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June 10, 2021

Chairwoman Lynn Compton &
Honorable Supervisors
John Peschong, Bruce Gibson,
Dawn Ortiz-Legg and Debbie Arnold
C/O Clerk of the Board of Supervisors
Guy Savage, Assist. Co. Admin. Officer
1055 Monterey St. D430
San Luis Obispo, CA 93408

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**Letter Application for appointment to fill vacancy of
Clerk-Recorder-Registrar of Voters**

Honorable Supervisors:

Please accept this letter application for appointment to fill the vacancy in the office of County Clerk-Recorder-Registrar of Voters following resignation of the incumbent, Mr. Tommy Gong.

That vacancy arises at a critical time for our county. *First*, public confidence in the integrity of electoral processes is at an all-time low just at a time when, as early as August, the County Clerk must conduct the County's part of a contentious Gubernatorial recall election. *Second*, redistricting this year for the House of Representatives, State Senate, Assembly, Board of Equalization, County Board of Supervisors, Trustees of Cuesta College, City Councils, and School Districts will place many voters in new and unfamiliar districts. This will require significant outreach coupled with an immediate re-adjustment of ballot types and voting precincts. *Third*, the special election to fill the remainder of the term for the 3rd District Supervisor immediately following redistricting produces tremendous complications. Redistricting will create a "new" 3rd district, but only those voters in the "old" 3rd district will be eligible to vote to fill that vacancy. Depending on where the lines are drawn it is quite possible that some voters will be able to vote for two Supervisors, and others, expecting to vote for a Supervisor, will not be able to vote for one at all. *Fourth*, the initial papers for candidates to file for offices in 2022 contests must be made available by December of this year.

These challenges mean that there is not time for someone to "grow into the job." To restore public confidence in elections, your appointee must have a firm grasp of the requirements of the

State Elections Code and Regulations, a strong attention to detail, leadership experience, institutional memory of past problems, a thorough knowledge of the needs of the county's different geographic, political, social, and ethnic communities, and an ability to communicate and provide complete answers to all questions from the media, political parties, voters, candidates, and all members of the Board of Supervisors.

Restoring confidence in the electoral process requires a commitment to fully transparent management of the details of each step in the process. I now give to the Board and the public my commitment to be 100% responsible for achieving that restoration of confidence.

I believe my experience since 1971 working with San Luis Obispo County Election Clerks Ruth Warnken, Misbeth Wollam and subsequent San Luis Obispo County Clerk-Registrars will benefit the office and the conduct of elections this year and into the future.

I was born in Redwood City, California, in 1952, and spent my early years in Albuquerque, New Mexico. I have been a resident of our county since 1961, when my father, Dr. Starr Jenkins began teaching at Cal Poly. My Mother, Mrs. Stella Jenkins was involved in many civic organizations, including frequently working as an Elections officer on Election Day. I graduated from San Luis Obispo Senior High School in 1970. After enrolling in Cal Poly, I was appointed in 1971 by County Clerk Ruth Warnken (a Republican) as a Deputy Registrar of Voters, the youngest person so appointed in county history. Over the next several years, while attending Poly, under Ms. Warnken and her successor Misbeth Wollam, I registered voters by going door-to-door in every community in the county, from San Miguel to Nipomo, from Ragged Point to Cuyama, and from Oceano to Cholame. I was also appointed to serve on election boards at various elections as Inspector or Judge at polling places.

After graduating from Cal Poly in 1975, I attended Western State University College of Law, San Diego, graduating and passing the California Bar Exam in 1978. I have been a practicing attorney ever since, first as an associate of the firm Donnelly & McKenzie (1978-80) and since 1980 as the principal attorney in my own law firm. In 1979 I was appointed to fill a vacancy on the Port San Luis Harbor District Commission, and was subsequently re-elected twice, serving until 1989 when I did not seek re-election. In 2004 I was the Democratic Party nominee for State Assembly, unsuccessfully opposing my friend and former SLOSH school mate Sam Blakeslee. During my 42 years in private practice I have become well acquainted with the San Luis Obispo County office of Clerk-Recorder-Registrar of Voters.

My experience with voters and candidates in this county since 1971 provides a deep understanding and knowledge for our county that is needed to effectively serve as Clerk-Recorder-Registrar. Understanding the preferences that local voters have in how and where they would like to vote (many by mail and many at polling places appropriate to where they live) is critical to serving county voters. Voting is each citizen's most important right.

My education and experience as a Lawyer advising, representing, and occasionally litigating

election law matters, whether related to candidate contests or to voter propositions, provides me with a good basis for being able to fairly implement the California and Federal Statutes and Regulations governing preparation for and conduct of elections in an even-handed transparent manner consistent with the California and U.S. Constitutions. I have been a local and a state candidate; have been an author and proponent and an opponent of measures and ballot statements; and have fulfilled campaign finance reporting for multiple different committees. I have been a poll watcher, and election count observer, and have advised or represented candidates in both major parties concerning those activities. I have advised and assisted candidates who were required to respond to the Fair Political Practices Commission and the California Secretary of State's Political Reform Division without regard to their party preference. A small sampling of my related legal work follows in a postscript.

Having a Clerk-Recorder-Registrar of Voters with my deep local experience will bring a perspective to the Office that understands the frustrations, questions, goals and worries of all folks seeking political remedies through elections; as well as of those working at polling places and counting centers striving to conduct the election for the public. It helps having that background to listen for questions behind the questions from folks to help them participate in the electoral process. Proper service requires helping people who may not have a detailed knowledge of Statutes and Regulations governing elections.

I have served as a President & Secretary of the not-for profit Point San Luis Lighthouse Keepers, restoring that as a public park with 1.7 Million Dollars in public grant funding. I currently serve as Secretary and General Counsel for our family corporation, Andres Realty Company, which owns and administers industrial properties in Santa Barbara County. Over the decades I have been required to become familiar with statutes and regulations and local practices applicable to conducting the Clerk-Recorder functions. In this regard I have a firm grasp of the requirements of the Government Code, the Civil Code, and other applicable laws. The people who work at the Clerk-Recorder's office in this county are some of the most helpful service oriented public servants that I have met. It would be an honor to lead them as a team to continue to improve the services to the public.

My long history in Democratic partisan activity has not prevented me from enjoying the trust and confidence of many Republican friends, who have sought out my counsel. As the Chief Elections officer of the county, I will not engage in any partisan activity, or tolerate any partisan activity within the Elections Office. Instead, I will actively demonstrate to the public a non-partisan commitment in all aspects of the Elections Department.

Finally, after a full and rewarding legal career, I am gratified to now be able to give back to my community and to offer to the Board and county residents my undivided service. If appointed, you may depend on me working 24/7 to continue to make the office a friendly, helpful, and professional place, offering respectful assistance for each member of the public seeking services, and to each voter, candidate, political party, and organization seeking to participate in our country's "most fundamental process": free and honest elections, here in our county. I will

attend to details, contracts, staff needs and actions within and outside the office, always with election integrity being my primary goal.

Please call me if you have questions or would like any references. Let us work together to build public confidence. Thank you for your consideration and for your service.

Respectfully,

Stew Jenkins

Postscript---- I have always viewed my Bill of Rights and Elections legal work as preserving or enhancing the framework within which all sides can effectively conduct the ongoing debates that make the democratic-republican form of government crafted by the nation's founders possible. My legal work has been for the benefit of partisans in both major political parties, as well as individuals without party preferences. Here are some of the cases I am proud to have handled:

Wilson vs. San Luis Obispo Democratic Central Committee (2009) 175 Cal.App.4th 489 (Petition for Certiorari to the United States Supreme Court, denied 559 U.S. 1006 [2010]), a seminal decision which establishes the rights of political parties to determine their own membership, structure and rules free from governmental interference.

Wilson vs. San Luis Obispo Democratic Central Committee (2011) 192 Cal.App.4th 918, another seminal decision which expands the private attorney general doctrine to enforce broad political rights.

SLO Homeless Alliance vs. City of San Luis Obispo, Superior Court CV 12-0204, 7/3/2012, preliminary injunction protecting due process & human rights of unhoused citizens.

Torres vs. Brenner, Superior Court CV 13-0145, 9/6/2013, anti-SLAPP dismissal of suit determined by the court have been filed to stifle freedom of the press.

Barta vs. Bowen, Cal. Secretary of State, Superior Court CV 11-0665, 9/1/2013, Elections Code provisions mandating particular oaths were held unconstitutional, resulting in their repeal.

Compton vs. Gong, Superior Court 18CV-0358, action for enforcement of equal protection treatment of voters presenting different types of defective signatures on Vote By Mail ballot envelopes. Ultimate result was Legislative amendment statute imposing equal treatment by Election Officers.

Farmer vs. Bureau of Cannabis Control, Superior Court 19 CV-0597, 1/11/2021, Writ of Mandate enforcement of ban on cannabis billboard advertising adopted by voters in Proposition 64.

People v. Carter, early 1980s. As a member of the Port San Luis Harbor Commission, was responsible for the investigation of a Public Integrity matter which resulted in the conviction and removal of a Commissioner for violation of the Elections Code (vote fraud and perjury charges).