

COMPLAINT

Docket No. _____

THE STATE OF TEXAS }

332nd DISTRICT COURT }

COUNTY OF HIDALGO }

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS

I, Sergeant John Waits, SOLEMNLY SWEAR THAT I HAVE GOOD REASON TO BELIEVE AND DO BELIEVE, THAT HERETOFORE, DURING THE DATE RANGE FROM APPROXIMATELY SEPTEMBER 19, 2017 TO NOVEMBER 7, 2017, IN THE COUNTY OF HIDALGO AND STATE OF TEXAS, RICHARD MOLINA HEREINAFTER CALLED DEFENDANT, DID THEN AND THERE COMMIT THE OFFENSE OF ENGAGING IN ORGANIZED ELECTION FRAUD ACTIVITY – TEXAS ELECTION CODE 276.011 (a) (1) FIRST DEGREE FELONY.....

TO WIT: WITH INTENT TO ESTABLISH, MAINTAIN, OR PARTICIPATE IN A VOTE HARVESTING ORGANIZATION, DEFENDANT COMMITTED OR CONSPIRED TO COMMIT THE OFFENSE OF ILLEGAL VOTING BY SOLICITING, ENCOURAGING, DIRECTING, AIDING, OR ATTEMPTING TO AID THREE OR MORE PERSONS WHO COLLABORATED IN COMMITTING ILLEGAL VOTING IN THE NOVEMBER 7, 2017 EDINBURG MUNICIPAL ELECTION, AN ELECTION IN WHICH DEFENDANT AND DEFENDANT'S CO-CONSPIRATORS KNEW THAT DEFENDANT'S CO-CONSPIRATORS WERE NOT ELIGIBLE TO VOTE.

PROBABLE CAUSE: Affiant, John D. Waits, is a Peace Officer under the laws of the State of Texas, and is employed in good standing with the Texas Attorney General's Office, and is assigned to the Criminal Investigations Division, Election Fraud Unit in Austin, Texas as a Sergeant Investigator. Affiant has more than 29 years of law enforcement experience and training and has received specialized training and first-hand experience in election fraud criminal investigations. Affiant has more than 24 years of experience conducting criminal investigations and has been actively involved in more than 100 investigations which have resulted in the successful criminal prosecution and conviction of persons involved in felonious criminal activity. Affiant has attended more than 1,000 hours of law enforcement related training on topics including Election Fraud, Fundamental Investigative Techniques, Arrest, Search, and Seizure, 4th and 5th Amendment, Organized Crime Investigative Techniques, Identity Theft, and other law enforcement related topics.

Affiant knows, based on Affiant's training and experience, that in order to qualify to vote in any election, a voter must establish a residence which is located within a precinct or geographic area covered by said election. Affiant knows that the Texas election code defines a residence as a domicile, that is, one's home and fixed place of habitation to which one intends to return after any temporary absence. Affiant also knows, based on Affiant's training and experience, that a vote harvesting organization is defined by the Texas Election Code 276.011(d) as meaning three or more persons who collaborate in committing offenses under Titles 1 through 7, of which Illegal Voting applies, although participants may not know each other's identity, membership in the organization may change from time to time, and participants may stand in a candidate-consultant, donor-consultant, consultant-field operative, or other arm's length relationship in the organization's operations.

Affiant conducted a comprehensive investigation into allegations of election fraud related to the November 7, 2017 Edinburg Municipal Election. Documents and information from the Hidalgo County Elections office show that Defendant Richard Molina and Defendant's wife, Dalia Molina, were certified by the Hidalgo County Elections office as volunteer voter registrars authorized to assist individuals with registering to vote and with reporting individuals' residential addresses on voter registration applications. Affiant has obtained additional documentation and has conducted numerous interviews with suspects and witnesses which show that Defendant Richard Molina, with the intent to establish, maintain, or participate in a vote harvesting organization, was involved in collaborating with 3 or more persons in committing the offenses of Illegal Voting, and other offenses listed under Titles 1 through 7 in the Texas Election Code, while committing or conspiring to commit the offense of Illegal Voting, thereby committing the offense of Engaging in Organized Election Fraud Activity. The identities and addresses of individuals referred to in this affidavit as cooperating co-conspirator witnesses are being concealed in order to protect those individuals and those individuals' family members from threats or coercion which might result from said cooperating co-conspirator witnesses' cooperation on Affiant's criminal investigation.

Affiant obtained records from the Hidalgo County Elections office related to a Cooperating Co-conspirator Witness, hereinafter referred to as CCW1, which show that on or about September 19, 2017, CCW1 falsely reported CCW1's voter registration residential address on a voter registration application at a residential address located inside the city limits of Edinburg, Texas in order to fraudulently qualify CCW1 to illegally vote in the November 7, 2017 Edinburg Municipal Election. Affiant's investigation revealed that CCW1's residence was not located inside the city limits of Edinburg, Texas, as admitted by CCW1, and that CCW1 was not eligible to vote in said election based on the location of CCW1's true residence. Affiant's investigation also revealed that CCW1 subsequently voted in said election on October 23, 2017, thereby committing the offense of Illegal Voting.

Texas Ranger Chad Matlock interviewed CCW1 on May 4, 2018 and obtained the following information related to this investigation. Texas Ranger Chad Matlock is a commissioned Texas peace officer employed as a Texas Ranger with the Texas Department of Public Safety. Texas Ranger Matlock has approximately 10 years as a Texas peace officer, has received training on law enforcement topics related to criminal investigative techniques, and has approximately 3 years of experience conducting criminal investigations. Ranger Matlock stated that during said interview, CCW1 admitted to falsely changing CCW1's voter registration residential address to a residential address where CCW1 did not live after being told by Defendant Richard Molina, that CCW1 was permitted to do so. Ranger Matlock stated that CCW1 told Defendant Richard Molina that CCW1's Texas Identification Card displayed CCW1's true residential address which was not located inside the city limits of Edinburg, Texas.

Affiant obtained records from the Hidalgo County Elections office related to a Cooperating Co-conspirator Witness, hereinafter referred to as CCW2, which show that on or about September 25, 2017, CCW2 falsely reported CCW2's voter registration residential address on a voter registration application at a residential address located inside the city limits of Edinburg, Texas in order to fraudulently qualify CCW2 to illegally vote in the November 7, 2017 Edinburg Municipal Election. Affiant's investigation revealed that CCW2's residence was not located inside the city limits of Edinburg, Texas, as admitted by CCW2, and that CCW2 was not eligible to vote in said election based on the location of CCW2's true residence. Affiant's investigation revealed that CCW2 subsequently voted in said election on October 23, 2017, thereby committing the offense of Illegal Voting. Affiant interviewed CCW2 and during said interview CCW2 admitted that CCW2 falsely changed CCW2's voter registration residential address after being aided, solicited, and encouraged to do so by Defendant Richard Molina.

CCW2 admitted to falsely changing CCW2's voter registration residential address to a residential address where CCW2 did not live after being told by Defendant Richard Molina, that CCW2 was permitted to do so. CCW2 told Affiant that Defendant instructed CCW2 to falsely report CCW2's voter registration residential address at a residential address where Defendant knew Affiant had never lived so that CCW2 could vote for Defendant in the November 7, 2017 Edinburg mayoral election.

Affiant obtained records from the Hidalgo County Elections office related to a cooperating co-conspirator witness, hereinafter referred to as CCW3, which show that on or about October 10, 2017, CCW3 falsely reported CCW3's voter registration residential address on a voter registration application at a residential address located inside the city limits of Edinburg, Texas in order to fraudulently qualify CCW3 to illegally vote in the November 7, 2017 Edinburg Municipal Election. Affiant's investigation revealed that CCW3's residence was not located inside the city limits of Edinburg, Texas, as admitted by CCW3, and that CCW3 was not eligible to vote in said election based on the location of CCW3's true residence. Affiant's investigation also revealed that CCW3 subsequently voted in said election on October 30, 2017, thereby committing the offense of Illegal Voting. Affiant interviewed CCW3 and during said interview CCW3 admitted that CCW3 falsely changed CCW3's voter registration residential address after being aided, solicited, and encouraged to do so by Defendant Richard Molina. CCW3 stated that CCW3 would have never falsely changed CCW3's voter registration residential address if Defendant Richard Molina did not solicit CCW3 to do so. CCW3 stated that CCW3 knew with certainty, based on conversations between CCW3 and Defendant Richard Molina, that Defendant Richard Molina knew that CCW3 did not live at the address on the voter registration application, nor at any other residence located inside the city limits of Edinburg, Texas when Defendant assisted CCW3 with completing the voter registration application.

CCW3 stated that for several days during early voting for the November 7, 2017 Edinburg Municipal Election, that CCW3 received text messages from a phone number, known by CCW3 to be Defendant Richard Molina's phone number, reminding CCW3 to vote in said election. Affiant has obtained a certified copy of the voter registration signed by CCW3 which changed CCW3's voter registration residential address to the address previously mentioned where CCW3 never lived, and confirms that the voter registration application displays a signature represented to be Defendant Richard Molina's signature and also displays Defendant's voter registrar number "378", indicating that Defendant assisted CCW3 with completing the voter registration application and the registration process. CCW3 admitted that CCW3 would have never voted in the November 7, 2017 Edinburg Municipal Election if Defendant Richard Molina would not have contacted CCW3 and asked CCW3 to do so.

Affiant learned Sergeant Stan Roper has information related to this investigation. Sgt. Stan Roper is Texas peace officer commissioned by the Office of the Attorney General of Texas and is employed as a criminal investigator assigned to the Criminal Investigations Division of said agency. Sgt. Roper told Affiant that Sgt. Roper has approximately 33 years of training and experience as a Texas peace officer and has approximately 31 years of experience conducting criminal investigations. Sgt. Roper has attended more than 1,000 hours of training on law enforcement topics including topics which provided training on fundamental investigative techniques, arrest, search, and seizure, 4th Amendment, and other law enforcement criminal investigative topics.

During an investigation conducted by Sgt. Roper, Sgt. Roper obtained records from the Hidalgo County Elections office related to a cooperating co-conspirator witness, hereinafter referred to as CCW4. Sgt. Roper told Affiant that said records show that on or about October 10, 2017, CCW4 signed a

voter registration application which falsely reported CCW4's voter registration residential address at a residential address located inside the city limits of Edinburg, Texas which fraudulently qualified CCW4 to vote in the November 7, 2017 Edinburg Municipal Election. Sgt. Roper's stated his investigation revealed that CCW4's true residence was not located inside the city limits of Edinburg, Texas, and that CCW4 was not eligible to vote in said election based on the location of CCW4's true residence. Sgt. Roper stated his investigation revealed that CCW4 subsequently voted in said election on October 24, 2017, thereby committing the offense of Illegal Voting. Sgt. Roper stated that the Hidalgo County Elections office provided him with a certified copy of a voter registration application which displays CCW4's signature, which CCW4 admitted was CCW4's signature, and which reported CCW4's voter registration residential address as a residential address located inside the city limits of Edinburg, Texas. Sgt. Roper stated that CCW4 admitted that CCW4 never lived at said residential address displayed on the voter registration application. Sgt. Roper stated that a signature, represented to be Defendant Richard Molina's signature, and Defendant's volunteer voter registrar number "378", are displayed on said voter registration application signifying that Defendant Richard Molina, assisted CCW4 in completing the voter registration application and with the registration process.

Sgt. Roper stated that he interviewed CCW4 during which CCW4 told him that CCW4 was approached by Defendant Richard Molina at CCW4's true residence, and that Defendant Richard Molina requested CCW4 to sign a document which Defendant Richard Molina represented to be a document which would register CCW4 to vote. Sgt. Roper stated that CCW4 told him that during said meeting with Defendant Richard Molina, that CCW4 had told Defendant Richard Molina that the location where they were meeting was CCW4's long-time residence. Sgt. Roper stated CCW4 told him that Defendant Richard Molina filled out CCW4's voter registration application, including the residential address section, with information which was later discovered by Sgt. Roper to be false information reporting CCW4's voter registration residential address at a residence inside the city limits of Edinburg, Texas where CCW4 admittedly never lived. Sgt. Roper stated that CCW4 told him that CCW4 did not provide the residential address which is displayed on CCW4's voter registration application and that Defendant Richard Molina provided the address for the document.

Affiant obtained records from the Hidalgo County Elections office related to a cooperating co-conspirator witness, hereinafter referred to as CCW5, which show that on or about October 10, 2017, CCW5 falsely reported CCW5's voter registration residential address on a voter registration application at a residential address located inside the city limits of Edinburg, Texas in order to fraudulently qualify CCW5 to illegally vote in the November 7, 2017 Edinburg Municipal Election. Affiant's investigation revealed that CCW5's true residence was not located inside the city limits of Edinburg, Texas, as admitted by CCW5, and that CCW5 was not eligible to vote in said election based on the location of CCW5's true residence. Affiant's investigation also showed that CCW5 subsequently voted in said election on October 26, 2017, thereby committing the offense of Illegal Voting.

Affiant interviewed CCW5 and during said interview CCW5 admitted that CCW5 falsely changed CCW5's voter registration residential address after being aided, solicited, and encouraged to do so by Defendant Richard Molina. CCW5 stated that CCW5 would have never falsely changed CCW5's voter registration residential address if Defendant Richard Molina would not have pressured and persuaded CCW5 to do so. CCW5 stated that Defendant Richard Molina filled out CCW5's voter registration application and that on said occasion, Defendant Richard Molina provided the residential address which was reported on CCW5's application as CCW5's voter registration residential address. CCW5 admitted CCW5 never lived at said residential address which is displayed on said voter registration application as CCW5's voter registration residential address. CCW5 stated that after Defendant Richard Molina filled

out CCW5's voter registration application with the false residential address, that Defendant Richard Molina asked CCW5 to sign the voter registration application and, after CCW5 signed the application, Defendant Richard Molina took the application. CCW5 stated that when Defendant Richard Molina provided the residential address on the application, that Defendant told CCW5 that the address was an address of a person who CCW5 knew, but that CCW5 had not recognized said address as being the residential address of the person who CCW5 was acquainted with prior to Defendant telling CCW5 that information.

Affiant obtained a certified copy of the voter registration signed by CCW5 which Affiant has confirmed changed CCW5's voter registration residential address to the address where CCW5 never lived, and has confirmed that the voter registration application displays a signature represented to be Defendant's, Richard Molina's, signature and to also display Defendant's voter registrar number "378", indicating that Defendant assisted CCW5 with completing the voter registration application and the registration process.

During the course of investigation, Affiant obtained records from the Hidalgo County Elections office related to a cooperating co-conspirator witness, hereinafter referred to as CCW6, which show that on or about October 10, 2017, CCW6 falsely reported CCW6's voter registration residential address on a voter registration application at a residential address located inside the city limits of Edinburg, Texas in order to fraudulently qualify CCW6 to illegally vote in the November 7, 2017 Edinburg Municipal Election. Affiant's investigation revealed that CCW6's true residence was not located inside the city limits of Edinburg, Texas, as admitted by CCW6, and that CCW6 was not eligible to vote in said election based on the location of CCW6's true residence. Affiant's investigation also showed that CCW6 subsequently voted in said election on October 26, 2017, thereby committing the offense of Illegal Voting.

Affiant interviewed CCW6 and during said interview CCW6 admitted that CCW6 falsely changed CCW6's voter registration residential address after being assisted by and requested to do so by Defendant Richard Molina. CCW6 stated that CCW6 would have never falsely reported CCW6's voter registration residential address at a residential address where CCW6 did not live if Defendant Richard Molina would not have requested CCW6 to do so. CCW6 stated that Defendant Richard Molina asked for CCW6's help by requesting that CCW6 vote for him in the November 7, 2017 Edinburg Mayoral Election. CCW6 stated that CCW6 told Defendant Richard Molina that CCW6 did not live at a residence located in the city limits of Edinburg, Texas and that Defendant Richard Molina responded by telling CCW6 that Defendant would assist CCW6 in changing CCW6's voter registration residential address to an address within the city limits of Edinburg, Texas where Defendant Richard Molina knew CCW6 did not reside. CCW6 stated that CCW6 knew with certainty that Defendant Richard Molina knew CCW6 did not reside at a location in the city limits of Edinburg, Texas when he assisted CCW6 with falsely reporting CCW6's voter registration residential address on CCW6's voter registration application.

Affiant obtained a certified copy of the voter registration signed by CCW6 which Affiant has confirmed changed CCW6's voter registration residential address to the address where CCW6 never lived, and has confirmed that the voter registration application displays a signature represented to be Defendant Richard Molina's signature and to also display Defendant's voter registrar number "378", indicating that Defendant Richard Molina assisted CCW6 with completing the voter registration application and the registration process.


Affiant interviewed a cooperating co-conspirator witness, hereinafter referred to as CCW7, who stated that during a conversation between CCW7 and Defendant Richard Molina, Defendant told CCW7 that Defendant, Richard Molina, was going to use a strategy of changing people's voter registration addresses to addresses located inside the city limits of Edinburg, Texas at residences where people did not actually reside in an effort to increase the number of voters who could vote for Richard Molina and to win elections. CCW7 stated that during a conversation with Defendant's wife, Dalia Molina, that Dalia Molina advised CCW7 to change CCW7's voter registration residential addresses to a residential address where CCW7's parents' lived since CCW7's parents' address was located inside the city limits of Edinburg, Texas so that CCW7 could vote for Defendant, Richard Molina, in the upcoming November 7, 2017 Edinburg Mayoral election. During said interview, CCW7 made a statement against the penal interest by admitting CCW7 had voted in the November 7, 2017 Edinburg Municipal Election and provided Affiant with information revealing that CCW7 was not eligible to vote in said election.

The evidence documented in this affidavit establishes probable cause that during the time frame of September 19, 2017 until November 7, 2017, Defendant, Richard Molina, acting with intent to establish, maintain, or participate in a vote harvesting organization which, in this case, consisted of three or more persons who collaborated in committing the offense of Illegal Voting, committed or conspired to commit the offense of Illegal Voting by soliciting, encouraging, directing, aiding, or attempting to aid persons in the commission of the offense of Illegal Voting, thereby committing the offense of Engaging in Organized Election Fraud Activity as defined by Texas Election Code Section 276.011 (a).


SUSPECT: RICHARD MOLINA

D.O.B.: 07/21/1978

AGAINST THE PEACE AND DIGNITY OF THE STATE.


AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME THIS 28 DAY OF April, 2019.


Mario E. Ramirez Jr., 332nd District Judge

COMPLAINT

Docket No. _____

THE STATE OF TEXAS }

332nd DISTRICT COURT }

COUNTY OF HIDALGO }

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS

I, Sergeant John Waits, SOLEMNLY SWEAR THAT I HAVE GOOD REASON TO BELIEVE AND DO BELIEVE, THAT HERETOFORE, ON OR ABOUT THE 10TH DAY OF OCTOBER, 2017, IN THE COUNTY OF HIDALGO AND STATE OF TEXAS, RICHARD MOLINA HEREINAFTER CALLED DEFENDANT, DID THEN AND THERE COMMIT THE OFFENSE OF ILLEGAL VOTING – TEXAS ELECTION CODE 64.012 (a) (1) SECOND DEGREE FELONY.....

TO WIT: ACTING WITH INTENT TO PROMOTE OR ASSIST THE COMMISSION OF ILLEGAL VOTING, DEFENDANT SOLICITED, ENCOURAGED, DIRECTED, AIDED, OR ATTEMPTED TO AID A PERSON IN FALSELY REPORTING SAID PERSON’S VOTER REGISTRATION RESIDENTIAL ADDRESS IN ORDER TO FRAUDULENTLY QUALIFY SAID PERSON TO ILLEGALLY VOTE IN THE NOVEMBER 7, 2017 EDINBURG MUNICIPAL ELECTION, AN ELECTION IN WHICH BOTH SAID PERSON AND DEFENDANT KNEW SAID PERSON WAS NOT ELIGIBLE TO VOTE.

PROBABLE CAUSE: Affiant, John D. Waits, is a Peace Officer under the laws of the State of Texas, and is employed in good standing with the Texas Attorney General’s Office, and is assigned to the Criminal Investigations Division, Election Fraud Unit in Austin, Texas as a Sergeant Investigator. Affiant has more than 29 years of law enforcement experience and training and has received specialized training and first-hand experience in election fraud criminal investigations. Affiant knows, based on Affiant’s training and experience, that in order to qualify to vote in any election, a voter must establish a residence which is located within a precinct or geographic area covered by said election. Affiant knows that the Texas election code defines a residence as a domicile, that is, one’s home and fixed place of habitation to which one intends to return after any temporary absence. For the purposes of this complaint, the names and addresses of cooperating witnesses/co-conspirators will be concealed in order to protect them and their family members from threats, intimidation and coercion that may result from their cooperation in this criminal investigation.

Affiant has received documents and information from the Hidalgo County Elections office which show that Defendant Richard Molina, and Defendant’s wife, Dalia Molina, were certified by the Hidalgo County Elections office as volunteer voter registrars authorized to assist individuals with registering to vote and with reporting individuals’ residential addresses on voter registration applications. Certified records from the Hidalgo County Elections Office reflect that on October 10, 2017, a cooperating witness/co-conspirator, hereinafter referred to as PERSON A, with the assistance of Defendant Richard Molina, falsely reported PERSON A’s voter registration residential address by completing a voter registration application. Said voter registration application shows that, with Defendant’s assistance, PERSON A reported PERSON A’s residential address to be an address where PERSON A did not reside, an address which will hereinafter be referred to as PERSON A’s FALSE ADDRESS. Affiant has probable cause

to believe that PERSON A's FALSE ADDRESS was not PERSON A's true residence on October 10, 2017, nor at any other time between approximately August 1, 2010 and August 28, 2018.

Affiant interviewed PERSON A on August 28, 2018 during which PERSON A provided statements against PERSON A's penal interest by admitting that PERSON A did not reside at PERSON A's FALSE ADDRESS at any time between August 2010 and August 28, 2018 and that during that time, PERSON A's only home was at PERSON A's current residence located at an address which will hereinafter be referred to as PERSON A's TRUE ADDRESS. Affiant has obtained information from the Hidalgo County Central Appraisal District which shows that PERSON A has been the co-owner of the residence at PERSON A's TRUE ADDRESS since approximately July 13, 2010. PERSON A's true residence, located at PERSON A's TRUE ADDRESS, is located outside the city limits of Edinburg, Texas as confirmed by records from the Hidalgo County Elections office and the Hidalgo County Central Appraisal District.

During the interview, PERSON A admitted that PERSON A voted on October 26, 2017, during early voting, in the November 7, 2017 Edinburg Municipal Election and voluntarily provided Affiant with information showing that PERSON A was not eligible to vote in said election and that PERSON A illegally voted in said election. Records from the Hidalgo County Elections office confirm that PERSON A voted in the November 7, 2017 Edinburg Municipal Election. Affiant knows that given the location of PERSON A's true residence, located outside the city limits of Edinburg, Texas, that PERSON A was not eligible to vote in the November 7, 2017 Edinburg Municipal Election.

PERSON A stated that on or about October 10, 2017, Defendant Richard Molina approached PERSON A at PERSON A's work place in Edinburg, Texas and assertively solicited and persuaded PERSON A to falsely report PERSON A's voter registration residential address at a residence where PERSON A did not reside. PERSON A stated that PERSON A knew, based on interactions with Defendant Richard Molina, that he expected PERSON A to vote for him in an upcoming election in which he was running for mayor. PERSON A admitted that PERSON A would have never falsely reported PERSON A's voter registration residential address if Defendant Richard Molina would not have approached and solicited PERSON A to do so. PERSON A stated that Defendant Richard Molina filled out and provided the information for the residential address section on PERSON A's voter registration application, writing the address of PERSON A's FALSE ADDRESS. PERSON A stated that Defendant took PERSON A's voter registration application after PERSON A signed the application. Affiant has confirmed through records and information received from the Hidalgo County Elections office and the Hidalgo County Central Appraisal District that a person who truly resided at PERSON A's FALSE ADDRESS would be residing inside the city limits of Edinburg, Texas, and would have appeared to meet the residency requirements to vote in the November 7, 2017 Edinburg Municipal Election.

The certified records from the Hidalgo County Elections office include the voter registration application completed by PERSON A on or about October 10, 2017. The voter registration application displays the date 10-10-2017, a signature represented to be the signature of PERSON A, and an address written in the residence address section of the document referred to herein as PERSON A's FALSE ADDRESS. Said voter registration application also displays a signature represented to be the signature of Defendant Richard Molina, and also displays Defendant Richard Molina's volunteer voter registrar number "378" assigned by the Hidalgo County Elections office signifying that Richard Molina assisted PERSON A in the voter registration application process.

Affiant interviewed a second cooperating witness/co-conspirator, hereinafter referred to as PERSON B, who told Affiant that during a conversation between PERSON B and Defendant Richard Molina,

Defendant told PERSON B that he was going to use a strategy of changing people's voter registration addresses to addresses located inside the city limits of Edinburg, Texas at residences where people did not actually reside in an effort to increase the number of voters who could vote for Richard Molina and to win elections. PERSON B stated that during a conversation with Defendant's wife, Dalia Molina, that Dalia Molina advised PERSON B to change PERSON B's voter registration residential addresses to a residential address where PERSON B's parents lived since PERSON B's parents' address was located inside the city limits of Edinburg, Texas so that PERSON B could vote for Defendant Richard Molina in the upcoming November 7, 2017 Edinburg Mayoral election. During said interview, PERSON B made a statement against the penal interest by admitting PERSON B voted in the November 7, 2017 Edinburg Municipal Election and provided Affiant with information revealing that PERSON B was not eligible to vote in said election.

The evidence documented in this affidavit shows probable cause that on October 10, 2017, Defendant Richard Molina, acting with intent to promote or assist the commission of the offense of Illegal Voting, solicited, encouraged, aided, or attempted to aid PERSON A in falsely reporting PERSON A's voter registration residential address at a residence where PERSON A did not reside and where Defendant knew that PERSON A did not reside, in an effort to fraudulently qualify PERSON A to illegally vote in the November 7, 2017 Edinburg Municipal Election. The facts documented in this affidavit shows probable cause that Defendant, Richard Molina, acting as a party to the offense as defined by Texas Penal Code Chapter 7.02, committed the crime of Illegal Voting.

SUSPECT: RICHARD MOLINA


D.O.B.: 07/21/1978

AGAINST THE PEACE AND DIGNITY OF THE STATE.



AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME THIS  DAY OF April, 2019.



Mario E. Ramirez Jr., 332nd District Judge

COMPLAINT

Docket No. _____

THE STATE OF TEXAS }

332nd DISTRICT COURT }

COUNTY OF HIDALGO }

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS

I, Sergeant John Waits, SOLEMNLY SWEAR THAT I HAVE GOOD REASON TO BELIEVE AND DO BELIEVE, THAT HERETOFORE, ON OR ABOUT THE 10TH DAY OF OCTOBER, 2017, IN THE COUNTY OF HIDALGO AND STATE OF TEXAS, RICHARD MOLINA HEREINAFTER CALLED DEFENDANT, DID THEN AND THERE COMMIT THE OFFENSE OF ILLEGAL VOTING – TEXAS ELECTION CODE 64.012 (a) (1) SECOND DEGREE FELONY.....

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PROBABLE CAUSE: Affiant, John D. Waits, is a Peace Officer under the laws of the State of Texas, and is employed in good standing with the Texas Attorney General’s Office, and is assigned to the Criminal Investigations Division, Election Fraud Unit in Austin, Texas as a Sergeant Investigator. Affiant has more than 29 years of law enforcement experience and training and has received specialized training and first-hand experience in election fraud criminal investigations. Affiant knows, based on Affiant’s training and experience, that in order to qualify to vote in any election, a voter must establish a residence which is located within a precinct or geographic area covered by said election. Affiant knows that the Texas election code defines a residence as a domicile, that is, one’s home and fixed place of habitation to which one intends to return after any temporary absence. For the purposes of this complaint, the names and addresses of cooperating witnesses/co-conspirators will be concealed in order to protect them and their family members from threats, intimidation and coercion that may result from their cooperation in this criminal investigation.

Affiant has received documents and information from the Hidalgo County Elections office which show that Defendant Richard Molina and Defendant’s wife, Dalia Molina, were certified by the Hidalgo County Elections office as volunteer voter registrars authorized to assist individuals with registering to vote and with reporting individuals’ residential addresses on voter registration applications. Certified records from the Hidalgo County Elections Office reflect that on October 10, 2017, a cooperating witness/co-conspirator, hereinafter referred to as PERSON A, with the assistance of Defendant Richard Molina, falsely reported PERSON A’s voter registration residential address by completing a voter registration application. Said voter registration application shows that, with Defendant Richard Molina’s assistance, PERSON A reported PERSON A’s residential address to be an address where PERSON A did not reside, an address which will hereinafter be referred to as PERSON A’s FALSE ADDRESS. Affiant has

probable cause to believe that PERSON A's FALSE ADDRESS was not PERSON A's true residence on October 10, 2017, nor at any other time between approximately August 1, 2010 and August 28, 2018.

Affiant interviewed PERSON A on September 6, 2018 and November 8, 2018 during which PERSON A provided statements against PERSON A's penal interest by admitting that PERSON A did not reside at PERSON A's FALSE ADDRESS at any time between April 2016 and September 2018 and that during that time, PERSON A's only home was at PERSON A's current residence located at an address which will hereinafter be referred to as PERSON A's TRUE ADDRESS. Records from the Hidalgo County Central Appraisal District which show that PERSON A has been the co-owner of the residence at PERSON A's TRUE ADDRESS since approximately August 2015. PERSON A's true residence, located at PERSON A's TRUE ADDRESS, is located outside the city limits of Edinburg, Texas as confirmed through information received from the Hidalgo County Elections office and the Hidalgo County Central Appraisal District.

During the interviews, PERSON A admitted that PERSON A voted on October 30, 2017, during early voting, in the November 7, 2017 Edinburg Municipal Election and voluntarily provided Affiant with information showing that PERSON A was not eligible to vote in said election and that PERSON A illegally voted in said election. Records from the Hidalgo County Elections office confirm that PERSON A voted in the November 7, 2017 Edinburg Municipal Election. Affiant knows that given the location of PERSON A's true residence, located outside the city limits of Edinburg, Texas, that PERSON A was not eligible to vote in the November 7, 2017 Edinburg Municipal Election. This is supported by information received from the Hidalgo County Elections office and the Hidalgo County Central Appraisal District.

PERSON A stated that on or about October 10, 2017, Defendant Richard Molina, approached PERSON A at PERSON A's work place in Edinburg, Texas and solicited and encouraged PERSON A to falsely report PERSON A's voter registration residential address at a residence where PERSON A did not reside. PERSON A stated that PERSON A was intimidated by Defendant Richard Molina and that PERSON A would have never falsely reported PERSON A's voter registration residential address on the voter registration application if Defendant Richard Molina would not have approached and solicited PERSON A to do so. PERSON A stated that Defendant Richard Molina supplied the voter registration application for PERSON A to use to falsely report PERSON A's voter registration residential address and that PERSON A's printed name and the false voter registration address, which is displayed on said voter registration application, was filled out on the application by someone other than PERSON A when Defendant Richard Molina presented the application to PERSON A to sign. PERSON A stated that Defendant asked PERSON A if PERSON A was going to vote, and told PERSON A to sign the voter registration application. PERSON A admitted that PERSON A did not provide the address which was written on the voter registration application and that PERSON A did not know who lived at the PERSON A FALSE ADDRESS residence when PERSON A signed the voter registration application. PERSON A admitted that PERSON A signed the voter registration application after being presented the voter registration application by Defendant Richard Molina.

PERSON A stated that Defendant knew that PERSON A did not reside at the false voter registration address on the voter registration application, nor any other location inside the city limits of Edinburg, Texas. PERSON A stated that PERSON A made it very clear, during conversations with Defendant Richard Molina, that PERSON A did not live in Edinburg, Texas at the time Defendant solicited PERSON A to falsely report PERSON A's voter registration residential address. PERSON A stated that after PERSON A signed the voter registration application, that on subsequent occasions on which PERSON A spoke with Defendant Richard Molina, that Defendant Richard Molina verbally reassured PERSON A that PERSON A would not be held to account for falsely reporting PERSON A's voter registration residential address.

Affiant has confirmed through records and information received from the Hidalgo County Elections office and the Hidalgo County Central Appraisal District that a person who truly resided at PERSON A's FALSE ADDRESS would be residing inside the city limits of Edinburg, Texas, and would have appeared to meet the residency requirements to vote in the November 7, 2017 Edinburg Municipal Election.

Affiant obtained a certified copy of the voter registration application from the Hidalgo County Elections office. The voter registration application displays the date October 10, 2017, a signature represented to be the signature of PERSON A, and an address written in the residence address section of the document referred to herein as PERSON A's FALSE ADDRESS. Said voter registration application also displays a signature represented to be the signature of Defendant, Richard Molina, and also displays Richard Molina's volunteer voter registrar number "378" assigned by the Hidalgo County Elections office signifying that Richard Molina assisted PERSON A in the voter registration application process. PERSON A stated that for several days during early voting for the November 7, 2017 Edinburg Municipal Election, that PERSON A received text messages from a phone number known by PERSON A to be Defendant's phone number reminding PERSON A to vote in said election.

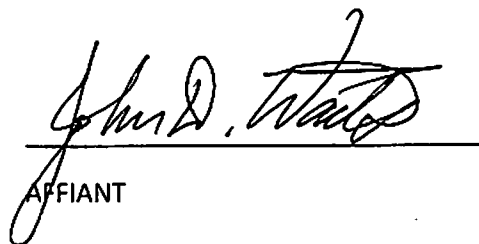
Affiant interviewed a second cooperating witness/co-conspirator, hereinafter referred to as PERSON B, who told Affiant that during a conversation between PERSON B and Defendant Richard Molina, Defendant told PERSON B that Defendant Richard Molina, was going to use a strategy of changing people's voter registration addresses to addresses located inside the city limits of Edinburg, Texas at residences where people did not actually reside in an effort to increase the number of voters who could vote for Richard Molina and to win elections. PERSON B stated that during a conversation with Defendant's wife, Dalia Molina, that Dalia Molina advised PERSON B to change PERSON B's voter registration residential addresses to a residential address where PERSON B's parents lived since PERSON B's parents' address was located inside the city limits of Edinburg, Texas so that PERSON B could vote for Defendant Richard Molina in the upcoming November 7, 2017 Edinburg Mayoral election. During said interview, PERSON B made a statement against penal interest admitting PERSON B voted in the November 7, 2017 Edinburg Municipal Election and provided information revealing that PERSON B was not eligible to vote in said election.

The evidence documented in this affidavit shows probable cause that on October 10, 2017, Defendant Richard Molina, acting with intent to promote or assist the commission of the offense of Illegal Voting, solicited, encouraged, aided, or attempted to aid PERSON A in falsely reporting PERSON A's voter registration residential address at a residence where PERSON A did not reside and where Defendant knew that PERSON A did not reside, in an effort to fraudulently qualify PERSON A to illegally vote in the November 7, 2017 Edinburg Municipal Election. The facts documented in this affidavit shows probable cause that Defendant, Richard Molina, acting as a party to the offense as defined by Texas Penal Code Chapter 7.02, committed the crime of Illegal Voting.

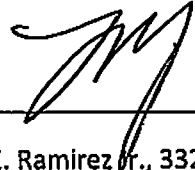
SUSPECT: RICHARD MOLINA

D.O.B.: 07/21/1978

AGAINST THE PEACE AND DIGNITY OF THE STATE.


AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME THIS 24th DAY OF April, 2019.



Mario E. Ramirez Jr., 332nd District Judge