

REPORT
OF THE
SPECIAL JANUARY 1982
GRAND JURY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

United States District Court

FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE REPORT OF THE SPECIAL) No. 82 GJ 1909
JANUARY 1982 GRAND JURY) The Honorable
) Frank J. McGarr

O R D E R

The Special January 1982 Grand Jury has issued a Report growing out of its investigation of alleged vote fraud committed in the November 2, 1982, General Election. The grand jury requested that I receive this Report and publish it to the Chicago Board of Election Commissioners, The Illinois General Assembly, other affected public officials, and to the general public pursuant to my powers as Chief Judge of the United States District Court for the Northern District of Illinois.

I have read the grand jury's Report and have determined that it be received and that it be made public. I find that the Report of the Special January 1982 Grand Jury is a matter of public interest and concern and, pursuant to my powers as Chief Judge, I do hereby authorize and direct the Office of the United States Attorney to publish and to make known to the general public, by whatever means appropriate, the Report of the Special January 1982 Grand Jury.

By so doing, I express no opinion on behalf of the court or personally in this matter.

ENTER:

FRANK J. MCGARR
Chief Judge, United States
District Court

DATED: December 14, 1984

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TABLE OF CONTENTS

Report of the Special January 1982 Grand Jury

	PAGE
Introduction	1
I. History of the Investigation	2
II. Types of Vote Fraud	7
1. The Absent Voter	7
2. False Registration	9
3. Fraudulent Use of Absentee Ballots	9
4. Vote Buying	10
5. Altering the Vote Count	11
6. Taking Advantage of the Elderly and Disabled	11
III. Patronage and the Precinct Captain: The Underlying Cause of Vote Fraud	13
IV. The Problem with Built-In Checks and Balances	18
1. The Failure of the Bipartisan System	18
2. The Problem with Pollwatchers	19
3. The Problem with Police Officers at the Polls	21
V. Recommendations	22
1. Professional Judges of Election	22
2. Voter's Thumbprint on the Ballot Applica- tion	23
3. Voided Ballot After Machine Tally	24
4. Consequences of Vote Fraud	25
VI. Conclusion	26

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INTRODUCTION

The following report is based on evidence of vote fraud heard by the Special January 1982 Grand Jury regarding the November 1982 General Election, and refers to events stemming from that election. The grand jury believes it is in the public interest to make known its findings in order to deter and detect vote fraud. The grand jury has chosen to publish this report now because its investigation into allegations of vote fraud stemming from the November 1982 General Election is completed.

The Special January 1982 Grand Jury was convened on January 4, 1982. During the course of our term we undertook an extensive investigation into allegations of vote fraud. We have learned a great deal about the ways in which vote fraud has been committed and the types of people who have participated in vote fraud activity. In the course of our term, sixty-two people have been charged with federal election crimes. Those charged include precinct captains, judges of election, pollwatchers, and political party workers who actively participated in vote fraud in the November 2, 1982 General Election. Of those sixty-two defendants, fifty-eight have been convicted, one was found incompetent to stand trial, and the cases against the remaining three are still pending.

The evidence we have heard convinces us that there was substantial vote fraud in the City of Chicago during the November 2, 1982 election, and that similar fraudulent activities have occurred prior to 1982. We have also learned, however, that efforts on numerous fronts are being made to prevent vote fraud from occurring in the future. We commend these efforts. We have devoted many hours of our time to considering the problem of vote fraud. We have included in this report some recommenda-

tions for changing voting procedures in order to impede and deter election offenses. We make these suggestions based on our extensive knowledge of how these crimes have been committed. Based on testimony we have heard, we are also convinced that there is an unmistakable link between the patronage system and vote fraud. We discuss this at length in our report.

We deplore the flagrant disregard for our democratic system which is the hallmark of this crime. We are shocked and dismayed at the boldness and the cavalier attitude with which these offenses have been carried out. These crimes must be stopped. Our report is an attempt to prevent future vote fraud by making our findings known to the public. We urge all citizens to watch for vote fraud in their polling place and report irregular activities to the proper authorities. We urge honest, law-abiding citizens to step forward and participate in the election process by becoming precinct captains, judges of election, and pollwatchers. We believe that the involvement of concerned citizens in our election process can help prevent vote fraud.

I. HISTORY OF THE INVESTIGATION

An investigation of vote fraud in the November 2, 1982 General Election began as a result of three separate sources of referral: citizens, the press, and candidates' organizations. The November 2nd General Election included a hotly contested gubernatorial race between Adlai Stevenson and James Thompson. During and after the election, the FBI and other law enforcement agencies received numerous citizens' complaints. These complaints were compiled and analyzed to locate those wards and precincts that would be the targets of investigation. In addition, immediately after the election, campaign organizations for Governor Thompson and Senator Stevenson made complaints to the FBI. Allegations from both organizations were reviewed. The media provided a third source of information.¹

In particular, a party worker from the 39th Ward, 44th precinct, told a Chicago newspaper what he knew about vote fraud in that precinct. His disclosures to the press were prompted by a broken promise by his precinct captain that if he participated in the vote fraud, he would obtain a city job. The precinct captain failed to make good on his promise. Shortly after the newspaper article appeared in December, 1982, this same worker made additional disclosures to the FBI and the U.S. Attorney's Office.² He revealed the method of vote fraud used in the 44th precinct of the 39th Ward. Basically, the precinct captain kept lists of people who had moved away, died, or were unable to come to the polls for some other reason on election day. The precinct captain wrote these names on slips of paper and gave them to one of the cooperating judges of election who slipped them into her shoe. During the day when no one was watching her, she forged voters' names on blank

¹ Grand Jury transcript (The word "transcript" is hereinafter referred to as "Tr.") October 12, 1984, p. 4.

² Tr. October 12, 1984, pp. 10-11.

ballot applications, at the direction of the precinct captain and the assistant precinct captain.³ The precinct captain and others apparently retreated to the privacy of the men's washroom to punch some of the ballots.⁴ Many of the votes were fraudulently cast near the end of the day when it was most obvious which voters would not be coming to the polling place.⁵ Our investigation disclosed that this same basic pattern of vote fraud has been repeated in many other precincts.⁶

The FBI obtained from the Board of Election Commissioners the precinct binders and ballot applications from numerous precincts. A precinct binder contains the registration cards with voter signatures for all registered voters in the precinct. A ballot application is signed on election day by anyone who votes. Agents compared the signatures appearing on the ballot applications with the signatures appearing in the binders and found numerous discrepancies.⁷

Based on other information received, the FBI pinpointed fourteen additional suspect precincts. As to these precincts, the FBI sent for a handwriting expert from Washington, D.C. to analyze signatures appearing on ballot applications as compared with the true voter's signatures appearing on registration cards kept in the binders. The FBI's handwriting expert identified numerous likely forgeries of voters' signatures on ballot applications in numerous precincts.⁸

³ Tr. October 12, 1984, p. 83.

⁴ Tr. October 12, 1984, p. 86.

⁵ Tr. October 12, 1984, p. 87.

⁶ Tr. October 12, 1984, pp. 52, 69, 94, 106, 123-124, 131, 136-137, 145-148.

⁷ Tr. October 12, 1984, p. 9.

⁸ Tr. October 12, 1984, p. 9.

Then a more intensive effort was begun by the FBI to locate precincts where fraud had occurred. Thirty to thirty-five precincts were analyzed for forgeries by additional handwriting experts flown in from Washington, D.C."

In addition, the FBI developed a unique tool in the investigation of vote fraud, namely, the use of a computer. The computer has proven to be extremely helpful in ferreting out vote fraud. It was used in this investigation to ascertain the names of people who cast more than one vote in an election and the names of deceased people who had votes cast in their names.¹⁰ Finally, it was used to target specific precincts for further investigation. To obtain a data base for computer analysis, FBI agents had to review virtually all of the 1,000,000 ballot applications submitted in the City of Chicago in the November election.

By the beginning of 1983, the FBI had opened up 30 to 35 vote fraud cases. Teams of agents paired with Assistant United States Attorneys were assigned targeted precincts. The agents were provided with whatever computer data had been obtained on the precinct and, in some cases, tentative findings made by the handwriting experts. The alleged voters were sought to be interviewed. The FBI quickly learned from these interviews that voters' signatures on ballot applications had been forged wholesale in many precincts.¹¹

The investigation revealed that there were an extremely large number of transients, incapacitated people, and senior citizens in whose names votes had been fraudulently cast.

⁹ Tr. October 12, 1984, pp. 46-47; Grand Jury Exhibit 1, October 12, 1984.

¹⁰ Tr. February 10, 1983; Tr. October 12, 1984, pp. 13-17.

¹¹ Tr. October 12, 1984, pp. 53-54, 64, 85, 112, 124, 131, 135, 141.

Once these people have registered to vote, unscrupulous precinct captains and judges of election can fraudulently vote in their names in any election in which they do not appear at the polls.

The transient and alcoholic voters proved to be extremely hard to locate. It is to the credit of the FBI that so many of these alleged voters were eventually tracked down and interviewed.

In the next phase of the investigation, interviews were conducted with the judges of election and pollwatchers. Handwriting exemplars were obtained from the judges of election, precinct captains and others who could have forged voters' names. In many instances, the Government was able to secure the cooperation of at least one eye witness, who detailed the fraudulent activities of the precinct captain and his assistants. In this manner, the FBI and grand jury learned about the different types of vote fraud that were committed in various precincts.

II. TYPES OF VOTE FRAUD

In those precincts where election crimes were uncovered in the November 2, 1982 General Election, we found the following types of vote fraud.

1. The Absent Voter

The dominant type of vote fraud uncovered by this investigation was that of casting a vote for an absent voter. This type of vote fraud was facilitated by an inaccurate canvass. The canvass was inaccurate either because of the negligence or the dishonesty of the canvassers.

Under Illinois law a canvass is conducted prior to an election. Every voter's residence is checked to determine whether the voter still resides in the precinct. This canvass is supposed to be used to weed out voters who do not reside in the precinct, who have moved out of the precinct, or who have died. In some precincts the canvass is conducted by people who are not motivated to check and recheck each and every residence to be certain that the voter resides at the designated address. Canvassers are only paid a small fee for their work. Therefore, some canvassers lack the incentive to spend the amount of time it takes to conduct a thorough search for a voter.¹²

In some precincts, the canvass was intentionally misused to develop a pool of identified "absent" voters whose names could be forged on Election Day. Some judges of election conducted the canvass under the tutelage of dishonest precinct captains or allowed precinct captains and their workers to conduct the canvass. These canvassers intentionally failed to notify the Chicago Board of Election Commissioners to remove the names of voters who had moved away or died.

¹² Grand Jury Exhibit 1, November 8, 1984. p. 110.

The net effect of certain inaccurate canvasses in 1982 was to create a pool of potential votes that could then be cast to inflate the vote total of various precincts in the November 1982 General Election.¹³

On Election Day the dishonest precinct captain and his workers kept careful track of people who had come to the polls.¹⁴ "Runners," many of whom signed pollwatcher credentials to gain easy access to the polling place, went to boarding houses and hotels to see who planned to vote. The runners frequently supplied rides for these people, but they also took careful note of those who would not be coming to the polls because they were too sick, were too drunk, had recently moved away, or had died. The names of the anticipated absent voters were supplied to the precinct captain, who dispensed the names to cooperating pollwatchers and judges of election.¹⁵ These pollwatchers and judges were often related to or in collusion with the precinct captain or expected favors if the vote went well. Some of the judges, precinct captains, pollwatchers, and other party workers then forged the ballot applications of absent voters. They used the binders to locate the voter's address. The ballots either were punched on the voting machines by people posing as the voter, or were punched with ball point pens or other similar objects in a private place outside the polling area by the precinct captain or his workers.¹⁶

Another pool of potential votes for the unscrupulous precinct captain was that of aliens who were illegally

¹³ Tr. October 12, 1984, pp. 19-20, 84; Grand Jury Exhibit 2, November 8, 1984, p. 151.

¹⁴ Tr. October 12, 1984, pp. 19, 66, 69, 82, 86-87, 94, 106, 124, 146.

¹⁵ Tr. October 12, 1984, pp. 19-20.

¹⁶ Tr. October 12, 1984, pp. 19-20, 86; November 1, 1984, p. 5.

registered.¹⁷ Many aliens register to vote so that they can obtain documents identifying them as U.S. citizens; however, the number of aliens who actually vote on Election Day is undocumented.¹⁸ We have learned that these aliens used their voters' cards to obtain a myriad of benefits, from social security to jobs with the Defense Department.¹⁹

2. False Registration

Another way to obtain names that can be voted on Election Day is to have people falsely register to vote in a precinct. For example, in one precinct the precinct captain had two city workers who were seeking to transfer their job locations register in his precinct even though they did not live there. The precinct captain, who worked for the city, promised them that he would get them transferred in exchange for their fraudulent registrations. The assistant precinct captain in that precinct was also falsely registered.²⁰

3. Fraudulent Use of Absentee Ballots

Under Illinois law, citizens with a valid reason to be absent from the polling place on Election Day may apply for and receive absentee ballots from the Board of Election Commissioners. The voter is supposed to fill out the absentee ballot and mail it or have it delivered to the Board of Election Commissioners to be counted.

In one precinct absentee ballots were used as part of the general scheme of vote fraud. In that precinct the precinct

¹⁷ Tr. February 10, 1983, pp. 47-55; Tr. October 12, 1984, pp. 22-23; Grand Jury Exhibit 1, November 8, 1984, pp. 52-54.

¹⁸ Tr. February 10, 1983, pp. 47-55.

¹⁹ Grand Jury Exhibit 1, November 8, 1984, pp. 52-54; Tr. February 10, 1983, p. 59.

²⁰ Tr. October 12, 1984, pp. 82, 84-85.

captain asked some of his workers to encourage voters to apply for absentee ballots whether or not they had a valid reason to do so and to turn the blank ballots over to him.²¹ One of the workers in that precinct was able to get eight voters to apply for and turn their absentee ballots over to him. When he delivered them to the precinct captain he saw that the precinct captain already had a stack of blank absentee ballots.²² Two of the absentee ballots delivered by this worker had already been filled in by the voters. The worker noted that one of the voted ballots was straight Democratic, but that the other contained some Republican entries. The precinct captain caused the second absentee ballot containing Republican entries to be torn up.²³

4. Vote Buying

One of the ways to get people to the polls in certain precincts was to pay alcoholics and transients a few dollars to vote. The grand jury heard testimony that the going rate for a vote in a particular ward was \$2.00²⁴ and that at least two precinct captains kept a supply of one dollar bills ready on Election Day solely for the purpose of vote buying.²⁵ In some cases derelicts were offered liquor as an enticement to vote. One hotel manager ordered the liquor in advance from the precinct captain, and gave out drinks as an incentive to go to the polls.²⁶ He also demanded money from the precinct captain for his efforts on

²¹ Tr. October 12, 1984, pp. 80-81.

²² Tr. October 12, 1984, p. 82.

²³ Tr. October 12, 1984, p. 81.

²⁴ Tr. March 8, 1984, p. 67.

²⁵ Tr. March 8, 1984, p. 26; Grand Jury Exhibit 2, November 8, 1984, p. 205.

²⁶ Grand Jury Exhibit 2, November 8, 1984, pp. 166-167.