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Zappala: Concerns of voter fraud influence 'unsubstantiated'

TRIB LIVE TOM FONTAINE AND MATTHEW SANTONI | Monday, October 17, 2016 4:09 p.m.

STEPHANIE STRASBURG | TRIBUNE-REVIEW

Allegheny County District Attorney Stephen A. Zappala Jr.

Three Western Pennsylvania district attorneys said Monday that there have been very few or no issues of voter fraud in their counties over the last two decades, and tamped down concerns raised by Republican presidential candidate Donald Trump about a “rigged” election in November.

“There has been a great deal of unsubstantiated and reckless political rhetoric regarding voter fraud and ‘rigged’ polling places, specifically involving the major cities of Pennsylvania,” Allegheny County District Attorney Stephen A. Zappala Jr. said in a statement.

Zappala, a Democrat who became district attorney in 1998, said 2003 was the last time officials referred a voter-fraud case to his office.

“The handful of referrals that have been received under this administration have all involved either a voter using an incorrect address for registration purposes or the forgery of absentee ballots,” Zappala said.

Trump has been raising concerns both on the campaign trail and on Twitter about potential voter fraud. At many recent rallies, Trump has told his supporters to go to “other communities” and watch the polls for fraud, which some critics — and some supporters — interpreted as an invitation to intimidate voters.

Allegheny County Sheriff William Mullen said his deputies are the first responders to any reports of trouble at the polls. Most issues in the past have been small, like handouts claiming endorsements that candidates hadn't received; campaigns giving away food; or supporters being loud, abusive or violating the radius around the polls where electioneering is prohibited.

No allegations of intimidation have ever resulted in a prosecution, Mullen said. Any problems or confrontations at polling places that can't be handled by a deputy are brought back to a judge tasked with hearing election disputes, who can issue a court order to address the problem, the sheriff said.

Mullen declined to say whether the claims of rigged elections and watching polls for irregularities will change how the Sheriff's Office deploys for the upcoming election, but noted that after the weekend firebombing of a North Carolina Republican Party office in Hillsborough, Orange County, his office will be “preparing for the worst.”

Westmoreland County District Attorney John Peck said his office had only prosecuted about a half-dozen election violations during his 22 years there, and most involved voters living in one municipality who were registered and voting in another.

Like Zappala, the last case Peck recalled was also in 2003, when Mark Cosentino was convicted of registering to vote from his childhood home in Lower Burrell and casting his ballots in that township's 2001 election — despite having moved to Allegheny Township in 1993. Cosentino was sentenced to six months of probation, which was upheld on appeals to the Commonwealth and Supreme courts of Pennsylvania.

Peck said those kinds of cases can affect one or two votes, but widespread or systemic fraud was not an issue.

"In a small township, two or three votes can make a difference for an auditor or a township supervisor," he said.

Judy Nemeth, spokeswoman for the Washington County District Attorney's Office, said there had never been a case of voter fraud or intimidation brought to trial there in the memory of anyone on staff. District Attorney Eugene Vittone took office in 2012 and had been an assistant district attorney for 12 years before that.

In Beaver County, where Trump told his supporters during an Oct. 10 appearance in Ambridge that "we don't want this election stolen from us," District Attorney David Lozier said he'd once suspected fraud in local voting but found no evidence.

Before he was district attorney, Lozier said, he was the solicitor for the Beaver County Republican Committee, and had been suspicious in the 2000s when dozens of polling places reported that voters casting their ballots were almost entirely Democrats. So for three election cycles, the committee appointed election observers at those polls to watch for irregularities and found nothing. Turned out, Lozier said, voters in those districts really were almost all registered Democrats.

Lozier said he could recall only two cases of alleged voter fraud that ever ended up in court, including a man who submitted absentee ballots using the names of Penn State Beaver campus students in 1989, and a 1993 recount for a magisterial district judge's race where one candidate's tally kept changing between counts.

Prosecutors in Armstrong and Butler counties did not return calls for comment.

A Politico/Morning Consult poll released Monday showed that 41 percent of voters are concerned November's election could be "stolen" from Trump.

The results break predictably along partisan lines, with 73 percent of Republicans being concerned about voter fraud influencing the election compared with 17 percent of Democrats. The same poll shows Democrat Hillary Clinton with a 6 percentage point lead over Trump.

"The results show that voters are increasingly losing confidence that votes around the country will be counted on Election Day," said Kyle Dropp, cofounder and chief research officer at Morning Consult. "The sentiment especially rings true among Trump's supporters, with half expressing concern about a 'rigged election.'"

Rob Gleason, chairman of the Pennsylvania Republican Party has dismissed the talk of a "rigged" election, telling NPR if Trump loses "it will be because he didn't get enough votes."

Sen. Pat Toomey and his Democratic challenger Katie McGinty agreed Monday on the integrity of the electoral system.

"Our elections may not always be completely perfect, but they are legitimate ... everyone needs to respect the outcome," said Toomey.

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