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Ex-City Council candidate sentenced for election fraud

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A former Charlottesville City Council candidate was sentenced to five years in prison with most of that time suspended Thursday afternoon in the city's circuit court.

Judge Edward Hogshire ruled that James Halfaday, 33, will begin serving his 60-day active sentence July 27.

Halfaday, who finished last place in the Democratic Party's nominating contest in August, pleaded guilty to one count of election fraud, a Class 5 felony, in March. As a convicted felon, Halfaday is no longer eligible to hold public office, vote or carry a firearm.

Halfaday listed a Charlottesville address in the 2400 block of Sunset Road on his campaign filings, but court documents show an address in the 1200 block of Richmond Road, which lies on Pantops Mountain in Albemarle County.

During an investigation, it was determined that Halfaday did once reside on Sunset Road, but moved to Richmond Road prior to filing his candidacy paperwork on April 20.

"I apologize for being here today," Halfaday told Hogshire in court Thursday afternoon.

Deputy Commonwealth's Attorney Claude Worrell said the election fraud charges came to light when the commonwealth's attorney's office learned that Halfaday was



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Worrell said that most election paperwork contains a disclaimer that says any falsified information is punishable as a felony offense. For undetermined reasons, paperwork relating to Halfaday's place of employment did not have the disclaimer, and so Worrell did not pursue related fraud charges.

Worrell said in court Thursday that Halfaday's campaign paperwork also contained mistakes and errors regarding his financial information.

"The entirety of Mr. Halfaday's candidacy was a fiction, something he made up," Worrell said. He added that Halfaday's offense is one "that affects just about every citizen in the city of Charlottesville."

Scott Goodman, Halfaday's defense attorney, called several witnesses to the stand to speak about Halfaday's good character.

Debra Walker, an ex-inmate, said she met Halfaday, a former corrections officer, at the Charlottesville Albemarle Reentry Summit last spring.



“He helped me do my resume,” she said, adding that Halfaday assisted her in finding the two jobs she currently has. “He helped me substantially,” she said.

An elderly woman told the judge that Halfaday called emergency services after she had a seizure. Though she did not know Halfaday personally at the time, he stayed with her while she was at the hospital.

“He’s just a good person. I’ve always been able to work with him, and he’s always been dependable,” said Bill Reeves. Halfaday volunteered to help out on Reeves’ farm for no pay.

Goodman said that Halfaday has been active in a number of civic organizations in the city, including the Dialogue on Race and the Police Advisory Panel.

“He has very clear ties to the city,” Goodman said, noting that some localities do not require local politicians to reside in the district they represent. “It’s not a situation

Goodman said that Halfaday “couldn’t have suffered more embarrassment” during the August primary. “He finished last out of seven people,” Goodman said. He asked the judge not to assign Halfaday any active sentence, saying that no longer having the right to vote is punishment enough.

“Incarceration is not for everyone. Of course, there’s community service as well,” Goodman said.

Worrell, who referred to Halfaday as a “con artist,” asked the judge to impose a five-year sentence with six to 18 months active time. He said the case should be handled as an embezzlement case because election fraud “is a violation of trust.”

“I think Mr. Halfaday’s offense is a serious one,” Worrell said.

Hogshire sentenced Halfaday to five years in prison, but suspended all but 60 days of that time.

“It went all the way through to the election ... I think there needs to be some punitive action,” Hogshire said, adding that Halfaday “inconvenienced a lot of people and maybe even betrayed some people.”

In addition to the 60-day active sentence, Halfaday must complete 40 hours of community service. He was sentenced to two years probation and 10 years of good behavior.

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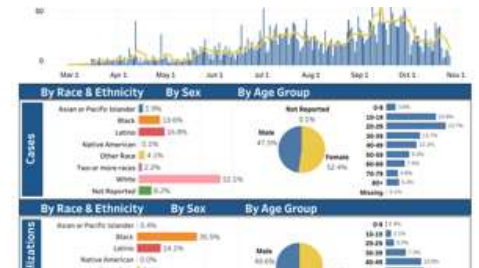
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