



Liz Roldan, News Director
KHOU 11 News
5718 Westheimer Rd
Houston, Texas 77057

Dear Ms. Roldan,

As our local CBS affiliate, KHOU has long provided a tremendous community service to the greater Houston area. Through its daily news reporting, the journalists and staff who support your news operation have fairly and accurately covered some of the most consequential events of our time - from the COVID-19 pandemic to Hurricane Harvey and much, much more. That is why we are so disturbed by recent reporting in the *Houston Chronicle* and Houston Public Media uncovering that [Jeremy Rogalski's analysis of the 2022 Harris County election](#) was deeply misleading and dangerously incomplete.

As you are aware, since Rogalski's report aired in January, elected officials and partisan political operatives - many of whom continue to believe in 'the big lie' - seized upon Rogalski's story to cast doubt on the results of last fall's elections in Harris County. Governor Abbott even [used the report as fodder to call for an entirely new election](#), an unprecedented and undemocratic move which would disenfranchise millions of people who voted in Harris County legally.

As recently as Thursday of last week, Sen. Mayes Middleton, who represents a portion of Harris County, cited Rogalski's analysis on national TV [during an interview with Dan Abrams](#) on News Nation. His claims were subsequently [fact checked by the Houston Chronicle](#) as misleading.

Even more troubling, however, is that KHOU's reporting continues to be used to promote bills that would strip away the voting rights of Houstonians, including [SB 823](#), [SB 1750](#), [SB 1039](#), and [SB 1993](#), which are now poised to pass the state legislature. Not only will these bills create a way for partisan state officials to strip Harris County residents of our authority to have local officials conduct our elections, they will criminalize the routine work of public servants in Houston, creating a culture of fear and making the process of running elections - already a complicated process in the state's largest county - even harder. It will also lay the groundwork for using the guise of common election challenges large, populous counties face to overturn the results of our elections altogether.

In recent weeks, local media outlets have published key investigations on what happened on Election Day 2022. In doing so, they have debunked the central claims KHOU made in its

reporting. In response, **we are asking KHOU to immediately retract its Jan. 6 analysis entitled “[Election Ballot Paper Shortage Bigger Than Estimated.](#)”**

Here are the key reasons why:

First, **the basic premise of your report is false and misleading. It is not true that 121 locations ran out of paper in Harris County, as your story implies.** The *Chronicle* and Houston Public Media investigations both independently found [only 20 polling places ran out of paper](#) “some for only 15 minutes and others for up to three hours.” This is a significantly smaller number than KHOU reported. Your report also failed to provide proper context about the differences between the 2018 and 2022 elections in its comparison of turnout at voting locations. Between those years, the County moved to countywide voting and also began implementing the use of new machines. Inevitably, these major changes would make direct comparisons impossible and cause glitches, even under the best circumstances. Key facts omitted in your report and used to the advantage of partisan operatives.

Second, **KHOU failed to prove in its reporting that election day glitches systematically hindered voting and affected the outcome of the elections.** If the problems KHOU reported were so consequential, why was KHOU not able to find residents who ultimately were not able to vote? KHOU’s failure to ask this basic question has even prompted your own political analyst and expert to distance himself from your reporting. According to KHOU analyst and Rice University political science professor Bob Stein, “I know I work for Channel 11, so it's going to be a hard thing to say...but they didn't ask the obvious question: *did it impede voting?*” In fact, the *Chronicle* and Houston Public Media have now independently reported the opposite of what your report implies - there were no races where the outcome could have been swayed due to ballot shortages.

Third, **the report uses the inability of public officials to comment on the record to imply malfeasance to readers.** As KHOU knows, Harris County officials are limited in their ability to respond by an ongoing criminal investigation. The investigation has forced elections officials to choose between media engagement or criminal legal exposure. This has made it difficult for them to clear the record. Still, KHOU should have been able to learn on its own that the basis for not releasing information is grounded in the law. As the *Chronicle* reported, “The Texas Election Code, in keeping with the Civil Rights Act of 1960, bars officials from releasing anonymized completed ballots for 22 months after an election.” Moreover, KHOU failed to use and report election information that is *already public* for analysis. That information is able to be sorted by voting location and time, and it is the source the *Chronicle* used to debunk the central claim to your story.

We understand that retracting a story requires clearing a very high bar. In this case, given the continued lack of evidence of intentional election interference, along with the particularly devastating threat this particular report poses to the local voting process, we believe a retraction is an appropriate, urgent and just remedy.

Regardless of your decision, we would like to request that a copy of this request be placed in your public file and made available for viewing by the general public as soon as possible.

KHOU's motto is "KHOU Stands for Houston." We hope you'll consider that vision when making a decision on how to best correct the record on a matter that is of such importance to your viewers and the community you serve.

Sincerely,

Hany Khalil
Executive Director of the Texas Gulf Coast Area Labor Federation
Chair of New Economy for Working Houston (NEW Houston)

Dr. Sergio Lira
President, Greater Houston LULAC Council 4967

Cc:

Robert Springer, President and General Manager