

February 23, 2012

Commissioner of Canada Elections
c/o Elections Canada
257 Slater Street
Ottawa, Ontario
K1A 0M6

Dear Commissioner:

I am writing about potential criminal election violations reported today by the Ottawa Citizen and Postmedia in the article *Fraudulent election calls traced to Edmonton firm with Tory links*.

As the story outlines, and has been documented in the past, the 41st General Election was tarnished with a series of controversial automated phone calls near the end of the campaign. These calls seemed to be intended to suppress voting and discourage supporters of other parties. There were also calls claiming to be from Elections Canada advising electors of changed polling locations and other misinformation designed to disrupt voting.

Today's news reports seem to draw a direct link between these calls and a company called RackNine Inc. If true, many of the activities allegedly undertaken by RackNine Inc. are explicitly prohibited by the *Elections Canada Act*.

Some of the sections that may have been violated include:

- **43(a)** and **43(b)**: the wilful obstruction and impersonation of the duties of an election officer
- **56(e)**: the misuse of information obtained from the Register of Elections
- **281(g)**: the wilful endeavour to prevent and elector from voting
- **480(1)**: the intent of delaying or obstructing the electoral process
- **482(b)**: to induce a person to refrain from voting

The article also outlines the possible involvement of Conservative Party operatives in these activities.

If any electoral campaign, registered party campaign or entity working on behalf of a registered party supported these dirty tricks and disrupted Canadians from exercising their right to vote, further sections of the *Elections Canada Act* may also have been violated.

The Conservative Party of Canada has an unfortunate history of breaking the rules around elections, as demonstrated by their pleading guilty to violating the *Canada Election Act* and their complete disregard for Canada's fixed election date law.

For many, these dirty tricks are just further evidence of how Ottawa is broken and tarnish the democratic process.

An investigation by the Commissioner of Canada Elections, along with the RCMP, into who directed, authorized or paid for these abuses -- with charges laid against those responsible -- is needed to protect our democratic institutions.

New Democrats believe we can do better. Canadians deserve assurance that their democratic institutions will be protected and those that violate the rules are prosecuted to the full extent of the law.

If there is anything Parliament can do to help your investigation, you will have the support of the Official Opposition.

Yours sincerely,

Charlie Angus

Ethics critic for the Official Opposition

Alexandre Boulerice

Treasury Board critic for the Official Opposition