

August 10, 2022

VIA ELECTRONIC MAIL

****Time Sensitive Election Matter –
Immediate Attention Requested****

The Honorable Rob Bonta
Attorney General of California
California Department of Justice
1300 I Street
Sacramento, CA 95814

**RE: COMPLAINT ALLEGING VIOLATION OF VOTER RESIDENCY
REQUIREMENT AND PERJURY BY BILAL ESSAYLI, CANDIDATE FOR
ASSEMBLY DISTRICT 63**

Dear Attorney General Bonta,

I write to report a serious violation of Elections Code sections 2102 and 18203 and Penal Code section 118(a) by Bilal Essayli, a candidate for California State Assembly, District 63.

The Elections Code requires candidates for Assembly to be legally domiciled in their district. They must attest to this requirement, under penalty of perjury, when they register to vote and when they declare their candidacy. As discussed in detail below, Mr. Essayli is not domiciled in Assembly District 63 nor currently registered to vote in the district. Therefore, because Mr. Essayli falsely attested that his domicile was in District 63, I request that your office immediately investigate and take appropriate action against Mr. Essayli for perjury by making false statements on his voter registration form and declaration of candidacy form and for knowingly filing a false declaration of candidacy.

I. Applicable Law

Under Election Code section 8162, a candidate for the Assembly is eligible for election to a legislative district if they are (1) a registered voter when they receive the nomination papers and (2) are otherwise qualified to vote in the district in which they are seeking election, irrespective of residency, when nomination papers are filed.

The affidavit of registration must include the affiant's place of residence. *Id.* § 2150(a)(3). "Residence" for voting purposes means a person's "domicile." *Id.* § 349(a). A person's domicile is the place in which their habitation is fixed, where they intend to remain, and whenever they are absent, they have the intention of returning. *Id.* § 349(b). A person's domicile is also *the one location* with which, for legal purposes, a person is considered to have the most settled and permanent connection. *Fenton v. Bd. of Directors of Groveland Community Services Dist.*, 156 Cal. App. 3d 1107, 1114 (1984) (emphasis added). Thus, at a given time, a person may have only one domicile. *Id.*

To register to vote, an elector must sign an affidavit of registration and certify its truthfulness and correctness under penalty of perjury. *Id.* § 2102(c). Penal Code section 118, subdivision (a) defines perjury as willfully stating as true any material matter which is known to be false.

Additionally, a candidate for Assembly must also submit a declaration of candidacy form under penalty of perjury. *Id.* § 8040. This declaration includes a statement that the declarant is qualified for the office. Any person who files a knowingly false declaration of candidacy “is punishable by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years or by both that fine and imprisonment.” Elec. Code § 18203.

Thus, the Elections Code requires a candidate for Assembly to be a registered voter who is domiciled within the district at the time that their nomination documents are filed, and they must attest to this fact on their affidavit of registration and declaration of candidacy *under penalty of perjury*. As discussed below, Mr. Essayli has attested at least twice that he is domiciled in District 63. Yet, there is sufficient evidence in the public record alone that Mr. Essayli’s legal domicile is not in Assembly District 63 and he has made false attestations about his residence in violation of Elections Code sections 2102 and 18203 and Penal Code section 118(a).

II. Violations

Before December 31, 2021, Mr. Essayli was registered to vote in Orange County. Ex. A. On December 31, 2021, Mr. Essayli registered to vote in Riverside County at 8244 Lavender Lane, Riverside, CA, 92508, the address of Jolyn Murphy, the current District Director for Congressman Ken Calvert. Ex. B. Mr. Essayli certified, under penalty of perjury, that Riverside County was his truthful and correct domicile.

Mr. Essayli’s apparent reason for switching his voter registration was to seek an Assembly seat. On January 3, 2022, he filed his Declaration of Candidacy to run for Assembly District 63. District 63 is completely in western Riverside County, covering the cities of Menifee, Lake Elsinore, Canyon Lake, and Norco and parts of the cities of Riverside, Corona, and Eastvale. Mr. Essayli signed a Declaration of Candidacy stating that he met the statutory and constitutional qualifications for District 63, including that he was domiciled within the district.

Mr. Essayli appeared on the ballot at the California Statewide Primary Election on June 7, 2022. That same day, Mr. Essayli switch his voter registration back to Orange County at 1374 E. Meridian Street, Anaheim, California 92805. Using that address, he submitted a provisional ballot to vote in the Statewide Primary Election in Orange County. Ex. C. Therefore, while Mr. Essayli was on the ballot as a candidate for Assembly District 63, he was not eligible to cast a vote for himself because Assembly District 63 does not include any portion of Orange County. Nonetheless, Mr. Essayli finished second in the primary election for District 63 and advanced to the November 8, 2022 general election. As of this date, Mr. Essayli remains registered to vote in Orange County.

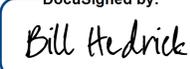
Exhibits A through C show that Mr. Essayli has no legal domicile in Riverside County. Given that Mr. Essayli registered to vote at a Riverside County address in District 63 for only 168 days, it is inconceivable that the 8244 Lavender Lane residence in Riverside was his fixed home or that he has any intention of returning there. Mr. Essayli proved that when he changed his voter registration back to Orange County a mere 168 days after registering to vote in Riverside County. He was not even registered there long enough to vote for his own candidacy.

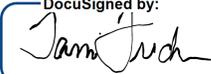
Mr. Essayli displayed no intent to remain at his residence in Riverside County when he chose to re-register in Orange County. Instead, Mr. Essayli clearly intended to return to Anaheim and make his domicile there. The only reasonable explanation for his behavior is that Mr. Essayli changed his residence to Riverside County for the express purpose of running for office in District 63 and had no intent to reside or remain there otherwise. Twice under penalty of perjury, Mr. Essayli attested that he had a legal domicile within Assembly District 63. These exhibits plainly show that is not true. Lying on these forms constitutes perjury and knowingly filing a false declaration of candidacy such as this carries a punishment of up to \$1,000 fine, imprisonment for two or three years, or both. Elec. Code § 18203.

In order to preserve the integrity of our elections, we ask that the California Department of Justice investigate this matter immediately and not defer to the Riverside County District Attorney's office due to a potential conflict of interest. Penal Code section 1424 requires that when there is an appearance of conflict with a district attorney's office and the office may not exercise its discretionary function in an evenhanded manner, the district attorney's office is disqualified and the Attorney General conducts the proceeding. *See Schumb v. Sup. Ct.*, 64 Cal. App. 5th 973, 979-80 (2021). Not only is the Riverside County District Attorney, Michael A. Hestrin, an active supporter of Mr. Essayli (Ex. D), the Riverside County Deputy District Attorneys Association PAC has contributed to Mr. Essayli's campaign (Ex. E). Because of this appearance of conflict, the California Department of Justice, not the Riverside County District Attorney's office, must investigate this matter.

It is of utmost importance to the electoral process that candidates reside in the district that they intend to represent and truthfully inform voters of their eligibility to run for office. There is clear and substantial evidence that Mr. Essayli is not domiciled in District 63 and is not eligible to run for this position. However, he has attested under penalty of perjury that he is eligible for this office in violation of Elections Code Sections 2102 and 18203 and Penal Code section 118(a). Therefore, I request that you immediately investigate these violations to ensure the integrity of the election process.

Very truly yours,

DocuSigned by:

2BE72410B5D9451...
William (Bill) Hedrick
1493 Sandalwood Dr, Corona, CA 92878

DocuSigned by:

C1A68F06680C48C...
Tami Friedrich Trakh
14131 Spruce Grove Ct, Eastvale, CA 92880

DocuSigned by:

B5F1B16D91B4487...
Gail Paulsen
7018 Barwick Ct, Eastvale, CA 92880

DocuSigned by:

C573168B2ADC4D3...
Christel Reyna
7486 Sungold Ave, Eastvale, CA 92880

DocuSigned by:

38D6FE2079C246F...
Jacob Daruvala
2300 Vista Ridge Cir, Norco, CA 92860

DocuSigned by:

ED40244B150648E...
Maliha Williamson
25 Villa Milano, Lake Elsinore, CA 92532

DocuSigned by:

6A1908E9D27A47B...
Angela Nevin
29780 Park City Ave., Menifee, CA 92584

DocuSigned by:

64B208CD969B4C6...
Jamie Azpetra-Sachs
2331 Trafalgar Ave., Riverside, CA 92506

DocuSigned by:

D6A89F580847409...
Francisco Sola
1242 Via Vista Dr., Riverside, CA 92506

DocuSigned by:

B801DBCAC0CA4B3...
Eric Torres
2344 Trafalgar Ave., Riverside, CA 92506