

# State legislator charged in election fraud

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**A** South Side state lawmaker whose controversial reelection bid gained the strong backing of the city's preeminent political muscle was indicted Wednesday by a Cook County grand jury on three felony counts of election fraud.

State Rep. Patricia Bailey, who beat back a Democratic primary challenge by former Death Row inmate Aaron Patterson, came under investigation after a Tribune report in March that raised questions about her residency.

Though she had filed election documents with the state claiming to live at an address in the 6th District, which she represents, Bailey appeared to be living at her mother's house outside the district, the Tribune found.

After reviewing the case for months, Illinois Atty. Gen. **Lisa Madigan** sought the indictment. The criminal charge includes two counts of perjury and one count of falsifying an election document.

"This indictment alleges a serious breach of the public trust," Madigan said in a statement.

If convicted, Bailey could face 2 to 5 years in prison for the perjury charges and 1 to 3 years for the falsification count, Madigan aides said.

Bailey, whose campaign has been heavily financed by Chicago-area law-enforcement groups, would automatically forfeit her legislative post and be ineligible to hold any government job for five years following completion of her sentence.

Bailey declined to comment when met by a reporter at a duplex on West Garfield Boulevard, an address she listed on her most recent voter registration.

"We don't have any comment," added Mike Kasper, an election lawyer for the Democratic Party of Illinois.

When questions first were raised about Bailey's residence, the state party backed her story and provided Kasper to help her with legal advice. Bailey has had the strong political backing of Cook County Commissioner **John Daley**.

The charges come less than two months before the Nov. 2 election, in which Bailey, 51, is running unopposed.

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Commissioners, said Democratic leaders in Bailey's  
t of the race or plead guilty more than 15 days

Bailey's district, which includes the starkly different neighborhoods of Englewood and Bridgeport, gained widespread attention when Patterson challenged her in the primary and alleged that she was "missing in action."

Patterson finished third in the race behind Bailey and Jerry Washington, a former state legislator. Since then, Patterson has been charged by federal prosecutors on gun and drug charges and is awaiting trial.

Following the primary, Washington filed a lawsuit that challenged Bailey's placement on the ballot, alleging that she had fraudulently filed documents claiming that she lived in the district. But last month, a Cook County judge presiding over the suit refused to disqualify Bailey.

Questions about Bailey's residency first surfaced in March after the Tribune reported that she did not appear to live where she claimed.

Neighbors said she lived in her mother's home at 4217 S. Wells St., which is outside the district. In October 2003, Bailey had changed her voter registration address to 4538 S. Hermitage Ave., which is in the district.

But the apartment building at the Hermitage address had just one resident, and Bailey did not live there, according to the pastor of the Catholic church that owns the property and was converting it to another use.

After a brief investigation following the primary, the Chicago Board of Election Commissioners said it found enough evidence of possible fraud to forward findings to Cook County prosecutors for a potential felony-level criminal investigation.

Cook County State's Atty. Richard Devine then referred the case to Lisa Madigan because Bailey's mother, Janie Bailey, 77, is a longtime employee of Devine's office.

"She will have her day in court like anybody else," said Janie Bailey, who added that her daughter's new home had recently been broken into and was undergoing repairs.

Janie Bailey said her daughter was in the process of buying the property on West Garfield Boulevard in 2003 when credit problems triggered by identity theft prevented Patricia Bailey from closing on the purchase.

Still, even on Wednesday, neighbors on Janie Bailey's block said Patricia Bailey has continued to live with her mother except for brief periods when news reports questioning her residency surfaced.

"I've been living here for five years, and she's been here every day," said Andre Bowman, a neighbor.

John Daley declined to say whether he would pressure Bailey to step down.

"This is unique," he said. "I have never faced this before."

"It's rarely done by the attorney general," said Michael Lavelle, a former chairman of the Illinois State Board of Elections. "It seems like the feds are the ones with the highest investigative ability, and they have the greater resources."

Bailey is scheduled to be arraigned Sept. 27.

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