

From: [Tutor, Marshall](#)
To: [Bartlett, Gary](#)
Cc: [McLean, Johnnie](#); [Wright, Don](#)
Subject: Emailing: Deputy witnesses
Date: Monday, October 17, 2011 7:39:00 AM

Yancey County News

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Criminal histories no roadblock for deputies witnessing ballots

By Jonathan Austin

Yancey County News

published Oct. 13, 2011

An analysis of voting data from the 2010 general election suggests that some employees of the Yancey County Sheriff's Office were willing to officially witness absentee ballots for people with extensive criminal histories.

The employees, all sworn law officers, signed as the witness on ballots for people with prior convictions for felonies and misdemeanors including larceny, drug charges, multiple drunk driving charges, escape, resisting arrest and at least one drug trafficking conviction.

While all of the applicants apparently had the right to vote, the fact that the deputies were involved in the process leaves open the question as to whether the individuals wanted to vote or were pressured to do so.

The deputies' actions are likely part of a criminal investigation that began before election day into the use of write-in absentee ballots in Yancey County. That investigation, which now actively involves the State Bureau of Investigation, was initiated after numerous complaints from county residents who told officials they saw abuses and questionable activity leading up to the general election, officials said.

Earlier this year, county election board chairman Charles McCurry said the criminal investigation involved "the absentee ballots, the one-stop ballots, the absentee requests," and that election officials boxed up every absentee ballot and all the paperwork involved in the application and took it to Raleigh.

According to state law, voters must mark their absentee ballot and sign the certification on the return envelope in the presence of the witness, who then signs the return envelope.

That means the officers - Tom Farmer, Judy Ledford, Willie Anglin Jr. and Bobby Lee Austin - were present as the individuals noted their selections and sealed the envelope. The state investigation could be considering whether the mere presence of an employee of a candidate - employees who wear badges and carry guns - could be construed as voter intimidation.

The analysis of the vote data shows that Ledford - a captain at the department who retired but then returned to work part-time at the department - signed as the witness on ballots cast by individuals who had been previously convicted of writing a worthless check, multiple counts of larceny, one convicted of breaking and entering and solicitation to commit a felony, one convicted of DWI, and one convicted five separate times of DWI.

Anglin signed as the witness for individuals who had been previously convicted of charges including drug trafficking, forgery, repeated DWI charges, drug possession and larceny.

Austin, who also retired this year but is now the county animal control officer, signed as the witness for individuals who had been convicted on a variety of violations, including felony drug charges, larceny, assault and multiple DWIs, breaking and entering, and carrying a concealed weapon.

Farmer, the chief deputy who resigned after this paper reported how he was pawning department-owned guns, witnessed ballots for a woman with six convictions of writing a worthless check and shoplifting, and for a man who had been convicted of five counts of resisting arrest, two felony convictions for speeding to elude arrest, and escape.

In June this newspaper reported how some voters said Capt. Ledford had brought them their absentee ballots and then taken them to be mailed for the general election. If that is the case, both actions were illegal. All in all, Ledford witnessed at least 32 absentee ballots leading up to the general election.

One ballot she witnesses was that of Sondra Kaye Murphy, who listed her address as Hunter Street on her ballot application but asked that the ballot be delivered to 44 Wisteria Lane.

The name Sondra Murphy, of 74 Wisteria Lane, was used to witness seven mail-in ballot applications. The name Sondra K. Murphy of 74 Wisteria Lane was used to witness five mail-in ballots. The name Sondra Kaye Murphy of the same address witnessed one ballot, while another from the same address was apparently illegible except for the name 'Sondra'.

Anglin signed as the witness for two people identifying 74 Wisteria as their home.

The Yancey County News reported in June that six first-time voters listed the residence at 74 Wisteria Lane - a single-wide trailer - as their home. Further research now shows that 11 absentee ballots were mailed to that trailer for people who either said it was their residence or it was where they wanted the ballot delivered.

Records seized by the state show that Murphy witnessed a ballot for one individual, Gregory Seth Morgan, who was in court to face numerous felony drug charges on Oct. 29 - four days before the general election.

Morgan had been arrested on Aug. 17, 2010, and registered to vote the very next day. All of the felony charges against him were reduced to misdemeanors.

Morgan himself also served as a witness on an absentee ballot, for a person who also registered to vote the day after Morgan was arrested.

[Link to other election investigation stories](#)

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From: [Tutor, Marshall](#)
To: [Bartlett, Gary](#)
Cc: [McLean, Johnnie](#); [Wright, Don](#); [Susan Nichols](#); CWM59015@frontier.com
Subject: Emailing: Ex-deputies arrested
Date: Tuesday, June 12, 2012 11:12:00 AM

Not Elections related but a start. This came about as part of our investigation and the Yancey County News coverage.

Exploring Yancey!

Fun in Yancey

Two former Yancey deputies arrested on felony warrants

Tom Farmer charged in pawning of one gun

By Jonathan Austin

Yancey County News

Two former Yancey County deputies were arrested Monday, charged with felonies after being accused of misusing department property.

Thomas Lloyd Farmer, 42, and John Paul Grindstaff, 37, both also face charges of willful failure to discharge duties.

Farmer, the former chief deputy for the Yancey County Sheriff's Department, was charged in connection with the pawning of a county-owned handgun, while Grindstaff was charged in connection with the disappearance of two two-way radios.

Farmer's arrest comes more than a year after the *Yancey County News* reported that a gun owned by the department had been pawned by Farmer in Asheville. The newspaper investigation showed that the weapon - a Sig Sauer pistol bought for the sheriff's department in 2003 - was pawned at Alan's Pawn in late January 2011. The individual pawning the weapon identified himself as Thomas Lloyd Farmer.

According to the arrest warrant, Sheriff Gary Banks swore there is probable cause to believe that Farmer did "unlawfully, willfully and feloniously did embezzle, fraudulently misapply and convert to his own use ... one Sig Sauer

model P226 handgun .337 Sig caliber bearing serial number U684142, belonging to the Yancey County Sheriff's Office.”

That is the same gun identified in the Yancey County News article of March 2011. County leaders later told the newspaper that Farmer admitted to taking from the department and pawning at least a dozen firearms.

According to his arrest warrant, Grindstaff, who left the department in 2011, was charged with feloniously stealing two Motorola two-way radios “which had been delivered to be kept for his employer's use.”

Both former law officers were also charged with misdemeanor failure to discharge duties. In the warrants, Banks found probable cause to believe that the two, as deputies, neglected “the office of deputy sheriff by not upholding his oath of office” in committing the crimes for which they were charged.

Both men were fingerprinted and ordered to appear in district court on June 29. Both men were released on bond.

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From: [Tutor, Marshall](#)
To: [Bartlett, Gary](#)
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Subject: Emailing: Letter about SBI
Date: Wednesday, December 21, 2011 6:46:00 PM

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nutrition column

Letter to the editor addressing the SBI investigation in Yancey

I read with interest your article stating that the State Bureau of Investigation (SBI) is currently in Burnsville, investigating several possible illegal activities of the Yancey County Sheriff's Department and others pertaining to public elections, absentee ballots, votes cast by individuals ineligible to vote, etc. - all of which was thankfully uncovered and reported by the Yancey County News. Many kudos are due to you and your newspaper! Unfortunately, in this county, for a journalist to simply do the normal job of journalism, to engage in the standard and expected practices of your profession - that is to say, to ask the questions of who, what, when, where, and why about events that occur here which affect citizens, and then to report those findings publicly - requires extraordinary courage and bravery, because you are raising questions about a powerful, entrenched system which does not wish to be questioned, a system whose very existence would be at risk of being dismantled or overthrown, were its inner workings to be exposed to the light of day. Your situation is unusual - most of us don't have to become heroic in order to simply do our daily jobs.

The livelihoods and the very way of life - the only way of life known to the people who have controlled and ridden roughshod over this county for generations - become at risk when genuine journalism dares to do its job. And like any animal whose life is threatened, it will try to strike back viciously. I am forced to write this letter anonymously out of a very real fear of retribution by the Sheriff's Department - which has almost unlimited power to intimidate and cause serious harm to the freedom and well-being of anyone who would publicly question or challenge it - a fear that is justified by the Sheriff's Department's long history of having done exactly that.

You and your newspaper, however, are standing up non-anonymously in broad daylight, questioning and challenging these people. Again, we salute you, but - please - watch your back. We need you to be here for a while.

We citizens of Yancey County have been in desperate need of an actual newspaper, publishing genuine journalism, for as long as anyone can remember, and we thank our lucky stars that you have appeared. Another newspaper, sadly, has served only as the official stenographer, the subservient "office girl," and as the propaganda mouthpiece for public officials, apparently dutifully reporting whatever they are told to report, never digging under the surface to find out what is really going on here. The only scandals reported have been incidents that were brought to the surface by embarrassing accidents or lapses wherein officials have stupidly let themselves be caught with their pants down, catching the newspaper by surprise as much as everyone else. In my time here, that newspaper has never been the source of a scoop uncovered by diligent investigative "reporter-ing."

Most citizens here (at least those of us who are not complicit partners ... who are not financial beneficiaries of or otherwise beholden to the corrupt practices of the Yancey County Sheriff's Department, the District Attorney's Office, and the rest of the "justice system" here) are well aware that many things have been rotten here in Yancey for a long time, and will readily speak of this - at least in private, to others who are outsiders to "the system." One group has been running the Sheriff's Department here for nearly a century, tampering with elections to ensure that it stays that way, that no challenger can ever win an election. You have uncovered part of that story. Let's hope that you continue to expose it, or that the SBI does a thorough investigation and reveals that the Emperor is stark-buck-naked.

My original reason for writing this letter (I'm finally getting to the point) was to ask some questions about the SBI investigation. How many investigators are working on this? To do this investigation thoroughly is an enormous job

(as our Editor has surely discovered), and I hope that the SBI has allocated sufficient manpower to be able to actually do what needs to be done here to uncover the truth.

A couple of weeks ago an anonymous letter appeared in your newspaper listing several questions on the absentee ballot/election tampering issue - questions which need to be pursued in order to follow on with the initial work you have done. Is the SBI doing those things? Where is their temporary office located? (Let's hope it's not in the Sheriff's quarters; let's hope they're not being made comfy and cozy buddies by the people under investigation.) How can citizens be of help to this investigation? Is there a "Citizens Hotline" that citizens can call to contact the SBI team and apprise them of relevant facts known to us of which they may be unaware?

I also wished to ask: Is anyone taking this opportunity (of the SBI being in town) to ask the SBI about following up on the (former) Sheriff's Chief Deputy Tom Farmer and his illegally having pawned Sheriff's Department property (guns) for personal gain (exposed by the Yancey County News last February)?

I fervently hope that the ball won't be dropped on this incident, but it appears that our elected officials are quite content to let that happen. Supposedly, the County Commission sent a letter to the D.A., asking that the matter be brought to the attention of the SBI, but the D.A. never did so. WHY NOT?

Dear Editor: Please! Don't let your hard work and bravery in exposing the criminal behavior of the Sheriff's Number Two Man go for naught! Many innocent people here have been arrested by Mr. Farmer and his cohorts, and have been dragged through the torture of the interminable, horrible criminal justice system here. Innocent lives have been ruined or seriously damaged by these people, people who willingly ruin others for their own personal gain. Finally, one of them was caught, one who has wielded that power and ruined those lives while wearing a badge, caught red-handed in a criminal act.

Tom Farmer's many victims want to see justice done to him! Don't let them down! The pawning incident is probably only the tip of an iceberg of corruption, and Mr. Farmer was probably relieved that it was only the pawning activity which got exposed and forced him to resign, rather than some of the other more egregious forms of conduct he engaged in during his tenure. All the more reason for you to take this opportunity to urge the SBI to pursue the Farmer matter as well as election irregularities, and hopefully bring to light much more of the detestable activity that has gone on under the twisted name of "justice" here in Yancey County.

**Sincerely,
Name withheld by request**

The Yancey County News will allow anonymous letters to the editor when the topic is of local interest, the newspaper can verify the actual name of the author, and the author feels that being identified could legitimately face retaliation. The decision to publish anonymous letters is solely at the discretion of the newspaper. For more information, contact Jonathan Austin at the Yancey County News: Jonathan@yanceycountynews.com

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From: [Tutor, Marshall](#)
To: [Bartlett, Gary](#)
Cc: [McLean, Johnnie](#); [Wright, Don](#)
Subject: Emailing: Letter about SBI
Date: Wednesday, December 21, 2011 6:48:00 PM

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To: [Bartlett, Gary](#)
Cc: [McLean, Johnnie](#); [Wright, Don](#); [Newsome, Holly](#)
Subject: Emailing: wilson ballot
Date: Thursday, October 27, 2011 7:19:00 AM

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Dispatcher witnessed ballot for man with 27 felony convictions

By Jonathan Austin
Yancey County News

Published Oct. 20, 2011

Election records show that a man working as a dispatcher with the Yancey County Sheriff's Department leading up to the 2010 general election acted as the official witness on an absentee ballot for a man who had been convicted of 27 felonies in only six years.

The dispatcher, Austin Wilson, is the witness whose signature appears on the absentee ballot for Orin John Wilson II, a Burnsville resident who has been previously convicted of 12 felony counts of forgery, 12 felony counts of uttering a forged instrument, felony possession with intent to distribute Schedule II drugs, felony possession of marijuana and felony manufacturing marijuana.

The absentee ballot did not identify if the two men are related, and close relatives are supposed to note relationships on the ballot.

Orin Wilson had spent most of 2010 behind bars after he violated probation from a driving with license revoked conviction by being arrested again on another charge of DWLR. Convicted January 28, 2010, he was released Aug. 5.

But a closer look at the Department of Corrections records suggest Orin Wilson shouldn't have even been out of jail when he registered to vote in July 2007.

The DOC records show he was convicted in November 2006 of felony possession of schedule II drugs and sentenced to no less than 10 months and no more than 12 months behind bars. He was released after less than seven months in prison on June 9, 2007, and registered to vote on July 16.

If he had served the minimum sentence, he would have still been in prison until September of that year.

The fact that the sheriff's dispatcher witnessed the perennial felon's ballot follows a pattern of law officers signing as the witness on votes for residents whose prior relationship with law officers appear to have mostly been as the suspect being arrested on a variety of felony or misdemeanor charges including drug felonies, multiple drunk driving arrests, resisting arrest, and larceny.

The law officers were acting as witnesses in the general election in which their boss, the interim sheriff appointed to fill out his retiring father's term in office, faced a tough opponent who actually ended up winning most of the votes cast on election day. The sheriff won by 325 votes on the strength of the absentee ballots.

As previously reported, voters have told this newspaper that a ranking officer in the sheriff's department supplied them with their absentee ballots, witnessed their vote and then took the completed ballots with her when she left. If that was the case, she violated election laws.

Any adult can witness a mail-in absentee ballot, but records show that some individuals working for the sheriff acted as witnesses on more than 100 ballots.

Those actions likely are part of the criminal investigation into absentee balloting that was initiated by state authorities even before the polls closed on election day.

Aside from those votes, this newspaper has proven that felons who had not regained their right to vote were allowed to do so in the 2010 general election.

The Yancey County News studied court dockets from the period immediately prior to the general election and found evidence that at least four felons who were prohibited by law from voting actually did vote, and their votes were counted.

State law says that someone convicted of a felony automatically regains voting rights when they complete all of the court requirements of their sentence, including their probation or parole. Records show that these four people were still on probation. One of later those told a newspaper employee that he voted illegally because then-chief deputy Tom Farmer had offered to reduce an outstanding ticket in return for the vote.

All of these actions are likely part of the criminal investigation that began, officials say, after after numerous Yancey County residents called the state board of elections to complain that they saw abuses and questionable activity leading up to the general election.

If any of the ballots in question were straight ticket votes, then the investigation could rise to the federal level because two federal offices - that of U.S. Senator and U.S. Representative - were on the ballot in the 2010 general election.

[See all the election investigation stories](#)

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From: [Tutor, Marshall](#)
To: jonathan@yanceycountynews.com
Subject: FW: Frank Ballard
Date: Monday, November 28, 2011 2:28:00 PM

Voter profile to follow.

-----Original Message-----

From: cwm59015@frontier.com [<mailto:cwm59015@frontier.com>]

Sent: Saturday, November 19, 2011 7:25 PM

To:

Subject: Frank Ballard

I have discovered that a voter in Yancey County, Frank Ballard born in [REDACTED], voted for the first time during the 2010 election. The person was arrested for domestic violence on the mother of a Buncombe County Deputy. The Buncombe County Deputy was notified that there was domestic violence happening in the house and he went to the house with former Yancey County Deputy Tom Farmer. Mr. Ballard was found in the home. Mr. Ballard is a 2 time convicted felon and was in possession of 7 long weapons and 2 handguns at the time of arrest. The Buncombe County Deputy asked Farmer to charge Ballard with possession of a firearm by a felon. Farmer stated to the Deputy, 'Oh he's a good old boy and it's too much trouble to file the charges'. Mr. Ballard served 60 days pre trial confinement in the Yancey County Jail and was given credit for time served and released. I expect Mr. Farmer got just what he wanted out of that arrest! Thanks, cm

From: [Bartlett, Gary](#)
To: leakeandscott@bellsouth.net
Subject: FW: Janice Buchanan
Date: Tuesday, September 27, 2011 8:43:00 AM

From: Tutor, Marshall
Sent: Monday, September 26, 2011 4:23 PM
To: Newsome, Holly
Cc: Bartlett, Gary
Subject: Janice Buchanan

Ms. Buchanan who appears to have addressed many of the envelopes with questionable request for absentee ballots is Director Robinson's first cousin and is also a court reporter in Yancey County. She would have seen some of Tom Farmer's deals for votes first hand I believe.

From: [Tutor, Marshall](#)
To: CWM59015@frontier.com
Subject: FW: Mrs. Tom Farmer
Date: Monday, October 31, 2011 11:01:00 AM

I wonder if part-time Deputy Kermit Banks was called in to follow you and set up surveillance at the motorcycle shop the other day.

From: jonathan@yanceycountynews.com [<mailto:jonathan@yanceycountynews.com>]
Sent: Monday, October 31, 2011 10:56 AM
To: Tutor, Marshall
Subject: RE: FW: Mrs. Tom Farmer

When I basically forced the sheriff to follow the law by asking the county commissioners to approve/disapprove the hiring of his father he told them that it was only on a part-time, as needed basis.

----- Original Message -----

Subject: RE: FW: Mrs. Tom Farmer
From: "Tutor, Marshall" <Marshall.Tutor@ncsbe.gov>
Date: Mon, October 31, 2011 8:25 am
To: "jonathan@yanceycountynews.com" <jonathan@yanceycountynews.com>

The County Manager can verify. The few that should have knowledge of the situation in Yancey have told me he was hired a Chief Deputy to take the place of Farmer. However that is an interesting point if he is not "Chief" Deputy, what is his salary/duties and does he continue to monitor the office and jail from his home and who pays for that system of surveillance? You delve into all this and wear your bulletproof vest for sure. The title, duties and salary of a former Sheriff and father of the current Sheriff who was recently hired are legitimate questions the taxpayers of Yancey County are entitled to know.

From: jonathan@yanceycountynews.com [<mailto:jonathan@yanceycountynews.com>]
Sent: Monday, October 31, 2011 8:17 AM
To: Tutor, Marshall
Subject: RE: FW: Mrs. Tom Farmer

as chief deputy, or just as an employee? I haven't been able to confirm that Kermit is chief deputy...

----- Original Message -----

Subject: RE: FW: Mrs. Tom Farmer
From: "Tutor, Marshall" <Marshall.Tutor@ncsbe.gov>
Date: Mon, October 31, 2011 8:10 am
To: "jonathan@yanceycountynews.com" <jonathan@yanceycountynews.com>

BTW, An excellent close to family source says Judy Ledford is well. The County Commissioner who shared that news is the same I believe who told Sheriff Banks and Father in a Commissioner meeting to do whatever they wanted to do regarding the appointment of Kermit as Chief Deputy. This Commissioner is not

well thought of in certain areas as you can imagine.

From: jonathan@yanceycountynews.com
[<mailto:jonathan@yanceycountynews.com>]
Sent: Monday, October 31, 2011 7:57 AM
To: Tutor, Marshall
Subject: RE: FW: Mrs. Tom Farmer

Either dozens (if not more) of people have been wrongly accused of crimes OR serious criminals have been incorporated into the political system as sort of a awkward special interest group!

Do you know of any historical comparison, or any data about convicted criminals voting? I have sought out such data, but this really seems to be unique. If you know anyone who is working on their doctorate, this is really an unmined area here.

jda

----- Original Message -----

Subject: FW: Mrs. Tom Farmer
From: "Tutor, Marshall" <Marshall.Tutor@ncsbe.gov>
Date: Mon, October 31, 2011 7:50 am
To: "jonathan@yanceycountynews.com"
<jonathan@yanceycountynews.com>

Well researched and written article.

From: Tutor, Marshall
Sent: Monday, October 31, 2011 7:48 AM
To:
Subject: Mrs. Tom Farmer

She works in Burnsville I believe at social services but I am not sure. She may have a lot of information of interest. Charles McCurry can tell you where she works if you are interested. His number is [REDACTED]. She has already been talking about Mr. Farmer and his past activities.

From: [Tutor, Marshall](#)
To: [Newsome, Holly](#)
Cc: [Bartlett, Gary](#); [McLean, Johnnie](#); [Wright, Don](#)
Subject: FW: [FWD: election]
Date: Thursday, October 20, 2011 7:18:00 AM

Just keeps getting more interesting.

From: jonathan@yanceycountynews.com [mailto:jonathan@yanceycountynews.com]
Sent: Wednesday, October 19, 2011 6:54 PM
To: Tutor, Marshall
Subject: [FWD: election]

Thought I would share this. This suggests the fraud is in the federal race as well, if the deputies were having people vote straight ticket in return for drugs/money...

This email arrived today.

I read your article in the past paper about the absentee votes being sent to Raleigh. They named Judy Ledford, Tom Farmer and Bobby Austin. If you will notice, all 3 of these individuals are no longer serving our county, other than Bobby who is working with animal control... is that right? Sondra Murphy was named and she was working at South Toe School the day of election. John Robinson was there as well and was in close contact with Sondra during their time there. To get to the point... I saw pills being handed out after a voter would come out and prove their vote. One of my grandchildren... i am ashamed to say was guilty in doing this and shared with me their proof, that is the attachment... they showed this to Sondra and John. In return for this, he was given 3 percocet 10"s...

I have talked to others and they were given up to 25.00 to vote republican. I have no proof of the money being exchanged, other than their word and I would believe them over any politician in Yancey County. But the picture is real and was given directly to me from my grandson. Looks like John Robinson needs to be checked out... in my opinion!!!! thank you for your time.

From: [Tutor, Marshall](#)
To: [Newsome, Holly](#)
Cc: [Bartlett, Gary](#); [McLean, Johnnie](#); [Wright, Don](#)
Subject: FW: [FWD: election]
Date: Thursday, October 20, 2011 7:19:51 AM

Just keeps getting more interesting.

From: jonathan@yanceycountynews.com [mailto:jonathan@yanceycountynews.com]
Sent: Wednesday, October 19, 2011 6:54 PM
To: Tutor, Marshall
Subject: [FWD: election]

Thought I would share this. This suggests the fraud is in the federal race as well, if the deputies were having people vote straight ticket in return for drugs/money...

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From: cwm59015@frontier.com
To: [Tutor, Marshall](#); [Bartlett, Gary](#)
Subject: Frank Ballard
Date: Saturday, November 19, 2011 7:25:01 PM

I have discovered that a voter in Yancey County, Frank Ballard born in [REDACTED], voted for the first time during the 2010 election. The person was arrested for domestic violence on the mother of a Buncombe County Deputy. The Buncombe County Deputy was notified that there was domestic violence happening in the house and he went to the house with former Yancey County Deputy Tom Farmer. Mr. Ballard was found in the home. Mr. Ballard is a 2 time convicted felon and was in possession of 7 long weapons and 2 handguns at the time of arrest. The Buncombe County Deputy asked Farmer to charge Ballard with possession of a firearm by a felon. Farmer stated to the Deputy, 'Oh he's a good old boy and it's too much trouble to file the charges'. Mr. Ballard served 60 days pre trial confinement in the Yancey County Jail and was given credit for time served and released. I expect Mr. Farmer got just what he wanted out of that arrest! Thanks, cm

From: [Tutor, Marshall](#)
To: [Newsome, Holly](#)
Cc: [Bartlett, Gary](#)
Subject: Janice Buchanan
Date: Monday, September 26, 2011 4:21:00 PM

Ms. Buchanan who appears to have addressed many of the envelopes with questionable request for absentee ballots is Director Robinson's first cousin and is also a court reporter in Yancey County. She would have seen some of Tom Farmer's deals for votes first hand I believe.

To: [Newsome, Holly](#)
Cc: [Bartlett, Gary](#)
Subject: Janice Buchanan
Date: Monday, September 26, 2011 4:21:07 PM

Ms. Buchanan who appears to have addressed many of the envelopes with questionable request for absentee ballots is Director Robinson's first cousin and is also a court reporter in Yancey County. She would have seen some of Tom Farmer's deals for votes first hand

From: [Tutor, Marshall](#)
To: [Newsome, Holly](#)
Cc: [Bartlett, Gary](#)
Subject: Janice Buchanan
Date: Monday, September 26, 2011 4:22:42 PM

Ms. Buchanan who appears to have addressed many of the envelopes with questionable request for absentee ballots is Director Robinson's first cousin and is also a court reporter in Yancey County. She would have seen some of Tom Farmer's deals for votes first hand I believe.

To: [Newsome, Holly](#)
Cc: [Bartlett, Gary](#)
Subject: Michael Dale Carroll
Date: Wednesday, October 5, 2011 11:17:58 AM

Mr. Carroll, DOB: [REDACTED], registered and voted one stop on October 20, 2010. The only time he has ever voted. On 9/24/2010 he had 2 felony charges dropped. The arresting officer was Tom Farmer. Yesterday he was arrested and charged with 4 counts Trafficking opium, 2 counts of possession, 2 counts possession with intent to sell , 2 counts of sell or deliver and maintaining a vehicle/dwelling for sale. He might want to talk and can be found at the Yancey County

From: [Tutor, Marshall](#)
To: [Newsome, Holly](#)
Cc: [Bartlett, Gary](#)
Subject: Michael Dale Carroll
Date: Wednesday, October 5, 2011 11:19:00 AM

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From: [Tutor, Marshall](#)
To: [Newsome, Holly](#)
Cc: [Bartlett, Gary](#)
Subject: Michael Dale Carroll
Date: Wednesday, October 5, 2011 11:19:48 AM

Mr. Carroll, DOB: [REDACTED], registered and voted one stop on October 20, 2010. The only time he has ever voted. On 9/24/2010 he had 2 felony charges dropped. The arresting officer was Tom Farmer. Yesterday he was arrested and charged with 4 counts Trafficking opium, 2 counts of possession, 2 counts possession with intent to sell , 2 counts of sell or deliver and maintaining a vehicle/dwelling for sale. He might talk some now and can be found at the Yancey County Jail.

From: Tutor, Marshall
To: cwm59015@frontier.com
Subject: RE: Frank Ballard
Date: Monday, November 28, 2011 2:44:00 PM

I don't get anything on this guy from DOC website. I wonder if he had something locally pending in court.

-----Original Message-----

From: cwm59015@frontier.com [<mailto:cwm59015@frontier.com>]
Sent: Saturday, November 19, 2011 7:25 PM
To: Tutor, Marshall; Bartlett, Gary
Subject: Frank Ballard

I have discovered that a voter in Yancey County, Frank Ballard born in [REDACTED], voted for the first time during the 2010 election. The person was arrested for domestic violence on the mother of a Buncombe County Deputy. The Buncombe County Deputy was notified that there was domestic violence happening in the house and he went to the house with former Yancey County Deputy Tom Farmer. Mr. Ballard was found in the home. Mr. Ballard is a 2 time convicted felon and was in possession of 7 long weapons and 2 handguns at the time of arrest. The Buncombe County Deputy asked Farmer to charge Ballard with possession of a firearm by a felon. Farmer stated to the Deputy, 'Oh he's a good old boy and it's too much trouble to file the charges'. Mr. Ballard served 60 days pre trial confinement in the Yancey County Jail and was given credit for time served and released. I expect Mr. Farmer got just what he wanted out of that arrest! Thanks, cm

From: [Tutor, Marshall](#)
To: jonathan@yanceycountynews.com
Subject: RE: Mrs. Tom Farmer
Date: Monday, October 31, 2011 8:24:00 AM

The County Manager can verify. The few that should have knowledge of the situation in Yancey have told me he was hired a Chief Deputy to take the place of Farmer. However that is an interesting point if he is not "Chief" Deputy, what is his salary/duties and does he continue to monitor the office and jail from his home and who pays for that system of surveillance? You delve into all this and wear your bulletproof vest for sure. The title, duties and salary of a former Sheriff and father of the current Sheriff who was recently hired are legitimate questions the taxpayers of Yancey County are entitled to know.

From: jonathan@yanceycountynews.com [<mailto:jonathan@yanceycountynews.com>]
Sent: Monday, October 31, 2011 8:17 AM
To: Tutor, Marshall
Subject: RE: FW: Mrs. Tom Farmer

as chief deputy, or just as an employee? I haven't been able to confirm that Kermit is chief deputy...

----- Original Message -----

Subject: RE: FW: Mrs. Tom Farmer
From: "Tutor, Marshall" <Marshall.Tutor@ncsbe.gov>
Date: Mon, October 31, 2011 8:10 am
To: "jonathan@yanceycountynews.com" <jonathan@yanceycountynews.com>

BTW, An excellent close to family source says Judy Ledford is well. The County Commissioner who shared that news is the same I believe who told Sheriff Banks and Father in a Commissioner meeting to do whatever they wanted to do regarding the appointment of Kermit as Chief Deputy. This Commissioner is not well thought of in certain areas as you can imagine.

From: jonathan@yanceycountynews.com [<mailto:jonathan@yanceycountynews.com>]
Sent: Monday, October 31, 2011 7:57 AM
To: Tutor, Marshall
Subject: RE: FW: Mrs. Tom Farmer

Either dozens (if not more) of people have been wrongly accused of crimes OR serious criminals have been incorporated into the political system as sort of a awkward special interest group!

Do you know of any historical comparison, or any data about convicted criminals voting? I have sought out such data, but this really seems to be unique. If you know anyone who is working on their doctorate, this is really an unmined area here.

jda

----- Original Message -----

Subject: FW: Mrs. Tom Farmer
From: "Tutor, Marshall" <Marshall.Tutor@ncsbe.gov>
Date: Mon, October 31, 2011 7:50 am

To: "jonathan@yanceycountynews.com"
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Well researched and written article.

From: Tutor, Marshall
Sent: Monday, October 31, 2011 7:48 AM
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She works in Burnsville I believe at social services but I am not sure. She may have a lot of information of interest. Charles McCurry can tell you where she works if you are interested. His number is [REDACTED]. She has already been talking about Mr. Farmer and his past activities.

From: [Tutor, Marshall](#)
To: jonathan@yanceycountynews.com
Subject: RE: Mrs. Tom Farmer
Date: Monday, October 31, 2011 10:58:00 AM

Very interesting. Time sheets and pay are/should be public record as are his specific duties "as needed". Just saying, not requesting you antagonize them by asking such mundane details. Lol

From: jonathan@yanceycountynews.com [mailto:jonathan@yanceycountynews.com]
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She works in Burnsville I believe at social services but I am not sure. She may have a lot of information of interest. Charles McCurry can tell you where she works if you are interested. His number is [REDACTED]. She has already been talking about Mr. Farmer and his past activities.

From: [Nichols, Susan](#)
To: [Tutor, Marshall](#); [Bartlett, Gary](#)
Cc: [McLean, Johnnie](#); [Wright, Don](#)
Subject: RE: Yancey
Date: Tuesday, June 12, 2012 9:18:53 AM

Thanks for the update.

Susan Kelly Nichols

Special Deputy Attorney General
N.C. Department of Justice
P.O. Box 629
Raleigh, N.C. 27602-0629

Telephone: 919/716-6890
Facsimile: 919/716-6755

Note: Pursuant to Executive Order No. 150, all electronic mail messages in connection with State business which are sent to or received by this address are subject to the Public Records Law and may be disclosed to third parties.

From: Tutor, Marshall [mailto:Marshall.Tutor@ncsbe.gov]
Sent: Tuesday, June 12, 2012 7:41 AM
To: Bartlett, Gary
Cc: McLean, Johnnie; Wright, Don; Nichols, Susan
Subject: Yancey

Tom Farmer arrested and bonded out in Yancey County yesterday.
Former Deputy Grinderstaff arrested and bonded out. Waiting on information on the charges.

SBI Agent to attempt to interview Dr. Khan in Burnsville, unannounced today.

From: [Nichols, Susan](#)
To: [Tutor, Marshall](#); [Bartlett, Gary](#)
Cc: [McLean, Johnnie](#); [Wright, Don](#)
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From: [Bartlett, Gary](#)
To: jonathan@yanceycountynews.com
Subject: RE: warrants served?
Date: Tuesday, June 12, 2012 8:33:00 AM

Thanks for sharing.

From: jonathan@yanceycountynews.com [mailto:jonathan@yanceycountynews.com]
Sent: Tuesday, June 12, 2012 8:00 AM
To: Bartlett, Gary
Subject: RE: warrants served?

They were both arrested on charges involving embezzlement and dereliction of duty. The arrests have nothing to do with the election investigation. The charges were served by the sheriff. I don't know if it went to the grand jury.

Grindstaff is a former deputy who left the department in 2011. He is apparently accused of stealing department radios.

The Farmer case involves the department guns.

----- Original Message -----

Subject: RE: warrants served?
From: "Bartlett, Gary" <Gary.Bartlett@ncsbe.gov>
Date: Tue, June 12, 2012 7:02 am
To: "jonathan@yanceycountynews.com" <jonathan@yanceycountynews.com>, "hnewsome@ncdoj.gov" <hnewsome@ncdoj.gov>, "Tutor, Marshall" <Marshall.Tutor@ncsbe.gov>

News to me. Certainly interested in any details.

From: jonathan@yanceycountynews.com [mailto:jonathan@yanceycountynews.com]
Sent: Monday, June 11, 2012 7:06 PM
To: hnewsome@ncdoj.gov; Bartlett, Gary; Tutor, Marshall
Subject: warrants served?

Hello,

Sources tell me Tom Farmer and former Yancey deputy John Grindstaff were arrested by the Yancey sheriff on Monday.

Do any of you know anything you can share?

Jonathan Austin
Yancey County News

h: 828-675-4343

From: [Bartlett, Gary](#)
To: jonathan@yanceycountynews.com; hnewsome@ncdoj.gov; [Tutor, Marshall](#)
Subject: RE: warrants served?
Date: Tuesday, June 12, 2012 7:02:00 AM

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From: [Bartlett, Gary](#)
To: jonathan@yanceycountynews.com; hnewsome@ncdoj.gov; [Tutor, Marshall](#)
Subject: RE: warrants served?
Date: Tuesday, June 12, 2012 7:02:26 AM

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From: jonathan@yanceycountynews.com [mailto:jonathan@yanceycountynews.com]
Sent: Monday, June 11, 2012 7:06 PM
To: hnewsome@ncdoj.gov; Bartlett, Gary; Tutor, Marshall
Subject: warrants served?

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Yancey County News

h: 828-675-4343

From: jonathan@yanceycountynews.com
To: [Bartlett, Gary](#)
Subject: RE: warrants served?
Date: Tuesday, June 12, 2012 7:59:35 AM

They were both arrested on charges involving embezzlement and dereliction of duty. The arrests have nothing to do with the election investigation. The charges were served by the sheriff. I don't know if it went to the grand jury.

Grindstaff is a former deputy who left the department in 2011. He is apparently accused of stealing department radios.

The Farmer case involves the department guns.

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Jonathan Austin
Yancey County News

h: 828-675-4343

To: [Newsome, Holly](#)
Cc: [Bartlett, Gary](#)
Subject: Robbie Jean Brown
Date: Wednesday, October 5, 2011 1:38:59 PM

Ms. Brown, DOB: [REDACTED] was arrested by Tom Farmer on 10/13/2010 for one count of selling and delivering Schedule II Prescription drugs and one count of possession to sell and deliver. This case was continued as far as my records go and there is no record on the DOC website related to this matter. She has a lengthy history of these type of charges. On or about 9/26/2011 she was arrested on a number of drug charges and I believe she is still in the Yancey County Jail. She seldom votes due to past felony convictions but did vote in the Nov. 2010 election in Yancey County as her case was being continued.

From: [Tutor, Marshall](#)
To: [Newsome, Holly](#)
Cc: [Bartlett, Gary](#)
Subject: Robbie Jean Brown
Date: Wednesday, October 5, 2011 1:39:00 PM

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From: [Tutor, Marshall](#)
To: [Newsome, Holly](#)
Cc: [Bartlett, Gary](#)
Subject: Robbie Jean Brown
Date: Wednesday, October 5, 2011 1:40:21 PM

Ms. Brown, DOB: [REDACTED] was arrested by Tom Farmer on 10/13/2010 for one count of selling and delivering Schedule II Prescription drugs and one count of possession to sell and deliver. This case was continued as far as my records go and there is no record on the DOC website related to this matter. She has a lengthy history of these type of charges. On or about 9/26/2011 she was arrested on a number of drug charges and I believe she is still in the Yancey County Jail. She seldom votes due to past felony convictions but did vote in the Nov. 2010 election in Yancey County as her case back then was being continued.

From: [Tutor, Marshall](#)
To: [Bartlett, Gary](#)
Cc: [McLean, Johnnie](#); [Wright, Don](#); [Susan Nichols](#)
Subject: Yancey
Date: Tuesday, June 12, 2012 7:40:00 AM

Tom Farmer arrested and bonded out in Yancey County yesterday.
Former Deputy Grinderstaff arrested and bonded out. Waiting on information on the charges.

SBI Agent to attempt to interview Dr. Khan in Burnsville, unannounced today.

From: [Tutor, Marshall](#)
To: [Bartlett, Gary](#)
Cc: [McLean, Johnnie](#); [Wright, Don](#); [Susan Nichols](#)
Subject: Yancey
Date: Tuesday, June 12, 2012 7:40:50 AM

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From: jonathan@yanceycountynews.com
To: [Tutor, Marshall](#)
Subject: the packet I mentioned
Date: Thursday, December 29, 2011 1:32:20 PM

so bear with the verbosity in this, the intro for the stuff I mentioned on the phone:

Jonathan D. Austin felt someone was finally paying attention to his stories about the authoritarian leadership of the local sheriff's department when his wife handed him an anonymous letter that arrived in mid-December. "Your situation is unusual," the reader wrote. "Most of us don't have to become heroic in order to simply do our daily jobs."

Austin, a journalist for most of his adult life, and his wife Susan had opened a weekly newspaper in Burnsville, N.C., in January 2011 because he had long felt the community had been poorly served. He recalled visiting his father and stepmother at their Yancey County home in the 1980s and being dissatisfied after reading the existing paper, which seemed more focused on publishing birthday announcements and recipes rather than news of record. There appeared to be no rocking the boat at this publication; it appeared happy to run press releases from the sheriff verbatim, along with occasional freelance features on preachers and teachers, while raking in the profits readily available in a small county-seat filled with owner-operated businesses.

Austin knew journalism, having worked in newsrooms across the southeast United States for close to three decades. But it wasn't until late 2010, when he inherited a house in Yancey County, that he was ready to tackle his dream. He quit his job as editor of a Gannett-owned weekly in a neighboring county so he and his wife could open the Yancey County News. The first edition - Jan. 13, 2011 - included a story the older newspaper in town had chosen to ignore for two months - details on how state election officials had seized the paperwork for every mail-in absentee ballot cast in the November 2010 General Election and initiated a criminal investigation into their use.

"You and your newspaper are standing up ... in broad daylight, questioning and challenging these people," that anonymous letter writer continued. "We citizens of Yancey County have been in desperate need of an actual newspaper, publishing genuine journalism, for as long as anyone can remember, and we thank our lucky stars that you have appeared."

The "genuine journalism" was everything but heroic. It involved the basic tenets of Journalism 101: coverage of county meetings, photo spreads of parades, stories about prep athletics and the animal shelter - written on deadline as Austin was also designing and laying out the newspaper, selling advertising, building ads, proofing, and heading out each week on rural county roads to deliver paper to subscribers.

After the first story on the election, Austin focused on just documenting what was going on in Yancey every week. He began routinely reporting the land transactions that had been filed in the Registrar of Deeds office (*that* hadn't been done before!) and gave voice to the mother who held up signs on the town square critical of the local Department of Social Services. His paper questioned why the search for a new school superintendent was not transparent. He wrote an editorial questioning the county attorney's role in the sale of some county land in which the lawyer was also the registered agent for the buyer.

People began paying attention, commenting on the coverage, buying subscriptions. Businesses

began advertising.

Then Austin woke everyone up when he documented and reported how the second in command at the sheriff's department was pawning county-owned firearms for personal gain. Again, just basic journalism: all pawn transactions are recorded in North Carolina, and Austin - using a variety of sources - proved how the lethal, semi-automatic weapons that *should* have been under lock and key in the sheriff's armory were actually in the storage rooms of pawn shops across the region. The name on the pawn records was that of Chief Deputy Tom Farmer, a highly respected law officer who many revered for his tough-on-crime attitude.

The story blew the top off the laissez-faire attitudes in the county. Arguments broke out during lunchtime at local diners; one side saying it was about time someone bothered to shed light on what was going on, while others tried to denigrate the reports, claiming it was all politically motivated.

The truth was that Burnsville finally had a media outlet just trying to do what journalists have done for generations. A follow-up story noted that the deputy had pawned more weapons in another nearby town. Within days the chief deputy resigned his post as the county manager and commissioners sought a state investigation.

Austin began listening to the people who would warily slip into his office for private talks. They told wild tales of corruption and control. Austin had known that the job of sheriff had been held in one family for most of three generations, handed down from grandfather to father to son. He knew the current sheriff had won election that November by just over 300 votes out of more than 9,000 cast. He knew this sheriff had first been appointed to the job upon the retirement of his long-serving boss and father.

Those talking said they truly felt they had lived under the thumb of a political machine all their lives, a machine that had buried its claws in every aspect of life in Yancey County. These weren't oddball complainers familiar to those working in any newsroom. These included a retired clergyman who came into the office one morning and quickly teared up, telling Susan Austin that she and her husband had to be careful. "They burn houses in this county," he warned. These included a retired military man whose first suggestion was that the Austins buy and wear body armor. Others said the couple should vary their route to and from the office, should never be alone, and should consider buying guns.

Austin gave them all the same answer. He thanked them for their concern, agreed, to a point, that he and Susan had to be careful, and said he hoped his Army Reserve training would help if something bad was planned. Then he turned back to the work, writing features, taking photos, selling ads.

He still wondered about the election probe. He'd filed a public records request with the state, basically arguing that if ballot records hadn't been hauled off to Raleigh after the election then he could access them every day at the local election office across the street. So Raleigh, he said, should make copies of the records for him.

Raleigh agreed and delivered thousands of documents to the newspaper office two weeks later, copies of every absentee ballot application filed in 2010 in Yancey County. Austin hauled them home and spread them out on the living room floor. As he dug through them after-hours, patterns began to appear. State law said individual voters were required to fill out their own request paperwork to get an absentee ballot, but these records showed the same handwriting on one after the

other, especially on the ballot-request envelopes mailed to the board of elections.

Individual applications themselves showed a myriad of handwriting styles, formal script listing the name and address for some applicants but with signatures much different; some spidery and weak, some barely legible. It seemed that numerous people have been involved in the process.

On a hunch, Austin began entering names from ballot applications into the state Department of Corrections website, which listed all individuals convicted of crimes that resulted in jail time, whether active or suspended. Matches began to appear; lots of people who had a history on the wrong side of the law had made sure they voted in the General Election.

North Carolina is liberal in renewing voting rights for felons; once they satisfy all the orders of the court, their right to take part in elections is reinstated automatically. That was fine, but Austin still thought it odd that so many criminals had displayed such civic responsibility. Had these people wanted to vote in the first place?

Then Austin found four voters who had *not* completed the sentences handed down by the court. These four did not have the right to vote, but there they were. He cross-checked their names on the state elections database and found the dates when they had registered and voted. Those dates fell within the times they had been on probation. They had voted illegally.

The next story detailed that discovery, naming the four and pointing out that state law defined their act as a felony. Austin tried to find the four to get their comment, but none of them appeared to be homeowners, or have home phones. They appeared somewhat transient and out of reach.

Days later, one of the four accosted Matthew Kallback, Austin's son-in-law and a former Marine who had been helping deliver newspapers and was living in an apartment above the newspaper office. Kallback deflected the criticism, asking the man why he had voted when it was a crime to do so. Wasn't he ashamed? The man's attitude crumbled, and he mumbled how he didn't want to break the law but the chief deputy at the sheriff's department had promised to clear up another criminal violation for the man if he would vote. So he did, he said. He knew it was wrong.

With that admission, Austin redoubled his research of the thousands of pages of ballot applications, and began to ask the state board for details on who was witnessing the actual mailed-in absentee ballots. The ballot itself was sacrosanct, but he felt the paperwork on which a witness was required to sign should be public record.

Again, the state agreed. Investigators in Raleigh began to perhaps see this newspaper editor as an asset. The state elections office was staffed with a single investigator for 100 different counties. Maybe the investigator thought Austin's work might help nudge the Attorney General and his State Bureau of Investigation into taking a wider role in the ballot investigation. Staff at the state board of elections made an effort to return Austin's calls with answers to his questions.

Critical to Austin's research was a spreadsheet created in Raleigh listing everyone who actually did vote by absentee ballot, their address, the address to which the ballot was mailed, and the name and address of the witness on record. Austin had already documented how deputies at the sheriff's department had witnessed absentee ballot applications, but now he was able to search the spreadsheet and identify each and every time a deputy witnessed a ballot. And that number was growing, including a captain on the department, a long-serving deputy, and the recently disgraced chief deputy.

But before he could report further on the vote, an email from the attorney general's office arrived, answering a question Austin had asked more than once in the two months since Farmer had resigned. Austin had asked, who was investigating the theft of the guns? The county manager had sent the district attorney a certified letter asking for an SBI investigation, but what had happened? No one in the county seemed to know.

The answer, it turned out, was that nothing had happened. The request for a probe had hit the district attorney's desk and apparently stopped cold. "The SBI never received a request to conduct an investigation into this matter," attorney general spokeswoman Jennifer Canada wrote in response to questions from the *Yancey County News*. "It's my understanding it was handled at the local level."

Local leaders had said the exact opposite, probably hoping an investigation might gain traction if it was done by outsiders who didn't have ties to the family that owned the sheriff's office.

"Maybe they thought if they waited we would let it slide," said County Commission Chairman Johnny Riddle when told of the statement from the attorney general's office.

Regardless of what the top law enforcement officer in the state said, the local district attorney - a man who was unopposed in the election and who had publicly endorsed the sheriff - said an investigation was under way. "It's an ongoing investigation," Gerald Wilson told Austin. "I'm not going to talk about it." Asked how that could be true if the SBI and attorney general knew nothing about it, Wilson repeated his statement and said he couldn't comment further.

The county commission chairman hoped something was going on despite all the awkward claims about whether there was an investigation or not. "I was told that Tom was talking to the SBI" and that maybe the state was using the threat of felony gun charges as leverage to get Farmer to talk about the election.

As an aside, Riddle said Farmer had admitted to having pawned 12 county-owned guns for personal gain.

However it was, the case of the pawned guns appeared stymied. But the absentee ballot issue was not going away. And the more Austin reported, the more local businesses - people who had voiced strong support for the newspaper - suddenly said they couldn't sell the paper any more. They gave reasons, but employees at the businesses told him and Susan a different tale when out of view of their bosses. They said the former sheriff - the father of the current sheriff - was warning business owners that they had better not sell the paper or advertise in it. One business had apparently been told that it would lose a critical county contract if it persisted in selling the newspapers at its front counter. The papers sold out most weeks, but that pocket change couldn't compare with the revenue from the county contract.

Austin couldn't fault the business owners; they had to survive. But so did the newspaper, so the Austins budgeted more of their own savings to keep publishing. Soon there were 1,100 people in the county willing to pay for the paper every week, and Austin knew those copies were shared and passed around.

Austin returned to the spreadsheet and the piles of ballot application paperwork. He decided to go straight to the voters to see what they had to say. He telephoned people whose ballots were witnessed by former sheriff's Capt. Judy Ledford, identified himself as the editor of the Yancey

County News, said he'd seen where Judy had been their witness, and asked how they had gotten those ballots.

"It was brought to me" or "Judy brought it" was the answer from several. One said that but then called back 15 minutes later to say he had been wrong, and that Judy hadn't supplied the ballot. Another was plain spoken about how he and his wife got their absentee ballots. Judy "just brought us the absentee ballots to vote," and "she took them back with her."

And Ledford wasn't the only sheriff's employee who was out getting votes. The Yancey County News counted scores of ballots witnessed by different sheriff's employees. The question, Austin asked, was, did the people want to vote, or did the ballot show up carried by a person wearing a badge and a gun? If the deputies brought the ballot to the voter or carried it away, they, too, had committed a felony.

The research also showed how others have been aggressively witnessing ballots. From his paperwork search, Austin identified six apparently unrelated first-time voters who sought absentee ballots and asked them to be mailed to one address on the east side of the county. Austin drove to that location but stopped on the driveway when he came to a no-trespassing sign. From that vantage, he could see one apparently abandoned trailer, but the address he was seeking was hidden around a curve. Back at the office he entered the address in online county tax records and saw that the residence at the address was a worn, single-wide trailer. Did six unrelated adults really live there?

Austin wrote a story about the trailer, began working on the next edition, and did election research when he had a moment available, usually at home in the evenings.

The other paper in town often ran lengthy reports on the arrests of residents on drug charges, and Austin also received these press releases from the town police chief, though they often involved arrests made by the sheriff's department. One aspect of the announcements that bothered Austin was that the law never noted when the arrests had occurred. He asked for that information, but received no response from the police chief.

In most communities served by good media, it is traditional for law agencies to provide the newspaper or radio station news department a list of the people arrested each day or week, but that had apparently never occurred in Yancey County. There was no constantly updated list available, and while Austin knew he could argue the public record aspect when requesting the data, he also knew he had to build connections with law enforcement a step at a time. He was becoming wary of the information provided in press releases generated by law enforcement, but still decided to move cautiously before delivering a public record ultimatum about current arrest records. His was still a one-man newsroom, and he couldn't do everything at once, he told people.

But he began looking elsewhere for the arrest data. The Clerk of Court was tasked with maintaining the paperwork for cases going to court, so that was an obvious source for unbiased arrest information. But it appeared that the accurate documentation of arrest records occasionally fell in a rabbit hole in the time after an arrest and before the paperwork made its way into the official court files.

So Austin again returned to the state ballot records, where some of the names started to seem familiar to him. More and more ballot records reflected the same names Austin had been seeing on the press releases issued by law enforcement.

Cross-referencing the written ballot requests, the judicial reports, the arrest press releases and the absentee ballot spreadsheet, Austin began to see another pattern. He had reported how deputies felt free to witness ballots for people who had frequently been their guests in the jail, but now he saw that law enforcement may have ramped up arrests in the months leading up to the election. In fact, advertisements for the sheriff's campaign touted the fact that Yancey led the state in drug arrests, per capita, and their press releases always touted how the arrests were "a part of the continuing drug operation" in the county.

In fact, the sheriff's election website noted how Yancey law enforcement arrested many more people on drug charges than other similarly sized counties. In fact, in 2008 and 2009, the sheriff's department reported more than double the number of drug arrests than the number reported in five similarly sized counties *combined*. In 2008, the number of Yancey drug arrests was nearly three times the number reported in those five other counties *combined*.

Some residents say they consider the Yancey sheriff as tough on crime, and point to those statistics as evidence of the good work officers - specifically Farmer - had been doing. But were the statistics a legitimate benchmark or just evidence of a department that makes arrests for the sake of publicity? After all, prior to 2011, no media in the county ever did more than take the press releases from the sheriff and redistribute them unaltered.

Austin began researching the media reports, relying on archives posted on a local radio station news website. He found numerous stories of major arrests involving apparently nefarious individuals, as well as comments from Farmer about the seriousness of the crime or the suffering of the victims.

But by comparing the names of the accused in the old publicity statements with court records, Austin was able to document how charges were dropped or reduced. Another common denominator was that the accused had all voted. For example, the local radio station had reported that Robbie Jean Brown, 53, was charged with felony sale and delivery of a Schedule II prescription drug and possession with intent to sell and deliver a prescription drug. The arrest was made Sept. 30, 2010, by the chief deputy after he said she sold the drug from her residence. Brown had been convicted of six previous drug felonies - all in Yancey County - and had spent time in prison in 2007 and 2008.

According to state sentencing guidelines, Brown was facing up to two years in prison. Released on bond, she was scheduled to appear in Yancey County District Court eight days before the election, but the case was transferred to Superior Court and she was free and able to vote in person on Nov. 2. The charges were dismissed by the district attorney in May 2011.

Other similar cases popped up, including:

- A sheriff's press release announced the arrest of Ricky Eugene Foreman, 42, in July 2010 on charges of growing marijuana in his home and maintaining a dwelling to keep a controlled substance, both felonies. With two prior drug felonies, Foreman was facing serious prison time. He was scheduled to appear in District Court in late August, but five days before the General Election he registered to vote for the first time and voted absentee one-stop. When he went to court in January, the felonies were reduced to misdemeanors and he was released on probation.
- Christopher Elliot was arrested Sept. 17, 2010, on three felony prescription drug charges.

Though most felony defendants wait two months to two years for their day in court, Elliot was in front of the judge in just seven days, pleading on two misdemeanors and getting a suspended sentence. He voted absentee by mail in the general election. In 2011, authorities arrested Elliot again, and in a press release described him as "one of the top (drug) dealers in the area."

- Gregory Seth Morgan was in court to face numerous felony drug charges on Oct. 29 - four days before the General Election. Morgan had registered to vote on Aug. 18, one day after being arrested, and he voted by absentee ballot. His drug charges were later all reduced to misdemeanors.

Austin also documented how a sheriff's employee had witnessed an absentee ballot for a man who had been convicted of 27 felonies in only six years. The newspaper reported all of these details in October 2011.

Asked in a letter to the editor how much of a difference mail-in absentee ballots could have made, Austin reported on Dec. 22 that 12.76 percent of the ballots came via the mail for the General Election, totaling 1,199 votes. In comparison, five other Western North Carolina counties together reported 1,200 absentee mail-in votes in their sheriff's races, meaning as many mail-in absentees were used in Yancey - a county of about 18,000 people - as were used in five counties with combined populations of 173,000 residents.

So what is the actual and potential impact of Austin's reporting?

Residents say this newspaper owner and editor has taken a great risk in exposing some of the tools used that allowed one family to remain in power for decades. Many had feared that the state investigation into the General Election would be a whitewash, or, at least stymied, because the powers-that-be could maintain discipline and tight lips regarding efforts made to subvert the election. But with Austin's reporting on the stolen guns, that discipline was sundered, forcing the resignation of one of the most powerful law officer who may turn out to have been the point man for the voting fraud.

As 2011 closed, Austin knew the state was moving to fire the long-time director of the Yancey County elections board for a variety of possible criminal offenses, and investigators had told him that there is a distinct possibility that drugs may have been used as payment for votes. The entire county is waiting for whatever might happen next. Austin and his wife, Susan, *do* pay attention to who is coming up their long, rural driveway, and they have installed security devices at their home. They've bought a shotgun, and no one can predict when it might ride along in the car when Austin is out delivering papers. Austin has also spoken at length with the leaders of other law enforcement agencies, and the first sergeant of the local North Carolina Highway Patrol troop has said his officers will respond with speed and interest if the Austins should be involved in any odd traffic accidents.

The next shoe is ready to drop, and its repercussions could be monumental. As the curious letter writer noted: "The livelihoods and the very way of life - the only way of life known to the people who have controlled and ridden roughshod over this county for generations - become at risk when genuine journalism dares to do its job. And like any animal whose life is threatened, it will try to strike back viciously."

From: jonathan@yanceycountynews.com
To: hnewsome@ncdoj.gov; [Bartlett, Gary](#); [Tutor, Marshall](#)
Subject: warrants served?
Date: Monday, June 11, 2012 7:06:13 PM

Hello,

Sources tell me Tom Farmer and former Yancey deputy John Grindstaff were arrested by the Yancey sheriff on Monday.

Do any of you know anything you can share?

Jonathan Austin
Yancey County News

h: 828-675-4343