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Belleville Man Gets Five Years for Voter Fraud

Fernandez used faked 'messenger ballots' during Ruiz's 2007 campaign

By Paul Milo, Patch Staff 

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A 61-year-old Belleville man was sentenced Thursday to five years in prison for submitting phony absentee ballots while he was working on the 2007 election campaign of state Sen. Teresa Ruiz (D-29).

John Fernandez had been found guilty of fraud, forgery, records tampering and conspiracy in September, State Attorney General Jeffrey Chiesa said in a statement. Fernandez had also been forced to surrender his job with the Essex County Office of Economic Development.

Fernandez took part in a scheme involving "messenger ballots," which are used by voters homebound by illness or a disability. Fernandez fraudulently obtained the ballots, then filled them out on behalf of voters who had never received them.

New rules are now in place regarding messenger ballots.

"This prison sentence should stand as a strong deterrent to anyone who would tamper with ballots in New Jersey and impede the fundamental right of our citizens to have their votes counted in fair and open elections," said Chiesa. "We will continue to prosecute those who interfere with the electoral process."

Fernandez was charged in 2009 along with other defendants in an investigation by the Division of Criminal Justice Corruption Bureau and the Essex County Prosecutor's Office Corruption Unit. The defendants were charged in multiple indictments related to absentee ballots they collected and submitted as workers for Ruiz's 2007 campaign for the New Jersey Senate. Four other defendants previously pleaded guilty, and another three forfeited their public positions and were admitted by the court into the Pre-Trial Intervention Program.

On March 3, 2010, one of those defendants, Gianine Narvaez, 39, also of Belleville, a former data processing technician for the Essex County Commissioner of Registrar and Superintendent of Elections, pleaded guilty to third-degree charges of absentee ballot fraud and tampering with public records or information. She has forfeited her job

Jersey. She is scheduled to be sentenced on Jan. 11, 2013.

Two other defendants, Rocio Rivera, 53, of Washington in Hunterdon County, and Edwin Cruz, 51, of Newark, pleaded guilty last year. Rivera was sentenced on March 14 to three years of probation and was ordered to forfeit her job in the Essex County Sheriff's Office. Cruz is awaiting sentencing.

Angel Colon, 50, of Newark, pleaded guilty to second-degree election fraud and was sentenced in January to five years of probation. The state has appealed his sentence, arguing that he should have been sentenced to five to 10 years in prison based on his guilty plea.

Ruiz's husband, former Essex County Freeholder Samuel Gonzalez, was also charged in the case. In March 2011, he agreed to forfeit his seat on the freeholder board and his job as an aide to a Newark city councilman, and he was admitted into the Pre-Trial Intervention Program (PTI). Two other defendants forfeited jobs with the City of Newark or Essex County and entered PTI.

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