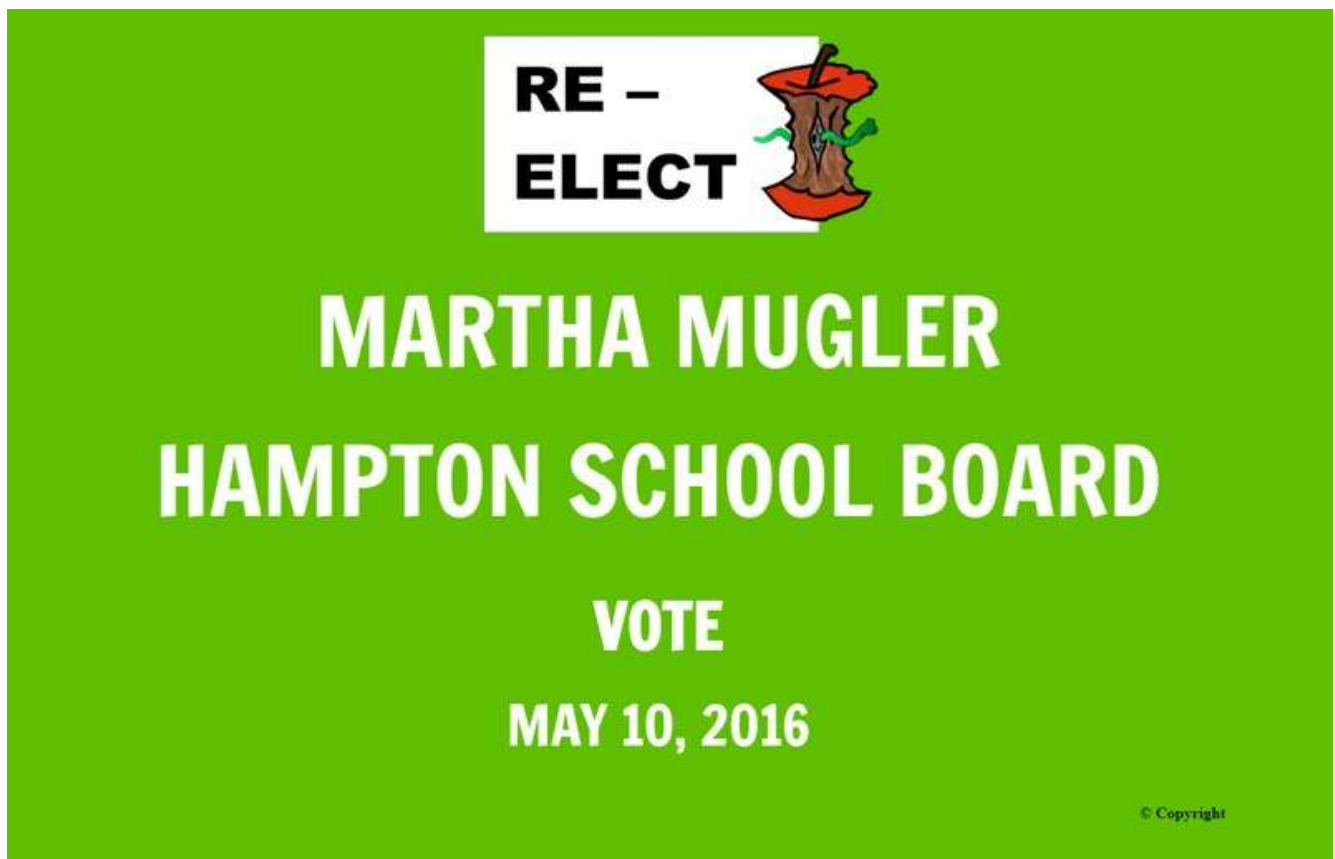


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HAMPTON NEWS NEWS

Hampton woman guilty of election fraud in School Board race

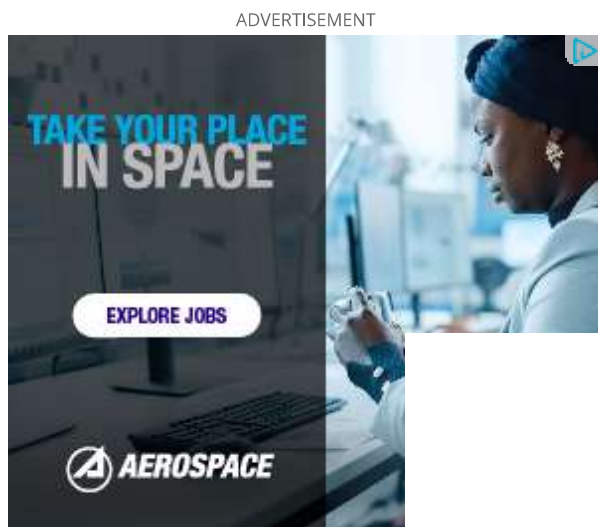
By PETER DUJARDIN
PDUJARDIN@DAILYPRESS.COM | SEP 08, 2016



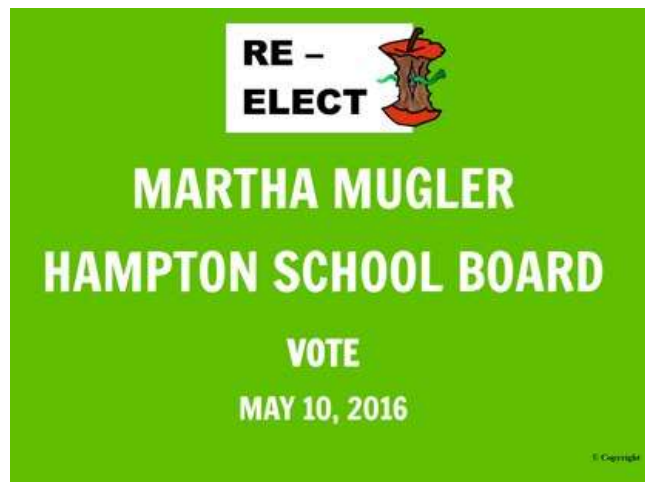
This is what the annstephenscherry.com website looked like as of April 7, 2016.

HAMPTON — A Hampton woman was convicted of election fraud Wednesday for intentionally posting an incorrect election date on a fictitious campaign website earlier this year.

Mary P. Taylor, 56, was found guilty in General District Court on the misdemeanor charge of "communicating false information to registered voters." Judge Tonya Henderson-Stith fined Taylor \$1,000 and sentenced her to 100 hours of community service.



Earlier this year, Taylor — a longtime activist and critic of the Hampton School Board — anonymously registered a website in the name of one of the candidates, Ann Stephens Cherry, using the domain name annstephenscherry.com.



The website purported to endorse another candidate, Martha Mugler, with the site's green and white coloring reminiscent of Mugler's campaign materials. But instead of Mugler's red apple, Taylor's website featured a mostly-eaten apple and a worm.

Hampton woman charged after school board election fraud investigation

JUN 09, 2016 AT 1:14 PM

Though it was perfectly legal to register the site in Cherry's name and mock Mugler, Henderson-Stith found Taylor broke state election law

by telling those looking at the site to vote on May 10 — a week after the real May 3 voting date.

Cherry and Mugler — who were elected and re-elected, respectively, to the board — each testified at Wednesday's trial.

ADVERTISING



Cherry said the website was misleading and "impugned my integrity" by making people think she was behind it. She also had to black out the web address on all her campaign materials.

Mugler, too, said the site could mislead voters. The Hampton Police Division began an investigation in March, soon after Mugler complained to the voter registrar's office.

In late May, after the election, Hampton detective Brandt Hess got the results from a search warrant on the GoDaddy website registration service. That showed the site was in Taylor's name.

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ADVERTISING



In her testimony Wednesday, Taylor said she didn't support Cherry or Mugler, who were among six candidates vying for four spots on the board.

But Taylor and her lawyer, Assistant Hampton Public Defender Anthony Balady, asserted that the fake ad was mere political satire, a "cartoon" with no intent to mislead — and no proof that anyone actually was.

Taylor said she thought voters would see the sarcasm in Cherry recommending Mugler to the board, since the two aren't known as being close. It's an old political joke, Balady added, "that you give your opponent's supporters the wrong date."

"I thought it would draw people in to vote and would generate interest in the election," Taylor said. After the election — and the day after she was charged with misleading voters — she issued an apology on the website.

Virginia's voter fraud statute, Balady said, wasn't designed to outlaw political satire but such things as voters being sent incorrect voting dates on "official-looking" paperwork.

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The statute, he asserted, is "overly broad" and violates Taylor's free speech rights under the First Amendment. "Perhaps that's how we do it in Iran, but that's not how we do it here," Balady said.

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But the outside prosecutor on the case, Gloucester Deputy Commonwealth's Attorney Megan C. Zwisohn, said the law is necessary based on incidents of voter suppression in the United States. And she said Taylor's intent was to mislead voters.

Henderson-Stith — saying she finds the state statute constitutional — found Taylor guilty. Zwisohn and Balady both recommended community service in lieu of jail time, which the judge agreed with.

Taylor said she was unhappy with the verdict and would appeal the case to Circuit Court.

Dujardin can be reached at 757-247-4749

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Peter Dujardin



Peter Dujardin has been a reporter at the Daily Press for 20 years, and a reporter for 23 years. He has mostly covered courts and criminal justice issues for the past nine years. That includes criminal and civil cases, focusing in large part on Hampton, Newport News and federal courts.

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