

Christine Grab

April 18, 2024

Office of Inspector General/MAILSTOP 0305  
Department of Homeland Security  
245 Murray Lane SW  
Washington, DC 20528-0305

Dear Regulators:

My understanding is that, per 5 U.S. Code § 3331, every elected or appointed government official must sign an Oath of Office. Per 5 U.S.C. 3333: "...an individual who accepts office or employment in the government of the United States...shall execute an affidavit within 60 days after accepting the office or employment.

California has similar laws, which are found in California Government Code Sections 1027, 1360, 1362-1369, 18152 -18158, and Section 3 of Article XX of the Constitution of California, which require all State of California employees to sign an Oath of Office (if elected or appointed) or an Oath of Allegiance (everyone else) within 30-days of beginning employment. **California Government Code Section 18151** says:

"The oath required by this chapter shall be taken and subscribed by: (a) Every person who is appointed to a State position not in the State civil service and not otherwise so required by law, within 30 days of the date of appointment; and (b) Every person who has not previously taken and subscribed the oath and who is employed in a permanent position in the State civil service where the employment continues for 30 days or more, within the first 30 days of his employment."

Subscribed means a witness writes their name, signs and dates the form confirming that they watched the oath be taken by the employee.

Section (a) of 18151 refers to Oaths of Office, which are taken by people who are elected or have been appointed to their jobs by someone who has been elected. These positions are not intended to be permanent; they only last as long as the current administration lasts. If someone is elected, the oath expires at the end of their elected term. If someone is appointed, the oath expires when the term of the person who appointed them expires.

California Gov't Code Section 1363(c) says: "Every oath of office filed pursuant to this section with the Secretary of State shall include the expiration date of the officer's term of office, if any."

Section (b) of 18151 refers to permanent employees, who take Oaths of Allegiance. Oaths of Allegiance do not expire.

Per California Government Code Section 18154: "Any person who is appointed to a State position not in the State civil service and who fails to take the oath required by this chapter within the time provided forthwith forfeits his right to his position, and the position shall be considered vacant."

My understanding is that anyone who is working unlawfully without said executed oath is considered to be *a foreign agent posing as a government agent* and subject to prosecution under Title 18 U.S.C. § 912.

Over the past nine months, I have sent your agency numerous letters notifying you of State of California employees who do not have fully executed Oaths. The purpose of today's letter is to notify you of twenty (20) people who are currently employed by the California State Senate who do not have a proper current oath, including State Senator Scott Wiener.

On November 6, 2023, Secretary of the Senate Erika Contreras responded to my Legislative Open Records Act (LORA) request that I had made for oaths of people employed by the State Senate. The records are enclosed.

The majority of the oaths had signatures redacted (exhibit 1), making it impossible to determine whether those oaths were properly executed. I believe these redactions are a violation of the Brown Act, which states:

*"The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created."* §54950.5, Cal. Civ. Code, Brown Act.

I believe information that the public is entitled to know includes whether our government officials are lawfully employed in accordance with California Government Code sections 1027, 1360, 1362-1369, 18152 -18158, and Section 3 of Article XX of the Constitution of California.

I view the oath as equivalent to a driver's license – if a cop pulls me over, I have to show him a license proving that I am legally allowed to operate a motor vehicle. Likewise, if a constituent asks for an oath, the government employees have to provide said oath to prove that they are legally allowed to be operating in public office.

On November 13, 2023, I sent an email to Secretary of the Senate Erika Contreras, her deputy, John Nam and Human Resources executive Sheila Braverman in which I stated that, in lieu of unredacted documents, I would accept a certification taken under penalty of perjury that the oaths were properly executed (exhibit 2). The Senate Committee never responded to this request

in writing, and when I spoke with Mr. Nam about it on the phone, he refused to provide said certifications.

The reality is that I have now collected more than one hundred oaths from eleven agencies. The State Senate is the only agency that redacts oaths. If redacting oaths were lawful, all of the agencies would be doing it.

I believe that Ms. Contreras is aware that she is violating the law with these redactions, but is doing so anyway to hide evidence that one or more of the employees are working unlawfully without fully subscribed oaths. If the redactions were really to protect privacy, then the Senate Committee would have provided the certifications. That said, as is detailed below, despite the redactions, it is still evident that **100% of the redacted oaths do not comply with the oath laws.**

My understanding is that when the words UNITED STATES or STATE OF CALIFORNIA are in all capital letters, that refers to a private corporation which is utilizing the same name as our country/state in order to masquerade as the legitimate government. Hence, the oath was made to this private corporation and not to the real United States and State of California. As is detailed below, a majority of the oaths provided are written in ALL CAPS, and anyone utilizing these improper oaths are considered a *foreign agent posing as a government agent* in violation of Title 18 U.S.C § 912.

Likewise, my understanding is that someone who uses all capital letters on a legal document is considered a fictitious corporate entity and not a human person. My understanding is that if the name on the oath is written in ALL CAPS, the person never personally took the oath; their corporate fiction took it. I have been told that anyone who takes the oath as a fictitious person is considered an *unlawful foreign agent*. As detailed below, three of the people wrote their names in ALL CAPS.

**Below is a list of support staff** and the improprieties on each of their oaths which make the oaths non-compliant with the aforementioned laws. **Note that 100% of support staff are working unlawfully without proper oaths.**

**Brown, Samantha:** oath was to STATE OF CALIFORNIA and UNITED STATES; Ms. Brown's signature was redacted (exhibit 3). On March 27, 2024, the Secretary of State confirmed that Ms. Brown does not have an oath on file (exhibit 4).

**Case, Doug:** The Senate Committee stated they have no oath on file (exhibit 1). Clearly, the Senate Committee would be aware of this lack of oath and, if it was an oversight, would have immediately corrected it. On March 27, 2024, the Secretary of State confirmed that Mr. Case does not have an oath on file, so this appears to be flagrant violation of the oath laws (exhibit 4). On April 10, 2024, Senator Atkin's office confirmed he is still employed as the Communications Director.

**Davis, Grace:** Oath expired at the end of Atkins term in 2020; oath was to STATE OF CALIFORNIA and UNITED STATES; Ms. Davis's signature and the witness signature were

both redacted (exhibit 5). On March 27, 2024, the Secretary of State confirmed that Ms. Davis does not have an oath on file (exhibit 4).

**Duran, Antoinette:** Oath expired at the end of Atkins term in 2020; oath was to STATE OF CALIFORNIA and UNITED STATES; Ms. Duran wrote her name in all-capital letters; Ms. Duran's signature and the witness signature were both redacted (exhibit 6). On March 27, 2024, the Secretary of State confirmed that Ms. Duran does not have an oath on file (exhibit 4).

**Eisberg, Ryan:** No oath was provided for his current job. The Oath of Office provided was for a different job that expired in 2002; Mr. Eisberg's signature and the witness signature were both redacted. Mr. Eisberg wrote his name in all-capital letters (exhibit 7). On March 27, 2024, the Secretary of State confirmed that Mr. Eisberg does not have an oath on file (exhibit 4).

**Favorini-Csorba, Anton:** Oath was to STATE OF CALIFORNIA and UNITED STATES; Mr. Favorini-Csorba's signature and the witness signature were both redacted. Mr. Favorini-Csorba took this oath in 2015; I am not sure who appointed him, but I am sure by now that person is no longer in office and thus the oath is expired (exhibit 8). On March 27, 2024, the Secretary of State confirmed that Mr. Favorini-Csorba does not have an oath on file (exhibit 4).

**Fritz, Niesha:** Oath expired at the end of Atkins term in 2020; oath was to STATE OF CALIFORNIA and UNITED STATES; Ms. Fritz's signature and the witness signature were both redacted (exhibit 9). On March 27, 2024, the Secretary of State confirmed that Ms. Fritz does not have an oath on file (exhibit 4).

**Griffiths, Diane:** No oath provided for her current job as General Counsel and Deputy Chief of Staff to Senator Atkins. Both of the Oaths of Office provided by the Senate Committee were for a different job that expired in 2012; both oaths were to STATE OF CALIFORNIA and UNITED STATES; Ms. Griffiths's signature and the witness signature were redacted on both documents. On March 27, 2024, The SOS confirmed that Ms. Griffiths does not have an oath for her current job, but the SOS did provide an Oath of Office for an Advisory Committee that Ms. Griffiths sat on (which has already expired). That oath for the Advisory Committee was taken to the STATE OF CALIFORNIA and UNITED STATES. Note that Ms. Griffiths is a lawyer, and lawyers understand the importance/technicalities of oaths better than anyone else. (exhibit 10).

**Grinnell, Colin:** No oath provided for his current job. The Oath of Office provided was for a different job that expired in 2008 ; Mr. Grinnell's signature and the witness signature were both redacted. Furthermore, Mr. Grinnell wrote his name in all-capital letters (exhibit 11). On March 27, 2024, the Secretary of State confirmed that Mr. Grinnell does not have an oath on file (exhibit 4).

**Hardeman, Nicholas:** No oath provided for his current job. The Oath of Office provided was for a different job that expired in 2006; oath was to STATE OF CALIFORNIA and UNITED STATES; Mr. Hardeman's signature and the witness signature were both redacted (exhibit 12).

On March 27, 2024, the Secretary of State confirmed that Mr. Hardeman does not have an oath on file (exhibit 4).

**Henderson, Vanessa:** Oath was to STATE OF CALIFORNIA and UNITED STATES; Ms. Henderson's signature was redacted, but they didn't redact witness information so we can see that the oath was never subscribed. Also, Ms. Henderson never stated the job for which she took the oath. On January 19, 2024, I notified Ms. Henderson, Ms. Atkins and thirteen executives at the Senate Committee, including Senate Secretary Erika Contreras, her deputy John Nam, and the heads of Human Resources, Sheila Braverman and Lynne Cervinka of this oath violation. No one responded to my email (exhibit 13). On March 27, 2024, the Secretary of State confirmed that Ms. Henderson does not have an oath on file, so this appears to be flagrant violation of the oath laws (exhibit 4). On April 10, 2024, Senator Atkins office told me that Ms. Henderson was still employed by the State Senate, but was now working for a different State Senator.

**Ison, Pamela:** Oath expired at the end of Atkins term in 2020; oath was to STATE OF CALIFORNIA and UNITED STATES; Ms. Ison's signature was redacted; but the witness information was not redacted. The notary never signed the document, so the oath was never subscribed. Furthermore, Ms. Ison wrote her name in all-capital letters (exhibit 14). On March 27, 2024, the Secretary of State confirmed that Ms. Ison does not have an oath on file (exhibit 4).

**Nam, John:** Oath was to STATE OF CALIFORNIA and UNITED STATES; Mr. Nam's signature and the witness signature were both redacted. Mr. Nam took this oath in 2019; I am not sure who appointed him, but I am sure by now that person is no longer in office and thus the oath is expired (exhibit 15). On March 27, 2024, the Secretary of State confirmed that Mr. Nam does not have an oath on file (exhibit 4).

**Peterson, Jonathan:** Oath was to STATE OF CALIFORNIA and UNITED STATES; Mr. Peterson's signature and the witness signature were both redacted. Mr. Peterson took this oath in 2018; I am not sure who appointed him, but I am sure by now that person is no longer in office and thus the oath is expired (exhibit 16). On March 27, 2024, the Secretary of State confirmed that Mr. Peterson does not have an oath on file (exhibit 4).

**Reed, Cole:** Oath was to STATE OF CALIFORNIA and UNITED STATES; Mr. Reed's signature was redacted (exhibit 17). On March 27, 2024, the Secretary of State confirmed that Mr. Reed does not have an oath on file (exhibit 4).

**Rodriguez, Kimberly:** No oath provided for her current job. The Oath of Office provided was for a different job that expired in 2018; oath was to STATE OF CALIFORNIA and UNITED STATES; Ms. Rodriguez's signature and the witness signature were both redacted (exhibit 18). On March 27, 2024, the Secretary of State confirmed that Ms. Rodriguez does not have an oath on file (exhibit 4).

**Suseberry, Tylisa:** Expired at the end of Atkins term in 2022; oath was to STATE OF CALIFORNIA and UNITED STATES; Ms. Suseberry's signature was redacted (exhibit 19). On

March 27, 2024, the Secretary of State confirmed that Ms. Suseberry does not have an oath on file (exhibit 4).

**Vallejo, Christopher:** oath was to STATE OF CALIFORNIA and UNITED STATES; Mr. Vallejo's signature was redacted (exhibit 20). On March 27, 2024, the Secretary of State confirmed that Mr. Vallejo does not have an oath on file (exhibit 4).

**Weisz, Jason** – On September 5, 2023 and January 23, 2024, I sent letters to your office regarding Mr. Weisz's lack of current oath. For your convenience, another copy of his oath is enclosed. I notified Sheila Braverman, one of the Human Resource executives for the Senate Committee on October 19, 2023 that Mr. Weisz was working unlawfully. I sent follow up emails to multiple Senate Committee staff, including Ms. Braverman and Human resources executive Lynn Cervinka, and multiple staff in Senator Atkins Office on January 9, 11, 15 and 18, 2024.

On January 23, 2024, Stephen Dehrer and Cara Jenkins, both from the Office of Legislative Counsel, sent me a letter signed by both of them in which they committed fraud. They wrote: "Legislative employee oaths do not expire and are not filed with the Secretary of State." They perpetrated this fraud by misrepresenting what the law says. They cited Article XX, Sec. 3 of the California constitution, which does not mention either of these issues, and omitted CGCS 1363, which directly addresses both issues. CGCS 1363 states:

- (a) Unless otherwise provided, every oath of office certified by the officer before whom it was taken shall be filed within the time required as follows:
  - (1) The oath of all officers whose authority is not limited to any particular county, in the office of the Secretary of State.
  - (c) Every oath of office filed pursuant to this section with the Secretary of State shall include the expiration date of the officer's term of office, if any.

As previously stated, Mr. Weisz's term expired when the term of the State Senator he works for expired. Just as Ms. Atkins had to take a new oath for the new term when she was re-elected, so Mr. Weisz was also required to take a new oath.

Mr. Dehrer and Ms. Jenkins also made a false statement "a copy of Mr. Weisz's signed oath document was provided to you by the Senate Rules Committee" and stated the matter of Mr. Weisz's oath was closed (exhibit 21).

I responded that I had not received a copy with a visible signature and went into detail about the suspicious behavior of the Senate Committee staff, which I believed to be *prima fascia* evidence that indicated that the Senate Committee staffers were covering up that Mr. Weisz (and possibly others) were working unlawfully. Neither Mr. Dehrer nor Ms. Jenkins responded. Per California law, failure to deny constitutes admission: Any material allegation in the complaint that is not effectively denied is deemed admitted. [CCP § 431.20(a); see *Hennefer v. Butcher* (1986) 182

CA3d 492, 504, 227 CR 318, 325]. By failing to deny my allegations that the oath was unlawfully redacted, Mr. Dehrer and Ms. Jenkins tacitly admitted that the Senate Committee had violated the law (exhibit 21).

On March 27, 2024, the Secretary of State confirmed that Mr. Weisz still does not have an oath on file, so at this point, Mr. Weisz's lack of oath is a flagrant violation of the oath laws (exhibit 4). According to the Secretary of State, Mr. Weisz also has no insurance policy/bond as is required per California Government Code section 1450 – 1463 (exhibit 22), so he is currently unlawfully employed in two ways. On April 10, 2024, Senator Atkin's office confirmed that Mr. Weisz is still employed with them.

**Below is a list of State Senators** and any improprieties which make their employment non-compliant with the existing state laws.

**Caballero, Anna:** Her Oath of Office for 2023 – 2024 for her current job appears to be valid (exhibit 23). However, according to the Secretary of State, she did not take an oath for either of her terms as assemblyman (from 2006 – 2010 and from 2016 – 2018). According to the Secretary of State, she currently has no insurance policy/bond as is required per California Government Code section 1450 – 1463 (exhibit 22), so she is currently unlawfully employed.

**Durazo, Maria Elena:** The Senate Committee provided an Oath of Office which expired at the end of 2020 (exhibit 24, page 1). The SOS provided a copy of what appears to be a valid, properly executed Oath of Office for 2023 – 2024 (exhibit 24, page 2), but confirmed there was no oath for 2021 – 2022 (exhibit 22). According to the Secretary of State, Ms. Durazo has no insurance policy/bond as is required per California Government Code section 1450 – 1463 (exhibit 22), so she is currently unlawfully employed.

**Seyarto, Kelly:** Oath of Office for 2023 – 2024 appears to be valid and properly executed (exhibit 25). According to the Secretary of State, Mr. Seyarto has no insurance policy/bond as is required per California Government Code section 1450 – 1463 (exhibit 22), so he is currently unlawfully employed.

**Wiener, Scott:** The Senate Committee provided an Oath of Office that expired in December 2018. On January 11, 2024, I sent an email notifying the Senate Committee and Senator Wiener's entire staff that he was working unlawfully without an oath. On January 11, 2024, I spoke with Krista Pfefferkorn, Senator Wiener's Chief of Staff, on the phone. In the conversations, she committed fraud by stating that Mr. Wiener did have a current oath on file. I said that if he really had an oath, she should provide it. Ms. Pfefferkorn claimed it was illegal for her to provide it to me; that only the Senate Committee could furnish oaths. On January 12 and 14, I sent follow up emails in which I demanded a copy of a current oath or Mr. Wiener's resignation. There was no response to these emails (exhibit 26).

On March 27, 2024, the Secretary of State confirmed that Mr. Weisz still does not have an oath on file, so this appears to be flagrant violation of the oath laws (exhibit 4) Clearly, if the lack of current oath had been an oversight, the Senate Committee would have immediately corrected it

by having him sign an oath. Note that Mr. Wiener is a lawyer, and lawyers understand the importance of oaths better than anyone else (exhibit 25). According to the Secretary of State, Mr. Wiener has no insurance policy/bond as is required per California Government Code section 1450 – 1463 (exhibit 22), so that is a second reason that he is currently unlawfully employed.

**Mr. Wiener is a State Legislator.** Per the Supreme Court in *Cooper v. Aaron*, 358 U.S. 1, 78 S. Ct. 1401 (1958), the court ruled:

*Any judge who does not comply with his oath to the Constitution of the United States wars against that Constitution and engages in acts in violation of the supreme law of the land. The judge is engaged in acts of treason. The U.S. Supreme Court has stated that "no state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it". See also In Re Sawyer, 124 U.S. 200 (188); U.S. v. Will, 449 U.S. 200, 216, 101 S. Ct. 471, 66 L. Ed. 2d 392, 406 (1980); Cohens v. Virginia, 19 U.S. (6 Wheat) 264, 404, 5 L. Ed 257 (1821)*

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Per California government code 1027: "Every person who exercises the duties of any employment in violation of the provisions of this article relative to oaths, and every person who knowingly employs a person ineligible by reason of the provisions of this article relative to oaths, is guilty of a misdemeanor. (Stats. 1943, Ch. 134.)"

This means that Secretary of State Erika Contreras, Deputy Secretary of State John Nam, Human Resources Executive Sheila Braverman and Human Resources Executive Lynn Cervinka are all violating CGCS 1027 by allowing people that they know do not have proper oaths to continue said unlawful employment. Clearly, these four people have conspired with each other and with each of the individuals working unlawfully to help them continue to evade the law. **Conspiracy to commit a misdemeanor is a felony.**

There is another important issue of lack of disclosure that I want to address in this letter. While the State Senators themselves disclose their income in public records, the Senate Staffers do not. This prevents taxpayers from having oversight of how our tax money is being spent. My understanding is that disclosure of income information is required by law, hence the State Senate is violating the law by not providing earnings information for its staffers.

In closing, I request that your agency prosecute each of the twenty people who are working unlawfully, along with their four co-conspirators who are enabling and abetting this brazen disregard for the laws.

Regards,



Christine Grab