



## Ballots cast in Houston using dead voters' names

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By Lee Ann O'Neal



**Thousands on the rolls after death, creating potential for fraud**

Woodwick Street was quiet – with a few residents working in their yards and adding to post-storm brush piles at the curb – when Texas Watchdog visited on a recent Saturday to try to find Harris County voter Linda K. Hill.

"I'm sorry, but she passed on two years ago," said a mustached man wearing a Dallas Cowboys baseball cap and driving a motorized chair down the street. He was Linda Hill's husband, Henderson Hill Jr.

Linda Kay Hill, a homemaker and Louisiana native, died Aug. 2, 2006, of a heart attack, her husband recalled, and is buried at Houston Memorial Gardens in Pearland. But Harris County voter records indicate she — or someone using her identity — cast a ballot in the November election that year. Linda Hill of Woodwick Street voted in person on Election Day, records show.

She is among the more than 4,000 people whose names are listed both on Harris County's voter rolls and also in a federal database of death records, a Texas Watchdog analysis has found.

And dozens of those people, like Linda Hill, have apparently cast ballots from beyond the grave, records since 2004 show. One expert says the number of deceased names used to cast ballots may be higher than what Texas Watchdog's analysis found.

Instances of dead voters' names being used to cast ballots were most frequent in three elections, the November 2004 general election, the November 2006 general election and the March 2008 Democratic primary, the analysis found.

Less than a month away from an election to decide the highest office in the land, some advocates worry that such errors in the voter records open the door for fraud, compromise the integrity of results and lessen voter confidence in the system.

The findings come as the group ACORN, the Association of Community Organizations for Reform Now, has faced scrutiny in multiple states for allegedly improper voter registrations – including players for the Dallas Cowboys, not in the Lone Star State, but in Nevada. The group's Nevada offices were raided by state officials earlier this week.

That's as officials in at least six states may have improperly removed tens of thousands of voters from the rolls or prevented them from registering, *the New York Times* reported Wednesday.

### 'Counterfeiting' of votes threatens electoral process

"This is subverting the ballot," said John Fund, a *Wall Street Journal* columnist and author of *Stealing Elections: How Voter Fraud Threatens Our Democracy*. "Just like you counterfeit dollars, we take it seriously, if you counterfeit votes we should take it equally seriously, and we should punish people seriously for trying to subvert democracy."

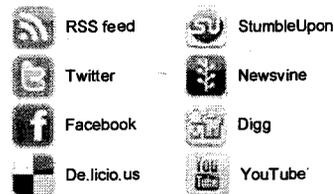
And 4,000 voters isn't chump change, even though the figure is a tiny fraction of Harris County's 1.9 million registered voters.

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Elections have been decided by less: By fewer than 300 votes, Andres Pereira edged out Bruce Mosier to win the Democratic nomination for 190th District judge in March. Democrat Hubert Vo squeaked by Republican Talmadge Heflin in 2004 to win a state House seat by 33 votes, according to an official recount. And George W. Bush actually won Florida by 1,665 votes in 2000, according to a hand recount after the election commissioned by *USA Today*, the *Miami Herald* and Knight Ridder.

Even one wrong record, his wife's, worries Henderson Hill.

Speaking in the dining room of the home in the East Little York/Homestead neighborhood where the couple moved in 1976, Hill said he didn't know why or how the county would have recorded his late wife as voting three months after her death. He's curious to know how it happened — and concerned about whether her identity has been stolen.

"I'd like to know if anyone had (gotten) a hold of her driver's license or something," said the retired mechanic for Houston's Metro system. "I really don't know who would do that."

The couple were married 34 years. Henderson Hill confirmed that his late wife was born on the same day as the person listed by Harris County as having voted in November 2006, and her Social Security number is also the same as that found in the Social Security Administration's death records.

The issue of dead voters on the Texas rolls has come up before.

A November 2007 state audit found records of more than 23,000 registered voters who may have died. Those cases have since been investigated, said Ann McGeehan, director of elections at the Secretary of State's office. Records of confirmed dead voters were removed, she said.



McGeehan spoke with KPRC Channel 2's investigative team, with whom Texas Watchdog shared its analysis. (Click screenshot at left to see KPRC Local 2's video.)

In recent years, concerns about voter fraud have prompted a national movement to require photo identification at the polls. The U.S. Supreme Court in April upheld Indiana's voter ID law, a decision seen as reassurance that similar laws in other states requiring voters to show photo identification, or ID without a photo, could survive legal tests.

Critics of the voter ID movement say such laws make it too difficult for people to exercise their right to vote and are especially tough on poor people, who may not already have a driver's license or other photo ID and can't afford the fees that come with securing identification.

In Texas, voters must identify themselves at their polling place, but they are not limited to their voter registration card or photo ID. Voters may use a driver's license, a birth certificate, a passport, utility bill, bank statement or paycheck, among other options.

### Obituaries, death records used in cleaning up rolls

Officials say they make every effort to rid the voter rolls of dead people. Workers in the Harris County tax assessor and voter registrar's office comb through obituaries, death certificates and legal documents filed after a person's death. They use those records, along with confirmation from family members, to identify dead people on the rolls.

"We do all we can, but you know, we'd rather err on the side of leaving people on the roll instead of taking them off inadvertently," George Hammerlein, director of Harris County voter registration, told KPRC-Local 2 Investigators.

Hammerlein said the office has "never had any evidence" of an organized attempt to defraud the system. And given the volume of records the office deals with, Hammerlein said a few thousand is not huge.

"Four thousand out of 1.9-something-million voters represents a fairly small percent," he said. "I think, in the grand scheme of things, it's small."

But Fund said it's hard to determine whether the 4,000 is the extent of the problem. And the analysis did not cover felons, people who've moved out of state and duplicate records within the voter rolls.

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-  **dwight silverman** | 6 min 35 sec  
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"Let's say somebody is registered who doesn't exist. How would you know that that was an improper vote?" Fund said. "All you have is an address. The person shows up at the polls, signs a signature, can vote. How would you know an improper vote has been cast? You wouldn't."

In addition to the local efforts, the Secretary of State's office compares voter rolls with the Department of State Health Services' records of deaths. When the death records and voter rolls match on name, date of birth and Social Security number, the office asks local officials to remove those people from the voter rolls. And if the office finds close matches — for example, cases in which everything matches but Social Security number — the state asks local officials to investigate further.

The state's death records are updated anywhere from 24 hours to two months after a person's death, depending on whether electronic or paper records are used, Department of State Health Services spokesman Doug McBride said.

### **Candidate who lost says other voting problems loom larger**

Not everyone thinks having dead voters on the rolls poses a major problem.

"Any voting irregularity is a cause for concern," said Lloyd Wayne Oliver, who lost the Democratic contest for 174th District judge in March. "Probably some people who voted for me were dead."

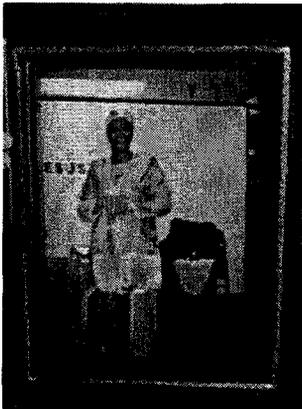
But the Houston criminal defense lawyer said other barriers to access, like political activists who purport to register everyone but trash registrations from those whose party philosophy doesn't match theirs, weigh heavier on the system.

Oliver said he doesn't think having dead voters on the rolls harmed his chances. Oliver lost to Ruben Guerrero, who faces Assistant District Attorney Bill Moore, a Republican, in November.

But Alexis Guidry thinks her mother would be troubled if she knew about her apparently posthumous vote.

Gloria Guidry passed away last May, but Harris County voting records indicate she cast a ballot in the March 2008 Democratic primary.

Guidry was a mother of four, grandmother of 11, and first lady, or pastor's wife, of the New Covenant Fellowship Church in Houston.



"She would be livid," daughter Alexis Guidry said.

Alexis Guidry, an English student at the University of Houston, said she would ask her father to look into the matter. Guidry said she didn't know of anyone who would have access to her mother's identifying information, and none of the four daughters share her mother's name.

*(Pictured at left: Gloria Guidry.)*

### **Record errors, people with similar names**

Some of the more than 4,000 people may not be dead.

In the method Texas Watchdog used, matching first, last and middle names and dates of birth, two people with a common name born on the same day could be mixed up with each other.

Errors in the federal death records may point to dead people when they are, in fact, alive. The Social Security Administration itself says there may be errors in its death records.

In one case identified by Texas Watchdog, a poll worker's mistake may have led to a faulty record.

John Medford said there must have been a mix-up when he was told his father — who died in 2006 — had voted in the March Democratic primary.

They lived at the same Neff Street address. They shared their name: John Curtis Medford. But the father was born in 1917, the son in 1951.

"My mom and I voted. That's all I know," Medford said. But the younger Medford didn't vote, records show.

Poll workers apparently recorded the father as showing up to the polls, not the son.

### **How we reported the story:**

Deaths are recorded by the federal government at the Social Security Administration. We obtained the database through the National Institute for Computer-Assisted Reporting, a program of the nonprofit Investigative Reporters and Editors and the University of Missouri School of Journalism. The database does not include people who die without ever having a Social Security number.

We compared the federal records (1937 through June of this year) to Harris County's records of registered voters as of Sept. 1 (kept by the county tax assessor). At that point there were almost 1.9 million voters on the rolls, though more have registered since then.

We looked for people whose names – first, last and middle – and dates of birth matched. There were more than 2,100 cases where all fields matched exactly.

Then we added close matches.

In the case of middle names, an initial like 'J' in one database could match a middle name like 'John' in the other. We found about 700 records that were like this.

We considered a blank middle name in one database as a possible match with a completed middle name in the other. And we considered blank middle names in both databases with matches on everything else possible matches. There were more than 1,400 records that fell into these categories.

We also considered possible misspellings or typos, like a middle name of 'John' in one database and middle name of 'Jhon' in the other. There were more than 100 records like this.

Our search yielded more than 4,000 matches, or voters who may be dead. [Click here to see the database.](#)

We matched those records with voting history records (kept by the Harris County clerk) to determine whether people's names may have been used to cast ballots. We matched the 4,000 with the voting history records using identification numbers assigned by local and state officials. We examined elections since the March 2004 primary.

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### **Database of Harris County voters who may be deceased**

*Texas Watchdog's analysis found more than 4,000 matches between registered Harris County voters and Texans whose personal information appears in Social Security Administration death records, using the analysis method described above. Texas Watchdog is withholding these voters' Social Security numbers and publishing only their years of birth – not their full dates of birth – to prevent fraudulent use of their identities.*