



Here we go again: Edinburg mayor, wife latest to be charged with illegal voting

Molly Smith - April 25, 2019

At times appearing unfazed by the severity of his circumstances, Edinburg Mayor Richard Molina was guided into a Pharr courtroom Thursday morning after he and his wife surrendered themselves to law enforcement to face multiple election fraud charges. The scene was notably different from when Molina entered a state of the city address just one year ago, shadowboxing and wielding a championship belt.

Now, allegations from a Texas Attorney General's office investigation into the city's 2017 municipal election have cast Molina as allegedly cheating his way into the mayoral seat by having people who live outside of the city vote for him.

An hour after he turned himself in at the Texas Department of Public Safety's Edinburg office, Molina stood before Precinct 2 Justice of the Peace Jaime "Jerry" Muñoz, who presides out of Pharr, and was charged with two counts of illegal voting and one count of engaging in organized election fraud — second- and first-degree felonies, respectively.

Molina, 40, was then escorted to Hidalgo County jail where he was quickly booked in and out on a combined \$20,000 cash surety bond, and promptly headed to a city workshop to discuss the future of a city golf course.

It was business as usual for a mayor who has faced scrutiny since he unseated Edinburg's longtime mayor, Richard Garcia, in November 2017 by 1,240 votes. Such scrutiny has only increased over the past year as the AG's office arrested more than a dozen people on illegal voting charges tied to the election.

The mayor's wife, Dalia Molina, 42, stood by her husband's side Thursday morning as she too faced charges in connection with the AG's investigation. She was charged with one count of illegal voting and released from jail on a \$5,000 cash bond.

Carlos A. Garcia, the attorney hired to represent Richard Molina, told The Monitor his client "is a victim of a power struggle here in Hidalgo County and that power struggle is one that has been unfolding for the last couple of years."

"(Richard Molina) has had the support of the city of Edinburg and the city spoke loud and clear and sought a change in government, and that's what they got," the attorney continued.

Michael Gross, the attorney hired to represent Dalia Molina, declined to comment.

'Pressured and persuaded'

The criminal complaint against Richard Molina accuses him and his wife of collaborating with at least three people from Sept. 19 to Nov. 7, 2017, to commit illegal voting, namely by getting non-Edinburg residents change their addresses to places they didn't live in order to be eligible to vote in the election.

These allegations mirror the complaints filed against the 16 people previously arrested, including one who was charged Wednesday afternoon, 54-year-old Gregorio Alaniz. The probable cause affidavits allege these individuals knowingly falsified their addresses, including multiple people who used an apartment complex Molina owns.

A handful of those arrested were assisted by Edinburg City Councilman Jorge Luis "Coach" Salinas, who ran on a slate with the mayor; and Robyn Zayas, sister to the spokeswoman the city hired soon after the election, according to previous complaints released to The Monitor.

Zayas, Salinas and both Molina and his wife were all certified as volunteer voter registrars.

The AG and Texas Rangers investigators who compiled the complaint spoke to seven witnesses, whose identities were concealed in order to protect them and their families from "threats or coercion which might result from" their cooperation in the criminal investigation.

A handful of the witnesses told investigators Richard Molina "pressured and persuaded" them to change and falsify their addresses and that Molina was well aware they did not live at the addresses they listed on their voter registration forms, sometimes giving them the address to put down.

One witness said "for several days during early voting," Molina allegedly texted the witness a reminder to vote, according to the complaint, which notes Molina himself was the deputy voter registrar that assisted the witness with the falsified voter registration application.

'The state's toilet'

The AG's investigation into Edinburg's election began after former Justice of the Peace Mary Alice Palacios filed a complaint with the Texas Secretary of State's Office in December 2017, after she combed through numerous voter records while conducting an independent investigation into the election.

Palacios, a supporter of former Mayor Richard Garcia, received contracts under Garcia's tenure, which Molina has used to discredit the state's investigation.

Molina has also been critical of the fact that the Hidalgo County District Attorney's Office, led by Palacios' cousin, Ricardo Rodriguez Jr., is prosecuting the cases with the assistance of the AG's Election Fraud Unit.

Rodriguez, however, has long emphasized that his office is only assisting the AG's office and the Texas Rangers, and that he had no influence or part in his cousin's initial complaint.

In a news release issued by the AG's office Thursday, Rodriguez encouraged witnesses to come forward with any information about fraudulent voting in Edinburg's election.

"We're prepared to present a full array of charges against Molina and his co-conspirators to the grand jury for a thorough evaluation of the evidence to ensure justice is served," Rodriguez stated in the release.

Attorney General Ken Paxton has aggressively targeted voter fraud in Texas, prosecuting 33 defendants in fiscal year 2018 for a combined 97 election fraud violations. The Election Fraud Unit currently has 75 active investigations statewide.



Mugshots of Edinburg Mayor Richard Molina and his wife Dalia Molina after being charged with illegal voting. (Courtesy photos)

Molina is also likely the first person to be arrested on an engaging in organized election fraud charge, an offense created during the 2017 Texas Legislative session with the passage of House Bill 1735. It went into effect Sept. 1, 2017, around the same time investigators believe Molina began harvesting votes.

"A person commits an offense if, with the intent to establish, maintain or participate in a vote harvesting organization, the person commits or conspires to commit one or more offenses," Texas Election Code reads in reference to the charge, and defines a vote harvesting organization as three or more persons who collaborate in committing the offense.

In Molina's case, the charge is a first-degree felony punishable by 5 to 99 years, or life in prison, if convicted. This is because the offense of engaging in organized election fraud is, per election code, "one category higher than the most serious offense ... committed," which is illegal voting, a second-degree felony.

Molina's attorney had strong words for the AG's office Thursday, charging Paxton — and by extension Gov. Greg Abbott — with capitalizing on the city's "political spat" to push an agenda that depicts the Rio Grande Valley as an area "where bribery and corruption are rampant and where bad things happen."

"I'm sick of the Valley being the state's toilet," Carlos A. Garcia said.

Though not mentioning names, Molina's attorney said he also looks forward to taking the case to trial to reveal the underlying motivations of elected officials he charges with engaging in "selective prosecution," specifically by not fully investigating complaints from the mayor's supporters who also documented alleged voter fraud by their political rivals.

'...Operations as normal'

Molina appeared relaxed, smiling during parts of the proceedings, but sometimes visibly flustered, like when he took issue with a bailiff handcuffing him prior to the arraignment.

It's clear he has no plans of going anywhere, evident by his appearance at the council's workshop just hours after his surrender. The mayor is also expected to release a statement of his own next week.

City spokeswoman Cary Zayas, who was present when the Molinas surrendered at the DPS office, as well as during their arraignment, told reporters, "As far as the city goes, we continue with day-to-day operations as normal."

"The mayor actually very adamantly denies any wrongdoing ... the rumors have been swirling for a while and it's time today to let this process really happen," Zayas said.

When asked by a Monitor reporter whether her statement after the arraignment, and her unexpected appearance at the day's events, were an indication of city support for the embattled mayor, she replied, "He's the mayor of our city and I'm representing the city."

Yet in response to a follow-up question, Zayas described the charges against the mayor as not being "city business."

And although she described the events as "very neutral," Zayas chided reporters from taking video of the Molinas being handcuffed or waiting to be transferred to county jail.

"She's sitting in a car. Is that new video? Honestly, is that new video? She's sitting in a car. Does that make your story better?" Zayas asked.

She also physically blocked a KRGV photographer from shooting video of Dalia Molina sitting in a DPS unit. Zayas did the same when the photographer attempted to get a similar shot of Richard Molina.

True to her word that the city was moving ahead, Zayas later issued a press release on economic figures indicating strong growth throughout Edinburg.

Meanwhile, the mayor's arrest made headlines across the state and country.

THURSDAY'S COVERAGE

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