

March 4, 2020

Omar Ashmawy  
Chief Counsel  
Office of Congressional Ethics  
U.S. House of Representatives  
425 3rd Street, S.W. Suite 1110  
Washington, DC 20024

Dear Mr. Ashmawy,

I respectfully request that the Office of Congressional Ethics (“OCE”) investigate Representative Steve Watkins for felony voter fraud and perjury, a violation of federal and state law and the standards of conduct for members of Congress.

#### I. Background

Throughout Representative Steve Watkins’ 2018 congressional campaign, news outlets verified false claims made by the candidate, including falsely stating he started a business, exaggerating his Iditarod experience, and appearing to have “wholly invented a story of providing ‘heroic leadership amid the chaos’ to other Mount Everest climbers during a 2015 earthquake in Nepal.”<sup>1</sup> In November of 2018, he was elected to represent Kansas’ 2nd Congressional District.<sup>2</sup>

On August 30, 2019, Representative Watkins signed a government document that changed his residency for voter registration purposes to a UPS store in Topeka, Kansas.<sup>3</sup> That address is located in the 8th City Council District while Representative Watkins’ physical address at the Overlook Apartments is located in the 9th City Council District.<sup>4</sup>

Just two months later, on October 28, 2019, Representative Watkins signed an application for a mail-in ballot listing his official residence as the Topeka UPS Store. In November of 2019, Representative Watkins voted in the Topeka City Council race for District 8 and signed his ballot envelope, again affirming that the UPS store was his Topeka residence for voting purposes.<sup>5</sup> The Topeka City Council race for District 8 was decided by just 13 votes.<sup>6</sup>

In December of 2019, Shawnee County’s district attorney confirmed that Representative Watkins is being investigated into whether he voted illegally in Topeka’s city election in November.<sup>7</sup>

<sup>1</sup> Roxana Hegeman and John Hanna, [Kansas congressional candidate Steve Watkins’ adventure claims challenged](#), Associated Press (Oct. 2, 2018);

Kansas City Star Editorial Board, [Voter fraud? Kansas Rep. Steve Watkins can’t even tell the truth about his address](#), Kansas City Star (Dec. 4, 2019).

<sup>2</sup> Kansas Secretary of State, 2018 General Election, [Official Vote Totals](#).

<sup>3</sup> Tim Carpenter, [U.S. Rep. Steve Watkins tangled in voter fraud, perjury allegations for listing UPS store as residence](#), Topeka Capital-Journal (Dec. 4, 2019).

<sup>4</sup> Bryan Lowry and Jonathan Shorman, [Did Kansas Rep. Steve Watkins vote illegally? Shawnee County DA says he’ll review](#), Kansas City Star (Dec. 4, 2019).

<sup>5</sup> Tim Carpenter, *supra* note 3.

<sup>6</sup> Kelli Peltier, [Spencer Duncan wins Topeka City Council seat by 13 votes](#), ksnt.com (Nov. 14, 2019).

<sup>7</sup> Lowry and Shorman, *supra* note 4.

## II. Law

The Code of Ethics for Government Service requires that members “[u]phold the Constitution, laws, and legal regulations of the United States and of all governments therein and never be a party to their evasion.”<sup>8</sup>

The House Ethics Manual holds that, “[g]overnment is a trust, and the officers of the government are trustees; and both the trust and the trustees are created for the benefit of the people.”<sup>9</sup>

House Rule 23 holds that a member shall behave at all times in a manner that shall reflect creditably on the House.<sup>10</sup>

Under the Kansas Constitution, a qualified elector is any “. . . citizen of the United States who has attained the age of eighteen years and who resides in the voting area in which he or she seeks to vote[.]”<sup>11</sup>

In Kansas, “residence” is “the place adopted by a person as such person’s place of habitation, and to which, whenever such person is absent, such person has the intention of returning.”<sup>12</sup>

Kansas statute requires those applying to be registered to vote to submit his or her “place of residence, including specific address or location” under penalty of perjury.<sup>13</sup>

Under Kansas law, voting while unqualified is a level 7 felony.<sup>14</sup>

## III. Analysis

Members are required to abide by the Constitution and all applicable law, and as a resident of Kansas, Representative Watkins is subject to Kansas statute. Multiple news outlets have reported that Representative Watkins signed three official election documents declaring that his residential address was a UPS store which “could constitute felony voter fraud under federal law and election perjury under state statute, officials said.”<sup>15</sup> It has been reported that the Shawnee County’s district attorney has asked the county’s sheriff’s office to investigate these allegations.<sup>16</sup>

In addition to abiding by state and federal law, members must uphold the integrity of Congress. House rules hold that actions of members must reflect creditably on the House.<sup>17</sup> During his campaign for Congress, Representative Watkins made numerous documented falsehoods.<sup>18</sup> Now

<sup>8</sup> Committee on Standards of Official Conduct, U.S. House of Representatives, House Ethics Manual, 20 (2008).

<sup>9</sup> *Id.*, at 2.

<sup>10</sup> Rules of the House of Representatives, Rule 23, Cl. 1 (2019).

<sup>11</sup> Kans. Const. Art. 5, § 1

<sup>12</sup> K.S.A. § 25-407. *See also* K.A.R. § 7-23-12.

<sup>13</sup> K.S.A. § 25-2309.

<sup>14</sup> K.S.A. § 25-2416.

<sup>15</sup> Carpenter, *supra* note 3; Lowry and Shorman, *supra* note 4.

<sup>16</sup> Lowry and Shorman, *supra* note 4.

<sup>17</sup> Rules of the House of Representatives, Rule 23, Cl. 1 (2019).

<sup>18</sup> *Supra* note 1.

as an elected member, Representative Watkins is accused of felony voter fraud and perjury, behavior that is unbecoming of a member of Congress and undermines the public trust.

#### IV. Request for Action

As a member of the House, Representative Steve Watkins has been entrusted to uphold the law and act in a way that ensures and maintains confidence in the institution of the House. Unfortunately, in addition to documented falsehoods, there are now concerning allegations of felony voter fraud and perjury. Therefore, I respectfully request that OCE investigate these allegations.

Sincerely,

A handwritten signature in cursive script that reads "Caitlin Sutherland".

Caitlin Sutherland  
Executive Director