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DISTRICT ATTORNEY

OFFICE OF
THE DISTRICT ATTORNEY
COUNTY OF RIVERSIDE
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February 5, 2021

Acting County Executive Officer Juan Perez
Assistant County Executive Officer Lisa Brandl
Assistant County Executive Officer - H.R. Director Brenda Diederichs
Riverside County Administration Center
4080 Lemon Street
Riverside, CA 92501

Dear Mr. Perez, Ms. Brandl, and Ms. Diederichs,

Subject: E-mail from Registrar of Voters Rebecca Spencer re: ROV and Ballot Harvesting Unstaffed Ballot Boxes

Most of the baseless allegations in the January 11, 2021, e-mail I have previously addressed. (See attached prior e-mail entitled "Directive Summary" from DA Hestrin on May 15, 2020.) However, in the interest of accuracy, I want to take a moment to again clarify the role of the District Attorney as it relates to complaints of public corruption and fraud within the Registrar of Voter's Office.

Couched in inflammatory rhetoric, Ms. Spencer once again attempts to dismiss the constitutional obligation of the District Attorney to investigate the election irregularity complaints it receives from the citizens of Riverside County, as mere partisan politics. To the contrary, it is the job of the District Attorney to conduct an impartial, fair and transparent investigation into these complaints, regardless of one's position, politics, or sensitivities to public scrutiny or criticism.

The role of the Registrar of Voters, like this office, is not above the law and remains accountable to the public it serves. Beyond the rehashing of prior unfounded allegations, Ms. Spencer raises a recent interaction with my office involving a new investigation following the November 2020 election. To our dismay, Ms. Spencer's factual rendition is once again inaccurate.

As you can see from the attached email from District Attorney Investigator (DAI) Doyle to Ms. Spencer, our office received additional complaints from Riverside County residents regarding the receipt of approximately 90 ballots, made up of 78 duplicate ballots from the November 2020 election by various individuals, and five (5) likely-duplicate ballots from prior elections. While most of these citizens claimed to have received only one or two extra ballots, some indicated they had received as many as four additional ballots beyond the one used to cast their vote. An additional nine (9) ballots were allegedly sent to deceased persons and two (2) were reported to have been sent to the wrong address. (See attached e-mail entitled "Duplicate Ballots..." from DAI Doyle on 12-20-20, with investigative attachments 1-4 removed.)

Upon receiving these latest complaints about ballot irregularities and potential criminal misconduct, the District Attorney Bureau of Investigation accepted the duplicative ballots provided by the complainants, reviewed them, and contacted Ms. Spencer to discuss the issue of alleged duplication and other irregularities. (See attached e-mail entitled "Duplicate Ballots..." from DAI Doyle on 12-20-20, with investigative attachments 1-4 removed.) Ms. Spencer did not agree to meet with the District Attorney's Office to discuss the allegations, but her staff is going through the ballots, researching the alleged irregularities, and is responding to our Bureau with information on each ballot as it is uncovered. That process is still underway, and our investigation is ongoing.

Investigations into voter irregularities, ballot harvesting, and voter fraud are all part of the job of the Office of the District Attorney. These investigations necessarily involve elections, which by their very nature, are steeped in politics and often charged with emotion. However, baseless allegations and nefarious insinuations designed to polarize and politicize a non-partisan issue, suggest more of a desire to evade public scrutiny of existing practices under her leadership, than any real effort to prevent voter disenfranchisement and protect election integrity.

It is indefensible that our ROV would claim that citizen complaints of her policies or practices are a per se partisan attack, or that our lawful efforts to inquire into them constitute an overreach. Ms. Spencer's letter reflects a fundamental misunderstanding of our respective roles in service to *all* citizens of Riverside County. As I have said before, the Registrar should welcome *all* inquiries into any alleged irregularities or citizen complaints to ensure not only that the residents of Riverside County continue to have faith in our election processes, but to also rectify any public perception of voter disenfranchisement.

To categorize transparency in government practice as harassment, does a grave disservice to the citizens of Riverside County and our system of justice.

Very truly yours,



MICHAEL A. HESTRIN
District Attorney

MAH:sh

Cc: Registrar of Voters Rebeca Spencer
County Counsel Greg Priamos
Deputy County Counsel Ronak Patel
Riverside County Supervisor Kevin Jefferies
Riverside County Supervisor Karen Spiegel
Riverside County Supervisor Chuck Washington
Riverside County Supervisor V. Manuel Perez
Riverside County Supervisor Jeff Hewitt
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