

Evidence of Election Crimes Presented At Ohio Hearings

by Edward Spannaus

Testimony presenting dramatic evidence of criminal violations of the Voting Rights Act was presented at public hearings held on Nov. 13 and 15 in Columbus, Ohio, by a coalition of civil rights and voting rights groups and other organizations. An estimated 500 people attended the first hearing, and another 200 the second. There were so many people wishing to testify, that the Nov. 13 hearing, scheduled for three hours, lasted four and one-half hours.

Susan Truitt, of the Citizens' Alliance for Secure Elections (CASE), said the most striking feature of the testimony, was the sharp contrast between the wealthier suburban polling places, where waiting times were very short, compared to lower-income, predominantly minority inner-city precincts, where would-be voters had to wait up to ten hours. "It's criminal," she told *EIR*, describing the testimony of witnesses—such as a hospital patient who could not get an absentee ballot, and who came to his polling place in his hospital gown, with an intravenous tube, and stood in line—as “heartbreaking” and “outrageous.” Bob Fittrakis, a local political science professor who helped organize the hearings, was quoted by Associated Press as saying that he is preparing to file criminal and civil actions, an intention which he confirmed to *EIR*. “I believe there is enough evidence for systematic voter suppression,” he was quoted by the AP.

In Columbus, the primary means of voter suppression seems to have been the deliberately created shortage of voting machines, causing long waiting times; in Cleveland and Cincinnati, there was a pattern of outright intimidation and dirty tricks, Fittrakis told *EIR*. Cleveland and Youngstown also experienced long waiting times, in addition to GOP dirty tricks.

According to testimony from Cleveland voters and poll watchers, there were a number of instances of persons appearing in polling places in minority neighborhoods, claiming to be attorneys, and intimidating voters and giving out misinformation. In some cases, they told waiting voters that the polls were closed, and that they should leave and go downtown if they wished to vote. Others were apparently pretending to be volunteers for the Election Protection Coalition, and were passing out misinformation, and sending voters to the wrong polling place. There were even men showing up at the polls claiming to be from Langley, Virginia—CIA headquarters.

A representative of the LaRouche Youth Movement testi-

fied about voter suppression he had witnessed in Cleveland, about the long lines which caused many would-be voters to leave after three to four hours of waiting, and about the seemingly deliberate confusion at polling places, with people being shifted from one line to another.

All witnesses at the hearings were sworn in, and their testimony was recorded by a court reporter. Sworn affidavits are also being collected, and the evidence will be used in both criminal and civil complaints.

Official Canvass Under Way

Meanwhile, the official canvass of election results began on Nov. 13 in many Ohio counties; this involves the counting of an unknown number of absentee ballots, about 155,000 provisional ballots, and supposedly verifying votes cast on voting machines.

A statewide recount is being sought by two minor parties, the Greens and Libertarians, which will include a visual examination of each of the estimated 93,000 “spoiled” ballots—punch cards on which a Presidential vote could not be read by electronic card readers. Already, examination of punch cards has been plagued by the same problems, such as “hanging chads,” which became infamous in the 2000 Florida recount.

However, the severe limitation of the canvass and of the recount, is that it can only count the votes of voters who actually made it to the polls and succeeded in casting a vote. What about the thousands who were kept away from the polls by dirty tricks and misinformation, or who could not stand in line for three to seven hours—or more—on Election Day?

Or, what about the many people who testified that when they tried to vote for Kerry on touch-screen machines, the votes jumped to “Bush”? They don't know how their votes were finally recorded, and a recount won't help.

While the Kerry campaign is not officially challenging the outcome, it is tacitly encouraging others to take action, including legal action, and campaign lawyers are seeking information on ballots and other matters from a number of counties in the state.

Further criminal violations have been identified by investigative journalist Greg Palast. While investigating for BBC, Palast reports, he and his team obtained three dozen of the GOP's “caging” lists—the spreadsheets they used to list the names and addresses of voters they intended to challenge, using any pretext. “We found that every single address of the thousands on these Republican hit lists was located in Black-majority precincts,” Palast reports. “You might find that nasty and racist. It may also be a crime.”

Palast points out that minor technicalities were used in the South to prevent Blacks from voting, and that the 1965 Voting Rights Act made such practices of targetting and impeding minority voters a criminal offense: “Profiling citizens of one race to block their voting, even if each challenge has merit, is a criminal violation of the Voting Rights Act.”