

## **Starr county commissioner convicted on voter fraud charges**

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**FRIO GRANDE CITY** — Starr County Commissioner Raul “Roy” Peña Jr. was sentenced Tuesday to six months’ probation and a \$500 fine for violating state election law during this year’s Democratic primary.

The elected official pleaded “no contest” to one count of illegally returning a marked ballot and one count of improperly mailing another voter’s ballot, stemming from allegations he helped stuff ballot boxes with fraudulent mail-in votes.

Although his “no contest” plea is not technically an admission of guilt, for all intents and purposes it is considered a conviction by the court.

Investigators first began targeting Peña, who was not up for re-election during this spring’s race, on Feb. 26, after he arrived at a Rio Grande City post office with 56 mail-in ballots.

Because state law requires anyone who provides assistance to a voter — including delivery of mail-in votes — to sign the outside of the ballot’s carrier envelope, postal workers found his activity that day suspicious and reported it to authorities.

Within days, losing candidates across the county’s slate of races pointed to the incident as evidence that the vote was rigged.

But earlier this month, a Starr County grand jury declined to indict Peña on felony voter fraud charges, saying it did not believe the commissioner knowingly violated election guidelines.

Heriberto Silva, district attorney for a region that includes Starr County, forwarded the case on for misdemeanor prosecution.

How — if at all — Peña’s conviction might affect his position on the Commissioners Court remained unclear Wednesday. Because he was never charged with a felony, he is not required by law to give up his seat.

“I don’t know (how it might) affect his status as an officeholder,” said Starr County Attorney Victor Canales, who prosecuted the misdemeanor case. “It was not something that my office took into consideration during plea negotiations.”

Peña did not return multiple calls seeking comment Wednesday. His attorney Rene Montalvo said he had not been authorized to speak on the commissioner’s behalf when reached by phone that afternoon.

The commissioner’s arrest marks the second voter fraud case to be filed in connection with this spring’s primary election.

Texas Rangers arrested Precinct 2 employee Modesta Vela, 51, in April on misdemeanor charges, alleging she also failed to note assistance given to between 10 and 20 voters on their mail-in ballots.

Her case is expected to go before a court later this year.