



**News**

## Judson sentenced to 1 year plus 1 day in federal prison for election fraud, witness tampering

By **Dennis Clark**

Monday, November 13, 2017



Staff photo: Max Judson.

Sullivan County Councilman Max L. Judson was sentenced to 12 months plus 1 day in federal prison by U.S. District Court Judge William T. Lawrence in Terre Haute Monday morning.

Judson, 72, pled guilty to two of four federal counts — election fraud and witness tampering — which occurred during the 2014 Sullivan County primary election. The sentences will run concurrently.

Due to his medical situation, Judson will be initially housed in a federal prison facility to be determined at a later date.

"Where he will go will be determined in anywhere from 1 to 2 months, depending on his medical needs and availability," Assistant U.S. Attorney Tiffany Preston said.

Judson was originally charged with four federal counts, three alleged to have occurred on or about March 22 and May 6, 2014, including:

- Soliciting a voter to complete an absentee ballot application, knowing the voter, a Greene County resident, was ineligible to register to vote in the Sullivan County primary.
- Pre-marking an absentee ballot so that another person voted for someone different than intended.
- Obtaining and distributing absentee ballots to voters without authorization.

The latter two counts were dropped in the plea agreement and at sentencing. The fourth count — the second count in the sentence — alleged Judson, on or about March 22 and July 8, 2014, hindered, delayed or prevented communication by the aforementioned voter to a law enforcement officer of information relating to the commission or possible commission of a federal offense.

Judson was also fined \$500, in addition to a mandatory assessment of \$200 — \$100 for each of the two counts. Following his imprisonment, he will have 1 year of supervised release. In addition, Judson must resign from political office. He also waived any right to appeal his conviction and sentence.

After pleading guilty to the two counts, Judson made a brief statement to the judge, saying he was "sorry for my inappropriate actions to my family, friends, council and all the citizens," concluding with "I'm sorry from the bottom of my heart for all my inappropriate behavior."

Gwendolyn Beitz, Judson's attorney with Indiana Federal Community Defenders, asked the judge to consider her client's health conditions.

Lawrence stated later in the hearing that Judson had already undergone five back surgeries and six cancer surgeries.

Beitz asked the court "to consider his health conditions. He needs checkups with his oncologist and (other) doctors every six months for his well-being," she stated, recommending "home detention be considered."

Then it was the federal prosecution's turn.

First, Sullivan County attorney Ann Mischler spoke out against Judson's actions. Mischler was directly involved in the 2014 primary election, losing by just 29 votes in the Superior Court judge's race to eventual general election winner and current judge, Hugh R. Hunt.

Mischler spoke of "how this election affected my life. If this had been a fair election, I'd have no regrets," mentioning she spent \$11,000 on the election. "But I don't know how many absentee ballots were involved in the election."

She also was "concerned with the message we send to our voters."

**Other News**



Program that supports children on n...



Pirtle speaks out on denied protect...



Local talent measured in gold and silver



NCHS home to academic all-stars

[More stories...](#)

**Submit**  
your wedding,  
anniversary,  
event or notice  
information

**CLICK**

**SULLIVAN TIMES**



[edition.sullivan-times.com](http://edition.sullivan-times.com)

**Click HERE to  
See and Buy  
Photos**

Mischler, who stated she was undecided whether to speak to the court right up until this day, said she “had no recommendation for the sentence. But, (Judson) has shown no remorse and continued to serve on the county council” and he had “disenfranchised voters of the primary election and maybe other elections.”

Preston then stated Judson had “attacked the fair and impartial (election) process” and “eroded the trust of Sullivan County voters.”

She added his actions “causes voter apathy, not just in Sullivan County, but all the way up the ladder.”

She also mentioned “his efforts to cover it up, knowing he was being investigated and the threats (he) made. Interviews were tough to come by because of this threats” and described his behavior as “criminal.”

As to Judson’s medical situation, Preston said “his cancer and rheumatoid arthritis can be handled by the Bureau of Prisons.” She concluded by saying the 15-month sentence recommended in the plea agreement “ is sufficient.”

Beitz countered that Judson “recognizes he did something wrong. He knows he’s guilty, he pled guilty.” She added his 70 years “of law abiding life should be under consideration.”

Judge Lawrence explained election fraud is a Class D felony, calling for imprisonment up to 5 years, a fine up to a fine of \$250,000 and up to one year of supervised release. Witness tampering, he said, is a Class C felony, with imprisonment up to 20 years, a fine up to \$250,000 and a term of supervised release up to 5 years.

Prior to passing sentence, Lawrence said of Judson, “he has sabotaged two institutions, the electoral process and the systems of law.”

Lawrence stated “he didn’t have to follow recommended sentences” in the plea agreement, which was filed in U.S. District Court in late August.

Several close elections occurred in the 2014 primary, not just the Superior Court judge race. Judson defeated incumbent Sonner Faught by 18 votes, with the sheriff’s race decided by 24 votes with other candidates in close proximity.

Judson was arrested back on Sept. 28, 2015, by Indianapolis-based FBI special agents and made his first appearance in federal court later the same day, with his initial pretrial hearing being held on Oct. 13, 2015. Federal grand jury findings were announced two days later.

As part of the investigation, the FBI requested absentee ballots from the Sullivan County Clerk’s office on June 17, 2014.

As for Judson’s replacement on the county council, Democrat party chair Karen Theriac previously stated “I’m sure it has to be filled by a caucus of the Democratic precinct committee members.”

Fourteen persons attended the sentencing hearing, including Mischler, former Sullivan County Democrat Chairman Lynn Hamilton, current Sullivan County Republican Chairman Bill Springer, Sullivan County Assessor Vicki Talpas, Sullivan County Clerk Peggy Goodman, Sullivan County Recorder Shelly Parris and Dugger Town Council President Bill Pirtle.

0 Comments

Sort by Oldest

Add a comment...

Facebook Comments Plugin