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Certifications #1

According the HAVA Act of 2002, all voting machines must be certified by an accredited Voting System Testing Lab. There are only 2 Labs that have been “accredited” by the EAC to certify voting machines (Pro V and V and SLI). The machines used in Collin County are ES&S and are “certified” by Pro V&V.

However, Pro V&V has not been accredited since at least 2017. In 2017, their accreditation expired.

After the 2020 election, when citizens began to pay more attention to our voting process. We noticed the expiration and brought it to the attention of our representatives.

The EAC began to give excuses:

1. The first excuse was COVID-19. Really? There was no Covid in 2017. So this excuse feel flat
2. The next excuse was that the certificate was not revoked; therefore,
- 3.
4. it is still in effect. Try telling that to the police officer who pulls you over with an expired license. Just because you change the definition does not mean you can change the law. There is a process that needed to be followed. 30-60 days before the expiration, there was paperwork that needed to be filed. Was this paperwork submitted? Has anyone looked or asked for this paperwork? The fact that they just changed definitions without producing any paperwork, suggests that the process was not followed.
5. There was an unspecified “administrative error.” Again, does this give the EAC permission to bend the law? Or are we a nation and people who are governed by laws that apply to all?

At this point the EAC arbitrarily issued a new certificate in Feb of 2021.

NONE of our Collin County Election Machines have been properly certified, and therefore, they are unlawful.

Here are some of the laws that are being broken.

TX Administrative Code 81.61

TX Election Code 122.001

Texas Constitution Art 6, Section 2c and Section 4

Please discontinue the use of these unlawful machines.

Certifications #2

Not only are our Collin County election machines certified by an unaccredited entity, but neither the 2015 nor the 2021 certificate was signed by the proper person required by law to sign the certificate – The CHAIRMAN of the EAC who is nominated by the President of the United States and confirmed by Congress.

Would you accept a University Diploma not signed by the President of an accredited university?

Would a treaty signed by the Speaker of the House be accepted, when treaties must be signed by the President of the United States?

Because the certificate is not signed by the proper person, it is not valid. Therefore our machines are unlawful and should no longer be used.

Please remove these machines immediately.

Certifications #3

It appears that the county has been told by the TX SOS that our machines are certified.

Nothing in the Election Code grants the Secretary of State the authority to ignore or suspend specific sections of the Election Code. The Secretary's actions violate the Separation of Powers clause of Art. 2, Sec. 1 of the Texas Constitution. Further, because the Secretary is providing counsel to counties to ignore Tex. Elec. Code 122.01(3), this is a violation of the Suspension of Laws provision in Art. 1, Sec. 28 of the Texas Constitution. The Constitution provides that only the Legislature can suspend laws - not the Secretary, a member of the Executive Branch. These actions by the Secretary are contrary to the Legislature's intent that the Election Code be interpreted and applied uniformly across this State for voting systems. See Tex. Elec. Code § 122.032. By suspending laws and authorizing exceptions to Tex. Elec. Code § 122.01 (3), and other statutes, the Secretary is failing to perform his ministerial duty. Surely the Legislature did not intend for any of these provisions to be waived, ignored, or violated.

As a citizen of Collin County, I am very concerned about the integrity of our elections. Integrity is doing what is right even when others are not looking and that certainly means following the laws that govern our elections.

I am calling on you, as our elected county officials, to have integrity and remove these unlawful machines.

Certifications #4 – Poll Book certifications

According to a document titled Texas Certification Procedures for Electronic Pollbooks which can be found here:

<https://www.sos.texas.gov/elections/laws/certification-pollbooks.shtml> “Election Code 31.014 requires an electronic pollbook system that is used in Texas elections to be certified annually by the Secretary of State’s Office. Accordingly, vendors will need to seek recertification of their system on an annual basis which will become effective on January 1 of the year in which the system will be used.”

The SOS shows no recertification of our VOTEC voter pollbook since 2020. If this proves to be true, then this is a violation of Election Code 31.014.

As a citizen of Collin County, I would like for you to investigate to see if and when our pollbooks have been recertified each year after 2020.

Thank you and I look forward to your answer.

Lost People

Thank you for allowing me to speak to you regarding our elections here in Collin County.

When we have elections, we expect that if a person votes then there should be a record of that vote including the time that their absentee ballot was received or when they showed up to vote in person.

We expect that record to be accurate. There should not be people who did not vote on the list AND there should be an entry for each person who DID vote.

According to the elections office, Collin County is a closed system. We report our list of voters to the SOS. They do not have real-time access to our voter rosters or history.

SO....why is it that there are people who are on our list of voters for the recent primary that are confirmed as voters by the election office, but they are not on the SOS of list? For privacy, I will not release the names of these people publicly. But this is an issue that needs to be resolved between our elections office and the SOS. In particular, the State website says that the voter rolls come directly from the Counties. If this is true, then there is a county update that is removing or adding voters to the state roll contrary to the poll books. If that is not happening, then the State is not being truthful and is modifying its voter rosters for some unknown reasons. Regardless we need to understand why County and State rosters do not match.

Lost Votes

After each election, Collin County has a number of voters. One would expect the number on the SOS website to match—especially since Collin has a closed system, and we report our numbers directly to the SOS. But these numbers don't match and they haven't for quite a while.

In the 2012 General Election, the discrepancy was 3,320 Lost Votes

In the 2016 General Election, Collin lost 9,712 votes from the SOS

In the 2020 General Election, Collin lost 3,639 votes to the SOS

In the recent 2022 March Primary, Collin lost 1,481 votes to the SOS and this was after the addition of a reconciliation report required in 2022.

I would like to add that this is not a partisan issue, the Democrats lost more votes to the SOS than the Republicans in this latest primary.

Where are our votes? How can we be sure that our votes are being transmitted properly if the numbers don't match? Is this an issue with the election machine reports?

The SOS website says that if the numbers don't match, then the issue is with the county because they only report what the county reports to them.

We need to get to the bottom of why our numbers are different than those that the SOS reports.

Duplicate Voters

In 2020, Collin County had approximately 1700 duplicate voters. Most of these voted twice – once in person and once by mail.

If a person receives a mail-in ballot, then they cannot vote a live ballot. They must either surrender their ballot or vote provisionally.

However, even more disturbing are the 2 people voted 4 times and the 7 people voted 3 times each.

So, what failed to allow these duplicate voters?

As a citizen of Collin County, I'm calling for you to investigate these duplicate voters to find out what happened. And if appropriate, prosecute any who are found to be guilty of election fraud.

Mismatched Voters

I am here to inform you of problems with our voter history.

I compared the list of voters from the Collin County 2020 General Election Voter List to the list of 2020 General Election Voters as reported on the SOS site and analyzed them for mismatches in VUIDs –These mismatches are voters who appear on one list and not the other.

And here are my findings:

There were 7142 voters on the Collin List that were not on the SOS list.

There were 1763 voters on the SOS list that were not on the Collin County list.

There were 3 voters on the Collin Early In person list that were not on the SOS early in person list.

And there were 2,066 voters on the SOS early in person list that were not on the Collin County Early in person list.

These discrepancies are unacceptable. The lists should closely match. Not be off by 1000s.

There is no reason why our voters by names and VUIDS should be off by so many voters.

Does this make you curious?

I hope you will investigate these discrepancies and ask the SOS why the lists do not match.

iDRAC8-- Remote Access to Servers

I just have a couple of questions that I would like for you to look into.

According to our original sales agreement with ES&S dated May/June 2019 there is a component in our Election Server called iDrac8.

This is a Dell component that according to their website:

"provides comprehensive, embedded management across the PowerEdge family of servers, automation that lets your organization grow, and security that ensures peace of mind. From the variety of tools and technologies in the OpenManage portfolio, you can build a management solution that matches your needs, and by leveraging iDRAC, ensures optimal server management.

This component is allows for remote access to the server. Thus, the name "**Integrated Dell Remote Access Controller 8**"

Is Collin County allowing remote access to its servers through this component? If not, why is this component even in our voting system?

By law, remote access to voting servers is not allowed. TEC Section 129.005

I hope you will look into this matter ASAP.



11208 JOHN GALT BLVD
OMAHA, NE 68137-2364
(402) 593-0101

Sales Order Agreement

Customer P.O. #: RFP No. 2018-241

1st Election Date: November 5, 2019 with the early voting
starting Monday, October 21, 2019

Estimated Delivery Date: May/June 2019

Phone Number: 972-548-4113

Fax Number: 972-548-4694

Customer Contact, Title: Courtney Wilkerson, Senior Buyer

Customer Name: Collin County, Texas

Type of Sale:

☒ NEW

Type of Equip:

☒ NEW ☐ REFURBISHED

Bill To:

Collin County, Texas

Courtney Wilkerson, Senior Buyer

2300 Bloomdale Rd., Ste 3160

McKinney, TX 75071

Ship To:

Collin County, Texas

Courtney Wilkerson, Senior Buyer

2300 Bloomdale Rd., Ste 3160

McKinney, TX 75071

	EMS FILE SERVER		
1	DELL POWEREDGE T430	\$7,200.00	\$7,200.00
	PowerEdge T430 Server, No TPM - Chassis with up to 8, 3.5" Hot Plug Hard Drives, Tower Configuration Intel® Xeon® E5-2620 v3 2.4GHz, 15M Cache, 8.00GT/s QPI, Turbo, HT, 6C/12T(85W) Max Mem 1866MHz 1 CPU Standard 2133MT/s RDIMMS (2) 4GB RDIMM, 2133MT/s, Single Rank, x8 Data Width - RAID 1+ RAID 1 for H330/H730/H730P (2 + 2 HDDs or SSDs) - PERC H730 RAID Controller, 1GB NV Cache (4) 2TB 7.2K RPM SATA6Gbps 3.5" Hot-Plug Hard Drive - On-Board Broadcom 5720 Dual Port 1Gb LOM - iDRAC8, Basic - DVD+/-RW, SATA, Internal - Casters for PowerEdge TowerChassis - Power Saving Dell active Power Controller - Dual, Hot-Plug, Redundant Power Supply (1+1), 750W (2) NEMA 5-15P to C13 Wall Plug, 125 Volt, 15 AMP, 10 Feet (3m), Power Cord, NorthAmerica - Keyboard and Optical Mouse, USB, Black, English - Windows Server 2016, Standard Ed, Factory Inst, No MED, 2SKT, 2VM, NO CAL - Downgraded to Windows Server 2008 R2 Windows Server 2016, STD Ed, Media Kit w/Factory Inst ENT DGRD Images 5-pack of Windows: Server 2016 Device CALs (Standard or Datacenter) 5 Year ProSupport and NBD On-Site Service		

ES&S EVS

6.0.4.0.

EMS Networked Server

PowerEdge T420

- Assembled in either PRC or Mexico

- Motherboard manufactured in PRC

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7. Restrict Usage of Voting System Computers (Sec. 129.055):

- All voting system computer(s)/server(s) shall be restricted to the sole purpose of election administration, and not used for other purposes.
- Only the applicable operating system, commercial off-the-shelf software (COTS) needed for the election process, and the certified voting software shall be loaded on a voting system computer/server.
- Remote Access to a voting system computer/server is not allowed.

Speech #1

Recently a letter from the Secretary of State originating from the EAC has been circulating to many of us that want to restore election integrity. In that letter, there were four "key facts" given. Proverbs 18:17 reminds us that "The first to state his case seems right until another comes and cross-examines him." I'd like to address one of the Key Facts which was: The accreditation cannot be **removed** without a vote of the Commissioners.

It appears they are referring to the disclaimer that they added to the certificate issued on the 2021 certificate. This disclaimer says, "Accreditation remains effective until revoked by a vote of the EAC pursuant to 52 U.S.C. § 20971(c)(2)." This law states: "The accreditation of a laboratory for purposes of this section may not be revoked unless the revocation is approved by a vote of the Commission."

I noticed immediately that the EAC changed the word on their email from revoked to removed. These words have very different meaning. We have not been able to find anywhere in any document that states that the accreditation cannot be removed without a vote of the commissioners –only that it cannot be revoked without a vote.

The EAC like a magician uses sleight of hand to trick people into believing what it wants us to believe: the art of deception.

Let's go to the dictionary to define the meaning of these words.

Remove: the act of taking away.

Revoke: To call back; to recall; to annul an act by calling or taking it back. And finally...

Expire: When a contract ends that was active between parties. To come to an end.

The issue is that the certificate expired. It was not removed or revoked. It came to an end. It didn't need to be revoked (or called back).

There was a process by law that needed to be followed 30-60 days before the expiration date for the certificate to be renewed. That date came and went without the procedure being followed. So, the contract ended.

If a renter's contract expires and the renter does not renew the contract, the lease ends. The landlord does not need to revoke it.

If a driver's license expires, the driver cannot claim to the police officer who pulls him over that the license was never revoked therefore it is still valid.

Governments cannot arbitrarily substitute words with completely different meanings to fit their desired narrative.

We plainly see through their misleading tactics and are calling them out and imploring them to do the right thing. They did not follow the law, the certificates expired, and therefore the certificates are not valid.

We are asking you to stand with your constituents and let the Secretary of State know that we will no longer allow the use of uncertified and unlawful machines in Collin County.

=====

(optional) What the citizens of Collin County want are hand-marked, hand counted, pre-marked sequentially numbered paper ballots counted at the precinct level.

Speech #2

[Recently a letter from the Secretary of State originating from the EAC has been circulating to many of us that want to restore election integrity. In that letter, there were four “key facts” given. Proverbs 18:17 reminds us that “The first to state his case seems right until another comes and cross-examines him.” I’d like to address one of the Key Points: people falsely assumed that because there was an expiration date that the certificate expired.]

Another Key Fact that was in the Secretary of State email that was recently circulated was the claim that people falsely assumed that because there was an expiration date that the certificate expired.

Who puts an expiration date on something that does not expire? This makes absolutely no sense.

However, this was not the basis why we understood there to be an expiration date. The EAC Voting System and Testing Laboratory Program Manual version 2, which was the effective manual in 2020, defines the Certificate of Accreditation on page 38. Here is exactly what it says:

“Certificate of Accreditation.

A certificate of Accreditation shall be issued to each laboratory accredited by vote of the Commission. The certificate shall be signed by the CHAIR of the Commission and shall state the following 4 items:

- The name of the VSTL [Voting System Testing Laboratory]
- The scope of accreditation...
- The effective date of certification, which SHALL not exceed a period of two years and
- The technical standards to which the laboratory was accredited.”

TWO of these FIVE requirements were not met.

1. The certificate issued in 2015 that expired in 2017 and the latest one issued in 2021 were not signed by the chair of the EAC.
2. The 2015 certificate expired after two years – and no mangling of the English language can get around the fact that an expiration is NOT the same as a revocation OR the plain meaning of the phrase “SHALL NOT EXCEED A PERIOD OF TWO YEARS.”

You may object and say these “guidelines” are not binding; however, it clearly states in the manual that “although participation in the program is voluntary, adherence to the program’s procedural requirements is MANDATORY for participants. ”

The fact that the wrong person signed the certificate makes it a fraudulent --or even a counterfeit-- document.

Collin County deserves better from our State Officials; the verbal gymnastics are not only false, but add to the mistrust of the election process.

When a service man in our armed forces receives a command that is unlawful and against the constitution, that service man has an obligation to reject that command.

I hope that our commissioners will also recognize these wrongful practices and side with the law for election integrity. The changes of words and phrases to try to hide the fact that we are using uncertified and therefore unlawful machines is unacceptable to we the people of Collin County.

Speech #4

[Recently a letter from the Secretary of State originating from the EAC has been circulating to many of us that want to restore election integrity. In that letter, there were four "key facts" given. Proverbs 18:17 reminds us that "The first to state his case seems right until another comes and cross-examines him." So I'd like to address one of the Key Facts: The EAC claims that they are the determiner on whether a system can be certified, not the lab.]

I would like to address another Key Fact in the EAC's email in which the EAC claims that they are the determiner on whether a system can be certified, not the lab. This is false.

According to the Testing and Certification Program Manual Version 2.0, which was the version used in 2020.

"EAC Certification is the process by which the EAC, through testing and evaluation conducted by an ACCREDITED Voting System Testing Laboratory, validates that a voting system meets the requirement set forth in existing Voting system testing standards and performs according to the Manufacturer's specifications for the system." (page 19)

Please note that the accreditation is not solely by the EAC to arbitrarily assign. It must be conducted by an accredited VSTL

Also from Page 30, "To receive certification a system must go through a testing and review process. This process requires an application, **employment of an EAC accredited testing laboratory**, AND technical analysis of the laboratory test report by the EAC."

There are 3 pieces that are required and one of them is that an accredited laboratory must be employed. Since Pro V&V was not accredited with a valid Accreditation Certificate, this requirement was not met.

The EAC is not authorized to arbitrarily assign certification to whomever they wish. If this were true, they could certify any system for any reason disregarding all the national laws.

The government derives its power from the consent of the governed. They cannot make up statutes out of thin air.

The EAC is making excuses, they are obfuscating the issue and lying to the State of Texas, and our Secretary of State is violating the Counties of Texas by distributing these bogus statements to promote a false narrative.

We urge you to sift through the veil of deception and immediately move to discontinue the use of these machines.

Speech #5

[Recently a letter from the Secretary of State originating from the EAC has been circulating to many of us that want to restore election integrity. In that letter, there were four "key facts" given. Proverbs 18:17 reminds us that "The first to state his case seems right until another comes and cross-examines him." So I'd like to address one of the Key Facts: States determine whether systems are certified in their state not the EAC or test lab]

Another "Key Fact" in the EAC email says that "States determine whether systems are certified in their state not the EAC or test lab." This is false.

The Secretary of State must follow state laws regarding the requirements of the machines used in our elections.

So let me read some of our Texas laws

Texas Election Code §122.01 states "VOTING SYSTEM STANDARDS. (a) A voting system may not be used in an election unless the system:(1) preserves the secrecy of the ballot; (2) is suitable for the purpose for which it is intended;(3) operates safely, efficiently, and accurately and **complies with the voting system standards adopted by the Election Assistance Commission.**

TX Admin §81.61 states "For any voting machine, voting device, voting tabulation device and any software used for each, including the programs and procedures for vote tabulation and testing, or any modification to any of the above, **to be certified for use in Texas elections, the system shall have been certified, if applicable, by means of qualification testing by a Nationally Recognized Test Laboratory** (NRTL)..."

And here is a federal law governing elections.

Section 231 a (1) (42 USC 15371 a (1)) states "a) CERTIFICATION AND TESTING. (1) IN GENERAL. The Commission (Election Assistance Commission) **shall provide for the testing, certification, decertification, and recertification of voting system hardware and software by ACCREDITED laboratories.**

Now ask yourself, did our Secretary of State follow these laws when certifying the voting machines used in Texas?

If not, then the machines are not certified and therefore should not be used.

As a citizen of Collin County, I am calling on you to help restore the public confidence in our elections. We cannot continue to listen to those who continue to use smoke and mirrors to mislead us.

Update on Forensic Audit

In November 2021, Governor Greg Abbott announced that he was authorizing funding for a “full forensic audit” of 4 counties including Collin county.

On December 31, 2022, the Secretary of State announced the results of Phase 1.

We have not heard anything further about the audit.

Can you ask the Secretary of State to provide an update to the citizens of Collin and a date to expect the next report?

Can you confirm whether or not they have looked at the hard ballots from the 2020 General Election. If not, then what they are conducting is not full and not forensic. We already know that the process has not been independent, nor transparent.

According to the Rasmussen Poll on July 7, 2022, between 52 to 59% of American Voters maintain that cheating likely affected the 2020 election outcome. We need to know if our Texas votes were compromised in any way. The best way to restore public confidence in our elections is to do a full, thorough, forensic audit that is independent and transparent, and this includes looking at the paper ballots.

I am also publicly calling on you to preserve all evidence related to the 2020 General Election for the following reasons:

-
- **2020 was the most historic General Election of all modern time.**
 - **It represented the single largest event in American history exposing fraud and voter roll bloat on the voter rolls in American history.**
 - **It represents the single largest number of witness affidavits regarding observations of election maladministration, malfeasance, and election irregularities.**
 - **Generated the single largest cumulative purge of voters from American voter rolls IMMEDIATELY FOLLOWING an election.**
 - **Generated the most statistical anomalies in American voting history.**

Therefore, all documents and materials regarding the 2020 General Election must be immediately protected from destruction and kept for study, research, debate, examination, verification, and cross examination.

Fraud

Black's Law Dictionary 4th edition defines Fraud as: FRAUD. An intentional perversion of truth for the purpose of inducing another in reliance upon it to part with some valuable thing belonging to him or to surrender a legal right; a false representation of a matter of fact, whether by words or by conduct, by false or misleading allegations, or by concealment of that which should have been disclosed, which deceives and is intended to deceive another so that he shall act upon it to his legal injury.

I think you, as our commissioners, should be asking yourselves:

- Would you accept the FDIC issuing fraudulent insurance certifications for your bank?
- Would you accept your bank using vulnerable, uncertified banking systems and software?
- Would you place your money in a bank if their certification was signed by an office worker instead of the proper signing authority?
- Would you accept a university diploma signed by a professor?

The Voting System Testing Laboratory Manual clearly says that the accreditation certificate SHALL not exceed a period of two years.

According to Black's Law Dictionary: As used in statutes and similar instruments, this word [SHALL] is generally imperative or mandatory. In fact, I believe Commissioner Flethcer mentioned the word "shall" being mandatory a couple of weeks ago in this very court.

Therefore, it is mandatory that the certificate expires in 2 years or follows a process for renewal.

The manual describes the process for renewal that requires that the Voting System Testing Lab make application for renewal 30-60 days before the expiration.

Why would the EAC have a standard and a procedure if there is really no expiration? If they are not going to follow their own standards, then how can we know that the machines are safe for our community?

More questions to ask yourself

- Did the Election Assistance Commission commit fraud when they failed to notify the state's Secretaries of State that the accreditation for both Voting System Test Laboratories had expired in 2017?
- Are they continuing to commit fraud by continuing to state that there is no expiration?

- Did they Commit fraud when writing a letter stating that the lapse in accreditation was due to Covid-19 when the pandemic did not start until 2 years after the accreditations lapsed?

I urge you to consider the truthfulness of the statements by the EAC. Your associates at the state and national level are misleading you, and I hope you will start to take everything they say to you with a grain a salt.

Secretary of State Failures

Failure by the Secretaries of State to ensure that ES&S machines complied with the certification requirements by an EAC accredited Voting System Testing Lab and the Voting Systems Standards required by Section 301 of HAVA 2002, before it was “certified” by their office, violated Section 101 and Section 102 of HAVA 2002, TX Admin §81.61 and TX ELEC §122.01. Nothing in the Election Code grants the Secretary of State the authority to ignore or suspend specific sections of the Election Code or other state and federal laws.

These Secretaries’ actions violate the Separation of Powers clause of Art. 2, Sec. 1 of the Texas Constitution. Further, because the Secretary is causing counties to violate Tex. Elec. Code 122.01(3), this is a violation of the Suspension of Laws provision in Art. 1, Sec. 28 of the Texas Constitution. The Constitution provides that only the Legislature can suspend laws - not the Secretary, a member of the Executive Branch. **By suspending laws and authorizing exceptions to Tex. Elec. Code § 122.01 (3), and other statutes, the Secretary is failing to perform his ministerial duty.** Surely the Legislatures did not intend for any of these provisions to be waived, ignored, or violated. If any government official can simply ignore or modify laws as they wish, would that not render the legislature an invalid and useless branch of government.

Texas has had 11 Secretaries of State since 2005. And we haven’t had one that has been properly nominated and confirmed by the legislature for the last 5 years. The last few have been appointed by Governor Abbott when the legislature has been out of session. It appears that the Governor just switched them out when the pressure gets too great. Multiple Secretaries have failed to monitor and enforce the conditions of Election machine certification. We deserve better than rotating Secretaries of State that continue to fail at their job. If the State cannot do its job in regards to certifying the equipment used and verifying that the equipment is federally certified, then our County Commissioners should have the courage to do something to ensure the integrity of our elections. We can no longer be naïve to their shenanigans. But we must verify every claim they make with FOIA’s of paperwork, emails, and other evidence.

After seeing evidence of wrongdoing in the 2020 elections, the citizens of Collin County have a healthy skepticism of what is happening in our own backyard. We need a remedy to regain the trust that has been lost. We know that you want fair elections as well. So, let’s work together to see how we can formulate a plan to make Collin County the shining star of Texas Elections.

Priority of the GOP

Over the last few weeks, citizens of Collin County have presented to this court many facts and cited laws that are being broken in relation to our elections –both federal and state laws.

I urge this court to reach out to concerned citizens, to meet with us, to listen to our evidence, to support the need for an investigation, and to put Election Integrity on your agenda so that we can discuss this issue.

Election Integrity is the #1 Priority Issue of the Republican Party of Texas. It was also the #1 Priority at CPAC a couple of weeks ago. The Collin County GOP has passed a resolution on April 4th, 2022 that was read last week in this court. This resolution addressed divorcing from electronic voting machines and going back to hand marked, hand counted paper ballot, precinct level voting and paper poll books.

Being that Collin County leans Republican, this should be an indicator to each of you of the importance of this issue to people who will be voting in a few months.

Will you stand with the people you are sworn to represent? Or will you continue to avoid this issue?

List of laws that have been broken.

Here is a list of the applicable laws to our elections that have been referenced over the past several weeks and that we allege have been violated.

By not following, state and federal laws governing elections,

- are you violating your oaths of office where you swore to the best of your ability to preserve , protect, and defend the Constitution of the United States and of the state of Texas and
- are you opening yourselves up for legal liability?

HAVA ACT of 2002-

Section 101

Section 102

Section 301

Section 231

US Constitution 14th Amendment

TX Admin. Code §81.61

TX Elect. Code §122.01

Tx. Constitution Art 6 § 4

Separation of Powers clause of Tx. Constit. Art. 2, Sec. 1

Suspension of Laws provision in Tx. Constitution Art. 1, Sec. 28

Bar Codes

I am here to talk a bit about our ballots.

First of all, Texas Election Code 52.062 says NUMBERING OF BALLOTS. The ballots prepared by each authority responsible for having the official ballot prepared shall be numbered consecutively beginning with the number "1."

When a voter receives their in-person ballot at the polling place, there is no number on the paper. There is a barcode. So how do we know that this law is being followed?

The ballot is fed into a ballot marker. When the voter is finished voting, the ballot pops out of the marking machine with more bar codes and a list of races and selected candidates in a font that is very small.

None of us can read barcode and therefore none of us know what those barcodes say or if they match the words printed below.

The only way to read the barcode would be to whip out our phones and scan them. But that would be illegal because phone use is prohibited in the polling place.

But supposing that someone did scan their barcode, they still would not be able to read it, because that barcode is actually a series of numbers. Those numbers supposedly correspond to the names below. But since the average voter does not know the key to matching the number with the candidate, they would not know this information.

Then the voter takes that ballot and places it in a tabulator. The tabulator is a black box. It uses software with around 2 million lines of code to tabulate the vote. Yet, we are not allowed to see any of that code because it is proprietary. These machines will only do what they are coded to do. But how are we to trust what is in those millions of lines of code? How do we know that the program was written by someone with good intentions? One cyber expert said that it would take a team of experts 10 years or more to look through all those lines and they still may miss something. So how does Pro V&V have a small team of employees that "certifies" that our election machines are secure?

You might be thinking that our logic and accuracy test shows that a machine is working so we trust it to work on election night. I would only ask you to think through this. If you were a bad guy and you were trying to modify votes for your client, would you program the system to modify the results during a logic and accuracy test? Remember we are not talking about static machines – we are talking about software. Software can react to the time and date. It can react to the number of ballots being presented. Software can be influenced by the presence of a wifi connection with a certain name – any many other ways.

If you claim that the logic and accuracy test guarantees that it will work in every other situation, then you are overly trusting of the black box that is called ES&S software.

We are asking you to simplify this very complex system to a more transparent, and easily monitored and verified voting process – with hand marked, hand counted paper ballots.

Solutions

I am here to bullet point what we want, what the objections are and our answer.

	Objection	Answer
WANT: Go back to Precinct Level Voting instead of Voting Centers	Objections: • harder to staff and more difficult to find places for voting. • Less convenient for people who want to vote at their work OR while they are out and about.	Response: • Precinct Level Voting is more easily auditable, more transparent, and more secure. • We cannot trade convenience for Freedom and Transparency. • Tx Election Code 43.007 k-1 gives you the authority to go back to Precinct level voting.
WANT: Smaller Precincts of about 1000 voters each	Objection: You will need more polling places and people to work the election.	Response: • There are many tax-payer funded places that could and should be used for elections – including schools. • There are many people who want to help but don't know where to sign up OR don't get called back. We need to stress the urgency and need. Recruit from Veterans, Retirees and even youth. Also Precinct Chairs can help with this.
WANT: Hand-marked and	Objection:	Response:

sequentially numbered ballots	Machines are more accurate than people.	• Handmarked ballots ensure that the voter knows exactly who they voted for. It is not a barcode that they cannot read. • I have known people who marked their ballot on a machine one way, and when they read their ballot, it said something else.
Want: Handcounted ballots	Objection: • this takes too much time and we won't know the results in a timely manner. • machines are more accurate than people.	Response: • you could easily count the ballots in a short amount of time at smaller precincts. • Machines are only more accurate when they are programmed to be accurate and don't contain bugs. • Since we can't look at the 2 million lines of code, how do we know if they are accurate? • Hand-counting in France has been shown to be 99% accurate within an hour of the election and 100% within 24 hours. If France can do it, surely we can too.
The final objection,	Objections: These measures will cost too much.	• The machines cost about \$500,000 for maintenance in our county.

		• That cost can be applied to hiring new people to run the elections. • Most citizens would not mind a small tax increase in exchange for more transparency and trust in our elections.
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There is an old saying: where there’s a will, there’s a way.

I hope you will work with the citizens of this county to find a way.

6.1.1.0

Good afternoon,

I want to bring to your attention an issue with our Collin County Election machine version 6.1.1.0

According to the SOS this is the version that we currently use. (Also verified by our Collin Elections office)

On September 20, 2020, Mr. Brian Mechler, one of our State technical examiners, wrote a report that indicated that there was a bug in the HASH verification script that could be exploited.

Here is a statement from that report. Mr. Mechler says, "It is my opinion that this bug (in addition to the overall process) indicates that ES&S has not developed their hash verification process with sufficient care, quality assurance, and concern for usability."

He also states, "The ES&S hash verification process has been a growing issue of concern over the past few certification exams. In this exam, their customer relations with regard to this process have also become a concern. At this point, these issues have been communicated in detail to ES&S. I will not recommend certification of future ES&S releases unless they make substantial improvements to the ease-of-use, reliability, and traceability of their hash verification process."

Please note that this report was published before the Nov 2020 election. And yet we are still using this version of software in our machines.

And in the 2 years since this report came out, it appears that we are still using this version of software. Why hasn't it been fixed?

Through email correspondence, Christina Adkins Legal Director at the SOS office, chastised the EAC for not notifying their office of the issue and instead just informing the customers. Was Collin County notified of this issue?

In an email from Brian Mechler to the other examiners, he says the issue is a "gift wrapped opportunity to an insider threat." And that "under the current guidance of the EAC, an insider would know which files not to inspect. It's similar to a bank robber knowing that the camera covering teller #3 is broken."

We should not tolerate have any known problem within our voting systems. How long will you continue to believe the best about the EAC and the SOS who continue to tout the integrity of our Collin County elections. What citizens want in regards to our elections are Accuracy, Transparency and Accountability.

This is an example of a huge lack of transparency.

By Texas Law and statute, the local elections office is required to electronically verify that the version of voting system software is the same version (and un-altered) as was approved by the State of Texas. Since 2019 and possibly before as well, the ES&S system has not been able to be verified as authentic. As the Texas examiner Brian Mechler reports in his evaluation below, an incorrect set of hash totals are erroneously verified as authentic from the ES&S script.

Mr. Mechler reluctantly certified EVS 6.1.1.0 but said no further versions will be certified until this major bug is fixed.

The main takeaway here is that all counties that use ES&S software CANNOT be verified as authentic with the software developer. And that this is a known issue but is not very important to the people running elections in Texas.

Is it important to you as our County Commissioners?

<https://www.sos.state.tx.us/elections/laws/advisory2019-23.shtml>

<https://www.sos.texas.gov/elections/forms/sysexam/brian-mechler-ess-exam-report-jan-2020.pdf#search=mechler>

Ballot numbering

Here are some laws governing the numbering of ballots

From The Texas Constitution

Article 6 Sec. 4. ELECTIONS BY BALLOT; PURITY OF ELECTIONS; REGISTRATION OF VOTERS. In all elections by the people, the vote shall be by ballot, and the Legislature shall provide for the numbering of tickets and make such other regulations as may be necessary to detect and punish fraud and preserve the purity of the ballot box; and the Legislature shall provide by law for the registration of all voters.

Also, Texas Election Code Section 52.062 “The ballots prepared by each authority responsible for having the official ballot prepared shall be numbered consecutively beginning with the number “1.””

And yet, we don’t appear to be following these laws.

Does the SOS have the right to waive requirements? As a citizen of the Great State of Texas, I do not consent to allowing an appointed officer of the state that has not been confirmed to change our Texas laws.

If you look at our ESS ballots, there is no numbering of the ballot. The only possible number on the ballot is in a bar code at the top that is the same for all ballots.

We are looking to you, our commissioners, to ensure that our County follows all laws governing our elections. No presumed emergency powers by the Governor or any other official should violate our rights to free, fair, transparency, accurate, and accountable elections.

The removal of sequential numbering has nothing to do with COVID and therefore that requirement should not have been removed during the pandemic, and it needs to be reinstituted for our next election in November.

We are Watching

Over the past few months, like-minded citizens of Collin County have come to this court with a common theme of election integrity. Many of us did not even know one another until we started coming here. We have voiced our distrust in our current election system. We are not alone. On August 8th, Ramussen reported that 62% of ALL voters are concerned about the possibility of cheating in this upcoming election. And Majorities of every political category – 67% of Republicans, 53% of Democrats, and 58% of unaffiliated voters – believe election integrity will be a very important issue in this year's congressional elections,

Many citizens believe that there have been inaccuracies in past Collin elections and some of those issues have been brought before this very court in recent weeks.

We brought these to you because we know that you want accurate elections.

We also recognize that you are individually busy running the county and you don't necessarily have the band width to monitor everything. So, I and many others will be engaged during this election. We are blockwalking. We will be voting. We will be working during the election. We will be monitoring and looking:

- For duplicate voters
- For illegal voters
- For mismatches in our election numbers and those of the state
- For discrepancies in our numbers compared to the SOS
- For discrepancies in the names of voters between Collin County and the SOS
- And many other things

The people of Collin County want to do what we can to help you have free, fair and accurate elections this November and beyond. This is our duty as citizens – to actively participate in our local community.

My ask is that you will work WITH the citizens of Collin County to fix or answer any apparent inaccuracy that may be discovered. Thank you!

DID YOU KNOW

Did you know that the election system that we currently use in Collin County was certified by the Texas Secretary of State during COVID and because of that the system was certified even though it had never been physically examined by the experts as is typically done in the certification process? The examination process was instead conducted virtually with the experts being allowed to ask questions but not able to perform the usual exercises done during the certification process that would allow an expert to detect security vulnerabilities. While I don't know if this violated any law, it is certainly very concerning to me as a voter.

Did you know that the election system used in Collin County was not properly certified according to Texas law? The national lab that "certified" the system had expired accreditation credentials at the time they certified the system. Despite many excuses for this published by the Election Assistance Commission, who accredits the national labs, they have never actually rectified the violation of Texas law leaving this system illegal according to Texas Admin Code 81.61.

Did you know that the election system used in Collin County was certified by the Election Assistance Commission according to the Voting System Standards adopted in 2005? Do you think it's possible that technology and security standards have changed since 2005? Would you purchase a new computer system for your home that is 17 years behind modern technology? The Election Assistance Commission updated their Voting System Standards in 2015, still too old, but why are they still certifying systems based on 2005 standards?

Did you know that both the Election Assistance Commission and the Texas Secretary of State's office have what is called a de minimis or **minor change** program that allows the Voting Systems and their components to be changed or updated without any recertification or even examination preformed? This creates an environment where 3 unelected programmers, at this country's top 3 Voting System Companies, have the power to manipulate and determine the outcome of US elections, undetected, and no one even knows their names much less their financial ties or political affiliations. So what constitutes a "Minor Change"? You can replace the entire hard drive of a voting system without anyone examining it.

Did you know that many of the Voting Systems in the US are tested for functionality or accuracy in a Test Mode. A test mode in a system allows for a system to be tested according to one set of code and algorithms while the normal system function operates by a completely different set of code. Have YOU done any research to determine if our System functions securely and accurately according to the coding and algorithms that will be used on actual election days?

Did you know that Chapter 64 and Chapter 65 of the Texas Election Code outlines a system for hand marked and hand counted paper ballots to be used in Texas Elections and that you are not required to purchase or use an electronic voting system?

Did you know that according to Chapter 65 the counting of votes can begin 1 hour after voting begins and that it is not necessary to wait until the end of election day for the counting process to begin?

Did you know that there is a paper company right here in Texas, a trusted currency printer, Authentix, that can create secure paper ballots that would cost roughly \$.28 per voter?

Voting Process – Black Box

We know 2 things at the end of any election

1. A certain number of people voted
2. A certain result is announced

But what happens in between is a mystery.

This is my black box. I bought it and paid thousands of dollars for it. I ordered and paid for it. But they will not give me the key to it. It has valuables inside. But I can't get to them.

That is what's happening with our voting system.

We taxpayers paid for our voting machines, they have our valuable ballots that determine our future. What's inside determines our border policy, monetary policy, our rights, what you pay for gas, what is taught in schools, lockdowns, etc). But we are not allowed to see inside of this system.

We don't know if our votes actually counted the way we intended. And even when 22 months has gone by, we still do not have access to the physical ballots from 2020 to see if our ballots have been accurately counted.

Good afternoon, commissioners.

I wanted to spend some time talking about accurate elections.

I know that each of you care very much about having Accurate Elections-- and so do I.

Many citizens believe that we don't have accurate counting and some of those issues have been brought before this very court in previous weeks. When we bring these issues to you, we hope that you will listen to our concerns and work with us to understand and fix any problem.

We know you are busy running the county and you don't necessarily have the individual bandwidth to monitor everything. Let us help you. Let us be your eyes and ears and feet on the ground.

The People of Collin County are engaged and we want to do what we can to help you have free, fair and accurate elections this November and beyond. Many of us are committed to working as poll watchers, clerks and judges, and we are recruiting more to the cause. We are block walking for our preferred candidates. We are watching, working and helping.

My ask is that you will work WITH the citizens of Collin County to fix any inaccuracy that is discovered. Thank you!