# Oregon Election's Loopholes

Oregonians for Fair Elections

Join us on the web, facebook and email.

## Three Laws designed to stop Accountability

- 1. Relax voter registration laws: Motor Voter expanded to <u>Automatic Voter Registration</u>.
- 2. Relax accountability of in person voting: <u>Vote</u> <u>by Mail</u>. Minimal examination of signatures.
- 3. Relax ballot custody laws, <u>allow collection of</u> <u>ballots by anyone</u>, thus legalizing "Ballot Harvesting."

Voter Registration Statutes say to register a person who attempts to register if at all possible.

Oregon and US Constitution require citizenship to vote. Yet Oregon Revised Statutes 247.012 says "....Except as provided in ORS 247.124, if a registration card is legible, accurate and contains, at a minimum, the registrant's name, registrant's address, date of birth and signatures, the county clerk shall register the person."

## **Voter Registration**

Motor Voter: Oregon Added Automatic Voter Registration in 2015

Have you heard of anyone having problems with their voter registration since that time?

## If they don't qualify to be automatically registered via AVR they can still be registered via a paper application.

### **Oregon Motor Voter Registration Manual**

D.

- Public employees or their family members who do not submit a residence address to DMV pursuant to ORS 802.250.
- 6) Anyone categorized by DMV as a "continuous traveler" (see Glossary on page 14 for definition).
- 7) Individuals who do not provide an electronic signature to DMV.

A signature from a guardian who signs for another individual is not a valid electronic signature for the purposes of voter registration. However, individuals who provide guardian signatures may receive Oregon Motor Voter Mailers. County elections officials will not register those individuals through the Oregon Motor Voter Process.

Individuals who do not initiate the Oregon Motor Voter process may still register if they meet the qualifications (a U.S. Citizen, at least 16 years old, and an Oregon resident) by visiting <u>oregonvotes.gov/myvote</u> or completing and returning a paper voter registration card.

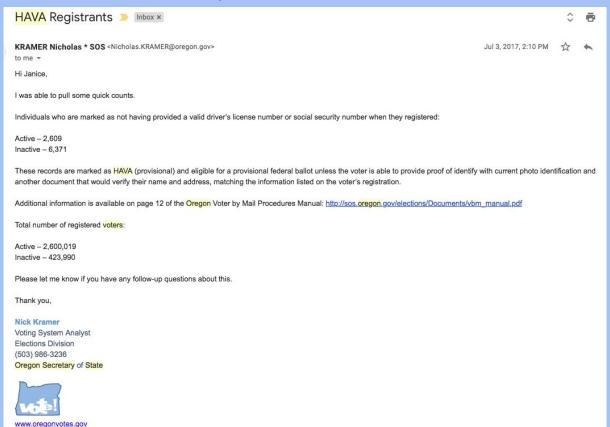


For assistance registering to vote or requesting accommodations, contact the Elections Division at 1 866 673 VOTE (8683) or TTY 1 800 735 2900 (for the hearing impaired).



For more information on the Address Confidentiality Program or personal safety exemptions, see the Public and Protected Records section on <a href="mailto:page 11">page 11</a>, or contact your county elections office. Contact information for the county elections offices is available at <a href="mailto:oregonvotes.gov/counties">oregonvotes.gov/counties</a>.

## Non Hava Complaint offer NO ID



WA County Non HAVA voter

Still gets to vote in state and local

elections



#### WASHINGTON COUNTY OREGON

January 18, 2017

Dear Voter:

Washington County Elections has received your voter registration. We have registered you for local and state elections. However, we are unable to complete your registration for federal elections because identification information required under federal law was not included with your registration application. You must provide the required identification information. Until you have provided this required information, your votes on federal offices, including President of the United States will not be counted.

You may submit a new registration form including the required information. We have enclosed a new form for your convenience.

The federal Help America Vote Act of 2002 now requires individuals registering to vote in federal elections to provide the following identifying information with their registration application:

- If you have a current, valid Oregon DMV Driver's License or ID Number, you must provide that number (a Learner's Permit is considered a License/ID).
- If you do not have a current, valid Oregon DMV Driver's License/ID, you must check the
  appropriate box on the registration form and provide the last four digits of your Social
  Security number. Your name and date of birth must match your SSN exactly.
- If you do not have a current, valid Oregon DMV Driver's License/ID or a Social Security number, you must check the appropriate box on the registration form and provide a copy of one of the following:
  - A current and valid photo identification that shows your name. If an expiration date is
    provided on the photo identification that identification must not have expired; or
- A current utility bill, bank statement, government check, paycheck, or other US government document that shows your name and address. The address must match the residence or mailing address submitted on your voter registration card.

This identification must be received in order to complete your registration for the next Federal Election (an election in which a federal candidate is nominated or elected).

You may provide this identification with your new registration form <u>by mail</u> or <u>in person</u> at your county elections office.

Please contact our office at (503) 846-5800 if you have any questions regarding this matter.

It is important to act promptly.

Sincerely, Washington County Elections Staff

> Department of Assessment & Taxation • Elections Division 3700 SW Murray Blvd., Suite 101, MS 3, Beaverton, OR 97005-2365 phone: [503] 846-5800 • fax: [503] 846-5810 Email: elections@co.washington.or.us www.co.washington.or.us/elections/

## FVAP Voter Registration does not require any ID

## Registering and requesting your absentee ballot

Jump To ∨

Under federal law, the Federal Post Card Application (FPCA) registers you to vote and requests absentee ballots for a minimum of all federal elections in the current calendar year. Be sure to complete a new FPCA each year and every time your address changes.

### Complete the following sections of the FPCA

#### Section 1

Select the category that best describes you.

Enter your current name (Last, First). If you are registered under a different name, provide this information in the previous name area.

Your date of birth is required.

You must provide a State issued ID number. If you do not have a State issued ID number, provide the last four digits of your Social Security Number. If you do not have either of these numbers, you must enter in Section 6: "I do not have a State issued ID or Social Security Number".

#### Section 2

Enter the complete street address of your voting residence where you are registering to vote and requesting an absentee ballot. You cannot use a post office box mailing address. If your address is a rural route, use Section 6 to describe the location of your voting residence.

#### Section 3

Enter your current mailing address, even if you are requesting your ballot by email/online or fax. If you want your election materials sent to a different address or have a forwarding address, use the forwarding address space to provide this information.

#### Section 4

Your contact information is recommended so your election official can contact you if they need additional information from you in order to accept your FPCA. If you want to receive your absentee ballot by email/online or fax, you must provide your email address or fax number.

#### Section 5

You can receive your absentee ballot by mail, email/online or fax. Select your preferred method of receiving your absentee ballot.

To vote in a primary election for a major party, you must enter the name of the party ballot you want to receive. If you do not indicate a political party, you will receive a nonpartisan ballot. Political party affiliation is not required if requesting an absentee ballot for general elections.

#### Section 6

Provide any information that may assist your election official in accepting this form. You can use this space to designate particular elections or the period you wish to receive ballots.

#### Section 7

Sign and date. No witness signature required.

# **HB4111** Oregon has at least 11,000 DACA students registered via DMV, with their ID prohibited from verification by law. See line 11

A-Eng. HB 4111 SECTION 3. (1) Notwithstanding ORS 807.021 and 807.730, a person is not required to 1 provide proof of legal presence in the United States when applying for a limited term identification card, a limited term driver license or a limited term driver permit if: (a) The Department of Transportation previously issued a limited term identification card, a limited term driver license or a limited term driver permit to the applicant; (b) The applicant presents to the department an Employment Authorization Document issued by the United States Citizenship and Immigration Services under category C33, A12 or C19; and (c) The applicant's Employment Authorization Document expired on or after August 1, 10 2014. 11 (2) Notwithstanding ORS 807.022, the department may not verify the documents described 12 in this section. 13 (3) Notwithstanding ORS 807.130, a limited term driver license issued or renewed under 14 this section expires two years from the date of issuance. 15 SECTION 4. Section 3 of this 2018 Act is repealed on December 31, 2021. SECTION 5. Section 3 of this 2018 Act applies to limited term identification cards, limited 16 term driver licenses and limited term driver permits issued, renewed or replaced on or after 18 July 1, 2018. SECTION 6. (1) The amendments to ORS 807.460 by section 1 of this 2018 Act become 19 20 operative on January 1, 2019. 21 (2) Section 3 of this 2018 Act becomes operative on July 1, 2018. 22 (3) The Department of Transportation may take any action before the operative dates 23 specified in subsections (1) and (2) of this section that is necessary to enable the department to exercise, on and after the operative dates specified in subsections (1) and (2) of this section, all the duties, functions and powers conferred on the department by section 3 of this

SECTION 7. This 2018 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2018 Act takes effect on its passage.

2018 Act and the amendments to ORS 807.460 by section 1 of this 2018 Act.

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27



College students are told to use their college address to register to vote, 50% of college students are from out of state. The college Voter Reg. program leaders are telling them to register even if they are from out of country.

# Non citizens and dead people have been found to have voted.

2000-2003 The Robleto brothers registed 80,000 people mostly from out of state seeking new ID. Only needed 2 pieces of mail to qualify for DMV license. The Robleto brothers would sell you the mail.

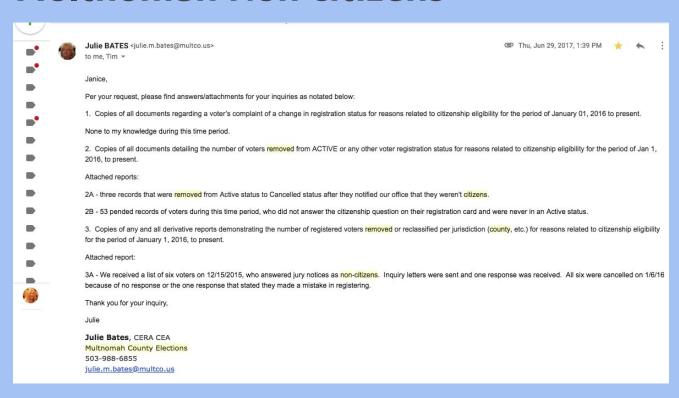
2006 6,000 dead people found on the voter rolls. 900 plus more found in 2012

Divorcee told me she votes twice every election.

2008 Governor Task force on Voting changed ID requirements for Oregon.

Real ID delayed, should be active on a 2 tier method by 2019

## Multnomah Non citizens



## Non citizens on voter rolls removed.



# DHS conducts voter registration efforts at every interaction

VIII.C Voter registration

3/2/2017

## A. Overview

The National Voter Registration Act (NVRA) of 1993 requires agencies which provide public assistance or services to persons with disabilities to also provide voter registration opportunities. All Department of Human Services (DHS) programs are required to comply with NVRA requirements as well as partner agencies such as Area Agencies on Aging (AAA) and the Oregon Health Authority (OHA.

 DHS and AAA staff is required to assist any person who asks for help with completing voter registration forms.

## 5. Mailing in completed registration forms

The obligation of DHS and AAA is to provide appropriate voter registration forms and send all completed forms to the local County Elections office.

Review all forms for completeness, and advise the registrant if they have missed any sections.

- · Date stamp each completed voter registration form the same day it is received;
- The date stamp cannot include an agency or division name; the stamp must display the date only;
- · Add the date stamp to the right of the bar code:
- If the form is not complete and the registrant is not available, send the incomplete form to the County Election office for processing;
- If the registrant does not have either an Oregon driver's license, permit, or ID number, or a Social Security number (question 4 on the registration form), make a copy of the identification they are using and attach it to the registration form;
- · Do not accept out of state identification;
- · Options for identification are listed on the voter registration form, SEL 503, Voter Registration Card with Declination.

If the consumer completed a voter registration form but does not live in the local office county, send the card to the local County Elections office to be forwarded.

The Election office will determine if the registrant is eligible; staff is not allowed to advise on potential eligibility.

See below for the local area Site Coordinator role in mailing completed forms and the use of the SEL 516 envelope.

## **FOIA** requests:

## Murphy & Buchal LLP

3425 SE Yamhill Street, Suite 100 Portland, Oregon 97214

James L. Buchal

telephone: fax: e-mail:

503-227-1011 503-573-1939 jbuchal@mbllp.com

April 11, 2018

#### BY FIRST CLASS MAIL

U.S. Immigration and Customs Enforcement Office of the Principal Legal Advisor U.S. Department of Homeland Security 500 12th Street, S.W., Mail Stop 5900 Washington, D.C. 20536-5900

Re: FOIA APPEAL, ICE Case No. 2018-ICFO-25031

Dear Sir of Madam,

I am a resident of Oregon and Chief Petitioner for Intiative Petition No. 5, which seeks to amend the Oregon Constitution to provide proof of citizenship before allowing registration to vote. I am also the Chair of the Multnomah County Republican Party, which has supported this Petition, and is generally interested in the subject of illegal alien voting.

Upon learning that Syracuse University's Transactions Records Access Clearhouse reported that ICE had referred criminal actions in the District of Oregon for violation of 8 U.S.C. § 1326 (re-entry of deported alien), resulting in ninety-five criminal actions in the District of Oregon during FY 2017, I sought the identity of the ninety-five criminal defendants through production of the referral documents.

I did this because it is well established that under the U.S. Constitution, it is a "universal requirement of our federal and state governments that criminal trials be public". *Richmond Newspapers v. Va.*, 448 U.S. 555, 591 (1980). For this reason, the identity of these criminal defendants must be released to the public.

Nor do the provisions of federal law ICE has invoked bar release of the records. It is particularly obnoxious that the request was denied on the basis of 5 U.S.C. § 552a, when the "individuals" protected by this law are specifically defined as "a citizen of the United States or an alien lawfully admitted for permanent residence". 5 U.S.C. § 552a(2). By definition, these are not aliens lawfully admitted.

Nor are we seeking "third party records," as ICE prepared the referrals, which had to contain the identity of the proposed criminal defendants. Frankly, now that I see that § 552a does not protect illegal aliens, I would like to request *all* the referrals for FY 2017, not just the ones that resulted in public prosecutions.

The Honorable Dennis Richardson Secretary of State 900 Court Street NE Capitol Room 136 Salem, Oregon 97310

Dear Secretary Richardson,

Under the Oregon Public Records Law, §192.410 et seq., I am requesting an opportunity to obtain copies of these public records:

- Voter Registration forms received as a result of a federal requirement such as National Voter Registration Act from 2012 through November 2016
- Voter Registration forms received as a result of application for social services from 2012 through November 2016
- Voter Registration forms and or data received from any federal source from 2012 through November 2016
- Voter Registration data electronically received from any state agency from 2012 through November 2016
- Citizenship verification records created as a result of the above listed registrations
- Records received from any Court relative to people selected for jury duty but are unable to serve due to non-citizenship
- Guidance, rules or regulations provided to any election officials on the verification of identity, residency, citizenship, age and felon status of individuals registering to vote in Oregon

My preference is to receive the above listed information electronically.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$1,000.00. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of voter registration. This information is not being sought for commercial purposes.

I would request a prompt response to this request. If you expect a significant delay in responding to or in fulfilling this request, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption for each denial you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for your consideration of this request.

Sincerely,

James Dysinger

## Resulted in HB3464

## House Bill 3464

Sponsored by Representatives ALONSO LEON, HERNANDEZ, Senator TAYLOR, Representatives KOTEK, LININGER, WILLIAMSON, Senators BURDICK, DEMBROW, FREDERICK, GELSER, MANNING JR, ROBLAN; Representatives BARKER, BARNHART, DOHERTY, FAHEY, GOMBERG, GORSEK, GREENLICK, HELM, HOLVEY, KENY-GUYER, LIVELY, MALSTROM, MARSH, MCLAIN, MEEK, NOSSE, PILUSO, POWER, RAYFIELD, REARDON, SANCHEZ, SMITH WARNER, SOLLMAN (at the request of Governor Kate Brown and Attorney General Ellen Rosenblum)

### SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Prohibits public body from disclosing specified information concerning person unless required by state or federal law. Prohibits public body from inquiring concerning person's citizenship or immigration status except as required by state or federal law or when determining benefit eligibility.

Authorizes public body to decline to disclose information concerning person's citizenship or immigration status except as required by state or federal law or in certain other circumstances.

Directs Attorney General to publish model policies for public bodies intended to limit, in manner consistent with state and federal law, immigration enforcement in public facilities.

Declares emergency, effective on passage.

## No address is required for residency.

- Oregon allows anyone to register without a residence.
  You only have to think of Oregon as your home to qualify.
  Oregon Legislators passed a law ORS247.035-038:

  (a) The person's residence shall be the place in which habitation is fixed and to which, when the person is absent, the person intends to return.
- (a) The residence address of a person who is homeless or resides in a shelter, park, motor home, marina or other identifiable location may be any place within the county describing the physical location of the person

## **Vote by Mail**

Least Accountability and most vulnerable to fraud election system.

Ballots are everywhere, making accountability unrealistic. You can see this at the local Post Office trash can, when ballots are first delivered.

Signature examination is very limited, with artwork smiley faces allowed as signatures.

# **Ballot Harvesting**

Allowing anyone to pick up voters ballot is Ballot Harvesting.

97 ballots turned in late in Multnomah County gave evidence that ballots harvesting was in full swing in Multnomah County.

# Ballot Harvesting

Election (/News/Topic/Elections/) | News (/News/Topic/News/) | Local (/News/Topic/Local/) | Politics (/News/Topic/Politics/)

## Progressive Group Turned In Nearly 100 Ballots Late, Complaint Says

by Dirk VanderHart (/contributor/dirk-vanderhart/) (Follow) OPB Nov. 15, 2018 11:02 a.m. I Updated: Nov. 16, 2018 11:43 a.m.

The executive director and legal counsel for one of Oregon's most high profile progressive groups face a new elections law complaint, after dropping off nearly 100 ballots to officials a day after the Nov. 6 election.



Staff count ballots at the Multnomah County Elections Office in Portland, Ore. on Nov. 6, 2018.

Nate Siol/OPB

Our Oregon Executive Director Becca Uherbelau and legal counsel Steven Ungar delivered a box of 97 ballots to the Multnomah County elections office on the afternoon of Nov. 7, according to the complaint, filed by county Elections

Director Tim Scott last week. One of those ballots wasn't for the general election, but for the state's primary election, held in May. None of them were counted.

# Watch for new election laws to further erode election integrity

Same Day Voter Registration

National Popular Vote

16 year old voting

Felon Voting

Non-Citizen Voting

Online and email voting

# What we need immediately:

Comparison study of Oregon Voter Rolls to the National SAVE Database of Aliens in the US.

Cross State Voter Check

Use Guideline is PILF pdf to bring about good practices.

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EBRASKA 1,167,533 AND 8,011,975 NLAHOMA 2,118,384 15	214	14	0 11,	182 (	32 2,1	41 7,656	3,940	12,394	19,639	12,258	1,777	1,459	5,453	16,927	8,260	3338VA	5,920	936	6,961	2,861	1,622	5,143	369	17,568	6,530	143.17
8.011.978 RLAHONA 2.118.384 15	7	7	0 4	1/4	43 9,0	17 13,291	14,884	18,866	15,782	45,387	11,113	33,649	9,140	5,275	12,772	5,920	NAME:	5,240	14,245	9,391	5,246	6,150	1,538	8,100	10,701	E 1-257.64
2.118.384 15	2	2	- 0	151	41 4,1	22 1,225	10,099	3,631	2,940	4,514	11,519	4,915	1,286	906	2,705	936	5,248		2,747	1,474	1,792	1,276	3,397	1,265	2,429	ma te
Vis College and supply	0	0	0 17,	1,0	79 19,3	14 5,361	18,083	63,503	35,464	39,111	6,986	5,211	56,995	6.966	54,200	6,961	14,245	2,747	200	6,527	7,457	21,859	1,548	17,912	27,035	408,38
DREGON 2,636,511	15,094	14	0 6	99 1	43 5,7	42 10,254	10,824	7,425	6,917	5,711	2,211	8,660	3,444	3,152	4,734	2,861	9,391	1,474	5,527		2,784	3.065	584	3,624	4,554	103,86
	960	.0	35	65 3.6	67 18,3	53 1,983	16,503	8,066	5,335	8,005	2,879	2,615	3,292	2,476	7,722	1,522	5,248	1,792	7,457	2,784		2,958	1,201	3,199	6,741	115,56
OUTH CARDLINA 1, 105, 420	0	D	346 33,	1,1	92 5,5	51 3,353	7,962	34,944	62,479	12,298	2,474	2,509	9,050	5,023	13,985	5,143	6,150	1,276	21,850	3,066	2,968		758	12,972	30,001	245,72
OUTH DAKOTA 583,495 19.	19,467	7	2 5	03 3	02 3,4	07 585	5,136	2,098	1,313	1,746	5,234	1,104	691	330	1,518	309	1,538	3,397	1,548	584	1,201	758	100	735	1,135	34,82
3,590,439	10,407	0 38	85,724 6.	\$6 1,0	60 4,5	09 7,276	7,362	25,940	40,578	13,759	2,702	2,415	22.311	4,654	18,308	17,588	8,100	1,285	17,912	3,624	3,199	12,972	735		17,047	233,72
1RGINIA 5,434,434 64,877,703	580	0	125 5	35,5	700		17,792	50,422 527,667	45,305	21,077	4,011	4,353	14,174	7,967	18,201	6,530	10,701	2,429	27,035	4,554	8,741	30,001	1,135	17,047	32/4	958,57

Volunteer to observe elections in your county.

Check with your local party to find out how to get involved observing the election process.

Get part time work at the elections office during peak elections operations.