



From: Christi Grab [REDACTED]
Subject: Re: LORA Response -- The State Senate Committed Fraud Yet Again in this Response.
Date: October 31, 2024 at 8:48 AM
To: Senate Rules Senate.Rules@sen.ca.gov, [REDACTED] Nam, John [REDACTED], Cervinka, Lynne [REDACTED], Braverman, Sheila [REDACTED], senator.wiener@sen.ca.gov, [REDACTED] senator.mcguire@sen.ca.gov, [REDACTED]
Cc: SD11.Scheduler@sen.ca.gov, [REDACTED] Gonzalez-Parra, Rubie [REDACTED], Rincon, Omar [REDACTED], Esparza, Anna [REDACTED], Persons, Jack [REDACTED], Mebust, Erik [REDACTED], Dehrer, Stephen [REDACTED], Pfefferkorn, Krista [REDACTED], senator.grove@sen.ca.gov, [REDACTED], senator.talamantes-eggman@sen.ca.gov, [REDACTED]

Dear Mr. Nam, Ms. Braverman, Ms. Cervinka, Ms. Contreras, Senator McGuire, Lt. Governor Kounalakis, Mr. Wiener and Mr. Wiener's Staff:

Thank you for the email dated October 30, 2024, in which you confirmed that Mr. Wiener is indeed working unlawfully with an expired oath. Per state and federal laws, **Mr. Wiener must be vacated from office TODAY and all of his legislative work done since 2019 voided** (the last oath Mr. Wiener filed with the SOS expired at the end of 2018).

It is unconscionable that, instead of following the laws and vacating Wiener from office, the State Senate has instead attempted to commit fraud to cover up the fact that Mr. Wiener is working unlawfully without a current oath of office. As documented below, the State Senate has committed fraud by:

1. Providing expired documents and claiming they are current,
2. Claiming the oath was valid when it had never been filed with the SOS and thus was never valid
3. Claiming that I'd only made two LORA requests for Scott Wiener's current oath.

First, **the oath provided is expired**. In big letters at the top of the page it says it is valid for the 2021 - 2022 legislative session. This is 2024. It is unconscionable that the State Senate sent me an expired document and tried to claim that this document is current. Do you not understand that I know how to read?

A current oath would have been for the 2023 - 2024 legislative session. Here is Toni Atkins chain of oaths. If Mr. Wiener was taking and filing oaths in accordance with the laws, his chain of oaths would look like Ms. Atkins, with an oath filed with the SOS for each and every session served:
<https://gwsandiego.net/blog/wp-content/uploads/2024/01/Atkins-oaths-from-SOS.pdf>

Second, **this oath that Mr. Wiener allegedly signed was never filed with the Secretary of State. Therefore, per California Gov't Code Section 1363(a) and (a)(1), this oath was never valid:**

“(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:
 (a)(1) says: “The oath of all officers whose authority is not limited to any particular county, in the office of the Secretary of State.”

I notified the State Senate back in January of this year that the only oath that the Secretary of State had on file had expired in 2018, so the State Senate was aware that this alleged signed oath that expired in 2022 was not filed -- and therefore had no legal merit. Again, the State Senate has attempted to commit fraud by claiming the document had legal standing when the State Senate knew it did not.

Third, in the cover letter, the State Senate wrote: "This letter responds to your September 19, 2024 and

October 29, 2024 email correspondence to various individuals with the office of Senator Scott Wiener, the Senate Committee on Rules, and other public officials. We have construed your email as a request, made pursuant to the Legislative Open Records Act (Gov. Code, § 9070 et seq.), for a copy of Senator Wiener's signed oath of office for his current term of office.”

There are two issues to address within this quote. By law, the State Senate should have responded to a LORA request within two-weeks. The State Senate has just admitted that it violated the law by not timely responding to what they deemed a LORA request made September 19, 2024. If the State Senate were compliant with the law, they would have responded by October 3, 2024.

It is unconscionable that the State Senate chose to utilize deceptive wording by stating that **the only requests that I made for Mr. Wiener’s current oath** were on September 19, 2024 and October 29, 2024. In the *Certificate of Default* that was served to State Senate staffers Mr. Nam, Ms. Braverman, Ms. Cervinka, Ms. Contreras on September 26, 2024 via USPS mail and copied via email to 28 additional State Senate employees, I documented that I have contacted the State Senate hundreds of times via phone, email and USPS mail since September 2023 requesting **copies of current oaths for dozens of State Senate employees, including Mr. Wiener**. Prior to the email dated September 19, 2024, I had contacted a total of 96 people within the State Senate or oversight agencies regarding this matter. Now the number of people I’ve contacted regarding current oaths is over one hundred.

Since the State Senate deemed the September 19, 2024 and October 29, 2024 emails as LORA requests, that means that the State Senate has tacitly admitted that the other requests I’ve made should have also been deemed LORA requests. The State Senate has tacitly acknowledged that it has committed dozens of LORA violations by not responding to my other requests made via email and USPS mail. If you would like me to provide the documentation of the dozens of the unfulfilled LORA requests, I will be happy to do so upon request.

Ironically enough, on page 2, Ms. Contreras did acknowledge that I have made many LORA requests for current oaths for other staffers, but omitted that Wiener was part of the list of people in the other requests. On page 2 of the letter, Ms. Contreras used deceptive wording to misrepresent the facts. She stated "The Senate has complied with all of your records requests to date for Senators' and Senate employees' signed oath documents, including prior such requests that you submitted by email or through other electronic methods on or about the following dates: July 18, 2023; August 31, 2023; and September 4, 2023.”

However, I have been asking the State Senate to comply with federal and state laws by having the people working under expired oaths to sign current oaths and send me the newly signed, current oaths. I believe the misrepresentation to be so egregious that it qualifies as fraud.

Working under an expired oath is a felony under 18 USC 912, punishable with three-years in prison. A large percentage of State Senate staff is currently working unlawfully. The State Senate has been aware of this since September 2023. If this were an administrative error, the State Senate would have immediately brought everyone into compliance with the laws by having everyone sign a current oath. The State Senate failed to do so. By not making these employees take current oaths, the State Senate staff has conspired to systematically commit this felony as a part of their standard operating procedure.

And no, Ms. Contreras, per your request on page 2, I will not stop contacting other people. Since you won't do your job, I have no choice but to go around you. **People are responsible for their own oaths. The people without current oaths are the ones who will go to federal prison for working unlawfully. These people need to be aware of the situation that you have put them in by failing to do your job of keeping oaths current.** It is my opinion that you have committed criminal malfeasance against the State Senate

staffers by asking me not to warn them of their potential legal jeopardy. As was documented in the above-referenced *Certificate of Default*, it is my belief that you, Mr. Nam, Ms. Braverman and Ms. Cervinka should all be criminally prosecuted for running this criminal conspiracy to violate the oath laws, as well as for your efforts to cover up the State Senate's oath law violations by failing to timely respond to LORA requests, improperly redacting oaths to hide evidence, violating rights under the color of law, etc.

Based on the information stated above, it is my belief that the oath of office that the State Senate provided for Mr. Wiener that expired in 2022 has been falsified. If these documents were legitimate, the State Senate would have provided them back in September 2023. If these documents were legitimate, they would have been filed with the SOS. If these documents were legitimate and failure to file was an oversight, the State Senate would have immediately filed them with the SOS as soon as I notified them that the only oath the SOS had on file had expired in 2018. The fact that the documents have suddenly surfaced only after hundreds more people have joined forces with me to demand that the State Senate comply with the laws is suspicious.

When one takes into account the three fraud attempts documented above (providing expired documents and claiming they were current, claiming the oath was valid when it had never been filed with the SOS and thus was never valid, and claiming that I'd only made two LORA requests for Scott Wiener's current oath), and the fact that the State Senate has failed to bring any of the other staff members who are working unlawfully without a current oath into compliance with the oath laws, these facts come together as *prima facie* evidence which indicate that the oath document for Mr. Wiener that expired in 2022 was falsified.

It is unconscionable that every person on this email thread has chosen to conspire to cover up Mr. Wiener's criminal activity rather than follow the state and federal laws. Every one of you had to make a choice: "Do I want to do the right thing for my constituents by following the law, or do I want to risk going to prison in order to protect Scott Wiener?" Every one of you chose to protect Scott Wiener over protecting your constituents.

As stated in the email dated Tuesday, October 29, 2024, "'We the people' will not continue to tolerate this blatant disregard for federal and state laws. The State Senate has power because 'we the people' gave you that power, and 'we the people' can — and will — take that power away if the State Senate continues to abuse it."

My army has grown to 336 people. The 336 people who signed the petition expect the State Senate to follow CA Government Code Section 18154 by vacating Scott Wiener from office TODAY and voiding all of his legislative work since 2019. We also expect Mr. Wiener to be prosecuted for knowingly and willfully working unlawfully without an oath in accordance with 18 USC 912:
<https://www.change.org/p/demand-scott-wiener-s-immediate-removal-from-office-for-committing-felony>

Regards,

Christine Grab

P.S. — I would like to note that per the Secretary of State, Steven Bradford, John Laird, Nancy Skinner and Susan Talamantes Eggman are also working unlawfully without current oaths on file. All of their legislative work needs to be voided, as well.

On Oct 30, 2024, at 5:46 PM, Senate Rules <Senate.Rules@sen.ca.gov> wrote:

Attached is the response to your Legislative Open Records Act request.

Senate Rules Committee

10.30.24.Grab.LORA.Response
.pdf
535 KB

