

**Subject:** RE: Public Information Request (TX-SOS-22-0148) PIR 22-0218  
**Date:** Friday, October 14, 2022 at 12:16:13 PM Eastern Daylight Time  
**From:** GeneralCounsel  
**To:** AO Records  
**CC:** GeneralCounsel  
**Attachments:** 10.14.22 Documents.zip, How to appeal the withholding of information under 552.024.pdf

EXTERNAL SENDER

Good morning,

Consistent with our September 16 email, please find the attached zipped folder containing documents responsive to your request for information under 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.

The information you requested contains the home telephone number of a public employee or official. As allowed by section 552.024 of the Texas Government Code, this public employee or official has chosen to make this personal information confidential. Section 552.024 allows us to withhold this specific information without requesting a ruling from the attorney general. You have the right to appeal our decision to withhold this information from you. Instructions for appeal are also attached. If you do not want to appeal, you do not need to do anything else.

We appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on November 14, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

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

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**From:** GeneralCounsel <GeneralCounsel@sos.texas.gov>  
**Sent:** Friday, September 16, 2022 2:18 PM  
**To:** 'AO Records' <records@americanoversight.org>  
**Cc:** GeneralCounsel <GeneralCounsel@sos.texas.gov>  
**Subject:** RE: Public Information Request (TX-SOS-22-0148) PIR 22-0218

Good afternoon,

Consistent with our September 2 email, please find the attached zipped folder containing documents responsive to your request for information under 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 appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on October 14, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

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

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**From:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Sent:** Friday, September 2, 2022 1:29 PM  
**To:** 'AO Records' <[records@americanoversight.org](mailto:records@americanoversight.org)>  
**Cc:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Subject:** RE: Public Information Request (TX-SOS-22-0148) PIR 22-0218

Good afternoon,

Regarding our August 19 email, we appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on September 16, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

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

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**From:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Sent:** Friday, August 19, 2022 4:38 PM  
**To:** 'AO Records' <[records@americanoversight.org](mailto:records@americanoversight.org)>  
**Cc:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Subject:** RE: Public Information Request (TX-SOS-22-0148) PIR 22-0218

Good afternoon,

As a follow up to our July 22 email, we appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional

responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on September 2, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

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

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**From:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Sent:** Friday, July 22, 2022 4:28 PM  
**To:** 'AO Records' <[records@americanoversight.org](mailto:records@americanoversight.org)>  
**Cc:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Subject:** RE: Public Information Request (TX-SOS-22-0148) PIR 22-0218

Good afternoon,

Consistent with our July 8 email, please find the attached zipped folder containing documents responsive to your request for information under 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 appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on August 19, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

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

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**From:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Sent:** Friday, July 8, 2022 4:45 PM  
**To:** 'AO Records' <[records@americanoversight.org](mailto:records@americanoversight.org)>  
**Cc:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Subject:** RE: Public Information Request (TX-SOS-22-0148) PIR 22-0218

Good afternoon,

As a follow up to our June 17 email, we appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent

such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on July 22, 2022. See Tex. Gov't Code § 552.221(d).

Kind regards,

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

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**From:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Sent:** Friday, June 17, 2022 4:17 PM  
**To:** 'AO Records' <[records@americanoversight.org](mailto:records@americanoversight.org)>  
**Cc:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Subject:** RE: Public Information Request (TX-SOS-22-0148) PIR 22-0218

Good afternoon,

Regarding our May 27 email, we appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on July 8, 2022. See Tex. Gov't Code § 552.221(d).

Kind regards,

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

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**From:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Sent:** Friday, May 27, 2022 2:39 PM  
**To:** 'AO Records' <[records@americanoversight.org](mailto:records@americanoversight.org)>  
**Cc:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Subject:** RE: Public Information Request (TX-SOS-22-0148) PIR 22-0218

Good afternoon,

Regarding our April 22 email, we appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on June 17, 2022. See Tex. Gov't Code § 552.221(d).

Kind regards,

Jennifer Williams  
Legal Assistant to the General Counsel

Office of the Texas Secretary of State

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**From:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Sent:** Friday, April 22, 2022 4:22 PM  
**To:** 'AO Records' <[records@americanoversight.org](mailto:records@americanoversight.org)>  
**Cc:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Subject:** RE: Public Information Request (TX-SOS-22-0148) PIR 22-0218 (1 of 2)

Good afternoon,

Consistent with our March 25 email, please see the attached zipped folder containing documents responsive to your request for information under Chapter 552 of the Texas Government Code. Due to file size, an additional email will follow with another zipped folder.

Pursuant to Section 31.006(b) of the Texas Election Code, the attached election complaint files provided to you today (and on March 4) are not considered confidential under the PIA and may be released publicly.

Dates of birth have been redacted from the attached documents as we await a determination from the Attorney General's Open Records Division on our request for a ruling. The responsive documents also 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 require more time to continue reviewing our records and produce additional responsive information. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on May 27, 2022. See Tex. Gov't Code § 552.221(d).

Kind regards,

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

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**From:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Sent:** Friday, March 25, 2022 2:45 PM  
**To:** 'AO Records' <[records@americanoversight.org](mailto:records@americanoversight.org)>  
**Cc:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Subject:** RE: Public Information Request (TX-SOS-22-0148) PIR 22-0218

Good afternoon,

Regarding our March 4 email, we appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on April 22, 2022. See Tex. Gov't Code § 552.221(d).

Kind regards,

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

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**From:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Sent:** Friday, March 4, 2022 3:49 PM  
**To:** 'AO Records' <[records@americanoversight.org](mailto:records@americanoversight.org)>  
**Cc:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Subject:** RE: Public Information Request (TX-SOS-22-0148) PIR 22-0218

Good afternoon,

Please see the attached letter, with enclosures, in response to your request for information under Chapter 552 of the Texas Government Code.

Dates of birth have been redacted from the attached documents as we await a determination from the Attorney General's Open Records Division on our request for a ruling.

The responsive documents also 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.

Additionally, the information you requested also contains information that relates to a motor vehicle operator's or driver's license or permit issued by an agency of this state or another state or country. This information is confidential under section 552.130 of the Texas Government Code. Section 552.130 allows us to withhold this specific information without requesting a ruling from the attorney general. You have the right to appeal our decision to withhold this information from you. Instructions for appeal are also attached. If you do not want to appeal, you do not need to do anything else.

Consistent with our February 24, 2022 letter, please find the attached zipped folder containing documents responsive to the Request. We require more time to continue reviewing our records and produce additional responsive information. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on March 25, 2022. See Tex. Gov't Code § 552.221(d).

Kind regards,

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

**From:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Sent:** Thursday, February 24, 2022 2:10 PM  
**To:** 'AO Records' <[records@americanoversight.org](mailto:records@americanoversight.org)>  
**Cc:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Subject:** RE: Public Information Request (TX-SOS-22-0148) PIR 22-0218

Good afternoon,

Please see the attached letter, with enclosures, in response to your request for information under Chapter 552 of the Texas Government Code.

Kind regards,

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

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**From:** AO Records <[records@americanoversight.org](mailto:records@americanoversight.org)>  
**Sent:** Wednesday, February 9, 2022 1:00 PM  
**To:** GeneralCounsel <[GeneralCounsel@sos.texas.gov](mailto:GeneralCounsel@sos.texas.gov)>  
**Subject:** Re: Public Information Request (TX-SOS-22-0148)

**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](mailto:informationsecurity@sos.texas.gov).

**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](mailto:informationsecurity@sos.texas.gov).

Dear Public Information Officer:

Unfortunately, our tracking number for this request was incorrect. Please find the corrected version here.

For clarification with the last batch of emails, TX-SOS-22-0132 is TX-SOS-22-0147, and TX-SOS-22-0133 is TX-SOS-22-0148. Apologies for these mix-ups.

Sincerely,

Dylan Winters (he/him)  
Paralegal  
American Oversight  
[records@americanoversight.org](mailto:records@americanoversight.org)  
[www.americanoversight.org](http://www.americanoversight.org) | @weareoversight

PIR: TX-SOS-22-0148

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**From:** Dylan Winters <[dylan.winters@americanoversight.org](mailto:dylan.winters@americanoversight.org)> on behalf of AO Records  
<[records@americanoversight.org](mailto:records@americanoversight.org)>  
**Date:** Wednesday, February 9, 2022 at 10:12 AM  
**To:** "[generalcounsel@sos.texas.gov](mailto:generalcounsel@sos.texas.gov)" <[generalcounsel@sos.texas.gov](mailto:generalcounsel@sos.texas.gov)>  
**Subject:** Public Information Request (TX-SOS-22-0133)

Dear Public Information Officer:

Please find attached a request for records under the Texas Public Information Act.

Sincerely,  
Dylan Winters (he/him)  
Paralegal  
American Oversight  
[records@americanoversight.org](mailto:records@americanoversight.org)  
[www.americanoversight.org](http://www.americanoversight.org) | @weareoversight

PIR: TX-SOS-22-0133

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**From:** Keith Ingram  
**Sent:** Monday, December 13, 2021 3:27 PM  
**To:** kai.schon@wyo.gov  
**Cc:** Christina Adkins  
**Subject:** chain of custody documents  
**Attachments:** Texas Secretary of State Letter\_Full Forensic Audit\_Phase 2.pdf; Chain of Custody Best Practices (AB) (FINAL).pptx

**Sensitivity:** Personal

Kai,

Good to hear from you. Here are a couple of documents. One is the document we sent to the counties we are auditing. The second was a presentation to the county election officials. Let me know if you need anything else.

Keith Ingram  
Director, Elections Division  
Office of the Secretary of State  
800-252-VOTE(8683)  
[www.sos.state.tx.us/elections/index.shtml](http://www.sos.state.tx.us/elections/index.shtml)  
**For Voter Related Information, please visit:**



*The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as personal legal advice to you for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.*

# The State of Texas

Elections Division  
P.O. Box 12060  
Austin, Texas 78711-2060  
[www.sos.texas.gov](http://www.sos.texas.gov)  
[www.votetexas.gov](http://www.votetexas.gov)



Phone: 512-463-5650  
Fax: 512-475-2811  
Dial 7-1-1 For Relay Services  
(800) 252-VOTE (8683)

John B. Scott  
Secretary of State

December 10, 2021

Bruce Sherbet  
Collin County Elections Administrator  
2010 Redbud Blvd, Suite 102  
McKinney, TX 75069

Isabel Longoria  
Harris County Elections Administrator  
1001 Preston  
Houston, TX 77002

Michael Scarpello  
Dallas County Elections Administrator  
1520 Round Table Drive  
Dallas, TX 75247

Heider Garcia  
Tarrant County Elections Administrator  
100 E. Weatherford  
Fort Worth, Texas 76196

Dear Bruce, Michael, Isabel and Heider:

Thank you for your service to Texas voters and for your commitment to transparency in our election process. As indicated in our office's previous communications, the Texas Secretary of State's office is conducting the largest and most comprehensive forensic audit of the November 2020 General Election in your respective counties. The purpose of this audit is to provide clarity and confidence for Texas voters that all applicable laws and procedures were followed during the 2020 Election, and to identify any irregularities or issues that need to be addressed going forward.

Enclosed, please find a comprehensive list of documents and records our office will be examining as part of Phase 2 of the Full Forensic Audit, as well as requests for information from your office that will be instrumental in completing the audit process. We request that your respective offices begin locating the documents listed to prepare for our Forensic Audit Division's on-site examinations, which will be coordinated at a mutually convenient time in January 2022.

In the near term, we request that you provide us the following information, in writing, to our office by **Tuesday, December 21<sup>st</sup>** in order to guide the next phase of the forensic audit process:

- **A list of Early Voting or Election Day polling locations that had a discrepancy of one percent or more between the number of voters that checked in to the number of votes cast at that location.**
- **Whether any voting sites were closed or added due to an emergency or other necessity**
- **Any known procedural or chain of custody defects**
- **Any other issues discovered that you would like to disclose now that may be relevant to our audit process**

- **A list of complaints received and resolved, with a description of any known investigative steps or known resolution.**
- **A detailed accounting of the following:**
  - **Total Early Voting Ballots by Mail Requested**
  - **Total Early Voting Ballots by Mail Sent out**
  - **Total Early Voting Ballots requested by FPCA**
  - **Breakdown of Early Voting Ballots by Mail accepted/rejected**
  - **Total number of mail ballot voters that cancelled their mail ballot without surrendering the mailed ballot and voted in person**
  - **Total number of mail ballot voters that surrendered their mail ballot and voted in person**
- **A detailed accounting of the following:**
  - **Total Number of Provisional Votes Cast**
  - **A list of Provisional Voters by reason for voting provisionally**
  - **Total Number of Provisional Votes cast for voters lacking ID**
  - **Total number of Provisional Voted Accepted/Rejected**
- **List of entities that conducted recounts or had election contests**

We thank you in advance for your responses to this initial audit survey and request that you begin preparing the enclosed list of documents and records for our agency's review.

Please feel free to reach out to our office directly if you have any questions or concerns.

Sincerely,



John B. Scott  
Texas Secretary of State

Encl.: 2020 Forensic Election Audit – Phase 2: Comprehensive Records Examination

# **2020 Forensic Election Audit**

## **Phase 2: Comprehensive Records Examination**

The purpose of this document is to outline the records and procedures that the Texas Secretary of State's office is reviewing for the forensic audit of the 2020 General Election in Collin, Dallas, Tarrant, and Harris counties. The specific review process for each category will be based on the county's response to the initial survey questions provided. Once the scope is established on a county-by-county basis, we will provide detailed documentation regarding the specific review of each applicable category.

We recognize that some counties may use different terminology for certain forms and procedures. The terminology used in this document is based on commonly used terms in the Texas Election Code and based on industry standards. To the extent that counties use different terminologies to describe the election materials and procedures used in the November 2020 General Election, county election officials will have the opportunity to provide an explanation in their responses ahead of our office's on-site visits.

### **Election Security**

**The following questions pertain to each county's election security measures. Please elaborate to the fullest extent possible in your responses:**

- Do you have badge-controlled access to your election office?
- Do you keep track of who enters into the office, especially sensitive areas?
- Are visitors escorted at all times?
- Do you keep track of who enters the ballot programming area? Are the number of people authorized to access the programming area limited?
- Did your county attend Texas Secretary of State webinars that discussed the [Election Security Toolkit](#)?
- Did your county create individual versions of all six documents that address the procedures in your county?
- If you did not complete all 6 documents, which of these did you complete?
  - Vendor Risk Management Policy (VRMP)
  - Continuity of Operations Plan (COOP)
  - Incident Response Plan (IRP)
  - Election Information Security Policy (EISP)
  - Election System Security Plan (ESSP)
  - Election Security Best Practices
- Does your county have an offsite version of the Election Security Toolkit in a printed or electronically stored format?
- Does your county have a segmented election network?
- Does your county have a next generation firewall?

- Does your county IT Department regularly patch and maintain the latest software version throughout the division?
- Does your county employ the Principle of Least Privilege?

## **Acceptance Testing Records if New Voting System was Used for the First Time**

**An examination of the following records will gauge the percentage of equipment that did not pass the acceptance testing and, therefore, was not operable during the November 2020 General Election:**

- Logs for each device tested
- Logs that show if a device did not function properly or had to be returned for vendor review or service

## **L&A Testing Records**

**An examination of the following documents and records will determine if the voting system accurately recorded the test voters' choices and therefore demonstrated that the voting system accurately recorded voters' ballot choices:**

- Public Notice of Logic and Accuracy (L&A) Test
- All test ballots voted in the election
- Tally Sheets
- Test Deck Records
- List of participants who voted test ballots
- Records showing test outcomes and if tests had to be repeated
- Testing media, including:
  - memory sticks
  - mobile ballot boxes (MBBs)
  - paper ballots used for L&A test voting and tabulation)
- All testing seals or other test materials

## **Election Preparation**

**An examination of the following documents and records will determine whether or not protocols to secure the voting system and ballot were followed to protect the integrity of the election:**

- List of Presiding Judges and Alternate Judges by Precinct and Party
- Notification of Election Training Program
- Ballot Programming: Please indicate whether your vendor programmed your ballot or if the ballot was programmed by in-house staff.
- Electronic Poll Books (EPBs) programming: Please indicate how your EPBs were programmed and at what intervals was the Official List of Registered Voters on the EPB updated.

## **Early Voting In Person**

**An examination of the following documents will provide a summary of all processes executed to conduct in-person Early Voting:**

- **Election Workers**
  - List of Early Voting Deputies, Alternate Deputies and Early Voting Clerks
  - Lists of Early Voting Workers who dropped out of the election, the date they dropped out and the names of the replacement workers
    - Please indicate the training that any emergency replacement workers received.
  - List of “no show” Early Voting workers
- **Documentation related to Ordering and Providing Notice of the Election**
  - Order of November General Election for State and County Officers (GESCO)
  - Location of the Main Early Voting Polling Place as noted on the Order of Election
  - List of Early Voting Branch Polling Places as noted on the Order of Election
  - Notice of General Election (copy of posted notice and publication)
    - Record for Posting Notice of Election if posted in this manner
- **Documentation for Ballot Corrections, if applicable**
  - Notice of Ballot Correction, if applicable
  - Notice of Ballot Destruction, if applicable
  - Record of Ballot Destruction, if applicable
  - Notice of Ballot Reprint Order, if applicable
- **Documentation for Tracking Ballots**
  - Register of Official Ballots for Early Voting at the Main Location (if ballots are pre-serialized, if not the number of ballot cards delivered)
  - Register of Official Ballots for Early Voting at a Branch Location (if ballots are pre-serialized, if not the number of ballot cards delivered)
- **Polling Place Paperwork**
  - Combination Forms for each day of Early Voting OR a report generated by the general custodian to accurately create a summary of all processes that were required to be executed as noted on paper Combination Forms
  - Daily Balancing Envelope or Report (contain copy of daily returns for Early Voting, to the extent possible)
  - Ballot Styles of voters who were given a ballot vs. how many votes of each ballot style should have been cast, based on voter registration precinct (this identifies when a voter is given the wrong ballot style)
  - Results Tapes/Suspend Reports
  - List of Declared Write-In Candidates for posting in the voting booth
  - Reasonable Impediment Declarations, if applicable
  - Statements of Residence, if applicable
  - Standard Affidavits

- Registration Omissions List
- **Other Information to be Reviewed**
  - List of Registered Voters that was used in the 2020 Presidential Election (electronic copy).
  - List of any Early Voting Site that had to be closed or changed according to county records
  - Signature Roster for Hand Delivery of a Ballot by Mail Forms (usually this process is only done only on Election Day, but the hand delivery period was extended only for the November 3, 2020 General Election)
- **Chain of Custody Paperwork**
  - Chain of Custody forms (Record of Early Voting Ballot Seals) that document the seals on the ballot boxes for each day of Early Voting
  - Chain of Custody delivery of equipment to voting sites (with seal numbers and equipment serial numbers noted) (signatures of persons who delivered equipment)
  - Chain of Custody of pickup of equipment from voting sites (with seal numbers and equipment serial numbers noted) (signatures of persons who picked up equipment)
  - Chain of Custody forms for when troubleshooters picked up completed forms from Early Voting sites for daily processing
  - List of Early Voting Daily seals for Provisional Secure Container
- **Voting System Equipment Management**
  - Trouble Logs and equipment replacement records
  - Troubleshooter visit logs
  - Equipment returned to vendor for technical support
  - Call Center Event/Complaint Logs
- **Poll Watcher Paperwork**
  - Poll Watcher Certificates of Appointment

## **Ballot by Mail – Early Voting**

**An examination of these documents and records will determine whether Early Voting by Mail was conducted in accordance with state and federal law:**

- Applications for Ballot by Mail (ABBM)s
- List of Annual ABBM Voters
- List of Declared Write-In Candidates
- Notices of Improper Delivery (and to whom they were sent)
- Emails from the county to voters regarding ABBM and Federal Post Card Application (FPCA) rejections
- Notices of Rejected ABBMs and reasons
- **Mail Ballot Cancellation Paperwork**
  - Request to Cancel a Ballot by Mail for Use in the Polling Place

- Request to Cancel a Ballot by Mail for Use in the Early Voting Clerk's Office
  - Notice of Denial of Request to Cancel Application for a Ballot by Mail
  - Notice of ABBM or FPCA Cancellation (Formerly Notice to Presiding Judge)
- **Ballot By Mail Forms**
    - A sample of the November 3, 2020 Special Ballot Envelope to demonstrate that the correct version was used
    - A sample of the November 3, 2020 Special Carrier Envelope to demonstrate that the correct version was used
    - Special Carrier Insert for an ABBM voter for November 3, 2020 Election to demonstrate that the correct version was used
- **Other Information to be Reviewed**
    - List of FPCA ballots transmitted by email to the voter
    - List of FPCAs that were physically mailed to the voter
    - List of Voters Mailed a Corrected Ballot, if applicable
      - Statistics of how many uncorrected ballots were returned and counted as well as how many corrected ballots were returned and counted, if applicable.
    - List of Voters who were required to complete and return a Statement of Residence with their Ballot by Mail
- **Special Early Voting Forms**
    - Restricted Ballot Rosters for Chapter 112, 113 and 114 Ballots
    - Poll List of Voters Voting a Limited Ballot by Personal Appearance
    - Applications for a Limited Ballot
    - Notice to Voter Registrar of Application for a Presidential Ballot
    - Applications for an Emergency Early Voting Ballot Due to Sickness or Physical Disability
    - Applications for Emergency Ballot Due to Death in the Family
    - List of persons who voted on a space flight, if any

## **Election Day**

**An examination of the following documents and records from voting sites will determine if election officials followed proper chain of custody procedures, produce documentation of the chain of custody of ballots and election materials, and determine whether all state and federal laws were followed:**

### **Election Workers**

- Final List of Election Day Polling Places
- List of Presiding Judges and Alternate Judges by Precinct and Party
- Order of Appointment of Election Judges and Alternates
- Notifications of Appointment as Election Judge
- Writs of Election for the General Election for State and County Officers

- List of emergency appointments for Election Day Workers
- Lists of Election Day Workers who dropped out of the election, the date they dropped out and the names of the replacement workers.
  - Please indicate the training that any emergency replacement workers received.
- List of “no show” workers on Election Day

## **Election Day Forms**

- Combination Forms for election day OR a report generated by the general custodian to accurately create a summary of all processes that were required to be executed as noted on paper Combination Forms
- Ballot Styles of voters who were given a ballot vs. how many votes of each ballot style should have been cast based on voter registration precinct (this identifies when a voter is given the wrong ballot style)
- Results Tapes/Suspend Reports
- List of Declared Write-In Candidates for posting in the voting booth
- Reasonable Impediment Declarations, if needed
- Statements of Residence, if needed
- Standard Affidavits
- Registration Omissions List
- Envelope Containing Spoiled Ballots with the Register of Spoiled Ballots
- Defectively Printed Ballots
- Ballot by Mail Cancellation Requests attached to the surrendered ballots
- Register of Official Ballots for each Polling Place or the Combined Ballot and Seal Certificate and Official Ballot Register
- Ballot and Seal Certificates by Polling Location or the Combined Ballot and Seal Certificate and Official Ballot Register
- Applications to Cancel a Ballot by Mail for Use in the Polling Place

## **Chain of Custody Paperwork**

- Chain of Custody delivery of equipment to voting sites (with seal numbers and equipment serial numbers noted) (signatures of persons who delivered equipment)
- Chain of custody of pickup of equipment from voting sites (with seal numbers and equipment serial numbers noted) (signatures of persons who picked up equipment)
- Chain of custody forms for when troubleshooters picked up completed forms from Election Day sites for processing (if performed on Election Day)
- List of seals put on equipment for Election Day, including:
  - Those put on at elections office in the morning; and
  - Those put on by Presiding Judge at the polling place in the evening when voting has concluded

## **Election Day Notices**

- Notices of Consolidated Precincts and records of which staff member posted the notices at the various sites, if any

- Record for Posting Notice of Election if posted in this manner
- Notices of Previous Precinct and records of which staff member posted the notices at the various sites, if any
- Notices of Four Nearest Countywide Polling Places and records of which staff member posted the notices at the various sites, if any

### **Additional Items for Consideration**

- All sign-out sheets for those picking up supplies for Election Day.
  - Please indicate who picked up supplies for Election Day.
- List of any Election Day Site that had to be closed or changed and the reason for the closure or change
- Trouble Logs and equipment replacement records
- Names of individuals who returned supplies to the Receiving Substation/Central Receiving Station
- Names of individuals who received the supplies into his or her custody when the supplies were returned by election workers

### **Provisional Ballots**

**An examination of the Provisional Forms will determine if voters' provisional ballots were accepted or rejected according to the law, as well as determine the percentage of provisional ballots accepted vs. rejected:**

- Affidavits of Provisional Voter
- Early Voting List of Provisional Voters
- Election Day List of Provisional Voters
- Summary of Provisional Ballots
- List of Seals for Provisional Secure Containers for Early Voting and chain of custody forms where they were documented
- List of Seals for Provisional Secure Containers for Election Day and chain of custody forms where they were documented
- Notice of Delivery of Provisional Ballots – To Voter Registrar on Election Night
- List of Rejected Provisional Ballots and reason
- Number of Provisional Ballots cured for lack of ID
- Verification of Provisional Ballots and Seal Numbers
- Review Notices of Outcome to Provisional Voter
  - Number of provisional ballots accepted
  - Number of provisional ballots rejected
- Breakdown of percentage of Provisional Ballots counted and rejected

### **Signature Verification Committee**

**An examination of the following documents related to the Signature Verification Committee (SVC) will determine whether there was party balance on the Committee and who was responsible for the processes of accepting and rejecting signatures:**

- Order Calling for Signature Verification Committee – date posted
- Notification of Appointed Members to SVC
- Notice of Appointment of SVC
- Chain of custody forms when ballots were transmitted to Central Counting Station from SVC
- Poll Watcher Certificates of Appointment for SVC

## **Early Voting Ballot Board**

**An examination of the following documents related to the Early Voting Ballot Board (EVBB) will determine whether there was party balance and properly review adjudications, acceptances and rejections, as well as who was responsible for those processes:**

- Order for EVBB
- Notice of Convening of EVBB
- Notification of members appointed to the EVBB
- Notice of appointment of the EVBB
- Notice of delivery of balloting materials to the EVBB (Receipt of Sealed Early Voting Ballot Boxes)
- Chain of Custody forms when ballots were delivered to the EVBB
- Samples of Notice of Rejected Ballot by Mail and reasons for rejection
- Samples of Notice of Rejected FPCAs Carriers and reasons for rejection
- Poll Watcher Certificates of Appointment

## **Central Counting Station**

**An examination of these documents will determine whether the Central Counting Station (CCS) Plan was followed along with all applicable laws and procedures, and whether proper Chain of Custody procedures for voted ballots were followed:**

- Central Counting Station Plan
  - Please indicate whether it posted 5 days before Election Day, as required by law.
- Public Notice of Test of Automatic Tabulating Equipment
- Certification of First Test of Automated Tabulating Equipment
- Oaths for Early Voting Ballot Board and Central Counting Station Personnel
- Chain of Custody documents related to the transmittal of ballots to the CCS from Election Day polling places, Early Voting Clerk's storage, or Early Voting Ballot Board.

## **Partial Manual Count Records**

**An examination of these documents and records will determine whether the Partial Manual Count was performed according to the law, as well as who performed the count:**

- All records associated with the post-election Partial Manual Count
  - Please indicate who performed the partial manual count.
- Record of the Partial Manual Count results submitted to the Texas Secretary of State's office
- Poll Watcher Certificates of Appointment, if any

## **Post-Election and Canvass Records**

**An examination of these documents will determine whether certification of election results was conducted properly and whether proper documentation to support the official results was provided:**

- Canvass of the General Election
- Summary of Precinct Returns
- Canvass reports by official in charge of certifying results
- Records of any recounts requested and performed after the election
- Records related to any election contests filed

## **Records Retention**

**An examination of these documents and records will determine whether Chain of Custody of records was maintained, and whether officials properly followed the 1<sup>st</sup> to 60<sup>th</sup> day rule and the 61<sup>st</sup> day to 22-month retention rule. If records must be opened, please supply a copy of the court order:**

- Records of seal numbers put on and taken off records when the initial 60-day period for records retention ended
- Record of seals that were placed on the ballots and other materials on the 61<sup>st</sup> day for the remainder of the 22-month record retention period
  - Please indicate whether records were stored in a locked in a surveilled room.
- Please indicate whether county officials keep a log of anyone accessing the room where the records/ballots are stored.
- Please indicate whether any court order necessitated the unsealing of the records.
  - Provide a copy of any court order requesting opening of the records.

## **Central Counting Station Test Records**

**An examination of these records will validate the test procedures that were performed before and after counting on the automatic tabulating equipment:**

- Central Counting Station (CCS) Plan
- Certification of 1<sup>st</sup> test of automated tabulating equipment
- Records from 2<sup>nd</sup> Logic and Accuracy (L&A) test before ballots are counted in the CCS
- Certification of the 3<sup>rd</sup> L&A test after ballots were counted at the Central Counting Station
- Records indicating whether there was a + or – 4 ballots tabulated that necessitated a recounting of ballots at the CCS
- Copy of final reports (unofficial results, precinct returns) signed by the presiding judge of the CCS

## **Training Materials**

**An examination of these materials will determine whether poll workers were trained according to all state and federal laws and procedures. Examining the training materials allows auditors to know if the poll workers were instructed to perform their duties accurately:**

- Manuals, PowerPoint presentations, materials that were used in poll worker training and sent to the field
- An example of the forms kit that was deployed to the field, if possible
- Training attendance records, including in-person and online training

## **General**

Any video surveillance records that were recorded from the time the election was ordered until the canvass was completed.

## **Additional Audit Compliance Questions**

1. Are any of your election materials that are required for the audit, stored at facility not under your control?
2. How quickly could you access the materials from the storage vendor?
3. Will it take longer than one month to locate and have your records ready for examination?
4. Do you still have the same voting systems as when your county conducted the 2020 Presidential Election?
5. Of the records listed in the Audit requirements, please specify which are electronically stored and which are physical copies.
6. Are there any records that you may not be able to produce? If so, why?
7. Are there any permanent staff members who have left your office since the Presidential Election? Please give names and job duties.

# Chain Of Custody Best Practices

Election Law Seminar  
August 2021



# Chain of Custody

- Presentation by Alexa Buxkemper
- Election Security Trainer
- Secretary of State's Office for 2 Years
- Former Poll Worker in Travis County – 22 years
- Travis County Election Office Staff – 13 Years
- C.E.R.A. Certification 2009

# Chain of Custody

Chronological documentation or paper trail that records the sequence of packaging, **custody**, control, transportation, transfer, analysis, storage and disposition of physical or electronic evidence

In the Elections World...

- Chain of Cust**today**



# Chain of Custoday

- CUSTODAY – Where is it right now, Today!!!
  - Who is in possession?
  - Are Election Workers documenting seals?
  - Did each worker say the Oath aloud and sign it?
  - Who is watching the ballot box?
  - Are all forms being completed to document the transfer, storage and disposition of ballots, equipment and records?
  - Do you know where your chain of custoday documents are after the election?

# Chain of Custody Overview

- Topics covered:
- Physical Election Security – In office, Polling Place
- Ballot Programming – In House vs. Vendor Programming
- Logic and Accuracy Testing
- Supply Pick Up and Delivery of Equipment
- Un-voted Ballots
- Seals and Tracking
- Voted Ballots
- Return of Voted Ballots, Records and Equipment
- Electronic Media
- Records Management



# Physical Security in Office

- Background Checks must be conducted on staff working with the voting system
  - 129.051(g)
  - Voting System Advisory 2019-23
- Consider conducting background checks on all staff and temporary workers
- Employees should wear identification badges at all times
- Locked areas with restricted access/badge controlled access
  - Vault for Ballot by Mail
  - Secure area for storing voted ballots and records during the retention period
  - If storage room is shared with other county departments, consider moving or cordoning off the election equipment.
- Visitor Logs
- Escort visitors at all times

# Ballot Programming

## In-House Programming

- Limit the number of people who have access to the ballot programming computer and software
- Secure the ballot programming computer in a locked and secured room that requires a special security code to enter or create a log that tracks who entered and when
- Whenever the ballot is being programmed, make sure two individuals are present at all times to ensure security
- Where will the programmed media be stored before being placed in voting equipment or before ballots are sent to the printer
- The general custodian...shall create a procedure for tracking the custody of voting system equipment once the parameters are loaded
  - 129.051

# Ballot Programming

## Vendor Programming

- Your vendor's practices are part of the chain of custody
- Ask your vendor what security measures are in place to keep the ballot secure
- Will your programmed ballot information be submitted to you by secure means? – Encrypted email or in a sealed pouch via Fed Ex or other carrier
- Develop a Vendor Risk Management Policy (Election Security Toolkit)
  - When signing a contract with your vendor, write policies specific to your county in the contract so that you can control the security measures
- Require a drop dead date that the programmed ballot must be received from your vendor

# Logic and Accuracy Testing

- Ballot must be proofed and tested no matter who programmed it
- Entity Proofing – Have entities come and proof their own language
  - Have entity representative acknowledge that the language is correct by signing an approval sheet – Contains printed name and signature
- Logic and Accuracy Testing
  - Proofing L&A
    - Make corrections to ballot before public test
    - Get entity's approval if correction to entity's ballot language
  - Public L&A
- Each team of testers should sign off on the L&A testing batch sheet
  - Chapter 129.023
- We recommend that you complete the above L&A tests prior to the deadline for mailing FPCA ballots
- Ensure that test materials sealed and documented by two people
- Central Counting Station L&A on election night



# Supply Pick Up

- When Election Workers pick up supplies, document every piece of equipment taken by the worker.
  - Include asset tag numbers
  - Create a scan out, scan-in system if you have the capability
- Preprint the name of the person designated to pick up supplies on the transfer of custody sheet
  - Ask your judges to call ahead if they intend to designate someone else to pick up supplies
  - It must be an election worker in the polling place
- Require the signature and a printed name of the person picking up
- Chance to do one more quality assurance check to make sure all equipment that is supposed to be deployed is present

# Delivery of Equipment to the Polling Place

- Design a Delivery Sheet that accompanies the voting equipment
  - All relevant information should be on the sheet so delivery workers know where to go
    - Name and Number of Polling Location
    - How many pieces of equipment
    - Places for those delivering the equipment to sign
    - Place for the name of the person accepting the delivery
    - Information about where the equipment will be stored
    - A section for notes
  - The person who accepts the delivery must sign the Delivery Sheet
  - The place where the voting equipment is being stored before the election must be documented on the sheet
  - Write down any special instructions to be followed on the first day of Early Voting or on Election Day.



# Unvoted Ballots

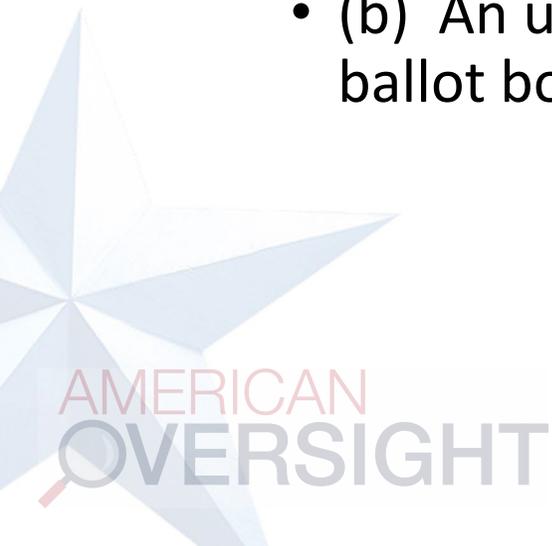
- Authority responsible for distributing election supplies shall package and seal each set of ballots before their distribution and shall mark the package with the number of ballots enclosed and the range of serial numbers. If the authority conducting is the Early Voting Clerk ballots allocated for EV need not be packaged this way.
  - Sec. 51.006
- The authority responsible for distributing supplies shall prepare a record of the number of ballots and the range of serial numbers to be distributed to each presiding judge and the early voting clerk. The record of the serial numbers shall be preserved for the period of preserving election records (22 months)
  - Sec. 51.007

# Unvoted Ballots

- Many forms in our catalog track information about the official ballot
  - Programming or Printing – Registration of Printers and Vendors (51.013)
    - Only required for Primary and GESCO
  - At a voting site – Record of Ballot Distribution (51.007), Ballot Seal (51.006)
  - In reserve
  - Corrected – Notice of Ballot Correction (52.0061)
  - Destroyed – Notice of Destruction of Ballots, Record of Ballot Destruction (52.0064)
  - Redistributed from Original Location – Record of Ballot Distribution(51.007)
  - Needed to print more ballots – Notice of Ballot Reprint Order (52.0063)

# Unvoted Ballots

- Unvoted ballots must be examined by the Deputy Early Voting Clerk (EV) or Presiding Judge (EDay)
  - Sec. 62.007 - Examining Ballots
  - (a) An election officer shall unseal the ballot package, remove the ballots, and examine them to determine whether they are properly numbered and printed
  - (b) An unnumbered or otherwise defectively printed ballot shall be placed in ballot box no. 4



# Seals

- Prevent tampering
- Show evidence of tampering
- Seal Numbers should be assigned and tracked
- Require verification from 2 people
- Signatures of verifiers should be preserved
- Seals must be retained for record keeping
- Place broken seals in the Seal Assignment Envelope

# Seals







## Seal Assignment Envelopes - EV

- Seals are applied at the elections office and recorded on the Seal Assignment Envelope
  - Empty envelope is sent to the polling place for the first day of EV
- Two election workers should verify that the numbers of the seals put on at the elections office match the envelope and that all equipment was securely sealed before opening the polling place
- After verification, break the seals and place them in the Seal Assignment Envelope for retention with the other records collected throughout the day's voting.
- Provide an envelope that contains the unused seals for each day of Early Voting
  - Each day the seals are put on by the Deputy and Clerks when closing and must be verified the next morning
  - Broken seals should be placed in the envelope for records retention
- Leave the envelope in a place where the morning crew can easily find it and verify that the seals are still intact and that the numbers match those listed on the envelope from the night before



## Seal Assignment Envelopes - EV

- Provide spaces for the persons verifying the seals to sign and a place for their printed names.
- Have seal numbers preprinted or handwritten on the envelope so there isn't any guessing on the numbers
  - Doesn't matter which day the envelope is used in EV as long as the same seals are still intact the following morning
- Creating the envelope is really easy
  - Some counties may have software to scan the seals so they automatically populate the envelope
  - If your office handwrites the numbers, that's okay too
- Train your workers on this procedure



Early Voting Seal Assignment Envelope		
Early Voting First Day Seals	November 2, 2021	Constitutional Amendment Election
EV (33) Dennis Lay Elementary School	Date of Voting:	Location Code:33

**Instructions:**

1. The Deputy and the Alternate Deputy or Clerk verify that all seals numbers on the equipment match the numbers listed on this envelope.
2. Upon verification, the Deputy and the Alternate Deputy or Clerk must sign the envelope below.
3. If any of the seals numbers do not match, call the Elections Office immediately at 512-555-1212.
4. Place the broken seals in this envelope after removal from the voting equipment.

ES&S Clamshell Seal Number	Deputy Signature	Alt Deputy or Clerk Signature
1200651		

Emergency Compartment Seal Number:	Deputy Signature	Alt. Deputy or Clerk Signature
1200629		

Main Compartment Seal Number:	Deputy Signature	Alt. Deputy or Clerk Signature
1200630		

\_\_\_\_\_  
Printed Name of Deputy

\_\_\_\_\_  
Printed Name of Alt. Deputy or Clerk

File this envelope in the paperwork transfer bag.

If you have any questions, please call the Elections Office at 512-555-1212.



# Seal Assignment Envelopes - EDay

- Seals are applied at the elections office and recorded on the Seal Assignment Envelope
  - Empty envelope is sent to the polling place
- The seals are verified by two election workers when opening the polls and the broken seals are placed in the empty Seal Assignment Envelope
  - File the envelope with all other election paperwork
- Provide a Seal Assignment Envelope that contains the seals that will be placed on the equipment at the conclusion of voting
- Instruct your workers to place the seals on the equipment and document the numbers on the envelope/verify the preprinted numbers
- Now the equipment is ready for transport
- Train your workers on this procedure



# Physical Security in the Polling Place

- The Election Judge is responsible for making the polling place secure
  - 62.001(b)
- Election workers swear an oath to safeguard the election
  - Oaths put a heavy legal emphasis on the procedures so that those repeating the oaths aloud understand the gravity of their promises
- Election workers are required to wear identification
  - This clearly shows who is vested with the authority in the polling place
- Presiding Judge commits an offense if the judge fails to prevent a person from handling a ballot box containing marked ballots or provisional ballots in an unauthorized manner. (61.005(c))



# Physical Security in the Polling Place

- The Election Judge should limit voter access points to the polling place and make sure the voting area is in view of election officers, watchers and persons waiting to vote

- 62.004 (1)(2)



- Work closely with the persons in charge of the site so the site knows what areas the judge plans to block off, if any
- Election Judge should prohibit entry by those not there to vote
  - Children under 18 may accompany their parents into a polling location and into the voting booth (64.002(b))
- The ballots, ballot boxes, and envelopes used for provisional ballots at a polling place shall be in plain view of at least one election officer from the time the polls open for voting until the precinct returns have been certified. (61.005(b))

# Voted Ballots

- Serial Numbers on all ballots
- The Early Voting Clerk must initial and the EDay Judge must sign the back of all official ballots (stamp still okay)
- Indelible instrument used to mark the ballot
- Placed in an opaque, locked and sealed container once voted
- Ballot box and Provisional Ballot container must be kept in view at all times
- Use Register of Official Ballots
- Account for defectively printed, spoiled ballots and thrown out ballots
- The key to the ballot box #3 shall be delivered to an authority whose name is not on the ballot

• 85.032 – EV

• 66.060 - EDay



# Voted Ballots

- Ballot boxes are sealed to prevent unauthorized deposit and must be sealed at all times when in transport or awaiting counting
- Electronic Controllers should be sealed and locked where the drives are stored
- Voted ballots or drives should be returned to the custodian by the Election Judge  
A Clerk may be designated, but two people are recommended.
  - Must be an election worker from the polling place
- Paper Provisional Ballots must be deposited in a secure container NOT AN ENVELOPE
- Ballots must be locked in their boxes for 60 days and then transferred to a secure container
- DREs-The ballot card containing votes must be labeled, locked and secured in the same manner as paper ballots for the 60 days and then transferred to a secure container on the 61<sup>st</sup> day

# Unlawfully Divulging a Vote

## Revealing Information Before the Polls Close

- A person commits an offense if the person was in the polling place for any other reason than voting and knowingly communicates to another person information that the person obtained in the polling place about how a voter has voted
  - Sec.61.006(a)
- A election officer, poll watcher or person serving at the polling place in an official capacity commits an offense if, before the polls close or the last voter has voted, whichever is later, the person reveals:
  - The number of votes that have been received for a candidate or for or against a measure;
  - A candidate's position relative to other candidates in the tabulation of votes;
  - Whether a measure is passing or failing;
  - The names of persons who have or have not voted in the election
    - Sec. 61.007(a)



# Return of Ballots and Records to the County

- Have 2 people return the voted ballots, records and equipment to the elections office or receiving substation
  - Code says only one person is required, but as a best practice, use two people
  - Presiding Judge can delegate to a Clerk, but the Judge is preferred
- Collect voted ballots, paperwork and equipment
  - Scan in equipment using asset tags or check in manually
  - Verify all required paperwork is present and in the appropriate envelopes
  - Ask the Judge questions if any
  - Provide the Judge a copy of your county's paperwork showing that all ballots, records and equipment were returned and the time received
    - Receipt of Voting Materials
    - Contains signature of the County's Representative and the Presiding Judge

# Central Counting Station

- A Central Counting Station Plan must be written and available for public inspection 5 days before the election
  - 127.007
- Creating a tracking system to ensure that all polling locations have arrived with the voted ballots, records and equipment is essential to a secure election
- Account for all polling locations as Judges drop off ballots and supplies
  - Make a master spreadsheet of all polling locations
  - If using one or more receiving substations, make sure that each RSS has its own spreadsheet
  - Note arrival times
  - Note time when votes are fully counted
  - If a precinct's returns must be reviewed, note that as well
- The counting can't stop until all polling locations' ballots are counted 😊

# Electronic Media

- Removable Storage Media – Chapter 129
  - Tracking electronic storage media at all times - Sec. 129.051
  - Securing the storage or programming media before and after it is installed into the BMD or DRE or precinct ballot scanner
  - Removing the storage media after voting has concluded and securing it before and after counting
  - Procedures for clearing the memory of the storage media
  - Securing the storage media after the election and while it is not in use
    - Whenever a transfer of custody occurs, two or more individuals are required to perform a check and verification check
- Review SOS Advisory 2019-23
  - In depth guidance from SOS about storage media as it moves through the election cycle

# Records Management

- Make a Records Management Plan and put it in writing
- As you prepare to store your records...
  - Think about a filing or numbering system for your records not just the election name
  - If you are using pallets, record the pallet and box number.
  - Label each box with “Number 1 of \_\_\_\_\_”
  - Label each box with a detailed list of its contents
  - Create a spreadsheet so you know exactly which box has which records so you don’t have to search through boxes
  - Especially important if you are using a company to store records on your behalf
- It does take time, but I think you will find that it’s worth the effort



## Some Things to Consider

- All links in the chain of custody must be documented so we know who *“handled our rights”*
- If your current chain of custody documents only ask for initials, consider updating so that full printed names AND signatures are required.
- If only one person has been signing the chain of custody forms, we recommend that two people always perform the check and verification check
  - Election Security Best Practices Guide (Election Security Toolkit)
- Implement two person ballot and records drop off, if possible
  - Poll workers can ride in separate cars following each other
- If you don't have certain processes in place, consider adding them
  - Seal Assignment Envelopes
  - Making a Records Management Plan
  - Receipt of Voting Materials



# Chain of Custody = Security and Transparency

- The whereabouts of all things “Election” must be known at all times
  - Voting equipment
  - Removable media
- Know where the chain of custody forms are at all times
  - Label your records management boxes with a form on the outside that lists exactly what is in the box.
  - List the election date and the contents
- If you are thinking of tracking certain documents electronically, be sure to get our approval first
- Following the chain of custody procedures safeguards the election
- If all procedures were followed, an election contest will be easier to withstand

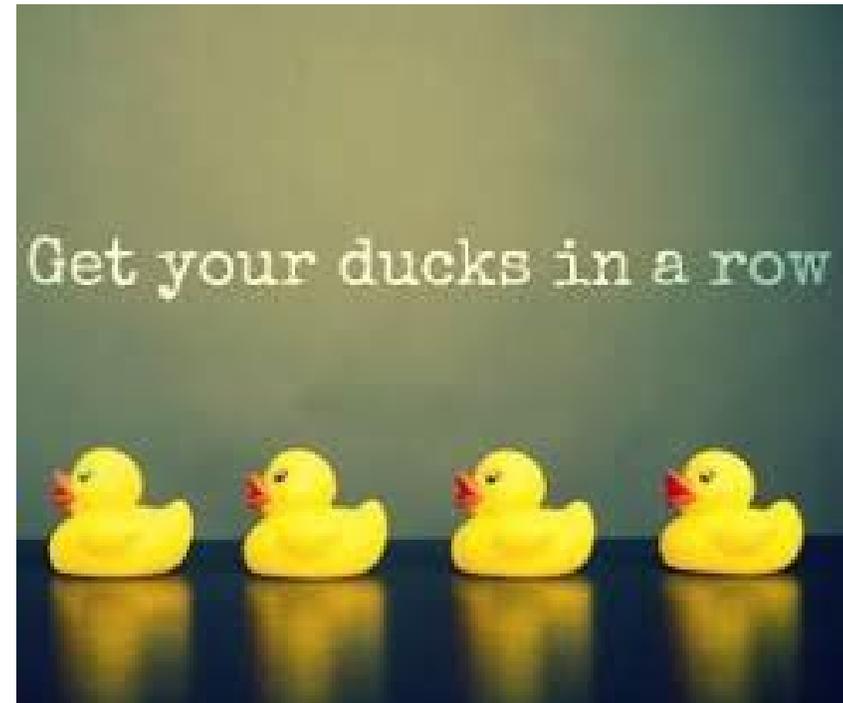
## What Chain of Custody, Really?

- Chain of Custody is not just a conglomeration of mundane policies, procedures and tracking
- Chain of Custody is a mechanism for safeguarding the elections process and voters' rights
- If anyone questions the integrity of the voting process, proper chain of custody documentation can prove there were safeguards all along the way.
- If there was a break in the chain, it should be able to be discovered
- Chain of Custody procedures and documents can and should be reviewed and improved at regular intervals
- Especially important as many counties move to paper-based systems



# Importance in our Current Climate

- Election Security is foremost in people's minds today
- Increased scrutiny of elections
- Make sure all your ducks are in a row
- Store records properly
- Be neat and organized
- Be ready to produce your paperwork
- If you leave your job, do you have written policies in place to aid your successor???



# Questions?

[elections@sos.texas.gov](mailto:elections@sos.texas.gov)



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**From:** Yvonne Ramon <yvonne.ramon@co.hidalgo.tx.us>  
**Sent:** Monday, November 22, 2021 11:18 AM  
**To:** Keith Ingram; Christina Adkins  
**Subject:** Election Audit Division

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Good morning, Keith and Christina,

Now that you know that 4 million dollars will go into creating the new Election Audit Division within your department, will you be able to tell us how much is left over to send counties that qualify for the 100% reimbursement for the retrofit of the election equipment?

I don't know what else to tell my budget director as we prepare to pay for the additional cost associated with the complete conversion. We will be ready to use our converted equipment during the primary of 2022, so our window is quite small.

Thank you in advance for any updated information you can provide.

Respectfully,

***Yvonne Ramón, CERA, REO***

**Elections Administrator**

**County of Hidalgo**

**(956) 318-2570**

---

**From:** Keith Ingram  
**Sent:** Tuesday, December 21, 2021 2:21 PM  
**To:** Adam Bitter; Sam Taylor; Joe Esparza  
**Subject:** FW: Collin County Response to Secretary Scott's Initial Audit Survey  
**Attachments:** Initial Audit Survey\_20211217.docx

---

**From:** Bruce Sherbet <bsherbet@co.collin.tx.us>  
**Sent:** Tuesday, December 21, 2021 12:17 PM  
**To:** Christina Adkins <CAdkins@sos.texas.gov>; Keith Ingram <KIngram@sos.texas.gov>  
**Subject:** Collin County Response to Secretary Scott's Initial Audit Survey

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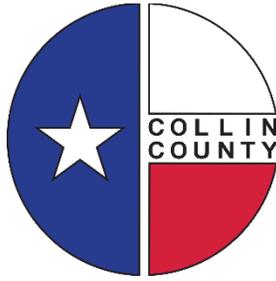
Christina and Keith,

Attached is the Collin County response to Secretary Scott's initial audit survey. Please let me know if I need to clarify or furnish additional information to my survey responses.

Thank you,

Bruce Sherbet  
Elections Administrator  
Collin County Elections  
2010 Redbud Blvd., Ste 102  
McKinney, TX 75069  
972-547-1900

**Bruce Sherbet**  
**Elections Administrator**



**2010 Redbud Blvd. Ste 102**  
**McKinney, Texas 75069**  
**972-547-1990 / 800-687-8546**  
**972-424-1460 Ext 1990 Metro**  
**Fax 972-547-1914**

December 21, 2021

John B. Scott  
Secretary of State  
State of Texas  
P.O. Box 12060  
Austin, TX 78711-2060

RE: Initial Audit Survey

Dear Secretary Scott,

Thank you so much for reaching out to our office, and also for your kind words in regards to the transparency in the election process that we strive for here in Collin County. With every passing election we become more efficient and adept in what we are asked to do as an election department in the great State of Texas. It is our hope that through this audit process our hard work and dedication to transparency is evident in the findings and documentation that we are able to provide to you.

As requested in your previous letter (dated December 10, 2021), the following are the responses of the Collin County Election Department to the initial audit survey that was contained within said letter. We hope that the information provided below helps guide you into Phase 2 of this audit. The following are our responses:

- **A list of Early Voting or Election Day polling locations that had a discrepancy of one percent or more between the number of voters that checked in to the number of votes cast at that location.**

We had no locations that had a 1% discrepancy between the number of voters that checked in to the number of votes cast at that location.

- **Whether any voting sites were closed or added due to an emergency or other necessity**

We had no voting sites that were closed or added due to an emergency during the November 2020 General and Special Election.

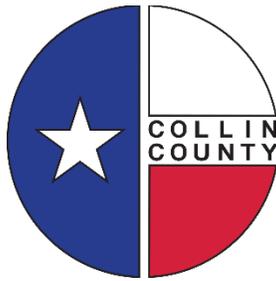
- **Any known procedural or chain of custody defects**

Looking back on the November 2020 General and Special Election we can acknowledge some defects in our chain of custody process that was in play then. It is important to note that we are constantly enhancing our processes to become more efficient each election. An area of deficiency that we noticed from the November 2020 election was the tracking of full ballot boxes as they moved from a polling location to our office. We were able to indicate what location a full ballot box came from, however, there was some uncertainty about what specific tabulator the box was in at the location. Some of our larger locations had multiple DS200s, adding a level of difficulty in tracking this information. We have since changed how we track each piece of equipment that we have at each location by adding serialized barcodes to all hardware devices. These barcodes were also added to location tabulator USB/media sticks, which we noticed was another deficiency in our process. We now know specifically what USB/media stick went into each device pre-delivery and tabulation instead of the backend of the process. These changes have enhanced our security and chain of custody moving forward.

- **Any other issues discovered that you would like to disclose now that may be relevant to our audit process**

There are no other issues that we have discovered that may be relevant to the Secretary of State's audit process.

**Bruce Sherbet**  
**Elections Administrator**



**2010 Redbud Blvd. Ste 102**  
**McKinney, Texas 75069**  
**972-547-1990 / 800-687-8546**  
**972-424-1460 Ext 1990 Metro**  
**Fax 972-547-1914**

- **A list of complaints received and resolved, with a description of any known investigative steps or known resolution.**

Below is a list of complaints received by the Collin County Election Department during the November 2020 General and Special Elections. For more detailed information regarding these complaints, please refer to the attached PDF titled “November 2020 General and Special Election Complaints – Compiled”, which is document containing the scanned images of these complaints, including some of the resolutions of the complaints.

- **BBM Complaints**
  - Dr. Elvira White-Lewis
  - Joseph Michael Phillips
  - Kennedy Pickering
  - Michael and Marsha Santarcangelo
  - Nate Fox
  - Rita and Carl Fischer
- Curbside Voting Complaint – David Spangler
- Election Complaint Filed with SOS - Alemtsehay Bayyan
- J. Springfield Response to B. Brown RE Alleged Voter Fraud-10-14-21
- Notice of Outcome to Provisional Voter-Brianna Jones
- Polling Place Complaints
  - McKinney Fire Station #5
  - Parr Library
  - Patrick Dalrymple
  - Richardson Office Complex
- Polling Place Procedure Complaint - Joy Bergmann
- Rejected Provisional-Ramiro Edgar Ojeda Garcia
- State of Texas vs. Fred Lusk - 11-3-20
- Voter Registration Complaint - Judy Cote
- Voting Concerns - Scot Bontrager
- Voting Machine Complaint - Joanne Summit
- Election results and voting equipment certification question
- **A detailed accounting of the following:**
  - **Total Early Voting Ballots by Mail Requested**
    - 43,931 Early Voting Mail Ballots requested
  - **Total Early Voting Ballots by Mail Sent out**
    - 43,814 Early Voting Mail Ballots sent out
  - **Total Early Voting Ballots requested by FPCA**
    - 3,581 Early Voting Mail Ballots requested by FPCA
  - **Breakdown of Early Voting Ballots by Mail accepted/rejected**
    - 35,650 Early Voting Mail Ballots accepted
    - 27 Early Voting Mail Ballots rejected
  - **Total number of mail ballot voters that cancelled their mail ballot without surrendering the mailed ballot and voted in person**
    - 2,393 voters did not surrender their mail ballots and voted in person during Early Voting
    - 81 voters did not surrender their mail ballots and voted in person on Election Day
    - A total of 2,474 voters did not surrender their mail ballots and voted in person during the November 2020 General and Special Election

**Bruce Sherbet**  
**Elections Administrator**



**2010 Redbud Blvd. Ste 102**  
**McKinney, Texas 75069**  
**972-547-1990 / 800-687-8546**  
**972-424-1460 Ext 1990 Metro**  
**Fax 972-547-1914**

- **Total number of mail ballot voters that surrendered their mail ballot and voted in person**
  - 4,764 mail ballot voters surrendered their mail ballot and voted in person during Early Voting
  - 68 mail ballot voters surrendered their mail ballot and voted in person on Election Day
  - A total of 4,832 mail ballot voters surrendered their mail ballot and voted in person during the November 2020 General and Special Election
  
- **A detailed accounting of the following:**
  - **Total Number of Provisional Votes Cast**
    - 4,162 Provisional Ballots were cast during Early Voting
    - 2,087 Provisional Ballots were cast on Election Day
    - A total of 6,249 Provisional Ballots were cast during the November 2020 General and Special Election
  - **A list of Provisional Voters by reason for voting provisionally**
    - A list and Provisional Ballot voters report in PDF and Excel formats titled “20201103\_Provisional Ballot Tracking” have been included with this letter. Please review this document for more information.
  - **Total Number of Provisional Votes cast for voters lacking ID**
    - 10 Provisional Ballots cast for voters lacking ID during Early Voting
    - 10 Provisional Ballots cast for voters lacking ID on Election Day
    - A total of 20 Provisional Ballots cast for voters lacking ID during the November 2020 General and Special Election
  - **Total number of Provisional Voted Accepted/Rejected**
    - 2,725 Provisional Ballots cast during Early Voting were accepted
    - 1,437 Provisional Ballots cast during Early Voting were rejected
    - 225 Provisional Ballots cast on Election Day were accepted
    - 1,862 Provisional Ballots cast on Election Day were rejected
    - A total of 2,950 Provisional Ballots cast during the November 2020 General and Special Election were accepted
    - A total of 3,299 Provisional Ballots cast during the November 2020 General and Special Election were rejected
  
- **List of entities that conducted recounts or had election contests**

There were no entities that conducted recounts or had election contests from the results of the November 2020 General and Special Election.

If you require any further explanation for any of the responses listed above, please feel to reach out to me or anyone in our office. We are happy to provide any assistance that we can as we all navigate our way through these difficult and trying times. We look forward to hearing from you and working with you all during this endeavor.

Sincerely,

Bruce Sherbet  
Elections Administrator  
Collin County Elections  
(972) 547-1900

---

**From:** Christina Adkins  
**Sent:** Friday, September 24, 2021 11:13 AM  
**To:** Keith Ingram; Adam Bitter  
**Subject:** FW: Election code for the forensic audits

FYI

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**From:** Grace Chimene <[REDACTED]>  
**Sent:** Friday, September 24, 2021 11:05 AM  
**To:** Christina Adkins <CAAdkins@sos.texas.gov>  
**Subject:** Election code for the forensic audits

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Christina,  
Can you share the election code allowing the SOS to perform a forensic audit?  
Do you know if this audit has to do with a new law from the regular session? If so please share the law.

--  
Grace Chimene (she/her)  
President, League of Women Voters of Texas  
[REDACTED]  
[LWVTexas.org](http://LWVTexas.org) & [VOTE411.org](http://VOTE411.org)  
512-940-9948

*Empowering Voters. Defending Democracy*

---

**From:** Christina Adkins  
**Sent:** Friday, December 10, 2021 4:34 PM  
**To:** Elec Legal  
**Subject:** FW: Letter from Secretary Scott  
**Attachments:** Texas Secretary of State Letter\_Full Forensic Audit\_Phase 2.pdf

**Sensitivity:** Personal

This was just sent out. There will be news release that goes out later today with a link to this document. I'll forward you the release as soon as I get it.

---

**From:** Christina Adkins  
**Sent:** Friday, December 10, 2021 4:32 PM  
**To:** Collin - Bruce Sherbet (bsherbet@co.collin.tx.us) <bsherbet@co.collin.tx.us>; Dallas - Michael J. Scarpello (michael.scarpello@dallascounty.org) <michael.scarpello@dallascounty.org>; Heider I. Garcia <HIGarcia@tarrantcounty.com>; Harris - Isabel Longoria (Isabel.Longoria@vote.hctx.net) <Isabel.Longoria@vote.hctx.net>  
**Subject:** Letter from Secretary Scott  
**Sensitivity:** Personal

Please see the attached correspondence from Secretary Scott.

Thank you,

**Christina Worrell Adkins**

Legal Director – Elections Division  
Office of the Texas Secretary of State  
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701  
512-463-9859 (direct) | 1.800.252.VOTE (8683)  
[elections@sos.texas.gov](mailto:elections@sos.texas.gov) | [www.sos.texas.gov](http://www.sos.texas.gov)  
**For Voter Related Information, please visit:**



*The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.*

# The State of Texas

Elections Division  
P.O. Box 12060  
Austin, Texas 78711-2060  
[www.sos.texas.gov](http://www.sos.texas.gov)  
[www.votetexas.gov](http://www.votetexas.gov)



Phone: 512-463-5650  
Fax: 512-475-2811  
Dial 7-1-1 For Relay Services  
(800) 252-VOTE (8683)

John B. Scott  
Secretary of State

December 10, 2021

Bruce Sherbet  
Collin County Elections Administrator  
2010 Redbud Blvd, Suite 102  
McKinney, TX 75069

Isabel Longoria  
Harris County Elections Administrator  
1001 Preston  
Houston, TX 77002

Michael Scarpello  
Dallas County Elections Administrator  
1520 Round Table Drive  
Dallas, TX 75247

Heider Garcia  
Tarrant County Elections Administrator  
100 E. Weatherford  
Fort Worth, Texas 76196

Dear Bruce, Michael, Isabel and Heider:

Thank you for your service to Texas voters and for your commitment to transparency in our election process. As indicated in our office's previous communications, the Texas Secretary of State's office is conducting the largest and most comprehensive forensic audit of the November 2020 General Election in your respective counties. The purpose of this audit is to provide clarity and confidence for Texas voters that all applicable laws and procedures were followed during the 2020 Election, and to identify any irregularities or issues that need to be addressed going forward.

Enclosed, please find a comprehensive list of documents and records our office will be examining as part of Phase 2 of the Full Forensic Audit, as well as requests for information from your office that will be instrumental in completing the audit process. We request that your respective offices begin locating the documents listed to prepare for our Forensic Audit Division's on-site examinations, which will be coordinated at a mutually convenient time in January 2022.

In the near term, we request that you provide us the following information, in writing, to our office by **Tuesday, December 21<sup>st</sup>** in order to guide the next phase of the forensic audit process:

- **A list of Early Voting or Election Day polling locations that had a discrepancy of one percent or more between the number of voters that checked in to the number of votes cast at that location.**
- **Whether any voting sites were closed or added due to an emergency or other necessity**
- **Any known procedural or chain of custody defects**
- **Any other issues discovered that you would like to disclose now that may be relevant to our audit process**

- **A list of complaints received and resolved, with a description of any known investigative steps or known resolution.**
- **A detailed accounting of the following:**
  - **Total Early Voting Ballots by Mail Requested**
  - **Total Early Voting Ballots by Mail Sent out**
  - **Total Early Voting Ballots requested by FPCA**
  - **Breakdown of Early Voting Ballots by Mail accepted/rejected**
  - **Total number of mail ballot voters that cancelled their mail ballot without surrendering the mailed ballot and voted in person**
  - **Total number of mail ballot voters that surrendered their mail ballot and voted in person**
- **A detailed accounting of the following:**
  - **Total Number of Provisional Votes Cast**
  - **A list of Provisional Voters by reason for voting provisionally**
  - **Total Number of Provisional Votes cast for voters lacking ID**
  - **Total number of Provisional Voted Accepted/Rejected**
- **List of entities that conducted recounts or had election contests**

We thank you in advance for your responses to this initial audit survey and request that you begin preparing the enclosed list of documents and records for our agency's review.

Please feel free to reach out to our office directly if you have any questions or concerns.

Sincerely,



John B. Scott  
Texas Secretary of State

Encl.: 2020 Forensic Election Audit – Phase 2: Comprehensive Records Examination

# **2020 Forensic Election Audit**

## **Phase 2: Comprehensive Records Examination**

The purpose of this document is to outline the records and procedures that the Texas Secretary of State's office is reviewing for the forensic audit of the 2020 General Election in Collin, Dallas, Tarrant, and Harris counties. The specific review process for each category will be based on the county's response to the initial survey questions provided. Once the scope is established on a county-by-county basis, we will provide detailed documentation regarding the specific review of each applicable category.

We recognize that some counties may use different terminology for certain forms and procedures. The terminology used in this document is based on commonly used terms in the Texas Election Code and based on industry standards. To the extent that counties use different terminologies to describe the election materials and procedures used in the November 2020 General Election, county election officials will have the opportunity to provide an explanation in their responses ahead of our office's on-site visits.

### **Election Security**

**The following questions pertain to each county's election security measures. Please elaborate to the fullest extent possible in your responses:**

- Do you have badge-controlled access to your election office?
- Do you keep track of who enters into the office, especially sensitive areas?
- Are visitors escorted at all times?
- Do you keep track of who enters the ballot programming area? Are the number of people authorized to access the programming area limited?
- Did your county attend Texas Secretary of State webinars that discussed the [Election Security Toolkit](#)?
- Did your county create individual versions of all six documents that address the procedures in your county?
- If you did not complete all 6 documents, which of these did you complete?
  - Vendor Risk Management Policy (VRMP)
  - Continuity of Operations Plan (COOP)
  - Incident Response Plan (IRP)
  - Election Information Security Policy (EISP)
  - Election System Security Plan (ESSP)
  - Election Security Best Practices
- Does your county have an offsite version of the Election Security Toolkit in a printed or electronically stored format?
- Does your county have a segmented election network?
- Does your county have a next generation firewall?

- Does your county IT Department regularly patch and maintain the latest software version throughout the division?
- Does your county employ the Principle of Least Privilege?

## **Acceptance Testing Records if New Voting System was Used for the First Time**

**An examination of the following records will gauge the percentage of equipment that did not pass the acceptance testing and, therefore, was not operable during the November 2020 General Election:**

- Logs for each device tested
- Logs that show if a device did not function properly or had to be returned for vendor review or service

## **L&A Testing Records**

**An examination of the following documents and records will determine if the voting system accurately recorded the test voters' choices and therefore demonstrated that the voting system accurately recorded voters' ballot choices:**

- Public Notice of Logic and Accuracy (L&A) Test
- All test ballots voted in the election
- Tally Sheets
- Test Deck Records
- List of participants who voted test ballots
- Records showing test outcomes and if tests had to be repeated
- Testing media, including:
  - memory sticks
  - mobile ballot boxes (MBBs)
  - paper ballots used for L&A test voting and tabulation)
- All testing seals or other test materials

## **Election Preparation**

**An examination of the following documents and records will determine whether or not protocols to secure the voting system and ballot were followed to protect the integrity of the election:**

- List of Presiding Judges and Alternate Judges by Precinct and Party
- Notification of Election Training Program
- Ballot Programming: Please indicate whether your vendor programmed your ballot or if the ballot was programmed by in-house staff.
- Electronic Poll Books (EPBs) programming: Please indicate how your EPBs were programmed and at what intervals was the Official List of Registered Voters on the EPB updated.

## **Early Voting In Person**

**An examination of the following documents will provide a summary of all processes executed to conduct in-person Early Voting:**

- **Election Workers**
  - List of Early Voting Deputies, Alternate Deputies and Early Voting Clerks
  - Lists of Early Voting Workers who dropped out of the election, the date they dropped out and the names of the replacement workers
    - Please indicate the training that any emergency replacement workers received.
  - List of “no show” Early Voting workers
- **Documentation related to Ordering and Providing Notice of the Election**
  - Order of November General Election for State and County Officers (GESCO)
  - Location of the Main Early Voting Polling Place as noted on the Order of Election
  - List of Early Voting Branch Polling Places as noted on the Order of Election
  - Notice of General Election (copy of posted notice and publication)
    - Record for Posting Notice of Election if posted in this manner
- **Documentation for Ballot Corrections, if applicable**
  - Notice of Ballot Correction, if applicable
  - Notice of Ballot Destruction, if applicable
  - Record of Ballot Destruction, if applicable
  - Notice of Ballot Reprint Order, if applicable
- **Documentation for Tracking Ballots**
  - Register of Official Ballots for Early Voting at the Main Location (if ballots are pre-serialized, if not the number of ballot cards delivered)
  - Register of Official Ballots for Early Voting at a Branch Location (if ballots are pre-serialized, if not the number of ballot cards delivered)
- **Polling Place Paperwork**
  - Combination Forms for each day of Early Voting OR a report generated by the general custodian to accurately create a summary of all processes that were required to be executed as noted on paper Combination Forms
  - Daily Balancing Envelope or Report (contain copy of daily returns for Early Voting, to the extent possible)
  - Ballot Styles of voters who were given a ballot vs. how many votes of each ballot style should have been cast, based on voter registration precinct (this identifies when a voter is given the wrong ballot style)
  - Results Tapes/Suspend Reports
  - List of Declared Write-In Candidates for posting in the voting booth
  - Reasonable Impediment Declarations, if applicable
  - Statements of Residence, if applicable
  - Standard Affidavits

- Registration Omissions List
- **Other Information to be Reviewed**
  - List of Registered Voters that was used in the 2020 Presidential Election (electronic copy).
  - List of any Early Voting Site that had to be closed or changed according to county records
  - Signature Roster for Hand Delivery of a Ballot by Mail Forms (usually this process is only done only on Election Day, but the hand delivery period was extended only for the November 3, 2020 General Election)
- **Chain of Custody Paperwork**
  - Chain of Custody forms (Record of Early Voting Ballot Seals) that document the seals on the ballot boxes for each day of Early Voting
  - Chain of Custody delivery of equipment to voting sites (with seal numbers and equipment serial numbers noted) (signatures of persons who delivered equipment)
  - Chain of Custody of pickup of equipment from voting sites (with seal numbers and equipment serial numbers noted) (signatures of persons who picked up equipment)
  - Chain of Custody forms for when troubleshooters picked up completed forms from Early Voting sites for daily processing
  - List of Early Voting Daily seals for Provisional Secure Container
- **Voting System Equipment Management**
  - Trouble Logs and equipment replacement records
  - Troubleshooter visit logs
  - Equipment returned to vendor for technical support
  - Call Center Event/Complaint Logs
- **Poll Watcher Paperwork**
  - Poll Watcher Certificates of Appointment

## **Ballot by Mail – Early Voting**

**An examination of these documents and records will determine whether Early Voting by Mail was conducted in accordance with state and federal law:**

- Applications for Ballot by Mail (ABBM)s
- List of Annual ABBM Voters
- List of Declared Write-In Candidates
- Notices of Improper Delivery (and to whom they were sent)
- Emails from the county to voters regarding ABBM and Federal Post Card Application (FPCA) rejections
- Notices of Rejected ABBMs and reasons
- **Mail Ballot Cancellation Paperwork**
  - Request to Cancel a Ballot by Mail for Use in the Polling Place

- Request to Cancel a Ballot by Mail for Use in the Early Voting Clerk's Office
- Notice of Denial of Request to Cancel Application for a Ballot by Mail
- Notice of ABBM or FPCA Cancellation (Formerly Notice to Presiding Judge)
- **Ballot By Mail Forms**
  - A sample of the November 3, 2020 Special Ballot Envelope to demonstrate that the correct version was used
  - A sample of the November 3, 2020 Special Carrier Envelope to demonstrate that the correct version was used
  - Special Carrier Insert for an ABBM voter for November 3, 2020 Election to demonstrate that the correct version was used
- **Other Information to be Reviewed**
  - List of FPCA ballots transmitted by email to the voter
  - List of FPCAs that were physically mailed to the voter
  - List of Voters Mailed a Corrected Ballot, if applicable
    - Statistics of how many uncorrected ballots were returned and counted as well as how many corrected ballots were returned and counted, if applicable.
  - List of Voters who were required to complete and return a Statement of Residence with their Ballot by Mail
- **Special Early Voting Forms**
  - Restricted Ballot Rosters for Chapter 112, 113 and 114 Ballots
  - Poll List of Voters Voting a Limited Ballot by Personal Appearance
  - Applications for a Limited Ballot
  - Notice to Voter Registrar of Application for a Presidential Ballot
  - Applications for an Emergency Early Voting Ballot Due to Sickness or Physical Disability
  - Applications for Emergency Ballot Due to Death in the Family
  - List of persons who voted on a space flight, if any

## **Election Day**

**An examination of the following documents and records from voting sites will determine if election officials followed proper chain of custody procedures, produce documentation of the chain of custody of ballots and election materials, and determine whether all state and federal laws were followed:**

### **Election Workers**

- Final List of Election Day Polling Places
- List of Presiding Judges and Alternate Judges by Precinct and Party
- Order of Appointment of Election Judges and Alternates
- Notifications of Appointment as Election Judge
- Writs of Election for the General Election for State and County Officers

- List of emergency appointments for Election Day Workers
- Lists of Election Day Workers who dropped out of the election, the date they dropped out and the names of the replacement workers.
  - Please indicate the training that any emergency replacement workers received.
- List of “no show” workers on Election Day

### **Election Day Forms**

- Combination Forms for election day OR a report generated by the general custodian to accurately create a summary of all processes that were required to be executed as noted on paper Combination Forms
- Ballot Styles of voters who were given a ballot vs. how many votes of each ballot style should have been cast based on voter registration precinct (this identifies when a voter is given the wrong ballot style)
- Results Tapes/Suspend Reports
- List of Declared Write-In Candidates for posting in the voting booth
- Reasonable Impediment Declarations, if needed
- Statements of Residence, if needed
- Standard Affidavits
- Registration Omissions List
- Envelope Containing Spoiled Ballots with the Register of Spoiled Ballots
- Defectively Printed Ballots
- Ballot by Mail Cancellation Requests attached to the surrendered ballots
- Register of Official Ballots for each Polling Place or the Combined Ballot and Seal Certificate and Official Ballot Register
- Ballot and Seal Certificates by Polling Location or the Combined Ballot and Seal Certificate and Official Ballot Register
- Applications to Cancel a Ballot by Mail for Use in the Polling Place

### **Chain of Custody Paperwork**

- Chain of Custody delivery of equipment to voting sites (with seal numbers and equipment serial numbers noted) (signatures of persons who delivered equipment)
- Chain of custody of pickup of equipment from voting sites (with seal numbers and equipment serial numbers noted) (signatures of persons who picked up equipment)
- Chain of custody forms for when troubleshooters picked up completed forms from Election Day sites for processing (if performed on Election Day)
- List of seals put on equipment for Election Day, including:
  - Those put on at elections office in the morning; and
  - Those put on by Presiding Judge at the polling place in the evening when voting has concluded

### **Election Day Notices**

- Notices of Consolidated Precincts and records of which staff member posted the notices at the various sites, if any

- Record for Posting Notice of Election if posted in this manner
- Notices of Previous Precinct and records of which staff member posted the notices at the various sites, if any
- Notices of Four Nearest Countywide Polling Places and records of which staff member posted the notices at the various sites, if any

### **Additional Items for Consideration**

- All sign-out sheets for those picking up supplies for Election Day.
  - Please indicate who picked up supplies for Election Day.
- List of any Election Day Site that had to be closed or changed and the reason for the closure or change
- Trouble Logs and equipment replacement records
- Names of individuals who returned supplies to the Receiving Substation/Central Receiving Station
- Names of individuals who received the supplies into his or her custody when the supplies were returned by election workers

### **Provisional Ballots**

**An examination of the Provisional Forms will determine if voters' provisional ballots were accepted or rejected according to the law, as well as determine the percentage of provisional ballots accepted vs. rejected:**

- Affidavits of Provisional Voter
- Early Voting List of Provisional Voters
- Election Day List of Provisional Voters
- Summary of Provisional Ballots
- List of Seals for Provisional Secure Containers for Early Voting and chain of custody forms where they were documented
- List of Seals for Provisional Secure Containers for Election Day and chain of custody forms where they were documented
- Notice of Delivery of Provisional Ballots – To Voter Registrar on Election Night
- List of Rejected Provisional Ballots and reason
- Number of Provisional Ballots cured for lack of ID
- Verification of Provisional Ballots and Seal Numbers
- Review Notices of Outcome to Provisional Voter
  - Number of provisional ballots accepted
  - Number of provisional ballots rejected
- Breakdown of percentage of Provisional Ballots counted and rejected

### **Signature Verification Committee**

**An examination of the following documents related to the Signature Verification Committee (SVC) will determine whether there was party balance on the Committee and who was responsible for the processes of accepting and rejecting signatures:**

- Order Calling for Signature Verification Committee – date posted
- Notification of Appointed Members to SVC
- Notice of Appointment of SVC
- Chain of custody forms when ballots were transmitted to Central Counting Station from SVC
- Poll Watcher Certificates of Appointment for SVC

## **Early Voting Ballot Board**

**An examination of the following documents related to the Early Voting Ballot Board (EVBB) will determine whether there was party balance and properly review adjudications, acceptances and rejections, as well as who was responsible for those processes:**

- Order for EVBB
- Notice of Convening of EVBB
- Notification of members appointed to the EVBB
- Notice of appointment of the EVBB
- Notice of delivery of balloting materials to the EVBB (Receipt of Sealed Early Voting Ballot Boxes)
- Chain of Custody forms when ballots were delivered to the EVBB
- Samples of Notice of Rejected Ballot by Mail and reasons for rejection
- Samples of Notice of Rejected FPCAs Carriers and reasons for rejection
- Poll Watcher Certificates of Appointment

## **Central Counting Station**

**An examination of these documents will determine whether the Central Counting Station (CCS) Plan was followed along with all applicable laws and procedures, and whether proper Chain of Custody procedures for voted ballots were followed:**

- Central Counting Station Plan
  - Please indicate whether it posted 5 days before Election Day, as required by law.
- Public Notice of Test of Automatic Tabulating Equipment
- Certification of First Test of Automated Tabulating Equipment
- Oaths for Early Voting Ballot Board and Central Counting Station Personnel
- Chain of Custody documents related to the transmittal of ballots to the CCS from Election Day polling places, Early Voting Clerk's storage, or Early Voting Ballot Board.

## **Partial Manual Count Records**

**An examination of these documents and records will determine whether the Partial Manual Count was performed according to the law, as well as who performed the count:**

- All records associated with the post-election Partial Manual Count
  - Please indicate who performed the partial manual count.
- Record of the Partial Manual Count results submitted to the Texas Secretary of State's office
- Poll Watcher Certificates of Appointment, if any

## **Post-Election and Canvass Records**

**An examination of these documents will determine whether certification of election results was conducted properly and whether proper documentation to support the official results was provided:**

- Canvass of the General Election
- Summary of Precinct Returns
- Canvass reports by official in charge of certifying results
- Records of any recounts requested and performed after the election
- Records related to any election contests filed

## **Records Retention**

**An examination of these documents and records will determine whether Chain of Custody of records was maintained, and whether officials properly followed the 1<sup>st</sup> to 60<sup>th</sup> day rule and the 61<sup>st</sup> day to 22-month retention rule. If records must be opened, please supply a copy of the court order:**

- Records of seal numbers put on and taken off records when the initial 60-day period for records retention ended
- Record of seals that were placed on the ballots and other materials on the 61<sup>st</sup> day for the remainder of the 22-month record retention period
  - Please indicate whether records were stored in a locked in a surveilled room.
- Please indicate whether county officials keep a log of anyone accessing the room where the records/ballots are stored.
- Please indicate whether any court order necessitated the unsealing of the records.
  - Provide a copy of any court order requesting opening of the records.

## **Central Counting Station Test Records**

**An examination of these records will validate the test procedures that were performed before and after counting on the automatic tabulating equipment:**

- Central Counting Station (CCS) Plan
- Certification of 1<sup>st</sup> test of automated tabulating equipment
- Records from 2<sup>nd</sup> Logic and Accuracy (L&A) test before ballots are counted in the CCS
- Certification of the 3<sup>rd</sup> L&A test after ballots were counted at the Central Counting Station
- Records indicating whether there was a + or – 4 ballots tabulated that necessitated a recounting of ballots at the CCS
- Copy of final reports (unofficial results, precinct returns) signed by the presiding judge of the CCS

## **Training Materials**

**An examination of these materials will determine whether poll workers were trained according to all state and federal laws and procedures. Examining the training materials allows auditors to know if the poll workers were instructed to perform their duties accurately:**

- Manuals, PowerPoint presentations, materials that were used in poll worker training and sent to the field
- An example of the forms kit that was deployed to the field, if possible
- Training attendance records, including in-person and online training

## **General**

Any video surveillance records that were recorded from the time the election was ordered until the canvass was completed.

## **Additional Audit Compliance Questions**

1. Are any of your election materials that are required for the audit, stored at facility not under your control?
2. How quickly could you access the materials from the storage vendor?
3. Will it take longer than one month to locate and have your records ready for examination?
4. Do you still have the same voting systems as when your county conducted the 2020 Presidential Election?
5. Of the records listed in the Audit requirements, please specify which are electronically stored and which are physical copies.
6. Are there any records that you may not be able to produce? If so, why?
7. Are there any permanent staff members who have left your office since the Presidential Election? Please give names and job duties.

---

**From:** Joe Esparza  
**Sent:** Wednesday, November 17, 2021 4:47 PM  
**To:** Alexander Hammond; Marc.salvato@senate.texas.gov; benjamin.williams@house.texas.gov; emily.amps@house.texas.gov  
**Cc:** Julia Rathgeber; darrell.davila@ltgov.texas.gov  
**Subject:** FW: Note from Secretary John B. Scott  
  
**Sensitivity:** Personal

Hope this finds everyone well! I wanted to be sure this message from Secretary Scott was on your radar. Please let me know if we can be of service to your offices and constituents.

V/r,

Joe Esparza  
DSOS  
[REDACTED]

---

**From:** Secretary <Secretary@sos.texas.gov>  
**Sent:** Wednesday, November 17, 2021 4:41 PM  
**To:** jim.murphy@house.texas.gov; chris.turner@house.texas.gov; carol.alvarado@senate.texas.gov; paul.bettencourt@senate.texas.gov  
**Cc:** Joe Esparza <JEsparza@sos.texas.gov>  
**Subject:** Note from Secretary John B. Scott  
**Sensitivity:** Personal

Good Afternoon Caucus Chairs,

I hope you are doing well and staying healthy! I wanted to let you and all of your offices know that I am happy to speak directly to your constituents, as well as those of your members, about the full forensic audit of the 2020 General Election and election integrity as we head into the 2022 Primary season. While, as Secretary of State, I cannot participate in any type of fundraising activities for campaigns, I am happy to participate in public discussions with Texans in your district to answer their questions directly and provide educational information about safeguarding our elections in the State of Texas.

Please let me know if you would like me to join an upcoming event with your constituents, and I will do my best to make it work within our respective schedules. Please feel free to pass this along to any of your members as well.

Best wishes,

**John B. Scott**  
Texas Secretary of State  
[JScott@sos.texas.gov](mailto:JScott@sos.texas.gov)  
512-463-5770

---

**From:** Joe Esparza  
**Sent:** Wednesday, November 17, 2021 4:50 PM  
**To:** miles.wilson@house.texas.gov  
**Subject:** FW: Note from Secretary John B. Scott

**Sensitivity:** Personal

Hi Miles – Let me know if we can help! Thx Joe

---

**From:** Joe Esparza  
**Sent:** Wednesday, November 17, 2021 4:47 PM  
**To:** Alexander Hammond <alexander.hammond@senate.texas.gov>; Marc.salvato@senate.texas.gov; benjamin.williams@house.texas.gov; emily.amps@house.texas.gov  
**Cc:** Julia Rathgeber <Julia.Rathgeber@speaker.texas.gov>; darrell.davila@ltgov.texas.gov  
**Subject:** FW: Note from Secretary John B. Scott  
**Sensitivity:** Personal

Hope this finds everyone well! I wanted to be sure this message from Secretary Scott was on your radar. Please let me know if we can be of service to your offices and constituents.

V/r,

Joe Esparza  
DSOS  


---

**From:** Secretary <[Secretary@sos.texas.gov](mailto:Secretary@sos.texas.gov)>  
**Sent:** Wednesday, November 17, 2021 4:41 PM  
**To:** [jim.murphy@house.texas.gov](mailto:jim.murphy@house.texas.gov); [chris.turner@house.texas.gov](mailto:chris.turner@house.texas.gov); [carol.alvarado@senate.texas.gov](mailto:carol.alvarado@senate.texas.gov); [paul.bettencourt@senate.texas.gov](mailto:paul.bettencourt@senate.texas.gov)  
**Cc:** Joe Esparza <[JEsparza@sos.texas.gov](mailto:JEsparza@sos.texas.gov)>  
**Subject:** Note from Secretary John B. Scott  
**Sensitivity:** Personal

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Please let me know if you would like me to join an upcoming event with your constituents, and I will do my best to make it work within our respective schedules. Please feel free to pass this along to any of your members as well.

Best wishes,

**John B. Scott**

Texas Secretary of State

[JScott@sos.texas.gov](mailto:JScott@sos.texas.gov)

512-463-5770

---

**From:** Keith Ingram  
**Sent:** Wednesday, November 17, 2021 4:54 PM  
**To:** briscoe@fultonstrahan.com  
**Cc:** Adam Bitter  
**Subject:** FW: Note from Secretary John B. Scott

**Sensitivity:** Personal

Chairman Cain,

Secretary Scott wanted me to send this to you in order to extend the invitation to the members of the Elections Committee.

Let me know if you need anything.

Keith

---

**From:** Secretary <Secretary@sos.texas.gov>  
**Sent:** Wednesday, November 17, 2021 4:41 PM  
**To:** jim.murphy@house.texas.gov; chris.turner@house.texas.gov; carol.alvarado@senate.texas.gov; paul.bettencourt@senate.texas.gov  
**Cc:** Joe Esparza <JEsparza@sos.texas.gov>  
**Subject:** Note from Secretary John B. Scott  
**Sensitivity:** Personal

Good Afternoon Caucus Chairs,

I hope you are doing well and staying healthy! I wanted to let you and all of your offices know that I am happy to speak directly to your constituents, as well as those of your members, about the full forensic audit of the 2020 General Election and election integrity as we head into the 2022 Primary season. While, as Secretary of State, I cannot participate in any type of fundraising activities for campaigns, I am happy to participate in public discussions with Texans in your district to answer their questions directly and provide educational information about safeguarding our elections in the State of Texas.

Please let me know if you would like me to join an upcoming event with your constituents, and I will do my best to make it work within our respective schedules. Please feel free to pass this along to any of your members as well.

Best wishes,

**John B. Scott**  
Texas Secretary of State  
[JScott@sos.texas.gov](mailto:JScott@sos.texas.gov)  
512-463-5770

---

**From:** Bruce Sherbet <bsherbet@co.collin.tx.us>  
**Sent:** Friday, October 1, 2021 1:26 PM  
**To:** Keith Ingram  
**Subject:** FW: Open Record Req for Election records

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Keith,

I received the below open records request today and I need to ask for guidance because most of this request is secured with the election records that the state will be auditing in Phase 2. If we start opening and digging through the secured boxes for these items and making copies it will risk items being separated and possibly making the audit problematic. Please provide direction regarding the secured items in the below request. Thank you.

Bruce Sherbet  
Elections Administrator  
Collin County Elections  
2010 Redbud Blvd., Ste 102  
McKinney, TX 75069  
972-547-1900

---

**From:** [REDACTED]  
**Sent:** Friday, October 1, 2021 12:07 PM  
**To:** Bruce Sherbet <bsherbet@co.collin.tx.us>; Micki Meinecke <mmeinecke@co.collin.tx.us>  
**Subject:** Open Record Req for Election records

\*\*\*\*\* **WARNING:** External Email. Do not click links or open attachments that are unsafe. \*\*\*\*\*

Bruce and Micki,

Please consider this an open records request pursuant to Texas Government Code Chapter 552. Please produce the following November 2020 election records compliant with the Texas Election Code, Texas Administrative Code and Texas Secretary of State Advisory sections noted below.

1. Copies of the front and back of Envelope #1 for each election day polling location as required by Tex. Elec. Code 66.022.
2. Copies of the results tapes, for each election day polling location as required by Tex. Elec. Code 66.022(1). Please provide copies of results tapes compliant to the Texas Secretary of State's Advisory 2019-23, Glossary definition of results tapes.

3. Copies of front and back of Envelope #2 for each election day locations as required by Tex. Elec. Code 66.023.
4. Copies of the results tapes for each election day polling location as required by Tex. Elec. Code 66.023(1). Please provide copies of results tapes compliant to the Texas Secretary of State's Advisory 2019-23, Glossary definition of results tapes.
5. Copies of the front and back of Envelope #3 for each election day polling location as required by Tex. Elec. Code 66.024.
6. Copies of the results tapes for each election day polling location included in Envelope #3 as required by Tex. Elec. Code 66.024(1). Please provide copies of results tapes compliant to the Texas Secretary of State's Advisory 2019-23, Glossary of results tapes.
7. Copy of the county's central accumulator audit log compliant with Tex. Admin. Code Rule Sections 81.62(b)2, 81.62(b)3 and 81.62(b)5 for the dates May 1, 2020 through December 31, 2020.
8. Copy of the central counting station Test #2 results as required by Tex. Elec. Code 127.091, 127.092, 127.093, 127.094, 127.095 and 127.097.
9. Copies of chain of custody records for electronic storage information media as required by Tex. Elec. Code 129.051(b).
10. Copies of election records showing compliance to Tex. Elec. Code 52.062.
11. Copies of records showing the range of ballot serial numbers packaged and sealed compliant to Tex. Elec. Code 51.006.
12. Copies of records showing the range of ballot serial numbers distributed to early voting and election day polling locations compliant to Tex. Elec. Code 51.007.
13. Copies of all documentation (emails, advisories, presentations, contracts, etc.) sent to or from the county's elections officers from any party relating to Tex. Elec. Code 52.062, ballot numbering, and consecutive numbering of ballots for dates January 2016 through current.
14. Copies of each of the central counting station precinct-by-precinct election returns signed by the central counting station presiding judge as required by Tex. Elec. Code 127.131. Please ensure Absentee, Early

Voting in Person, Election Day and Provisional ballots are broken out by precinct-by-precinct for all candidates for the November 2020 election.

15. Copies of appointments for the central counting station presiding judge, alternate presiding judge, tabulation supervisor and any other central counting station personnel.
16. Copy of the county's purchase records and contract for the current voting system.
17. Copies of the zero tapes for all early voting and election day polling locations compliant with Texas Secretary of State Election Advisory 2019-23 Section 6(2)f and Section 12(1)d. Please provide copies of zero tapes compliant to the Texas Secretary of State's Advisory 2019-23, Glossary definition of zero tapes.
18. Copies of all early voting results tapes for the early voting polling locations compliant with the Texas Secretary of State Election Advisory 2019-23 Section 6(5)b.
19. All ballot numbering records required under Texas Secretary of State Election Advisory 2019-23 Section 13(1)b.

Electronic copies are sufficient. Please advise me of any charges to me that may be involved.  
Thank you for your help.

Regards,  
Barbara Harless  
709 Summer Place  
Murphy, TX 75094  
214 796-0528

---

**From:** Keith Ingram  
**Sent:** Friday, September 24, 2021 1:01 PM  
**To:** Adam Bitter; Sam Taylor; Joe Esparza; Christina Adkins  
**Subject:** FW: Questions Regarding November 2020 "Audit"

---

**From:** Longoria, Isabel (EAD) <Isabel.Longoria@vote.hctx.net>  
**Sent:** Friday, September 24, 2021 12:55 PM  
**To:** Keith Ingram <KIngram@sos.texas.gov>  
**Cc:** Christina Adkins <CAdkins@sos.texas.gov>; Stevens, Beth (EAD) <Beth.Stevens@vote.hctx.net>; James, Tyler (EAD) <Tyler.James@vote.hctx.net>  
**Subject:** Questions Regarding November 2020 "Audit"

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Good Afternoon Director Ingram,

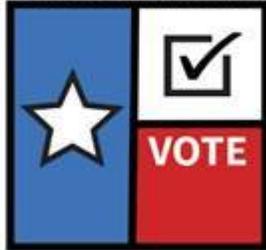
I'm following up this morning concerning yesterday's surprising November 2020 audit announcement. As you can imagine, I have many questions about this process that I hope you can answer:

- What is the scope of the "audit"?
- Under what legal authority is the Texas SOS performing an audit of Harris County November 2020 elections?
- What information has been submitted to your office that led to the decision for an audit nearly one year after the election?
- As the Office of Harris County Elections Administration was created after the November 2020 elections, thus making the Harris County Clerk's Office in charge of decisions at that time, what direction do you have on how records or information will be requested of our respective offices?
- Per the Texas SOS press release, what "ongoing" audit has been conducted to date of our November 2020 election process? Will you share any findings of your "audit" to date?
- What documents, processes, ballots or other information do you plan to use or request to access for this "audit"? What is the prospective timeline?

I take this matter very seriously and look forward to your expedient answers.

Respectfully,

**HARRIS COUNTY**  
ELECTIONS ADMINISTRATOR



**Isabel Longoria**  
Harris County Elections  
Administrator  
[Isabel.Longoria@vote.hctx.net](mailto:Isabel.Longoria@vote.hctx.net)  
832.584.1757  
she/hers

---

**From:** Michele Carew <MCarew@co.hood.tx.us>  
**Sent:** Friday, November 5, 2021 10:45 AM  
**To:** Elections Internet  
**Subject:** Fw: Questions

**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](mailto:Informationsecurity@sos.texas.gov).

Can I please get an answer to question #2?

Michele Carew, CERA  
Hood County Elections Administrator  
Registered Elections Official, TX-51  
Texas Association of Elections Administrators, Legislative Chair  
1410 W. Pearl Street  
Granbury, TX 76048  
(817) 408-2525  
(817)408-2592 fax  
mcarew@co.hood.tx.us

---

**From:** Michele Carew  
**Sent:** Thursday, October 28, 2021 10:01 AM  
**To:** elections@sos.texas.gov <elections@sos.texas.gov>  
**Subject:** Questions

Good morning.

Can you please assist me in clarifying misinformation being spread around here.

In regards to the new voting system requirements to be in place by 2024....Hood County purchased the Hart Verity Hybrid Duo Voting System back in February of this year. Will Hood County be required to purchase a new voting system in order to comply?

2.) Forensic Audits: can a member of the public ask the commissioners court to order one? We have one citizen requesting a forensic audit of Nov 2020. If so, how would we handle that if we no longer have that voting equipment?

Michele Carew, CERA  
Hood County Elections Administrator  
Registered Elections Official, TX-51  
Texas Association of Elections Administrators, Legislative Chair  
1410 W. Pearl Street  
Granbury, TX 76048  
(817) 408-2525

(817)408-2592 fax  
mcarew@co.hood.tx.us

---

**From:** Christina Adkins  
**Sent:** Monday, January 3, 2022 9:23 AM  
**To:** Elec Legal  
**Subject:** FW: Secretary Scott Releases Phase 1 Progress Report on Full Forensic Audit of 2020 General Election

Hey Team --- This was issued on Friday afternoon. Please take a look and let me know if you have any questions. It is a progress report about the audits.

---

**From:** Texas Secretary of State Press Office <TXSoSPress@public.govdelivery.com>  
**Sent:** Friday, December 31, 2021 12:17 PM  
**To:** Christina Adkins <CAdkins@sos.texas.gov>  
**Subject:** Secretary Scott Releases Phase 1 Progress Report on Full Forensic Audit of 2020 General Election

**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](mailto:Informationsecurity@sos.texas.gov).



**Texas Secretary of State**

**John B. Scott**

**For Immediate Distribution**  
December 31, 2021

Contact: Sam Taylor  
[smtaylor@sos.texas.gov](mailto:smtaylor@sos.texas.gov)  
(512) 463-6116

## **Secretary Scott Releases Phase 1 Progress Report on Full Forensic Audit of 2020 General Election**

AUSTIN — Texas Secretary of State John Scott today released a progress report upon conclusion of Phase 1 of the state's full forensic audit of the 2020 General Election. The report,

which outlines initial findings regarding the security and integrity of Texas' election systems in Collin, Dallas, Harris and Tarrant counties, shows that:

- Statewide, a total of **509** potential cross-state duplicate votes were cast in the November 2020 General Election - meaning these individuals may have cast a ballot in both Texas and another state. Of those, 9 cast ballots in Collin County, 12 cast ballots in Dallas County, 27 cast ballots in Harris County, and 12 cast ballots in Tarrant County.
- Since November 2020, **224,585** deceased voters have been removed from the voter rolls in Texas - indicating the counties are performing their fundamental duties under federal and state law to maintain the accuracy of the statewide voter registration list and mitigate fraudulent activity related to potentially deceased voters. Collin County removed 4,889 deceased voters, Dallas County removed 14,926 deceased voters, Harris County removed 23,914 deceased voters, and Tarrant County removed 13,955 deceased voters.
- Statewide, a total of **67** potential votes cast in the name of deceased people are under investigation. Of those, 3 were cast in Collin County, 9 were cast in Dallas County, 4 were cast in Harris County and 1 was cast in Tarrant County.
- Statewide, a total of **11,737** potential non-U.S. citizens were identified as being registered to vote. Of these, 327 records were identified in Collin County, 1,385 were identified in Dallas County, 3,063 were identified in Harris County and 708 were identified in Tarrant County. While counties still have a significant number of pending investigations to complete, and have undertaken this list maintenance process to varying degrees, so far Dallas County has cancelled 1,193 potential non-U.S. citizen records, Tarrant County has cancelled one record, and Collin and Harris have not cancelled any potential non-U.S. citizen records. The final findings will be verified during Phase 2 of the full forensic audit.
- In a review of each county's partial manual count report required under Texas law, **three of the four counties reported discrepancies between ballots counted electronically versus those counted by hand.** The reported reasons for these discrepancies are included in the report and will be re-examined, investigated and verified during Phase 2 of the full forensic audit.
- Each of the four counties has dedicated at least **\$136,000** to enhancing their respective election security postures over the past two years - including both cybersecurity and physical security of election equipment. This includes funds provided through Help America Vote Act (HAVA) Election Security allocation to the State of Texas, as well as local matching county funds.

To the extent any information was not made available to the Texas Secretary of State's office before the publication of this report, the SOS office will endeavor to include any outstanding data figures in the final forensic audit report released after the completion of Phase 2.

To read the full Phase 1 progress report, [click here.](#)

###

Please DO NOT REPLY to this message. It comes from an un-monitored mailbox. If you have any questions regarding this announcement, please e-mail Sam Taylor at [smtaylor@sos.texas.gov](mailto:smtaylor@sos.texas.gov)

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This email was sent to [cadkins@sos.texas.gov](mailto:cadkins@sos.texas.gov) using GovDelivery Communications Cloud on behalf of: Texas Secretary of State · 707 17th St, Suite 4000 · Denver, CO 80202

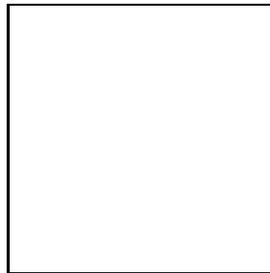
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**From:** Melanie Best  
**Sent:** Friday, December 10, 2021 4:57 PM  
**To:** Elec Legal  
**Subject:** FW: Texas Secretary of State Issues Document Request for Phase 2 of Full Forensic Audit of 2020 Election in Collin, Dallas, Harris and Tarrant Counties

---

**From:** Texas Secretary of State Press Office <TXSoSPress@public.govdelivery.com>  
**Sent:** Friday, December 10, 2021 4:49 PM  
**To:** Melanie Best <MBest@sos.texas.gov>  
**Subject:** Texas Secretary of State Issues Document Request for Phase 2 of Full Forensic Audit of 2020 Election in Collin, Dallas, Harris and Tarrant Counties

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**Texas Secretary of State**

**John B. Scott**

**For Immediate Distribution**  
December 10, 2021

Contact: Sam Taylor  
[smtaylor@sos.texas.gov](mailto:smtaylor@sos.texas.gov)  
(512) 463-6116

**Texas Secretary of State Issues Document Request for Phase 2 of Full Forensic Audit of 2020 Election in Collin, Dallas, Harris and Tarrant Counties**

AUSTIN — The Texas Secretary of State's office today issued an exhaustive document request of publicly available election materials from Collin, Dallas, Harris and Tarrant counties as part of the office's [Full Forensic Audit of the November 2020 General Election](#). The document request,

which covers more election materials than any other election audit in the United States to date, includes all documents that county election officials are required to maintain for 22 months following each election under both federal and state law. In total, the full forensic audit of Collin, Dallas, Harris and Tarrant counties will cover approximately 35% of all votes cast in the November 2020 General Election in Texas.

"Texas is leading in election integrity. As we embark on Phase 2 of our agency's Full Forensic Audit of the 2020 Election, we want to ensure every single eligible Texas voter knows that ballots in Texas are being properly processed, tabulated, and reported by county election officials in accordance with state and federal law," Secretary John Scott said. "Where there are irregularities or issues discovered, our office will absolutely be fully transparent about our findings, and we have all of the resources we need at our disposal to do so. To the extent that systemic reforms to our election processes are needed, we will report those to the Texas Legislature. To the extent that any criminal activity may have occurred, we will refer any and all information to the Texas Attorney General's office for investigation."

A summary of findings of Phase 1 of the audit will be issued publicly by the end of December 2021.

[Read the full request issued to Collin, Dallas, Harris and Tarrant counties today.](#)

###

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---

**From:** Keith Ingram  
**Sent:** Thursday, September 23, 2021 7:34 PM  
**To:** Sonya Aston  
**Subject:** Fw: Texas Secretary of State's Office Announces Full Forensic Audit of 2020 General Election in Four Texas Counties

---

**From:** Texas Secretary of State Press Office <TXSoSPress@public.govdelivery.com>  
**Sent:** Thursday, September 23, 2021 7:21 PM  
**To:** Keith Ingram <KIngram@sos.texas.gov>  
**Subject:** Texas Secretary of State's Office Announces Full Forensic Audit of 2020 General Election in Four Texas Counties

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## Texas Secretary of State

**For Immediate Distribution**  
September 23, 2021

Contact: Sam Taylor  
[smtaylor@sos.texas.gov](mailto:smtaylor@sos.texas.gov)  
(512) 463-6116

### **Texas Secretary of State's Office Announces Full Forensic Audit of 2020 General Election in Four Texas Counties**

AUSTIN - Under existing Texas laws, the Secretary of State has the authority to conduct a full and comprehensive forensic audit of any election and has already begun the process in Texas' two largest Democrat counties and two largest Republican counties—Dallas, Harris, Tarrant, and Collin—for the 2020 election. We anticipate the Legislature will provide funds for this purpose.

###

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**From:** Christina Adkins  
**Sent:** Friday, September 24, 2021 8:40 AM  
**To:** Elec Legal  
**Subject:** FW: Texas Secretary of State's Office Announces Full Forensic Audit of 2020 General Election in Four Texas Counties

News release about audit.

---

**From:** Texas Secretary of State Press Office <TXSoSPress@public.govdelivery.com>  
**Sent:** Thursday, September 23, 2021 7:22 PM  
**To:** Christina Adkins <CAdkins@sos.texas.gov>  
**Subject:** Texas Secretary of State's Office Announces Full Forensic Audit of 2020 General Election in Four Texas Counties

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## Texas Secretary of State

**For Immediate Distribution**  
September 23, 2021

Contact: Sam Taylor  
[smtaylor@sos.texas.gov](mailto:smtaylor@sos.texas.gov)  
(512) 463-6116

### **Texas Secretary of State's Office Announces Full Forensic Audit of 2020 General Election in Four Texas Counties**

AUSTIN - Under existing Texas laws, the Secretary of State has the authority to conduct a full and comprehensive forensic audit of any election and has already begun the process in Texas' two largest Democrat counties and two largest Republican counties—Dallas, Harris, Tarrant, and Collin—for the 2020 election. We anticipate the Legislature will provide funds for this purpose.

###

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**From:** Keith Ingram  
**Sent:** Friday, October 1, 2021 1:28 PM  
**To:** Sam Taylor; Adam Bitter; Christina Adkins  
**Subject:** Fwd: Open Record Req for Election records

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**From:** Bruce Sherbet <bsherbet@co.collin.tx.us>  
**Sent:** Friday, October 1, 2021 1:26 PM  
**To:** Keith Ingram  
**Subject:** FW: Open Record Req for Election records

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Keith,

I received the below open records request today and I need to ask for guidance because most of this request is secured with the election records that the state will be auditing in Phase 2. If we start opening and digging through the secured boxes for these items and making copies it will risk items being separated and possibly making the audit problematic. Please provide direction regarding the secured items in the below request. Thank you.

Bruce Sherbet  
Elections Administrator  
Collin County Elections  
2010 Redbud Blvd., Ste 102  
McKinney, TX 75069  
972-547-1900

---

**From:** [REDACTED]  
**Sent:** Friday, October 1, 2021 12:07 PM  
**To:** Bruce Sherbet <bsherbet@co.collin.tx.us>; Micki Meinecke <mmeinecke@co.collin.tx.us>  
**Subject:** Open Record Req for Election records

\*\*\*\*\* **WARNING:** External Email. Do not click links or open attachments that are unsafe. \*\*\*\*\*

Bruce and Micki,

Please consider this an open records request pursuant to Texas Government Code Chapter 552. Please produce the following November 2020 election records compliant with the Texas Election Code, Texas Administrative Code and Texas Secretary of State Advisory sections noted below.

1. Copies of the front and back of Envelope #1 for each election day polling location as required by Tex. Elec. Code 66.022.

2. Copies of the results tapes, for each election day polling location as required by Tex. Elec. Code 66.022(1). Please provide copies of results tapes compliant to the Texas Secretary of State's Advisory 2019-23, Glossary definition of results tapes.
3. Copies of front and back of Envelope #2 for each election day locations as required by Tex. Elec. Code 66.023.
4. Copies of the results tapes for each election day polling location as required by Tex. Elec. Code 66.023(1). Please provide copies of results tapes compliant to the Texas Secretary of State's Advisory 2019-23, Glossary definition of results tapes.
5. Copies of the front and back of Envelope #3 for each election day polling location as required by Tex. Elec. Code 66.024.
6. Copies of the results tapes for each election day polling location included in Envelope #3 as required by Tex. Elec. Code 66.024(1). Please provide copies of results tapes compliant to the Texas Secretary of State's Advisory 2019-23, Glossary of results tapes.
7. Copy of the county's central accumulator audit log compliant with Tex. Admin. Code Rule Sections 81.62(b)2, 81.62(b)3 and 81.62(b)5 for the dates May 1, 2020 through December 31, 2020.
8. Copy of the central counting station Test #2 results as required by Tex. Elec. Code 127.091, 127.092, 127.093, 127.094, 127.095 and 127.097.
9. Copies of chain of custody records for electronic storage information media as required by Tex. Elec. Code 129.051(b).
10. Copies of election records showing compliance to Tex. Elec. Code 52.062.
11. Copies of records showing the range of ballot serial numbers packaged and sealed compliant to Tex. Elec. Code 51.006.
12. Copies of records showing the range of ballot serial numbers distributed to early voting and election day polling locations compliant to Tex. Elec. Code 51.007.
13. Copies of all documentation (emails, advisories, presentations, contracts, etc.) sent to or from the county's elections officers from any party relating to Tex. Elec. Code 52.062, ballot numbering, and consecutive numbering of ballots for dates January 2016 through current.
14. Copies of each of the central counting station precinct-by-precinct election returns signed by the central counting station presiding judge as required by Tex. Elec. Code 127.131. Please ensure Absentee, Early Voting in Person, Election Day and Provisional ballots are broken out by precinct-by-precinct for all candidates for the November 2020 election.
15. Copies of appointments for the central counting station presiding judge, alternate presiding judge, tabulation supervisor and any other central counting station personnel.
16. Copy of the county's purchase records and contract for the current voting system.

17. Copies of the zero tapes for all early voting and election day polling locations compliant with Texas Secretary of State Election Advisory 2019-23 Section 6(2)f and Section 12(1)d. Please provide copies of zero tapes compliant to the Texas Secretary of State's Advisory 2019-23, Glossary definition of zero tapes.
18. Copies of all early voting results tapes for the early voting polling locations compliant with the Texas Secretary of State Election Advisory 2019-23 Section 6(5)b.
19. All ballot numbering records required under Texas Secretary of State Election Advisory 2019-23 Section 13(1)b.

Electronic copies are sufficient. Please advise me of any charges to me that may be involved.  
Thank you for your help.

Regards,  
Barbara Harless  
709 Summer Place  
Murphy, TX 75094  
214 796-0528

---

**From:** Keith Ingram  
**Sent:** Friday, December 31, 2021 12:19 PM  
**To:** [REDACTED]  
**Subject:** Fwd: Secretary Scott Releases Phase 1 Progress Report on Full Forensic Audit of 2020 General Election

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**From:** Texas Secretary of State Press Office <TXSoSPress@public.govdelivery.com>  
**Sent:** Friday, December 31, 2021 12:17 PM  
**To:** Keith Ingram  
**Subject:** Secretary Scott Releases Phase 1 Progress Report on Full Forensic Audit of 2020 General Election

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**Texas Secretary of State**

**John B. Scott**

**For Immediate Distribution**  
December 31, 2021

Contact: Sam Taylor  
[smtaylor@sos.texas.gov](mailto:smtaylor@sos.texas.gov)  
(512) 463-6116

## **Secretary Scott Releases Phase 1 Progress Report on Full Forensic Audit of 2020 General Election**

AUSTIN — Texas Secretary of State John Scott today released a progress report upon conclusion of Phase 1 of the state's full forensic audit of the 2020 General Election. The report, which outlines initial findings regarding the security and integrity of Texas' election systems in Collin, Dallas, Harris and Tarrant counties, shows that:

- Statewide, a total of **509** potential cross-state duplicate votes were cast in the November 2020 General Election - meaning these individuals may have cast a ballot in both Texas

and another state. Of those, 9 cast ballots in Collin County, 12 cast ballots in Dallas County, 27 cast ballots in Harris County, and 12 cast ballots in Tarrant County.

- Since November 2020, **224,585** deceased voters have been removed from the voter rolls in Texas - indicating the counties are performing their fundamental duties under federal and state law to maintain the accuracy of the statewide voter registration list and mitigate fraudulent activity related to potentially deceased voters. Collin County removed 4,889 deceased voters, Dallas County removed 14,926 deceased voters, Harris County removed 23,914 deceased voters, and Tarrant County removed 13,955 deceased voters.
- Statewide, a total of **67** potential votes cast in the name of deceased people are under investigation. Of those, 3 were cast in Collin County, 9 were cast in Dallas County, 4 were cast in Harris County and 1 was cast in Tarrant County.
- Statewide, a total of **11,737** potential non-U.S. citizens were identified as being registered to vote. Of these, 327 records were identified in Collin County, 1,385 were identified in Dallas County, 3,063 were identified in Harris County and 708 were identified in Tarrant County. While counties still have a significant number of pending investigations to complete, and have undertaken this list maintenance process to varying degrees, so far Dallas County has cancelled 1,193 potential non-U.S. citizen records, Tarrant County has cancelled one record, and Collin and Harris have not cancelled any potential non-U.S. citizen records. The final findings will be verified during Phase 2 of the full forensic audit.
- In a review of each county's partial manual count report required under Texas law, **three of the four counties reported discrepancies between ballots counted electronically versus those counted by hand.** The reported reasons for these discrepancies are included in the report and will be re-examined, investigated and verified during Phase 2 of the full forensic audit.
- Each of the four counties has dedicated at least **\$136,000** to enhancing their respective election security postures over the past two years - including both cybersecurity and physical security of election equipment. This includes funds provided through Help America Vote Act (HAVA) Election Security allocation to the State of Texas, as well as local matching county funds.

To the extent any information was not made available to the Texas Secretary of State's office before the publication of this report, the SOS office will endeavor to include any outstanding data figures in the final forensic audit report released after the completion of Phase 2.

To read the full Phase 1 progress report, [click here](#).

###

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**From:** Keith Ingram  
**Sent:** Thursday, September 23, 2021 8:30 PM  
**To:** bsherbet@co.collin.tx.us  
**Subject:** Fwd: Texas Secretary of State's Office Announces Full Forensic Audit of 2020 General Election in Four Texas Counties

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**From:** Texas Secretary of State Press Office <TXSoSPress@public.govdelivery.com>  
**Sent:** Thursday, September 23, 2021 7:21 PM  
**To:** Keith Ingram  
**Subject:** Texas Secretary of State's Office Announces Full Forensic Audit of 2020 General Election in Four Texas Counties

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## Texas Secretary of State

**For Immediate Distribution**  
September 23, 2021

Contact: Sam Taylor  
[smtaylor@sos.texas.gov](mailto:smtaylor@sos.texas.gov)  
(512) 463-6116

### **Texas Secretary of State's Office Announces Full Forensic Audit of 2020 General Election in Four Texas Counties**

AUSTIN - Under existing Texas laws, the Secretary of State has the authority to conduct a full and comprehensive forensic audit of any election and has already begun the process in Texas' two largest Democrat counties and two largest Republican counties—Dallas, Harris, Tarrant, and Collin—for the 2020 election. We anticipate the Legislature will provide funds for this purpose.

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---

**From:** Secretary  
**Sent:** Wednesday, November 17, 2021 4:41 PM  
**To:** jim.murphy@house.texas.gov; chris.turner@house.texas.gov; carol.alvarado@senate.texas.gov; paul.bettencourt@senate.texas.gov  
**Cc:** Joe Esparza  
**Subject:** Note from Secretary John B. Scott  
**Sensitivity:** Personal

Good Afternoon Caucus Chairs,

I hope you are doing well and staying healthy! I wanted to let you and all of your offices know that I am happy to speak directly to your constituents, as well as those of your members, about the full forensic audit of the 2020 General Election and election integrity as we head into the 2022 Primary season. While, as Secretary of State, I cannot participate in any type of fundraising activities for campaigns, I am happy to participate in public discussions with Texans in your district to answer their questions directly and provide educational information about safeguarding our elections in the State of Texas.

Please let me know if you would like me to join an upcoming event with your constituents, and I will do my best to make it work within our respective schedules. Please feel free to pass this along to any of your members as well.

Best wishes,

**John B. Scott**  
Texas Secretary of State  
[JScott@sos.texas.gov](mailto:JScott@sos.texas.gov)  
512-463-5770

---

**From:** Robert Heard <Robert.Heard@dallascounty.org>  
**Sent:** Friday, January 28, 2022 9:54 AM  
**To:** Keith Ingram; Christina Adkins  
**Subject:** Phase 2 Forensic Audit

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Greetings Keith and Christina,

As of January 12, 2022 I have returned to the Dallas County Elections Department to assist with some critical functions, one being preparing for the Secretary of State's Forensic Audit Phase 2. Would you please place me on the communication list for notifications. Would you also be so kind to provide me with the contact information for the main point of contact for your office regarding this project.

In the Secretary's letter dated December 10, 2021, there is a list of "near term" documents to be provided by December 21, 2021. I must verify whether or not these documents have been provided to your office.

With regard to the Phase 2 Comprehensive Records Examination, has a schedule been prepared and/or distributed to the Examinee counties? How can I get the most current status for this portion of the audit?

Thank you,

Robert A. Heard  
Elections Contractor  
Dallas County Elections Department  
1520 Round Table Dr., #116  
Dallas, TX 75247

Email: [Robert.Heard@DallasCounty.org](mailto:Robert.Heard@DallasCounty.org)  
Phone: (214) 819-6333

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**From:** Michele Carew <MCarew@co.hood.tx.us>  
**Sent:** Thursday, October 28, 2021 10:01 AM  
**To:** Elections Internet  
**Subject:** Questions

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Good morning.

Can you please assist me in clarifying misinformation being spread around here.

In regards to the new voting system requirements to be in place by 2024....Hood County purchased the Hart Verity Hybrid Duo Voting System back in February of this year. Will Hood County be required to purchase a new voting system in order to comply?

2.) Forensic Audits: can a member of the public ask the commissioners court to order one? We have one citizen requesting a forensic audit of Nov 2020. If so, how would we handle that if we no longer have that voting equipment?

Michele Carew, CERA  
Hood County Elections Administrator  
Registered Elections Official, TX-51  
Texas Association of Elections Administrators, Legislative Chair  
1410 W. Pearl Street  
Granbury, TX 76048  
(817) 408-2525  
(817)408-2592 fax  
mcarew@co.hood.tx.us

---

**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](mailto:smtaylor@sos.texas.gov)

Office: 512-463-6116

Cell: 512-538-5293



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**From:** Julia Rathgeber <Julia.Rathgeber@speaker.texas.gov>  
**Sent:** Wednesday, November 17, 2021 4:48 PM  
**To:** Joe Esparza  
**Subject:** RE: Note from Secretary John B. Scott

**Sensitivity:** Personal

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Thanks, Joe

---

**From:** Joe Esparza <JEsparza@sos.texas.gov>  
**Sent:** Wednesday, November 17, 2021 4:47 PM  
**To:** Alexander Hammond <alexander.hammond@senate.texas.gov>; Marc Salvato <Marc.Salvato@senate.texas.gov>; Benjamin Williams <Benjamin.Williams@house.texas.gov>; Emily Amps <Emily.Amps@house.texas.gov>  
**Cc:** Julia Rathgeber <Julia.Rathgeber@speaker.texas.gov>; Darrell Davila <Darrell.Davila@ltgov.texas.gov>  
**Subject:** FW: Note from Secretary John B. Scott  
**Sensitivity:** Personal

Hope this finds everyone well! I wanted to be sure this message from Secretary Scott was on your radar. Please let me know if we can be of service to your offices and constituents.

V/r,

Joe Esparza  
DSOS  


---

**From:** Secretary <[Secretary@sos.texas.gov](mailto:Secretary@sos.texas.gov)>  
**Sent:** Wednesday, November 17, 2021 4:41 PM  
**To:** [jim.murphy@house.texas.gov](mailto:jim.murphy@house.texas.gov); [chris.turner@house.texas.gov](mailto:chris.turner@house.texas.gov); [carol.alvarado@senate.texas.gov](mailto:carol.alvarado@senate.texas.gov); [paul.bettencourt@senate.texas.gov](mailto:paul.bettencourt@senate.texas.gov)  
**Cc:** Joe Esparza <JEsparza@sos.texas.gov>  
**Subject:** Note from Secretary John B. Scott  
**Sensitivity:** Personal

Good Afternoon Caucus Chairs,

I hope you are doing well and staying healthy! I wanted to let you and all of your offices know that I am happy to speak directly to your constituents, as well as those of your members, about the full forensic audit of the 2020 General Election and election integrity as we head into the 2022 Primary season. While, as Secretary of State, I cannot participate in any type of fundraising activities for campaigns, I am happy to participate in public discussions with Texans

in your district to answer their questions directly and provide educational information about safeguarding our elections in the State of Texas.

Please let me know if you would like me to join an upcoming event with your constituents, and I will do my best to make it work within our respective schedules. Please feel free to pass this along to any of your members as well.

Best wishes,

**John B. Scott**

Texas Secretary of State

[JScott@sos.texas.gov](mailto:JScott@sos.texas.gov)

512-463-5770

---

**From:** Cari Christman <Cari.Christman@senate.texas.gov>  
**Sent:** Wednesday, November 17, 2021 11:23 PM  
**To:** Joe Esparza  
**Subject:** Re: Note from Secretary John B. Scott

**Sensitivity:** Personal

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No problem. I completely understand. I will share with the Senator and let you know if he has any questions or would like to take the Secretary up on the offer.

As a side note, I do believe it would be beneficial for the Caucus to hold a member and/ or staff briefing on the audit. As you know, our office had some constituent inquiries and your office was extremely helpful in answering all of our questions and providing guidance to our local folks.

I will let you know any feedback the Chairman has for the Secretary. Thank you so much for reaching out to our office.

Take care,

Cari Christman

On Nov 17, 2021, at 6:32 PM, Joe Esparza <JEsparza@sos.texas.gov> wrote:

Hi Cari – Sorry I was working off an old list. This should have went to Senator Taylor and yourself!

I'll do better! Haha

Joe

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**From:** Joe Esparza  
**Sent:** Wednesday, November 17, 2021 4:47 PM  
**To:** Alexander Hammond <alexander.hammond@senate.texas.gov>; Marc.salvato@senate.texas.gov; benjamin.williams@house.texas.gov; emily.amps@house.texas.gov  
**Cc:** Julia Rathgeber <Julia.Rathgeber@speaker.texas.gov>; darrell.davila@ltgov.texas.gov  
**Subject:** FW: Note from Secretary John B. Scott  
**Sensitivity:** Personal

Hope this finds everyone well! I wanted to be sure this message from Secretary Scott was on your radar. Please let me know if we can be of service to your offices and constituents.

V/r,

Joe Esparza  
DSOS

[REDACTED]

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**From:** Secretary <[Secretary@sos.texas.gov](mailto:Secretary@sos.texas.gov)>

**Sent:** Wednesday, November 17, 2021 4:41 PM

**To:** [jim.murphy@house.texas.gov](mailto:jim.murphy@house.texas.gov); [chris.turner@house.texas.gov](mailto:chris.turner@house.texas.gov); [carol.alvarado@senate.texas.gov](mailto:carol.alvarado@senate.texas.gov); [paul.bettencourt@senate.texas.gov](mailto:paul.bettencourt@senate.texas.gov)

**Cc:** Joe Esparza <[JEsparza@sos.texas.gov](mailto:JEsparza@sos.texas.gov)>

**Subject:** Note from Secretary John B. Scott

**Sensitivity:** Personal

Good Afternoon Caucus Chairs,

I hope you are doing well and staying healthy! I wanted to let you and all of your offices know that I am happy to speak directly to your constituents, as well as those of your members, about the full forensic audit of the 2020 General Election and election integrity as we head into the 2022 Primary season. While, as Secretary of State, I cannot participate in any type of fundraising activities for campaigns, I am happy to participate in public discussions with Texans in your district to answer their questions directly and provide educational information about safeguarding our elections in the State of Texas.

Please let me know if you would like me to join an upcoming event with your constituents, and I will do my best to make it work within our respective schedules. Please feel free to pass this along to any of your members as well.

Best wishes,

**John B. Scott**  
Texas Secretary of State  
[JScott@sos.texas.gov](mailto:JScott@sos.texas.gov)  
512-463-5770