

## **Rus Thompson refuses felony plea for voting outside his district**

By [Melinda Miller](#) | News Staff Reporter | [Google+](#) on August 24, 2016 - 2:00 PM, updated August 24, 2016 at 4:00 PM

John “Rus” Thompson refused to accept a plea offer in his voter fraud case Wednesday, opting to go to trial rather than admit to a felony. Thompson was offered the chance to plead guilty to one count of false registration, an unclassified felony, for voting on Grand Island after he had moved to Niagara Falls, Assistant District Attorney Paul E. Bonanno told Judge Russell P. Buscaglia. The judge committed to a sentence of probation rather than jail time if Thompson agreed to the plea.

But defense attorney Thomas Eoannou called the District Attorney’s offer inappropriate for the alleged crime, as it would leave Thompson a convicted felon. “We feel a misdemeanor charge would be appropriate,” Eoannou said. He added that his research shows that no one has been prosecuted locally as a felon for voting in the wrong district at least as far back as the mid-1800s. “Susan B. Anthony,” Eoannou said.

In the absence of a plea agreement, the court proceeded with an evidentiary hearing in the case. Chief investigator Joseph Riga of the DA’s Office testified that, after a complaint was filed by an unidentified citizen about Thompson casting his ballot, he and another investigator went to Thompson’s home in Niagara Falls to ask him about it. Riga said he informed Thompson that someone had alleged he voted in Grand Island in the September 2015 primary even though he had moved to Niagara County by that time. Thompson had lived on Grand Island for about 20 years and has a business there.

“He said, ‘Oh, that’s why you’re here,’ and then he raised his hands in the air and said ‘Guilty,’ ” Riga said. Riga continued that Thompson went on to explain at length about what he considered to be an unethical political climate on Grand Island and that he believed he had been forced out of his home there. “He said he wanted to vote in that particular election because he had friends running and wanted to support them,” Riga testified.

On cross-examination Riga acknowledged that Thompson was not read his Miranda rights or asked if he wanted an attorney before the interview. He said that was not required since Thompson was not in custody or being charged at that point.

A week after the interview, Thompson filed a complaint with the DA’s Office, accusing current and former Grand Island political leaders and appointees with corruption, partly in connection with thousands of official documents he says were destroyed. Acting DA Michael Flaherty Jr. said his office is looking into those allegations.

Buscaglia will now consider whether information from Riga’s interview can be used as evidence when Thompson goes to trial. Jury selection is scheduled for Jan. 19.