

Signatures in question for utility initiative

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An elections official suspects fraud in a petition drive to force a vote of Sacramento utility customers concerning a pending annexation of part of Yolo County.

A routine check of a random sample of the signatures submitted by the Coalition for Reliable and Affordable Energy, a political group funded by Pacific Gas & Electric Co., has triggered a more thorough verification.

Sacramento County Assistant Registrar Alice Jarboe notified the Sacramento Municipal Utility District of this action in a letter. Also, Jarboe will forward the matter to the secretary of state's Fraud Division for investigation.

SMUD has asked officials for permission to annex Davis, Woodland, West Sacramento and unincorporated areas of Yolo County.

Jarboe's finding has outraged members of the SMUD board of directors, who say the tactic is typical of PG&E.

The coalition collected more than 53,317 signatures on a petition calling for a June vote in Sacramento on whether to require SMUD to go to voters with any annexations. That would include the annexation being considered now, and if passed in June, it would trigger a November vote specifically on the Yolo proposal.

Simultaneously, SMUD officials have called for a vote of their ratepayers in Sacramento. In spite of the findings on the coalition's push for a vote, SMUD's vote will be in November, as long as the annexation is approved by the Sacramento Local Agency Formation Commission.

The coalition needed 31,395 signatures to qualify the issue for a ballot.

The results of the routine check, which looked at a random sample of 3 percent of the signatures, project that the petitions have about 101 percent of the valid signatures needed.

Even so, a rule states that if the sample study does not result in 110 percent or greater

statistical validity, there is too much uncertainty in the error rate and it triggers a check of all of the signatures, Jarboe said.

The voter registration and elections office will check every signature until it gets to the 31,395 needed. That check will mean overtime costs to meet the March 10 deadline for a June ballot. The registrar's office will charge SMUD for the work, as per a state rule, but Jeff Raimundo, spokesman for the coalition, said that group will pay.

After an initial fee, Jarboe said, the full verification will cost about \$1.50 per signature checked.

Some of the fraudulent instances Jarboe's office encountered were cases where a petition circulator's name or address was incomplete or the address was a mail drop box or one that does not exist.

SMUD board members Genevieve Shiroma and Bill Slaton said they had heard the petition included signatures of people who are deceased, but they said they only had that information anecdotally.

"Every petition has some problem," Jarboe said, "where somebody who wasn't registered signed a petition. But this one is a little bit more than that, and when we're done with this, we're going to turn it in to the secretary of state fraud unit to do an investigation."

Arlen Orchard, SMUD's general counsel and the recipient of Jarboe's letter, said the issue "goes to the very heart of the integrity of the electoral process."

"We think it's disturbing that there appears to be instances of what I'll call voter fraud associated with the collection of this petition," he said. "And that we certainly fully support the registrar of voters' decision to (send the matter to the secretary of state). ...

“So, it's very disturbing, and we think that if it bears out, PG&E should assume full responsibility for this.”

Raimundo said that while the coalition's petitions need further verification, they still so far show enough valid signatures to qualify for the ballot.

As for the suspicions of fraud, he said the group believes that is circulator error but if there is fraud, it is “unacceptable” and should be investigated.

He said the group still feels good about its signature list and he expects to have, in the end, 105 or 110 percent of the valid signatures needed. The group disagrees with some of the rules about how the random sample count is completed, he said, but respects Jarboe's interpretation of the process and doesn't plan to challenge those issues.

“And we think that our controls in terms of monitoring the signature-gathering worked because we have, like I say, more than 100 percent of the signatures (needed). So, if there is any of that going on, it's not enough to affect the outcome,” he said.

Shiroma, president of the SMUD board, said she was “stunned” at Jarboe's finding.

“It just continues to be very offensive that PG&E would come into SMUD territory and try to ... bamboozle our SMUD customers,” she said. “The SMUD board represents the SMUD customers. We look out for our customers, and our customer rates, everything we do goes back to our customers.”

She said the issue was “par for the course” for PG&E.

Slaton said the suspected petition problems show that PG&E is desperate to win the debate over the annexation.

“And this is a process,” he said, “where they've got professionals employed, they could have done this properly, and we'll have to see how this plays out with the registrar.”

He said he was not saying it was intentional and he knows people occasionally make mistakes on addresses, but that if the allegations he has heard are true, there is no excuse for them.

“It's work that's done, it's sloppy, it's obviously done carelessly” in a way where people are pushed and told not to worry about the details, Slaton said.

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