

Voter fraud in Detroit?

Barrow sends Bing election challenge to Cox, plans court action if denied

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DETROIT — Former mayoral candidate Tom Barrow is waging a battle to expose what he and others call massive, historic election fraud in last November's mayoral race. Over 51 percent of the votes cast were compromised, Barrow charges, including all 41,458 absentee ballots deemed unrecountable by the Wayne County Board of Canvassers last month.

Detroit City Clerk Janice Winfrey posted election results showing 70,166 Detroiters voted for Dave Bing, while 50,785 voted for Barrow, a differential of 19,251. The county canvassers, who also threw out more than 8,000 other neighborhood precinct ballots, nonetheless certified the election because state law requires them only to determine which ballots are recountable.

"We have uncovered the most significant malfeasance in the history of the state, but probably the country, in a major city's election," Barrow told The Michigan Citizen. "This is much larger than me. This is about the basic foundations of our democracy and the efficacy of the vote, that people know their vote is counted."

Barrow said Bing usurped the Mayor's office "as the clear beneficiary of vote tampering, ballot box stuffing, electronic computer manipulation, likely fraud and employee malfeasance. I am so sorry to say, and for the first time ever, that Dave Bing was not elected by the people of Detroit."

Barrow filed a letter with State Attorney General Mike Cox Jan. 5 requesting him to proceed with a criminal investigation. If denied, Barrow said he next plans to pursue his case in Wayne County Circuit Court, the proper venue under state law. He also filed complaints with the U.S. Department of Justice and numerous other federal and state agencies.

Mayor Dave Bing's office responded, "At a time when this administration is focused on moving forward, it is unfortunate that Mr. Barrow continues to challenge a vote that has been counted, recounted and certified twice. This is not the time for pursuing political points for personal reinforcement. It's a New Year, and time to move on."

Monica Patrick is a business owner and community activist, part of a large crew of volunteers including attorneys and accountants that aided Barrow. She was present when the ballot boxes were first examined.

"We witnessed a number of seals that did not have the same numbers reported in the City of Detroit canvass, and also found numerous discrepancies in the bottom seals. We found occasions where numbers of ballots were off a small amount, but others where there were greater discrepancies. I personally witnessed one precinct case that was missing 529 ballots. We also examined precinct computer tapes showing polls had closed in the morning."

Patrick said Christa Hartounian, vice-chair of the Canvassers, daughter of Edward

Hartounian of the Detroit Board of Canvassers, continually berated Barrow, asking him why he didn't have a list of bottom seal numbers. Wayne County Elections Director Cynthia Hathaway also complained to Barrow that they never examine the bottom seals.

City elections workers said during the hearings that no list of bottom seal numbers existed. Later, however, elections manager Edwin Ukagbu produced a list, which was determined unusable by the canvassers. Ukagbu also said discrepancies in the computer tapes resulted from improper calibration. But election rules require the tapes, from which final results are taken, to be properly calibrated and timed one hour before the election starts.

In an op-ed published Dec. 20 in the Detroit Free Press, Winfrey said recounts are too readily available to unsuccessful candidates.

In the meantime, Winfrey said, "Barrow should accept his fate, swallow his pride and allow Detroit to move forward. Chances are no matter how many theories are fashioned, there are 20,000 more to be reckoned with — the will of the people."

Neither Winfrey nor Baxter responded to requests for further comment on the challenge Barrow filed with Cox. Neither attended the Wayne County Board of Canvassers recount hearings in December, instead, they sent lower level officials some hearings. Patrick said she observed them repeatedly entering the room where the ballot cases were kept in the Flynn Skating Pavilion on Belle Isle, before Ukagbu produced his list.

"Absentee voting is the new growth market for election fraud," said Richard Hayes-Phillips, author of *Witness to a Crime*, an account of fraud by George W. Bush in the 2004 Ohio presidential election. He was responding to news of the Detroit recount.

Jan BenDor and others from the state-wide Michigan Election Reform Alliance (MERA) monitored the last round of hearings on the Barrow recount. MERA is a state-wide non-profit organization which recently released a report criticizing Michigan Secretary of State Terri Lynn Land's purge of state voter rolls from 2006 to 2009. MERA is also calling for automatic post-election audits.

BenDor said, "If Mr. Tom Barrow has done nothing more than bring that out and inform the public about it, he has done a great service."

BenDor said elections in counties across the state are rife with absentee voter fraud, insecure chains of custody of paper ballots, and other irregularities.

During the Dec. 23 canvassers' hearing, a city elections worker admitted that unused ballots from one precinct were shredded, drawing gasps from the audience. State law requires all unused ballots to be preserved in the cases with the used ballots. Detroit officials admitted that the location of thousands of other unused ballots was unknown, and went off to see if they could find them in election offices.

"So what are they doing shredding ballots before certification?" BenDor asked. "Someone has just committed a crime, I think. Ignorance of the law is no excuse."

Joyce Moore, who ran against Winfrey for Clerk, said, "The constitutional, civil and human rights of Detroit's voters have been thoroughly violated.

She questioned the validity of the entire election, including the vote for Proposal S, the \$500.5 million school bond issue. Moore earlier filed suit in Wayne County Circuit Court

challenging Winfrey's removal of 45,872 names from Detroit voter rolls, part of Land's 2006-2009 purge.

Henry Gaffney is President of the Amalgamated Transit Union Local 26, which represents Detroit's bus drivers. Bing laid off 113 drivers last month, severely curtailing bus service.

"Something is wrong," he said. "We need to be calling for a new election in the city of Detroit."