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Voter ID Paints an Odd Picture

By Scott Sandlin
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Clovis native Rebecca Sitterly registered to vote soon after returning to her native state in 1979 and jumped right into Democratic politics about the same time.

So the former Bernalillo County district judge was surprised to get a July 3 call from a community nonprofit that was checking on her new registration.

When Sitterly said she hadn't filled out a registration form ? indeed, she'd been regularly voting in the same place on Mountain Road NW in Albuquerque for nearly 20 years ? a supervisor with the Association of Community Organizations for Reform Now promised to destroy the card, Sitterly said in a phone interview.

"He said, 'Don't worry, it won't go anywhere,'" she said.

More surprises were in store. She got a call from the Bureau of Elections in the Bernalillo County Clerk's Office three weeks later, asking again about the registration card, which was missing its required Social Security number.

"They were finishing out the card ? they weren't calling about the fraud," she said.

Sitterly went to the sixth-floor clerk's office, got a copy of the card and discovered that it understated her age by three decades.

Even more startling to the former Democratic officeholder: She was listed as a Republican.

That fraudulent registration card is one of a few similar cases that have been referred this year to the Bernalillo County Sheriff's Department, County Clerk Maggie Toulouse Oliver said.

"The catch, of course, is it's hard for anybody to prove a document turned in to us is fraudulent. So in cases where there are questions, if there's information that's not correct ... we can catch mistakes and put those to the side and not process them," she said.

Sitterly said her concern was that if the registration had gone through and she'd showed up to vote at her regular polling place after 5 p.m., she could have been turned away, with little recourse.

"This is a fraud on the voter, and if it could happen to me, a former elected official, a judge, I wonder how many others there were," she said.

ACORN head organizer Matthew Henderson said the apparently fraudulent card had been identified through his group's quality control process. Although ACORN alerts the clerk's office of fraudulent cards, this one likely slipped through the cracks, Oliver said.

ACORN says it has registered a historic number of new voters in New Mexico ? more than 65,000 primarily low-income and minority voters as of Aug. 12, including 10,000 in Doña Ana County.

"Even with clear evidence that our program successfully identifies fraudulent cards and identifies them as such to the county clerk, you guys still haven't reported on the real success of this campaign, and your focus is on one card," he said.

ACORN contract workers were investigated in 2005 in connection with forged signatures on a minimum wage ballot petition. ACORN New Mexico field director Mouath B. Baesho said a dozen political organizers now oversee the work of canvassers, paid hourly workers who aren't hired until they've gone through the training program at the clerk's office.

Baesho said internal controls are in place to check that the registration has been filled out completely and staffers call to spot check and verify information. Problem registrations are documented and then investigated by other quality control staff, he said.

But because of state law's proscriptions, suspect cards are flagged and turned over to the clerk's office rather than destroyed, he said.

He said Sitterly may have misunderstood. She says she was clearly told the card would be destroyed.

The card, meanwhile, will be turned over to the District Attorney's Office.

Oliver said it's not her role to be the final say on what is true and correct on voter cards. "I can only go by what's presented, and if what's presented is complete and doesn't conflict with anything already existing, then by law I have to process that. I can't unilaterally say which registrations get processed and which don't."

Oliver said she has a tricky balancing act. "Needless to say, I want the voter registration rolls to be as up-to-date and correct and accurate as possible, but I also don't want to prevent any voters from registering."

She said ACORN gives the clerk's office a heads-up on suspicious registration cards.

Baesho said he wasn't sure how many problematic cards were identified out of the 55,000 ACORN registered in Bernalillo County, but he said one woman was going to different sites around town and had attempted to register 56 times.

"We had signs saying if you register (this woman), you'll be fired," he said.

The person who filled out Sitterly's fraudulent card, which lists her office address, also was terminated, he said.

"Our system works excellently," Baesho said.

Oliver said any decision to prosecute is up to the District Attorney's Office. It is a fourth-degree felony under state law to submit a fraudulent registration form.

Ironically, Sitterly will have to change her registration soon. She has remarried and, after voting in the New Mexico primary, has been winding down her Albuquerque law practice to move to Michigan.

She is taking classes with the goal of becoming a nurse/first responder, and loving it.