



U. Minnesota Student Faces Felony Charge For Vote Auction

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This story was written by Andy Mannix, Minnesota Daily

Max Sanders' vote does matter. At least it does to the Hennepin County Attorney's Office.

Sanders, a 19-year-old University of Minnesota student, was charged with a felony for bribery, treating and solicitation Thursday after attempting to sell his presidential election vote to the highest bidder on eBay more than a month ago.

"The rules are simple," Sanders explained on the eBay post. "The highest bidder will tell me who to cast my vote for in the election. I will vote for any candidate of any party, as long as they are on the ballot."

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Sanders also offered to abstain from voting if the winner desired.

"Good luck! You're (sic) country depends on you," Sanders stated on the post.

According to a scarcely visited 1893 Minnesota law, offering to buy or sell a vote is illegal.

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Deputy County Attorney Pat Diamond said this is because elections are supposed to be a competition of ideas rather than bankrolls.

"Everybody gets one vote," he explained. "You can't get another one by buying somebody else's."

And the fact that no eBay users were willing to meet Sanders' \$10 minimum bid doesn't help him. The law states one only has to offer to sell a vote for it to be illegal.

However, if someone had bid on the vote, they could have been charged as well, Diamond said.

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Sanders declined to comment for this story, but he told a Hennepin County investigator last month that the eBay post was a



joke.

Minnesota law states that Sanders could face up to five years in prison and a \$10,000 fine, but Diamond said that won't happen.

"Clearly this is not a case where somebody has to go to prison," Diamond said. "This is the kind of case where you need to make it clear to the person that what they did was wrong, and maybe put a little bit back into the community."

Diamond was not more specific on the sentence his office will recommend.

University election law professor David Schultz said that with the unusual specifics of this case, there's no recent precedent in Minnesota.

"More common is when someone tries to bribe someone to vote a particular way," he said. "I've never seen, in Minnesota law, a situation where somebody (tries to sell their vote) on an auction basis."

Schultz said there is also a federal anti-bribery law that Sanders violated, but it isn't likely that the U.S. Department of Justice will get involved with the case because "it's small potatoes."

Sanders will likely make his first court appearance in mid-August, Diamond said.

-Andy Mannix is a senior staff reporter.

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