

Witness testifies Pinkney sought 2nd petition signature

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Prosecution calls 24 witnesses to stand on day 3

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Witness testifies Pinkney sought 2nd petition signature By JULIE SWIDWA - HP Staff Writer | [0 comments](#)

ST. JOSEPH - A witness testified Wednesday she signed a recall petition twice because Edward Pinkney told her it was OK to.

Kenyana Williams signed a petition to recall Benton Harbor Mayor James Hightower on Dec. 19, 2013, and on Dec. 23, 2013, according to testimony in Berrien County Trial Court.

Pinkney, 66, of Benton Township is charged with five felony counts of election law violations - changing signature dates on petitions seeking an election to recall the mayor. He also faces six misdemeanor counts of allowing people to sign recall petitions more than once. He denies all the charges.

Williams told the court she signed one recall petition at the Save-A-Lot grocery store and that Pinkney asked her to sign another one at a later date.

"I told him I already signed it and he said it's OK to sign it again," Williams told the court.

Under cross examination by Tat Parish, Pinkney's lawyer, Williams said it's possible Pinkney thought she was referring to a different recall petition targeting members of the Benton Harbor school board.

Hightower was targeted for recall because he voted against placing a city income tax proposal on the ballot for the Nov. 4, 2013, election. The recall was filed by James Cornelius of Benton Harbor, but testimony has shown that Pinkney was a major force behind it. Testimony during his preliminary hearing showed that Pinkney circulated 33 of the 62 petitions and Cornelius circulated four.

A recall election was scheduled after the petitions were turned in to the Berrien County Clerk's Office, but was stopped by court order after Pinkney was arrested. Berrien County Prosecutor Michael Sepic alleges that Pinkney changed the dates on some petition signatures so they would fall within a 60-day window required by state law.

The petitions were turned in to the clerk's office Jan. 8 so signatures dated prior to Nov. 9 would not be counted. The allegedly altered dates are on petitions that bear Pinkney's signature as the circulator. It is alleged that on some petitions the Nov. 8 dates were changed to Nov. 9, and on others, a numeral 1 or 2 was added in front of an 8, making the date Nov. 18 or Nov. 28.

Sepic called 24 witnesses Wednesday in continuing prosecution testimony that started Monday in Judge Sterling Schrock's courtroom. All 24 testified they had signed a petition to recall Hightower. Some said they signed twice. Sepic said all 24 either signed twice or signed petitions that are alleged to have had dates changed.

Many of the witnesses could not recall the specific dates they signed petitions. Some testified that they signed a petition, but did not know what it was for.

Anthony Cornelius, the brother of James Cornelius, testified that he signed one petition his brother presented to him at home and another one that someone asked him to sign outside Save-A-Lot. He said he was told that one was about the mayor and one was about taxes. Both petitions signed by Anthony Cornelius bear Pinkney's signature as the circulator.

Under cross examination, Parish asked Anthony Cornelius if he was confused about what he signed when, and where, and Cornelius answered "yes."

Lila Scott said she is sure about the Nov. 18, 2013, date on the petition she signed, "because I wrote it on my calendar."

Kenya Valentine said Pinkney brought a petition to his home that he signed and dated 11-28-13. Asked by Sepic if it's possible the date was actually 11-8-13, Valentine said no. But when asked if he thinks he signed it on Thanksgiving Day, Valentine said, "No, because I would remember that." Nov. 28, 2013, was Thanksgiving Day.

Helen Jones testified that she signed a recall petition Nov. 18, 2013, at her apartment and that her boyfriend, Antonio Sherman, signed one on a later date. Throughout her

testimony, she looked at Pinkney and smiled, and at one point muttered, "they try to trick people."

Sherman, who'd been sequestered with other witnesses in the hallway, was called to the stand next and told the court that he and his girlfriend both signed a petition dated Nov. 28, 2013, outside Save-A-Lot.

Asked by Sepic if it's possible they both signed the petition on Nov. 8, Sherman responded, "I don't know."

Ella Johnson testified that she signed a petition at the home of Mary Alice Adams while having her hair done. She said Pinkney was not there. She said that when she dated the signature line, someone told her it was the wrong date, so she changed it to Nov. 9.

Adams, a Benton Harbor city commissioner, said she had a petition at her beauty shop because she'd intended to circulate one, but later decided not to and gave it to Pinkney. She said he left the petition with her and said he would come back when she had "a room full of ladies."

"Ella was at the shampoo bowl when she signed it. I handed it to her, and Reverend Pinkney was on his way over. He said 'you better wake up. Today is not the seventh, so I in turn grabbed another ink pen ...,'" Adams testified.

Testimony was to continue today, with the defense expected to begin its case. Parish said Wednesday he has not decided how many witnesses to call. Outside the courtroom, Pinkney said he intends to take the witness stand.

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