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Sullivan Co. Elections administrator says felons are registered, have voted; wants DA to prosecute

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BLOUNTVILLE — Voter fraud has occurred in Sullivan County for years, Sullivan County Administrator of Elections Jason Booher said Tuesday.

Booher said information given to him by state election officials indicates about 100 felons fraudulently registered, are registered still, and voted in the county — some going back as far as the early 1960s.

Booher said he wants the Sullivan County Election Commission to ask Sullivan County District Attorney Greeley Wells to prosecute the individuals for fraudulently registering to vote, and therefore fraudulently voting — in cases that have not passed the four-year statute of limitations.

Booher said fraudulently registering and fraudulently voting each carry their own felony charges.

Booher said work by the Tennessee Election Coordinator's Office has spurred a statewide, county-by-county effort to identify convicted felons who should not be on voting rolls.

Under Tennessee law, convicted felons lose their voting rights.

Those rights can be restored under certain circumstances and procedures.

State code has changed over the years so a felony conviction during certain time frames and for certain crimes has carried different rules on whether or not a convicted felon's voting rights were permanently revoked or could be restored through the state's restoration process.

During a meeting Tuesday of the Sullivan County Election Commission, Booher said his office has been looking at lists provided by the Tennessee Election Coordinator's Office — and it appears about 100 convicted felons have fraudulently registered and fraudulently voted in Sullivan County.

The Times-News later asked Booher if he or his staff had cross-checked the names in question to see if any of them have in fact had their voting rights restored.

“We're looking at that,” Booher said. “That's why I didn't want to give you an exact number.”

Booher said he classifies the questionable registrations into several categories, including:

•One — people who were already registered to vote when they were convicted of a felony — and who have not voted since that conviction.

•Two — people who were already registered to vote when they were convicted of a felony — and they have voted since that conviction.

•Three — people who were not registered prior to being convicted of a felony, and they registered after the conviction — by falsifying answers on their voter registration application — and they have since voted.

“We’ve looked at everyone in categories one through three,” Booher said. “The list we received from the state identifies a little over 200 people. Some of those people ... not everything matches up. (In) categories one, two and three, their names, Social Security numbers and dates of birth are all exact matches.”

Those account for approximately 120 to 130 people, Booher said.

“Now, not every single one of those individuals voted after their conviction,” Booher said. “So some of those people did not do anything illegal. But I’ve already identified several ... I’ve not dotted the i’s and crossed the t’s on everything — but that’s something we will do before we proceed — that registered to vote fraudulently and voted fraudulently.”

Booher told the local Election Commission he’d provide them with a list of names to take to the district attorney’s office for potential prosecution next month.

“We’ll present the names and the information to Greeley on the people that broke the law,” Booher told the Times-News. “And there are two categories of people who broke the law. Those that were registered to vote and convicted of a felony after the fact. That category of people ... most likely they didn’t realize ... the judge didn’t tell them they lost their voting rights. And the burden is somewhat on this office, too, to get the information from the (circuit court) clerk’s office. And we get that on a daily basis, almost, or at least a weekly basis, we get all the judgments from Sullivan County. Any judgments from any other counties, that county is supposed to look and see in the state system if that person is registered to vote in any other county, and if so, they forward us that information so we can cancel them.”

Those people, Booher said, just “slipped through the cracks.”

“For some reason we didn’t get the notification,” Booher said.

The local Election Commission, Booher said, will include those names in a list it will present to the district attorney’s office to let Wells know “they technically violated the law, but they may have done so unknowingly and innocently.”

Those in the third category, however, are people who “consciously falsified their information and knowingly broke the law,” Booher said — and for most of those people, he will “recommend and highly encourage” Wells to seek indictments.

Booher said elsewhere in the state, Lauderdale County already has gotten nine indictments in a similar effort — working off the same list Booher received from the Tennessee Coordinator of Elections Office.

That office, Booher said, recently took a list of convicted felons provided by the Tennessee

Department of Corrections and matched it against voter rolls statewide.

“If there was a hit, or a match, they notified us,” Booher said.

Booher said he’s not sure how often the state has provided such lists in the past, but he was told it “will be a quarterly thing.”

Booher said one man on the list, now 82 years old, registered in 1963 — but 90 percent or more of the voters in question registered in the past 10 years.

As far as the 82-year-old, he last voted in November 2000, Booher said, “so there’s nothing we can do about that, except cancel him and tell him if he wants to vote ... he’ll have to have his rights restored.”

“If we did receive this information in the past — and I believe we did — I don’t know that it was really a priority in the past,” Booher said. “I’m not saying that to try and throw anybody under the bus at all. I’m just saying it wasn’t something that was taken as a priority and maybe not processed fully and full attention given to it. This person may have been on one of these reports for several years and just really never done anything about. But we’re doing something about it now.”

Booher said he hasn’t seen any patterns so far “as far as any conspiracy or anything. But I’m not saying that there isn’t.”

“In my opinion if we don’t have a pure election and do everything we possibly can to ensure that we have a pure election, that our rolls are pure, and that everybody on the registered voter rolls is someone that’s legally registered to vote, then everything our democracy is founded on ... this is the foundation of it, and if you don’t keep the foundation of it built up, then everything else crumbles.”