



OFFICE OF THE
DISTRICT ATTORNEY
ORANGE COUNTY, CALIFORNIA
TODD SPITZER

FOR IMMEDIATE RELEASE

PRESS RELEASE

Date: October 15, 2024
Case #24NF2629

Kimberly Edds
Director of Public Affairs
Office: 714-347-8405, Cell: 714-504-1917
media@ocdapa.org

**Fullerton City Council Candidate Charged with
Two Felonies for Falsifying Nomination Paperwork**

*Candidate Scott Markowitz is not eligible to take office
if elected in November 5, 2024 Fullerton City Council Ward 4 Election.*

SANTA ANA, Calif. – A Fullerton City Council candidate for Ward 4 has been charged with felony perjury for falsifying nomination paperwork stating he personally collected the signatures necessary to qualify him for the November 5, 2024, Fullerton City Council election. As a result of the falsified nomination paperwork, candidate Scott Markowitz will not be eligible to serve on the Fullerton City Council should he be elected to the seat.

Ballots have already been printed with Markowitz' name as a candidate for Fullerton City Council Ward 4. Due to his ineligibility to serve on the City Council, if Markowitz is elected, the city of Fullerton would be forced to hold a special election to elect a candidate eligible to be seated.

City Council candidates are required to sign an attestation under penalty of perjury that they personally collected the signatures necessary to qualify as a candidate for a particular elected office.

Markowitz was arrested by Orange County District Attorney investigators Monday night and booked into the Santa Ana city jail. He has been charged with one felony count of perjury by declaration and one felony count of record of forged or false instrument. He faces a maximum sentence of three years and eight months in state prison if convicted on all counts.

On August 9, 2024, Markowitz signed candidate nomination paperwork under penalty of perjury that he was the circulator of the candidate paperwork and collected the 30 nomination signatures. Anyone over the age of 18 can circulate the nomination paperwork, but the person signing the paperwork must be the same person who witnessed the signatures in person. Markowitz attested under penalty of perjury that he personally witnessed the signatures, but numerous voters who signed Markowitz' nomination paperwork told district attorney investigators that Markowitz was not the circulator of the paperwork, and he did not witness them signing the nomination papers, rendering the signatures invalid.

"American democracy relies on the absolute integrity of the electoral process," said Orange County District Attorney Todd Spitzer. "Voters must have total confidence that every election is being carried out in a fair and unbiased manner. Interference in the electoral process in any manner and at any stage jeopardizes the will of the people being carried out while eroding the trust of voters that their vote counts. As the elected District Attorney of Orange County, I refuse to allow our electoral process to be subverted and exploited by anyone. The decision to file criminal charges against the candidate prior to an election is not a decision I made lightly but given the risk to the electoral

process as well as the potential of the City of Fullerton having to pay for a special election should Markowitz be elected, there was no choice but to file criminal charges prior to the election and alert voters of his ineligibility to run for City Council. The Orange County District Attorney's Office remains fiercely committed to investigating and prosecuting election fraud to ensure the voice of every Orange County resident is heard when they cast their ballot."

Deputy District Attorney Heather Heslep-Morrissey of the Special Prosecutions Unit is prosecuting this case.

###