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Queensbury supervisor takes plea deal in election fraud case

Chris Strough pleads guilty to disorderly conduct, giving up notary license

Kathleen Moore

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GLENS FALLS — Supervisor John Strough’s election fraud charges have been adjourned in contemplation of dismissal. If he stays out of trouble for the next six months, the charges will be dismissed.

As part of the plea deal offered Tuesday morning in Glens Falls City Court, his wife, Chris, pleaded guilty to disorderly conduct, a violation. She also agreed to give up her notary license, which was at the heart of the case. She said she will never get that license again.

In addition, she was fined \$200, plus a \$120 court surcharge.

The Stroughs were accused of violating election law when John Strough was collecting signatures to get on the Conservative Party line last year. In the end, he did not win the Conservative Party primary, so his actions had no impact on the outcome of the 2017 election. He won re-election with his name only on the Democratic line.



Attorney: Politics behind the Strough arrests

They were accused of collecting signatures without properly following rules for notarizing each signature. If a candidate collects signatures for a party that is not his own, he must bring with him either a member of that party or a notary. The notary is supposed to sign a legal document that states she checked each signer's identity and ensured they understood what they were signing. She is supposed to read them an oath to swear. The goal is to prevent the candidate from fraudulently writing in names.

But Chris Strough often sat in the car, instead, while John Strough went door-to-door. They maintained this was appropriate because she could see the signers from the car.

The county election commissioners and the National Notary Association all said that she could not have done her job if she did not interact with the signers.

After the plea deal, the Stroughs' attorney said he was ready to fight that at trial.

“Had this gone to trial, we would have produced many notaries who would have said they had no idea,” said attorney E. Stewart Jones. “That’s certainly not what most notaries are doing. That’s not even happening in law offices.”

A state police investigator checked all the signatures for the Conservative Party petitions and found that 10 signers said John Strough was alone when he asked them to sign the petitions.

Oddly, the investigator found 26 other signers who said she came to their door with John Strough.

After the case was resolved Tuesday, Chris Strough explained the discrepancy.

Last summer, she was suffering from foot and leg pain that got progressively worse through the day. After the election, she had two surgical procedures on her right leg and wears a special shoe for that foot to treat tendon problems. But during the petition season, she didn’t know anything was medically wrong. She thought she’d just hurt her foot.

“I would wrap up my foot. I was limping around,” she said.

Sometimes it hurt so much that she would decide to stay in the car, she said.

At other times, she argued with John Strough about continuing to knock on doors at dusk. She would tell him no one would answer the door at night — although, she admitted, they often did — and if that failed to move him, she would tell him that she was not going to risk twisting her hurt foot on uncertain pavement in the dark. Then she'd stay in the car.

“Of 36 signatures, most houses I was able to get into. I got 26 signatures,” she said.

“Not to make excuses, I take responsibility, but it was a tough time in my life.”

Her notary license has already expired, and she did not renew it. Although she could get it after a year, according to the plea deal, she has no intention of ever holding a notary license again.

“Oh, hell no,” she said. “I don't have to do petitions anymore!”

She originally got the license for her work in a surgical office, where she had to notarize Medicaid forms, not for politics.

She was a bit disgusted by having to plead guilty to a violation, saying that she still feels she saw enough to ensure the petition signatures were gathered legitimately.

“I saw everything. But that wasn’t good enough,” she said.

The law was intended to keep candidates from forging signatures, but it was also designed to stop people from signing someone else’s name. Strough acknowledged she didn’t recognize on sight every person that signed and she did not approach to ask them their names. She relied on her husband to check that, she said.

All of the signers who didn’t see Chris Strough told investigators that they were who they said they were and all but one said they intended to sign a petition supporting John Strough. One man said he thought he was just signing to verify that he was a Conservative.

John Strough defended his wife, saying he was sure of each signer.

“First of all, I have a list,” he said. “I say, ‘Are you so-and-so? Are you in the Conservative Party?’ And she was always in view.”

But their car’s tinted windows would make it hard for anyone to see her, Chris Strough said.

Jones said he felt he could win the case at trial, arguing that no notary has ever been charged for failing to meet technical rules.

“It had never been done before,” he said.

But the cost was prohibitive.

“Now we’d have to hire another attorney — another \$10,000 to \$12,000 for a misdemeanor?” Chris Strough said.

And the plea deal was a win for John Strough, Jones said.

“John’s case was dismissed. We weren’t going to get any better than that with an acquittal,” he said.

Chris and John Strough shared the same attorney. Judge Gary Hobbs expressed great concern at that, saying that Jones could be put in a position where he would accept a deal for John at Chris Strough's expense.

"The lawyer is put in a position of favoring one defendant over another," Hobbs said, explaining that if the Stroughs had separate attorneys, they could offer separate defenses that could be "critical" to their case.

"There may be different defenses over who did what," Hobbs said.

The Stroughs had initially contracted with a second attorney, but he could not be in court Tuesday and they wanted to move forward with the plea deal. So they waived their right to separate attorneys.

Prosecutor Linda Griggs of the Albany County District Attorney's Office offered the plea deal. She emphasized that it would require Chris Strough to give up her notary license.

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See Ken Tingley's column for more on John and Chris Strough's case. PAGE C1

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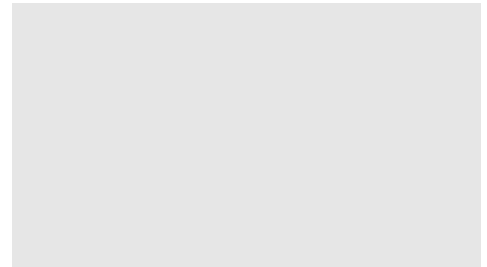
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