

COMPLAINT TO CALIFORNIA SECRETARY OF STATE AND PETITION FROM SAN DIEGO COUNTY CITIZENS TO INVESTIGATE COMPLIANCE WITH ELECTION LAWS

EXECUTIVE SUMMARY

The conduct of elections in San Diego County has raised significant concerns for the electorate. This complaint is meant to address some of the most serious concerns raised by the November 7, 2006, election, and to request that the Secretary of State's Office investigate and report on the issues raised.

The perceptions of citizens are that the requirements for the certification of the Diebold election machines used in San Diego County have not been complied with. Requirements for acceptance testing and logic and accuracy testing have not been fully complied with. Requirements for maintaining a strict chain of custody for securing memory cards (ballot boxes) put in place to address vulnerabilities to tampering revealed by public and private studies have been violated. The requirement for removing election machines from service when security seals are discovered to be removed was ignored. Voting machines without seals were allowed to continue in service without regard to the risk that votes cast on the machines could be deemed illegal and discarded. The requirement that all available reports are to be printed from each machine at the end of the election and before the memory card is removed from the machine was not complied with. In San Diego County, all of the available reports are not printed, or are printed *after* the cards are removed from the machine.

While the People own their elections, elections officials in San Diego County appear to view the public as an adversary to an official agenda that seems more aligned with partisan and corporate interests than with democratic values. Citizens attempting to observe the conduct of the November election report interference by poll workers and elections officials in a way that undermines citizens' rights. Attempts to document problems at the polls were subverted by poll workers and elections officials by misinterpreting and misapplying election protocols.

The Secretary of State's Office issued a requirement that paper ballots be available to voters. A policy to undermine the paper ballot requirement revealed itself through the conduct of elections officials. Poll worker training included instructions to promote the machines and not to inform voters of the availability of paper ballots. Poll workers who raised questions about the machines were dismissed from their jobs for failing to prove their loyalty to the machines. A request made in court that notice be posted at polling places informing voters about the availability of paper ballots, and that an adequate supply of paper ballots be ensured, was opposed by officials. At least one poll worker who attempted to inform voters about paper ballots on election day was forcefully instructed to stop advising voters of their rights by her colleagues and was ostracized from the group for doing so. Elections officials refused to count regular paper ballots until after electronic ballots were counted.

The value and the intent of the one percent audit of the canvass were defeated by the manner in which the audit was performed. Election officials were informed of the precincts to be audited prior to performing the canvass. The audit results suggest that a statistically significant difference between the machine count and the paper count exists. When discrepancies in the audit were reported, the Registrar of Voters refused to explain the discrepancies prior to certifying the election.

COMPLAINT

Introduction

This complaint is brought on behalf of the voters of San Diego County who seek to ensure that elections in San Diego County are transparent, verifiable, and secure. Pursuant to Elections Code section 19102, the Secretary of State may investigate any alleged violation of the Elections Code or the Secretary of State's regulations with the power to subpoena all necessary persons and records. Voter confidence has been undermined in recent years by the conduct of County elections officials. The conduct complained of herein demonstrates a willingness by officials to ignore rules designed to protect the integrity of elections, or to interpret rules in a way that subverts the intent of the rules. This complaint is meant to be non-partisan. Collectively, the electorate is intelligent. When elections are fairly conducted, the results demonstrate the collective wisdom of people to govern themselves and to promote a republican form of government regardless of a voter's political orientation. The natural by-product of an educated electorate voting in fair elections is the ability of the People to right the ship of state no matter which way the political pendulum swings. When the integrity of elections is subverted, and the collective wisdom of the people is removed from the process of determining the direction our government should move, the results can be disastrous. By raising the concerns herein, citizens hope to promote awareness about how elections can be undermined and to seek help from the Secretary's office in obtaining needed changes to protect the electorate from officials whose interests are not aligned with voters, and who are increasingly isolated from their true constituents. The Secretary of State is hereby requested to conduct an investigation of the issues raised herein with a report of her findings.

The following is organized to present, as reasonably as possible, the issues as they occurred during the normal election cycle for the election conducted by San Diego County elections officials on November 7, 2006. The primacy of the issues as listed does not indicate their relative importance.

I. Electronic Voting - Certification

Electronic voting is inherently insecure. In spite of the risks, San Diego County officials selected Diebold TSx and Optiscan voting machines for use throughout the County. Private studies by Princeton University and computer scientist Harri Hursti, and studies by the California Secretary of State's Office under Bruce McPherson, concluded that Diebold voting machines are particularly vulnerable to attacks that can change the results of an election. (*Security Analysis of the Diebold AccuVote-TS Voting Machine*, Ariel J. Feldman, J. Alex Halderman, and Edward W. Felten, Center for Information Technology Policy and Dept. of Computer Science, Princeton University; *Diebold TSx Evaluation, SECURITY ALERT: May 11, 2006, Critical Security Issues with Diebold TSx*, Harri Hursti; *Security Analysis of the Diebold AccuBasic Interpreter*, David Wagner, David Jefferson, Matt Bishop, Voting Systems Technology Assessment Advisory Board (VSTAAB), University of California, Berkeley, dated 2/14/06.) As a result, the Secretary of State's Office decertified, and then recertified, the Diebold machines on certain conditions. (Approval of Use of Diebold Elections Systems, Inc., DRE and Optical Scan Voting Systems,

dated 2/17/06.) Included in those conditions is the requirement that a strict chain of custody of the machines and its components be maintained by the County.

The Help America Vote Act (HAVA) establishes that the Election Assistance Commission will certify voting systems. (42 USCA 15371.) Pursuant to the terms of transition, the National Association of State Election Directors (NASED) sets forth the standards and procedures for certification. (42 USCA 15371(d); NASED Addendum to federal certification, dated 3/22/06.) State law requires that voting systems be approved by the Secretary of State. (Elec. Code § 19201.) The law also requires that, before being approved by the Secretary of State, voting systems must be federally certified. (Elec. Code § 19250.) In order to address the controversy surrounding the security of Diebold memory cards, the NASED conditioned its certification of Diebold voting systems on election officials maintaining a perpetual chain of custody record for all memory cards. The NASED certification also requires that programmed memory cards be stored securely at all times with logged accesses and transfers. Memory card security is important because each card is a ballot box from which the outcome of elections is determined. The only security provided by the machines themselves consists of removable security tape and a keyed door. The commercially available tape can be removed and replaced without evidence, and the key that opens the door is identical for each machine, is commonly available, and can easily be obtained from sources other than Diebold. These modest security measures can otherwise be circumvented by simply taking the machine apart to gain access to the memory card.

In direct violation of the state and federal requirement, officials in the Registrar of Voters Office in San Diego County released the machines into the hands of poll workers as many as three weeks in advance of the election (sleepovers). This policy raises several issues. The policy burdens citizen poll workers with the responsibility for providing security for the machines, without training, when that responsibility is the Registrar of Voters'. The policy does not set standards for how the machines are to be stored or what kind of security measures the poll workers must put in place to protect the machines. Most importantly, the policy exposes the proven vulnerabilities of the machines to exploitation by those who do not trust the wisdom of voters to chose the best course for the state or country. The Registrar's approach to training poll workers on security is reflected by the experience of one such poll worker. Security training for storing the machines consisted of an admonishment that poll workers keep the machines in "as safe a place as possible . . . take them to bed with you if you have to."

Deploying voting systems that are vulnerable to tampering into the hands of untrained persons and into storage facilities unsuitable to protect the machines is a violation of the certification and subjects the system to unwarranted risks. Stopping sleepovers ends a poorly considered policy that increases the risk of tampering. Elections are important enough that, if the machines cannot be distributed to the polls without violating the chain of custody requirements and subjecting the machines to the risk of tampering, they should not be distributed at all. The Secretary of State is urged to promote regulations that clearly prohibit the practice of sleepovers and provide consequences for those officials who violate the law.

II. Acceptance Testing of Diebold Voting Machines

The Registrar of Voters' Office failed to follow required procedures for testing the TSx. Pursuant to Elections Code sections 19200 and 19205, the Secretary of State's Office adopted procedures that regulate and govern the use of Diebold Election Systems AccuVote-TSx at all elections governed by the California Elections Code. Those procedures state, "Each AccuVote-TSx to be used in an election or as a backup or spare device, must pass a standard diagnostic test before placing a removable PC card in the voting machine for verification and testing," and "System testing involves the combination of hardware and software tests of all equipment to be used in an election." Public Records Requests reveal that not all of the more than 10,000 TSx machines were tested. The Registrar's stated reason for not complying with these procedures is that the procedures do not apply to a county the size of San Diego. Nothing in the procedures suggests such a limitation, and the Secretary of State never granted San Diego County a waiver from this requirement. This explanation suggests the willingness of officials to circumvent procedures if they perceive the procedures as too burdensome.

III. Logic and Accuracy Testing

The Secretary of State's procedures state, "[A]ll hardware and memory devices to be used in the election must be tested as described below." The tests for memory devices are known as "Logic and Accuracy Tests" or "L&A Tests." Testing of election logic involves both data testing, ensuring accuracy of cast ballots, and system testing which ensures that data logic is consistent as it is transmitted from one component of the system to another, i.e., as it is downloaded onto memory cards, as ballots are cast, and as results are uploaded to the GEMS host computer application. The Registrar did not test all of the memory devices prior to loading them into voting machines. The Registrar's stated reason for not complying with these procedures is that the procedures do not apply to a county the size of San Diego. Nothing in the procedures suggests such a limitation, and the Secretary of State never granted San Diego County a waiver from this requirement. This explanation suggests the willingness of officials to circumvent procedures if they perceive the procedures as too burdensome.

IV. Conduct of Elections

The public has a right to observe the conduct of elections at the polls and report violations of law. (Elec. Code § 2300.) The Registrar's and some poll workers' conduct indicates that citizens who seek to exercise their rights to observe and report are considered adversaries. During the November 7, 2006, election, one observer asked at four separate precincts to inspect the security tape on the door securing the memory card in the voting machines. At one precinct, the precinct captain refused to allow the inspection. At two other precincts, the observer discovered that the security tape had been removed in violation of the chain of custody requirements as described above. Only the inspector at the fourth precinct was receptive to public inquiry. There, the machines had security tape in place and paper ballots were being offered. The certification requirements provide that, in the situation where chain of custody of the memory card has been compromised, the memory card must be removed in the presence of two officials and the

memory must be set to zero before the machine may be returned to service. (Approval of Use of Diebold Elections Systems, Inc., DRE and Optical Scan Voting Systems, para. f, dated 2/17/06.) In both instances where the chain of custody had been compromised, the observer immediately reported the violation to the Registrar of Voters' Hotline. The observer requested that the Registrar of Voters comply with the regulations and take the machines out of service because votes cast on the machines could be struck from the canvass as illegal. The Registrar refused to take the machines out of service or reset the memory cards as required. Later in the day, the observer noted that new security tape had been placed on the machines in order to create the illusion that the machines were secure and in compliance.

After discovering that the security tape had been removed, the observer informed the poll workers that he intended to photograph the tape and machines in their current state. The Registrar of Voters instructed the poll workers to prohibit the observer from taking the photographs citing Elections Code section 18541 claiming that such an act would be considered "electioneering." Section 18541 states that no person shall, *with the intent of dissuading another person from voting*, within 100 feet of a polling place, photograph, videotape, or otherwise record *a voter entering or exiting a polling place*. The Registrar of Voters' policy of refusing photography of the seals and machines violated the observer's right to document the illegal activity at the polls. The Registrar of Voters misapplied section 18541 because the observer neither intended to dissuade a voter from voting nor photograph a voter entering or exiting a polling place. Shortly after prohibiting the observer from documenting the illegal activity at that precinct, three local police officers arrived in three separate cars. The show of force was meant to intimidate the observer from exercising his right to observe the polls.

The Registrar of Voters failed to ensure that poll workers were informed that their conduct of the election is public from the time the polls open up to and including the poll closing activities. Many poll observers reported being told that they could not observe the closing, and, in one case, that only the Department of Justice had a right to observe polls after they closed.

Citizens also have the right to observe official procedures. Elections Code section 15003 mandates that the semi- and official canvass procedures be available for public inspection no later than 29 days before the election. When requested by voters, the Registrar was unable to produce the procedures as required.

V. Paper Ballots

For the November 2006 election, the San Diego County Registrar of Voters Office made it a policy to promote the use of electronic voting machines. San Diego County officials authorized the expenditure to register as lobbyists and directly lobbied the U.S. Congress to pass HAVA. The same officials then authorized the expenditure of over \$30,000,000.00 to purchase and implement Diebold election systems.

Prior to the election, in a memo dated October 3, 2006, the Secretary of State's Office issued an order to the San Diego County Registrar of Voters requiring him to have an adequate supply of regular paper ballots on hand at the polls for those voters who wanted them, and that those ballots be treated as regular ballots as opposed to provisional or absentee ballots. Having lobbied for and purchased Diebold election machines, San Diego County elections officials undertook a campaign to not only promote the electronic election system, but to forcefully

undermine any support for a paper ballot system as indicated by the following.

Upon learning of the option to vote on paper ballots, citizens and the media asked the Registrar how many paper ballots would be made available. The Registrar refused to say anything other than “there would be an adequate supply.” The Registrar of Voters’ staff were instructed not to inform citizens that paper ballots were available in which to cast their votes. At one poll worker training session, staff from the Registrar of Voters reported 300,000 paper ballots were going to be made available. The Registrar later disavowed that report. In fact, many precincts ran out of paper ballots as predicted by concerned citizens.

Poll worker training in San Diego County took on the appearance of a Diebold road show at taxpayers’ expense. Poll workers were encouraged, and in some cases required, to be excited by the machines and to project that excitement to the public. Poll workers were told that the turnout of voters would be higher because voters were excited to use the new electronic machines. When asked, the instructors admitted that paper ballots would be available, and they told poll workers how to process them. But, poll workers were instructed not to inform voters of the option to use paper ballots. When addressing the issue of handling delays caused by breakdowns in the machines, instructors told poll workers to tell voters to either wait or come back. When asked why poll workers should not offer paper ballots to time-pressed voters, instructors stated, without any way to predict every circumstance, that there was no reason to offer paper ballots because the machines would be repaired quickly. Although the poll workers’ manual includes addendums, no mention of the Secretary of State requirement to provide paper ballots is included in the manual.

The bias against paper ballots demonstrated by the Registrar at training classes also surfaced at polling places. When asked by an observer whether voters were being informed about their right to cast paper ballots, poll workers stated variously, “No,” “Only if we are asked about them,” “This is an electronic voting machine election,” “Voters don’t want paper ballots,” or “We are promoting e-voting.” Many voters report being ridiculed by poll workers when paper ballots were requested. Remarkably, at one precinct a poll worker, Audrey, attempted to inform voters of their right to choose paper ballots. The three other poll workers told her to “Shut up.” They continued to verbally harass Audrey and actively worked to intimidate her to stop informing voters about paper ballots throughout the day. According to Audrey, they relented only when the above mentioned observer was present.

The bias against paper ballots also surfaced in official policy toward poll workers, including termination without any form of progressive discipline or fair hearing. One poll worker questioned the use of electronic voting in published remarks. Instead of educating the poll worker, she was fired for being “misinformed.” Another poll worker who asked questions of the Registrar of Voters’ staff in order to *be* informed about DRE voting was fired for asking too many questions. The staff member interpreted the questioning as showing disloyalty to the machines. The staff member stated, “We only want people who support the machines 100%.”

In spite of legal precedent and statutory authority prohibiting it, the Registrar discriminated against voters who chose to vote on a paper ballot. In the memo from October 3, 2006, the Secretary of State required paper ballots to be treated the same as electronic ballots. Nevertheless, the Registrar in San Diego County refused to count paper ballots at the same time as electronic ballots. The Registrar went so far as to oppose in court a request by one voter to have her paper ballot treated with the same dignity the Registrar was providing to electronic

ballots. The Registrar waited at least three days after the election before canvassing regular paper ballots and including them in reports of election results.

VI. Unauthorized External Connection

Evidence exists from GEMS audit logs showing that the direct recording electronic voting system was connected to an external network identified as “Everett” during the tallying of votes by GEMS. Diebold has offices in Everett, WA. The Elections Code states:

- A direct recording electronic voting system shall not be connected to the Internet at any time.
- A direct recording electronic voting system shall not be permitted to receive or transmit official election results through an exterior communication network, including the public telephone system.
- A direct recording electronic voting system shall not be permitted to receive or transmit wireless communications or wireless data transfers.

(Elec. Code § 19250, subd. (f)-(h).)

The Registrar of Voters’ explanation that the log indicates that an employee was running a “program,” does not stand up to scrutiny. GEMS is a database application. Any programs run, such as a script that would use sql as a programming language, could alter the database counting of votes from the memory cards. No explanation can be provided for why an employee would be running a program on the GEMS database while votes were being counted.

VII. Audit of the Canvass

The audit as conducted by the Registrar undermined its value and intent. Elections Code section 15360 requires a “one percent manual tally.” As stated in Elections Code section 336.5, the purpose of the manual tally is to verify the accuracy of the automated count. The required Procedures Manual states that the Official Canvass consists of a post-election audit of the voting precincts returns and the absentee voter ballot returns. (DESI AV-TSX AVPM Procedures, § 8.) Section 15360 states that the precincts to be audited must be randomly selected. An audit is an attempt to verify. Therefore, the purpose of the manual tally is to audit the results of an election to provide accountability and confidence in the conduct of an election.

The timing of the audit undermined the value of the audit. The San Diego County Registrar of Voters ordered that the precincts be selected before he finished canvassing the vote instead of after the canvass as is required by the Elections Code. The official procedures also requires that the semi-final official canvass be complete before the commencement of the audit. (DESI AV-TSX AVPM Procedures, § 7.1 and 8.6.) Instead of preparing 100% of the canvass and sampling 1% of it, as the Elections Code requires, only the 1% of the canvass being sampled was prepared. As a result, 99% of the precincts in San Diego County were canvassed with the knowledge that no audit would be conducted to reveal problems in those precincts. The 1% that was audited was canvassed with the foreknowledge that those precincts would be subject to scrutiny. The principle that foreknowledge of the precincts to be audited can affect the value of the audit is reflected in the Procedures Manual. The Procedures Manual states, “Precincts selected at random pursuant [to a] manual recount shall not be revealed to the persons

responsible for programming the electronic ballot until the semi-official canvass is complete.” The principle that the people being audited have an interest in under reporting poor performance was disregarded by the Registrar.

No audit can instill confidence in the performance of a system when the performance can be artificially enhanced to meet the objectives of the audit. When questioned about the timing of the audit, the Registrar stated that he was not conducting an “audit,” but merely a check of the performance of the machines. The use of semantics does not change the purpose of the tally. The Registrar also declared that he could conduct the audit the day after the election and still be in compliance with the law in spite of the fact that the semi-final official canvass could not be complete the day after the election. When further questioned about the appropriateness of the timing of the audit, the Registrar invited the public to address its concerns in the courts.

The timing of the audit was not the only requirement ignored by the Registrar. The TSx Procedures Manual requires that paper ballots be included in the audit. Absentee ballots are paper ballots. The Registrar did not include absentee ballots in the audit because all absentee ballots were assigned to an artificial, nonexistent precinct, regardless of the precinct in which the ballot was cast. The artificial precinct was not selected for the audit.

The audit must be public. In order for the provision that the public be permitted to observe to have any meaning, the public must be informed about what they are observing. Voters have the right to ask questions about elections. (Elec. Code § 2300.) However, during the audit the Registrar instructed his staff to refuse to answer any questions. Instead, observers were required to submit written questions without any assurances that the questions would be answered. Confirming the fears of the observers, the Registrar waited until after the audit to answer the written questions. The answers given were inadequate, and the Registrar refused to answer follow-up questions about the audit.

Additional questions about the audit were posed in a November 15, 2006, letter. The Registrar refused in writing to answer the following questions stating he had no legal duty to answer them: 1) which ballots were counted and reported to the Secretary of State prior to the selection of the precincts for the manual tally, 2) which ballots, i.e., electronic, paper, absentee, provisional, were counted as part of the canvass for each precinct made part of the manual tally, 3) whether all the ballots, i.e., electronic, paper, absentee, provisional, cast at the precincts made part of the manual tally were included in the manual tally, 4) when the semi-final official canvass was completed prior to the commencement of the manual tally and reported to the Secretary of State pursuant to Elections Code section 15151, 5) how the numbers generated by the Petitions Module of our election management system are matched to the sequence numbers, what the sequence numbers are, and how the sequence numbers are generated, 6) whether the boards authorized to canvass returns opened the counter compartments and compared the records of votes cast for the several candidates voted for and for and against the several measures voted upon shown on each machine with those recorded on the statement of results of votes cast prepared from that machine by the precinct board pursuant to Elections Code section 19386, 7) whether all of the audit records and logs have been printed pursuant to sections 4.2 and 4.3 of the Secretary of State’s Procedures Manual. The Secretary of State is requested to consider whether these questions are inappropriate and, therefore, justify the Registrar’s refusal to answer.

Discrepancies revealed by the audit remain unexplained. The Elections Code requires that a report on the results of the one percent manual tally be included in the certification of the

official canvass of the vote. The report must identify any discrepancies between the machine count and the manual tally and include a description of how each of the discrepancies was resolved. The Registrar's report identifies a difference of 529 votes between the machine and manual count. In some cases the machine counted more votes than the auditors did, and in some cases fewer. The report explains 62 of the vote difference as a problem with the readability of the ballot. The report identifies 50 more ballots cast than the manual tally found and does not explain why. Thus, the report fails to explain, let alone resolve, over 400 discrepancies in the audit. Given the fact that the discrepancies reflect only 1% of the ballots canvassed, the problems with the election as revealed by the audit could be enormous.

On December 6, 2006, the Registrar was asked in writing to explain the results of the audit. The request was repeated several times over five weeks before getting a response. On January 11, 2007, the Registrar stated that because he interpreted the request to be accusatory, and because he believed he had no legal duty to answer the questions, he was exercising his prerogative to refuse to answer. As stated above, the Elections Code provides voters the right to ask questions about elections. (Elec. Code § 2300.) In a follow-up letter, the Registrar was asked to reconsider his position and explain the discrepancies. The Registrar did not respond. The Registrar is in violation of Elections Code section 15360 by refusing to explain how the discrepancies revealed by the audit were resolved before he certified the election.

Elections belong to the public. The Registrar's own mission statement embodies the goal that he work to earn the confidence of the public in the electoral process. The public has a right to know how elections are being conducted. The Elections Code provides that the audit be public. The Registrar has actively thwarted the public's attempt to learn about their elections. The audit was public in name only. The Registrar deprived the public of the opportunity to meaningfully observe and obtain information about the conduct and the results of the audit.

VIII. Required Reports

The NASED procedures cited above require that for all systems using a memory card, all reports available from the system be produced *before* removal of the cards from the machines. The requirement that *all* available reports are to be printed is not an option. The record contained in the memory cards could be compromised after removal from the machines. Given the vulnerabilities in security of the TSx, verifying the performance of the machines by complying with these requirements is critical. A failure to follow the NASED procedures explicitly negates the federal certification on which state certification depends. In San Diego County, the Registrar's policy is to print only a summary of the votes recorded on the memory card before the card is removed. No other reports are known to be printed unless demanded through a formal Public Records Request. As a result, the required reports are printed, if at all, only *after* the cards have been removed from the machine. This policy is ratified in poll worker training in which poll workers are instructed to print only the summary report.

A summary of the votes is not the only report available from the TSx. About 80 different reports and audit records can be generated by the Diebold GEMS program. The Memory Card Status Report is an example of a report required to be printed by the conditions of NASED certification. This report identifies how many memory cards were created on the machine. Knowing how many memory cards had access to the machine is a critical part of the chain of

custody record for the cards. Section 4 of the Procedures manual states, "The GEMS Audit log contains a complete record of all transactions that have occurred in the election in GEMS, ordered by date and time. These should be printed and retained as part of the official election." By printing only a summary of the votes before removal of the cards, the Registrar has defeated the purpose and value of the available reports.

IX. Conclusion

Elections officials are authorized to act beyond the minimum requirements of laws and regulations to enhance the public's ability to hold their elections. Refusing to comply with the requirements on which elections are based, or subverting the intent of election laws, does not enhance the ability to hold elections. Election laws are meant to reflect the most important values for fair and honest elections: that they be transparent, verifiable, and secure. Conducting an election that the public can trust requires discipline and effort. Undermining the checks and balances needed to ensure fair elections might enhance the convenience of elections officials, but it does not enhance the ability of the people to express their will through the ballot box.

The foregoing indicates a pattern of neglect of basic election standards and a willingness to forego the integrity of elections in order to promote the convenience of officials. Where regulations leave to officials the discretion of how to conduct fair elections, officials in San Diego County have chosen to interpret those regulations in a way that undermines public oversight. Because public officials are accountable to the citizens who hire them, and because the Secretary of State has the authority to investigate county officials, a duty exists to investigate the issues raised herein.

RESPECTFULLY SUBMITTED,

Dated: February 14, 2007

Signed: _____



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