

The one who didn't vote

Kai probably gave us the first clue. And even then he didn't want to say anything about it. His email asked that no one discuss it with anyone who didn't receive it. "This is an email meant for circulation only between those I, myself, email it to," the note said.

And the fact that Kai didn't want to get too publicly attached to the issue while he was running for City Council exposes two problems with what was going on. First is that it's a bad issue. Voter shenanigans are like perjury in criminal trials. It happens all the time, so nobody has time to cover every case, so the best thing is to ignore it unless it's egregious. It's not a good issue. It's too complex. No tax hikes is easier. Fiscal responsibility is easier. Death panels is easier. By the time you get to health care or local development, you're talking about five minutes for a simple explanation. So try to sell as an issue that the Republican Voter Registrar is trying to suppress the student vote and has made it look so OK that she's given the impression that it's all right to steal registration forms and threaten people's families. Except it's not that simple. Find another issue.

And the second problem is the difficulty of telling the story. Like trying to lay out circumstantial evidence in a murder trial, you have to present each piece, make sure everybody gets it, then move on to the next piece. Only at the end do you get the chance to bring it all back together. Meanwhile, in a story like this, you're depending on hearsay, and rumor, and somebody's cousin who saw somebody's co-worker at the mall. It depends on too many private conversations, gossip they'd be called, to really tell the story. There are people who talk about what's going on without asking you to keep it secret. They don't ask for it to be off the record. They just don't expect anybody to start writing a book about it.

Which I haven't really done. I wrote a book about the golf course vote, and it's called "Eating the Bait." Google those words and you'll find it. That one's about 20,000 words. This one is about 9,000. So far. That includes what I've written so far on this unnamed essay and what I've written in various emails and affidavits going back 18 months. Part of the time I'm trying to write like Atticus Finch, who wasn't real, and part of the time like David Foster Wallace, who was, and part of the time like Hunter Thompson, whom nobody's sure about. So I have this pile of paper lying here, looking at me, accusing me. I'm a story, it tells me. Why haven't you written me?

Partly because it is a complex story. It starts with voter suppression. And voter suppression in the end is the story of the person who didn't vote. That's kind of like Sherlock Holmes's dog that didn't bark. How do you measure something that didn't happen?

One way is to measure Virginia's adherence to suppression of the black vote under the Byrd machine, and then consider that we elected a black governor 25 years or so after Harry Byrd died. And that proves what exactly? Maybe nothing. But it proves that voter suppression could work. It worked back then through poll taxes and grandfather clauses. But no matter how much you open up the voter registration process, there is no doubt a top limit on how many people will vote. Voter participation apparently dropped in the 1990s because the percentage of registered voters who went to the polls dropped. The raw number of voters didn't drop. The same number of people went out to vote. Probably the same people went out to vote. But the pool of registered voters was larger because of motor voter.

Motor voter was one of those many things that was supposed to fundamentally change elections. It didn't, just like the others didn't. More people registered, but more didn't vote. People who register at the DMV are less likely to come to the polls. They're surprised. You mean I can register to vote? Folks who are surprised about registration find out about elections when they hear who won.

A lot of people will still claim motor voter changed our elections. Maybe they have been listening to the kind of demagogues who could tell this story in one hundred words or less. Call it the ACORN delusion. ACORN's hired help, people going door to door seeking voter registrations, had supposedly committed some crimes somewhere. Paid by the form, like sweatshop employees being paid two cents each to glue a swoosh on a Nike. So the door to door people would fake some forms. Which did them some good. They got the two cents a form, or fifty cents, or whatever. But they weren't doing anybody but themselves any good. Because a false registration only helps the person forging it for a quarter. Nobody can drive that voter to the polls, because he or she doesn't exist. ACORN, the actual group, as opposed to its various employees, wasn't after registrations. They were after voters. That's why the fraud by day workers hurt them too. That's why they turned them in. Read that again. ACORN turned in its employees who were registering people illegally. They didn't get caught at false registrations. They tried to stop false registrations.

So the kind of voter fraud people talked about in 2008 wasn't, despite anything you've heard, a real factor. There's been no evidence that anything like that happened in Harrisonburg. There were the dozens of "cases" an assistant prosecutor supposedly found. But a year and a half later, there's been no action. Was this just a case of Debbie Logan's defense attorney raising a stink to cover the fact that he'd been had on the Rockingham Six? Probably not. He just thought he could make a splash to take a cheap shot at the Obama organizers, or he wanted to point out that the crimes weren't just the ones he defended. That's worst-case scenario as far as human motivation goes. Most likely, the prosecutor really believed what he was doing. If you give that benefit of the doubt to all but the most fringe players (like the one who threatened to kill my family) then the whole story makes a lot more sense.

So what happened with the supposed "voter fraud"? Suppose a student whose parents live in New Jersey registers to vote while in high school, and then changes their registration to Harrisonburg to vote for Barack Obama while attending JMU. The information is entered in the Virginia database, and that person can vote here. And eventually, that information goes to the database in New Jersey so Jersey can update its files, but it's not a priority for anybody. It can't be done with the click of a mouse, because everybody uses different software. Government and software don't mix well. Was it the FBI or the IRS that spent \$300 million on a system that not only didn't work, it was never installed. Or was it both? My father used to tell me that the army had a new weapon called the civil servant that only had two problems: It won't work and you can't fire it. Regardless, there's never been any hint that anybody voted twice.

But the assistant prosecutor is an example of what you have to understand to truly get this story. Most of the people involved believed in at least the plausibility of what they were doing. He had to believe that at least some of the double-registrations he'd found were double voters as well. Or he had to at least believe in the possibility.

For instance, maybe Harrisonburg Registrar Debbie Logan really believed she was just helping students when she told them about the financial repercussions of registering to vote. Those repercussions were part of the theme of Kai's email, which he's since said people could share. And if you give everybody involved credit for thinking they're doing the right thing, it's a pretty straight road from Kai's email to Camron's stolen registration form. But assuming good intentions, if not good will, makes a de facto intuitive leap to a conclusion not supported by the

facts. Still, was Debbie just trying to protect students? Did she forget she was the registrar and just act like a mother?

Don't forget that question.

So the next few paragraphs are taken from what I wrote in late 2008, when I was trying to tell it without passion or characterization. The bold type is from then, and the regular type is the observations I've thrown in.

Democratic Party officers in August 2008 began to be concerned about attempted voter suppression by Harrisonburg Registrar Debbie Logan, a long-time Republican and a vocal opponent of James Madison University students being allowed to vote in city elections.

The concerns began after an email from Kai Degner, then a candidate for Harrisonburg City Council, now (mayor of Harrisonburg and recently candidate for the General Assembly). **The highlights of the email were that Logan did not wish to register voters living on campus and would use presumed inadequacies of the on-campus Post Office as an excuse. Also, she planned to warn students about possible financial consequences of registering, consequences that later proved to be bogus. Logan claimed the consequences were real, although she provided no examples. She also complained that students did not know enough to vote in local elections.**

(Which you may agree with, but is not her decision to make. Do we really want street justice in the Registrar's Office?)

Logan also stated that she would require lists of people registered from anyone bringing in a stack of registration forms. The lists are not required by law, and her office's threats to not process forms without the lists are possibly illegal. Ironically, the extra-legal lists provide the clearest evidence of Logan's willingness to break the law in her suppression of student votes.

(OK, please, remember those lists. There'll be a quiz.)

Logan also stated during the Degner meeting that she had turned over four forms from the Campaign for Change to the Commonwealth's Attorney's Office, although there has been no confirmation of this. This may be an exaggeration by Logan, or perhaps what she saw as illegality proved to be error when the forms were examined by someone more objective.

Many of these students Logan hoped to mislead presumably would not vote if they had to vote absentee or go to their parents' home to cast ballots, but many would avoid registering for fear of the financial consequences. Since younger and first-time voters had proven to be Obama voters in the Democratic primaries, suppressing those votes in Virginia, a battleground state, would support Republican candidacies from John McCain to J.M. Snell.

And that ends those paragraphs from way back then, with a note that J.M. Snell was a GOP candidate for city council. Just an example, used here because he was the bottom of the city ballot. Kai won that election, along with current Vice Mayor Richard Baugh and Dave Wiens. A lot of local folk still claim the three were elected by students bused to the polls by the Obama campaign. The argument doesn't hold water, but people believe it anyway. I'm not saying students didn't vote. They did. In record numbers. The precinct where most JMU students voted was the single busiest poll in the Commonwealth of Virginia on Election Day 2008. But about 30 percent of the voters cast a ballot for president but not for city council. Those kids bused to the polls marked Barack Obama, and maybe Mark Warner, and then went on about their business. So students electing the city council is, like much from that year, something about which a lot of people are absolutely certain and absolutely wrong.

A couple of hours of research showed that the information the registrar was distributing about financial repercussions was wrong. The Harrisonburg Electoral Board on Sept. 4 ended distribution of the information, adopting a page of information for students that did not include the bogus warnings. But a couple of things stick out about that meeting in September. One is the lawyer for the Obama campaign who showed up for the meeting. He walked in, sat down and the table with the Electoral Board and opened his briefcase. His name was Scott and he was a bulldog about students being allowed to vote. Three years before there had been a so-called recount of the race for Virginia attorney general. It wasn't really a recount, since all they did was re-read the tapes from the voting machines again. Not that it mattered much, since the margin of victory, 300 votes or so, was so far inside the margin of error. If one precinct in eight in Virginia had an error of one vote, it could tip the election. Sunspots could cause more error than that.

Or maybe they couldn't. The Democratic lawyer for the recount in Harrisonburg came in and sat in the cheap seats with the observers. The GOP shyster barged in and sat with the election judges. By 2008, Democratic lawyers were like that. Scott acted like he was running the meeting, and he certainly carried the day.

The other thing I remember from that day is a woman who, like many others, was offended by the cynical appeal to her not always fairer gender by the nomination of Sarah Palin. She showed up at the meeting and later became active with the campaign. She had seen Sarah Palin's acceptance speech the night before and she was spitting mad. "I'd register a goddamned monkey," she said.

So for those who think the 2008 election was decided by Kenyan muslims registering socialists to vote Democratic, there's your money quote. It proves everything you've said about ACORN and everything else, and there's only two problems. One is that the people making the most absurd accusation about the voter registrations don't need proof. And the second is that they haven't read this far.

Because the story really is long and involved. We're just getting started.

Camron Gorguinpour showed up in Harrisonburg in July to run the Campaign for Change. Short and wiry, he seemed to grow taller as the campaign wore on. He didn't get any less wiry, or any less wired. We worried at first that he'd have a hard time fitting into the Shenandoah Valley. Second or third generation out of Iran, grew up in California, but pushy enough to pass for a Yankee. When he eventually moved on he left behind a cadre of people so loyal they didn't think of the hijinks in the Registrar's Office as voter suppression. They thought of it as Camron's form getting stolen.

When a local online journalist called to discuss the whole story he started one sentence with, "You know who I'm really worried about in all this ... I mean, I realize you're the one who got the death threats." What he was worried about was, with the sudden publicity, Camron being able to do his job, which was to deliver Harrisonburg for Barack Obama. Because if Harrisonburg went, Virginia would go. And if Virginia went for Obama, we were going to run the table.

But Camron was pushy, or maybe assertive, a fact borne out for me when Deb pointed out that I was taking orders from him at one point in the campaign. That was relevant because no less a source than my mother had once told me that nobody had successfully told me to do anything since I was about four years old. So I could take orders from him, but I couldn't get over the fact that he wasn't a native southerner, and I sometimes wondered if his conflicts with the Registrar were an issue of personalities. I'm sure a lot of folks felt, and feel, the same way.

That's just Debbie. Ole Debbie. Good ole Debbie. Wouldn't hurt a fly. Wouldn't disenfranchise a mosquito.

Nah. Camron was right, Debbie was wrong. An email to city Dems in October began to sum it up.

Hundreds of potential first-time voters may have been disenfranchised by the Harrisonburg Registrar's Office as part of a pattern that increasingly looks like an active campaign to limit voting by college students in the presidential election. The campaign began with unsubstantiated warnings to students about financial repercussions from registering; it is culminating with the rejection, without any stated cause, of four times as many registrations as election officials publicly admit to.

The election official cited by Electoral Board Chairman John Simmers. John had a relative who was ill during the fall of 2008. Enough of that, because it involves the privacy of someone not involved. But it was a distraction in two ways. It kept him from being fully engaged, and it kept any one from calling him on not being fully engaged. He had a reason, and we had our sympathy for him personally.

But as far as I was concerned at the time, John had committed a couple of cardinal sins in his inaccurate numbers to a Harrisonburg Democratic Committee meeting. First, he hadn't done his job. He had given me wrong numbers, and while I'll give him the benefit of the doubt on whether he meant to, the numbers were wrong and his lowball was helping cover up widespread voter suppression in the Registrar's Office. His other cardinal sin was his response to a black woman asking about her daughter's registration form. He tossed the thick and imposing book of state voting laws in front of her on a table and said, "It's in there."

It will be a couple of hundred years before any white man gets the benefit of the doubt in Virginia when addressing an African-American about voting. We haven't earned it yet.

And I went home after the Democratic Committee meeting October 13 when he cited the numbers, and after getting the real ones from the Campaign for Change, and started to write.

The question remains of what the registrar's intentions are. The campaign has gone on long enough, and in enough ways, to make it a fair question to ask.

The latest move in the two-month campaign was a ream of letters to voters telling them of unspecified "irregularities" in their applications to vote. Many voters, mostly JMU students,

called the registrar's office to ask about the alleged "irregularities," only to be told their forms couldn't be found among the hundreds in the office.

Had the Registrar's Office officially rejected the forms, the office would have been required by state rules to send the voters new, blank forms to fill out. By not actually "rejecting" the forms, or stating a reason, the registrar avoided the responsibility to send the forms and thus ease the process for voters to correct the forms.

An example would be a voter who, having already had to enter his birthday twice, inadvertently put his birthday in the field for today's date. While obviously an innocent error that could be corrected with a phone call, the error could also be used as an excuse to send a letter citing vague "irregularities." Another example might be a voter who wrote the city or zip code in the wrong field, crossed it out and corrected it. The registrar could claim the form had been altered.

Much of the above information is based on discussions with rejected voters and listening to one end of phone conversations with the registrar's office. Other information in this email comes from discussions with Democratic Party officials and election officials. Much of it is second-hand but supported by multiple sources or actual viewing of letters and databases.

The voters were not told what the "irregularities" were, and the voters themselves were not named on the letters. The letters were photocopied and sent to voters without any further information. An election official said Monday there were fewer than 100 of the letters, but the State Board of Elections released a list showing almost four times that many voters rejected in Harrisonburg as of several days before the final registration rush began.

The State Board of Elections listed 1,794 new city voters from February to the end of September, a week before the deadline to register. Almost 390 were listed by the State Board as rejected. The number is not precise because some voters are listed twice, having had their registration dismissed for "irregularities" more than once. Those numbers suggest that almost 18 percent of new registrations in the city were rejected, but it does not reflect the 500 forms the registrar reported receiving just on the final day, nor does it reflect any that may have been rejected from that group. Adding to the confusion, it is not clear if those who received the "irregularities" letter have since been officially rejected.

Locally, many residents feel that college students should not be allowed to vote in Harrisonburg, fearing the students could organize and stack, for instance, the city council, with 20-year-olds with no stake in the community. In 2000 the city's Electoral Board chair spoke publicly of a suggestion that she "lose" up to 300 student voter registration forms. Students have, however, never shown any inclination to take the political actions many long-time residents fear.

The Supreme Court, in a back-handed way, has upheld the right of students to vote where they go to school. In a Texas case, Symms, the court upheld without comment a lower court ruling supporting students, but the case had complicating side issues and was accompanied by two dissenting opinions. ...

The current campaign of rejecting student registrations apparently began after the bogus warnings were discontinued.

...The local media has not covered this story, perhaps because of lack of knowledge and because of the story's complexities. It is a difficult story to tell in sound bites and quick and dirty interviews. One newspaper reporter said he did not cover the story because it had been covered on a blog, hburgnews, and he didn't want to steal someone else's story.

(Which became rather brutally ironic 18 months later when the same reporter did a hatchet job on me based on a comment on the same online news source.)

The registrar and the senior member of the Electoral Board are Republicans, and polls suggest new voters this year will tend Democratic. Again, it is fair to question the intentions in the office. The effect, regardless of intent, is a Republican registrar disenfranchising several hundred potentially Democratic voters.

The number may seem small in a state where more than 3 million people may vote, but three statewide elections in the past two decades have been decided by fewer than 10,000 votes, one of them by fewer than 500. Virginia is leaning Democratic in the presidential race this year, and Republicans have a vested interest in limiting the electorate, where possible, to those who have kept the state Republican in past presidential elections.

And that closing is something that I felt rather than knew at the time. A little research later showed me I was pretty close. Urban Democrats used to steal elections. "Vote early and often" was Democratic advice. Republicans and southern Democrats suppressed votes instead..

Technology since 1970 or so has made it harder to steal them, but suppression efforts will always be with us. It gives one side an unfair edge.

And suppression, unless somebody confesses, is hard to prove. Theft and its aftermath are a different story.

I hung around the Obama headquarters a lot that fall. Although I declined to make phone calls – partly because of an innate inability to follow a script – I enjoyed many aspects of the operation. It reminded me of a newsroom, with its hectic but organized nature and the constant smell of deadline. One of those was the first Monday in October, the last day to register to vote. I took that Monday and the Friday before as vacation days. It wasn't a sacrifice for the campaign or to see Barack Obama elected. I work for the state, and the state is generous with days off and benefits. I'm a techie for the state – ok, I'm the technical coordinator and liaison for the College of Arts and Letters at James Madison University – so keeping track of forms and numbers was relatively easy and kind of fun.

One of those forms was Camron's. He had decided to stay in the area - yes, there was a girl involved – and he wanted to vote here, where he'd worked so hard, for Barack Obama. And what follows is, with some editing and comments, what I wrote about it at the time for Camron's pro bono attorney, Tom Domonoske.

I worked in the Campaign for Change office in Harrisonburg each day October 3-6, 2008 during the final rush before the voter registration deadline. As a former Harrisonburg mayor elected in part because of a local registration drive, I appreciate the importance of voter registration from a personal, a partisan, and a policy viewpoint.

Most of my duties consisted of typing the names of people registered at the office into a spreadsheet, in part so that the lists of voters required by the Harrisonburg Registrar's Office could be printed.

One of the names I typed in on Sunday, Oct. 5, was that of Camron Saul Gorguinpour. After typing in his name, I placed his registration form in a stack of Rockingham County voters, on a shelf next to the Harrisonburg voters.

Twice on Oct. 6, assisted the first time by Elaine Simpson and the second by Samantha Slosberg, I helped look everywhere in the office to make sure there were no forms that had

wound up in the wrong stacks of paper. Twice I assisted in sorting the forms by locality and I clearly recall seeing Gorguinpour's form in the final stack of registrants.

I took a stack of city forms to the Registrar's Office at approximately 3:30 p.m. on Oct. 6. After that, there were only three groups of forms remaining in the office: the half-dozen or so county forms; the forms brought in by Charles DeGrazia after a last-minute drive; and a small number of forms that contained inaccuracies but whose owners we were not able to contact.

And one thing I left out of the story at the time was that I drove to the office, because I didn't want to walk carrying those all-important forms. I locked the car doors as I drove. Not because they were Obama voters, but because they wanted to vote. It meant that much.

At 4:50 p.m., DeGrazia left the office with all of the forms from all three groups. I did nothing between my return from the Registrar's Office and 4:50 except type in some last-minute registrants and repeatedly check the shelf holding the forms to make sure they were all in one place and ready to go. The county stack remained there throughout the afternoon.

I cannot imagine any chain of events that would have resulted in Gorguinpour's form not being in that stack. I cannot imagine any chain of events that would have resulted in his form being removed from the stack for any reason that afternoon. In the absence of mischief, malice, or a sinister force, Camron Saul Gorguinpour's form was in that stack when DeGrazia left the office with it 4:50 p.m. on Monday, Oct. 6, 2008, heading for the Harrisonburg Registrar's Office approximately two blocks south. I spoke to DeGrazia briefly as I was leaving for the day and he was returning from the Registrar's Office. He said then that everything had gone without a hitch as far as turning in the forms.

Later, after Samantha went back to the office and asked for a copy of the lists of voters from various groups of forms, someone in the Registrar's Office told her they didn't have copies of one or more of the lists. That's when Camron asked me for more detail.

There were at least five people in the office when I arrived. A young man and woman, student age, Grieda (an office employee whose full name I don't know), Judy VonSeldenek, the assistant registrar, and Registrar Debbie Logan.

I arrived at the office carrying a number of forms, between 200 and 250, in a cardboard box. The box also contained a printed list of the forms I had entered in a spreadsheet Friday,

Oct. 3, through 1:30 p.m. Monday, Oct. 6. The box also contained a legal sheet with a hand-written list of the forms I had entered from 1:30 until I left for the Registrar's Office at 3:30.

Grieda greeted me, seeing the box and asking, "Do you have a present for me?" She walked to me, looked in the box, and told me Debbie would have to take those. I looked at Judy, who repeated that Debbie would have to take the forms. I said, "Why?" Judy responded, "Because she's the boss," and laughed.

Debbie was assisting the young woman, who had previously registered, but was rejected (or had received an "irregularities" letter) because she listed a JMU mailing address but a Maryland physical address. I recall her asking Debbie what permanent address she should put down, and Debbie telling her that was up to her. She then told the young woman she would need to put her JMU address if she wanted to vote in Harrisonburg.

Because Debbie might bully college students when there was no one around to watch, but she cleaned up her act in a hurry when a witness was in the room.

Debbie finished with the Maryland student and walked to where I'd set the box down on a table to the left in the main office where the absentee voting machine sometimes sits. She said something along the lines of, "OK, what do we have?" I told her what was in the box and laid the contents on the table. She expressed satisfaction with the organized way they were presented. I left with the empty box, and she took the stack of forms and the two lists into the area behind the wall where the table sat. While I was there, she did not make any notation on the lists or on the forms to indicate who had brought them in. She did not ask what organization the forms came from, or if I was working with the Obama campaign.

There were five or six Rockingham County forms on the printed list I took down at 3:30 that were in the stack that Charles DeGrazia took the Registrar's Office at 4:50 p.m. Camron Gorguinpour's form was one of those six. The three groups in that final stack were the county forms, some flawed forms we had been unable to correct, and the forms brought in by DeGrazia or filled out in the office after 3:30. The forms from DeGrazia's registration drive that day were listed on hand-written legal sheets. I had entered Gorguinpour's form on my spreadsheet on Oct. 5; his form was in the stack of a half-dozen county forms on the

afternoon of the deadline; and those county forms were in the stack DeGrazia took to the Registrar's Office at 4:50.

OK, so why is the disposition of Camron's form suddenly so important?

Just when you thought it was safe to go back into the Registrar's Office.

Camron Gourghinpour, who is living in Rockingham County and running the local Obama effort, registered to vote in the county. Or thought he did. His form was among several hundred that went from the Campaign for Change office to the office of Harrisonburg Registrar Debbie Logan on Oct. 6, the deadline for voter registration.

I was at the Obama office that day. I saw the form, I touched it, I put it in the stack. I read Camron's middle name and birthday. I typed his name into the spreadsheet the campaign maintains of voters they'd registered.

Here's where the story gets weird. The form, and a handful of others from Rockingham County voters, arrived in Logan's office this week in the mail, postmarked last week in Richmond, in a handwritten envelope purported to be from the Obama office downtown.

Let me repeat this in a different way. The form went to the Registrar's Office on Oct. 6. Somehow, it left that office, went to Richmond, got in a mailbox, and came back to Harrisonburg. In a handwritten envelope, with the Obama office written as the return address. As if Obama, with \$133 million in the bank, can't afford stationery. As if the campaign office would take forms out of the stack, including Camron's, and mail them from Richmond a week after the deadline.

This hijacking of Camron's form is too weird for words. This goes beyond suppressing student voters, issuing bogus warnings, and sending out vague letters of non-rejection. This is outlandish, incredible, weird, and slightly frightening. And it happened. The fact that it was aimed at Camron adds a slightly dangerous personal touch.

But then at the time I didn't yet know what a personal touch really was. Not until I came home for lunch on a Friday between hearings into Camron's registration form. The hearings were appeals of the denial of registration, so they weren't an inquiry into whether there had been a theft and how it might have been committed. But the hearings played out against the background of the theft, and of the phone messages waiting for me that day.

"Happy families are all alike; every unhappy family is unhappy in its own way."

Tolstoy wrote those words to open Anna Karenina. Two of the unhappiest families in Harrisonburg today, as far as the Electoral issues I've been writing about, are the Amisons and the Logans. They met in Circuit Court in Winchester on Thursday. At least the mothers did. They're the two families I've been thinking about for the last day or so.

Debbie Logan is the city registrar. She was at one time a Republican member of the Electoral Board, where she served with Suzanne Obenshain, the senior member of that board. She's a member of First Pres, the mostly upper-crust, conservative middle class church in Harrisonburg. She's always been able to vote, and so have people who look like her.

Jennie Amison runs Gemeinschaft, the halfway house. Every day she works with people convicted of petty street crimes, and tries to keep them on a path that won't send them back to jail. She works with people who may never vote, because of their records, and she probably had parents or grandparents who couldn't have voted in Virginia. Jennie's street smart, and can't be fooled by much.

I can talk to both of them. I can go down to the municipal building during office hours and talk to Debbie about local politics or the details of elections. It's what she knows, and what her career is built around. I can find Jennie one night after one of the meetings we both go to, and talk to her about human frailty and human redemption. It's what she does.

Jennie's daughter, Charity, wanted to vote. She went to the Campaign for Change, the Obama headquarters in Harrisonburg, and she filled out a form. She did it right. She knows her Social Security number and her birthday and there's not that much else to fill out. But somehow the form was altered after she gave it to the campaign. Debbie said the Obama campaign must have done it. Electoral Board chairman John Simmers was dismissive and rude when Jennie asked him about it at a public meeting. But later they invited the Amisons down to the Registrar's Office, where Debbie had lots of Republicans working, and, reportedly, members of her family. All good decent people. People who'd never change a registration form. They explained nicely why Charity's form had been rejected, and Charity said she didn't change it, and they said that's too bad, dear. Charity, with Jennie's guidance, appealed the decision to the Circuit Court.

Jennie and Charity had to drive to Winchester for the case to be heard. It only costs \$10 to file the appeal. Plus gas. And time off. Maybe lunch. The judge decided all the rest of the Harrisonburg appeals could be heard back at the Rockingham County Courthouse in Harrisonburg. All dozen or so that they've had so far, and the potential ones from the hundred rejected voters, or four hundred, depending on which numbers from the Registrar's Office you believe. But it was too late to help the Amisons. So Jennie had already lost a round before the case was even heard.

Charity's case wasn't the only one heard that day. Another on the docket involved one of half a dozen forms that somehow disappeared from Debbie's office and wound up in her mail a week later, mailed with a Richmond address, with a hand-written address claiming they were mailed from the Obama campaign. I was there, because I had put the missing forms in the stack that went to Debbie's office. Charles and Adam from the Campaign for Change were there in the courtroom too, because they took the stack of forms to Debbie's office. Debbie was there to say that the form had never been in her office. To back her story, she described the way she handles lists of voters that come into her office. She didn't handle the list that I handed to her that way, but maybe she was referring to all the other lists. I'm sure that Debbie wouldn't lie to a judge, and I'm sure that the good Republicans and volunteers in her office would never alter forms, or steal them and mail them from Richmond.

And I later sent an email to the EB members telling them Debbie may have misled the court in her description of how she had handled the lists.

So I'm sure she's been offended by all that I've written and distributed about what I believe are efforts by her office to suppress new voters. I'm sure she's told all her family and friends that I'm wrong, because nobody in her office would suppress a vote, or alter a form, or steal one.

But somebody did. And the judge looked at a former mayor who placed the form in a stack heading for Debbie's office, and he looked at Debbie swearing she'd never received it. And he decided the case needed a fuller hearing, this week, with more witnesses, back in Harrisonburg.

But Jennie and Charity had to drive to Winchester, and they got their ten minutes in front of the judge. Charity said she'd filled the form out right. She'd turned it in just like she was supposed to. And the judge had to wonder if the Campaign for Change had somebody alter it for some reason, and whether to believe this nineteen-year-old girl who maybe hadn't filled in a lot of forms before, or to believe the Harrisonburg City Registrar.

The judge looked down from his bench at Jennie, scowling back at him, her face as black and hard as coal. He looked down at Debbie, sweetness and light and cotton-candy blonde hair. He ruled for Debbie. Jennie's daughter cried all the way home. Debbie's son called me the next day to make a death threat.

I heard the messages when I came home for lunch. I tried not to be too creeped out during the hour from when I heard them until the Harrisonburg Police Department traced them to Ellis Logan in Richmond.

It was fairly simple to record the calls. I just played them back on the machine and ran a digital recorder. The calls were also fairly easy to trace. Ellis didn't turn off caller ID, or whatever it is that you do. I probably still have the recording somewhere and it would have added to the drama if I'd put it online. I didn't really want to post the recording because the boy sounded so pitiful at the end. A man could perhaps live with making stupid threats, especially to protect his mama, or being foolish enough to leave his phone number on the caller ID. But I felt sorry for the kid as far as the later phone calls of apology. He was groveling. He was whining. He was all but calling for his mother. Which in this case would have been a clue.

Maybe Ellis Logan has issues. Maybe he thinks I've been picking on his mother. And maybe to him that justifies calling me up to say he's coming for me. Maybe that justifies saying he knows where to find my family. Maybe that justifies saying he's going to destroy me. Maybe that justifies him lying, and saying he was a concerned citizen calling from the Obama campaign when he called from Richmond, where somebody mailed the hijacked registration forms, claiming they were from the Obama campaign.

And maybe it doesn't. The State Board of Elections knows, or will know, that Debbie has a son who makes death threats and they'll know who all has been working in her office. They may not know for sure if Ellis or anybody else hijacked the forms and mailed them from Richmond. The local Electoral Board, Debbie's bosses, know about the death threats and the

stolen forms. They've known about it for less than 24 hours. As I write this, the polls open in 210 hours. I don't know what they'll do, and I'm sure they don't yet. The Campaign for Change knows about it, and they'll be in court Wednesday to file an appeal on one of the rejected registrations and see where the case goes from there. The DNR knows about it, but being an official Republican establishment newspaper, they won't run anything unless Debbie faxes them a press release. The Commonwealth's Attorney knows about the hijacked forms, and the death threats. The Republican Commonwealth's Attorney is in a bind, because her office represents Debbie on the registration appeals, and me if I decide to file charges.

But I won't. There's no danger to me or to my family from a confused or disturbed 22-year-old who makes a grim mistake, and the police and courts have better things to do.

There's a lot of things I'd like to see come out of this whole sick, sad, sorry mess. I'd like to see a court send the Registrar's Office into receivership, and appoint a special master to examine every registration form, every piece of paper, that's passed through that office since July, or since the primary, or since Diane Fulk lost by 200 votes. I'd like to know if there were 100 rejected, or 400, and I'd like to see every one of them examined by neutral parties, not to see if they wrote a birthday in the wrong box, but to see if they're eligible to vote. I'd like to see a new registrar who won't compromise the process. I'd like to see the office serve the people instead of the paperwork. I'd like to see Ellis Logan get some help so that maybe he won't threaten strangers who have policy disputes with his mother.

Mostly, I'd just like to see Charity Amison be allowed to vote.

Which didn't work out. Charity didn't get to vote. But she did get to meet Barack Obama. So did I. But I still got to vote.

Camron wasn't allowed to tell me Obama was coming to Harrisonburg. When he knew, he told me to keep Tuesday free. That was after the Thursday hearing in Winchester, so I thought he was telling me we'd have to be in court again. On Saturday morning Samantha, who was staying in our spare bedroom, came downstairs to tell us it was on. Obama would be at the Convo, the Convocation Center basketball arena at JMU. It hadn't been easy. Camron had called to book the Convo, and a JMU employee had said, pretty much, no thank you. They didn't rent out for things like that. But word got back to JMU's president, who called an aide and said to make this

happen. Harrisonburg and JMU reacted strongly, and positively. The trash heap afterwards was a sign of the enthusiasm before. A cold snap made it unseasonably bitter, and among the things left by the students who camped overnight were blankets and pillows. No way, I assume, was the Secret Service going to let them bring those in. No way, either, was the Secret Service going to let 20,000 people, the estimate of the crowd outside, into an arena made to hold 9,000 or so. So Obama made a side trip to where a lot of the overflow had gathered at a soccer field.

But first we had to go to court that Tuesday morning, one week before the election, and tell the same story for the most part we'd told the previous Thursday in Winchester.

The same assistant prosecutor who would later make the claims about voter fraud was representing the registrars, and yes, that's plural. Because the forms that had been hijacked and mailed back to Debbie's office with the same MO as the threatening calls, but they were the ones destined for the county registrar's office. And not only had the forms been stolen from the office, there was also no evidence they'd every been there. Debbie said, under oath after raising her right hand, that she didn't get any lists along with the forms she got from me. Which is just a hell of a story. Because she later harassed the Campaign for Change kids about the forms Charles brought in later that afternoon. So it wasn't that she had stopped insisting on lists. She just denied the existence of the one that would have put Camron's registration form in her office.

The DNR, in all fairness, did try to cover the story that one time, showing up at Camron's appeal hearing in Circuit Court. But covering what they did is like trying to understand Watergate by going to a hearing to schedule grand jury testimony by John Dean. All the names are there, but the story isn't. Also, coverage at the DNR level often consists of getting a couple of quotes from a government office and wrapping background information around them. There was nobody to quote. Just as, for the police and prosecutor, there was no victim. Six voter registration forms had been stolen. But they hadn't been stolen from the victims of the crime. The victim, in the classic sense, was the Registrar's Office, and like any crime victim for whom the attention is worse than the crime, the office simply said the forms were never there. It wasn't even a matter of, "Who do I see about that?" It was more like, "Who has to do the seeing?"

Which is the same sort of confusion you encounter when you ask about whether students can vote in their college town. In this case, nobody has a really firm interest in nailing it down. Democrats want JMU students to be able to vote in presidential years. Republicans want Liberty students in Lynchburg to be able to vote in city council elections. Months of hearings by a State

Board of Elections task force after the 2008 election left us pretty much where we started, but with four or five pages of guidance added on.

I didn't make it to the end of the hearing, when the judge said there wasn't enough evidence to say anything. And a tie goes to the runner, and government usually wins in court, so the rejection of Camron's form stood.

I had to leave the hearing to get to JMU for Obama's visit. And later that day I waited in a room at the Convo with Charity, and her mom, and the president of JMU and some other folks. And the guy walked in. and JMU's president, Lin Rose, told him about the JMU mascot campaign, Duke Dog for President. Obama repeated it in front of a cheering crowd at the Convo, but it came out Dukes Dog, a fact I thought about the day I was writing this, when Obama showed up in a press conference with Medvedev, referring to "the twitters." I'll always love the guy, mainly because I made a lame joke when I met him, and he laughed as if he hadn't heard it a thousand times already. I'd been mayor of a small town, so I was qualified to be a Republican VP candidate. Laughed like he'd never heard it, and for those ten seconds I was the only person in his world, if you didn't count the person waiting to go next, and the Secret Service agents, and the young woman with the camera whom Obama expertly and gently turned me to face. And a week later he was elected president and nobody cared any more about six stolen registration forms in the Shenandoah Valley. But some of us will always wonder.

But there are some things I wonder about less than I did when this all started. I had gone in trusting the Republicans in the Registrar's Office. Sure they were on the other side politically, but we all agreed to play by the same rules. So maybe their deciding not to play by the rules was an indication of how much they viewed the election of Barack Obama as the end of the world as we know it. I had kind of trusted Suzanne even after the forms disappeared and the whole process went south. She at least had never lied to or about me. But five nights before the election, we had training for election judges. And in answer to a question, maybe from me, about identification for student voters, she suddenly came up with a standard more strict than state or federal law. If we hadn't fought that standard over the next few days, several hundred, maybe more than a thousand voters, would have turned up at the polls and found out they couldn't vote. Two things made me suspicious about whether she knew she was creating a stricter standard on the fly. One was that she'd been on the Electoral Board more than a decade and should have known the ID rules. The other was a look Debbie gave her when she described the new rules.

The look could have been surprise. It could have been fear. Or it could have been that a fly buzzed by her face at just that moment.

We'll never know. Not ever. And for somebody who always wants the story to have a conclusion, that's a frustration that's hard to shake.

So where are the lists I took in? Maybe the same person who stole the forms stole the lists. I doubt it, because Debbie's statement in Circuit Court that she never got a list is so indicative of her mindset at the time. Maybe it's still in the office somewhere, along with the Freedom of Information request that her office ignored in late 2008. The FOI action was at best spiteful and petty, and a minor violation of a law that's not really enforced. After I complained about not getting the FOI notices I got a very nice letter from Suzanne, as secretary of the Electoral Board, telling me, more or less, that the EB, after a change in policy, was going to send me the notices. Obeying the law was going to be a change in policy. You can't make this stuff up.

So what was the policy about evidence of the crime of stealing registration forms? It's hard to say. Was Debbie acting as a registrar, or as a Republican, or as a mother, when she denied the existence of the printed and hand-written lists that would place Camron's form in her office? No one but her will ever know, unless she's told somebody. And somehow I can't picture her and the other folks in the office sitting around discussing hypotheticals the way we did. Did the same person steal the forms and the lists? Did the same person alter forms inside the office? Was it partisan, or just the idea that students shouldn't vote? Was the thief's decision to put the Obama HQ as the return address the desperate act of somebody trying to throw off suspicion, or a giant raised middle finger to the Campaign for Change office? Why didn't the thief just destroy the forms?

And of course we wondered if anybody in the Harrisonburg Obama office possible could have stolen the forms and, if so, why in God's name would they do that? That last one couldn't have been pulled off by the world's greatest magician without the collusion of several people. The forms were in a stack, in the middle, and the fact that they came out as a group means somebody had to sort them, in an office or on a kitchen table, and either decide to mail them back with a bogus address or leave them in front of somebody who would. We will never know.

But I'll always remember Rebecca. Charles told me her name much later, maybe because he already knew her, maybe because he tried to get her phone number. She came in just before Charles left for Debbie's office at 4:50, and Camron was not going to let Charles wait for her to

fill out her form. Somebody suggested that if she was in line at Debbie's office at 5 p.m. she could still register. So Charles and Adam took off for the Registrar's Office with Rebecca running behind, clutching her form. I never found out for sure if she made it in time to register. A lot of people made it in time, but still didn't get to vote. This story is for them.

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