



Questioned Documents Section – 2003

J8 Voter Fraud: The Petitioners' Alliance vs. The Birmingham Waters Works Board

Richard A. Roper, PhD, Forensic Document Examiner, 7956 Vaughn Road, #141, Montgomery, AL*

The goal of this presentation is to present a case which illustrates that in a document examination, there may be matters beyond the initial request, such as the signature(s) of a notary public which can strongly influence the outcome of a case.

As a result of a shift in the political alliances in the city of Birmingham, AL, the assets of the Birmingham Water Works became the subject of a petition for a citizens' referendum to privatize the Water Works as opposed to returning the assets to the control of the Water Works Board. The assets of the Water Works had previously been given to the City, for a token amount, to be sold off for privatization. The Water Works Board later attempted to buy back the assets, thus the formation of the Petitioners' Alliance.

An initial petition drive failed to obtain the required number of valid and verified Birmingham voter signatures and, so, a second petition drive was conducted. At the completion of the second drive, there were sufficient valid voter names verified by the Probate Judge; however, after inspection of the pages of the petition, attorneys for the Water Works Board believed that some of the voter signatures to be forgeries and, therefore, contested the petition process. Approximately 600 petition pages were submitted for handwriting examination.

Forgeries were identified which varied from signatures in the name of 2 or 3 members of a family to some entire petition pages. More significantly, though, improper actions on the part of one particular notary public, whose wife was also a petition circulator, were also identified. While the notary did indeed legally notarize some of the petitions, most of the petition pages notarized in his name were identified to be signed either by his wife or his daughter, rendering the legal validity of those pages in great dispute.

While the matter was later settled, it was interesting that there appeared to be some reluctance by the court to invalidate non-genuine signatures executed by other family members.

Voter Fraud, Document Examination, Forgeries