



April 28, 2011

2009 Election Update

Filed under: [Probable Cause](#) — Tags: [Coeur d'Alene Election](#), [Voter Fraud](#) — Bill @ 9:38 am



The Wednesday, April 27, 2011, edition of the *Coeur d'Alene Press* ran an article headlined “**Illegal voter hit with fine.**” The article was by *Press* staff writer Tom Hasslinger. It began on page C1 and then concluded on page C6. It did not appear online, so I cannot link to it directly. There is more information available in the public record that will clarify and elaborate on Wednesday’s *Press* article.

The *Press* article correctly reported that while actually residing on “Ridge Line outside the city limits,” Nancy E. White voted in the November 2009 Coeur d’Alene city election. [Idaho Code, Title 50, Section 50-402](#) required then that to vote in a city election, a voter must have resided in the city for at least 30 days prior to the election. There is substantially more information available in the [October 13, 2010, report of Kootenai County Prosecuting Attorney Investigator Terry Turnbow](#).

Among other things, Investigator Turnbow’s report notes that on or before April 24, 2009, and likely earlier than December 27, 2008, Nancy E. White actually resided at 9066 W. Ridge Line Lane, Coeur d’Alene, Idaho 83814. Though that address has a Coeur d’Alene city and Zip Code designation for purposes of US mail delivery, a link to [Google Maps shows it is well outside the Coeur d’Alene city limits](#). Investigator Turnbow’s report states that in a letter to Kootenai County Prosecutor Barry McHugh, Mr. Jackson, “...makes reference to the address on Ridge Line being just outside the city limits. According to a map, Ridge Line Ln intersects with Greensferry Rd., which is approximately three miles out of the city limits.”

Investigator Turnbow’s report also states that “... on 12/27/2008 Ms. White requested fire to the Ridge Line address for a chimney that became dislodged from the wood stove by the snow.” His report does not indicate if the fire department that responded was Kootenai County Fire and Rescue or the Coeur d’Alene City Fire Department.

The *Press* article reported White’s attorney, Mark Jackson, as saying White “...wasn’t aware she couldn’t vote in its [the City] election...” Investigator Turnbow’s report states, “Ms. White is a realtor in the state of Idaho and it is reasonable she should be knowledgeable of residency rules, transfer of ownership, and the city limit boundaries.” White’s employment as a realtor as stated in Investigator Turnbow’s report seems confirmed by a [letter of recommendation](#) in her public record court file. The letter, dated January 25, 2011, was written on Windermere/Coeur d’Alene Realty, Inc. stationery and signed by Donald R. Smock, President and Broker, Windermere/Coeur d’Alene Realty, Inc..

Based on the information developed from the investigation and contained in his October 13, 2010, report, Investigator Turnbow appeared before First District Court Magistrate Judge Scott Wayman on October 27, 2010, and swore to a [criminal complaint](#) alleging that Nancy Elaine White committed the crime of Illegal Registration By Voter in violation of [Idaho Code 18-2322](#). It is noteworthy that the *Press* article cited earlier quoted White's attorney, Mark Jackson, in a prepared statement to the *Press* as saying, "Nancy committed no violation of any criminal law when she mistakenly voted in the city election."

The court record reveals that on March 2, 2011, Nancy Elaine White entered an [Alford Plea](#) before First District Court Magistrate Judge Barry Watson. White was found guilty, fined \$200, and required to serve three months unsupervised probation. Judgment was withheld pending successful completion of the probation period without any further violations other than infractions. It is noteworthy that in addition to the letter of recommendation from Smock linked above, the court file also had a [letter of recommendation signed by Rick Powers, Managing Partner, Tadich Grill Development Company of San Francisco, California](#).

[Nancy Elaine White's record in the Idaho Supreme Court Data Repository](#) (Name Search on last name, first name, middle name, and Kootenai County; then pull up Case History with ROAs) reveals that on June 30, 2010, she was arrested for Driving Under the Influence (DUI). That charge was heard in court on October 27, 2010. At that time White was found guilty, fined \$800, sentenced to four days in jail (work release), and placed on two years unsupervised probation. A review of the audio recording of the March 2, 2011, election law violation hearing reveals that Judge Watson questioned why the Alford Plea to the election law violation did not violate White's terms of probation for her DUI conviction. Her attorney explained that the incident leading to her Alford Plea on the election law violation preceded her DUI conviction.

Local libraries should still have the cited issue of the *Coeur d'Alene Press* available to review the article.

[Comments \(14\)](#)

14 Comments



1. Nancy is smart. She knew exactly what she was doing, in my opinion. My view of Mark Jackson has certainly slipped also...how can any attorney believe this knowledgeable and politically active woman did not fully understand that because she sold her house and moved outside of the city, that she could not legally vote in the city election. She just never thought she'd be caught. But then again, Mark Jackson is very active in the Democrat party here too, along with Nancy.

I don't care what your party affiliation is, our voting rights are sacred and should not be taken lightly. This is an outrage.

Comment by [mary](#) — April 28, 2011 @ [9:46 am](#)



2. "A win is a win." — Dixie Reid.

Comment by [Dan](#) — April 28, 2011 @ [10:17 am](#)



- 3.

Bill, thank you for this post. When I read the Coeur d'Alene Press yesterday, I was ticked, now I'm outraged. Maybe she can get a new trial, since her attorney doesn't understand that she DID commit a violation of criminal law. Ms. White had Mike Kennedy signs on her listings in Coeur d'Alene during the 2009 campaign, I wonder if Mr. Smock was aware of that fact when he wrote his "pillar of the community" recommendation letter. If you have friends who work at Windemere Realty ask them to please let you know when Ms. White will be showing property near our schools for the safety of our children. I voted in the 2009 election as I have done in every election not just selected ones. Why was this election so important for her? Bill since you know Jim Brannon have you talked to him about his take on this fine?

Comment by doubleseetriples — April 28, 2011 @ [10:42 am](#)

4.



She didn't do it yet she is pleading alford and taking her lumps. Pepper are you serious? All you did was give others reason to doubt your integrity with that cheesy BS letter. Can't say I will do business with Windemere any time soon.

Comment by WannaBe JD — April 28, 2011 @ [12:11 pm](#)

5.



Mary,

She needed legal representation to ensure her rights, including the right to a fair trial, were preserved. Her attorney is her advocate, independent of his personal views about her conduct. If he felt his personal views would keep him from ensuring she received adequate representation, he could decline to represent her. Likewise, the deputy prosecutor is the advocate for the people of the State of Idaho. It was his duty to bring forward the best case he could. It was the judge's decision to accept the Alford Plea and assess the penalty.

Dan,

A conviction is a conviction.

2c3i,

I don't know why it was so important for her, and no, I haven't spoken with Jim Brannon about the fine. His case is still on appeal to the Idaho Supreme Court.

Comment by [Bill](#) — April 28, 2011 @ [12:51 pm](#)

6.



Hmm. Here is a "toss up" question—for 28, give or take, Million Dollars—What friend do Pepper Smock and Rick Powers have in common?

Comment by Happy Trails — April 28, 2011 @ [2:14 pm](#)

7.



Is it the Hagadone Corporation?

Comment by doubleseetripoleeye — April 28, 2011 @ [2:18 pm](#)



8.

Nancy White was the Manager of Beverly's for years.

Comment by [mary](#) — April 28, 2011 @ [3:55 pm](#)



9.

Bill, as her attorney, what could Mark Jackson do if he did not believe she was telling the truth?

Comment by [mary](#) — April 28, 2011 @ [3:56 pm](#)



10.

Mary,

From the [Idaho Rules of Professional Conduct](#)

RULE 3.3: CANDOR TOWARD THE TRIBUNAL

(a) A lawyer shall not knowingly:

(1) make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;

(2) fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or

(3) offer evidence that the lawyer knows to be false. If a lawyer, the lawyer's client, or a witness called by the lawyer, has offered material evidence and the lawyer comes to know of its falsity, the lawyer shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal. A lawyer may refuse to offer evidence, other than the testimony of a defendant in a criminal matter, that the lawyer reasonably believes is false.

(b) A lawyer who represents a client in an adjudicative proceeding and who knows that a person intends to engage, is engaging or has engaged in criminal or fraudulent conduct related to the proceeding shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal.

RULE 4.1: TRUTHFULNESS IN STATEMENTS TO OTHERS

In the course of representing a client a lawyer shall not knowingly:

(a) make a false statement of material fact or law to a third person; or

(b) fail to disclose a material fact when disclosure is necessary to avoid assisting a criminal or fraudulent act by a client, unless disclosure is prohibited by Rule 1.6.

Comment by [Bill](#) — April 28, 2011 @ [4:45 pm](#)



11.

Bill, it appears to me that Mark Jackson violated Rule 4.1. Happy, you're killing me who is the mutual friend? Is it Canadian Prime Minister Stephen Harper? Mike Kennedy's basement landlord, Monica Paquin? Tammy Farkes Currie or is it actually a resident of Coeur d'Alene. I would also like to thank WannaBe JD for his/her comments. Until these arrogant lawbreakers face business sanctions in the area; why should they stop their illegal actions. I would like to apologize for my earlier safety comments. Drinking problems are very serious and can effect memory and cloud judgement.

Comment by doubleseetripleeye — April 28, 2011 @ [5:36 pm](#)



2c3i,

In the real world (outside Coeur d'Alene and Kootenai County) they should stop their illegal actions because they fear detection, apprehension, and prosecution by the criminal justice system and conviction by the judicial system. But because they're in Coeur d'Alene and Kootenai County, they need have no fear of any of those outcomes.

Comment by [Bill](#) — April 28, 2011 @ [7:10 pm](#)



Come on Happy, what is the connection? Are they related to "Failure of Duty" aka Dan English? Do they own the company that wiped the computer of Dee Dee Beard clean? Perhaps-however my new guess is that they are friends with John "Witch Hunt" Cafferty. Don't leave me hanging, am I right?

Comment by doubleseetripleeye — April 28, 2011 @ [10:35 pm](#)



Okay, here it is...Famous People for \$20...One person's father-in-law was the comptroller for many many years for a large corporation (owned by the mutual friend) and the other person was the head honcho in the food area for a large corporation for many many years(owned by the mutual friend). A hint-I don't believe that corporations are persons.

Comment by Happy Trails — April 29, 2011 @ [9:26 am](#)

[RSS feed for comments on this post.](#)

Sorry, the comment form is closed at this time.

- Pages
 - [Register](#)
 - [About OpenCdA](#)
 - [Documents & Reports](#)
 - [OpenCdA Policy](#)
 - [Public Records Request](#)
 - [Support OpenCdA](#)
- Recent Comments
 - [Stebbijo](#) on [Do the Right Thing, Democrats](#)
 - [Bill](#) on [Do the Right Thing, Democrats](#)
 - JSmetal on [Do the Right Thing, Democrats](#)
 - JSmetal on [Where Have They Been for Four Years?](#)
 - Tributary on [Where Have They Been for Four Years?](#)
 - Tributary on [Do Black Lives Matter Activities = Domestic Terrorism? You Decide](#)
 - [Bill](#) on [The Police Equation: Defund + Dismantle = Disaster](#)
 - [Stebbijo](#) on [The Police Equation: Defund + Dismantle = Disaster](#)
 - [Bill](#) on [The Police Equation: Defund + Dismantle = Disaster](#)
 - [Bill](#) on [The Police Equation: Defund + Dismantle = Disaster](#)

- Tributary on [The Police Equation: Defund + Dismantle = Disaster](#)
- [Bill](#) on [Starbucks Supports Black Lives Matter](#)
- [Bill](#) on [Starbucks Supports Black Lives Matter](#)
- Tributary on [Starbucks Supports Black Lives Matter](#)
- [Bill](#) on [Will the Lynching Be Televised?](#)
- Recent Posts
 - [DoD's PRC 2020 Military Assessment for Congress](#)
 - [Do the Right Thing, Democrats](#)
 - [Where Have They Been for Four Years?](#)
 - [A Hint of Hope ...](#)
 - [Do Black Lives Matter Activities = Domestic Terrorism? You Decide](#)
 - [The Police Equation: Defund + Dismantle = Disaster](#)
 - [Starbucks Supports Black Lives Matter](#)
 - [Seattle in Surrender](#)
 - [Will the Lynching Be Televised?](#)
 - [The Reopen Movement to Overcome Fear](#)
- Search for:
- Meta
 - [Log in](#)
 - [Entries RSS](#)
 - [Comments RSS](#)
 - [WordPress.org](#)

Powered by [WordPress](#)

Copyright © 2020 by OpenCDA LLC, All Rights Reserved