

86-year-old widow facing jail for a phone call

By Andrea Seastrand

At the same time that tens of thousands of criminals are receiving reduced sentences and being transferred from state prisons to county jails or onto our streets, an 86-year-old Atascadero widow might be thrown behind bars for a year for the “crime” of making a phone call.

On June 7, 2016, the day of the California presidential primary, Edie Knight sat on a sofa in the lobby of the Atascadero Elks Lodge, where ballots were being cast in another room, and made phone calls in which she asked the person on the other end of the line if he/she was going to vote. As a result, state Attorney General Xavier Becerra has decided to prosecute Knight in San Luis Obispo Superior Court on May 30 for two minor election infractions.

If convicted, she could receive up to a year in county jail. At her age, that could be the equivalent of a death sentence. But even if she’s acquitted or gets off with a slap on the wrist, she’s already spent more than \$5,000 in legal costs. Fortunately, a [You Caring crowdfunding site](#) has been set up to help pay for her defense.

With crime on the rise in this state in the wake of recent catch-and-release social justice experiments, why are the power and vast resources of the state of California’s District Attorney’s Office being expended to toss an elderly woman in the slammer? It’s because one anonymous man took a cell phone video of Knight making a phone call, which he sent to the Atascadero police and [placed on YouTube](#).

What did she say that was so damning? She asked the person on the other end of the line, “Were you planning on coming down?” She also said, “Because I have a list here. ... We look at the lists from the voting rolls.” She also said she’s “at the polling place,” and “I’m just checking things.” She ends the call saying, “I’m sorry” and “thank you.”

The man filming her told her in the middle of the call, “You can’t do that in here.” In a description of the YouTube video, he wrote, “I was so shocked she was doing this I videotaped her conversation. What I missed was that she started the call with I am calling on behalf of the campaign to elect Debbie Arnold. Even without that introduction it is clear what she is doing.”

Apparently what she was doing is calling people who had not yet voted to encourage them to vote before the polls closed. But in doing so, she was not committing an electioneering violation. That violation is defined as: “the visible display or audible dissemination of information that advocates for or against any candidate or measure on the ballot within 100 feet of a polling place,” according to the Secretary of State.

Knight was within 100 feet of a polling place, but she did not display support for a candidate such as wearing a campaign button or holding up a sign. And she did not ask anyone going in to vote to support a particular candidate. She simply held a private phone conversation in which she asked the person on the other line if he/she was going to vote. That is not illegal.

Compare the possibility of Knight spending a year in jail with the judicial leniency granted to two members of the New Black Panther Party who in November 2008 stood outside a polling place in Philadelphia in military style uniforms, one of them carrying a billy club, shouting racial slurs such as “white devil” and “you’re about to be ruled by the black man, cracker,” [according to Wikipedia](#). The Bush administration brought charges that were later dropped by the Obama administration.

We should all join with Assemblywoman Melissa Melendez, R-Lake Elsinore, who sent a letter to Becerra questioning his decision to prosecute Knight.

“I urge you, as Attorney General, to focus on issues that will benefit California and its citizens,” she said. “Your office can do good and important things. Prosecuting senior citizens for minor and unintentional infractions, however, does neither. I urge you to forgo the prosecution of Edie Knight in this case and refocus your priorities to protect and serve the people of California.”

If you have a few dollars to spare, please consider donating to the crowdfunding campaign set up for Knight’s defense: youcaring.com/edieknight-818823.

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