Executive Office
Archives
Business Programs
Business Filings
Notary Public
Uniform Commercial Code
Elections
Information Technology
Management Services
Political Reform

BILL JONES
Secretary of State
State of California

ELECTIONS
1500 - 11th Street, Room 590
Sacramento, CA 95814
P.O. Box 944260
Sacramento, CA 94244-2600
(916) 657-2166
Voter Registration Hotline
1-800-345-VOTE
For Hearing and Speech Impaired
Only 1-800-833-8683
(916) 653-3214 FAX
Internet address: ss.ca.gov

Pre-MUR 378

April 12, 1999

General Counsel's Office
Federal Election Commission
999 E. Street, NW
Washington, DC 20463

RE: Rep. Ellen Tauscher (D) 10th District

Dear Sir or Madam:

In November 1998, our office was alerted by various citizens and by Rep. Tauscher's staff about a possibly fraudulent mailer sent to democratic voters in her district. Based upon a preliminary review of the allegations, our office opened an investigation into a possible state Election code violation. Recently, a more thorough review by our Chief Counsel revealed that the code allegedly violated (state Government Code 84305) only applied to state contests.

Since the mailer was targeted at the outcome of a Federal Congressional race, your office may be the agency of jurisdiction. Please find enclosed all documents in our possession that pertain to this complaint. If your office is not the correct agency to investigate this complaint, please forward this material to the appropriate federal agency. Thank you for your assistance. If you have questions, I can be reached at (213) 897-6084.

Sincerely,

B. Jerry Ellison
Supervising Special Investigator
Election Fraud Unit

2003 APR 14 PM 4:07

EAST BAY DEMOCRATIC COMMITTEE

"Representing all Democrats

1960 John F. Kenn
Antioch, CA 94

Re-Elect ELLEN TAUSCHER to congress

Robin Engel
Campaign Manager

1270 Springbrook Road
Suite G
Walnut Creek, CA 94596

Tel: 925-945-8515
Fax: 925-945-8616

IMPORTANT MESSAGE!

November 1st, 1998

Dear fellow Democrat,

Election day is drawing near and it is crucial that we support the Democratic team. The Republican party and big business will stop at nothing to derail our positive agenda for working families.

Each year we provide you with the slate of our Democratic team we are supporting. This year we have done the same for all major candidates in the East Bay who have been supportive of our President, Bill Clinton, and the goal of our party including 100,000 new teachers, a Patients Bill of Rights and protection of Social Security.

However, as loyal Democrats, we find it very troubling that Rep. Ellen Tauscher abandoned President Clinton and the Party when she voted with the Republicans to launch an Impeachment Inquiry in the personal life of a truly great President who has accomplished so much for the Democratic Party and working families.

It is with great regret that we will not be supporting the re-election of Rep. Ellen Tauscher because of her votes against the President and against our Party. Her voting with the Republicans on issues such as the impeachment inquiry, stealing from Social Security for tax cuts for the rich and minimum wage make her unacceptable to us.

We know that many Democrats have chosen to send her a message by not voting for her or against her on November 3rd because of her abandonment of the party. They have chosen simply not to vote for either candidate in the race for Congress.

~~And while we have chosen to not forget how Ellen Tauscher turned her back on our party we ask~~ that you remember to support our Democrat team for the other offices on the ballot on Election day. Unfortunately, we have been left no choice but to send Ellen Tauscher a message. Because she abandoned us, we are abandoning her.

We could not support her opponent. And Ellen Tauscher will win re-election. But it is critical that she receive the message loud and clear. She must support our President to enjoy our support. Not voting for her is the best way for her to receive this message.

Thanks for remembering to support our other loyal Democrat candidates on the ballot on Tuesday.

Sincerely,

George Miller
East Bay Democratic Committee

EAST BAY DEMOCRATIC COMMITTEE
"REPRESENTING ALL DEMOCRATS IN THE EAST BAY"
1900 JOHN F. KENNEDY DR.
ANTIOCH, CA 94509

URGENT!
VOTING INFORMATION
ENCLOSED!
OPEN IMMEDIATELY!

PROUD TO BE UNION

Miller, James L, Jr

Walnut Creek CA 94598-4604

94598-4604 34

9998" 207" 10" 43

Contra Costa Times
11/3/98
A1, 14

ELECTION '98
CONGRESS
10TH DISTRICT

Tauscher target of fake flier

■ Letters, phone calls from fraudulent 'East Bay Democratic Committee' urge voters not to back her

By Daniel Borenstein
TIMES POLITICAL EDITOR

A sophisticated mail and phone campaign urging East Bay Democratic voters not to support the re-election today of Rep. Ellen Tauscher is phony.

The letter that Democratic voters of the 10th Congressional District received Monday from a group calling itself the "East Bay Democratic Committee" bore a fraudulent return address and carried the name George Miller at the end.

Rep. George Miller, D-Martinez, who represents the neighboring congressional district, is a strong supporter of Tauscher. He denounced the mailer.

"It's outrageous. It also may be illegal," he said. "It was clearly sent through the mail with the purpose of intent to defraud people.

"Obviously it's designed to come at the last minute, it's designed to misuse my name and it's designed to mislead the voters in the 10th District. It's the worst of the kind of material you see in the election cycle."

Tauscher is embroiled in the Bay Area's most closely watched congressional race. The district is the only one in the Bay Area with a Re-

See FLIER, Back Page

Flier

FROM PAGE A1

publican plurality. Although a Times poll a month ago showed her leading her Republican opponent, Charles Ball, by a 2-to-1 ratio, national Republican politicians have come out to campaign on Ball's behalf.

Tauscher said Ball must have known about the mailer. She said she suspected it was sent by an independent conservative group on Ball's behalf.

"I am deeply disappointed but not surprised that the Ball campaign and their right-wing supporters from outside the district would stoop to such dirty tricks," she said. "Their attempts to impersonate East Bay Democrats and suppress the Democratic vote is an insult to all the voters of this district and to the electoral process."

Ball said he knew nothing about the mailer or phone calls. "I don't think it's proper," he said. "But I don't really know what effect it's going to have."

His campaign manager, Adrian Plesha, said the campaign had nothing to do with the mailer. "It's not coming from this campaign," he said. "For her to accuse us of being in affiliation with any outside group that would coordinate this type of attack is irresponsible and dangerous."

Democratic voters throughout the 10th District — which includes the Livermore and San Ramon valleys, much of Central and East Contra Costa, and small parts of West Contra Costa — reported receiving the mailers. On Monday afternoon, they also began receiving the phone calls with the same message.

"I got a phone call from someone talking really fast and reminding me to vote for all the Democratic people, but saying they won't be supporting Ellen Tauscher," said Patti Gates, an Antioch school teacher. "I said, 'Where are you calling from?' She paused and then she said 'Michigan.' " Others who asked said they were told the calls were coming from Ottawa, Canada.

Gates said the caller refused to provide a phone number. When Gates attempted to use the automatic call-back feature on her phone, she found the caller's number had been blocked.

Jeanne Raggio of Danville said that, when she received the call, she insisted on talking to a supervisor, who provided her with a toll-free number of someone she was told hired the phone workers.

The toll-free number connects to an answering service for an employee of a Silicon Valley software company. The employee did not return the Times' calls on Monday night.

Daniel White, chairman of the Contra Costa Democratic Central Committee, said he had never heard of the East Bay Democratic Committee. The return address listed on the envelope of the mailer is "1960 John F. Kennedy Dr." in Antioch. The street does not exist, said city planner Victor Carniglia.

Federal law requires people spending more than $1,000 to advocate a vote for or against a candidate to report the expenditure to the Federal Elections Commission. A commission spokesperson could not be reached for comment Monday evening.

Miller said he will ask the U.S. Justice Department, Postal Service and Federal Elections Commission to investigate.

Phony letter angers 10th District runners

Fraudulent mailing assails Tauscher

FROM STAFF REPORTS

A bogus letter from a nonexistent "East Bay Democratic Committee" drew condemnation Monday from the camps of Democratic Rep. Ellen Tauscher and Republican Charles Ball on the eve of today's election.

Claiming to be from an organization "representing all Democrats in the East Bay," the letter reads: " . . . many Democrats have chosen to send (Democratic Rep. Ellen Tauscher) a message by not voting for her or against her on Nov. 3rd because of her abandonment of the party. They have chosen simply not to vote for either candidate in the race for Congress."

The letter accuses Tauscher of "voting with the Republicans" on the impeachment inquiry and other issues.

Katie Merrill, Tauscher's chief of staff, said she believed the letter had been mailed to all registered Democrats in the 10th Congressional District. She said

Please see **Letter,** NEWS-8

Letter: Reports of phone campaign

Continued from NEWS-1

Tauscher's office also had received numerous reports of an anonymous "voter suppression" phone bank campaign in which Democrats were being urged: "Don't vote for Ellen Tauscher."

The source of the letter was unknown. The letterhead included a false address of 1960 John F. Kennedy Dr., Antioch CA 94509.

Democratic Rep. George Miller of Martinez condemned the letter, which carried the typewritten name "George Miller" without a signature, as outrageous and fraudulent. He also issued a media advisory for a press conference "regarding the Republican effort to suppress votes."

But Republican candidate Ball's press secretary Bob Hopkins said the letter "smacks of a third party looking to generate a headline." He insisted Ball had nothing to do with the letter's origination or distribution.

"Absolutely not," Hopkins said. "I find the letter reprehensible. It's a shame that this sort of stuff goes on."

Merrill estimated that the mailing may have cost as much as $125,000.

San Ramon Valley Herald
November 3, 1998
News 1, 8

THE TIMES
Contra Costa
THURSDAY, NOVEMBER 5, 1998 Local Bay Area

Lawsuit targets phony mailer, calls

■ Miller, Democratic Party claim GOP's Ball should have known about effort to derail Tauscher re-election bid in the 10th District

By Daniel Borenstein
TIMES POLITICAL EDITOR

While voters were going to the polls, Rep. George Miller and the Democratic Party sued GOP congressional candidate Charles Ball and his campaign manager, alleging they should have stopped a fraudulent campaign mailer and phone operation.

The sophisticated mailer, received by Democrats on the eve of Election Day, was sent out with Miller's name on the letterhead of a fictitious group called the East Bay Democratic Committee. It urged voters not to support Rep. Ellen Tauscher because she had voted for the House impeachment inquiry of President Bill Clinton.

Miller of Martinez and Tauscher of Tassajara Valley are both Democrats who won re-election Tuesday in neighboring East Bay congressional districts. Tauscher is not a plaintiff in the lawsuit.

Ball was Tauscher's Republican challenger. He lost by 53 percent to 44 percent.

The court complaint, filed Tuesday in Alameda County Superior Court, alleges producers of the mailer violated state law by fraudulently using Miller's and the party's names.

Their attorney, Joseph Remcho, conceded Wednesday that he doesn't know that Ball and his campaign manager, Adrian Plesha, are responsible for the mailer.

"I want to be real clear. I'm not saying that they were behind it," Remcho said. "I'm saying they were people most likely to know about it or to be in a position to know about it. So that's where I'm going to start."

Ball and Plesha said they had nothing to do with the mailer and phone operation.

"I'm upset because the last thing I need right now is to be falsely accused of something I didn't do," Ball said Wednesday.

"Mr. Miller and the Democratic Party should serve the lawsuit to the party responsible, which is not the Ball campaign," Plesha said. As for the fraudulent mailer and phone operation, he said, "I am appalled by it."

If Plesha and Ball had nothing to do with it, Remcho said, "then swear under oath that you don't know about it. We're entitled to know at least that much."

The letters were individually stamped and apparently sent to Democratic households in the 10th Congressional District. The district includes the Livermore and San Ramon valleys, part of Central and East Contra Costa, a sliver of West Contra Costa and part of Castro Valley.

There are 122,574 households in the district with at least one registered Democrat. The combined cost of the mailer and one phone call would be roughly $1 a household.

As voters were opening mail Monday, they began receiving the calls urging them to vote for Democrats other than Tauscher. The callers, when asked, would usually refuse to provide their phone number. Voters received the calls through Election Day.

One voter who insisted on speaking to a supervisor was given the pager number for an employee of a Silicon Valley software company. A spokesman for the company said Wednesday that the employee and the company were not involved.

The purpose of the mailer was to depress Democratic turnout and help Ball, he said. It might have worked in a close race.

While Miller and the Democratic Party might have a claim in state court if they can determine who is responsible, they might have a difficult time making a federal complaint.

That's because the wording seems carefully crafted to avoid federal campaign finance laws, said Kent Cooper, a former official of Federal Election Commission.

While the intent of the mailer was clearly to encourage voters not to vote for Tauscher, it never said outright that recipients should vote for or against Tauscher.

Political Editor Daniel Borenstein can be reached at 925-943-8248 or by e-mail at dborenstein@ccntimes.com.

San Francisco Chronicle

DATE: 11·5·98
PAGE 1 OF 1
SECTION: A
LOCATION: 19; 23

JOHN KING

Dirty Trick Mailer Stirs Democrats

Tauscher attacked in unique, costly way

Forget the obvious winners and losers. The wildest twist in Tuesday's election was a last-minute attack on Congresswoman Ellen Tauscher — an assault so elaborate and audacious that even political veterans are stunned.

And while Tauscher won, state Democratic leaders are going to push hard to find who pulled the trigger.

Why? Because the stakes are huge. If outsiders can spend upwards of $100,000 in a last-minute

Miller and the California Democratic Party already have struck back with a lawsuit against Tauscher's Republican opponent, Charles Ball, and his campaign committee. The charge: that they "directed, or are in a position to know the identity" of whoever "misled the voters, suppressed and diluted the vote of members of the Democratic Party . . ."

Ball and his campaign deny any role in, or knowledge of, what happened.

If nothing else, give the culprit credit for a unique approach.

"Campaigns are fertile ground for dirty tricks, but this takes the cake when it comes to below the belt attacks," says an incredulous Olivia Morgan, spokeswoman for the national Democratic Congressional Campaign Committee. "It's just despicable behavior."

Also shaking his head: Clint Reilly, who spent nearly two decades in the trenches as one of California's best-known political consultants.

"I've never seen something on that scale," says Reilly, now mulling a run for mayor of San Francisco. "To have somebody finance (an attack) on that level, get it printed and mailed, using the name of some incumbent congressman . . . It's unheard of."

It's also hard to trace. The let-

1

Faxed at 7:00 PM on November 2, 1998

Fraud Division
Secretary of State
Sacramento, CA FAX 916-653-3214

I received the attached letter today in which "George Miller" of the "East Bay Democratic Committee" recommends to fellow Democrats that they not vote for Democratic Congressional candidate Ellen Tauscher because she "abandoned" President Clint and the Party by voting with Republicans for the Impeachment Inquiry.

I also received a similar telephone call this evening about 5:15 PM from a woman who said she was calling for the "East Bay Democratic Committee." She made the same statements and quickly hung up. I believe she was reading several sentences from the letter.

George Miller is the long-time Democratic Congressman from the East Bay and his name is known to all Democrats. The letter does not say it is from the Congressman, but that is the assumption any reader would make given the context. The inference that the letter is from Congressman Miller is heightened by the plea that the recipient vote for all other Democrats and only refrain from voting for Tauscher. I am told that Congressman Miller has repudiated the letter saying that he knows nothing about it

There is not an actual signature on the letter. The signature block says "George Miller, East Bay Democratic Committee."

I also enclose a copy of the envelope. The postmark is October 31, 1998 from Oakland, CA.

I am the only person whose fingerprints are on my copy of the letter (except for the person who sent it). I have placed it in a celophane cover and am turning it over to the Ellen Tauscher headquarters in Walnut Creek.

James L Miller Jr

James L. Miller, Jr.

11/02/98 07:06 PM

FACSIMILE COVER PAGE

To :	Sec of State Fraud Div	**From :**	James L Miller Jr.
Sent :	11/2/98 at 7:05:38 PM	**Pages :**	4 (including Cover)
Subject :	Fraudulent George Miller Letter		

TO FRAUD DIVISION
SECRETARY OF STATE OFFICE

FOR IMMEDIATE ATTENTION

ATTACHED IS A COPY OF THE FRAUDULENT GEORGE MILLER LETTER ASKING DEMOCRATS NOT TO VOTE FOR DEMOCRAT ELLEN TAUSCHER.

I HAVE A COPY OF THE LETTER WITH NO FINGERPRINTS ON IT EXCEPT MINE AND THE SENDER (SEE MY LETTER)

JAMES L MILLER JR
(ADDRESS AND FAX ON ATTACHED LETTER)

John
11-2-98

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME Mary M. ~~[illegible]~~ Exner

ADDRESS:

TELEPHONE NUMBER _____ FAX NUMBER (___) _____

BRIEF DESCRIPTION OF INCIDENT COMPLAINT Today's mail I received a first marked class letter ~~[illegible]~~ attributed ~~by~~ to George Miller, which is Congressman, which he didn't write the letter. The letter head says its from East Bay Democratic Committee. - The return address is a fictious address. - which is 1960 John F. Kennedy Drive in Antioch. The content of the letter is concerning Ellen Tauscher, which she is incumbent, "slamming her" saying "Don't Vote for Ellen" and reasons for Clinton's impeachment I am reporting a mailing to a voter from a group that doesn't exist, ~~[illegible]~~ a address that doesn't exist, and is not doesn't signed by George Miller although his name is used.

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) MP

DATE _____ TIME 4:50

John
11-2-98

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME Marjorie Kimball

ADDRESS

TELEPHONE NUMBER

FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT

Phone rang and "East Bay Democratic Campaign" called
Urge to vote on Tuesday for Democratic Candidates
but to vote "NO" for Ellen Tauscher. (Not
recommend) - and asked "why not" -
and she (the person from Campaign Party
did not know.) and she just hang up
b/c she did not the reasons why she was
soliciting "no" votes for her. The gal said "I
don't know" (why to vote no for this candidate)

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) SL

DATE 11/2/98 TIME 4:45pm

Joka 11-29

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME Kathn S. Coyle

ADDRESS

TELEPHONE NUMBER FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT Fraud mail, for Ellen Tauscher, East Bay Democratic George Miller, ~~[illegible]~~ FRAUD, alerting, received another letter

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) MN

DATE 11/2/98 TIME 5:10

TELEPHONE INCIDENT REPORT FORM

Phony Dem mail

COMPLAINANT'S NAME Fleming Patrick

ADDRESS

TELEPHONE NUMBER FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT received a letter from ≈ George Miller supposed to be represent the East Bay Democrat Com
Dear Democrat = Election Fraud
Forged signature,
Imp. message = Troubling Ellen Tasher aboned party. Do not support Ellen
Fake address, no telephone #,
Called George Miller office

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

Late tonight after 10:30

PERSON TAKING COMPLAINT (INITIALS) MY

DATE 11/2/98 TIME 4:50 pm

John
11-2-98

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME Lorraine Dietrich

ADDRESS

TELEPHONE NUMBER FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT addressed to son - in regards to Tauscher's re-election (target.) From E Bay Dem. Committee. Sig. name George Miller encourages voters to stay home on election day - do not vote in the race".

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) AB

DATE 11/2/98 TIME 5:13pm

John
11-2-98

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME NELL FRAIZER

ADDRESS

TELEPHONE NUMBER FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT GOT A CALL FROM THE EAST BAY DEMOCRATIC COMMITEE TO VOTE, BUT NOT FOR ELEEN TAUSCHER. TELLS that they ARE A PHONY ORGANIZATION WHO DOESN'T EXIST.

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) EP

DATE 11/2/98 TIME 4:45

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME Max Chiddix

ADDRESS

TELEPHONE NUMBER FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT

Letter from E. Bay Dem. Comm
George Miller
Gossner: Don't vote Rep Ellen Tauscher because she
abandoned Pres Clinton + Dem Party
Because she voted to impeach

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) BTS

DATE 11/2/98 TIME 5:45 pm

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME Kathleen Salazar

ADDRESS

TELEPHONE NUMBER / FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT

Has a letter from a "George Miller" saying that if doesnt back up a Democratic Party!!

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS)

DATE 11/2/98 TIME 5:42

John
11/2/98

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME James L. Miller Jr

ADDRESS

TELEPHONE NUMBER FAX NUMBER

BRIEF DESCRIPTION OF INCIDENT COMPLAINT

Recieved a letter today & a phone call from the "East Bay Democratic Committee". Signature Block is "George Miller" letter states that no democrats should vote for Ellen Tauscher. Claims that she abandoned Bill Clinton - George Miller is congressman from different county - Phone Call: woman stated same thing as letter, then hung up. [redacted]

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) BM

DATE 11/2/98 TIME 5:50

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME Virginia Cowell

ADDRESS

TELEPHONE NUMBER FAX NUMBER

BRIEF DESCRIPTION OF INCIDENT COMPLAINT

- Called her, said that they were calling with "East ~~Bay~~ bay - - "
Said that she voted with Newt Gingrich.

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) BM

DATE 11/2 TIME 7:50

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME Miriam Goeriz

ADDRESS

TELEPHONE NUMBER FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT

No → Ellen Towsher
recieved letter - from
East Bay Democratic Party
George Miller signed resign

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

Should contact radio and
TV Stations so that
shit can quite

PERSON TAKING COMPLAINT (INITIALS)

DATE TIME

2303 "704 "404 "42

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME howard Jones

ADDRESS

TELEPHONE NUMBER FAX NUMBER (

BRIEF DESCRIPTION OF INCIDENT COMPLAINT received a letter from fraud agency (eastbay democratic committee) encouraged him not to vote ellen tauscher 10th congressional district (at all) voted to investigate clinton do not vote. received it today

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) BS

DATE 11/2 TIME 7:35 pm

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME JOHN GALLOWAY

ADDRESS

TELEPHONE NUMBER

FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT FRAUD

REGARDS TO THE EASTBAY DEMOCRATIC COMMITTEE

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) AC

DATE 10-2-98 TIME 7:35

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME Jack & Alice Roberts

ADDRESS

TELEPHONE NUMBER FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT

received a phone call & letter about East Bay Democrat, Fraud mail about Ellen Tauscher

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) MJ

DATE 11/2/98 TIME 7:29

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME Ernest Winston

ADDRESS

TELEPHONE NUMBER

FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT

letter from (George Miller)
stating to vote against
Ellen Tauscher (dem.)
sent to people in the east
bay.
(cand. for U.S. House of Rep)

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) TL

DATE 11/2/98 TIME 7:25

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME Michael Barnett

ADDRESS

TELEPHONE NUMBER FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT

Received a letter & Phone call from a fake Democratic Organization. Signed by "George Miller" (Local Congressman) to vote against the Democratic Candidate Ellen Tauscher).

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) LC

DATE 11/2/98 TIME 6:47

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME Patricia McCulley

ADDRESS

TELEPHONE NUMBER FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT

Investigate the letter about "George Miller letter"

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) L.C.

DATE 11/2/98 TIME 7:12

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME Virginia Coull

ADDRESS

TELEPHONE NUMBER FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT

Same as other complaints. Fraud Mail

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) MY

DATE 11/2/98 TIME 7:20 pm

John
11/2/98

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME James E Bowman

ADDRESS

TELEPHONE NUMBER FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT

From - East Bay Democratic Committee
1968 John F Kennedy Drive
Antioch CA 94509

Does not address

Not to vote Ellen Tosher
she voted to impeach
the president - Not a true
Democrat

Important message

NOT SIGNED

supposedly FROM George Miller

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

Received a letter.

PERSON TAKING COMPLAINT (INITIALS) Ay

DATE 11/2 TIME 7:24

02/11/98 14:04 FAX 202 225 2930

Mr. Gregory O. Bedard

November 9, 1998

Secretary of State
Election Fraud Investigative Unit
1500 11th Street, 5th Floor
Sacramento, CA 95814

Dear Sir or Madam:

I would like to notify the Secretary of State's office of a case of voter fraud that may have occurred in California's 10th Congressional District, impacting on the election held on November 3, 1998.

Our household recently received a mailer from a group calling themselves the East Bay Democratic Committee, purporting to represent all Democrats in the East Bay of the San Francisco Bay Area. This letter was postmarked in Oakland on October 31, 1998 and was received the day before midterm elections were to be held. Printed on the front of the envelope was a message that read "URGENT! VOTING INFORMATION ENCLOSED! OPEN IMMEDIATELY!" The return address was listed as 1960 John F. Kennedy Dr., Antioch, CA 94509.

The letter discussed how this committee would not support Representative Ellen Tauscher for reelection because of her stance on various issues. It then stated that because Tauscher was going to win reelection, loyal Democrats should not vote for her on election day to send her a message to change her voting record in Congress. The name printed on the bottom of the letter was "George Miller, East Bay Democratic Committee."

According to the Contra Costa Times and the San Francisco Chronicle, the group that sent out the mailers which called itself the East Bay Democratic Committee, does not exist.[1] The city planner of Antioch has stated that no such street exists in that city by the name of John F. Kennedy Drive.[2] Furthermore, this mailer purported to use Representative George Miller's name to urge voters not to vote for Tauscher. George Miller is in fact a strong supporter of Ellen Tauscher, and has condemned the mailer as an attempt to mislead voters.[3] This misrepresentation is the crux of the matter.

There are 122,574 households in the 10th Congressional District with at least one registered Democrat, and many of these households received such mailers from the East

Bay Democratic Committee.[4] Some of those who received mailers were also called later the same evening and told not to vote for Tauscher by members of the group.[5] Our household was among those which received such a phone call. It is estimated that this fraudulent mailer scheme could have cost approximately $100,000 to conduct.[6] Meanwhile, citizens in the 10th Congressional District continue to be outraged by the attempt to subvert the election.[7]

Representative George Miller and the California Democratic Party have filed a lawsuit in the Superior Court of Alameda County against the Republican candidate who opposed Tauscher in the recent election, Charles Ball, as well as his campaign committee.[8] It is alleged that they may have information regarding the fraudulent voter guide campaign.[9]

Free, honest, and unobstructed elections are the hallmark of our democracy. I urge your office to take strong measures to find those responsible for trying to subvert our democratically held elections. If voter fraud on such a scale is allowed to go unchallenged, future elections may be placed in jeopardy. Elections which hinge on the smallest of margins may be influenced by a similar abuse of our democracy. This is not just dirty politics. This is illegal. Voter fraud, mail fraud, and campaign finance laws may have been violated. Again, I urge you to conduct a strong and directed investigation.

I am confident that your office will do its utmost to ensure the integrity of California's electoral process. Please do not hesitate to contact me if I may be of further assistance. Thank you.

Sincerely,

Gregory O. Bedard

Gregory O. Bedard

Enclosures

Endnotes

[1] Daniel Borenstein, *Lawsuit Targets Phony Mailer, Calls*, CONTRA COSTA TIMES, Nov. 5, 1998, at A3. John King, *Dirty Trick Mailer Stirs Democrats*, S.F. CHRON., Nov. 5, 1998, at A19.
[2] Daniel Borenstein, *Tauscher Target of Fake Flier*, CONTRA COSTA TIMES, Nov. 3, 1998, at A1.
[3] Id.
[4] Daniel Borenstein, *Lawsuit Targets Phony Mailer, Calls*, CONTRA COSTA TIMES, Nov. 5, 1998, at A3.
[5] Id.
[6] John King, *Dirty Trick Mailer Stirs Democrats*, S.F. CHRON., Nov. 5, 1998, at A19.
[7] Id.
[8] Id.
[9] Id.

EAST BAY DEMOCRATIC COMMITTEE

"Representing all Democrats in the East Bay"

1960 John F. Kennedy Dr.
Antioch, CA 94509

IMPORTANT MESSAGE!

November 1st, 1998

Dear fellow Democrat.

Election day is drawing near and it is crucial that we support the Democratic team. The Republican party and big business will stop at nothing to derail our positive agenda for working families.

Each year we provide you with the slate of our Democratic team we are supporting. This year we have done the same for all major candidates in the East Bay who have been supportive of our President, Bill Clinton, and the goal of our party including 100.000 new teachers, a Patients Bill of Rights and protection of Social Security.

However, as loyal Democrats, we find it very troubling that Rep. Ellen Tauscher abandoned President Clinton and the Party when she voted with the Republicans to launch an Impeachment Inquiry in the personal life of a truly great President who has accomplished so much for the Democratic Party and working families.

It is with great regret that we will not be supporting the re-election of Rep. Ellen Tauscher because of her votes against the President and against our Party. Her voting with the Republicans on issues such as the impeachment inquiry, stealing from Social Security for tax cuts for the rich and minimum wage make her unacceptable to us.

We know that many Democrats have chosen to send her a message by not voting for her or against her on November 3rd because of her abandonment of the party. They have chosen simply not to vote for either candidate in the race for Congress.

And while we have chosen to not forget how Ellen Tauscher turned her back on our party we ask that you remember to support our Democrat team for the other offices on the ballot on Election day. Unfortunately, we have been left no choice but to send Ellen Tauscher a message. Because she abandoned us, we are abandoning her.

We could not support her opponent. And Ellen Tauscher will win re-election. But it is critical that she receive the message loud and clear. She must support our President to enjoy our support. Not voting for her is the best way for her to receive this message.

Thanks for remembering to support our other loyal Democrat candidates on the ballot on Tuesday.

Sincerely,

George Miller
East Bay Democratic Committee

EAST BAY DEMOCRATIC COMMITTEE

"REPRESENTING ALL DEMOCRATS IN THE EAST BAY"

1960 JOHN F. KENNEDY DR.
ANTIOCH, CA 94509

URGENT!
VOTING INFORMATION
ENCLOSED!
OPEN IMMEDIATELY!

Bedard, June A
[redacted]

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Secretary of State
Election Fraud Investigation Unit
1500 11th Street, 5th Floor
Sacramento, CA 95814

John 11/2/98

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME Don Vincent

ADDRESS

TELEPHONE NUMBER FAX NUMBER

BRIEF DESCRIPTION OF INCIDENT COMPLAINT

- received "East bay Democratic Committee" letter - was addressed to his wife.

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) BM

DATE 11/2/98 TIME 6:00 PM

John 11-2-98

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME Phylis Ceaser

ADDRESS

TELEPHONE NUMBER ( ) FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT Letter From George Miller East Bay Democractic Commitee is misleading. Not From Congressman George Miller.

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS) JC

DATE 10/2/98 TIME 6:05pm

11/2/98

TELEPHONE INCIDENT REPORT FORM

COMPLAINANT'S NAME BARNEY SHERMAN

ADDRESS

TELEPHONE NUMBER ( ) FAX NUMBER ( )

BRIEF DESCRIPTION OF INCIDENT COMPLAINT

IN REGARDS TO THE EASTBAY COMPANY

ANY SPECIAL INFORMATION/INSTRUCTIONS (Best time to call, other witnesses, etc.)

PERSON TAKING COMPLAINT (INITIALS)

DATE TIME