

Subject: RE: Public Information Request (TX-SOS-22-0092) PIR 22-0134
Date: Tuesday, March 7, 2023 at 3:28:28 PM Eastern Standard Time
From: GeneralCounsel
To: AO Records
CC: GeneralCounsel
Attachments: 3.7.23 Documents.zip

EXTERNAL SENDER

Good afternoon,

As a follow up to our February 14 email, please find the attached zipped folder containing the remaining documents responsive to your request for information under the Public Information Act, Chapter 552 of the Texas Government Code.

The responsive documents contain email addresses of the general public. An email address of a member of the public is confidential under section 552.137 of the Texas Government Code. The attorney general authorized all governmental bodies to withhold an email address of a member of the public without first requesting an attorney general opinion in Open Records Decision No. 684 (2009). Thus, this information has been redacted.

We have completed the review of our records and do not anticipate any additional production of documents in response to your request.

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel
Office of the Texas Secretary of State

From: Sam Taylor
Sent: Monday, January 3, 2022 2:37 PM
To: 'Holly Hansen'
Subject: RE: Audit Report Questions

Hi Holly,

Sorry I missed your calls this morning, been in and out of the office and just got a chance to check my messages.

First – all four counties did respond to our [December 10th request for initial information](#) – those responses are linked in the Phase 1 progress report here: <https://www.sos.texas.gov/elections/forms/initial-audit-survey-responses.pdf>

I would note all four counties responded by the deadline of December 21st.

The partial manual counts, by law, are conducted in either 1% of precincts or three precincts, whichever is greater, pursuant to [Sec. 127.201 of the Texas Election Code](#). In Dallas, Tarrant and Harris counties it was 1% of precincts, and in Collin County it was 3 precincts. Collin County has less than 300 voting precincts, so 3 precincts is greater than 1% of precincts in Collin County as a whole.

Depending on any additional irregularities that are revealed in our examination of documents under Phase 2, the Secretary of State's office has the authority to conduct "a manual or automatic count of any portion of any number of ballots from any precinct," per [Sec. 127.202](#). In our [summary of the two-phase audit](#), the SOS announced that irregularities or deviations from election administration procedures that may have affected the accuracy of the electronic voting system ballot count could trigger a full manual recount of ballots in the affected precincts or polling locations, pursuant to our office's authority under Sec. 127.202.

On December 1st, we entered the 90-day federally required moratorium on voter registration cancellations under the National Voter Registration Act (NVRA). You'll see on [page 8 of the report](#), we provided the latest status update on voter list maintenance before the 90-day cancellation moratorium went into effect:

Due to the lack of data available to track the status of this maintenance activity, the SOS requested an update from all Texas counties on the agreed-upon noncitizen review process. Collin County indicated that 273 notices had been sent to possible noncitizens requesting proof of citizenship and the review of these records remains in progress at this time. Tarrant County indicated that it was in the process of reviewing each of the records and confirming citizenship documentation with DPS. No status update was provided from Dallas or Harris County. Dallas County has reported no outstanding reviews to complete. The SOS will work to determine what steps were taken to investigate these records in Harris County.

The NVRA requires that states complete their generalized programs to remove voters from the rolls not later than 90 days before a federal primary or general election (52 U.S.C. § 20507(c)). The SOS has provided notice to county registrars that the 90-day period for the March 1, 2022 primary election has begun. Under the NVRA, the only permissible voter removal programs that voter registrars may undertake until after the primary election, and any subsequent primary runoff election, is to remove voters who voluntarily cancel their voter registration, voters who are deceased, and voters who are finally convicted of a felony or adjudicated mentally incompetent for voting.

Hope this helps – let me know if you need any additional information.

Best,

Sam Taylor

Assistant Secretary of State for Communications

Office of the Texas Secretary of State

smtaylor@sos.texas.gov

Office: 512-463-6116

Cell: 512-538-5293



From: Holly Hansen [REDACTED]
Sent: Monday, January 3, 2022 1:24 PM
To: Sam Taylor <SMTaylor@sos.texas.gov>
Subject: Audit Report Questions

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Good Afternoon Sam,

I am working on a story and have a few questions about Phase I of the Forensic audit:

Wondering if the counties, Harris County in particular, have fully cooperated with requests? I know that Harris County commissioners court instructed their county attorney to block audit efforts, and would like to know if possible what requests the SOS office has made and whether the county has responded in any way- affirmatively or negatively.

Also, I note the manual recounts are limited to 1% of each county. In Phase 2 are there any plans to conduct additional manual recounts in Harris County?

Has the SOS office had any communication with Harris County regarding non-citizen or unresolved felon voter registrations?

My deadline is 4:00 pm.

I can be reached at 512-799-2027.

Holly Hansen

Reporter

[The Texan News](#)

512-799-2027

512 E. 11th St.
Suite 110
Austin, TX 78701

From: Sam Taylor
Sent: Friday, December 31, 2021 11:29 AM
To: [REDACTED]
Subject: RE: Audit

Hi Darlene,

We'll be releasing our Phase 1 progress report within the next hour, so you'll see some of the information you're looking for. However, do want to respond directly to your questions below.

1. No – Texas is not conducting a 'Risk Limiting Audit,' as Representative Toth and others have alleged. A Risk Limiting Audit is part of SB 598 passed by the legislature earlier this year, and will be conducted following each election going forward, pursuant to state law. Our full forensic audit that is underway now goes much further than a risk-limiting audit, and yes – part of the results is comparing ballots counted by machine versus those counted by hand. We document the discrepancies in those counts and will be verifying the counties' explanations for those discrepancies during our on-site visits in Phase 2.
2. Dallas County did provide several other documents that were too large to send or to include in that .pdf attachment, and those will be part of our analysis in Phase 2 of the full forensic audit. You're correct that all we asked for was numbers, but Dallas County sent us raw data files instead.
3. The Legislature has provided our office approximately \$4 million for our agency to establish a Forensic Audit Division, and we have hired several new staff members as a result. We have not been authorized to provide any of those funds to Harris County for purposes of this audit.

Will be in touch again soon.

Best,

Sam Taylor

Assistant Secretary of State for Communications

Office of the Texas Secretary of State

smtaylor@sos.texas.gov

Office: 512-463-6116

Cell: 512-538-5293



From: [REDACTED] >
Sent: Friday, December 31, 2021 11:06 AM
To: Sam Taylor <SMTaylor@sos.texas.gov>
Subject: Re: Audit

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Hey Sam,

Trying to reach you!

Here are a few questions:

1. I spoke with Steve Toth who said Texas was conducting a risk limiting audit, not a forensic audit. He said the paper ballots needed to be checked against the electronic ballots, for example. Will Texas be looking at ballot counts to see if they match up to machine counts when possible? So which kind of audit is the Texas audit?
2. Dallas didn't give you an answer to questions other districts answered -- such as total early voting ballots by mail requested, total early voting ballots by mail sent out. Were you able to get that information? Why did they say the file was too large when all you wanted was a number?
3. Harris County seemed to indicate that they didn't have the resources to comply because they were going to be involved in a lot of elections. Will the SOS office provide staffing or money to get the job done for example?

Thanks,

Darlene McCormick Sanchez

On Dec 30, 2021, at 5:19 PM, Sam Taylor <SMTaylor@sos.texas.gov> wrote:

Yes I will! Here you go – attached here are the four counties' responses.

From: [REDACTED] >
Sent: Thursday, December 30, 2021 3:32 PM
To: Sam Taylor <SMTaylor@sos.texas.gov>
Subject: Audit

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Hi Sam,

Can you send me the responses from the election administrators for the Dec. 21 survey?

Also, will you be in tomorrow morning? I've got a couple of follow up questions.

I truly appreciate the time you've given me already.

Darlene McCormick Sanchez

214-578-9477

<Initial Audit Survey Responses_12.21.21.pdf>

From: Sam Taylor
Sent: Thursday, January 13, 2022 3:15 PM
To: 'Murray, Sara'
Subject: RE: CNN follow up

Hi Sara,

Thanks for reaching out. Just checked with the Deputy Secretary, the Secretary's scheduler and our executive assistants and we have not received a request to meet with Douglas Frank as of today, January 13th, 2022.

VoteBeat did some reporting at the end of last year on a presentation that inspired the Potter County GOP (Amarillo, Texas-area) to try to make the move to all hand-marked paper ballots for the March 1st Republican Primary there: <https://www.votebeat.org/2021/12/13/22832485/jeff-zink-election-integrity-symposium-hand-counted-ballots-potter-county>

Ultimately, the Potter County GOP abandoned that plan after failing to get a resolution through the Commissioner's Court to move the entire county to all-paper elections: <https://www.votebeat.org/2021/12/30/22860724/potter-county-2022-primary-republican-party-dan-rogers>

On the audit front, I can say that from our office's perspective that our audit is [examining a wide range of documents – including logic and accuracy test records for voting machines, chain of custody records, and more](#) – that would absolutely uncover any attempts to alter election results on a such a scale that is being alleged.

Hope this helps, let me know if you need anything else.

Best,

Sam Taylor

Assistant Secretary of State for Communications

Office of the Texas Secretary of State

smtaylor@sos.texas.gov

Office: 512-463-6116

Cell: 512-538-5293



From: Murray, Sara [REDACTED]
Sent: Thursday, January 13, 2022 2:35 PM
To: Sam Taylor <SMTaylor@sos.texas.gov>
Subject: CNN follow up

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Hi Sam,

Thanks for your help. As I mentioned on the phone, I wanted to see if Douglas Frank has requested a meeting or previously met with Secretary Scott. He isn't affiliated with a group, although he is an associate of Mike Lindell's. Frank has a couple upcoming events in Texas and previously appeared at a ["Women for Freedom" event](#) in Dallas. He has said he uncovered an algorithm that proves there was election fraud in all 50 states. Anyway, if you wouldn't mind checking, I would appreciate it! And I'd love to take a look at the Potter County paper ballot push as well. Thanks very much!

Best,

Sara Murray

CNN

C: 202-340-7167

From: Beva Kellison
Sent: Thursday, February 10, 2022 3:47 PM
To: Chad Ennis
Cc: Beva Kellison
Subject: RE: Funds

You have been granted a Adobe License, I put in a ticket, you will get an email shortly

From: Chad Ennis
Sent: Thursday, February 10, 2022 3:46 PM
To: Beva Kellison <BKellison@sos.texas.gov>
Subject: RE: Funds

Glad to hear everything is ok. Enjoy the training!

From: Beva Kellison
Sent: Thursday, February 10, 2022 3:44 PM
To: Chad Ennis <CEnnis@sos.texas.gov>
Cc: Beva Kellison <BKellison@sos.texas.gov>
Subject: RE: Funds

Okay, sounds good, will get with Anya tomorrow in TEAMS and start. I just got home so am going to complete poll worker training. She is with her mom finally, she is going to be okay, thanks

Beva

From: Chad Ennis
Sent: Thursday, February 10, 2022 3:37 PM
To: Beva Kellison <BKellison@sos.texas.gov>
Subject: Funds

Beva,

I hope everything is going ok with you!

Spoke with Alphonso. Since we are in startup mode, we don't have to worry about line items or other budgetary constraints (for now). We can charge everything directly to the department. One code only. Easy.

Chad

Chad Ennis
Director – Forensic Audit Division
Texas Secretary of State



From: whit kennedy <[REDACTED]>
Sent: Monday, January 3, 2022 10:21 AM
To: Sam Taylor
Subject: Re: Phase one audit

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Super. Thanks, Sam

On Mon, Jan 3, 2022 at 11:20 AM Sam Taylor <SMTaylor@sos.texas.gov> wrote:

Good Morning Whit,

Thanks for reaching out. A full and comprehensive list of what Phase 2 of our agency's full forensic audit of the 2020 General Election in Texas can be found here: <https://www.sos.texas.gov/elections/forms/forensic-audit-phase-2.pdf>

Phase 2 is the final phase. We are currently working with each of the four counties being audited to schedule in-person visits by our Forensic Audit Division and will aim to complete these examinations this Spring.

Best,

Sam Taylor

Assistant Secretary of State for Communications

Office of the Texas Secretary of State

smtaylor@sos.texas.gov

Office: 512-463-6116

Cell: 512-538-5293



From: whit kennedy <[REDACTED]>
Sent: Monday, January 3, 2022 7:52 AM
To: Sam Taylor <SMTaylor@sos.texas.gov>
Subject: Phase one audit

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Sam,

I'm covering voter integrity issues for a group of conservative online papers out of Chicago.

Can you give me an idea of what phase 2 will cover (is that the final phase?) and when results are due?

Best,

Whit Kennedy

717 265 4634

From: Darlenesanchez <[REDACTED]>
Sent: Thursday, January 6, 2022 2:32 PM
To: Sam Taylor
Subject: Re: Tarrant County/ Epoch Times

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Hi Sam,

Thanks, just checking.

—Darlene

Sent from my iPhone

> On Jan 6, 2022, at 11:54 AM, Sam Taylor <SMTaylor@sos.texas.gov> wrote:

>

> Hi Darlene,

>

> We've said from the beginning of this process that we plan to have our auditors conduct the in-person examinations this Spring:

> <https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.sos.texas.gov%2Fabout%2Fforms%2F9-28-21-forensic-audit-summary.pdf&data=04%7C01%7Csmtaylor%40sos.texas.gov%7C1c3a06c715b447bc7d8108d9d1538f1b%7C760188c0f63443a096dfec1b8eca6719%7C0%7C1%7C637770979091226070%7CUnknown%7CTWfpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IklhaWwiLCJXVCi6Mn0%3D%7C2000&data=xwS7kS7wWZy7wUbfVFPNI7vyrU3ISyrCPbs13QonuA%3D&reserved=0>

>

> With our state's primary election coming up on March 1st, we are in the process of scheduling the on-site visits with each of the four counties at a mutually convenient time and location that will not disrupt voting in the primary elections.

>

> With respect to the Temporary Restraining Order, you'd have to ask Tarrant County or search local court records to confirm who filed the original motion.

>

> Best,

>

> Sam Taylor

> Assistant Secretary of State for Communications

> Office of the Texas Secretary of State

> smtaylor@sos.texas.gov

> Office: 512-463-6116

> Cell: 512-538-5293

>

>

>

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>
> -----Original Message-----
> From: Darlensanchez <[REDACTED]>
> Sent: Wednesday, January 5, 2022 8:12 PM
> To: Sam Taylor <SMTaylor@sos.texas.gov>
> Subject: Tarrant County/ Epoch Times
>
> CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.
>
> Hi Sam,
>
> Just wanted to check in to see when you will be visiting counties in audit yet.
>
> Also, I meant to ask if you know who filed restraining order/injunction about servers and hard drives used in 2020 election mentioned In Tarrant County response to audit - and do you have any documentation on what happened?
>
> Thanks,
> Darlene McCormick Sanchez
>
>
>
>
>
>
>
>
> Sent from my iPhone

From: Michael Scarpello <Michael.Scarpello@dallascounty.org>
Sent: Friday, December 31, 2021 10:23 AM
To: Sam Taylor
Cc: John Scott; Keith Ingram
Subject: RE: [External Sender]Dallas County - Partial Manual Count - November 2020

Sensitivity: Personal

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Mr. Taylor, sorry but because the staff members responsible for this report are on vacation, I was unable to verify these numbers. Those staff members return on Tuesday and we'll try to get this issue cleared up then.

Mike

Michael Scarpello

Dallas County Elections Administrator
1520 Round Table Drive
Dallas, TX 75247
(214) 819-6335

From: Sam Taylor <SMTaylor@sos.texas.gov>
Sent: Wednesday, December 29, 2021 4:37 PM
To: Michael Scarpello <Michael.Scarpello@dallascounty.org>
Cc: John Scott <JScott@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>
Subject: [External Sender]Dallas County - Partial Manual Count - November 2020
Sensitivity: Personal

Hi Michael,

Thanks for chatting earlier and apologies for bothering you on your travels! I've attached the chart of the partial manual count numbers that your office provided us after the November 2020 election.

You'll see the red highlighted cells (J15 and K15) show that the electronic count for candidate Matt Sterett was 1, while the manual count was 11. We presume this was because of a data entry/clerical error, but wanted to make sure and confirm with your office.

Please let us know if y'all have any information on this you'd like to provide so we can note it in our progress report.

Much appreciated!

Best,

Sam Taylor

Assistant Secretary of State for Communications

Office of the Texas Secretary of State

smtaylor@sos.texas.gov

Office: 512-463-6116

Cell: 512-538-5293



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