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GV couple plead guilty in vote-fraud case

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A Green Valley couple accused of voting twice in the 2008 election will avoid prison time after pleading guilty to a lesser charge Monday.

Federal prosecutors say 63-year-old James A. Marshall and 56-year-old Karen S. Marshall pleaded guilty to a misdemeanor count of deprivation under color of law.

The two admitted to a U.S. magistrate that they had voted by mail in Kansas despite having moved to Arizona and become Arizona residents. Court records show the Marshalls had also voted by mail in Arizona.

As part of the plea agreement, the Marshalls will each be sentenced to one year of supervised probation on Nov. 25.

James Marshall declined comment Monday. In July he told the Green Valley News that he and his wife had voted in both states by mistake. "Yes, we had a problem with that," he said, without elaborating.

The indictment, handed down in July, alleges that the Marshalls "did knowingly and unlawfully

conspire, confederate, and agree together with each other to knowingly and willfully deprive, defraud, and attempt to deprive and defraud the residents of a State of a fair and impartially conducted election process."

The indictment apparently followed an FBI investigation that came about after the Marshalls told others they had voted in two states.

Pima County Registrar Chris Roads said FBI agents investigating the Marshalls would not say how they were tipped off to inspect the couple's voting record, but state Election Director Amy Bjelland said she understood that the Marshalls had told others they had voted in two states.

The couple moved to Green Valley in May 2008 but registered to vote in Montgomery County, Kan.

the following July by affirming they were still Kansas residents, the indictment says.

In August 2008, they applied for Arizona driver's licenses and registered to vote in the state, listing their Green Valley address as their permanent residence, according to the indictment.

Meanwhile, state and Pima County officials are working to detect voter fraud, as officials for the first time are comparing voter lists across state lines.

The Associated Press and reporter Daniel Newhauser contributed to this report.