

**Clifford Don Twilley, CC 2011-005** - Prosecuted for Vote Payment for Votes Section 17-17-34 in Wilcox County by Lloria Munnerlyn James. Motion to nolle prosequere filed by the State was granted.

Contact Lloria James for detailed information:

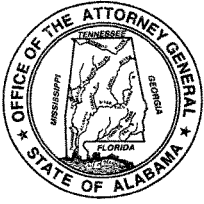
	Mrs. Lloria Munnerlyn James
Firm:	4th Judicial Circuit, District Attorneys Office
Address:	PO Box 987
	Selma, AL 36702-0987
E-mail:	<a href="mailto:lloria.james@alada.gov">lloria.james@alada.gov</a>
Phone:	(334) 682-9478
Fax:	(334) 682 -4025

**Karen Tipton Berry, DC 2010-543** - Prosecuted for Absentee Ballot Fraud Section 17-17-24 in Pike County by Gary Lex McAliley. On 10/26/10 Berry entered a plea of guilty to Absentee Ballot Fraud and was sentenced to 2 years unsupervised probation.

Contact Gary McAliley for detailed information:

	Hon. Gary Lex McAliley
Address:	609 W College St
	Enterprise, AL 36330-2840
E-mail:	<a href="mailto:seagrove5@yahoo.com">seagrove5@yahoo.com</a>
Phone:	(334) 406-6602
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Note: We did not locate information regarding a voter fraud case against Hernandez.



**Troy King**  
Alabama Attorney General

FOR IMMEDIATE RELEASE  
August 31, 2010

For More Information, contact:  
Joy Patterson (334) 242-7491  
Suzanne Webb (334) 242-7351

**AG KING ANNOUNCES VOTER FRAUD CONVICTION  
OF FORMER HALE COUNTY CIRCUIT CLERK GAY NELL TINKER**

(MONTGOMERY) – Attorney General Troy King today announced the conviction today of former Hale County Circuit Clerk Gay Nell Tinker for voter fraud. Tinker entered a blind plea this morning in Hale County Circuit Court to five counts of conspiracy to promote illegal absentee balloting. The Court has taken under consideration the Attorney General’s recommendation that she be sentenced to the maximum penalty of five years for her crimes, and that she be required to serve her time in jail without probation.

“This conviction and others are the result of an investigation that has withstood a barrage of deception and intimidation in an attempt by the defendant and others to impede this case,” said Attorney General King.

The Attorney General’s Office stated in Court this morning that Tinker had been a member of a group known as Campaign 2000 and Beyond, and that she and others in the group conspired to solicit and encourage illegal absentee voting. Some of the illegal absentee votes were cast for Tinker’s husband, state Senator Bobby Singleton, and for her brother, Hale County Circuit Judge Marvin Wiggins. As Circuit Clerk, Tinker also served by law as absentee election manager, and was able to use that position to manipulate the absentee voter process and falsely verify voters’ signatures.

As the Attorney General’s Office began its investigation into allegations of rampant voter fraud in Hale County, agents discovered hundreds of improper absentee ballots. The investigation proceeded through numerous obstacles and attempts by Tinker to hinder the case. This included an incident during the early stages of the investigation in which Tinker, acting in her capacity also as a magistrate, issued an arrest warrant charging an Attorney General’s investigator with harassment for serving a subpoena upon a woman who was Tinker’s cousin. The charge against the investigator was later dismissed. Later in the investigation, Tinker’s brother Circuit Judge Marvin Wiggins interfered in the investigation by quashing a search warrant that had been issued by another judge. Wiggins was later suspended from the bench by the Alabama Court of the Judiciary for his misconduct.

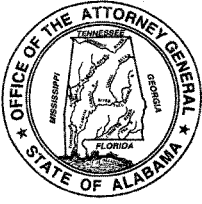
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Alabama Attorney General Troy King

Upon hearing the arguments regarding Tinker's sentencing, the Court ordered that Tinker may not serve as an absentee ballot manager for at least six years. The Attorney General's recommendations were taken under advisement and a final order is expected later this week.

Tinker's conviction is among the results of years of diligent investigation by the Attorney General's Office into voter fraud in Hale County. Previously convicted were Valada Paige Banks, a former Greensboro City Councilwoman, and Rosie Lyles, both of whom pleaded guilty to criminal possession of a forged absentee ballot affidavit with intent to defraud. The crimes involved activities in a Hale County Democratic primary election held on October 26, 2004; the general election on November 2, 2004; a Democratic run-off election on December 14, 2004, and a Hale County special Democratic primary election held on May 3, 2005.

Attorney General King commended all those who have been dedicated and steadfast in the investigation and prosecution of voter fraud in Hale County, including Assistant Attorneys General Ben Baxley and Noel Barnes, Special Agent Susan Smith and retired Senior Special Agent George Barrows of the Attorney General's Office. He thanked local officials and authorities, including Hale County Probate Judge Leland Avery, Sheriff Kenneth Ellis, former Sheriff Larry Johnson, and Circuit Clerk Catrinna Perry.



# Troy King

Alabama Attorney General

FOR IMMEDIATE RELEASE  
September 15, 2009

For More Information, contact:  
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Suzanne Webb (334) 242-7351

## AG ANNOUNCES VOTER FRAUD CONVICTION IN HALE COUNTY

(MONTGOMERY)--Attorney General Troy King announced the conviction today of Valada Paige Banks, a former Greensboro City Councilwoman, for voter fraud in Hale County Circuit Court. She was sentenced to 12 months, which was suspended. Banks was placed on probation for two years, during which she is prohibited from participating in any absentee voting or voter registration activity. She was also assessed approximately \$400 in court costs.

Specifically, Banks pleaded guilty to criminal possession of a forged instrument in the third degree – a forged affidavit of an absentee voter – with intent to defraud.

“This conviction represents another step forward in re-establishing integrity at our ballot boxes,” said Attorney General King. “Honest, fair elections are the foundation upon which our democracy stands. My office is continuing its work to combat voter fraud and ensure that Alabamians can trust the results of our elections and have faith in our government.”

Attorney General King personally presented evidence to a Hale County grand jury, resulting in the August 2007 indictments of Banks as well as Rosie Lyles, who pleaded guilty and was sentenced earlier this month. Similar voter fraud charges are pending against former Circuit Clerk Gay Nell Tinker who was indicted in March 2008. Her case has not yet been set for trial.

Attorney General King commended investigators George Barrows and Susan Smith as well as Assistant Attorneys General Ben Baxley and Noel Barnes.

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# Troy King

Alabama Attorney General

FOR IMMEDIATE RELEASE  
September 1, 2009

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Suzanne Webb (334) 242-7351

## AG ANNOUNCES VOTER FRAUD CONVICTION IN HALE COUNTY

(MONTGOMERY)--Attorney General Troy King announced the conviction yesterday of Rosie Lyles for voter fraud in Hale County Circuit Court. She was sentenced to 12 months, which was suspended. Lyles was placed on probation for two years, during which she is prohibited from participating in any absentee voting or voter registration activity. She was also assessed approximately \$400 in court costs.

Specifically, Lyles pleaded guilty to criminal possession of a forged instrument in the third degree – a forged affidavit of an absentee voter – with intent to defraud.

“This conviction represents an important victory for integrity at our ballot boxes,” said Attorney General King. “Honest, fair elections are the foundation upon which our democracy stands. I am committed to prosecute voter fraud and ensure that Alabamians can trust the results of our elections and have faith in our government.”

Attorney General King personally presented evidence to a Hale County grand jury, resulting in the August 2007 indictments of Lyles as well as Valada Paige Banks, a former Greensboro City Councilwoman. Voter fraud charges against Banks still are pending as are similar charges against former Circuit Clerk Gay Nell Tinker who was indicted in March 2008. Those cases have not yet been set for trial.

Attorney General King commended investigators George Barrows and Susan Smith as well as Assistant Attorneys General Ben Baxley and Noel Barnes.

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# Troy King

Attorney General

FOR IMMEDIATE RELEASE  
April 9, 2004

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## AG KING ANNOUNCES FELONY CONVICTION FOR ILLEGAL VOTING

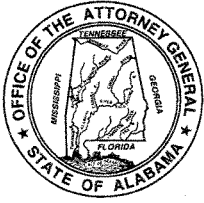
(MONTGOMERY) – Attorney General Troy King announced the felony conviction yesterday of a Dadeville woman who used her sister’s name to vote illegally when she herself was not registered. Shasta Nicole Crayton pleaded guilty in Tallapoosa County Circuit Court, admitting she voted illegally or fraudulently in the general and constitutional amendment election of November 5, 2002.

Circuit Judge Howard Bryan sentenced Crayton to two years imprisonment, of which she was ordered to serve one month and five days in jail with the remainder of the sentence suspended and to be served on probation. Given credit for time served in the county jail awaiting trial, Crayton was released after sentencing. She was further ordered to pay \$50 to the Alabama Crime Victims Compensation Fund and to pay court costs.

“Voting is a cherished privilege available to citizens who register and cast their votes according to the law,” said Attorney General King. “These procedures for voting are important safeguards to protect the rights of all voters and to ensure the integrity of our elections. Shasta Crayton committed a serious crime when she, essentially, stole the vote from her sister, who was then not able to cast her own ballot. Illegal voting is not just a crime against the person whose vote was stolen, but a violation against the State of Alabama, because it is a threat to the outcome of our elections. Those who commit voter fraud must be held accountable for their crimes.”

When Crayton’s sister tried to vote at the 18<sup>th</sup> precinct in Jackson’s Gap, poll workers found someone already had voted in her name, and reported the situation to the Tallapoosa County Registrar’s Office. Tallapoosa County Sheriff Jimmy Abbett referred the matter to the Attorney General’s Office, whose Special Agent William Long conducted an investigation with Erin McWaters, an investigator in the Tallapoosa County Sheriff’s Office. The case was prosecuted by Assistant Attorney General Stephanie Billingslea of the Public Corruption and White Collar Crime Division.

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# Bill Pryor

Alabama Attorney General

FOR IMMEDIATE RELEASE  
October 15, 2002

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## **PRYOR, DAVIS ANNOUNCE SENTENCING FOR PHENIX CITY VOTER FRAUD CONVICTION**

(MONTGOMERY) – Attorney General Bill Pryor and Russell County District Attorney Kenneth Davis announced the sentencing today of a woman on charges of voter fraud in the September 4, 2001, municipal election for Phenix City. Lizzie Mae Perry pleaded guilty in Russell County Circuit Court to two counts of falsifying absentee ballots, a class C felony, and to two counts of disclosing votes, a class B misdemeanor.

For each of the class C felony convictions, Perry was sentenced to 18 months imprisonment, which was suspended with the requirement that she serve 30 days in jail with the remainder on probation, fined \$500, and ordered to pay \$100 to the Crime Victims Compensation Fund. For each of the class B misdemeanors, she was sentenced to 90 days imprisonment, which was suspended with the requirement that she serve 30 days in jail with the remainder on probation, fined \$100, and ordered to pay \$50 to the Crime Victims Compensation Fund.

"It is appropriate that this defendant be held to account and punished for her crimes," Pryor said. "She will serve time in jail and must make compensation for her wrongdoing. The citizens of Phenix City and Alabama can be reassured that our commitment is strong to preserve the integrity of the ballot box by prosecuting crimes of voter fraud. If we are to have honest government, we must begin with honest elections."

Davis said, "The imposition of a jail sentence in this case sends a clear message to those people who try to manipulate and corrupt the ballot in Russell County that conduct of that nature will not be tolerated."

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In a related case, Perry's co-defendant Nathaniel Gosha was found guilty on August 15 by a jury in Russell County Circuit Court of nine felony counts of falsifying ballots, 16 felony counts of second-degree possession of a forged instrument, and 12 misdemeanor counts of disclosing votes. Gosha was a candidate for council district three in the September 4, 2001, election and had formerly been a county commissioner for Russell County. His sentencing is set for November 20.

Assistant Attorneys General Stephanie Billingslea and Nancy Kirby presented evidence from January 14 to January 16, 2002, to a Russell County grand jury that returned indictments against Gosha and Perry on January 16.

Specifically, the indictments charged that Gosha and Perry falsified ballots by having people sign as witnesses to absentee ballot affidavits that had not been signed or sworn by the purported voters, and by causing false information to be placed on absentee ballot affidavits about the voters' places of residence. The charges against Gosha for possession of a forged instrument are for possession of forged absentee ballots cast in the September 2001 municipal election. Gosha and Perry were both charged with disclosing absentee votes to Gerald "Jerry" Brooks the absentee votes that were cast for Brooks as candidate for council member-at-large.

Upon the alleged improper disclosure of votes, Brooks notified law enforcement officials about the situation by contacting the Russell County District Attorney's Office in August of 2001. At the request of the District Attorney, the Attorney General's Office conducted an investigation into the allegations.

The Attorney General praised Brooks for alerting law enforcement authorities about the alleged violations. Pryor also thanked Davis and the District Attorney's Office for valuable assistance in the cooperative effort. He commended those handling the case, noting particularly Assistant Attorneys General Stephanie Billingslea and Nancy Kirby of the Attorney General's Public Corruption and White Collar Crime Division; former Deputy Chief Investigator Jesse Seroyer, who is now U.S. Marshal for the Middle District of Alabama; Special Agents Vicki Wilson, Edward J. Hunneyman, Timothy Kornegay, and Senior Special Agents John Mulligan and Assie Tymes of the Attorney General's Investigations Division; Chief Investigator Joe Edwards of the Russell County District Attorney's Office; and Chief Preston Robinson, Assistant Chief Terry Morris, Sgt. George Staudinger, Cpl. Curtis Mitchell, and Officers Terrance Walker, Greg Lahr, and Andre Boggus, all of the Phenix City Police Department.





DEPARTMENT OF JUSTICE

G. DOUGLAS JONES  
UNITED STATES ATTORNEY  
NORTHERN DISTRICT OF ALABAMA

## NEWS RELEASE

(205) 244-2090

Public Relations Officer: Amy E. Gallimore

FOR IMMEDIATE RELEASE

February 1, 2001

### **WINSTON COUNTY FEDERAL VOTER FRAUD CASE:**

### **FINAL 4 DEFENDANTS SENTENCED on FEDERAL VOTE BUYING**

**Birmingham, AL** - U.S. Attorney Doug Jones and Attorney General Bill Pryor announced that the remaining 4 defendants have been sentenced in a federal vote buying case stemming from the Winston County Republican Primary June 6, 2000.

**Circuit Clerk William F. Bailey aka W.F. Bailey, 57**, of Double Springs; (a candidate for re-election) was sentenced to 3 years probation, a \$1,000 fine and 250 hours community service. The first 4 months of probation are to be served under "home detention" with electronic monitoring.

**Idas L. Neal, Jr. aka "Spooky", 58**, of Double Springs, a candidate for local Board of Education, was sentenced to 3 years probation, a \$2,500 fine and 250 hours community service. The first 6 months of probation are to be served under "home detention" with electronic monitoring.

**Mary Jo Ingram, 45**, of Lynn, was sentenced to 12 months and 1 day in prison and a \$1,000 fine. She is to report to the custody of the U.S. Marshal's Office or to her designated institution at noon on March 1<sup>st</sup>.

**Eugene Emerson, 71**, of Haleyville, was sentenced to 2 years probation with the first 6 months being served under “home detention” with electronic monitoring.

The four pled guilty in federal court to a felony count of conspiracy to commit vote buying. All defendants who pled guilty in this case admitted that they conspired with each other and with others in Winston County, Alabama, to buy votes (in the form of absentee ballots) with cash, beer, and liquor for the Republican Primary on June 6, 2000.

**U.S. Attorney Doug Jones said**, “As this federal election fraud case nears closure, the public can be confident that the election process in Winston County and other counties in Alabama remains honest. Through cooperative efforts with Attorney General Bill Pryor’s Office, a precedent-setting federal case resulted. This case was the first in the nation in which an undercover operation was conducted prior to an election resulting in the exposure of rampant absentee vote buying.”

Wednesday, 6 defendants pleaded guilty in Winston County Circuit Court to violation of Code of Alabama Section 17-10-17 for illegal absentee voting, a class C felony:

- \_ Former Sheriff **David Sutherland** of Double Springs;
- \_ **Jimmy F. Richardson** of Haleyville, husband of former District Judge Ann Richardson who was a candidate for re-election in the June primary;
- \_ **Scotty D. Cole** of Addison, a candidate for Winston County Commission chairman;
- \_ **Denita H. Lee** of Houston, a candidate for Winston County Board of Education;
- \_ **Idas L. Neal Jr.**, also known as "Spooky" Neal, of Double Springs, who was a candidate for Winston County Board of Education;
- \_ **Eugene Emerson, 71**, of Haleyville.

Sutherland, Richardson, Cole, and Lee were

sentenced on the federal charges on Tuesday. The four were sentenced Wednesday for the state charges to one year and one day imprisonment, which was suspended under the condition that they serve three years probation, adhere to the terms of their federal sentences, and pay court costs and a \$50 victims assessment fee.

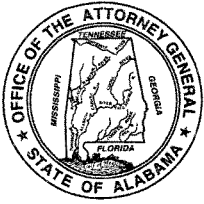
Sentencing on the state convictions for **Emerson** and **Neal** was deferred until after their sentencings today in federal court. State charges are still pending against Former Circuit Clerk **William F. Bailey** of Double Springs, who was a candidate for re-election in the June Republican primary, and **Mary Jo Ingram** of Lynn.

"As we near the conclusion of these prosecutions, I want to thank the U.S. Attorney's Office for its outstanding and steadfast partnership with my office in the fight against voter fraud," **said Attorney General Bill Pryor**. "Doug Jones has been a committed advocate for honest elections and has stood with me to investigate and prosecute widespread public corruption and voter fraud in Greene and Winston counties. This cooperative team effort by many federal and state agencies--including

not only my office and the U.S. Attorney's, but also the Alabama and Federal Bureaus of Investigation and the Alabama Alcoholic Beverage Control Board--is an excellent example of how we can all work together to restore integrity to our elections and our government for the citizens of Alabama."

Investigators and prosecutors from the Alabama Attorney General's Office worked jointly with the United States Attorney's Office along with the Federal Bureau of Investigation, Alabama Bureau of Investigation and Alcoholic Beverage Control Board. The case is being handled by Assistant U.S. Attorney Bill L. Barnett with Alabama Assistant Attorneys General Greg Biggs and Verne Speirs, both of whom have been designated as Special Assistant United States Attorneys for the prosecution of this case.

-END-



# Bill Pryor

Alabama Attorney General

FOR IMMEDIATE RELEASE  
November 29, 2000

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## **AG ANNOUNCES 2ND CONVICTION IN HALE COUNTY VOTING FRAUD CASE; COURT OF CRIMINAL APPEALS UPHOLDS CONVICTION OF 1ST DEFENDANT**

(MONTGOMERY)— Attorney General Bill Pryor today announced a successful conclusion to two voter fraud prosecutions in Hale County. Melvin Lightning, a former Greensboro council candidate, pleaded guilty on Monday, the same day that the Court of Criminal Appeals declined further review of the 1998 conviction of his co-defendant, Aaron Evans, a former Greensboro policeman. The crimes were committed during the November 1995 special municipal election, in which Lightning was a candidate for city councilman.

"These convictions underscore our commitment to restore public confidence in our democracy," Pryor said. "Honest government begins with honest elections, and the people of Alabama can be assured that the Office of Attorney General is committed to investigate and prosecute any fraudulent acts that would interfere with the integrity of a ballot box."

The Attorney General commended his prosecutors for their skill and dedication in bringing this case, and numerous other voter fraud prosecutions, to a successful conclusion. "Assistant Attorneys General Greg Biggs and Verne Speirs have devoted countless hours to their steadfast efforts to protect our citizens from voter fraud and provide honest elections in Alabama," he said. "I am proud of their convictions not only in this case, but in Winston County where our recent joint prosecution with the U.S. Attorney's Office for the Northern District of Alabama culminated in November with the conviction and removal from office of the sheriff, the circuit clerk, a district judge, county commission and board of education candidates, and others involved in election improprieties that included a conspiracy to buy votes with money and liquor. The State of Alabama is well-served by their continued diligence in our fight against those who would corrupt our elections."

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Lightning was convicted of illegal absentee voting, a class A misdemeanor. He was sentenced to 12 months imprisonment, which was suspended under the condition that he successfully completes 12 months of probation by obeying the laws of the State of Alabama and refraining from all participation in any campaigns or other political activities.

Lightning's crime involved the casting of an absentee ballot in someone else's name. He admitted that he delivered the absentee affidavit envelope to the voter and persuaded him to sign the affidavit without telling that ballot was inside and letting the voter fill out the ballot. Lightning further admitted that he returned the ballot to the city clerk for the vote to be cast. Handwriting evidence indicated that the application for that voter's ballot was filled out by Evans and signed by Lightning.

Following an extensive investigation by the Alabama Bureau of Investigation and the Attorney General's Office, the cases were presented to a Hale County grand jury that returned indictments against Evans and Lightning on September 12, 1996.

After a week-long trial in August of 1998, a jury in Hale County Circuit Court found Evans guilty of seven counts of casting illegal absentee ballots, seven counts of forging absentee ballot documents, and one count of possession of forged documents. Testimony was presented from one victim who went to the polls and was turned away because his vote had been stolen when an absentee ballot was cast in his name without his knowledge. Others testified that they had not given permission for absentee ballots to be cast in their names, and that their names were forged on those ballots and applications. Evans was sentenced to 10 years imprisonment, which was split with two years to be served in the state penitentiary and the remaining eight years suspended.

Lightning's conviction was delayed until legal questions regarding the case were resolved by his co-defendant's appeals. Among the questions at issue were whether the illegal vote actually had to be counted to be considered cast, because the city clerk, Carol Townsend, noticed irregularities and set aside the ballots before they were counted. The Attorney General's argument prevailed that the defendants had illegally voted by delivering the ballots to the city clerk with the full intention that they would be counted, and that the alert caution on Townsend's part frustrated their attempt.

The Attorney General thanked all who were involved in the investigation and prosecution of the two cases, including State Trooper Felicia Williams and ABI agents Perry Beasley, James Martin, and Dan Watson; Greensboro police officer Zelda Harris; and from the Attorney General's Office, Special Agent Ed Hunneyman, Senior Special Agent Jesse Seroyer, Special Agent Vicki Wilson of the Attorney General's Office, and Assistant Attorneys General Greg Biggs, Verne Speirs, and Stephanie Billingslea.



# Bill Pryor

Alabama Attorney General

FOR IMMEDIATE RELEASE  
October 30, 2000

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## **FORMER WINSTON JUDGE PLEADS GUILTY TO STATE ELECTION VIOLATION; SEVEN OTHERS FACE FEDERAL TRIAL NOVEMBER 6**

(MONTGOMERY) – Attorney General Bill Pryor and U.S. Attorney Doug Jones announced that former District Judge Ann Richardson of Winston County today pleaded guilty to a state election law violation, following her resignation from office and the dismissal of federal charges last week.

"This conviction is an important message to public officials and candidates that they will be held to account for their election conduct," Pryor said. "The campaign disclosure requirements in state law are vital for our citizens to know and judge who we will select to represent us. If a candidate avoids full and proper disclosure, we have to wonder what they are hiding and why, and whether he or she deserves to be given the public's trust."

Richardson admitted that she failed to report paying \$500 to Mary Jo Ingram for campaign assistance during the former judge's campaign for reelection. Ingram is one of seven defendants who still face trial on November 6 for conspiracy to commit voter fraud in the Republican primary in Winston County on June 6.

In June, a federal grand jury in Birmingham returned indictments\* against Richardson, Ingram, and nine other individuals alleging one count each of conspiracy to commit vote buying. The charges involve activities surrounding the candidacies of Richardson and others in the June 6 Republican primary in Winston County.

The indictments allege that from April 11, 2000, to June 6, 2000, the defendants conspired to knowingly and willfully pay and offered to pay voters for absentee ballots in the June 6<sup>th</sup> election to ensure the selection of certain candidates. It is also alleged that defendants supplied beer and whiskey to be used as payments for absentee ballots.

Although the federal charge against Richardson was dismissed following her resignation on Monday, she today pleaded guilty to failing to report that she paid Ingram for campaign assistance. Richardson was sentenced today to six months imprisonment, which was suspended upon the condition that she serve one year probation and pay a fine of \$1000 and court costs.

"All cases brought by this office are constantly evaluated to insure that in the final analysis justice is served," said Jones, U.S. Attorney for the Northern District of Alabama. "In this particular case, certain

Alabama Attorney General Bill Pryor

matters were recently brought to our attention that could have impacted the case in federal court. Accordingly, we believe the resolution reached today is fair to all parties and best serves the ends of justice. I would emphasize, however, that the resolution in this case affects only one individual, and that this office, along with the Attorney General's Office, remains committed to vigorous enforcement of election laws."

The following defendants were charged in the June federal indictments\*, each with one count of conspiracy to commit voter fraud:

Sheriff David Sutherland, 52, of Double Springs;  
District Judge Ann Richardson, 53, of Haleyville, a candidate for re-election;  
Jimmy F. Richardson, 63, of Haleyville, husband of Ann Richardson;  
Scotty D. Cole, 60, of Addison, a candidate for County Commission chairman;  
Denita H. Lee, 44, of Houston, a candidate for local Board of Education;  
Randy Lee, 46, of Houston, husband of Denita Lee;  
Circuit Clerk William F. Bailey a.k.a. W.F. Bailey, 56, of Double Springs, a candidate for re-election;  
Idas L. Neal, Jr. a.k.a. "Spooky", 58, of Double Springs, a candidate for local Board of Education;  
Mary Jo Ingram, 45, of Lynn;  
Hoyt Page, 54, of Haleyville;  
Eugene Emerson, 71, of Haleyville.

On September 27, Denita Lee and Bailey each pleaded guilty to one count of conspiracy to commit vote buying. As part of their guilty plea, Bailey and Denita Lee also each agreed to plead guilty to a felony charged in state court to run concurrently with any federal sentence he or she may receive. After the guilty pleas were entered, upon the request of the U.S. Attorney's Office, the Court dismissed the indictment against Randy Lee.

The remaining seven defendants who are scheduled for trial on November 6 before U.S. District Judge Edwin Nelson in Birmingham are: Sutherland, Jimmy F. Richardson, Cole, Neal, Ingram, Page, and Emerson. If convicted, these defendants, as well as Lee and Bailey, each face a maximum penalty of five years imprisonment, a \$250,000 fine, and three years probation. A sentencing date for Lee and Bailey is set for December 20.

Pryor and Jones praised the cooperative effort of state and federal agencies that lead to the prosecutions. The Winston County cases resulted from an investigation by the Alabama Attorney General's Office, Federal Bureau of Investigation, Alabama Bureau of Investigation, and the Alcoholic Beverage Control Board. The Attorney General and U.S. Attorney also commended the prosecutorial team, comprised of Assistant Attorneys General Greg Biggs and Verne Speirs, who have been cross-designated as Special Assistant U.S. Attorneys, and Assistant U.S. Attorney Bill L. Barnett.

*\*An indictment is merely an accusation and defendants are presumed innocent unless and until proven guilty.*

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# Bill Pryor

Alabama Attorney General

FOR IMMEDIATE RELEASE  
May 19, 2000

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## **STATEMENT OF ATTORNEY GENERAL BILL PRYOR Regarding Reinstatement of Conviction In Aaron Evans Voter Fraud Case**

(MONTGOMERY)—I am pleased that the Alabama Supreme Court today reinstated the conviction of Aaron Dudley Evans for voter fraud in Hale County. This case was one of a series of extremely important cases dealing with voter fraud brought by this office. Evans was convicted August 19, 1998, of seven counts of casting illegal absentee ballots, seven counts of forging absentee ballot documents, and one count of possession of forged documents. The crimes were committed during the November 1995 special municipal election in Greensboro.

The defendant was convicted by a jury of his peers after a full hearing of all the evidence. Jurors heard testimony from one victim who went to the polls and was turned away because his vote had been stolen when an absentee ballot was cast in his name without his knowledge. Others testified that they had not given permission for absentee ballots to be cast in their names, and that their names were forged on those ballots and applications.

The conviction had been reversed by the Court of Criminal Appeals based upon an error by the trial court having nothing to do with the evidence or the manner in which it was presented. The case was reversed because the trial court allowed the State to strike a juror 'for cause' who was related to one of the defendant's attorneys. Our office argued that even if this was judged to be an error on the part of the trial court, the defendant's attorneys had opportunity and failed to show the trial court how it wished the error to be corrected during the trial proceedings.

The Alabama Supreme Court considered the issue of whether Evans' right to a trial by an impartial jury was actually harmed when the trial court allowed the State to strike the potential juror, who was aunt of the defense counsel by marriage. The Court today ruled that "unless the defendant can show that a trial court's erroneous ruling during jury selection prevented the jury from being impartial, there is no violation . . . Evans made no showing that his rights, such as his right to an impartial jury, were probably injuriously affected by the trial court's excusing (the aunt). . . Evans still had a fair trial with an impartial jury."

I commend the Court's decision to reinstate this conviction. I want to thank particularly Chief Assistant Attorney General Rosa Davis for her skillful handling of the appeal to win this reinstatement. The case was first prosecuted by Assistant Attorneys General Greg Biggs and Stephanie Billingslea, with the assistance of Verne Speirs and investigators Ed Hunneyman, Jesse Seroyer and Vicki Wilson of our office. The Department of Public Safety also provided an outstanding investigation by State Trooper Felicia Williams, ABI agents Perry Beasley, James Martin, and Dan Watson, as well as Greensboro police officer Zeldia Harris.

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