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Guilty plea entered in vote fraud case

Matt Elofson
Crime and courts reporter
Jan 13, 2015

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Janice Lee Hart

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Dothan woman facing eight felony absentee ballot fraud charges pleaded guilty Tuesday afternoon to reduced misdemeanor charges.

A Janice Lee Hart, 64, pleaded guilty about midway through the prosecution's evidence to eight misdemeanor counts of attempted absentee ballot fraud.

Circuit Court Judge Brad Mendheim sentenced Hart to 12 months in the Houston County Jail for each charge, which he suspended in favor of two years probation for each charge.

Mendheim ordered Hart to pay a \$200 fine, a \$25 victim's compensation fee and court costs for each of the eight misdemeanor convictions.

"You may not have any involvement with any absentee ballot voting or any other voting other than your own voting," Mendheim said. "You shouldn't be involved in any of the behavior alleged in these cases."

Mendheim ordered Hart to pay \$40 per month toward her fines and court costs starting in March.

Hart was the first of a group of four people indicted by a Houston County grand jury last year to go to trial in connection to an absentee ballot fraud investigation.

Hart was one of three women who worked on the 2013 campaign for District 2 City Commissioner Amos Newsome.

In the election, Newsome beat challenger Lamesa Danzey by 14 votes. Newsome received 119 of the 124 absentee votes that were cast. Danzey received more votes than Newsome at the polls.

Attorney Ben
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Freeman said the case, which ended after several witnesses for the prosecution had already testified, came down to the legal definition of a witness.

“The law doesn’t define it very well,” Freeman said. “As far as voter affidavits, the law is just not real clear as to what you’re representing when you sign it as a witness.”

District Attorney Doug Valeska said the voter fraud law in Alabama needs to be clarified, specifically the definition of a legal witness.

“The Legislature needs to address, clear up and define what a witness is,” Valeska said. “It needs to be spelled out that the two people who are witnesses actually have to sign it and watch it.”

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Valeska told the jury during his opening statements Tuesday morning in order for an absentee ballot to be counted it must be signed by two witnesses or a notary. Valeska said the prosecution planned to show Hart wasn't present when with the voters even though she was listed as witness on the absentee ballot.

Freeman argued during his opening statements that the evidence will show his client and Olivia Lee Reynolds only signed their names as witnesses. He argued his client did not need to be with the voter to be listed as a witness.

"Every one of them, she knew them," Freeman said. "They assisted people in these campaigns and in absentee voting."

Freeman said his client was there every single time as a witness, but she stayed outside in a van.

"My client has a medical issue," Freeman said "She can't walk very well, and uses a cane. She can't get in and out of the house very easily."

Valeska said no plea deals have been made with any of the three other people charged in the voter fraud investigation.

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