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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](#)  
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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

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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."

Citizens who fill out ballots at locations like nursing homes are susceptible to intimidation, the commission said. Its report also suggested blank absentee ballots could be intercepted in the mail and that voting by mail makes vote-buying schemes more difficult to detect.

In a paper published in 2001, Hans A. von Spakovsky, an Atlanta lawyer whom President Bush recently

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appointed to the Federal Elections Commission, made a similar point. He asserted that by loosening restrictions on registration and absentee voting, recently enacted laws "make it possible for an individual to register to vote, request an absentee ballot, and cast a vote without any election official ever seeing that individual and making sure they really exist."

In Georgia, most fraud cases originate in rural counties, where even a few votes can swing an election.

In Coffee County in 2000, for instance, campaign workers for Sheriff Carlton Evans illegally collected absentee ballots from a handful of voters, according to State Election Board records. The voters told investigators they had no idea whether the sheriff or his opponent ended up receiving their votes. Evans won the primary but committed suicide three months later as state and federal agents tried to arrest him on drug charges.

The election board later fined five of Evans' campaign workers \$1,000 each for violating election laws.

Two of the five had been fined \$1,000 each in 1999 in a scheme to manipulate absentee ballots in a 1996 Coffee County Commission race. In that case, the election board cited three workers for the winning candidate and two for the loser.

Evidence showed the five workers mishandled 101 ballots. The winning candidate's margin of victory: 44 votes.

Absentee ballots have become more common, officials said, especially since 2001, when Georgia approved voting during the week leading up to an election day.

In the 2004 general election, at least 20 percent of votes in 49 Georgia counties were cast through absentee or early voting, according to an Atlanta Journal-Constitution analysis of a state database. Voters who come to the polls early must show identification, just as they would on election day, but those who mail in absentee ballots need not. The election board has investigated allegations of absentee ballot fraud in 13 of those counties since 1999.

In other counties, spikes in absentee voting have raised concerns about fraud.

Before the July 2004 primary election, twice as many voters in one Atkinson County Commission district applied for absentee ballots as in any other district. Supporters of the losing candidate alleged that the winner, Jerry Metts, registered several illegal immigrants and collected absentee ballots from seven of them, all in violation of state law. Investigators said one immigrant told them Metts had filled out his ballot.

After an investigation by the Georgia Bureau of Investigation, a grand jury indicted Metts in October 2004. Two months later, however, a judge dismissed the charges.

Metts acknowledges that he collected absentee ballots but he says he didn't know state law prohibited candidates from submitting ballots on voters' behalf, according to his lawyer, Shea Browning. Metts denies registering illegal immigrants.

The election board is awaiting the results of an administrative court hearing before deciding whether to impose civil penalties against Metts.

Critics of the new voter identification law note that it would not have prevented the alleged

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improprieties in Atkinson County or other cases involving absentee ballots. The only check of an absentee voter's identity is an election officer's effort to determine whether the signature on the ballot matches the signature on the voter's registration record.

Randy Evans, a lawyer for the Georgia Republican Party and its appointee to the election board, said the incidence of absentee ballot fraud shows that "we're not short of people who want to defraud the system."

But he said: "That's actually encouraging. That means we're detecting it."

Staff writers Nancy Badertscher and Sonji Jacobs contributed to this article.

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