

# THE RINGLEADER AVOIDED JAIL

THE HARTFORD COURANT

OCTOBER 21, 1997

**I**t may seem unfair that subordinates in the 1996 Hartford absentee ballot scam have to spend time in prison when the chief orchestrator of the ballot fraud didn't.

But Virgen Figueroa's and Liz Diaz's two-month sentences, handed down last week by Hartford Superior Court Judge Wendy Susco, were justified.

Ms. Figueroa was charged with 13 counts of ballot fraud and pleaded guilty to a single count of conspiracy to commit absentee ballot fraud and forgery. Her excuse -- that she was only following instructions -- doesn't wash. Ms. Diaz pleaded guilty to two felony counts, including the very serious charge of witness tampering.

The two were part of a campaign to elect a Democratic Town Committee slate in the 4th District loyal to then-state Rep. Edwin Garcia, who escaped the punishment he deserved.

The Garcia campaign persuaded hundreds of voters to apply for absentee ballots who didn't qualify for them. In some cases, workers for the Garcia slate helped voters mark ballots, contrary to law. Ms. Diaz pleaded guilty to approaching a woman at a court hearing and getting her to change her story about why she needed an absentee ballot. In all, the scandal resulted in seven arrests and 248 felony counts.

Judge Susco was right to send a strong message against ballot fraud and witness tampering. It was perhaps an exaggeration for prosecutor John M. Massameno to declare that anything less than jail time for Ms. Figueroa could pave the way for "President Carter supervising city elections as he does in Third World nations." But his point should not be lost: The illegal manipulation of the absentee ballot process is offensive to democracy.

It's a pity that Mr. Garcia, the ringleader, was able to wriggle his way out of a jail sentence. If his underlings must serve time, he should have, too.

The disgraced former representative pleaded no contest to three of 86 felony counts while claiming his innocence. Though he was forced to give up his House seat and his job as a city police sergeant because of the felony convictions, he avoided jail. His period of home detention was even cut short by Superior Court Judge Raymond Norko. Prosecutors privately admit that Mr. Garcia also bargained successfully to keep his girlfriend, Alma Sanchez, another co-defendant, out of jail despite the 28 felony charges against her.

Election fraud is a serious crime and deserves a severe penalty. It's too bad Mr. Garcia was able to weasel his way out of spending time in jail.

But the sentences given Mr. Garcia's associates should serve as a warning: Don't play fast and loose with the laws that govern absentee voting.

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