
Primary Elections

California primary elections: the wildest vote fraud in history

by Susan Johnson, Managing Editor



William Wertz

In the June 8 Democratic primary elections in California, zero-growth Gov. Jerry Brown managed to win over 51 percent, gaining the senatorial nomination, and Brown's chief grassroots backer, former SDS leader Tom Hayden, won the nomination in Santa Monica for state assembly in a hot race. Brown's and Hayden's aggressive opponent, William Wertz of the National Democratic Policy Committee (NDPC) was accorded 1 percent in a senatorial bid, tying with three others for last place in the 11-man contest. But the results are not final.

The night of June 8 witnessed perhaps the wildest attempt at election fraud in U.S. history. Rather than permit counting of an unexpectedly high vote cast for an NDPC-backed candidate, strategically placed state Democratic officials ordered the election-tallying computers shut down in county after county.

Five hours after the polls closed, major breakdowns in the computers in no less than 14 counties were reported by KABC radio, with only a small fraction of the total vote said to have been counted in each case. Every county's computer tallying is a separate operation, and the reported causes for the alleged breakdown were diverse. No such pattern of statewide computer breakdown has ever occurred in U.S. electoral history.

Experts in both computer technology and voting procedure agree that the California breakdowns were a statistical impossibility. All of them contend that some central agency must have ordered the California vote shut down. Such an order could have come only from Governor Brown—who slipped 13 percent in the last poll of the race, with insiders predicting a 40 percent vote for him—or from the State Committee of the Democratic Party, if fixing the Democratic vote were the goal.

The early edition of the *L.A. Times* reported June 9 that with 18 percent of the precincts' results in, Wertz had 6 percent of the vote, or 28,805 votes. The later edition reported that 65 percent of precincts had submitted results, and Wertz's vote was 1 percent, or 15,665!

Judge calls Secretary of State to account

On June 10, Judge Lloyd Phillips of the California Superior Court in Sacramento, in response to a petition filed by Wertz, directed Wertz's attorney to submit a

letter to the Secretary of State detailing the charges of computer breakdown and asking for a full explanation on the record. The Secretary must come forward with a list of all counties where breakdowns occurred, all counties not in compliance with Section 15208 of the Election Code which mandated the filing of computer programs seven days before the election, the reasons for such breakdowns, and the steps now being taken to guarantee the integrity of the vote.

The Superior Court Judge set a hearing date of June 16 to review the Secretary's submissions. Should the Secretary of State fail to respond, or provide an inadequate response in the face of the evidence, the judge can impound the election machinery in the challenged counties and enjoin certification of the election.

On June 7, the Secretary of State's office had told the NDPC that 32 out of the 44 counties with computerized voting had not complied with Section 15208 of the California Election Code, which specifies that each county must file its computer program with the Secretary of State seven days before an election. That day, the Wertz for Senate campaign had filed in Superior Court before Judge Mike Virga asking for a writ of mandate that would compel each county in violation of the code to recount manually 10 percent of its ballots at state expense, to monitor vote fraud, instead of the usual 1 percent. Judge Virga issued a writ that the counties failing to file their programs on time make the 10 percent count or show cause why they did not comply.

On election night

Caught between risk of legal action and a Wertz vote they were not permitted to report, election officials hid behind a general suggestion that they report computer breakdown.

In San Francisco County two out of every three ballots were spat out on the floor by the computerized card reader on election night. Finally, officials began repunching the cards.

In the rest of northern California, things were going wild, too. In Santa Clara County, a quarter of the counters malfunctioned, bringing down the rest, so that

nothing but absentee ballots could be counted until 10:30 P.M., when the computer had been reprogrammed. An official in Shasta County said, "It's going fine," but another said there were all sorts of problems because of defective cards. At 8 A.M., a poll worker reported that the holes had not been punched properly. In Yolo County, which expected to have a final count at midnight, only 10 percent of the votes could be counted by 11 P.M. Alameda County, just east of San Francisco, had one out of two of its card readers incapacitated.

In San Mateo County, where there was extensive labor support for Wertz, the computer was down for at least an hour, and many key-entry problems were reported.

In central California, San Joaquin reported a 50 percent rate of computer problems. Napa County was forced to fly in a new computer, and began tabulating results at 7 A.M. Mendocino County had to ship its ballots to a computer in Tehama County. Tulare County had wild program errors.

In southern California, Kern County and Ventura County suffered card-reader and other computer breakdowns. Los Angeles County and Orange County card readers would not accept the ballots.

News was so scant that network television was reduced to broadcasting the projections made on absentee ballot totals and exit polls. At midnight, California's ABC affiliate was telephoned to ask why it had reported no change in the vote count for an hour. "Because computers are down in 12 counties," said the station. Its anchorwoman, Christine Lund, came on at 12:45 A.M. to report that "trolls and gremlins are causing computer foulups."

Tom Hayden was persistently reported as winning in Santa Monica, and then the report was as frequently revoked, because the KABC reporter was taking the percentage of votes counted for the whole county and attributing it to Hayden's assembly district. Hayden himself, asked for an acceptance speech, said that it was premature because "the problem is that there is no information. There are computer problems." Statewide, no results were reported except the counting of absentee ballots for two hours after the polls closed. Three hours after the polls closed, in counties where there were "no problems," such as Los Angeles County and Orange County, only .0025 percent— $\frac{1}{4}$ of one percent—had been counted as of 11 P.M. Pacific Daylight Time. In Orange County, only 12 of 2,033 precincts had been counted by 11 P.M., even though everything was "going smoothly." This unbelievably slow tabulation was the pattern statewide.

Statewide, there was an unusual percent rate of blank votes in the Democratic Senate race, compared with 3.2 percent on the GOP side and 2.9 percent in the gubernatorial race.

In the 1980 presidential primary in California, Lyndon LaRouche, who later established the NDPC, had won a nominating convention delegate in Orange County with some 9,000 votes by early evening; then, beginning at midnight, electoral officials—as they confessed afterward—altered the computer program to give LaRouche a final vote in the 2,500 range. The Secretary of State refused to act.

Who benefits?

According to conversations with officials in the state Democratic Party recorded before the primary elections, an agreement had been made to manage the election count to ensure that Wertz's vote would be kept statewide below 2 percent, and nowhere allowed to exceed 6 percent. The deal was struck after another NDPC-backed candidate, Steve Douglas, won 20 percent of the statewide vote in the Democratic gubernatorial primary in Pennsylvania on May 18, and 35 percent of the total vote in the city of Philadelphia. Circles within the Democratic National Committee—headed by Charles T. Manatt, a California banker tied to organized crime who supports Paul Volcker's economic policies (see Special Report)—feared that even a 10 percent vote for Wertz would publicly establish the NDPC as a powerful nationwide factor in the Democratic leadership.

Manatt's factional ally Jerry Brown was thoroughly implicated in Jimmy Carter's 1976 "Operation Big Vote," which drew on the "vote early and often" services of the Reverend Jim Jones and his then-California-based People's Temple.

The NDPC, which has 7,000 members in the state, made Wertz the talk of his enemies as well as his supporters. In the April 1-June 1 reporting period, Wertz had the third highest number of campaign contributors in the 11-man race. At the beginning of June, the Wertz campaign circulated 500,000 leaflets, in English and Spanish, blasting the racist anti-minority policies of Jerry Brown as the same policies embodied in Volcker's deliberate, population-slashing depression and Britain's war against Argentina. He drew endorsements from 50 labor leaders, and delighted California's pro-growth "silent majority" with his radio advertisement ending with one fruit fly's warning another not to land on "that strange, exotic fruit"—"No, no, that's the Governor."

Hayden's wife, Jane Fonda, was reported by one labor leader to be "digging deeper and deeper into her pocketbook" to counter Wertz. "The LaRouche people are driving her crazy" with their mass literature charging that Hayden's "small is beautiful" policies equal national socialism, or "green fascism" aimed at eliminating "useless eaters" among minorities.

Those minority voters who gave their campaign efforts or their votes to Wertz are not going to quietly accept disenfranchisement.