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Via Email

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Ms. Dhillon, Mr. Gates, and Ms. Riordan:

On Friday, the Office of the California Secretary of State learned of a United States Department of Justice (US DOJ) press release indicating that the US DOJ plans to monitor polling places in Fresno, Kern, Los Angeles, Orange, and Riverside counties during the November 4, 2025 Statewide Special Election.¹ The November 4th election includes only a single ballot question: whether to approve Proposition 50, a proposed state constitutional amendment. This is not a federal election as there are no federal contests on the ballot.

As the US DOJ itself recognizes,² federal election monitors are only statutorily authorized in two instances. First, pursuant to a federal court order under Section 3(a) of the Voting Rights Act, and second, for jurisdictions covered under Section 4 of the Voting Rights Act, an option that is now unavailable to the US DOJ as a result of the *Shelby County v. Holder* decision. None of the five targeted counties are subject to any court order requiring federal observers.

Accordingly, we request that you provide any legal authority justifying deployment of federal monitors to Fresno, Kern, Los Angeles, Orange, and Riverside counties.

Elections in California are fair, secure, transparent, and administered in accordance with state and federal law. We have robust laws and processes in place to safeguard the integrity of our elections, prevent fraud, and ensure that every eligible voter has equal access to the franchise.

¹ Press Release, U.S. Dep't of Justice, *Justice Department to Monitor Polling Sites in California, New Jersey* (Oct. 24, 2025), <https://www.justice.gov/opa/pr/justice-department-monitor-polling-sites-california-new-jersey>.

² U.S. Dep't of Justice, *About Federal Observers and Election Monitoring*, <https://www.justice.gov/crt/about-federal-observers-and-election-monitoring> (accessed Oct. 27, 2025).

We are gravely concerned that you have not provided my office nor any of the targeted counties with any information or legal authority to justify deployment of federal monitors to California for the upcoming non-federal, state election.

The US DOJ is not entitled to special access to election facilities, equipment, documents, or personnel. As you are aware, US DOJ staff only have the same authority to observe elections in California as the general public which includes having the safeguards in place to protect the integrity of our election and to protect election workers and voters from intimidation. US DOJ staff will be expected to abide by all California state laws and regulations regarding election observation. *E.g.*, Cal. Code Regs. §§ 20871-79. Please be aware that California law also restricts the presence of certain uniformed law enforcement personnel at polling places. *See* Cal. Elec. Code §§ 18544-45.

As California's chief elections official, my obligation is to ensure election laws are being enforced and to protect California voters from unnecessary and illegitimate intrusions on their right to vote.

To that aim, I expect you will coordinate with my office to ensure that any public observation by your office is conducted in full compliance with California law. We look forward to hearing from you at your earliest convenience. Please email my office at legalsupport@sos.ca.gov to provide information that we can share with counties regarding names, phone numbers, supervisor contacts, and locations where US DOJ staff will be deployed.

Respectfully,

/s/ Shirley N. Weber
Shirley N. Weber, Ph.D.
California Secretary of State