

Spokane County Commissioner Public Hearing

June 13, 2022, 9:00 AM

Commissioner Josh Kerns, District 1

Commissioner Mary Kuney, District 2

Commissioner Al French, District 3

RE: Presentation of Petition for requesting a “Comprehensive Election System Audit” within Spokane County, for **the purpose of “Restoring Confidence” in our elections.**

[Petitions that have been signed by citizens](#), to be submitted at the meeting on June 13 with the commissioners.

As technology has advanced, and Washington leadership moved to go to 100% mail-in ballots, no one could have predicted how the collision of these methodologies would result in a loss of confidence in our ability to cast a legitimate vote that would be counted with fidelity. Management and Audit systems have not kept up with the total dependence that has been created on electronic equipment and systems management to ensure an outcome with confidence.

Three areas to audit:

First, the Secretary of State and our own Auditor have stated publicly that our election system is not connected to the Internet and the machines are not wirelessly connected. We have been told that the machines used in the election system for 2020 were certifiedⁱ. All the above is false. We can not find any evidence to support such claims, while evidence does exist to suggest otherwise.

Second, observers have been told repeatedly that process and systems are followed to ensure that “best practices” are used. Research shows that this is not accurate, which further contributes to lack of confidence in the election outcomes.

Third, canvassing efforts have been performed within Spokane County, showing that voter rolls have not been kept current, allowing for illegitimate votes to be blended in with legitimate votes cast.

What we are not asking for, is an election recount of any race, but a Process Audit of the Spokane Election Systemⁱⁱ, to restore confidence to the citizens in Spokane County. Our need is to conduct the audit of the elections from 2020, since we should have a full data set (of ballots and computer logs) that can be reviewed prior to the election this year. This data is subject to being destroyed violating 52 USC 20701, 42 USC 1974, RCW 298.60.110, WAC 434-262-200, WAC 434-261-045. An Audit of this record will show if all systems have integrity and what if any changes should be implemented immediately ahead of the 2022 election.

Simple facts to consider:

- 1) According to information published on the Washington Secretary of State's website, for the 2020 General Election, Spokane County had more registered voters than actual residents for certain age groups: 102.1% of women between the ages of 25-34 were registered to vote and

106.41% of women between the ages of 35-44. The total of men and women's registrations was 101.2% for ages 25-34 and 103.9% for ages 35-44. [See SOS Data Here.](#)

- 2) In November 2020, Spokane County had **353,926** registered voters. For the general election, they issued **382,560** ballots.
- 3) No less than 20% of the components in our voting equipment are supplied by China.ⁱⁱⁱ
- 4) IOT or Internet of things, has been adapted into billions of pieces of equipment, globally.
- 5) In a recent canvassing project, **90%+ of canvassed homes produced anomalies** on registrations.
- 6) [RCW 29A.12.200](#) identifies how the election system audits will not have the results shared with local elected officials in the event of a breach. *(See endnote^{iv}). People in Spokane have a right to know how secure their election system is, today^v. Further, the ClearVote 2.1 does not perform the precinct by precinct cast voter record report as it is advertised to do. There should be a clear procedure for working around this deficiency, which a Process Audit would benefit, today.*

Arguments for:

First argument as to why the citizens' have a right to demand ^{vi}a "Comprehensive Audit of the Voting System," the Constitution provides for the citizens' right to petition ^{vii}their elected leaders and the voter's rights "are not to be abridged in any manner," meaning "to reduce, to limit, to hamper, or to lessen one's vote".

As shown in our petition:

Whereas the Founding Fathers and all States that have ratified the Constitution have clearly recognized the need to ensure that voters' rights **are not to be 'abridged' in any manner.**

In addition, Washington State (RCW 29A.60.185, 29A.04.205, 29A.04.206) recognizes that "The legislature **wants to maximize this locally run benefit by adding options to the auditing process for local elections administrators**" and, **to protect the integrity of the electoral process by providing equal access to the process** while **guarding against** discrimination and fraud. *As County Commissioners, you are the administrators that oversee budgets and the general operations of the community.*

We ask that the petitions we have signed be submitted into the record and be the consideration for the Commissioners to act immediately to work with our committee to initiate an audit as described.

We believe that a Process Systems Audit, including a review of facility security, based on the following criteria, is essential:

Pillar 1) Verify that the machines within the Auditors office are not connected to and cannot be accessed through the internet. We have been told by the SOS and our Auditor that the voting machines are not connected to the internet, through direct wiring or Blue-tooth technology. There must be assurance that there has been no access to the machines via the internet, concerning all aspects of the ballot processing system(s), including any potential back doors.

Research shows that [IOT "Internet of Things"](#), "refers to the billions of physical devices around the world that are connected to the internet, all collecting and sharing data." Key concern is that real time data is able to be communicated wirelessly. In Spokane, our own Itron was a leader in the smart meter program, creating the ability to communicate all kinds of information on what is going on in a home through IOT technologies. Our parking meters are connected wirelessly. Evidence is

mounting, that IOT has even impacted our election system equipment, this must be a non-starter. Data reports out of our Clear Ballot equipment shows a high correlation with reports that have been audited involving Dominion voting machines in other audits.

We need to understand whether the voting systems have been modified either with or without our knowledge. Also have the source codes been modified before or during the election season, without authorization.

Pillar 2) As we approach our election systems, we have several concerns that are outside the normal course of system management:

- 1) **Why are we accepting funding from outside contributors?** Elections should be solely contained and paid for by taxpayers. Why have we allowed for CTCL, “Center for Tech and Civic Life” (a Chicago-based non-profit that pushes left-of-center voting policies and election administration, and leading up to the 2020 elections, supported nationally the funding of elections to the extent of \$350 million by Zuckerberg and his wife) to donate a grant award of \$255,402, of which \$191,868.88 was used, for expenses not already approved within general budgets? Why did our commissioners approve this receipt and expense of funds?
 - a. CTCL specifies under the grant conditions that, among other things, the grant moneys can be used for "costs associated with satellite election department offices,...temporary staffing,...Vote-by-mail/Absentee voting equipment or supplies, and Election administration equipment".
 - b. We know from information requests that \$149,991.62 and \$2,305.87 (vouchers 814735 and 815735) of the \$191,868.88 was paid to Desautel Hege (DH), a public relations firm who works with private company and government clients (the following is from their website) “...**to move ideas, causes, and people forward.** “ DH works on branding, advertising, digital, public relations **and social change**
- 2) How are our ballots printed, and can we have assurance that misguided ballots are not entering the system? This used to be an election observable event.
- 3) Once printed, how are our ballots mailed out?
- 4) Once ballots are returned, why do we not have security systems in place, including cameras?
- 5) Why do we not have cameras in all areas to record all ballot processing activities; King County has them? Why do we not have 24/7 camera coverage of the loading dock during elections, at drop boxes and within our operations center?
- 6) Where is the chain of custody as ballots are collected and returned to the Elections office?
- 7) Operations and tabulations: Why can't we audit the adjudication (and duplication) of ballots procedure to review the connection between original ballot cast to adjustments in how it is counted?
- 8) When people understand that actual ballots are not counted, but only images of ballots that are created from an initial ballot image **which are then assigned to a ballot image**, we believe they will begin to understand the possibility of abuse. Digital images can be electronically manipulated. This directly leads to voters' loss of confidence in their voting.
- 9) Voting equipment has the capacity to print on a ballot. The question is to what extent this is occurring in Spokane?

- 10) Why do we not have central station premises security monitoring when elections office staff are not on site?
- 11) Why are voter signatures not verified by 2 person teams, as other counties do?
- 12) Why are election observers not allowed to view the signature verification process at all?
- 13) Why does the Spokane County Elections office do the Logic & Accuracy test up to 7-10 days after the ballot counting has commenced?

Pillar 3) As we have been canvassing the Spokane market, we continue to find a number of discrepancies of what we refer to as anomalies, ranging from people voting twice, people voting from addresses where they do not live, people voting from addresses that they have not lived at for some time, even years, voters that are not US Citizens receiving voting ballots, and the list goes on.

Finally, we have been informed about a new request for [WAC 434-335-260](#), to be effective in July. The new WAC will stipulate that third party access for the purpose of auditing election equipment cannot be allowed, without running the risk of decertifying the election equipment. **What is everyone trying to hide? Where is transparency?** How can we restore confidence when there is so much evidence supporting the idea that our election system has been compromised, from the acceptance of outside funding to influence our elections, to evidence that our machines do have internet access, to a lack of security systems, and a lack of adhering to generally accepted procedures? If decertifying were to occur, we believe that the voters of Spokane will welcome a hand count of their votes.

We state once again, the people have a right within both our US Constitution and our State law to conduct an audit of our local election system, when we believe our system has been compromised and therefore contributing to a loss of confidence in our election outcomes.

Now is not the time for limitations to an audit, but a "Full and Comprehensive Audit of the Election System" for Spokane County should be authorized, today.

Respectfully,

Matt Hawkins (SCRCC- State Committeeman), Tim Kinley, Dennis Hawxhurst, Tom Barnhart-
members of the SCRCC Elections Committee, (Ruth Ryan SCRCC-Elections Committee Chair)

PS, we reserve the right to add to this record, at the hearing as more evidence is being gathered.

Additional resources can be found as follows:

County elections, rights for audits:

PA Court <https://justthenews.com/politics-policy/elections/pennsylvania-court-upholds-counties-right-inspect-electronic-voting>

NM County approves Election Audit: <https://www.thegatewaypundit.com/2022/05/attorney-david-clements-discusses-2020-election-work-new-mexico-focusing-machine-driven-aspects-fraud/>

Technology advancements:

Technology advances, unbelievable: [Opinion | Twelve Million Phones, One Dataset, Zero Privacy - The New York Times \(nytimes.com\)](#)

Outside funding and influence on Spokane elections:

Insights on CTCL funding, and others: [‘Dark Money’ Affecting Elections in Revolutionary Ways \(theepochtimes.com\)](#)

For exact dollar amounts, review the Auditors record for CTCL funding and expenses.

Report May 15, 2021:

On Saturday, May 15 at the Washington State Republican Party State Committee Meeting there was a Town Hall featuring WA State Secretary of State Kim Wyman. As reported at the WSRP Conference there was a question asked by a state committee member “regarding over 1/2 of WA State County voting machines being legally certified for the 2018 and 2020 elections due to testing laboratories lapsed [Election Assistance Commission \(EAC\) certifications](#).” Further commenting in a discussion with the SOS about WA State’s 17 counties Clear Ballot voting machines being legally certified for the elections, because the [Pro V & V lab](#) EAC 2-year certification had lapsed Feb 25, 2017 and was not renewed until Feb 1, 2021 (the situation is actually much worse than 17 counties).

Secretary Wyman implied that if the lab doing the testing does not want to pay the fee to renew its certification of accreditation, the state’s voting machines can still be certified. The understanding is that Kim is saying if there were no changes / modifications made to the voting machines or software then she can certify the machines.

For all other industries, i.e., expired Business License, Insurance license, Real-Estate license, Contractors License, Driver’s License, etc., you are not allowed to operate legally and are forced to pay a fine, have license revoked, or even perhaps go to jail, until renewal of such licenses. But in the case of the most important and sacred of them all, Elections, it is somehow not relevant if a lab accreditation by a government agency has lapsed and continue to do business in their normal capacity. The contention remains that any certification of voting machines should be invalid if the testing lab is not certified / approved. This is backed up by:

[WAC 434-335-040](#), RCW 29A.12.080, [RCW 29A.12.020](#). [WAC 434-33-010](#).

All voting systems, voting devices, and vote tallying systems must meet applicable federal standards and be certified and approved by the Secretary of State before they can be used in Washington state pursuant to [RCW 29A.12.020](#). [WAC 434-33-010](#).

Additionally, it says on the WA State SOS website - [System Security / Tabulation Systems: Before a System is Washington State Certified, it must be tested by an Election Assistance Commission \(EAC\) accredited, independent testing authority.](#)

The Pro V & V Voting Machine Testing Lab chose to allow their accreditation to expire, and therefore they no longer met the Federal Standard they were contracted to adhere to. The EAC and the National Institute of Standards and Technology (NIST) regulations are very clear, VSTL's MUST BE ACCREDITED EVERY TWO YEARS!

In 25 WA State counties VSTL's were not accredited to certify the voting machines software or hardware. Because of the 49 state legislative districts overlapping the 39 state counties, this directly affected the majority of state legislative races. Most all of the WA State 2020 elections are Null & Void and material harm to WA voters in the 2020 and 2018 elections has resulted. This directly impacts the loss of confidence of voters regarding accuracy in our elections.

ii <https://www.ncsl.org/research/elections-and-campaigns/post-election-audits635926066.aspx>

iii [Study of Widely-Used Voting Machine Finds 1 In 5 Components \(globenewswire.com\)](#)

iv **RCW 29A.12.200**

Security breach identification and reporting.

(1) The secretary of state must annually consult with the Washington state fusion center, state chief information officer, and each county auditor to identify instances of security breaches of election systems or election data.

(2) To the extent possible, the secretary of state must identify whether the source of a security breach, if any, is a foreign entity, domestic entity, or both.

(3) By December 31st of each year, the secretary of state must submit a report to the governor, state chief information officer, Washington state fusion center, and the chairs and ranking members of the appropriate legislative committees from the senate and house of representatives that includes information on any instances of security breaches identified under subsection (1) of this section and options to increase the security of the election systems and election data, and to prevent future security breaches. The report, and any related material, data, or information provided pursuant to subsection (1) of this section or used to assemble the report, may only be distributed to, or otherwise shared with, the individuals specifically mentioned in this subsection (3).

(4) For the purposes of this section:

(a) "Foreign entity" means an entity that is not organized or formed under the laws of the United States, or a person who is not domiciled in the United States or a citizen of the United States.

(b) "Security breach" means a breach of the election system or associated data where the system or associated data has been penetrated, accessed, or manipulated by an unauthorized person.

[**2020 c 101 § 2.**]

NOTES:

Findings—Intent—2020 c 101: "The legislature finds that public confidence in state elections systems and election data are of paramount consideration to the integrity of the voting process.

The legislature also finds that recent events have revealed an intentional and persistent effort by foreign entities to influence election systems and other cybernetworks. Therefore, the legislature intends to review the state's electoral systems and processes and take appropriate measures to identify whether foreign entities were responsible for the intrusions." [**2020 c 101 § 1.**]

^v RCW **29A.04.205**

State policy.

It is the policy of the state of Washington to encourage every eligible person to register to vote and to participate fully in all elections, and to protect the integrity of the electoral process by providing equal access to the process while guarding against discrimination and fraud. The election registration laws and the voting laws of the state of Washington must be administered without discrimination based upon race, creed, color, national origin, sex, or political affiliation.

RCW **29A.04.206**

Voters' rights.

(1) The rights of Washington voters are protected by its constitution and laws and include the following fundamental rights:

(a) The right of qualified voters to vote at all elections;

RCW **29A.60.185**

Intent—2018 c 218: "It is the intent of the legislature to ensure our elections have the utmost confidence of the citizens of the state. In order to ensure the integrity of the elections in Washington, the legislature wants to maximize the security benefits of having locally run, decentralized counting systems in our state, based in thirty-nine different counties. The legislature wants to maximize this locally run benefit by adding options to the auditing process for local elections administrators. Multiple jurisdictions, with multiple options for ensuring election outcomes will increase the transparency, integrity, and trust of our elections process." [**2018 c 218 § 1.**]

^{vi} RCW **42.30.010**

Legislative declaration.

The legislature finds and declares that all public commissions, boards, councils, committees, subcommittees, departments, divisions, offices, and all other public agencies of this state and subdivisions thereof exist to aid in the conduct of the people's business. It is the intent of this chapter that their actions be taken openly and that their deliberations be conducted openly.

The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

[**1971 ex.s. c 250 § 1.**]

^{vii} **U.S Constitution: First Amendment**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Washington State Constitution

ARTICLE I: DECLARATION OF RIGHTS: SECTION 5 FREEDOM OF SPEECH. Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right.

SECTION 19 FREEDOM OF ELECTIONS. All Elections shall be free and equal, and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

Dr. Frank Presentation at Spokane Symposium: <https://rumble.com/vo7wa6-dr.-douglas-frank-nationwide-overview-of-results.html?mref=6zof&mrefc=4>

Seth Keshel Presentation at Spokane Symposium: <https://rumble.com/vo7v7a-captain-seth-keshel-idaho-and-washington-county-by-county.html?mref=6zof&mrefc=4>

Seth Keshel, Top 100 Worst Counties for voting: <http://stcroixcountyandbeyond.org/news/national-news/seth-keshels-top-100-counties-for-audits-in-the-usa/> (Spokane is #100, Washington State has 3 Counties in the top 100)

The End
