investigation to show it.

"The notion that anyone was intimidated is more of a political notion than a factual reality," spokesman Tom Berlinger said.

One thing is certain. Egan said Thomas "is scared to death."

Thomas' criminal defense lawyer has begun cooperating with prosecutors and now defends the FDLE's conduct. "They were just doing their job," attorney Dean Mosley said.

Prosecutors questioned Thomas under a subpoena that gave him immunity from prosecution, Mosley said.

"I can't believe they want to prosecute a 73-year-old man who thought he was doing a public service," Mosley said. "I think their target is some elected officials."

Meanwhile, Thomas spends his days behind the screen door of his ranch house. For November's general election, he doesn't plan to collect a single absentee ballot.

-- David Karp can be reached at karp@sptimes.com or 1-800-333-7505, ext. 8430.

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Election chief warns of absentee scam

People posing as election officials are visiting residents of several counties and offering to take absentee ballots.

By STEPHEN HEGARTY, Times Staff Writer
Published October 22, 2004

Pasco elections officials have a warning for the county's absentee voters: **Don't give your ballot to a stranger claiming to be from the elections office.**

They're not who they say they are.

"The people who are soliciting your ballots in this manner are not elections officials," Pasco Elections Supervisor Kurt Browning warned Thursday.

The warning came after a phone call from a west Pasco woman. Other Florida counties have gotten similar complaints.

"We've had a bunch of them - 100 at least," said Bob Sweat, elections supervisor for Manatee County. "It's probably going on all over the state of Florida."

The Pasco woman said someone came to her home to collect her absentee ballot earlier this week. She said she was led to believe they were from the elections office. The woman told the strangers she hadn't completed the ballot, but they took it anyway.

The deception is the latest sign of the lengths to which some partisans appear ready to go in this election. Elections officials worry there will be many more complaints of overly aggressive behavior in attempts to affect the outcome of the presidential race.

Browning's office had not yet received the woman's absentee ballot Thursday. Given the circumstances, Browning arranged to send her another.

Other counties have had numerous complaints about similar misrepresentations.

"We've had a few people with those complaints - I'd say less than 10," said Dan Nolan, chief of staff for Hillsborough Supervisor of Elections Buddy Johnson. Johnson said he routinely advises voters to send their absentee ballots in via mail, or to bring it directly to his office.

In Manatee, there have been numerous complaints, and the Sheriff's Office is investigating.

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Manatee Elections Supervisor Sweat said the people collecting the ballots appeared to know exactly who had absentee ballots. It is possible for political parties, candidates and political groups to get lists of voters who request the absentee ballots.

Sweat said it appeared the collections were occurring in neighborhoods full of low-income, minority and elderly residents.

Several political-oriented groups are working hard to get their supporters to vote early, either through absentee ballots or early voting. It is legal for them to collect absentee ballots and turn them in to an elections office, so long as they don't misrepresent themselves or alter the ballots.

In his warning, Browning said, "I need to make it very clear that my office will never show up at your place of residence to collect your absentee ballot."

Because the presidential race is so close in Florida and its 27 electoral votes could decide who will take the White House, political groups are aggressively working to get their supporters to vote. Many say, though, that they are keeping their hands off the actual ballots.

A representative from the group Americans Coming Together said Thursday that they urge people to request absentee ballots, then collect the request cards and turn them in to elections officials. They have turned in thousands of requests in the Tampa Bay area. However, ACT stays away from the actual ballots, according to Tait Sye, state communications director for ACT, a Democratic voter mobilization group.

"We have turned in thousands of request cards for Pasco," Sye said. "But we are not collecting the absentee ballots, period."

[Last modified October 22, 2004, 01:09:27]

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Florida Absentee Ballots-Party Affiliation Noted

Note: It is a long established practice in election fraud to "lose" mailed ballots belonging to members of the opposition party. Black Democrats in Florida have been particularly susceptible to "lost" ballots.

[EJF comments and annotations in Courier font.]

August 21, 2004 — The three letters on the front of the envelope containing Ben Hebblethwaite's absentee ballot screamed at him: DEM.

His party affiliation was marked in clear, if tiny, print on the address label directing the ballot to his Gainesville home.

Hebblethwaite, a professor of Haitian/Creole at the University of Florida, thought about the Gainesville postal worker he'd seen with a photo of President Bush tacked to his post-office cubicle. He thought about the slim margin in the 2000 presidential election and he thought about the statewide problems that year.

And then he panicked.

"If the election hinges on 200 votes, it would be pretty tempting, pretty easy, for a postal worker to slip a thousand ballots in the back of his truck," Hebblethwaite said. *"I have a great respect for postal workers, and I believe the large majority do respect our laws and democracy. God forbid such a crime would occur, but this is an invitation to commit a crime."* [Mail ballots are handled by many individuals besides postal workers. And often the ballots are bundled by party affiliation. Makes it quite easy to "lose" some.]

State law doesn't prohibit supervisors of elections from putting a voter's party affiliation on mailing materials, and some state and county officials dismissed Hebblethwaite's worry as trivial [A standard tactic by election officials. No one knows anything about elections but them.]

But others said with more people voting with absentee ballots, the supervisor of elections should be careful to a fault to protect absentee voters' privacy. [The basic problem here is that **no** ballots should be voted by mail if election fraud is to be minimized.]

"While it may not be strictly prohibited under state law, the overall intent of state law is to give the absentee voter the same degree of privacy an in-person voter would have," said Elliot Mincberg, vice president and legal director of **People for the American Way**, a national liberal advocacy group active in Florida politics. *"Other counties have found a way to deal with that. I think to better comply with the spirit of the law, as many counties do, that it's best to not have that information on the outside of the envelope."* [The better way to deal with this is to ban absentee/mail ballots in most cases as was done in the past.]

Florida Division of Elections lets each of the 67 county supervisors of elections decide how to best sort their absentee ballots, and using party affiliation is a common practice, according to a spokesman for that agency.

First complaint

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Alachua County Supervisor of Elections Beverly Hill said her office's computer system automatically puts a voter's party affiliation on the mailing label for outgoing ballots and also on the return-address label on the envelope carrying it back to her office.

"People get upset about different things during the course of an election, and we understand that," Hill said. *"But over 5,000 ballots have gone out now, and he's the only one to complain. His complaint is legitimate, but certainly for now, we'll continue in this election to do that."* [Typical reaction of election officials is to stick their heads in the sand and pretend the problem does not exist.]

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No change expected

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Supervisor of elections staffers said they have used the same procedure in general elections and will likely do so again this November. [And since the problem doesn't exist, there is no need to fix it.]

Chuck Floyd, former chairman of Alachua County Democratic Executive Committee, said a concerned absentee voter could always go to the supervisor's office to vote or mail the ballot back inside another plain envelope.

Hebblethwaite said that doesn't ease his concern about the ballot's trip from the supervisor's office to his mailbox. Also, he said, he wanted to vote absentee in the first place to avoid the inconvenience of a trip downtown on election day — a practice many supervisors of elections are promoting. [And is that because they want to make election fraud easier?]

In addition, said other local officials, it should be just as easy to change the practice in the elections office.

"I don't see the need for us to advertise a person's party affiliation on the outside of the ballot," said Travis Horn, Alachua County Republican Executive Committee chairman. *"I would like to think the things this man is worried about don't happen, but I would also like to think there aren't bad people in the world. It seems a little bit naive to approach the issue that way."*

Public record

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A voter's party affiliation is already public record, Hill said, meaning anyone can provide a specific name to the supervisor of elections, then look at that information on a computer screen.

Hebblethwaite said he understands his name is already public record, but the likelihood of anyone getting it would be remote.

"It would take a very concerted criminal effort to look up all the voter rolls, carry a list around and match all the thousands of strange names to those on absentee ballots," Hebblethwaite said. [Actually, candidates and parties do this on a regular basis for mail campaigns, to walk precincts, identify voting trends, and other efforts to get out the vote and manipulate elections.]

A wider fear

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Hebblethwaite's outrage highlights a wider fear that during an election year in Florida, anything can happen, some officials said.

"People got so excited about the problems that the state of Florida experienced in 2000 that there seems to be a degree of almost paranoia about the efficiency of our voting system," Floyd said. *"I'm encouraged that people are concerned about the safety of the voting system, but I'd like to re-emphasize that we didn't experience any problems in Alachua County in 2000 and don't anticipate we will in 2004."* [But see October 21, 2004, story by [News4Jax.com](#) of investigation of vote fraud where "Alachua County learned people had their party affiliation changed to Republican against their will. The problem was discovered in a batch of 1,200 forms turned in by one man. Each of the forms registered voters as Republican."]

Hebblethwaite said he senses the paranoia, too. Even more reason to take extra care with even the finest details of policies and procedures, he said.

"Everyone knows Florida is the laughing stock of the United States when it comes to elections," Hebblethwaite said. *"The fact that we are perpetuating these kinds of problems so indifferently is very troubling."*

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Candidates weigh in

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Hill, who leaves her post this November, said she would let her successor decide whether to change the practice. Four Democratic candidates compete this month to run against Republican Ernesto Herrera for the spot in November.

Candidate Barbara Sharpe said she would research the issue if elected, but didn't know enough about it to comment now.

Kate Barnes, Pam Carpenter and Doug Hornbeck all said they would work to find a way to keep the party affiliation off the envelopes.

Hebblethwaite said he'll be watching the supervisor's race — and the mail — carefully.

"God help me if that sticker is on there again," Hebblethwaite said. "I'll certainly have to hand-deliver it if that happens."

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Posted on Sat, Jan. 21, 2006

State officials look into Milledgeville elections

By Keich Whicker
TELEGRAPH STAFF WRITER

MILLEDGEVILLE - The Secretary of State's Office is investigating a complaint by a former Milledgeville City Council candidate about possible wrongdoing in the city's November 2005 elections.

Benjamin Lewis, a political newcomer who failed to unseat incumbent Richard Mullins in the city's District 5 council contest, said he lodged an official complaint with the state earlier this month alleging election fraud and other voting irregularities on Election Day.

Lewis also said that he was not at liberty to discuss the specifics of his grievance because of the ongoing investigation.

According to city election results in District 5, Mullins defeated Lewis 426-320, a difference of 106 votes. In that contest, Mullins collected 118 absentee votes, while Lewis received 91.

Patti Rushin, the city's elections superintendent, confirmed that state investigators are in town.

"I'm not at liberty to divulge the names of the individuals being investigated, or the allegations, but my office and the Baldwin County Board of Registrars are cooperating fully with the investigation," she said.

State officials would not comment on the investigation, except to say that it exists and is focused on absentee ballots. Kara Sinkule, a spokeswoman for the Secretary of State's Office, said the evidence that has been collected will not be made public until after it is presented to the State Election Board in late February or early March.

Milledgeville City Manager E. Scott Wood said he believes the 2005 election was conducted properly by city employees and that he has no personal knowledge of any wrongdoing within the scope of his influence.

Lewis said several other complaints have been filed, but Wood said he knows of only one complaint to the state.

"I have no reason to believe or suspect any employee or agent of the city conducted him or herself inappropriately or mismanaged their election responsibilities," Wood said. "So we don't have any reason to consider it a city government issue. Now, if an individual did something illegal beyond the city's knowledge, then that's an issue between the secretary of state and that particular individual. And I expect and hope that individual is held appropriately accountable."

Absentee ballots are why then-Mayor Floyd Griffin Jr. requested the state dispatch election monitors to Milledgeville ahead of the Nov. 7 general election.

At the time, Griffin said he was concerned with changes brought about by House Bill 244, the so-called "voter ID bill," which allowed a person to request an absentee ballot without having to prove their identity or specify any reason as to why they needed it. Griffin said he viewed this as a loophole that could be taken advantage of by parties intent on election fraud.

At least three other candidates in the 2005 election were concerned about the legitimacy of absentee ballots. Lewis, Ken Morgan and Donald Hill each filed protests about absentee ballots with the Baldwin County Board of Registrars in the final days leading up to the general election. During an emergency meeting held Election

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Day, four absentee ballots from a group of eight that were challenged were thrown out by the board.

At the meeting's conclusion, Lewis admonished the board for not doing enough to curb irregularities and said he thought anyone who committed fraud by absentee ballot should be prosecuted and convicted in a court of law. He also said instances of voter fraud and other forms of voter intimidation were widespread within the city, a claim Hill agreed with.

A total of 408 absentee votes were cast in Milledgeville's general election, while an additional 81 absentee ballots were returned in the special runoff election between Hill and District 3 incumbent Denese Shinholster.

The majority of the absentee ballots in the election were cast in Districts 3 and 5, where Shinholster ultimately defeated Hill 195-120 in a runoff and Mullins overcame Lewis.

A total of 81 absentee votes were counted in the District 3 runoff between Shinholster and Hill, and 209 were counted in the District 5 contest between Lewis and Mullins. Those numbers illustrate that about one of every four voters from those two race's respective electorates voted through absentee ballots.

In both cases, the two successful incumbents collected more votes from absentee ballots than their opponents.

To contact writer Keich Whicker, call 744-4494 or e-mail kwhicker@macontel.com.

Now They're Registered, Now They're Not

Election Officials Express Dismay at Extent of Misinformation, Variety of Tricks Targeting Voters

By Jo Becker and David Finkel

Washington Post Staff Writers

Sunday, October 31, 2004; Page A22

As if things weren't complicated enough, here comes the dirt.

Registered voters who have been somehow unregistered. Democrats who suddenly find they've been re-registered as Republicans. A flier announcing that Election Day has been extended through Wednesday.

Dirty tricks are a staple of campaigns, but election officials say this year's could achieve new highs in numbers and new lows in scope, especially in key battleground states such as Florida and Ohio, where special-interest groups have poured in to influence the neck-and-neck race between President Bush and Sen. John F. Kerry.

"In my 16 years as an election administrator, I've never seen anything like this," said Ion Sancho, supervisor of elections in Leon County, Fla. "I see it as an expression of a political culture that has evolved in the United States of win at any cost. It's not partisan, but it's just lie, cheat and steal, and ethics be damned."

The problem in Leon County: Students at Florida State and Florida A&M universities, some of whom signed petitions to legalize medical marijuana or impose stiffer penalties for child molesters, unknowingly had their party registration switched to Republican and their addresses changed.

Officials say students at the University of Florida in Alachua County have made similar complaints and that about 4,000 potential voters in all have been affected. Local papers have traced some of the problems to a group hired by the Florida Republican Party, which has denounced the shenanigans. Switching voters' party affiliations does not affect their ability to vote, but changing addresses does, because when voters shows up at their proper polling places, they will not be registered there.

The college scam has also made an appearance in Pennsylvania, along with a separate scam last week in Allegheny County, where election officials received a flurry of phone calls about fliers handed out at a Pittsburgh area mall and mailed to an unknown number of homes. The flier, distributed on bogus but official-looking stationery with a county letterhead, told voters that "due to immense voter turnout expected on Tuesday," the election had been extended. Republicans should vote Tuesday, Nov. 2, it said -- and Democrats on Wednesday. A criminal investigation has been launched.

Authorities in several states also are investigating claims, by former employees of groups paid by both the Republican Party and Democratic-leaning interest groups, that they destroyed or did not turn in new registrations by voters of the opposite party.

Clouding investigations are claims and counterclaims not only about tricks, but double dirty tricks.

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In Wisconsin, a flier is circulating in Milwaukee's black neighborhoods that purports to be from the "Milwaukee Black Voters League." "If you've already voted in any election this year, you can't vote in the presidential election," the flier reads. "If you violate any of these laws, you can get ten years in prison and your children will get taken away from you."

Chris Lato, a spokesman for the Wisconsin Republican Party, called the fliers "appalling" but wondered whether Democratic interest groups might be to blame. He said circulators falsely claiming to represent the Republican Party might be trying to gin up turnout among black voters.

"First of all, the claim was false, and it seems a little obvious," he said. "We have a lot of these shadowy Democratic groups here in Wisconsin, and I wouldn't put it past 'em to do something like this to muck up the works."

Meanwhile, in Lake County, Ohio, some voters received a memo on bogus Board of Elections letterhead, informing voters who registered through Democratic and NAACP drives that they could not vote. Election officials referred the matter to the sheriff.

Lawyers for the Ohio GOP, who have charged Democratic groups with registering fictitious characters such as Mary Poppins, said Friday that they condemned election fraud and misinformation campaigns of any kind. But some local Lake County Republicans have adopted the double-dirty-trick explanation, saying the Democrats are out to make the GOP look bad.

Whatever the motive, election officials say that voters are genuinely confused by the misinformation. In the Cleveland area, election officials said they received a spate of complaints after voters began receiving phone calls incorrectly informing them that their polling place had changed. In addition, unknown volunteers began showing up at voters' doors, illegally offering to collect and deliver completed absentee ballots to the election office.

Jane Platten, a spokeswoman for the Cuyahoga County Board of Elections, said officials have not identified who is behind the tricks. "We've never seen anything like this before, where there seems to be a concerted effort to to give voters misinformation," she said.

In South Carolina, Charleston County election officials warned voters Friday to ignore a fake letter that purports to be from the NAACP. The letter threatens voters who have outstanding parking tickets or have failed to pay child support with arrest.

"Thankfully, we got this in time to do something about it," said the Rev. Joe Darby, first vice president of the South Carolina state conference of the NAACP, who learned about the letter his organization supposedly had written when it showed up in his own mailbox. "This isn't new -- it's the South Carolina politics of ignorance. And it's not surprising, because this is one of those every-vote-counts elections. But I don't think people will be fooled."



BLOGGED BY **Brad** ON 10/11/2006 3:54PM

U.S. Elections Assistance Commission Withheld Report Showing 'Voter Fraud' (as Opposed to ELECTION Fraud) Not a Problem!

Democracy Hater, GOP Operative, Thor Hearne of the Phony Anti-American Front Group 'American Center for Voting Rights' is Back Spreading Propoganda for the Republicans!

And the U.S. Commission on Civil Rights is Set to Help Them in a Hearing this Friday...

The U.S. Elections Assistance Commission (EAC) is now doing the bidding of the RNC, according to an article today from USA TODAY.

It seems that the EAC commissioned, received, and then buried a report concerning the issue of Voter Fraud (as opposed to *Election* Fraud and other legitimate disenfranchisement issues) when they didn't like the results they received. The report, which the commission received four months ago but failed to release, found "little evidence" of the "problem" now being pushed nationwide by GOP operatives as evidence that disenfranchising Photo ID requirement laws should be passed in states across the country.

Such laws have been passed, and found unconstitutional from Georgia to Arizona to Missouri, yet the proponents of this scam — who have shown themselves willing to stoop to any level to keep Democratic-leaning voters, who are far more likely to lack drivers' licenses, from voting — have been keeping up their ongoing and expensive propaganda campaign.

Members of the commission were reportedly split on whether to release the report publicly. That internal battle four months ago may have led to at least one resignation from the commission, The BRAD BLOG has learned. Now chaired by outgoing Bush-appointee Paul DiGregorio since the original chair Rev. DeForest Soaries resigned in frustration, citing lack of support for true electoral reform from both the White House and Congress, the EAC has been much criticized for their failure to oversee implementation of and standards for new Electronic Voting Systems across the country.

The item today from *USA TODAY* suggests that the commission may now have become entirely politicized and polarized...

WASHINGTON — At a time when many states are instituting new requirements for voter registration and identification, a preliminary report to the U.S. Election Assistance Commission has found little evidence of the type of polling-place fraud those measures seek to stop.

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Mark F. (Thor) Hearne, II (center) as seen at the Republican National Lawyers Assoc. reception in Ohio on March 5th, 2005.
 PHOTO SOURCE:
<http://www.unla.org/PhotoGallery.asp>

USA TODAY obtained the report from the commission four months after it was delivered by two consultants hired to write it. The commission has not distributed it publicly.

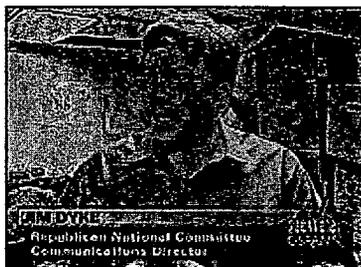
A [blog item](#), also posted today by *USA Today*, includes a link to the now [unearthed report \[PDF\]](#) which the EAC had sought to bury.

The report goes on to quote from GOP operative Mark F. "Thor" Hearne, who is still pushing his deceitful line about the non-existent "epidemic" of voter fraud in the country. Unfortunately, it is Hearne himself who appears to be the fraud, as [The BRAD BLOG](#) revealed in a [series of reports](#) beginning in March of 2005.

The RNC and the White House, via Hearne, their main operative on the Photo ID canard, have spread phony propaganda suggesting an epidemic of *voter* fraud in America ever since the 2004 election, when hundreds of thousands of voters were disenfranchised at the hands of GOP operatives.

Hearne and his motley crew created the phony, self-described "non-partisan" GOP front group, calling themselves "American Center for Voting Rights" (ACVR), as we [first revealed](#) on March 22nd, 2005, shortly after they were the only "Voting Rights" group called to testify before congressional hearings held by the now-disgraced Rep. Bob Ney (R-OH) on what went wrong in Ohio's 2004 Presidential Election.

Hearne testified before Ney's House Administration Committee on behalf of ACVR just three days after the group was created. He testified only that he was "a long time voting rights advocate," and didn't bother to mention that he had been the General Counsel for Bush/Cheney '04 or that ACVR's co-founder was Jim Dyke, the RNC Communications Director.



Dyke now [works out of Dick Cheney's office](#) in the White House. After exposure of the sham organization by this reporter, the group eventually added "[Democrat](#)" [Brian Lunde](#) as Executive Director. Lunde is a close advisor to Karl Rove and worked hard for Bush in 2004 and to retain a Republican Majority.

The group has been pushing phony stories about "Voter Fraud" to encourage disenfranchising Photo ID laws in states around the country ever since. The ACVR was even [behind the creation](#) of the Baker/Carter Commission, which also called for restrictive Photo ID laws.

From *USA TODAY* again...



Conservatives dispute the research and conclusions. Thor Hearne, counsel to the American Center for Voting Rights, notes that the Justice Department has sued Missouri for having ineligible voters registered, while dead people have turned up on the registration rolls in Michigan. "It is just wrong to say that this isn't a problem," he says.

That's one reason the commission decided not to officially release the report. "There was a division of opinion here," Chairman Paul DeGregorio says. "We've seen places where fraud does occur."

The consultants found little evidence of that.

In the meantime, the sham continues this Friday when the U.S. Commission on Civil Rights will hold a hearing to discuss some of these matters. But the speakers list, The BRAD BLOG has learned, is made up most of the usual Photo ID Suspects.

The list includes the same old crew: Hearne, Prof. Robert Pastor (Executive Director of the cooked Baker/Carter Commission, who went ballistic in a BRAD BLOG interview last year) and the *Wallstreet Journal's* ultra-con John Fund, who wrote a book full of this propoganda some years ago that served to launch the current insidious movement.

The only invited speaker representating anything close to an *actual* legitimate voting rights activist is Donna Brazile of the DNC's Voting Rights Institute. We have warned her that it would seem she is being set up by appearing with this barrel of bad apples.

For more information on the "non-partisan" tax-exempt ACVR scam and the snakeoil salesmen who invented it, Bush/Cheney '04 National General Counsel Mark F. "Thor" Hearne and RNC Communications Director Jim Dyke, please see BRAD BLOG's full Special Coverage of the "American Center for Voting Rights" at <http://www.BradBlog.com/ACVR.htm>.

The complete press release for the U.S. Commission on Civil Rights hearing this Friday is posted in full below...

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THE HILL
May 25, 2006

NEWS

FBI beefs up staff to probe pols

By Alexander Bolton

Federal law-enforcement officials say they witnessed a dramatic jump in campaign-finance and other election-related crimes in the 2004 presidential election year and are determined to beef up their policing of candidates running for federal and local office around the country this year.

Illegal fundraising schemes appear to have grown in number and sophistication as candidates have needed to raise more and more money to be competitive. Several members of Congress have recently found themselves caught up in fundraising controversies.

In the past year and a half, the Federal Bureau of Investigation (FBI) has reassigned nearly 200 agents to the problem of public corruption, bringing to 600 the total number of agents working on public-integrity cases.

While the Justice Department's increased focus on public corruption has been talked about in Washington, the FBI's elevation of such crimes among its priorities is less known. Even less noticed has been the FBI's new focus on violations of election law, which for years law-enforcement officials considered minor crimes, lawyers specializing in the field said.

But that is changing as candidates and their supporters have become bolder and more creative in skirting fundraising and election law. Furthermore, legislation Congress passed in 2002 making many election-law violations felonies has given law-enforcement officials greater incentive to investigate and prosecute.

Chip Burrus, assistant director of the FBI's Criminal Investigative Division, who is in charge of all public-corruption investigations, explained the new emphasis on election crimes in an interview Monday.

"We kept getting a lot of reports from the field regarding different schemes that were coming up that involved election issues," he said. "These schemes are getting a lot more complicated than they ever have been before."

Burrus said that the bureau had previously designated "two or three agents" 30 days before Election Day to respond to allegations of voter

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fraud. Often, these agents couldn't do much before the election for fear of being accused of interfering in the election.

"We always seemed to be chasing the problem instead of getting ahead of it," he said. "Now we have agents looking for this stuff every day," instead of waiting until late September or October.

A spokesman for the Department of Justice said that the department has focused on public corruption for a long time and that the FBI has started to bring itself more "in line" with that focus.

In 2000, when George W. Bush and Al Gore squared off for the White House, the FBI opened only eight election-law-related cases. Two years later, during the 2002 midterm election, the bureau opened 19 such cases. But in 2004 the FBI investigated 68 potential violations of election law, according to statistics provided by the agency.

The number of cases opened in 2005 dropped to 21, but law-enforcement officials are anticipating another surge this year.

To prepare, the FBI has trained 60 agents spread throughout all 56 field offices in campaign-finance and election law. Two members of the Federal Election Commission helped instruct the agents. So did Kenneth Gross, a prominent Washington-based campaign-finance lawyer, who gave them insight into the strategies and perspectives of defense lawyers.

"We'll put as many agents as we need to on these cases," Burrus said. He added that public-corruption crimes are now fourth among the FBI's priorities, after terrorism, counterintelligence and computer crimes, such as Internet fraud and identity theft. Burrus said the effort is not a reaction to the high-profile scandal involving former lobbyist Jack Abramoff, who has pleaded guilty to conspiring to bribe public officials.

Observers of elections applaud the renewed commitment to ensuring that local and federal candidates follow the law, yet some say that law enforcement should be careful not to intimidate voters or tarnish candidates.

"Failure to enforce laws means that some campaigns are playing by the rules while others benefit by not playing by the rules," said Spencer Overton, a law professor at George Washington University.

"In the same token, however, we should ensure that enforcement is evenhanded and not politically motivated, said Overton, who has written a new book, *Stealing Democracy: The New Politics of Voter Suppression*. "We don't want the improper enforcement of laws to either chill grassroots political activity or favor one political party to the

detriment of the other.”

FBI officials say that the bureau generated the initiative and that it was not imposed on it by the administration. Supervisory Special Agent Michael Elliot, an official who helped train agents said they were given clear instructions to treat election cases very sensitively.

Election experts said that the instances of ballot fraud and voter suppression do not appear to have increased in recent years but that there has been more suspicious or outright improper fundraising.

Tova Andrea Wang, a fellow at the Century Foundation, a liberal-leaning public-policy organization, who specializes in election reform said she doubts that anyone knows the amount of election fraud committed in the country. In contrast to the perceived growth in improper fundraising activities, Wang said, she believes that cases of ballot fraud are “extremely isolated” and have not increased in recent years.

But experts who follow campaign fundraising paint a different picture.

Nick Nyhart, the executive director of Public Campaign, a liberal group that advocates for the public financing of campaigns, said he suspects that many interactions between candidates and political donors are improper.

A candidate-donor relationship that has come under media scrutiny has been the one between Rep. Jerry Lewis (R-Calif.), chairman of the House Appropriations Committee, and the investment company Cerberus Capital Management. One day after political donors linked to Cerberus gave Lewis’s political action committee \$110,000, the House passed a bill that preserved funding for a Navy project important to the firm that Lewis had criticized. Lewis, who then was chairman of the House defense-spending subcommittee, was responsible for crafting the bill.

Lewis has denied having known at the time that Cerberus had an interest in the Navy project.

“There’s no doubt it was an underpoliced area in the past,” said Norm Ornstein, a scholar at the conservative American Enterprise Institute who specializes in elections and politics, referring to activities covered by election law. “I think we’re seeing a lot more questionable activity. I trace a lot of it to the leadership PAC phenomenon.”

Ornstein explained that lawmakers who do not face tough reelection races nevertheless feel pressure to raise a lot of money through political action committees for other candidates to ingratiate themselves with the party leadership. He noted that Lewis won his position as chairman

of the Appropriations Committee in part because of the vast amount of money he raised for Republican candidates and that a significant portion of the funds came from Cerberus.

Supporting the assertion that illegal campaign-finance schemes have grown in number, the Federal Election Commission has recently handed out several of its largest fines in agency history. For example, in April the agency fined Freddie Mac a record \$3.8 million for illegally using corporate resources to raise more than \$1.5 million for Republican lawmakers, including Rep. Michael Oxley (R-Ohio), chairman of the House Financial Services Committee.

Nyhart, however, predicted that candidates' and donors' shady practices will drop once word spreads that the FBI is paying more attention.

"If they know that their FBI agents in every field office are looking over their shoulders, I think they'll be careful in not engaging in direct quid pro quos when it comes of campaign promises," he said.

Georgia

REGISTRATION IN GEORGIA: Bogus addresses clutter voter rolls (EAC is mentioned)

Atlanta Journal-Constitution
Alan Judd - Staff
Tuesday, January 10, 2006

The grimy stucco storefront at 169 Trinity Ave. houses the Atlanta Recovery Center, a shelter for homeless men fighting drugs and alcohol. It also is home --- on paper, anyway --- to 208 registered voters.

One purportedly is 102 years old. Four are sex offenders who list the shelter as their permanent residence. Twenty of the 208 have cast ballots at least once since 2004.

It's anybody's guess, though, as to where they actually live or where they should be registered to vote. With at least three registered twice, it's not clear how many of them really exist.

That uncertainty underscores a basic flaw that permeates Georgia's voter registration system. While lawmakers debate anti-fraud legislation that would require voters to show photo identification at the polls, an analysis by The Atlanta Journal-Constitution shows the system is ripe for abuses that the voter-ID proposal might not detect.

Georgia relies on an honor system that assumes voters live at the addresses they submit when they register. These addresses determine voters' precinct assignments and, consequently, the elections in which they may cast ballots.

The honor system failed in the Atlanta City Council's 6th District, the Journal-Constitution found.

Five votes separated the two candidates in November's election. But the newspaper identified seven voters who claim as their home addresses one of two UPS Stores on Monroe Drive, where each rents a mailbox. Another voter in the 6th District last November recorded his address as an apartment at 541 10th Street N.E. --- the location of the tennis courts at Grady High School.

None of those eight --- whose ballots could have swayed the election's results --- should have been allowed to vote while registered at inaccurate addresses. But they are just a few among at least 2,000 in Fulton and other metro Atlanta counties who claim to reside at addresses that are not residential at all.

The rolls contain voters who list home addresses at the Fulton County Jail, Atlanta City Hall, downtown office towers like the Equitable Building, churches, homeless shelters, schools, the Journal-Constitution's headquarters, even the county government complex on Pryor Street --- the same address as the election office.

More than 1,000 voters in metro Atlanta registered from addresses that actually are commercial mailbox facilities such as UPS Stores, according to the Journal-Constitution's analysis. About 700 of those voters are registered in Fulton County, 132 in DeKalb and 91 in Gwinnett. The rest are dispersed across the metro area.

The findings, particularly concerning the 6th District council race, did not surprise John Sullivan, Fulton County's voter registration chief.

"If you start digging in any close election," Sullivan said, "it's possible to find enough to overturn the election."

'What difference does it make?'

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On Larry Royster's voter registration record, his home address is listed as Apartment F913 at 1579 Monroe Drive in Atlanta. No such apartment exists. Instead, that address is a mailbox inside the UPS Store across from Ansley Mall.

Royster, 59, was one of the seven people with addresses at UPS Stores who voted in the 6th District on Nov. 8. Like Royster's, the others' registrations reflect an apartment number that is merely a mail drop.

"I'm a trucker," said Royster, who declined in a brief telephone interview to say where he lives. "I'm on the road most of the time. What difference does it make?"

State law requires that voters provide accurate home addresses to keep them from influencing the outcome of elections for which they are not eligible to cast ballots. Although knowingly giving false information on a voter registration application is a felony, officials say they have prosecuted few, if any, voters who provided an inaccurate address.

On Monday, the first day of their 2006 session, state lawmakers moved quickly to advance a bill that would require voters to present a government-issued photo identification card, such as a driver's license, at polling places. The bill, similar to one passed last year but temporarily blocked by a federal judge, passed the House Governmental Affairs Committee on Monday and could come before the full House for debate by the end of the week. The measure, however, would not require voters to document their residence.

Following inquiries by the Journal-Constitution, officials recently sent letters to voters --- 526 in Fulton County, 132 in DeKalb --- who cited addresses at commercial mailbox outlets. The letters instructed the voters to document their true residence or risk being deleted from the voting rolls. Gwinnett County also is checking its rolls.

DeKalb's elections board meets on the matter today. Fulton's board has scheduled a hearing for Jan. 25.

Linda Latimore, DeKalb's elections registrar, said her staff located the 132 voters at 14 commercial mailbox outlets. She does not think the improper registrations were part of an organized effort to commit election fraud.

"I think a lot of it is innocent," Latimore said. "Maybe they live in apartments and don't think the mail there is secure."

"People move in and out for convenience's sake," she said. "They just use that as their address."

Susan Segars, for instance, uses a box at a UPS Store at 1425 Market Blvd. in Roswell to collect her mail. She lives nearby, in the same voting precinct. So, she said, listing the mailbox address on her voter registration form made sense.

"It's more secure," she said. The voter rolls are public record, she said, and "I don't like to publish my address."

Segars, 43, votes regularly --- 10 times this decade. But she said she has never tried to hide from poll workers the fact that her residence doesn't match her address in their files.

"They know it," she said. "I tell them every time."

Detection difficult

Despite some voters' frankness, election officials say detecting inaccurate addresses is difficult.

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For years, prospective voters had to register in person at a county election office. That changed after Congress adopted the National Voter Registration Act of 1993, commonly known as the motor voter law because it allows residents to register to vote while obtaining or renewing a driver's license.

The law requires prospective voters to document only their identity, not their residence, said Chris Riggall, a spokesman for Secretary of State Cathy Cox, Georgia's chief elections officer. And the documentation of identity is not rigorous; an easily obtained Social Security card will suffice.

County election registrars plug applicants' information into a statewide computer database. If an address is on a real street, the registration goes through. The database disregards whether the address is residential, commercial or even industrial.

"It's not an extensively vetted process," Riggall said.

A few states, such as California, canvass neighborhoods to spot-check their voter lists, according to the U.S. Election Assistance Commission, a federal agency that certifies state voting systems. Wyoming checks property ownership lists and car registrations, and Massachusetts compares its voter rolls against an annual statewide census of street addresses.

In metro Atlanta, officials said, rapid growth creates problems.

"We've got so many areas now where it's residential today, and tomorrow it's gone commercial," said Lynn Ledford, Gwinnett County's elections supervisor. Her staff is compiling a list of commercial addresses to compare against voter registration applications.

No one denies that the potential for abuse is high. Anyone who filled out a phony registration application could also present a false identification card at the polls, possibly at numerous locations, casting any number of fraudulent ballots.

Sullivan, of Fulton's elections office, said workers discovered an apparent scheme to submit fraudulent registrations in 2004.

About 5,000 applications for registration arrived in the mail, filled out in similar, if not identical, handwriting, Sullivan said. Workers also noticed that many forms appeared to have been filled out in sequence, possibly from a telephone directory.

The county sent letters to each of the purported applicants. "Of course," Sullivan said, "we had very, very few responses."

Officials discarded nearly all the apparently bogus applications, but never identified the culprit.

"We kept a bunch of trash off the rolls," Sullivan said. "But this isn't a tiny community where everybody knows everybody. Basically, whatever's on the document is what we have to deal with."

Sometimes, even blatant discrepancies slip by the workers who punch data from applications into the statewide database.

For several years, workers have processed applications from people who say they live at the Atlanta Recovery Center on Trinity Avenue, two-tenths of a mile and just around the corner from the Fulton elections office. The center offers 187 beds for temporary, "transitional" housing for homeless men looking for a place to live, said William Cowins, its operations manager. Some former clients use the center as a mail drop, Cowins said.

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The applications failed to raise doubts, even coming from a man who registered to vote on July 28, 2003 -- the day he supposedly turned 100. The fact that a man with the same name, born 48 years later, had also registered at the same address in 2001 slipped by, as well.

Cowins said the man receives outpatient mental health care at the VA Medical Center in DeKalb County and is "one of our best clients." He was surprised the man is registered to vote, especially as a centenarian.

"He's nowhere near 102," Cowins said. "But next week, he'd tell you he's 202."

REGISTRATION PROCESS

When Congress passed what became known as the motor voter law in 1993, it intended to make registering to vote as easy as possible for as many people as possible. Here is how the registration process works:

1. A prospective voter may submit an application for registration by mail, while obtaining or renewing a driver's license, or in person at the county elections office. An applicant is supposed to submit one of about a dozen documents, such as a copy of a Social Security card, to prove his or her identity. No proof of residence is required.
2. Applications submitted through driver's license offices or by mail go to the Georgia secretary of state's office, which distributes them to the appropriate county elections office.
3. Workers at the county level put information about prospective voters into a statewide computer database. It is designed to prevent duplicate registrations by comparing registrants' Social Security numbers.
4. Before assigning a voter to a precinct, election workers check whether a registrant's reported address exists, but not whether it's actually a residence. Post office boxes are not accepted.
5. Twice a year, the Secretary of State's office compares a change-of-address database from the U.S. Postal Service against its own registration database to find voters who have moved but have not updated their registration.
6. When inaccurate registration addresses are found, officials send letters to voters instructing them to document their residence, appear at a hearing of the county elections board or risk being deleted from the voter rolls.

ANALYZING THE DATA

To identify voters who do not appear to live at the addresses for which they are registered, The Atlanta Journal-Constitution compared a statewide voter registration database with a list of more than 100 commercial mailbox outlets in metro Atlanta. The newspaper also checked for voter registrations in the downtown business district and at government facilities.

David A. Milliron, the Journal-Constitution's database editor, supervised the analysis. Additional analysis was provided by Group 1 Software, a subsidiary of Pitney Bowes Inc.

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McDonough election lawsuit to be dropped

By Michael Davis

One of the lawsuits contesting the outcome of the McDonough's November elections will be dropped, an attorney for one of plaintiffs said Tuesday.

A suit filed in Henry County Superior Court by McDonough resident Scott Reeves contesting his father's loss of the election for an at-large seat by three votes will be dropped, said his attorney Everett Mechem. Longtime Councilman B.P. "Doc" Reeves, lost the Nov. 8 contest to Gina Riffey by a vote of 637-635.

A separate suit, however, will continue with a Friday hearing scheduled for 10 a.m.

Kathy Hubert, Scott Reeves' sister, is contesting her loss of the election to the District III seat on the council to engineer Wayne Smith, by a 245-244 margin.

Mechem is representing Hubert in that suit as well.

The suits allege voting irregularities - specifically that voters cast ballots in races outside their districts - and seeks a new election.

A recount was conducted Nov. 10 and resulted in one more vote for Billy Copeland, who was sworn in Tuesday as the city's mayor, but no other changes.

Henry County is named in the suit because the election was conducted by its election department at the request of the city of McDonough.

GOP's 2 take aim at fraud in voting However, the men have differing views on which safeguards Iowa should use to achieve accuracy.

JONATHAN ROOS
REGISTER STAFF WRITER

The two Republicans seeking to become their party's nominee for Iowa secretary of state share a common worry — voter fraud.

Former Assistant U.S. Attorney Robert Dopf and Des Moines podiatrist Chuck Allison, competitors in the June 6 primary, agree that Iowa's voting system is vulnerable to abuse because of the increasingly common practice of voting by absentee ballot.

While Iowa has a history of fair and honest elections, "if you open the door even a crack, the cheaters come running through," said Dopf, 57, who worked as a federal prosecutor in Iowa's Southern District from 1982 until this year.

Said Allison, 51, who made an unsuccessful bid for the Legislature two years ago, "We're making it so easy to defraud the system that we might not be able to detect it."

The winner in the primary will face Democrat Michael Mauro, the Polk County auditor, in the November general election.

Chet Culver, the current secretary of state, is seeking the Democratic nomination for governor.

In addition to overseeing elections, the Iowa secretary of state is responsible for registering corporations to transact business in the state, among other duties.

Allison and Dopf object to Gov. Tom Vilsack's executive order last summer that restored the voting rights of tens of thousands of felons who had completed their sentences. Before the order, the governor had been considering individual citizenship requests from felons.

Vilsack, a Democrat, said he wanted to speed up the process and help felons rejoin society so they could become productive citizens.

Allison said he would seek to have the next governor or the Legislature reverse the felon voting order. "I don't think the system was broken to begin with," he said.

"What was done was shameful," said Dopf, who sees Vilsack's blanket order as part of a larger Democratic strategy to gain an electoral advantage. "That policy decision should have been left to the Legislature."

The GOP candidates have found common cause in portraying Mauro, the brother of Polk County supervisor John Mauro, as an cog in the "machine-style politics" of Polk County Democrats.

Dopf, in a press release, said that Michael Mauro received a \$300 campaign contribution from Ramona Cunningham, former director of an Iowa job training agency, Central Iowa Employment and Training Consortium, that is under investigation for dishing out big salaries and bonuses to her and other agency executives.

Dopf also noted that Michael Mauro's son, Steve, works for the agency, commonly referred to as CIETC.

"The whole episode has been a black eye for our state and offers a preview of what could happen to the office responsible for overseeing the integrity and fairness of Iowa's elections if the Democrats prevail," Dopf said.

Michael Mauro has denounced attempts to link him to the salary scandal, saying that Republicans are trying to embarrass people for political gain.

"Hopefully, people will see through that kind of nonsense," he has said.

The two GOP candidates for secretary of state have slung few darts and arrows at each other.

Dopf believes he has the best chance of winning in November, given his experience as a federal prosecutor whose duties

Chuck Allison

AGE: 51

PARTY: Republican

HOME: Des Moines

EDUCATION: Bachelor's degree in history from Bellevue University in Nebraska, 1979; master's degree in history from the University of Northern Iowa, 1989; doctorate in podiatric medicine from Des Moines University, 1995

CAREER: Served in Army and Air Force before starting podiatry practice

FAMILY: Married; three children and three grandchildren

included monitoring elections for signs of fraud and prosecuting election law violations.

Allison, who lost to Democrat Rick Olson of Des Moines in an Iowa House contest in 2004, said that he has the edge because he got into the secretary of state race earlier than Dopf.

Allison would tighten voting laws by eliminating the use of "third party" couriers to deliver absentee ballots. He also favors requiring voters to show photo IDs, which he said would be no different than requiring people to produce identification when they cash checks or board airplanes.

One of Dopf's priorities is legislation requiring electronic voting machines to print paper records that could be used to verify the machines' accuracy. He also favors shortening the period for casting absentee ballots, as well as instructing people to give a reason why they are unable to go to the polls to vote.
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Bi-state election officials meet

By Jo Mannies
Monday, Apr. 10 2006

Election officials from eight jurisdictions on both sides of the river met Monday at the St. Louis Election Board to discuss setting up a task force "to share voter information in order to combat voter fraud."

The city Election Board release said that, "participants included Madison County Clerk **Mark Von Nida**; Monroe County Clerk **Dennis M. Knobloch**; St. Clair County Clerk **Robert Delaney**; Jefferson County Clerk **Janet C. McMillian**; St. Charles County Clerk **Richard Chrismer**; East St. Louis Election Board Director **James Lewis**; St. Louis County Election Board Chairman **John Diehl, Jr.**; St. Louis City Election Board Chairman **Edward R. Martin, Jr.** and St. Louis City Election Board Member **Clarence E. Dula**."

"Participants agreed to formalize their new relationship in the form of a task force for voter election with details forthcoming," added the release, which was sent out by the city Election Board.

"...Sharing vital records and registered voter information will enable the election authorities to cross check voter information and help eliminate duplicate voter registrations and the registrations of deceased voters," it said. "A more open line of communication between jurisdictions in the bi-state area will promote information sharing and the creation of an inter-jurisdictional support network to address situations and concerns faced by election authorities. The participants plan to meet quarterly to discuss on-going problems and potential solutions."

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Absentee voter fraud untouched by ID law
Most frequent form of cheating may be eased by recent rules

By [ALAN JUDD](#)
The Atlanta Journal-Constitution
Published on: 01/29/06

Bunnis Williams left nothing to chance.

Determined to win a fifth term on Valdosta's City Council in 2001, Williams falsified voters' applications for absentee ballots. He filled out some ballots himself. Then, records show, he mailed them in — unwittingly including his fingerprints and sealing his fate as a convicted felon.

Williams pleaded guilty in 2003 in a case that epitomizes the most common form of election fraud in Georgia: the manipulation of absentee ballots.

The case underscores what's missing in a new state law requiring voters to show government-issued photo identification at the polls.

The law is designed to ensure voters are who they say they are. It does nothing, however, to address widespread irregularities in absentee voting, the subject of more allegations filed with the State Election Board than all other abuses combined. Since the beginning of 2004, 16 of 27 cases brought before the board involved absentee balloting.

If anything, critics say, the new measure may enable more fraud.

It does not change a law enacted in 2005 allowing voters to request an absentee ballot without saying why they want one. Even some supporters of the law say such "no-fault" or "no-excuse" voting assists schemes to cast ballots for the dead, the infirm or those who simply choose not to exercise their franchise.

But Gov. Sonny Perdue, who signed the measure into law Thursday, and others say it is a strong shield against electoral cheating, a protector of the integrity of the ballot box.

Perdue and Republican lawmakers dismiss Democrats' complaints that the voter identification bill is misguided. The governor and his allies contend that enough safeguards exist to combat absentee ballot fraud.

"There's a huge distinction as we have gone to electronic ballot boxes in Georgia, without

a paper trail, which concerns some of us," Perdue said during a news conference Thursday. With absentee ballots, "you have a signature record, a paper trail that can be tracked back."

The new law's chief sponsor, Sen. Cecil Staton (R-Macon), said he wanted to close loopholes that regulating absentee balloting would not address.

"I think it's quite disingenuous to say that all the fraud is in the absentee ballots," Staton said. "How can we say that when the system we previously had allowed for virtually no way to catch it?"

House Speaker Glenn Richardson said he told critics to draft separate legislation if they wanted to address absentee balloting.

"All they did was come back with proposals to put back the law as it existed before we changed it," said Richardson (R-Hiram). "That's no solution."

Democrats have accused the General Assembly's Republican majority of pushing the voter ID law for political gain, not to prevent fraud. They have complained bitterly that the law will hurt minority voters, the poor and others who don't possess acceptable identification.

By not addressing absentee voting, "it says to me they're not interested in cleaning up voter fraud, period," said Georgia Secretary of State Cathy Cox, who is seeking the Democratic nomination for governor.

Votes cast in person are secure, Cox contends, but "there's very little, if any, control over the process when the ballots have left the elections office."

David Worley, a Democratic appointee to the State Election Board, said the bill was "designed to correct a problem that doesn't exist."

"There have been no cases that have come to the State Election Board of people trying to vote and claiming to be someone else," he said. "At every regular meeting of the State Election Board, there have always been cases involving allegations of absentee ballot fraud."

Few ballots can swing vote

Outside the debate over Georgia's voter ID law, Democrats and Republicans generally agree that fraud is an inherent risk in absentee balloting.

The Commission on Federal Election Reform — headed by former President Jimmy Carter, a Democrat, and former Secretary of State James Baker, a Republican — last year called absentee ballots "the largest source of potential voter fraud."