

*** NEWS RELEASE ***

DISTRICT ATTORNEY DETERMINES NO VIOLATION OF LAW IN CARMEL BALLOT STAPLING INQUIRY

FOR IMMEDIATE RELEASE

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Monterey County District Attorney Dean D. Flippo announced today that his office received a public integrity inquiry regarding whether there was a violation of law where official absentee ballots had election campaign materials stapled to the outside envelopes when delivered to some Carmel-by-the-Sea residents.

Following an investigation by the District Attorney's Office, it was determined that Peninsula Messenger Service contracts with the City of Carmel-by-the-Sea to provide home mail delivery to a certain number of the residents. Mayoral Candidate Steve Dallas provided election campaign materials to a Peninsula Messenger Service delivery person and requested the materials be included with the local mail delivery. The delivery person on his own initiative, decided to staple the campaign materials to the ballots as a courtesy however stopped after completing only a few due to the tedious nature of the task. The delivery person stated that he stapled approximately six absentee ballots which were delivered with the campaign materials attached to them. Only two were recovered.

The recipients of the two stapled envelopes contacted the Monterey County Registrar of Voters who immediately recovered the stapled envelopes and replaced them with fresh ballots. An examination of the recovered ballots revealed there was no defacement in any way.

A review of the Election Code and the California Penal Code revealed that there is no law that covers the facts stated above, i.e., stapling campaign material to the ballot envelope. This was confirmed in interviews of the Monterey County Registrar of Voters and the Postal Inspector's Office which revealed that they were not aware of any law that covers this sets of facts.

The District Attorney's Office has concluded that the integrity of the election process has not been compromised.