

MIDDLESEX COUNTY

Perth Amboy Democrat should face voter fraud criminal probe, GOP leader says

Sergio Bichao @sbichao

Published 5:48 p.m. ET Mar. 30, 2015 | Updated 5:54 p.m. ET Mar. 30, 2015

Story Highlights

A judge last week accused Leslie Dominguez-Rodriguez of taking advantage of elderly nursing home voters and ordered a new election.

Dominguez-Rodriguez resigned as the city's Democratic chairwoman as a result of the decision.

Middlesex County GOP Chairman Sam Thompson says Dominguez-Rodriguez should face a criminal probe.

PERTH AMBOY – The Middlesex County Republican chairman believes the city's former Democratic chairwoman should face a criminal investigation after a Superior Court judge last week found that she had been involved in voter fraud at a nursing home.

The election scandal comes as lawmakers consider overhauling the state's vote-by-mail system, which was at the center of the Perth Amboy election fraud, and that was set up to help people who can't physically make it to their polling places.

The allegations of wrongdoing in the November election for the City Council and Board of Education were so "pervasive and far reaching," that Judge Heidi Currier threw out the results for a contested council seat and ordered a new election between Sergio Diaz and Fernando Gonzalez, who had beat Diaz by just 10 votes in November.

The election will be held May 12 at an additional yet-to-be-determined cost to taxpayers, Middlesex County Clerk Elaine Flynn said Monday. Both are Democrats in a nonpartisan race.

Currier found that Democratic Chairwoman Leslie Dominguez-Rodriguez took advantage of frail nursing-home residents. The judge on Wednesday threw out about 13 votes including mail-in ballots from a blind man, a resident who didn't remember her address or voting, and others who testified Dominguez-Rodriguez coerced them into voting for her husband, Jose

Rodriguez, who was running for a Board of Education seat. Dominguez-Rodriguez also was supporting Gonzalez.

Diaz's lawsuit also alleged that five voters cast ballots despite not living here and as many as 167 vote-by-mail ballots may have been tampered with in favor of Gonzalez.

"This reflects the kind of voter abuse of the kind that we are concerned about. It's just totally inappropriate," state Sen. Sam Thompson, R-12th District, and the county's GOP leader, said Monday.

On Friday, a day after MyCentralJersey.com reported the judge's ruling, Dominguez-Rodriguez resigned as the municipal party chairwoman following calls for her to do so by Mayor Wilda Diaz (no relation to the candidate) and county Democratic Chairman Kevin McCabe. The mayor and McCabe are longtime political opponents of Dominguez-Rodriguez.

Dominguez-Rodriguez was not charged with any crime and the Middlesex County Prosecutor's Office does not confirm or deny the existence of any investigation.

Earlier this month an Assembly committee approved a bill that would limit the number of mail-in ballots that campaign workers can deliver.

Currently, someone who obtains mail-in ballots on behalf of voters is known as a messenger. A person can serve as messenger for up to 10 voters in an election. Once those ballots are completed, the voters can hand those ballots to a bearer, who then delivers them to the county. There is no limit on the number of completed ballots a bearer can turn in.

The bill being considered by the Assembly would limit both messengers and bearers to just three ballots per election and require bearers to provide proof of identity to the county Board of Elections.

The bill also would make it easier to prosecute fraud related to mail-in ballots as a third-degree offense by dropping the law's requirement that someone act "knowingly and with intent to commit fraud" to simply "knowingly."

The bill passed the state Senate in December by a vote of 37-0 after documented abuse of the system in Asbury Park and Atlantic City elections.

The proposal would not change how the current law allows someone to help a voter fill out a mail-in ballot as long as the person providing assistance is identified on the ballot envelope.

Currier last week found that ballots submitted by the voters listed someone named "Linda Ferreira" as an assistant and the residents testified in court that they were helped by someone by that name. But when they were asked to point to a picture of "Linda Ferreira" they instead pointed to a picture of Dominguez-Rodriguez.

Thompson on Monday says that shows "a clear violation of the law. No question."

In her resignation letter, Dominguez-Rodriguez did not take any responsibility and said that "reporting in the media was inaccurate," although she did not elaborate.

On Monday, Dominguez-Rodriguez declined to comment beyond what was on her letter, citing advice from her attorney.

Staff Writer Sergio Bichao: 908-243-6615; sbichao@mycentraljersey.com