

LONE STAR PROJECT

Fighting Back... with Facts



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Tony Goolsby Campaign Stunt May Violate Law

- *Republican Party Complaint to Dallas DA Proven False and Malicious*
- *Local media outlet scammed by Dallas GOP*

In a malicious and dishonest attempt to prop up the troubled campaign of incumbent State Representative Tony Goolsby, Dallas Republican Party Chair, Kenn George filed a false voter fraud complaint against Goolsby's opponent Harriet Miller with the Dallas DA's office.

A simple online fact check of the Goolsby/George complaint exposes it as blatantly false. By filing the complaint and intentionally providing false information to the Dallas District Attorney, Kenn George has exposed himself, and perhaps the Tony Goolsby campaign, to a charge of filing a false report to a law enforcement agency. ([37.08. FALSE REPORT TO PEACE OFFICER OR LAW ENFORCEMENT EMPLOYEE](#), Class B misdemeanor punishable by up to six months in prison and \$2,000 fine)

Over the past year, Goolsby has been the subject of criticism for ethical lapses made public by newspaper disclosures that he improperly used official and campaign funds to buy personal items. (Source: Dallas Morning News, 2/10/2005) Goolsby is regularly identified as one of the Republican State House Members most vulnerable to defeat on November 7th. (Source: San Antonio Express-News, 10/9/2006)

Lone Star Project – Fact Check

A simple review of the claims made by George and Goolsby demonstrate that it is entirely false. The Republican complaint is based on the assertion that Harriet Miller received approximately 7,000 more votes in a select group of precincts than another "Democratic" candidate, Paul Jenkins. It contends that the difference in votes between candidates of the same party indicates voter fraud. However, information publicly available online from the Secretary of State's office reveals that Paul Jenkins **did not run as a DEMOCRAT in 2004 but rather as an INDEPENDENT.** This empirical fact renders the Goolsby/George claim as blatantly false and entirely without merit.

Local CBS Affiliate Falls for Goolsby/George Scam and airs false charge even AFTER being provided irrefutable evidence disproving the claim



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False Claim One:

The Goolsby/George complaint identifies Jenkins as the Democratic Candidate, stating *“In these precincts Harriet Miller received considerably more votes in her challenge for the Texas House than Paul Jenkins, the Democrat candidate for Congress.”* (Source: [George/Goolsby complaint](#))

- **Fact:** The Texas Secretary of State clearly identifies Paul Jenkins as an **INDEPENDENT** candidate for Congress in 2004 and **NOT** a Democrat. There was **NO** Democratic candidate for Congress in Congressional District 3 in 2004. (Source: Secretary of State).

False Claim Two:

The complaint contends that Harriet Miller received a disproportionate number of votes compared to other Democrats saying, *“though the ballot location for the race for Texas House Districts 102 was situated near the end of the ballot, the Democrat challenger received more than 7,480 additional votes than the Democrat challenger for Congress – a race that appeared at the top of the ballot. Historically vote totals DECREASE for races near the end of the ballot.”* (Source: [George/Goolsby complaint](#))

- **Fact:** A simple election analysis reveals that Harriet Miller received a comparable number of votes to the other Democratic candidates in the election. In each of the three precincts cited in the complaint, there were fewer than 31 votes separating Miller’s total to that received by Democrat John Kerry for President at the top of the ballot and Democrat Lupe Valdez near the bottom of the ballot. (Source: Dallas County Board of Elections)
- **Fact:** As an **INDEPENDENT** and **NOT** a Democratic candidate, Paul Jenkins did not receive the benefit of straight ticket voting. Instead, Jenkins received about the same number of votes as the other non major party candidate, Libertarian James Vessels. It is not at all surprising that a candidate who does not represent either major party would receive thousands fewer votes than the major party candidates. This pattern was repeated in other parts of Dallas County.

False Claim Three:

In his complaint, George claims to have “thoroughly” reviewed the 2004 election returns in key precincts in Dallas County.

- **Fact:** A simple Google search using the entry “Paul Jenkins 2004 Congressional Candidate” immediately yields several sources that correctly identify Jenkins as an Independent.
- **Fact:** Further, official election returns from the Secretary of State’s office clearly identify Jenkins as an Independent.
- **Reasonable Assumption:** Given how easily the correct Party affiliation of Paul Jenkins can be obtained, it is reasonable to assume that Kenn George’s complaint to the Dallas District Attorney is intentionally false and constitutes a fraudulent claim.

Local Dallas/Fort Worth CBS KTVT affiliate falls for Goolsby/George Scam and airs false charge even AFTER being provided irrefutable evidence disproving the claim

Inexcusably, the local Dallas CBS affiliate apparently failed to conduct any independent investigation and accepted the Goolsby/George charge at face value. In fact, Channel 11 aired the false complaint **AFTER** being provided irrefutable evidence proving it false.

- Before the report aired, Channel 11 reporter Sarah Dodd was notified by phone and by email ([see the email here](#)) that the complaint was based on false information. Irrefutable documentary evidence was provided to Dodd disproving the GOP claim.
- The Channel 11 report aired shortly after 10:00 pm on October 25, 2006. The report only briefly and indirectly mentioned that Paul Jenkins ran as an Independent. **The report failed altogether to explain to viewers that Jenkins' status as an independent candidate rendered the Goolsby/George complaint false and without merit.**
- CBS and Channel 11 allowed themselves to be used as a Republican political tool by knowingly broadcasting a false and malicious claim.

Texas Penal Code

[37.08](#) [\[0\]](#). FALSE REPORT TO PEACE OFFICER OR LAW ENFORCEMENT EMPLOYEE. (a) A person commits an offense if, with intent to deceive, he knowingly makes a false statement that is material to a criminal investigation and makes the statement to:

- (1) a peace officer conducting the investigation; or
- (2) any employee of a law enforcement agency that is authorized by the agency to conduct the investigation and that the actor knows is conducting the investigation.

(b) In this section, "law enforcement agency" has the meaning assigned by Article 59.01, Code of Criminal Procedure.

(c) An offense under this section is a Class B misdemeanor.

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