



## **Prosecutors Bully Ohio Voters: Ohio Election Justice Campaign Calls for Day of Silence on January 6, 2009**

*Ohio Election Justice Campaign (OEJC) calls for Day of Silence this Tuesday, January 6, 2009 to commemorate "Boxer Rebellion." Four years ago on this day, Senator Barbara Boxer (D-CA) and Representative Stephanie Tubbs Jones (D-OH) led the challenge to the certification of Ohio's votes in the 2004 presidential election, the first time in U.S. history that an entire state's electoral college votes were challenged. An initiative of the Congressional Black Caucus, the Boxer Rebellion was based on widespread electoral problems in Ohio, most unaddressed to this day. Alleged acts of voter intimidation ongoing during the 2008 presidential election include the alleged assault of an election observer in Lucas County, the refusal of Delaware County to permit certain election observers, and Franklin County Board of Election's ongoing practice of referring public record requests to its prosecutor.*

Columbus, OH ([PRWEB](#)) January 7, 2009 -- The Ohio Election Justice Campaign (OEJC) calls for a Day of Silence this Tuesday, January 6, 2009, to commemorate the fourth anniversary of the "Boxer Rebellion."

This day marks the peaceful legislative challenge to the re-election of George W. Bush on January 6th, 2005. Our silence stands in solidarity with voters around the world whose voices have been extinguished through violence, fear-mongering, and election fraud.

Four years ago, on January 6th, Senator Barbara Boxer (D-CA) and Representative Stephanie Tubbs Jones (D-OH) led the challenge to the certification of Ohio's votes in the 2004 presidential election. This was the first time in U.S. history that an entire state's electoral college votes were challenged.

If the challenge had been successful, Bush would have lost the electoral college votes he needed to clinch the election.

Joining Boxer and Jones in the challenge, known as the "Boxer Rebellion," were 30 representatives, including Kucinich (D-OH), Conyers (D-MI), McKinney (D-GA), and civil rights leader John Robert Lewis (D-GA).

An initiative of the Congressional Black Caucus, the Boxer Rebellion was based on widespread electoral problems in Ohio, most unaddressed to this day.

Not only have the election officials allegedly responsible for the acts of voter intimidation, voter suppression, and election fraud in 2004 escaped accountability, many of them still holding office, King-Lincoln, et al. v. Brunner, et al., 2:06 CV 00745 (S.D. Ohio, filed Aug. 31, 2006, Marbley, J.), but also J. Kenneth Blackwell, Ohio's secretary of state in 2004 and state chair of the Bush 2004 re-election campaign, is now a serious contender for chair of the Republican National Committee.

According to Paddy Shaffer, Director of the OEJC, "Although we are grateful for the efforts of thousands of election protection volunteers in Ohio during the 2008 presidential election and the progress made by Ohio Secretary of State Brunner to ensure a fair election for every voter, the OEJC regrets to report ongoing acts of voter intimidation in 2008, which demonstrate that democracy has not yet been restored to Ohio."



As reported by Ms. Shaffer, alleged acts of voter intimidation during the 2008 election include

1. The alleged assault of an elections observer in Lucas County. For the election day interview with this observer, see [http://www.youtube.com/watch?v=nAKf\\_SbrMT4](http://www.youtube.com/watch?v=nAKf_SbrMT4).

2. Under the office of Delaware County prosecutor David Yost, assistant prosecutors Christopher Betts and William Owen denied seven election observers representing a third party access to the polls. Evidence of possible past election fraud was presented to the court to demonstrate the need for observers. Constitutional Party of Ohio v. Delaware County Board of Elections, 08 CV H 10 1462 (Delaware County Common Pleas Court, Ohio, filed Oct. 31, 2008).

Yost was also responsible for attempting to block the 2004 recount in Delaware County, which temporarily blocked the 2004 presidential recount in the entire state while the 2004 results were being certified. Delaware County Prosecuting Attorney, et al. v. National Voting Rights Institute, et al., 2:04 CV 01139 (S.D. Ohio, filed Dec. 29, 2004, Sargus, J.).

3. Franklin County Board of Election's ongoing practice of referring public record requests to its prosecutor, Patrick Piccinni.

In addition, Greene County Board of Elections allegedly threatened to prosecute a voter who took a picture of his own ballot, while Warren County prosecutor Rachel Hutzel still has failed to address the fake level-10 homeland security alert called in Warren County during the 2004 presidential election. [http://www.enquirer.com/editions/2004/11/05/loc\\_warrenvote05.html](http://www.enquirer.com/editions/2004/11/05/loc_warrenvote05.html)

Under Ohio law, the county prosecutor is the legal counsel for the elections board.

Only two Ohio counties to date have had independent counsel appointed for election justice issues: Cuyahoga and Morgan.

The Cuyahoga investigation led to several criminal indictments. <http://www.washingtonpost.com/wp-dyn/content/article/2007/01/24/AR2007012401441.html>.

According to Michael Tigner, of the OEJC, the former Morgan County prosecutor, Richard Welch, was allowed to vote, run for office, and hold the office of county prosecutor for six years in that county, although he was allegedly not a resident.

In 2004, Timothy Kettler, now of the OEJC, filed a police report with the Coshocton County Sheriff's Department requesting an investigation into the 2004 presidential recount. Mr. Kettler informed Coshocton County prosecutor Robert Batchelor that he felt the prosecutor was acting in conflict, which may be seen as improper and unethical.

According to Mr. Kettler, his ethical concerns were dismissed by Batchelor as irrational, and Mr. Kettler was told the prosecutor would no longer take his calls, although he had made only two calls. Mr. Kettler said that Prosecutor Batchelor directed him to resolve any issue about the prosecutor's methods of handling the case with the Ohio Supreme Court.

The OEJC has recently uncovered additional evidence of 2004 electoral irregularities on over 6,800 write-in



ballots representing every Coshocton County precinct. Although the Ohio Attorney General, by the request of the Ohio Secretary of State, was asked to investigate this possible election fraud, no results are yet available.

Records released pursuant to public records requests demonstrate that Ohio election officials, their organization, the Ohio Association of Election Officials (OAEO), and their lobbyist, Aaron Ockerman of State Street Consultants, were allegedly linked to 2004 election crimes. *King-Lincoln, et al. v. Brunner, et al.*, 2:06 CV 00745 (S.D. Ohio, filed Aug. 31, 2006, Marbley, J.).

The OAEO, which meets in Columbus, Ohio on January 27-29, 2009, has been brought into a case that contained allegations by the Ohio Secretary of State of fraud in the inducement of contracts for voting technology provided by Premier Election Solutions, a subsidiary of Diebold (DBD). *Premier Election Solutions, Inc. v. Cuyahoga County Board of Elections, et al.*, 08 CV 007841 (Franklin County Common Pleas Court, Ohio, filed May 30, 2008).

According to Ms. Shaffer, the OEJC has several public records requests outstanding from the Franklin County Board of Elections, including public records related to the activities of the board during its October 2008 inquisition of young voters for alleged "voter fraud."

For more information or to donate: <http://www.electiondefensealliance.org/OEJC>

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