The Honorable Jeff Sessions  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001  

The Honorable Kirstjen Nielsen  
Secretary  
U.S. Department of Homeland Security  
(Attn: Office of Infrastructure Protection)  
801 Nebraska Ave NW  
Washington, DC 20016  

John M. Gore  
Acting Assistant Attorney General  
Civil Rights Division (Attn: Voting Section)  
U.S. Department of Justice  
Room 7254 - NWB  
950 Pennsylvania Ave., N. W.  
Washington, DC 20530  

October 9, 2018  

COMPLAINT: CALIFORNIA DEPARTMENT OF MOTOR VEHICLES, FAILURE TO MAINTAIN ACCURATE VOTER ROLLS (SUPPLEMENT)  

To Whom It May Concern:  

On September 12, 2018, Landmark Legal Foundation submitted to your office, a compliant documenting the multiple failures of the California Department of Motor Vehicles (DMV) to maintain accurate voter rolls. Evidence submitted showed that officials at DMV locations failed to ensure voter registrants completed necessary affidavit prior to registering. Landmark also presented evidence showing how California’s new registration scheme contains loopholes that permit ineligible noncitizens to complete voter registration applications.  

This supplement presents additional evidence substantiating Landmark’s allegation that California has failed to maintain accurate voter rolls and, as a result of these failures, thousands of ineligible individuals are currently registered to vote.
The DMV released an internal audit showing that approximately 1,500 individuals had been incorrectly registered between April 23, 2018 and September 25, 2018 because of a "processing error." These individuals included legal residents who are not citizens.¹

While Secretary of State Alex Padilla reported expressed frustration and disappointment with DMV’s failures, it is apparent California is incapable of complying with its federal obligation to maintain accurate and up to date voter rolls. These failures jeopardize the sanctity of upcoming elections and should be immediately investigated by your office.

Thank you for your attention to this important matter.

Sincerely,

[Signature]

Michael J. O’Neill
Landmark Legal Foundation

Attachment.

Cc: Alex Padilla, Secretary

¹ Exhibit 1, attached.
At least one non-citizen and perhaps many more were improperly registered to vote in California by the Department of Motor Vehicles, prompting the secretary of state to demand a new investigation of the embattled agency Monday.

The DMV said about 1,500 people may have been incorrectly registered between April 23 and Sept. 25 because of a "processing error." That includes legal residents who are not citizens, although the DMV says none of the people mistakenly registered are people living in the country illegally.

One Canadian national who's lived in the U.S. 31 years told the Los Angeles Times that he knew it was a mistake when he was told he was newly registered to vote.

"When I saw that card, I just threw it out," Randall Marquis said. "I know I'm not going to vote. I'm not allowed to vote, it's stupid that I should be registered to vote."
"I remain deeply frustrated and disappointed that persistent errors by the DMV and CDT have undermined public confidence," Secretary of State Alex Padilla wrote in a letter calling for an audit.

The DMV discovered the errors after the Los Angeles Times inquired about Marquis' case. The green card holder contacted the Times after he was mistakenly registered when he tried to replace his driver's license at the DMV, the paper reported.

The department is working quickly to fix the problem, said DMV Director Jean Shiomoto.

California's motor voter law letting residents automatically register to vote took effect in April. Since then, people have newly registered or updated their voter registration more than a million times. The new law is aimed at making it easier for people to register and boosting voter turnout. Early voting for the Nov. 6 election began Monday.

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