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## Minnesota County Investigating Voter Fraud Allegations Involving Mentally Disabled

By Jana Winter

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Minnesota officials are investigating a citizen's allegations that mentally disabled voters in one county were coached by their attendants to cast their ballots for specific candidates, a county attorney told FoxNews.com.

Montgomery Jensen, a voter in Crow Wing County, says he and his wife saw a group of mentally incapacitated individuals ushered through the voting process by mental health staff, who told some of the group who they should vote for and, in some cases, filled out ballots on their behalf, according to an affidavit filed with the county attorney's office on Monday, a copy of which was obtained by FoxNews.com.

Jensen suggested that the county officials processing the ballots were aware that some had been cast by mentally incapacitated people who may not be legally eligible to vote.

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"The whole issue here is that someone was filling out their ballots and it looked to me like they had no idea what they were doing or what was going on," Jensen told FoxNews.com.

Crow Wing County Attorney Donald Ryan told FoxNews.com on Tuesday that Jensen had filed the complaint early Monday morning and that his office had launched an investigation.

"I did receive an allegation yesterday after 8 a.m. of alleged voter fraud of the nature that some believed that assistance being given to voters was in excess of what you're supposed to do under the law," Ryan said. "I assigned two sheriff investigators to the complaint."

Jensen, who identified himself in the affidavit as a disabled veteran, said that he and his wife arrived at the county auditor's office shortly before 5 p.m. on Friday afternoon and saw a large crowd of people who appeared mentally incapacitated, some of whom he thought might not be eligible to vote.

"I was just puzzled because the individuals had no idea that they were at the courthouse, let alone they were there to vote," Jensen alleges in the affidavit.

He said he and his wife witnessed "what appeared to be a staff member from a facility trying to coerce a mentally incapacitated individual back to the voting booth to vote without success, so the staff member proceeded to fill out the ballot without the mentally incapacitated voter."

After that, Jensen said, he saw the staff member direct the "mentally incapacitated voter" across the room to cast his vote with county auditors.

"I overheard the same staff member with a different mentally incapacitated voter vocally instructing him which candidates to select," Jensen stated in the affidavit. "After I overheard this, I looked over and seen the staff member physically filling in the ballot."

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He also described a county auditor's office employee struggling to take a ballot out of the hand of one of the voters.

"He had no idea where he was, let alone that he was voting for future elected offices," the affidavit reads.

"These individuals had no idea where they ever were, let alone that they were voting. They were taken advantage of because of their disability which is unacceptable."

Ryan said he couldn't comment on the ongoing investigation, and didn't want to say when he thought the investigation would conclude.

"We are conducting this investigation as expeditiously as possible," he said. Jensen said he was scheduled to meet with investigators on Thursday.

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## Family of Minnesota Man With Mental Disabilities Says He Is a Victim of Voter Fraud

By Eric Shawn

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**EXCLUSIVE:** Minnesota resident Jim Stene voted last November -- and thought he was casting his ballot for President Gerald Ford.

"He was exploited, plain and simple. He was exploited," his father, Alan Stene, charges. "This is a moral and ethical issue."

Jim Stene, 35, suffers from anoxic encephalopathy, severe brain damage caused by a lack of oxygen to the brain. He has lived with the condition since 1987, when, as a 12-year-old boy, he jumped into a river to save the life of his drowning sister, Heather.

Stene had spent the last 15 years living in a group home in Brainerd, Minn. He and other residents of the home were taken to the Crow Wing County auditor's office on Oct. 29 to vote by absentee ballot. Minnesota is among the states that offer early voting by absentee ballot days before Election Day.

In an affidavit, Stene's father charges that "a voter crime was committed ... because James is mentally incompetent and is very coachable."

He fears his son, and others like him across the country, could be used to swing elections.

"They are a forgotten member of our society. I think, to where people can exploit them because nobody really knows what goes on behind the scenes," Alan Stene said.

"I felt that he was used as a pawn."

Fox News met Stene at a private residence, with his sister beside him, and asked him about voting. While his words came slowly, he clearly understood the conversation, smiling and trying to do his best to answer. When asked who he voted for, he answered quietly, "Ford." Gerald Ford? Stene nodded in the affirmative.

He was unable to name the candidates or any current elected officials, and he said a worker at the group home where he lived told him for whom to vote. They didn't move his hand or mark it for him, he said, "just told me who to vote for." He "did not have a clue" about the person he voted for. And when asked to identify the current president, he said, "Bush, I think."

Lynn Peterson, owner of the Clark Lake Group Homes where Stene lived, insisted Stene was not exploited and was "absolutely not" told who to vote for.

Peterson said he feels "extremely violated" by the accusations of exploitation, adding they are "totally unwarranted." He insists he and his staff did nothing wrong.

"Did Clark Lake (Group Home), on a whim, decide to take this person and sneak them down to the poll? Absolutely not. It's so ridiculous, it's absurd," Peterson told Fox News.

"As a provider, what did I do? I gave him a ride to the polls and I gave him a ride home," Peterson says. Stene and several others voted in full view of local county election workers, and he affirmed that he and his staff were supporting the legal right of their residents to cast a ballot, the same as people without disabilities.

"As a provider, my job is to provide assistance to handicapped people if they choose to vote," said Peterson. "At no time were they to be assisted in how to vote."

He added that he thinks a care provider should be "somebody that is going to be an advocate, a strong advocate for the people with a disability that have the ability to participate with the voting process or any other process in the community."

But Stene's family disagrees.

"Jim is not capable of making those type of decisions, to know what the candidates are and what the issues are," his father said. And his sister said she "could not believe this was even an issue" and that he was taken to vote.

As she sat next to her sibling who saved her life, tears welled up.

"I just don't think that he is competent enough," she said. "I mean, he is my brother and I love him very, very much, and that's why I personally go vote."

She also said she "is glad it has gotten this far because there will be more recognition for other people, and for my brother. He has the right for who he wants to vote for, but I honestly don't think he could vote." Peterson says Jim Stene wanted to vote. Stene told Fox News he was not asked if he wanted to vote.

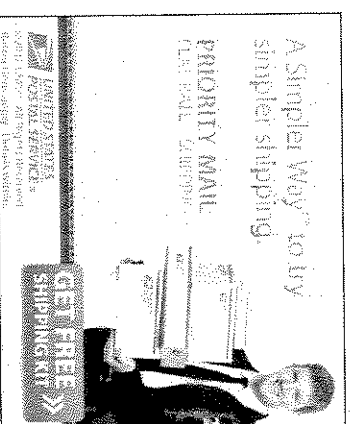
In Minnesota, only a judge can determine if a person is incompetent to vote and take away that right. That has not happened in Stene's case.

Advocates for those with intellectual disabilities say such voters should not be disenfranchised.

"People with disabilities, whether it's someone with an intellectual disability, somebody with dementia or Alzheimer's, could be exploited," concedes Nancy Murray, president of the nonprofit advocacy group ACHIEVA, which lobbies for people with intellectual disabilities.

"Just because somebody else might try or might succeed in exploiting them does not eradicate their legal right to vote."

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Murray says, "We are going to uphold a person's right to vote above everything else... and if they've prepared themselves to vote, if they've listened to the news, if they've read the newspaper and feel that they want to cast a vote just like any American citizen, we are going to protect that right."

Similar voter fraud allegations were raised after the November election but were dismissed by authorities.

Brainerd resident Morly Jenson said he witnessed the group home residents voting and said it appeared "they had no idea what was going on." He accused the group home staff of "forcing the vote, and they were telling them who to vote for, actually using candidates' names."

Jenson and Ron Kaus of Minnesota Freedom Council, a conservative group, filed a complaint last year that was investigated by Crow Wing County Attorney Don Ryan.

In December, Ryan determined there was no evidence of voter fraud in relation to the group home residents. But Ryan then launched a separate investigation into charges of alleged exploitation of a vulnerable adult, brought by the Stenes.

According to the U.S. Census Bureau, more than 16 million Americans have limited cognitive function, and federal elections officials say it is up to the local boards to safeguard the voting process.

"It's very important that they work with their state legislatures to develop a good set of state statutes and regulations to meet their purposes at the local level," U.S. Election Commission official Thomas Wilkey said. Kaus fears the system is open to possible fraud.

"These people have it hard enough," he said. "It seems like an exploitation of people. The vulnerable, we are supposed to care for them."

"This is a personal cause for my son," Alan Stene insists. "After Jim's accident we always focused on the positive things. For his mom and I and his family, this is a reversal of a role."

He says he now is in the position to prove that his son "is not competent to vote... and you don't realize how hard it is for me to say that."

Alan Stene thinks the voting issue "is just the tip of the iceberg on how vulnerable adults are exploited," and he has asked for a special prosecutor to investigate his contention that there was indeed voter fraud in the case.

He is also calling for stronger legislation to protect vulnerable adults when it comes to voting.

Jim Stene has since been relocated to a different group home.

**If you suspect voting problems where you live or with a loved one, e-mail the Fox News Voting Fraud Unit, at [VoterFraud@FOXNEWS.COM](mailto:VoterFraud@FOXNEWS.COM)**

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