

Rus Thompson pleads to misdemeanor in voting case

John "Rus" Thompson pleaded guilty Thursday morning to a misdemeanor offense for voting on Grand Island in 2015 after he had moved to Niagara Falls.

By [Melinda Miller](#) Published Thu, Feb 16, 2017

Another year and another district attorney brought a different plea offer for John "Rus" Thompson.

This time, the outspoken political activist took the deal.

Thompson pleaded guilty Thursday morning to a misdemeanor offense for voting on Grand Island in 2015 after he had moved to Niagara Falls. He said he felt the outcome was fair.

"There's no denying I signed (the ballot) form. I'm just happy it's finally over with," Thompson said.

Thompson, a longtime Grand Island resident, originally was charged with five felonies related to voting fraud after an unidentified citizen complained to the District Attorney's Office last year that Thompson voted in the September 2015 primary on Grand Island although he was living in Niagara Falls at the time. Thompson had been evicted from the property he rented on Grand Island in what he said was retribution for his complaints about town government.

Thompson previously rejected an offer from then-acting District Attorney Michael J. Flaherty to plead guilty to one felony for filing a false instrument in the first degree, even though the judge at that time assured him his sentence would not include jail.

After his misdemeanor plea Thursday, Thompson said he couldn't accept being labeled a felon.

"If you're guilty of a felony, one, you lose your right to vote and two, you lose your right to bear arms. Those rights are very important to me," he said.

Thompson pleaded guilty to one count of offering a false instrument for filing in the second degree. The charge refers to the affidavit ballot he signed after he was dropped from the town's list of registered voters. He put on the ballot that he was still living at his longtime address on Grand Island, even though he had moved to Niagara County in 2014.

Thompson admitting that wrongdoing, but wanted to make it clear that it was still a "one man, one vote" situation -- that he did not also vote in Niagara Falls. He said he had lived on Grand Island for 20 years, still had his business there and considers his move to Niagara Falls to be temporary.

Acting State Supreme Court Justice Russell P. Buscaglia told Thompson that he would not impose jail time at his sentencing May 3, but he would consider a sentence of up to three years on probation.

Thompson said he believed political enemies on Grand Island were behind the report to the DA's Office, since he had been a vocal critic of many decisions and actions of town government.

Thompson's attorney, Thomas Eoannou, had maintained from the beginning in May 2015 that the crime should be considered nothing more than a misdemeanor.

"There was no intent to defraud. It was much ado about nothing," Eoannou said. "It was an absurd prosecution from the beginning, because it was an election cycle."

"When you look at other cases like this, a lot of the times the vote just isn't counted," he said.

District Attorney John J. Flynn Jr. said he does not buy that it was a "political prosecution."

"I felt that was the just charge, to have him plead guilty to the misdemeanor," Flynn said.

Eoannou and Thompson had only good words for Flynn's role in the plea agreement.

"He took the politics out of the equation," Eoannou said.