

# O'Boyle found innocent

## Pine River Township clerk cleared of election fraud

By **TIM POWERS**  
Alma Managing Editor

convicted of Jeannie's innocence.

Pine River Township Clerk Donna Jean O'Boyle was found innocent Wednesday of four counts of mishandling absentee voter applications and ballots for the August primary election.

"I was surprised it took the jury so little time to reach a verdict," he said. "They must have keyed on intent because we did not dispute the fact that certain acts did occur."

Gratiot County Prosecutor Mark A. Gates said he was concerned the jury did not look at the elements of the charges and may have acted hastily in reaching a decision so quickly.

"I was not surprised at the verdict when they came back so soon," he said. "Any time the defendant takes the stand and admits all elements of a crime and the jury still fails to convict, you have to think they did not take the time to look at the evidence."

The Clinton County jury deliberated for an hour and 20 minutes. The verdict came after three days of testimony.

"I knew I would be vindicated," O'Boyle said after the trial. She referred other questions to her attorney.

"We are obviously pleased," said defense attorney Dan O'Neil, of Mt. Pleasant. "The fact the jury was out for a short time indicates they were

"Clearly there were voting improprieties," he said. "Clearly the clerk admitted under oath to voting improprieties, and yet there is no consequence. Where is the deterrent?"

"The verdict indicates those who are in control of elections need not worry about improprieties. What incentive is there be vigilant about protecting voting?"

Gates said the fact that the jury knew O'Boyle would lose her office if found guilty probably hurt his case.

"I attempted to keep that out because in essence they're asking the jury to base the verdict on sympathy," he said. "That is the reason it was introduced and I think that was

the effect of it. It really had no business, in my opinion, in the trial. I was disappointed when we lost that motion."

Gates said it doesn't matter whether the outcome of the race was affected by O'Boyle's actions last year.

"If you wait until it effects the outcome it is too late," he said. "In many criminal cases you have an action that is simply prohibited by the state even though you don't have the wounded victim referred to by the defense."

"In this case, you have a wounded victim in terms of the voters of Pine River Township," Gates said.

O'Boyle was found innocent of destroying, removing or hiding absentee voter applica-



**DONNA JEAN O'BOYLE:**  
Cleared of all charges

tions during the primary election, a felony. She was also charged with failing to have the applications available for public inspection, a misdemeanor.

(See "O'Boyle" on page 2)

## Boyle

(Continued from page 1)

In addition, she was charged with two misdemeanor counts of allowing absentee ballots to be returned by unauthorized persons and distributing them without having valid applications.

With the trial behind her, O'Boyle and

two board members — both considered her opponents — said they would work together.

"I feel the township board has gotten along well together since the '88 election throughout this stressful time and I hope that we will continue to do so," Treasurer Kathy Wilk said.

O'Neil said the township is lucky to have someone such as O'Boyle stick to "her desire to be vindicated despite being offered a generous plea-bargain agreement."

"The voters can feel they have a clerk with the highest integrity," he said.