

Citizens' Oversight Projects (COPs)

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August 31, 2017



CITIZENS' OVERSIGHT PROJECTS

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Citizens Oversight Files Opposition to AB-840, the Bill to Gut CA Election Audits

California Election Officials Insert Vast Changes at 11th hour, Hoping to Avoid Detection

Changes allow election officials to omit 40% to perhaps 70% of ballots from audit process in future elections

SAN DIEGO (2017-08-31) -- Citizens' Oversight, a nonpartisan group that focuses on election integrity, announced today that it has filed written comments in opposition to CA AB-840, a bill which will make drastic changes to the one-percent manual tally, so that it will omit 40% or more ballots from the scrutiny of this important audit process.

Ray Lutz, founder of Citizens Oversight, said, “We noticed that Registrar of Voters Michael Vu in San Diego was cutting corners and violating the law when doing the audit process in the 2016 primary. We asked him to follow the law, he refused, so we took him to court and won. Now, he and other election officials friends are looking to gut the law so all counties will cut corners the same way. This is a bad idea and must be stopped!”

Election officials in most counties are members of the organization, the “California Association of Clerks and Election Officials,” or CACEO. On August 24, 2017, they sponsored an amendment of the bill which originally had nothing to do with the Election Code that relates to the election audit process, Section 15360, and added a big section which will effectively omit all vote-by-mail (VBM) ballots which are not yet processed on election day and all provisional ballots from the audit process, which can comprise 40% to 70% of the ballots in the election.

“Voters are already suspicious of the election process,” continued Lutz. “Elections officials say the only errors that need be of concern are machine bugs. Voters know that electronic equipment can be hacked and votes changed on a massive scale. The one-percent manual tally audit is one step to help thwart and expose such attacks. To gut this audit process so that at least 40% of the ballots are known to never be audited invites hackers to make there changes to those ballots and never be detected.”

Citizens Oversight's submission includes an alternative revision to 15360 which improves the effectiveness of the one-percent manual tally and allows the public to provide increased scrutiny. In addition, the proposed changes includes an option not to do the one-percent manual tally at all, if election officials upgrade their equipment to the current generation of election equipment that shoots an image of every ballot and makes those images available for review by the public in a timely fashion. This new approach will allow anyone to perform a virtual hand-count of the election, or process them using their own tabulation equipment as a redundant check on the results.

Citizens Oversight has been conducting a review of many counties election results in the most populous counties in California and in many other states using a methodology called the Snapshot Protocol. This method exposed the Election Audit Fraud in the 2016 Primary in San Diego, where Registrar Michael Vu not only did not audit the later VBM and provisional ballots as we assert is required in the election code, but he hired 40 people to work for a week to pre-stack the Early-VBM precincts so they would match the computer report. However, they did not match, so they just ran a new computer report as well.

Citizens Oversight continues to seek to look at those ballots which we suspect were tampered with in the 2016 primary under the California Public Records Act (CPRA), but Vu says the ballots are “sealed” and cannot be inspected. So again, another lawsuit has been filed on this issue. There is no dispute that voted ballots are public records. They have no voter-identifiable information, and so we argue they should be disclosable. There is no specific exemption in the CPRA law (Cal Code 6250 et seq) for voted ballots although there are other exemptions of a similar nature.

“This is why we think something very bad is going on here,” said Lutz. “Vu not only violates the law, but now the election officials lobbyist group joins in the conspiracy to gut the audit process and make his violation go away.”

THE BILL: http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB840

CITIZENS OVERSIGHT COMMENTS: <http://copswiki.org/Common/M1785>

We must demand that our election officials follow the law!

Volunteers can sign up at: <http://CitizensOversight.org/signup>

Donations are accepted at <http://CitizensOversight.org/donate>

Please do not get fooled by copy-cat sites. CitizensOversight is the group doing the heavy lifting and will be offering training to teams in election districts so we will be effective in combating election fraud.

Citizens Oversight is a 501(c)3 Delaware corporation with primary offices in California and is a nonpartisan organization.

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