

Bridge toll extension gets a second look - - Times-Picayune, The (New Orleans, LA) - January 4, 2013 - page A 01

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A state judge in East Baton Rouge Parish has ordered a partial recount of the controversial Nov. 6 referendum that extended the Crescent City Connection bridge tolls another 20 years. Voters in Jefferson, Plaquemines and Orleans parishes considered the referendum that passed by a meager 18 ballots in a race in which more than 308,000 votes were cast.

But only absentee mail-in and early ballots cast in New Orleans will be recounted, according to the order signed by 19th Judicial District Judge William Morvant.

"The order mandates that there is to be a recount," said Gretna attorney G. Patrick Hand III, who filed a lawsuit seeking a recount Dec. 18 on behalf of Mike Teachworth of Harvey, director of the group Stop the Tolls.

The lawsuit names Gov. Bobby Jindal and Secretary of State Tom Schedler, the state's chief election officer, as defendants. Schedler said in a statement Thursday that he wants "to assure the public that the secretary of state's office will observe the recount process when it takes place."

The order does not say when a recount will occur or how it will be done, said Hand, who declined to name the judge who signed the order. Morvant's office independently confirmed that he did.

Hand and attorneys for the state are expected to meet with the judge next week to address such matters. Schedler said New Orleans' clerk and board of election supervisors are responsible for counting the paper ballots and that his office is there "to provide technical assistance if requested."

"I look forward to bringing this important local election to a close and hope everyone can have confidence in the process," Schedler said.

Teachworth declined to comment Thursday, but in his petition he raised numerous grounds, from voting irregularities to electioneering in New Orleans.

The allegation that gained ground focuses on the absentee mail-in and early votes that were cast in New Orleans, which apparently changed the referendum's outcome.

"Those are where we believe the irregularities occurred, not in Jefferson, not in Plaquemines," Hand said.

According to the petition, after all precincts were in Nov. 6, news media reported that the measure failed by 805 votes. However, New Orleans officials had more mail-in and early votes that it had not counted. The matter dragged on until early in the morning of Nov. 7, when it was announced that the referendum had passed "by the slimmest of margins," according to the petition.

"Because of the irregular, disjointed and piecemeal manner in which the Orleans Parish absentee

votes were counted, and because of the late release of these numbers to the public, (Teachworth) and many others similarly situated question the integrity of the vote counting process undertaken by Orleans Parish election officials as well as the accuracy of the final result," Hand wrote in the petition.

"Apparently, many of the mail-in and early votes were counted by hand during the early morning hours after a long election day," Hand said the petition. "On information and belief, these ballots were not double checked for accuracy, and therefore the count totals should not be considered reliable until a recount is performed."

State Rep. Patrick Connick, R-Marrero, who opposed the tolls, applauded Morvant's order. "A recount will ensure that the vote extending the CCCD tolls is an accurate vote which is free of human error," Connick said in an e-mail. "Those of us who will be forced to pay the toll for another 20 years deserve no less."

Regional business leaders, elected officials and even law enforcement chiefs asked voters to renew the toll, saying the revenue, totaling about \$21 million annually, promotes everything from economic development to public safety.

The pro-toll effort was led largely by a political action committee, Bridging Forward, which raised about \$200,000 for its campaign that included press conferences in the bridge's shadow.

Lee Giorgio, a Bridging Forward officer who is chairman of the Jefferson Business Council, said Thursday that he was disappointed in the ruling but believes the election was properly conducted -- the secretary of state certified the results, he said.

"We have confidence in the electoral process," Giorgio said. "I can understand the other side wanting to challenge it. They have the right to."

According to the lawsuit, 14,609 absentee mail-in and early votes were cast in New Orleans in favor of the toll, while 13,717 were against.

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