

# Court Rules on Anti-Election Fraud Lawsuit

## Ruling will impact all districts in California; Volunteers sought

*Oversight group will demand that the San Diego Registrar complete the audit properly*

### MEDIA ADVISORY

#### Press Conference

- WHAT:** Court Ruling on Anti-Election-Fraud Lawsuit  
**WHEN:** 11:00 AM, Wednesday, August 3, 2016  
**WHERE:** 500 ft South of San Diego Registrar of Voters building  
On lawn directly west of Commons building  
5560 Overland Dr, San Diego CA 92123  
**PLEASE NOTE: NEW LOCATION: Details below.**  
**LIVE:** Streamed LIVE at <http://Facebook.com/citizenoversight>  
(please use Chrome Browser for audio)  
**RSVP:** <https://www.facebook.com/events/1549421735366347/>

SAN DIEGO (August 2, 2016) -- Citizens' Oversight, Inc. announced that a press conference will be held on August 3, 2016, at 11am in the San Diego County Administration complex regarding the ruling on a lawsuit that questioned the conduct of the Registrar of Voters in San Diego.

Ray Lutz, National Coordinator of Citizens Oversight explains, "This lawsuit is all about getting a clean audit from the San Diego Registrar of Voters. Without a complete audit, it opens the door for election fraud. The Registrar, Michael Vu, decided to leave out about 285,000 ballots from the audit procedure."

This lawsuit does not prove election fraud is occurring. Instead, it proves that elections officials are conducting incomplete audits, exactly what fraudsters need to fix an election.

**Judge Wohlfeil ruled that the Registrar is not following the law and that it must do so -- no excuses.**

The ruling is attached and will be discussed at the press conference.

Citizens Oversight sent letters to many other California counties informing them that they must also comply with the law and asks them specifically if they intend to do so. The election code requires that "ALL ballots cast" be subjected to random audit by choosing 1% of the ballots, including vote-by-mail and provisional ballots. Excluding any ballots from the audit process is a violation of the elections code, it's that simple.

"If any county does not clearly state that they intend to follow Election code section 15360 and include all ballots in the selection process for audit, then we will obtain a court order forcing them to comply," said Attorney Alan Geraci of CARE Legal Group.

San Diego Registrar of Voters (ROV) Michael Vu said he would include ZERO Vote-By-Mail (VBM) ballots processed after election night and ZERO provisional ballots in the state-mandated audit process, thereby excluding 285,000 ballots. “They've had a habit of short-cutting this audit procedure for years. It is time to follow the law and include all ballots cast in the audit,” Lutz said.

The lawsuit included a request for injunctive relief, which would have stopped Vu from certifying the results from San Diego unless they included all ballots cast in the audit process. This request was declared moot, but the process was essential to get the judge to weigh in on the case in short order rather than taking months to complete.

Citizens Oversight will continue to execute legal remedies to get San Diego to either

- 1) complete the rest of the audit encompassing the 37% of the ballots cast that were left out,
- 2) restarting the 1% manual tally audit from the start, or
- 3) doing a complete 100% audit of the election.

“Vu says it would cost \$100,000 to hand count about 2,850 ballots. Outside auditing firms said that they could audit the *entire election* -- 100% of the ballots -- for much less,” Lutz said. “Vu is pulling a fast one to try to make this seem much more difficult than it really is, and that makes you wonder what his agenda really is here.”

This ruling affects all other counties in California, many of whom not only exclude 100s of thousands of ballots from scrutiny, but also choose the random sample in advance thereby making the entire audit process a sham.

Citizens Oversight is seeking volunteers in other election districts in California, most particularly the big three: LA, SD, and OC, which account for about 50% of voters in the state. The top dozen counties in California are (in order): Los Angeles, San Diego, Orange, Riverside, Alameda, Santa Clara, San Bernardino, Sacramento, Contra Costa, San Francisco, Fresno, and Ventura. These 12 counties account for 76% of the electorate and **we must have oversight teams trained and in place in each county by October**. Also, we want to extend the Snapshot Protocol -- a procedure to carefully monitor the audit process -- to any other states that mandate a post-election audit for the November election as well.

**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 also extremely concerned about the habit of modifying ballots using “white-out” or adding ballot marking with no checks and balances, as well as the huge shredding company truck apparently shredding ballots from the ROV office during an earlier press conference. Vu says no materials were picked up from the ROV office. But why have a truck parked by the building during the election process?

“Honestly, it does not help voter confidence to be altering ballots and doing shredding during an election. They knowingly violate the election code and conduct shoddy audits. Doesn't anyone think of the consequences?” Lutz asked.

The public is invited to attend the press conference to promote that every vote should be counted. Please note that this is not a partisan event and is not open to campaign signs.

The following chart shows what happened just days ago when the ROV completed the 1% manual tally. Please note that Bernie Sanders wins by a landslide at the polling places but it is exactly the opposite with the mail vote, and two sets of ballots are missing from the audit, the issue our lawsuit addresses.

“I have never seen groups of ballots flip so dramatically,” Lutz said. “Flipped results and corner-cutting by the Registrar makes you wonder if the entire election was rigged.”

One Percent Manual Tally Results			
	Approx. Total Voters	Bernie Sanders	Hillary Clinton
Polis Ballots	190,000	58.23%	41.77%
Early VBM Ballots	292,000	41.46%	58.54%
Later VBM Ballots	210,000	no data	no data
Provisionals	75,000	no data	no data

**NOTICE -- NEW LOCATION**

Please take note of the new location of this press conference to avoid loud construction noise. It is about 500 ft due south from the ROV office, where we normally have held such press conferences.

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

**PRESS CONTACT:**

Janet Lancaster  
619-952-5610  
[janet@citizenoversight.org](mailto:janet@citizenoversight.org)

Ray Lutz, [CitizensOversight.org](http://CitizensOversight.org)  
619-820-5321  
[raylutz@citizenoversight.org](mailto:raylutz@citizenoversight.org)

###

