

Attorney General Abbott obtains voter fraud indictments in two counties

By media release

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AUSTIN - Texas Attorney General Greg Abbott today announced his office's first indictments for alleged voter fraud in Texas, returned in separate cases by grand juries in Hardeman and Bee counties.

"My office takes seriously the one-person, one-vote philosophy that has been the backbone of this country throughout its history," said Attorney General Abbott. "When the activities of even one person would undermine the electoral process, we will hold that person accountable."

Hardeman County Precinct 1 Commissioner Johnny Akers, 58, was indicted late Thursday on six counts of election fraud in Quanah. The Texas Election Code violations involve alleged unlawful methods for returning completed ballots during early voting by mail. During the April 2004 primary runoff and November 2004 general elections, the indictment alleges, Akers personally handled or mailed ballots for six persons unrelated to him over several days, a Class B misdemeanor punishable by a jail term of up to six months and a fine of up to \$2,000 on each count.

On May 27, Beeville resident Melva Kay Ponce, 53, was indicted in Bee County on a charge of illegal voting. She allegedly posed as her deceased mother during early mail-in voting in the November 2004 election. Illegal voting is a third-degree felony punishable by two to 10 years in prison and up to a \$10,000 fine.

Ponce mailed an application for a mail ballot to the Bee County Clerk's office for her mother, Dominga Ponce, on Oct. 15, 2004, when her mother was still alive. Her mother died of natural causes on Oct. 20, and two days later the clerk's office mailed a ballot addressed to Dominga Ponce. Despite her mother's death, Melva Kay Ponce filled out the absentee ballot in her mother's name. She then mailed the completed ballot back to the clerk.

The Bee County Voter Registrar, Andrea Gibbud, contacted the Bee County Sheriff's Office about the suspicious ballot, knowing Ponce's mother had died before the ballot could have been completed and returned.

The Attorney General's Office investigated the allegations of election fraud at the request of the Texas Secretary of State's Office.