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City Council candidate among three in Kern County charged with voter fraud

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Gilberto De La Torre

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Bakersfield City Council candidate Gilberto de la Torre is crying foul over the Kern County District Attorney's Election Day announcement that he was being charged with election fraud.

"This might cause people not to want to vote for Gilberto de la Torre," the Ward 1 candidate said, referring to himself in the third person. "It may cost me a few votes."

In an unusual Election Day twist, de la Torre was among three in Kern County charged with voter fraud in connection with the 2016 election, according to the District Attorney's office.

De la Torre was challenging incumbent Willie Rivera; Marvin Dean was also in the race.

Oddly, the press release from the DA's office announcing the charges never mentioned they stem from the 2016 election, leading some to conclude that the fraud happened Tuesday. The press release went on to state that the DA's office is investigating "scores of claims concerning voter fraud."

De La Torre, John Byrne and Fernando Osorio were charged with misdemeanor voter fraud, prosecutors said in a news release. Additionally, Robert Lopez Jr. was charged with perjury, a felony.

Deputy District Attorney Chris E. Dominguez said the DA's Public Integrity Unit is examining more than 100 cases of potential voter fraud stemming from the 2016 election.

Dominguez said the timing of the charges was in no way intended to impact De La Torre's election. He said it just happened that he was one of the people determined to have violated the Elections Code.

"We were not even aware that he was running today," Dominguez said.

De La Torre and Byrne are charged under subsection (b) of Elections Code 18560, which states "being entitled to vote at an election, votes more than once, attempts to vote more than once, or knowingly hands in two or more ballots folded together at that election."

De la Torre told The Californian he was interviewed by the DA's office in June 2017. He said he went to the DA's office voluntarily and was not led to believe at that time he would be charged. He said he still has not been charged.

"They weren't specific about what I might have done," he said. "I didn't vote twice — I vote by absentee, and it's not possible. I'm a U.S. citizen, born in East L.A. So I don't know."

In 2016, De La Torre was one of 25 candidates to run for mayor.

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