

Complaints against petitioners mount in anti-sanctuary campaign

State attorney general's office takes over investigation of possible criminal activity by petitioners peddling a repeal of Oregon's sanctuary status

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For weeks, signature gatherers working for Ballot Access LLC have been reportedly lying to Portland-area voters, telling them an initiative to repeal Oregon's sanctuary-state status would do the opposite.

Following Street Roots' Feb. 16 article highlighting this activity, numerous people have reported problems when they tried to get their names removed from the petition they were allegedly tricked into signing.

Meanwhile, Ballot Access LLC's signature gatherers have continued to mislead voters as they collect signatures for Initiative Petition 22, with multiple reports of fraudulent behavior stemming from various locations around the Portland area, and as recently as this past Monday.

The most recent complaints come three weeks after the Secretary of State's office first notified Ballot Access LLC it had received a complaint from a Portland State University student alleging this illegal behavior. It also comes nearly two weeks after the company told Street Roots it had fixed the problem.

While the state's initial investigation focused on one employee, based on the varying descriptions of canvassers and locations collected by Street Roots, it would appear the practice of being deceptive about the anti-sanctuary initiative to get signatures is a common tactic used by Ballot Access LLC's employees.

In Oregon, making false statements to anyone who signs a petition or makes requests of information about it can result in a felony conviction and fines of up to \$125,000.

The investigation that began within the Oregon Secretary of State's office was transferred to the state attorney general's office for criminal investigation this past week.

Before the transfer, the Secretary of State's handling of the investigation was questionable.

Secretary of State's office staff told Street Roots to have people contact the initiative's chief petitioner, Rep. Mike Nearman (R-Independence), to get their names removed from the petition. But at the same time, they were giving different instructions to voters who called their office.

Three people, who contacted Street Roots after becoming frustrated, said the

Secretary of State's office gave them a third-party number to call to have their names removed. It was the personal cell phone number for Lee Vasche, owner of Ballot Access LLC, the company under investigation.

None of these callers were asked for their names, contact information or when and where they signed the petition when they called the Secretary of State's office. Nor were they advised to file a complaint.

Alejandra Avalos, who told Street Roots she signed a petition for IP 22 in Gresham, called the number for Vasche multiple times over the course of a week, leaving voicemails, in an attempt to get her name removed. As of press time, she said no one has returned her call.

Ed Ferguson and his wife, Ann, signed the petition for IP 22 outside the New Seasons Market Concordia in mid-February after being told it was for an initiative to "preserve" sanctuary status. The Fergusons both said they would never have signed the petition if they knew the initiative was to repeal that status.

The actual ballot title for the initiative reads: "Repeals law limiting use of state/local law enforcement resources to enforce federal immigration laws."

When Ferguson called the number the Secretary of State's office gave him, which Street Roots confirmed was Vasche's number, he thought it was to another state agency.

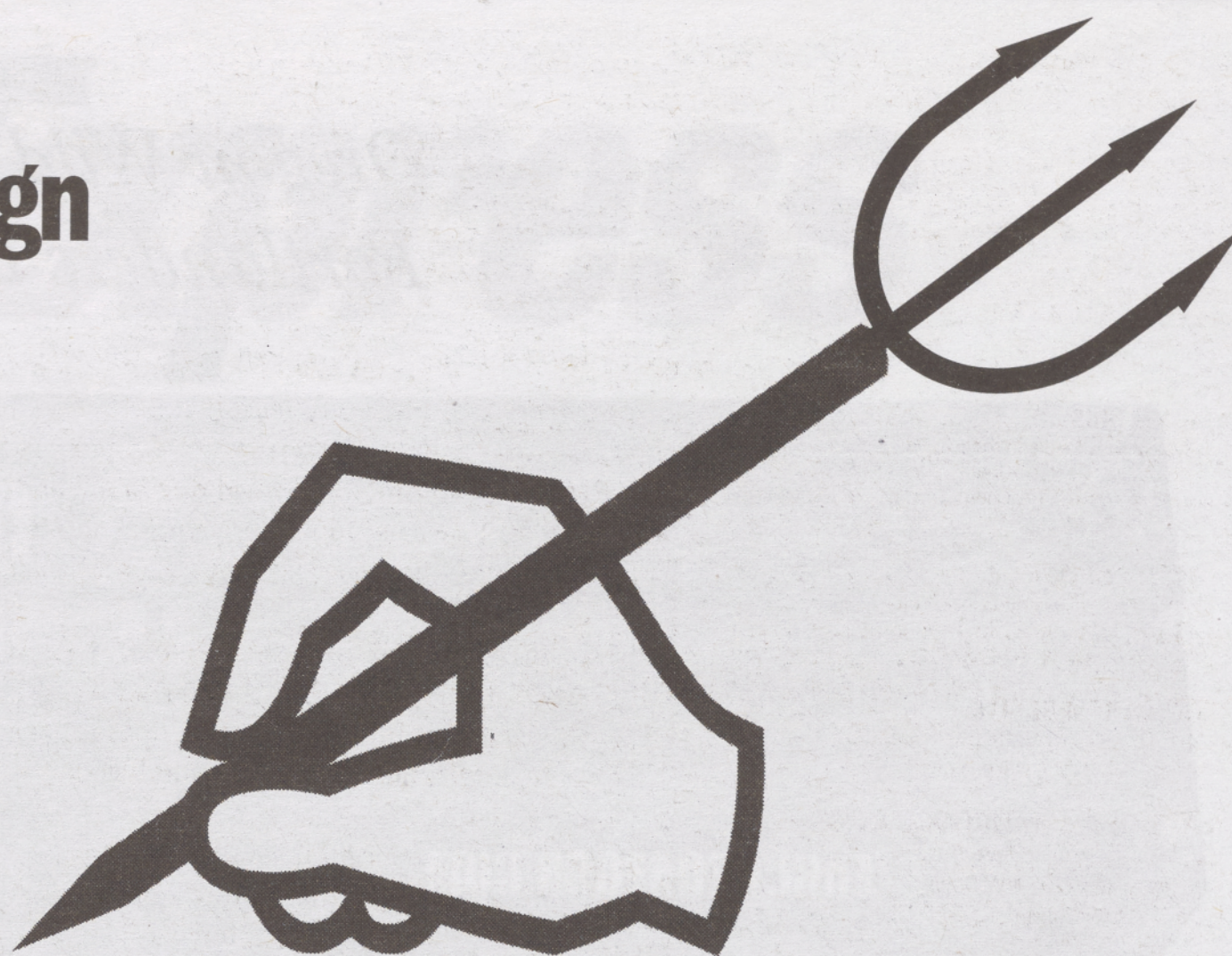
He told Street Roots he spoke to the man who answered, telling him why he and his wife wanted their names removed. But when he asked with whom he was speaking, he said the man refused to identify himself or the name of his company.

At that point Ferguson hung up the phone, and then sent an email complaint to the Secretary of State's office, detailing how he and his wife were deceived and requesting that his letter be included in the state's investigation into Ballot Access LLC.

In response, the Secretary of State's office told him in an email that it does not generally "aggregate complaints from different sources into one investigation," and asked if he was requesting a separate investigation based on his complaint.

Not wanting to go after the individual canvasser, the Fergusons declined to pursue an investigation.

"In our opinion, it is the Elections Division (at the Secretary of State's office) process in screening and overseeing petitions that is the problem," Ferguson said in an email.



On Feb. 23, about three hours after Ferguson spoke with him, Street Roots called Vasche at the number the Secretary of State's office was giving to callers.

He also told Street Roots that he's heard from 10 people who want their name off the petition, and they all signed it at Portland State University – the site of the initial complaint. Vasche called those 10 people "just a drop in the bucket" of the 4,000 to 5,000 signatures that Ballot Access has collected.

Vasche said he had told the Secretary of State's office to give out his number so he could personally speak to each person who was misled. He said he wanted to find out where and when they signed the petition, and what the signature gatherer looked like.

Vasche said while his signature gatherers don't necessarily use the words "repeal sanctuary status" when describing the initiative, leading people to believe it would do the opposite is "crossing the line."

"We have a zero-tolerance policy," he said, although when pressed he said he had not terminated anyone's employment over this matter.

People who want to contact Vasche's company wouldn't know how unless they called the Secretary of State's office. Ballot Access LLC's number is unlisted and the company has no website. Vasche said this is because it's "not a public facing company."

He also told Street Roots he has removed all the names of people who asked him to.

While Vasche said his company has not taken a position on Initiative Petition 22, he is the treasurer at Oregonians for Immigration Reform, the group behind it. Southern Poverty Law Center recently gave this group a "nativist extremist" designation.

In 2014, Oregonians for Immigration Reform was successful when Oregon voters defeated Measure 88, denying undocumented immigrants the right to obtain driving cards.

Oregonians for Immigration Reform will need to gather 88,184 signatures by July 5 to qualify IP 22 for the November ballot.

When Street Roots asked Deb Royal, Secretary of State Dennis Richardson's chief of staff, why her office was directing people to Vasche, she reiterated that voters should call Nearman if they want their name removed from the petition. She said her office has no way of knowing if Nearman's contract with Vasche even allows Ballot

Access LLC to remove names from the petition.

Nearman, however, has not responded to repeated inquiries from Street Roots, nor has he responded as of press time to Ellen Bragdon, who emailed him with a request to have her name removed from his petition, along with a request for confirmation.

"I was ABSOLUTELY lied to about this ballot petition by 2 women who were in the New Seasons underground parking lot on SE Woodstock last week," stated Bragdon's Feb. 19 email to Nearman. "They first covered the ballot petition description and then they told me putting it on the ballot was to protect the Sanctuary status. I said I wanted to read the description and then as I was reading it they kept assuring me it was to protect the Sanctuary status. I was in a hurry and so I didn't finish reading it, took their word for it and so I signed it."

More recently, on the morning of Feb. 26, student Isaac Byrd spoke with a couple signature gatherers working inside the foyer of the library at Portland Community College's Cascade campus. They had pink signature papers, he said, which would indicate they were paid signature gatherers. (Volunteers collect signatures on white paper.)

"The elevator pitch that was given to me by one of the women," said Byrd, was "We're trying to get an initiative on the ballot that will save Oregon sanctuary-state status."

Byrd said when he entered the library, there was a "large group of students they were talking to, and I'd say the majority of them ended up signing on while I was talking to one of them, so they were definitely getting signatures."

Misleading voters into signing a petition is not as common in Oregon as it is in states where people are paid per signature, said Marlon Mosley, principal at Democracy Resources, a full-service political consulting and campaign management firm in Portland.

"In Oregon you can only collect signatures paying people hourly," he said. "I hate to say this, but it just depends on the make-up of the people in charge of running the signature gathering process. Some people are like, 'Just get me signatures, I don't care how you do it.' – that's not us – I don't want people out there saying false stuff to get a signature."

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