

Law Offices of

OLSON

HAGEL &

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LLP

August 15, 2011

**Via Facsimile**

The Honorable Kamala Harris  
Attorney General of California  
P.O. Box 944255  
Sacramento, California 94244-2550

**RE: Californians Against Identity Theft and Ballot Fraud – Request to Dismiss Meritless Complaint**

Dear Attorney General Harris:

I write on behalf of my client, Californians Against Identity Theft and Ballot Fraud, in response to a meritless complaint filed with your office on July 31, 2011 by Carl DeMaio falsely alleging that my client is engaged in “underhanded and most likely illegal tactics to intimidate voters.” Because the complaint has absolutely no legal merit and its claims are completely unsubstantiated, we request that you immediately decline Mr. Demaio’s request for an investigation.

Californians Against Identity Theft and Ballot Fraud is a nonprofit public benefit corporation registered with the California Secretary of State and established pursuant to the California Nonprofit Public Benefit law (Cal. Corp. Code §5110 et. seq.) for purposes of providing the public with important information about the risk of identity theft and ballot fraud in connection with the political process. The organization is in compliance with all laws and, contrary to the assertions of its detractors, has substantiated all claims made in its radio advertisements.

Recently, Californians Against Identity Theft and Ballot Fraud has attempted to raise public awareness regarding the potential risks of identity theft and ballot fraud associated with signing initiative petitions. The organization’s two radio advertisements highlight the recent indictments by the Oregon Attorney General of two individuals for initiative fraud. The accusations involved in those two indictments involved forged signatures on initiative petitions.

In his complaint, Mr. DeMaio fails to cite a single basis that could result in any legal violation. He does not cite any statute indicating that a law has been broken. He vaguely refers to the constitutional right of voters to take part

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in the initiative process, but fails to mention the legitimate constitutional rights of others also engaged in protected free speech. Because Mr. DeMaio's complaint is based on unfounded and inaccurate claims and contains no basis for a legal violation, we request that you immediately decline his call for an investigation. We request that you respond in writing with your decision not to investigate this baseless complaint.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

**OLSON HAGEL & FISHBURN LLP**

A handwritten signature in black ink, appearing to read "R. Rios", written over the printed name.

RICHARD R. RIOS