

Alien voting checkup stymied

Red tape, law stymie checks of alien voting

By LAURIE BECKLUND

Government red tape and laws protecting privacy have effectively halted an effort to weed out noncitizens who may have registered to vote Nov. 2, a state elections official said yesterday.

Ray Ortiz said in a telephone interview from Sacramento that the secretary of state's office, for which he works as elections assistant, has no system by which it can check voter lists to make sure those registered are citizens.

Ortiz had been scheduled to come to San Diego this week to check out rumors that green-card workers have registered to vote. (Holders of "green cards" are allowed to cross the border to work in the United States.)

It now appears that checking these rumors will be impossible.

A spokesman for the U.S. Immigration and Naturalization Service (INS) regional headquarters in San Pedro said yesterday that INS will not release to the secretary of state lists of aliens on file.

It is the INS that keeps citizenship records.

"We cannot turn over our files and it is not feasible for us to get lists of green-card workers," said INS spokesman Bob Seitz.

For two reasons.

(Cont. on page A-9, col. 1)

CONTINUED FROM PAGE 1

First, he said, the Privacy Act of 1975 (which protects citizens and legal residents from improper intrusions into their records) legally prohibits INS from turning over the files. The files include information offered in confidence, he said.

Second, he said, even if the files could be turned over, it would be physically impossible to do so. There are more than 300,000 files in the San Diego office alone, according to INS district director James J. O'Keefe.

And those files are not separated into neat categories like "illegal aliens" and "green card workers," he said. There are no lists of names at all, as the secretary of state had hoped.

"We will cooperate with the secretary of state in any way we legally can because it is a bad thing if noncitizens are registering to vote," Seitz said.

But that cooperation will be limited to checking individual names of people suspected of being noncitizens, he said.

To date no one has any names of possible violators.

Only rumors.

The question of checking registration rolls for noncitizens was raised by the Council of California Growers, which submitted a complaint to the secretary of state through Assemblyman John Thurman, D-Modesto.

Growers have claimed that proponents of Prop. 14, the farmworkers' initiative, have signed up green-card workers to vote for the initiative, which would reenact the state's law on secret

ballot union representation elections with pro-labor changes.

Farmworkers have charged the growers are circulating a false rumors in order to cloud the Prop. 14 issue.

But the rumors have raised another, perhaps more serious question.

Can the people given the responsibility of insuring fair elections enforce the law that says only U.S. citizens over 18 can vote?

The answer may be no.

Ortiz said "it will be very difficult" to make sure only citizens vote Nov. 2.

He said the only alternative to checking voter registration lists is a "massive media campaign warning people of the one- to 14-year perjury penalty" for lying on voter registration forms.

Beyond that, he said, citizens can legally challenge at the polls Nov. 2 anyone they have substantial reason to believe is not a citizen.

The state elections code outlines a procedure for such challenges.

He said he is also limited in doublechecking voter registration forms this year because of changes in the election code that allow voters to register by mail.

"If a person wants to cheat, he just has a little better chance to do it when he sends in a postcard registration from home," Ortiz said.

The secretary of state's office has officially denied that there are any such problems inherent in the new register-at-home system and adds every election brings some rumors of voter fraud.

SD E-mail-Tab
1012-124

Federal Election Monitors Requested For San Diego County!

BY POLITICIANS

"Those who ignore History are bound to repeat It"

by: Daniel L. Munoz

San Diego, Calif. (12 August, 1994). "The level of racist, bigoted attacks against ~~the~~ Mexican American-Latino residents of San Diego and the state has escalated to the point where we fear that attempts to deny Mexican and Latino Americans their right to vote in November will occur." Said Herman Baca, Chairman of the Committee On Chicano Rights.

gill Clinton

The Committee on Chicano Rights today asked ~~the~~ President to order Federal Monitors of the U.S. Justice Department, Civil Rights Division to insure that "free, honest and non-intimidating elections" take place in the State of California on November 2, 1994. "The coordinated and orchestrated attacks by California's Republican Party against our people, exemplified by Governor Pete Wilson, and the Republican Party's support for the S.O.S. Initiative and the continued attacks against the 20 million Latinos, Hispanos and Mexican Americans by elected Republican Congressmen in the State and at the Federal level, has made it ^{obvious to us} clear that a concerted effort is underway to usurp ^{our people's} their right to vote by intimidation, coercion and selective persecution. This ^{is clear} is in violation of Federal Civil Rights Laws." Said Baca.

Supervisors Called Into Account

"The recent unfounded charges by Supervisor Brian Bilbray (R) of 'voter registration fraud' in the County of San Diego, supported by Supervisors Dianne Jacob (R), Pam Slater (R), and John MacDonald (R), is but the most recent example of the effort by the Republican Party to attempt to de-enfranchise the Mexican American Voters of San Diego County.

"It is obvious that Bilbray's proposal to ferret out so-called "illegal registered voters" is nothing but a racist 'witch hunt' by a desperate losing politician for public office. Bilbray's proposal is asinine and before anyone takes him serious they should demand that he produce one more "body count" than was discovered in 1976 by California Secretary of State March Fong Eu who was led on a similar witch hunt by other desperate "Republicans" and the California Council of Growers, who had visions of thousands of "illegal aliens, bloating the voters roles to vote for the UFW Proposition 14 which would reenact the state's law on secret ballot Union representation elections.

In the 1976 incident Secretary of State March Fong Eu was requested to see if any aliens had registered to vote by Assemblyman John Thurman (R) of Modesto who was responding to a request by the California Council of Growers. Thurman's request, as with Supervisor Bilbray's request for an investigation of voter registration fraud, was requested without one single bit of evidence being submitted that such a fraud existed. The Secretary

of State eventually sent her assistant Ray Ortiz, who later would become the Registrar of Voters for San Diego, to investigate.

Ray Ortiz, it was reported, hoped to match lists of Mexican alien and San Diego County voter rolls. After a check of 14,000 records the registration rolls had turned up only two illegal registrations. The prob was canceled. Ortiz at that time indicated that the findings were far below the 2 to 3 percent that was needed to warrant further investigation. It was a waste of time, money and effort.

"It is apparent that Bilbray, as well as the Republican Party intend to limit or de enfranchise the ever increasing non white citizens through fear, intimidation and actual exclusion of Mexican American voters from the polls, as was carried out in Santa Ana in 1980. Once again it was the Republican Party that attempted to deny Mexican American Citizens their right to vote." stated Baca.

"What can we expect next? Will we see efforts to bring back the poll tax? Literacy tests? Property ownership or having to be of the right gender as a requirement to be able to vote? What is at stake here is an effort to overturn every major piece of Civil Rights legislation that minorities and women have struggled for in order to obtain the precious right to be franchised." said Baca.

What Bilbray Wants

In his statement, which was approved by the other Supervisors, Bilbray directed the Chief Administrative Officer working with the Registrar of Voters to investigate the prevalence of voter registration fraud and voter fraud occurring in the County of San Diego with special attention to fraud perpetrated by 'non-citizens' of the United States.

(Note: Not one piece of evidence was submitted to indicate that any fraud was occurring.)

2. To forward a recommendation by the Board of Supervisors to the Grand Jury requesting an investigation of potential voter registration fraud and voter fraud in San Diego County.

(Once again no proof that fraud had occurred and how does one investigate a potential?).

3. Direct the CEO to draft a letter to the Attorney General of the State of California and the U.S. Attorney General requesting an investigation on the State and Federal level into the prevalence of voter registration fraud and voter fraud.

(Incomprehensible how this can be done without any proof that fraud has occurred?)

4. Direct the CEO, in conjunction with the office of Intergovernmental Affairs, to develop a legislative strategy, in Sacramento and Washington D.C. to properly deal with the active and potential cases of voter registration fraud and voter fraud in California and the United States.

(From prevalence, to potential and now "active voter registration fraud all in one piece of paper totally without foundation.)

Bilbrav's Witch Hunt

"What is Bilbrav actually saying? " ask Baca. "Is his ^{that HAS} real intent to take the Mexican American-Latino vote away, by what ever means? It is obvious that Bilbrav's proposal is intended to intimidate those Mexican American-Latino voters from coming to polls on November. ^{to vote against him & the} Bilbrav, ^{of} like Governor Pete Wilson and the majority of the Republican party, are willing to squander millions of taxpayers dollars on a wild goose chase to salvage their failing political agendas at the expense of the State's Mexican American-Latino voters. "What is frightening," added Baca, "is that the rest of the Board of Supervisors, knowing full well that the County is on the verge of bankruptcy, voted to support Bilbrav's costly proposal in a ill-conceived show of Republican solidarity no matter what it cost. What we have here is an individual trying to turn the clock back to the days of "White supremacy." Like the racist Principal in Alabama, who tried to impose the separation of the Races in his school that ended in the burning of the high school. Is this what Supervisor Bilbrav is promoting?" asked Baca.

Bilbrav, Governor Pete Wilson, SOS supporters, the Republican Party, along with opportunistic Democratic politicians like Senator Diane Feinstein come November will pay the political price for their willingness to sacrifice the 20 million Mexican American-Latino citizens of this country," concluded Herman Baca.

Bilbrav Duplicity Exposed!

La Prensa communicated with Mr. Rudy Murillo, INS Spokesman and Special Assistant to the Director, Cliff Rogers. La Prensa raised the issue of cross-checking with INS records and Voter Registration records to prove fraud.

L/P: Mr Murillo, Supervisor Bilbrav and the Board of Supervisors is requesting the Registrar to investigate the prevalence of voter registration fraud and voter fraud with special attention to "non-citizens." I presume this means using INS records to cross check Voter registration records with your records.

Murillo: What the Voter Registrar needs and is required to know is the citizenship and where that person lives. The INS HAS NO FILES ON CITIZENS. We have no files on persons born in the United States.

L/P: What if they gave you a name that they pulled from the voter rolls. what could you check for?

Murillo: NOTHING. If they gave us a Hispanic name, our index system, which is a nation wide computer system with tens of millions of names, would not stop printing for half a day printing out all of those with the same name. They are not listed by state, nor are their addresses listed. All it tells us is where this person entered the country at and how he entered, and if he became a naturalized citizen. The INS does not track people nor does it list their current address.

-4-

Murillo: Green Card Holders, Border Crossing Card Holders and legal residents we have a record on. Illegal aliens we have no record. We just names no residency is listed. No legal resident in his right mind would try to vote. They are not going to jeopardize the privilege of being in the United States and being able to legally work here. That is what Ray Ortiz found out while he was the Registrar of Voters for San Diego. Registering to vote is the last thing that green card holders or legal residents would want to do.

L/P. What purpose would Bilbray and the Board Supervisors hope to serve with this recommendation?

Murillo: I SPENT A LOT OF TIME TALKING TO BILBRAY'S STAFF A COUPLE OF WEEKS AGO ON THIS PROPOSAL AND I TOLD THEM THIS WAS THE 'DUMBEST' IDEA I HAD HEARD IN A LONG TIME. Then a week later was I surprise to read in the paper where they went ahead with this probe of supposed prevalence of voter registration fraud and voter fraud occurring!

L/P It appears that Supervisor (now candidate for the 49th Congressional District) Bilbray was not honest about his real intentions with this proposal. Bilbray obviously is jumping on the migrant-bashing bandwagon to gain votes at the expense of the MexicanAmerican-Latino community.

August 10, 1994

The Honorable President Bill Clinton
The White House
1600 Pennsylvania Ave. N.W.
Washington, D.C. 20500

We call on your administration to order Federal Monitors of the U.S. Department of Justice, Civil Rights division, to insure that free, honest, and non-intimidating elections in the State of California take place November 2, 1994.

We are requesting said action because of the extreme Republican Right Wing proposals and actions led by Governor Pete Wilson, the SOS Initiative sponsors and San Diego Supervisors and the entire Republican delegation, who are attempting to usurp the right to vote by intimidation, coercion and selective persecution, in violation of Federal Civil Rights Laws, of persons of Mexican and Latin ancestry of the State of California.

Sincerely,

Herman Baca, Chairman
Committee on Chicano Rights

lh/HR

C/C Media, Hispanic Congressional and State Caucuses

CHIEF ADMINISTRATIVE OFFICER REPORT

3. **SUBJECT: Voter Registration Fraud**
(Supv. Dist: All)

ISSUE/REFERENCE:

Should the Board of Supervisors investigate the prevalence of voter registration fraud in the County of San Diego and take appropriate action to stop any illegal voting activity from occurring?

RECOMMENDATION:**SUPERVISOR BILBRAY:**

1. Direct the Chief Administrative Officer working with the Registrar of Voters to investigate the prevalence of voter registration fraud and voter fraud occurring in the County of San Diego with special attention to fraud perpetrated by non-citizens of the United States.
2. Forward a recommendation by the Board of Supervisors to the Grand Jury requesting an investigation of potential voter registration fraud and voter fraud in San Diego County.
3. Direct the Chief Administrative Officer to draft a letter to the Attorney General of the State of California and the United States Attorney General requesting an investigation on the State and Federal level into the prevalence of voter registration fraud and voter fraud.
4. Direct the Chief Administrative Officer, in conjunction with the Office of Intergovernmental Affairs, to develop a legislative strategy, in Sacramento and Washington, D.C., to properly deal with the active and potential cases of voter registration fraud and voter fraud in California and the United States.



Committee on Chicano Rights, Inc

August 10, 1994

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Herman Baca, Chairman
Committee on Chicano Rights

lh/HB

C/C Media, Hispanic Congressional and State Caucuses



Committee on Chicano Rights, Inc

FOR IMMEDIATE PRESS RELEASE

Committee on Chicano Rights
National City, Calif.

August 11, 1994
Contact: H. Baca
619-477-3800

THE COMMITTEE ON CHICANO RIGHTS (CCR) TODAY CHARGED THAT MEXICO IS NOT THE ONLY COUNTRY THAT IS IN NEED OF 'ELECTION OBSERVERS' TO INSURE FAIR AND IMPARTIAL ELECTIONS.

IN A LETTER TO PRESIDENT BILL CLINTON, THE CCR HAS CALLED FOR THE PRESIDENT TO ORDER 'FEDERAL MONITORS' OF THE U.S. DEPARTMENT OF JUSTICE, CIVIL RIGHTS DIVISION, INTO SAN DIEGO COUNTY & THE STATE OF CALIFORNIA TO INSURE THAT FREE, HONEST & NON-INTIMIDATING ELECTIONS TAKE PLACE IN CALIFORNIA ON NOVEMBER 2, 1994. (SEE ATTCH. A).

HERMAN BACA, CHAIRPERSON OF THE CCR STATED THAT " WITH THE RECENT VOTE BY THE SAN DIEGO BOARD OF SUPERVISORS FOR THE BILLBRAY PROPOSAL (SEE ATTCH. B) THE COORDINATED AND ORCHESTRATED RACIST AND BIGOTED ATTACKS BY THE REPUBLICAN PARTY AND SOME DEMOCRATS AGAINST MEXICAN AMERICANS/LATINOS, RESIDENTS OF SAN DIEGO COUNTY AND THE STATE, HAS ESCALATED TO THE POINT WHERE WE FEAR THAT ATTEMPTS WILL BE MADE TO DENY MEXICAN & LATINO CITIZENS OF THEIR RIGHT TO VOTE IN NOVEMBER, AS WAS CARRIED OUT IN ORANGE COUNTY" (SEE ATTCH. C).

BILLBRAY'S PROPOSAL, SAID BACA, " IS ASININE, A RACIST WITCH HUNT, CHEAP POLITICAL POSTURING, BY A WANNA-BE PETE WILSON CLONE, WHICH HAS BEEN DESIGNED TO ATTEMPT TO DE-ENFRANCHISE THE MEXICAN AMERICAN VOTE IN SAN DIEGO. BEFORE ANYONE TAKES BILLBRAY SERIOUS, EVERYONE SHOULD DEMAND THAT HE PRODUCE JUST ONE MORE 'BODY COUNT' THAN WAS DISCOVERED IN 1976 BY CALIFORNIA SECRETARY OF STATE MARCH FONG EU" (SEE ATTCH. D).

IN CONCLUSION, BACA ASKED; WHAT CAN U.S. SOCIETY EXPECT NEXT FROM THE LIKES OF POLITICIANS LIKE BILLBRAY AND WILSON... POLL TAXES? LITERACY TESTS? PROPERTY OWNERSHIP? OR HAVING TO BE OF THE RIGHT GENDER TO VOTE? WHAT IS AT STAKE HERE IS ,AN OBVIOUS EFFORT BY RACIST POLITICIANS, TO OVERTURN EVERY MAJOR PIECE OF CIVIL RIGHTS LEGISLATION MINORITIES & WOMEN HAVE STRUGGLED FOR IN ORDER TO OBTAIN THEIR PRECIOUS RIGHT TO VOTE".

(30)

ATTN. "A"



Committee on Chicano Rights, Inc

August 10, 1994

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The White House
1600 Pennsylvania Ave. N.W.
Washington, D.C. 20500

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Sincerely,

Herman Baca, Chairman
Committee on Chicano Rights

lh/HB

C/C Media, Hispanic Congressional and State Caucuses

ATTN. "D"

Voter Probe Indicates 'No Massive Fraud'

By MITCH HIMAKA
Staff Writer, The San Diego Union

A two-day cross-check of 14,000 immigration records and county voter registration rolls turned up only two illegal registrations, state officials said yesterday.

Ray Ortiz, elections assistant to California Secretary of State March Fong Eu, said his findings were far below the 2 to 3 per cent he felt was needed to warrant further investigation.

The cross-check of Spanish- and Filipino-surnamed individuals and foreign-born was based on allegations and rumors that voter registration stubs were being used as proof of citizenship to gain access to welfare and social service assistance, Ortiz said.

Ortiz returned to Sacramento late yesterday to confer with Eu and other staff members on whether to continue the probe.

NO EVIDENCE

"The findings here indicate no massive voter registration fraud," he said.

Ortiz said the cross-check, which checked 17 letters of the alphabet, indicated 50 potential matches between immigration records and the voter rolls.

Of that number, he said

KOALA DEATHS BLAMED ON INTESTINAL PROBLEM

Pepsi, a female koala, and her offspring — both received this summer from Australia — have died at the San Diego Zoo.

A preliminary autopsy report attributed the death of the adult female late Tuesday to an intestinal obstruction, officials said. The baby koala died Saturday in the mother's pouch, presumably due to the adult's illness.

Pepsi was one of six adult koalas the Zoo received in July from the Lone Pine Koala Sanctuary in Australia. She also was one of two females to arrive with a baby in its pouch.

Zoo veterinarian Dr. Phillip Robinson said the baby's death was the first indication that Pepsi might be ill.

He added that attempts to treat the female, visibly ill Sunday, were unsuccessful.

The remaining koalas, including Audrey and her baby, Gum Drop, are reported in excellent condition.

only two were deemed certain illegal registrations.

The remaining number was determined to be naturalized citizens.

Ortiz doubted that his findings here would require a continuance of the probe.

Tony Miller, chief counsel to Eu's office, said Eu probably would release the results of the four-week investigation today or tomorrow.

He said Ortiz's findings confirmed what was learned during the previous weeks.

He said it shows that there

is no evidence to support the allegations of massive fraud.

However, he declined to state whether the investigation would continue.

Miller said there was no extra expense created by the investigation.

PROBE CRITICIZED

The only expenditure, he said, was the time of one staff member, Ortiz.

"There was no special allocation sought to cover this investigation," he said.

Herman Baca, chairman of the Ad Hoc Committee on

Chicano Rights, said his organization still intends to seek injunctive relief in state court today to prevent such actions.

He contended the probe was aimed solely at the Mexican-American communities of California, raising a number of legal and constitutional questions.

He accused Eu of carrying out a witch hunt, which he said was intended to intimidate and frighten Mexican-Americans away from the polls Nov. 2.

Despite the findings, Baca said damage by the investigation has been done.

He said it has had a chilling effect on the Mexican-American community.

Baca said the committee yesterday asked the U.S. Department of Justice, civil rights division to assign federal monitors to oversee the state elections Nov. 2.

He said the committee questioned Eu's office's ability to see that the election would be fair and honest.

He said the civil rights division was asked to send monitors to counties having a Mexican-American population of more than 10 per cent.

S.D. Union
10/28/76

Checkup here yields 1 alien on voter rolls

After checking more than 5,000 names of registered voters here yesterday, investigators say they have found one person who registered without being a citizen and five others who warrant further checks.

Ray Ortiz — elections assistant to Secy. of State March Fong Eu, who ordered the investigation — declined to give details about the one would-be voter.

"We don't know at this point why this person registered," Ortiz said. "Files show the person is not a citizen.

"We plan to check with the registrar of voters and probably with the district attorney, who I imagine will talk to the federal authorities about it."

He said names of five other people were being checked this morning against U.S. Immigration and Naturalization Service (INS) files in Orange County.

Similar checks in San Francisco turned up two cases of prominent noncitizen residents registering to vote, a spokesman for the secretary of state's office said.

One case involves an attorney, who entered the country illegally several years ago from Mexico, was educated at the University of California and voted in six elections.

The attorney faces deportation and if convicted four years imprisonment for each count of voter registration fraud.

An official in the secretary of state's office said deportation will be delayed, however, until the state attorney general and the district attorney in San Francisco review the case.

Alien Voter Check Bothers Citizen

As an American of Mexican descent and a veteran of World War II, I am beginning to feel like a second class citizen of the United States.

I do not mind being stopped and questioned at the San Clemente check point but what does bother me is that only persons who look Mexican are questioned. I realize that they have every right to do so but they should check all others too.

And the other week they were checking voter registration lists to see if aliens were registered to vote. I agree with this but they should check the registrations of all races, not only the people with Spanish surnames.

Are we second class citizens?

ALVARO L. SOTELO
San Diego

The other case involves a citizen of British Honduras who registered to vote as proof of citizenship in order to obtain welfare.

The names of the two San Francisco residents are expected to be released tomorrow or Friday.

Ortiz said he has been matching alphabetized lists of registered voters against more than 300,000 index cards to INS files to check rumors that aliens may have signed up to vote in the Nov. 2 elections.

The Chicano Ad Hoc Committee on Chicano Rights has called the search a "witch hunt."

A member of the committee said yesterday that a protest had been planned outside the federal offices where the two-day check is being conducted but added that the protest was canceled when Cesar Chavez of the United Farm Workers arrived in San Diego to speak on another matter.

Ortiz said he will stop the investigation late today to evaluate the results and discuss them with Eu.

"At this point it doesn't seem we have found much of anything," Ortiz said.

J.D. Evening Trib
10/27/74

Check to start on alien voters

A plan to start a hand check of voter registration records here will begin as soon as possible to see if any aliens have registered to vote, according to Secretary of State March Fong Eu's office.

The check is the result of a complaint lodged with Assemblyman John Thurman of Modesto by the California Council of Growers, said Caren Daniels, Eu's press secretary.

Daniels said special elections assistant Ray Ortiz will begin checking

registration lists of Spanish-surnamed voters against the records of aliens kept by the U.S. Immigration and Naturalization Service (INS) as soon as INS records can be acquired.

The check is to investigate rumors that legal and illegal aliens may have registered to vote.

The controversy centers on Prop. 14, the United Farm Workers initiative that would reenact the state's law on secret ballot union represen-

tation elections with pro-labor changes.

The growers oppose the proposition and have circulated press releases saying there is "a possibility that green card workers — legal aliens have registered to vote in the November election."

Farmworkers are claiming the growers' press releases are attempts at confusing the Prop. 14 issue.

(Cont. on page B-4, col. 1)

Alien voter check planned by state

CONTINUED FROM PAGE B-1

"We still have absolutely no evidence that any noncitizen has registered to vote," Daniels said. "No one who has been making the complaints has been able to give us any names."

"We have no more evidence that the Yes on 14 people are signing up aliens than we do that the growers are the sources of the rumors."

Robert McCord of the U.S. Border Patrol here said the office here was notified last week by the secretary of state to hold any aliens with voter registration stubs and to inform the Sacramento office immediately.

Herbert Walsh, head of the Border Patrol in 49 northern California counties, said recently that six to eight illegal aliens, including farmworkers, have been found in recent months with voter registration receipts in their possession. The workers were not held nor the records confiscated, he said.

"We are not so naive as to think there may not be aliens registering to vote," Daniels said.

Those who register to vote either by postcard or by full registration form are warned in both Spanish and English on the forms that they must swear under penalty of perjury they are U.S. citizens.

Daniels said the rumors that noncitizens have registered are "periodic" and not related specifically to postcard registration methods. She said some rumors that noncitizens are signing up are received at every election.

She added that Eu has spoken with the state attorney general's office and that the two plan to "vigorously prosecute" anyone found violating the election law.

The penalty for any noncitizen who registers to vote — as is stated on the election forms — is one to 14 years in prison.

S.D. Evening
10/19/76

But the new postal registration forms are also different in content from the old ones.

"In this day and age, you just have to certify where you are born and that you are a citizen," Ortiz explained.

"With the old forms, you had to explain how you were naturalized if you were not born in the United States. Did you become a citizen by marriage? Because your mother or father was born here? By treaty? By decree? On the old forms we often got naturalization numbers. None of those details are on the new forms."

The postcard system and other changes in the registration form were implemented to make it easier and less intimidating to register. Any changes in the new law would be met with "strong opposition," Ortiz predicted.

Underlining the entire controversy is the fact that there is no proof that any foreign citizen has actually registered to vote or will vote Nov. 2.

"We have absolutely no proof," Caren Daniels, press aide to Secretary of State March Fong Eu, said yesterday. "Nobody has given us any names. We have no more evidence that

Yes on Prop. 14 people are signing up green-card workers than that the growers are starting the rumors."

No names, no chance that INS can check files for proof of citizenship, Seitz said.

But:

"We are not so naive as to think there isn't a likelihood that somewhere in the state it is happening," Daniels added.

R.T. Denny, San Diego County registrar of voters, said yesterday he is happy the secretary of state will not be checking voter lists.

"This could be interpreted as picking on Mexican citizens as a class and I don't think that's right," he said.

Added Denny: "Why should this even have come up? There has been a lot of talk. Period. That's it. I will not take it upon myself to investigate anybody unless I have a document saying, hey, this guy is not a U.S. citizen."

Ortiz said he had planned to use a computer to pull

out lists of Spanish-surnamed voters in the San Diego area and match their names against INS lists of noncitizens.

The next step would be to talk to any registered voters who are also listed as aliens by INS, he said.

"We may just have to drop the issue for a while until we figure out something else to do or else go out with the media and make a general plea to the public warning of the perjury penalties for swearing they are citizens on voter registration forms."

The controversy was heightened recently when Herbert Walsh, head of the Border Patrol in northern California, announced that his agents had seen six to eight aliens with voter registration receipts in their possession in the past several months. The workers were not held.

Eu sent a message to Border Patrol offices later telling them she was on 24-hour notice if any further such incidents occurred.

Friday, October 24, 1970

JAN DIA 11/11 8-3

Voter Fraud Via Mail Still Under Study

The first experience with postcard registration has shown numerous problems with procedures and administration, but whether the new system will bring any increase in voter fraud will not be known until after the Nov. 2 election, election officials said.

Keith Boyer, chief deputy San Diego County registrar, said the mail-in registration "doesn't appear to have had any significant impact" on increasing voter registration. But, with the new system and the old way of using deputy registrars together, "we may have reached a few people," he said.

Whether the postcards got people who would not have otherwise signed up, Boyer could not say, but the cards produced a flood at the end of the registration period.

11,000 REGISTRATIONS

There were 11,000 registrations in the month of July, when the postcard law went into effect. But there were 20,000 registrations on the final day for sign up, Oct. 4, and most of them were on the new cards, he said.

Many of the critics of the mail-in registration, where the citizen fills out the form and sends it in instead of having the form filled out by a trained deputy registrar, argue that the simpler system would increase fraudulent registrations.

Neither the local registrar nor the secretary of state's office in Sacramento had any evidence of any such activity.

Secretary of State March Fong Eu has decided, however, to send a team to San Diego to check new registrants against the Immigration and Naturalization Service's list of legal alien workers. This is in answer to recurrent charges that the United Farm Workers union and others supporting Proposition 14 signed up noncitizens.

Wes Marden, the nominal Republican candidate in the 42nd Congressional District, said his nonpartisan Public Action Committee is going to check every name on the voter lists to see if unqualified persons are on the voter

MISTAKES CITED

Otherwise, it may be impossible for anyone to determine if there has been any increase in voter fraud.

However, there have been problems for those who have to administer the registration system.

Boyer said someone mailed an entire packet of registration cards — all blank — and another voter sent in two forms back-to-back.

Thousands of persons apparently thought they had to reregister on the new forms because there were a lot of forms received from those already registered, he said.

A lot of forms were filled out incorrectly, something that did not happen using deputy registrars, Boyer said. Many others were impossible to read. As a result, he said, some who may try to vote Nov. 2 may find that they are not registered.

The registrar's staff members also are having trouble storing the new forms, which are a different size than the old registration sheets.

Bilbray moves to hunt illegal-immigrant voters

By RUTH L. MCKINNIE
Staff Writer

A proposal by Supervisor Brian Bilbray to ferret out illegal immigrants who fraudulently register to vote in the county is being criticized as anti-immigrant and racist.

The Board of Supervisors voted 10-0 yesterday to support Bilbray's attempt to cross-reference the county voter registration list with records maintained by the federal Immigration and Naturalization Service.

The proposal calls for investigations into possible voter registration fraud by the District Attorney's Office, the grand jury and state and federal officials. The supervisors, with Leon Williams absent, also said they want changes in state and federal laws to address voter registration fraud.

Proof of citizenship is not required to register to vote. A prospective voter need only sign an affidavit indicating, under penalty of perjury, that he is a citizen. The

penalty for perjury is up to four years in prison.

Bilbray said he is alarmed that illegal immigrants may be voting and using their proof of voter registration as documentation of citizenship to qualify for U.S. government aid.

"Right now, it's a giant invitation for fraud," he said.

There is no indication that there is a problem with widespread fraud in the county. Registrar of Voters Conny McCormack informed supervisors that her office has not turned over any suspected fraud cases to the District Attorney's Office in recent years.

A spokeswoman for the county Department of Social Services said proof of voter registration alone is not sufficient identification to qualify someone for welfare or other types of government aid.

Ray Uzeta, executive director of the Chicano Federation, said Bilbray's effort is nothing more than an attempt to stir up anti-immigrant sentiment in an election year.

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Way Out of Step in Orange County

GOP's Actions Belie Its Talk of Winning Latino Votes

By FRANK del OLMO

What's the problem with Republicans? Whenever they seem on the verge of a breakthrough with Latino voters, they shoot themselves in the foot.

It happened again in last week's general election, the culmination of a national campaign in which both Democratic and Republican candidates made unprecedented efforts to win Latino voter support. But what Latinos will remember about the election of 1988 were the insulting and heavy-handed tactics used by Republican officials in Orange County (and a few other places) to keep them from voting.

At the behest of a Republican candidate who was locked in a tight race for a seat in the California Assembly, GOP officials in Orange County paid about \$5,000 to hire 20 uniformed security guards and post them at polling stations in heavily Latino precincts in Santa Ana. They carried large signs, in Spanish and English, saying: "Non-citizens can't vote." Some questioned Latinos who did come to the polls and wrote down the license-plate numbers of their cars. In one instance a guard handled a voter's ballot—a felony under state law.

After a few hours, and many complaints, Santa Ana police ordered the private guards away from the polling stations. Republican officials explained their use, saying they had heard rumors that the Democrats might bus large numbers of illegal aliens to the polls to vote. That explanation is so ludicrous that even Latino Republicans were not convinced. Orange County Supervisor Gaddi Vasquez, the top Latino Republican officeholder in the state, said that the use of the guards was "inappropriate and unacceptable." John Acosta, a fellow Republican and a Santa Ana city councilman, was less diplomatic. "It's un-American," he said. "It borders on Nazism."

The resulting outcry was so unanimous that Orange County Republican chairman Tom Fuentes publicly apologized, saying, "If there was an offense taken by

anyone . . . we need to say *lo siento*, which is 'we are sorry.'" Fuentes accepted the responsibility for allowing GOP money to be spent on security at the polls, but said he didn't know that it would be used to hire uniformed guards. He blamed that decision on Carlos Rodriguez, a professional political consultant who ran the Republican campaign in the district.

Fuentes can apologize in any language he wants, but his explanation doesn't wash. He has been the chairman of the Orange County GOP since the 1970s. Rodriguez has been in politics a long time, too. Based in Sacramento, he once worked for Democrats in the state Assembly, but now focuses on GOP campaigns. For either of them to feign ignorance or innocence is cynical.

As if their political experience were not enough, both Fuentes and Rodriguez are Latino. Even presuming they did not know that they were doing something that might be illegal, one would hope that they at least had the ethnic sensitivity to realize how it would look to send uniformed guards only to polling places in Latino neighborhoods. It sends a message, however indirectly, that Latinos are somehow less trustworthy than other Americans—that they cannot be relied on to responsibly and honestly exercise the most fundamental right that the citizens of a democratic nation have.

Thankfully this country has laws against such exclusionary election tactics, which is why Fuentes and Rodriguez are under investigation by several law-enforcement agencies, including the FBI. The way the two men are backtracking, investigators may not find much evidence to use against them. The only satisfaction that angry Latinos may get is in knowing that close scrutiny by FBI agents may make Fuentes and Rodriguez feel the same unease, embarrassment and even shame that their hired guards made some Latino voters feel.

Just for the record, it should be noted that in a rather more important electoral contest last Tuesday Vice President George Bush barely got one-third of the Latino

vote nationally in his presidential victory over Gov. Michael S. Dukakis of Massachusetts. That support was not pivotal to Bush's election. It was not as high as the Latino support won in 1984 by President Reagan. It was, in fact, barely respectable for a Republican candidate, which means that the GOP is still not making the inroads among Latino voters that its national leaders say they want.

It is not unreasonable to suggest that one reason for their failure is the attitude of local GOP campaigners like Fuentes and Rodriguez—and, for that matter, the Republicans in Texas who last week used similar tactics to try to keep Latinos in the Rio Grande Valley from voting. The Texas GOP paid for Spanish-language radio ads warning that "the authorities" would be watching polling places to make sure that only legally registered citizens voted. Unlike the Orange County case, there is no evidence that the ads kept Latinos from voting, but they angered many of them.

To answer my original question: The trouble that many Republicans have when it comes to Latino voters is that they're afraid of them. Both in Orange County and in south Texas, local GOP leaders knew that Chicano activists had intense voter-registration drives under way, aimed at signing up occasional or first-time voters. Rather than use campaign money to persuade those Latinos to vote Republican, GOP decision-makers spent it on implied threats that they hoped would intimidate inexperienced voters, keep them from casting ballots and possibly sway tight contests in the GOP's favor. It was a mean-spirited and small-minded approach.

So, for all the talk by national candidates like Reagan and Bush that Latinos share their conservative values, Republicans still have a long way to go before Latinos feel truly welcome in the GOP. It won't happen until more local Republicans change their retrograde, maybe even racist, attitudes about minority-group voters.

Frank del Olmo is a Times editorial writer.

Alien Voter Probe Called Huge Task

By PATRICK DILLON
Staff Writer, The San Diego Union

Secretary of State March Fong Eu intends to conduct an investigation in San Diego to probe allegations that green card holding Mexican aliens are registering to vote in California.

But that probe may mean burrowing into a mountain to find a mole hill.

Federal officials, who must cooperate in the probe, believe state investigators could be buried under an avalanche of numbers and legal problems.

"Actually, we have no evidence of any voter registration fraud," said Caren Daniels, an aide to the secretary of state in Sacramento. "For three or four weeks, we have heard reports that Mexican aliens are registering to vote in California. And, we are attempting to check it out."

FELONY HERE

California laws make it a felony, punishable by up to 14 years in prison, for noncitizens to register to vote in this state.

"San Diego is a likely place to conduct an investigation because it is so close to the border and has such a large alien population," Daniels said.

Edward O'Connor, regional director of the Justice Department's Immigration and Naturalization Service office in San Pedro, said there are between 1.2 million and 1.7 million green card holding Mexican aliens in California.

Most are legal residents, although a large number pass across the international border south of San Diego daily on their way to work in the United States and then return home to Mexico.

And, therein lies the problem.

Investigators from the secretary of state's office hope to match lists of Mexican aliens here against county voter rolls.

O'Connor said INS has no computerized alien list —

only files — more than 1 million of them.

County Registrar of Voters Robert Denny said 787,826 citizens are listed on the current county roster of voting eligibles.

OPEN EACH FILE

The task, then, is for investigators to open each file, obtain pertinent information like date of birth and place of birth and attempt to make a match on the computerized printout of voter registrations.

Or, they might do it the other way.

Run their fingers down the voter rolls until they hit on a likely suspect, preferably

(Continued on A-3, Col. 1)

Alien Voter Probe Called Huge Task

(Continued from Page A-1)

possessing a Spanish surname, and then flip through the INS files to find a corresponding name.

In any case, a request for the INS files was sent yesterday from the secretary of state to O'Connor.

"I guess we'll give them the files, or at least the indexes to the files. But, it sure sounds like a tremendous job," O'Connor said in a telephone interview.

"We don't have these things broken down by districts. We only have the state figures that we collect when aliens register to live or work here," he said. "So, sifting through all this sounds darn near impossible."

James O'Keefe, director of the INS office for the San Diego district, which includes this county and Imperial County, said his staff could make things a little easier for state investigators — in some ways.

"Our index shows 305,000 files on Mexican aliens in this office," he said. "The only trouble is that illegal

aliens, legal alien residents and aliens who cross the border into the U.S. to work are all mixed together.

"So, we would have some sorting to do," O'Keefe said.

And another possible obstacle lies in the way.

"I'm not entirely sure whether we can turn these files over," O'Keefe observed. "There could be legal problems, possible violations of privacy."

Federal laws say that aliens residing in the U.S. are bound by the same laws and afforded the same statutory rights as U.S. citizens. One of those rights is protection from the prying eyes of government.

"The Privacy Act would preclude disclosure of information contained in INS records relating to individual aliens lawfully entitled to reside in the U.S. without consent of the individual affected, except in certain circumstances," said Warren Reese, assistant chief U.S. attorney for San Diego.

One of those exceptions, Reese said, is "where the disclosure is made for civil

or criminal law enforcement purposes. Then, prior consent is not required, according to the INS regulations."

Despite the possible logistical and legal tangles, the secretary of state's office will go ahead with its investigation, Daniels said.

"We have gotten too many complaints to let this thing go by," she said, "even though we have no evidence."

Most of those complaints, Daniels said, have come from the Council of California Growers, which represents farmers throughout the state. The question gains importance because of the presence of Proposition 14, the farm labor initiative backed by United Farm Workers leader Cesar Chavez, on the Nov. 2 ballot. Some growers have said that aliens might attempt to vote on the measure.

The council, based in San Mateo, last week released a statement saying that illegal voter registration registrants who carried aliens' green cards had been discovered in San Joaquin and Stanislaus counties.

"We have people who have the evidence," said Don Bell, a council spokesman. "But they are afraid to come out front and identify themselves because they fear retaliation by the aliens."

S.D. Union
1976

National City Star News 10/24/76

Border Patrol tells of 'registered' aliens

Fuel added to fire over illegal voters

Adding fuel to what has already become a statewide controversy, Chula Vista Border Patrol Chief Al Gerhardt disclosed this week his officers have found voter registration stubs on about "half a dozen" illegal aliens in the last six months.

Meanwhile, secretary of state March Fong Eu announced a team of election assistants will comb lists of Spanish-surnamed voters in San Diego County this week, checking them off against lists of aliens maintained by the Immigration and Naturalization Service.

THE TWO-DAY investigation Tuesday and Wednesday is the first step in what may prove a massive probe into

rumors that aliens have registered to vote in the Nov. 2 election. The controversy began earlier this month after a Northern California Border Patrol chief made disclosures similar to Gerhardt's.

Caren Daniels, a spokesman for Eu, stressed that so far there are nothing but rumors to go on. A public plea for names of people believed to be illegally registered has yet to turn up a single name.

San Diego and Imperial counties, she said, "will be test cases to see whether there really is a problem." If it appears aliens are indeed registering to vote here, all California voter registration lists will be compared to a

statewide list of names and addresses of 1.1 million aliens maintained by the INS. The alien files for the entire state are housed in San Diego.

CASES OF voter fraud uncovered in the search will be prosecuted, she said. Penalties range from 1-14 years in prison.

Also, she added, names of people believed illegally registered will be passed along to local precinct officials who can challenge these voters for "probable cause" if they show up at the polls.

The cross-check of names from voter and INS lists was initially nixed by the INS, who feared it would be

violating privacy rights by releasing information.

But the Justice Department, its parent agency, later agreed the INS would not be violating privacy rights by releasing 3x5-inch index cards bearing names, addresses and birth dates of known aliens.

Others, however, are up in arms about the proposal.

NATIONAL CITY'S Herman Baca, chairman of the Ad Hoc Committee for Chicano Rights, labeled it a "witch hunt" and has telegraphed his sentiments to Gov. Brown and Eu.

And the U.S. attorney's office in San Diego has also

questioned whether the INS is legally authorized to open its files.

But the INS counters it is not opening its complete files and that it is "not an invasion of privacy to help a state agency investigate possible crimes."

The enormity of the names-comparison task is compounded by the fact that INS lists are not computerized or divided by county, Daniels said.

Daniels said the elections assistants will take computerized county voting lists and cross-check all Spanish-surnamed voters with names of 1.1 million aliens on file with the INS. Over 787,000 people have registered to vote in the county.

Daniels added that anyone who believes they know the name of someone illegally registered to vote should contact the San Diego county clerk or district attorney.

According to Republicans, however, these vans were to stop at numerous polling places, where the occupants would disembark and vote, either using names from fraudulent mail-in registrations or names of "deadwood" voters who had died or moved.

Even Orange County Registrar Donald Tanney, who was apprised of the Republicans' fear before the election, said these "recurrent rumors" are of questionable origin. "One would think that one could verify busloads of aliens," he said.

"The logistics of it amaze me. How would they know what names to use at each poll, or what address to give? ... There's a certain aspect of practicality of this that I have never been able to understand."

Election officials report that similar rumors, with local variations, plague other border states. Even in Chicago, where voter fraud has become a fine art, there are regular, unfounded rumors involving "busloads of blacks from Gary, Indiana," according to Deborah Detmers, assistant to the Republican senate chief of staff.

In any event, election officials familiar with such situations offer us two rules of thumb by which to judge future rumors, and possibly the rumormongers as well:

As a group, non-citizens have no proven interest in voting. This is the opinion of Secretary of State March Fong Eu, and it is shared by officials in other states.

In California, rumors of vote-fraud conspiracy have prompted periodic computer studies which found that relatively few non-citizens appeared on voter rolls.

Among them, a 1976 study in San Diego County compared 14,000 names on voter rolls with alien indexes kept by the Immigration and Naturalization Service. It found two non-citizens registered to vote.

Using methodology geared toward foreign-sounding names, a 1982 study of eight Bay Area counties found five cases of fraud out of 14,700 names, and an "absence of any evidence of a

Another name for scapegoat is 'illegal alien'

Election Day guard fiasco is latest example



Gerry Braun

On Politics

In times of fear and anger in American history, those non-citizens who live unlawfully in our community — known today as "illegal aliens" — often have made for handy scapegoats. Recent events indicate they are convenient fall guys to this day.

A few months ago, a San Diego County congressman, seeking to explain rising crime rates, blamed "illegal aliens" for the problem, although admittedly without evidence. He later apologized for using poor judgment.

Of perhaps greater interest, however, is the Orange County incident on Election Day, which illustrated how "illegal aliens" can be blamed for problems that may not even exist — and which, if they do, are certainly the fault of red-blooded U.S. citizens.

A quick recap: In the 72nd Assembly District in central Orange County, the Republican Party stationed uniformed security guards at polling places in Hispanic precincts. Carrying Spanish-language signs warning non-citizens not to vote, the guards sat at the election tables and, by one report, handled ballots.

According to GOP officials, this seemingly heavy-handed tactic was prompted by anonymous tips, and some deductive reasoning, indicating "van loads of illegal aliens" were heading into the district to vote for Democrat Christian F. Thierbach.

This was a critical race in a district Republicans have lost in three of four previous elections, and the consultant who hired the guards believes they ensured a GOP victory by scaring off non-citizen voters. Using peculiar logic, Republicans say the operation succeeded because no vans were seen. Democrats say it was an illegal attempt to intimidate Hispanic voters, and they have sued.

It's easy to shoot holes in the premise that "van loads" of non-citizens, having survived great adversity to enter this country and find jobs, would risk exposure and deportation in order to vote in an election of dubious consequence to their lives. (And particularly to vote for Thierbach, a prosecutor for the Riverside County district attorney.)

conspiracy to induce non-citizens to register and vote."

"My hunch, backed by sociologists' studies, is that illegal aliens do not wish to draw attention to themselves by filling out any government forms," Eu wrote that year. The exception that proved the rule: Of the five voters discovered to have registered illegally, only one was so brazen as to vote — a law school graduate who practiced immigration law in San Francisco.

Non-citizens who do appear on voter rolls often are victims themselves. Election officials say that most non-citizens who register to vote are tricked into doing so by "bounty hunters," those often unscrupulous individuals who are paid as much as \$2 for each new voter they enlist.

"I don't think we can blame it on illegal this or illegal that," INS Commissioner Harold Ezell said. "The system is the problem."

In 1985, an Illinois task force studied four problem wards of Chicago and found an astonishing 1,274 non-citizens registered as Democrats.

However, Detmers, the Republican staffer, said, "the vast majority" never voted. Some registered to vote so they would have a piece of identification that qualified them for library cards. Others "were just being used," she said. "We found, and the INS found, they were just people the ward captain could cast ballots for on Election Day — another pool of names to work off of."

Those non-voting non-citizens of Chicago, like our still-hypothetical "van loads of illegal aliens," were at best bit players.

If Orange County Republicans truly believe there is election fraud in the 72nd Assembly District, they might learn from the Chicago experience. Rather than focusing on the illegal voters, they could sic their security forces on the van drivers, the political operatives and their cronies who dream up and carry out the fraud.

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GOP Guards at Santa Ana Polls

The article regarding the controversy over a GOP decision to station uniformed guards at 20 polling places in the 72nd Assembly District in heavily Latino areas of Santa Ana in Orange County was frightening in its implications of what can happen when political extremists find a nurturing atmosphere for their unfortunate ideas (Part I, Nov. 11).

The photograph of a hired guard sitting next to the ballot box depicts a scene so un-American that it is almost impossible to believe that this occurred in a neighboring county.

Thomas A. Fuentes, Republican County chairman, accepts responsibility for the decision. How can someone so impractical, and with such poor political judgment, rise to the position he holds in the GOP? What people are they who have so little confidence in our two-party system that they could actually believe that one of our parties would subvert our honored system by bringing in "vanloads of illegal citizens" to fraudulently vote? What sort of political climate spawns such a disgrace of racism, paranoia and absurdity?

Come on, Orange County, get with it. Get rid of this element. These people are a threat to our proud American traditions and to liberty itself.

GENE and BARBARA MILLER
Banning

As a Republican, I am embarrassed by the Orange County Republican Party orders to man polls with uniformed "watchers."

On the anniversary of *Kristallnacht* it smacks so much of volunteer Brown Shirts mobilized by the party to "keep order."

LEON LYON
Newport Beach

Regarding the placement of security guards at polling places, the Republican leaders responsible have hit an all-time low in modern-day American politics.

It is difficult to accept their excuse for vigilante actions. After all, couldn't they call and alert the appropriate government agencies, or did they really have their own secret agenda?

IRA J. SEAVER
Westlake Village

The Republican sleaze factor has slimed its way into Orange County with uniformed security guards.

These irresponsible actions smack of the South in the 1950s by intimidating the "brown ones."

ELEANOR HENRY
Laguna Beach