

Jerry Brown Says, I Am Not God

In the course of the United Farm Workers' statewide political campaign to defeat Proposition 22, an agribusiness-sponsored initiative on the California ballot in 1972, I discovered that voter fraud was used to qualify the initiative for the ballot. If we could prove it, I thought it might be possible to have the initiative legally removed from the ballot.

The first evidence I received that something was wrong was from the uniform feedback our volunteers received during the door-to-door campaign work in the Los Angeles precincts. At our daily strategy/report meetings, dozens of staff volunteers reported that they were told by people who had signed the petition that they had done so only because the petition circulators standing in front of Los Angeles supermarkets told them the purpose of the initiative was "to lower food prices." In fact, many voters reported seeing a cardboard sign strapped across the top part of the petition, which read, "LOWER FOOD PRICES."

Because of these reports, I sent my wife, Bonnie, to the Los Angeles County registrar of voters to examine some of the certified petitions. This was really a fishing expedition, because none of us knew what, if anything, such an examination might show. At the very least, I thought we might obtain the names and addresses of thousands of Los Angeles voters who had been duped by the "Lower Food Prices" ploy, so that we could contact them by mail and by phone before election day.

Bonnie came back from the registrar's office with dozens of copies of signed petitions, but the names, addresses, and signatures on the petitions were all in the same handwriting. She said there were thousands of certified petitions filled with names, addresses, and even signatures – all in the same handwriting. It was obvious that the paid petition circulators had taken the voter registration rolls and simply transferred the information onto the petitions, using their own handwriting. Because petition circulators were paid by the signature, it was the fastest way to make money. There was no attempt to conceal what they had done, and yet each petition was signed by the circulator, stating under penalty of perjury that the petition had been circulated among voters for their signatures. It is likely that hired petition

circulators had used this process for years, and Proposition 22 was no exception. It was a stunning discovery!

I immediately called our campaign offices in the other major cities – San Francisco, Oakland, Sacramento, San Jose, and San Diego – and asked them to review the certified petitions on file in the registrars’ offices in their counties. In less than 24 hours, we knew that tens of thousands of fraudulent signatures had been used to certify Proposition 22. But now what? With less than eight weeks before election day, how could we prove it? And how could we effectively communicate this voter fraud to the public throughout the state without sounding like political whiners? Even if we could prove it, so what? Would it make any difference in the election outcome, or would it simply be viewed as one of those last-minute campaign accusations?

We made a plan. First, we would gather thousands of statements from voters whose names were on the certified petitions but who had not actually signed the petition. We would ask them to sign a statement, under penalty of perjury, that they had not signed the petition, and, furthermore, they petitioned the secretary of state to remove their names from the petitions. Statement forms were prepared overnight, and hundreds of volunteers fanned out into the Los Angeles precincts to track down voters whose names had been fraudulently filed. In just three or four days, we had more than 700 statements signed, all under penalty of perjury, and more were coming in each day. Our campaign offices in the other cities also began to gather statements from duped voters. It was now time to meet with Secretary of State Jerry Brown, the only statewide office-holder who was a Democrat. In his 1970 campaign for office, he had used the slogan, “I marched with Cesar Chavez and the farmworkers.” It was time to collect.

I had only talked with Jerry Brown once before, and that was by telephone. I forget the original purpose of the call, but I do remember shouting at him that he should not complain when farmworkers turned to him for help. Did he think they should turn to the likes of Governor Reagan, Lt. Governor Curb, or Attorney General Younger, all staunchly conservative Republicans? I doubt I even waited for him to respond before I hung up.

Tom Quinn, Jerry’s chief-of-staff, a young but brilliant campaign strategist in his own right, arranged the meeting with Jerry Brown. The meeting took place

in a high-rise office building in Century City, where Brown had his Southern California office. I invited Jerry Cohen and Art Torres to come with me. We brought with us a couple of boxes filled with the declarations of voters who swore their names had fraudulently been used to certify Proposition 22. Jerry Brown came into the meeting not at all confident he even wanted to be there, and after the introductions, he stayed in the background. Tom Quinn took charge, and I began to explain what had happened with the certified petitions and that we needed help. But Jerry Brown broke in with a smart-ass remark to the effect that he wasn't God, and what could he do with these kinds of campaign-type charges? He proceeded in that fashion to discount any possible help he might be able to give. At this point, I stood up and said, "This is a fucking waste of time, let's get out of here." Jerry and Art hesitated a minute, got out of their chairs, and started to gather up their files, when Tom stood up, extended his arms, and said in his friendly/firm Irish pol voice, "Now wait a minute, let's calm down here, let's sit down and see what we can do to help." I could sense his annoyance with Jerry's flip remarks, so I said, "Fine." The tone of the meeting was changed from how do we get rid of these guys without hurting ourselves politically to how can we help these guys and get something out of it. The clincher were the hundreds of declarations, all signed under penalty of perjury, that we brought with us. A signed declaration from a voter about election fraud was something objective and tangible, over which a secretary of state had some jurisdiction.

The plan that Tom Quinn and Jerry Brown cooked up at the meeting was masterful. First, we were to gather at least a couple of hundred additional declarations. Then Jerry would call a press conference to announce that declarations alleging voter fraud had been brought to his attention, that he was officially turning these allegations over to the Los Angeles district attorney, Joe Busch, to investigate and to bring criminal charges if the results of his investigation warranted such action. In turn, Joe Busch would call a press conference to announce that he had received these allegations from the secretary of state and he promised to open up a criminal investigation and bring charges if warranted. In turn, Jerry Brown would announce to the media that Joe Busch had informed him that a complete investigation was under way and he awaited the results before taking any action. And so this public conversation would go back and forth in the media, first Jerry Brown, then Joe Busch.

After the meeting, Jerry Brown explained that he really had done nothing special except to publicly hand off our request to the Los Angeles DA, a Republican, who was running for re-election in a tight race and who, for his own election purposes, would publicly announce he had received them, and so forth. It was all media smoke and mirrors, but it served the purpose of publicly smearing Proposition 22 in each of these ensuing press conferences. The final result came just three days before the general election, when the headlines of the *Los Angeles Times* screamed, “7 Indictments in Proposition 22” and the subheadline read, “Voter Fraud Used to Qualify Initiative.”

True enough, Jerry Brown was not God, but you could have fooled me.