Subject:	RE: Illinois Freedom of Information Act Request (IL-SBE-24-0488)
Date:	Monday, May 13, 2024 at 5:30:34 PM Eastern Daylight Time
From:	Dietrich, Matt
To:	AO Records
Attachments:	United Sovereign Americans correspondence.pdf, FW: Valid 2024 General Election.eml, RE: IL vr stats.eml, RE: IL vr stats.eml, RE: IL vr stats.eml, RE: IL vr stats.eml, RE: Potential response letter for the canvas comparison.eml, United Sovereign Americans v Maryland SBE.eml, united sovereign citizens question.eml

Responsive documents are attached.

Matt Dietrich
Public Information Officer
Illinois State Board of Elections
(217) 558-1955 (o)
(217) 685-4738 (c)

From: AO Records <records@americanoversight.org>
Sent: Wednesday, May 8, 2024 11:33 AM
To: Dietrich, Matt <MDietrich@elections.il.gov>
Subject: Illinois Freedom of Information Act Request (IL-SBE-24-0488)

Dear FOIA Officer,

Please find attached a request for records under the Illinois Freedom of Information Act.

Sincerely,

Mariuxi Pintado I (she/hers)
Senior Paralegal I American Oversight
records@americanoversight.org
www.americanoversight.org I @weareoversight

Illinois Freedom of Information Act Request: IL-SBE-24-0488

From: Davis, Brent <BDavis@elections.il.gov>
Sent: Monday, April 01, 2024 12:23 PM EDT
To: Oldfield, John <JOldfield@elections.il.gov>; Nicholson, Clayton <CNicholson@elections.il.gov>; Andrew, Jordan <JAndrew@elections.il.gov>; Kelly, Amy <AKelly@elections.il.gov>
CC: Matthews, Bernadette <bmatthews@elections.il.gov>; Pryor, Brian <BPryor@elections.il.gov>
Subject: FW: Valid 2024 General Election
Attachment(s): "20240401084912.pdf","20240401084927.pdf"

FYI – more of the same from United Sovereign Americans with their claims of disparities between registration records and certified election results. I know we prepared a response on this matter, but I wasn't sure who that was shared with.

From: Kris Hockison <KHockison@clerk.wincoil.gov>
Sent: Monday, April 1, 2024 8:57 AM
To: Davis, Brent <BDavis@elections.il.gov>
Subject: Valid 2024 General Election

Good Morning.

FYI, the attached spoke at the Winnebago County Board meeting last Thursday, March 28, 2024. Lori just wanted to pass this information along. It seems that these speakers are making their way around Illinois.

Please be advised we have updated our emails. My new email address is KHockison@clerk.wincoil.gov

5. **Awards, Presentations, Public Hearings and Public Participation**
   A. Awards – None
   B. Presentation – Winnebago County Emergency Management Coordinator Trent Brass regarding the Winnebago County Migrant Contingency Plan
   C. Public Hearings – None
   D. Public Participation – Lori Thompson, Emergency response to the abandonment of Asylum Seekers in Winnebago County, Pro
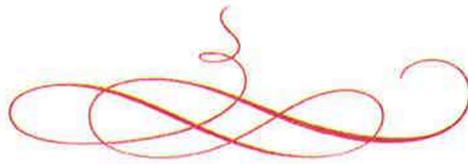
   Dean Barker, Election validity, Pro

   Brian Jones, Election validity, Pro

   Jane Carrell, Election validity/irregularities, Pro
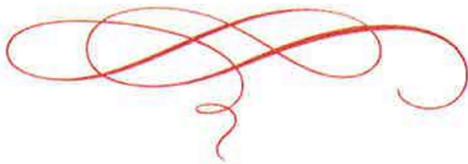
   Jodie Zitko, Election validity, Pro

   Ken Zitko, Election validity, Pro

   Babe Paukstys, Election validity, Pro

Resolution

For a Legally Valid 2024 General Election

Whereas It is a recognized civil right in the United States for every citizen to have free and fair elections. "And the right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise." (Reynolds *v.* Sims, 377 U.S. 533 (1964))

Whereas It is the affirmative duty of our election officials to comply with all Federal and State laws governing administration and procedure of our elections, thereby guaranteeing our elections are accurate and free from distortion or manipulation. "Congress seeks...to guard the election of members of Congress against any possible unfairness by compelling...everyone concerned in holding the election to a strict and scrupulous observance of every duty devolved upon him while so engaged... The evil intent consists in disobedience to the law." (In Re Coy, 127 U.S. 731 (1888)).

Whereas Our constitutional system of representative government only works when the worth of honest ballots is not diluted by invalid ballots procured by corruption, and assuring accuracy can only be achieved through fealty to those laws governing the following four tenets of an election:

1. The Voter Rolls Must Be Accurate (National Voter Registration Act, 1993).

2. Votes Counted Must Be From Eligible Voters (US Constitution, Fourteenth Amendment).

3. The Number of Votes Counted Must Equal the Number of Voters Who Voted.

4. There Can Be No More Than One in 125,000 Ballots in Error by the Voting System (Help America Vote Act, 2002).

02052024

IL-SBE-24-0488-A-000003

Whereas An open-source audit of the Illinois 2022 General Election conducted by Illinois state citizens has uncovered evidence of massive inaccuracies that violate both Federal and State laws, including:

- ◆ **4,032,801** ineligible or uncertain registration violations found within the Illinois State voter roll database.
- ◆ **589,985** votes cast by ineligible or uncertain registrations.
- ◆ **27,491** more votes counted than voters who voted in the 2022 general election. No one knows who cast them.
- ◆ **589,952** apparent voting violations in excess of the legal standard of system accuracy for a valid federal election. For the 2022 election in Illinois this number was **33**.
- ◆ Certification as defined by law, an attestation of accuracy and compliance, appears to have been fraudulent and illegal.

Whereas These findings trample accuracy requirements of voting systems for a Federal Election. For a voting system, accuracy is defined as the ability of the system to capture, record, store, consolidate and report the specific selections and absence of selections, made by the voter for each ballot position without error.

Whereas It must be known factually, and provably, that the intent of the voters is accurately represented by election results before certification can be lawfully conducted. Certification of an election that varies from the law is an abridgement of the civil rights of the citizens, a Fraud ab Initio. (United States *v.* Throckmorton, 98 U.S. 61 (1878)).

Whereas Illinois's 2022 General Election appears to have been invalid, depriving us of the guaranteed protection or our Natural Rights under a government duly and provably chosen by us, the American people, resulting in incalculable damage to our families, our way of life and the fabric of these united states.

Therefore We call upon our Representatives to provide relief to the people, and the assurance of domestic tranquility, by joining us in demanding a VALID 2024 general election that upholds these existing laws, and equitable principles of law:

1. Proof of citizenship and identity to register to vote, not anonymous attestation.

2. Documented chain of custody on every ballot, regardless of entry source, maintained from voter to vote count to final canvass.

Resolution for a Legally Valid 2024 General Election

02052024

IL-SBE-24-0488-A-000004

3. Secure ballots, similar to currency. In the event imaging technology is used for tabulation, the security features must be verifiable in the image.

4. Voter rolls certified accurate 30 days prior before start of early voting. Voters added after that date must bring proof of citizenship, identity, and address in person to a qualified official at each polling place.

5. Systems, machines, security measures, procedures, infrastructure, policy and conduct are required to be compliant with the laws regarding certification, testing, operational validity, and operational implementation. Any breach will require an adequately strong audit to verify measured outcomes were within 10% of the margin of victory at a 95% probability.

6. A scientifically randomized audit of real ballots must be performed and meaningfully witnessed, providing the error rate is smaller that 10% of the margin of victory. Otherwise, a fully witnessed hand recount must be performed. All parties with more than 10% of the vote shall have full and effective observation rights

7. Election operations and systems must maintain provable end-to-end chain of custody from voter to vote to final canvass, including auditability and witnessed transfer with paper records.

8. Adjudication must be signed off by party witnesses and candidate witnesses with full and effective observation rights. Candidates must be allowed immediate access to ballots, images and CVRs. Candidates may agree to use Party witnesses solely at their discretion.

9. End-to-End audits must be allowed by qualified, insured and bonded security forensic or financial auditor. These shall not be personnel from within the election system. Reconciliation will include the vote count, ballots, adjudication, CVRs, ballot count, voter count, custody transfer and all other paper and electronic systems including system logs, if applicable. The aggrieved party must be allowed to select their own auditor

10. If the total of all unique variances above is more than 10% of the margin of victory, a new election must be held in the state for those candidates affected, unless it can be provably corrected by a manual hand recount with full review of records

11. Waiver of requirements is not allowed. Only the end-to-end system com0plaince can guarantee the intent of the people is accurately recorded. Just obey the law.

— *Resolution on following page* —

Resolution for a Legally Valid 2024 General Election

02052024

IL-SBE-24-0488-A-000005

Be it Resolved That the Board of Winnebago County, IL,

stands in support with the concerns and remedies presented here. We implore the Illinois Legislature, Federal Legislators, Law Enforcement, Federal and State Prosecutors, Judges, and both State and County Boards of Elections to cooperate and fulfill these firm requests of the people.

RESULTS OF THE VOTE	YEA	NAY	SIGNATURE
Board Chair: Joseph Chiarelli	___	___	_____
District 1: Aaron Booker	___	___	_____
District 2: Jim Webster	___	___	_____
District 3: John Guevara	___	___	_____
District 4: Brad Lindmark	___	___	_____
District 5: Dave Tassoni	___	___	_____
District 6: Keith McDonald	___	___	_____
District 7: Paul Arena	___	___	_____
District 8: John Butitta	___	___	_____
District 9: John Penney	___	___	_____
District 10: Joe Hoffman	___	___	_____
District 11: Kevin McCarthy	___	___	_____
District 12: Jamie Salgado	___	___	_____
District 13: Angie Goral	___	___	_____
District 14: Tim Nabors	___	___	_____
District 15: Christopher Scrol	___	___	_____
District 16: Jean Crosby	___	___	_____
District 17: Michael Thompson	___	___	_____
District 18: Valerie Hanserd	___	___	_____
District 19: Angela Fellars	___	___	_____
District 20: John Sweeney	___	___	_____

As recorded on the _____ of _____, 2024.

-4-

Resolution for a Legally Valid 2024 General Election

02052024

IL-SBE-24-0488-A-000006

Appendix to the Resolution

Research Sources for the Open-Source Audit by Illinois state citizens:

- A copy of the Illinois Voter Registration data obtained by request from the Illinois State Board of Elections, dated January 25, 2023.
- Certified Statewide General Elections Results, downloaded from the official website of the ILSBOE (elections.il.gov) titled, "Official Canvass General Election November 8, 2022"

Relevant Laws applicable to a conducting a legally valid election:

- US Constitution; Article 1, Section 4.
- H.R. 2 The National Voter Registration Act of 1993 (Pub. L. 103-31).
- H.R. 3295 The Help America Vote Act of 2002 (Pub.L. 107-252).
- Federal Election Assistance Commission Voting System Standards Volume I: Performance Standards, April, 2002.
- Federal Information Security Modernization Act of 2014 (Public Law 113-283). originally Federal Information Security Management Act of 2002 (Public Law 107-347 (Title III)).
- National Institute of Standards and Technology SP 800-53: Security and Privacy Controls for Information Systems and Organizations.
- FIPS 199 - Standards for Security Categorization of Federal Information and Information Systems.
- U.S. Code: Title 52; Subtitle I—Voting Rights (§§ 10101 – 10702), Subtitle II—Voting Assistance and Election Administration (§§ 20101 – 21145) including:
    - ◆ 52 USC §10101(b)—Intimidation, threats, or coercion.
    - ◆ 52 USC §10307(c)—False Information in, and Payments for, Registering and Voting.
    - ◆ 52 USC §20701—Retention and preservation of records and papers by officers of elections.
    - ◆ 52 USC §20702—Theft, destruction, concealment, mutilation, or alteration of records or papers.
    - ◆ 52 U.S. Code § 21081—Voting systems standards (HAVA).
    - ◆ 52 U.S. Code § 21083—Computerized statewide voter registration list requirements and requirements for voters who register by mail.
- 18 USC §241—Conspiracy Against Rights.
- 18 USC §242—Deprivation of Rights Under Color of Law.
- 18 USC §1519—False Records in the Administration of a Federal Matter.
- 18 USC §1028A—Aggravated Identity Theft.
- 18 USC § 514—Fictitious obligations.
- Illinois Compiled Statutes (10 ILCS 5/) Election Code
- Illinois Criminal Code: Illinois Compiled Statutes (720 ILCS 5/16-30) Identity theft
- Illinois Criminal Code: Illinois Compiled Statutes (720 ILCS 5/17-3) Forgery

02052024

IL-SBE-24-0488-A-000007

UNITED SOVEREIGN AMERICANS

Illinois' 2022 General Election Validity Scorecard

⭐ 1. Were the voter rolls accurate, as required by the National Voter Registration Act of 1993?

Ineligible or Uncertain Registration Type	Number of Instances*
Illegal duplicate registrations	483,566
Voted before registered	2,843,869
Inactive registration that was never active	11,931
Questionable inactive status	8,687
Voted while inactive	763
Back dated registrations	47,687
Record shows modification prior to registration date	4,346
Invalid or illogical registration date	230,124
Age discrepant registrants (No age, younger than 17 or older than 115 - oldest known person in US)	21,099
Registrations with questionable address	219,046
Deleted Registration (Cast ballot, but deleted before federally required retainage period ended)	161,683
APPARENT REGISTRATION VIOLATIONS:	**4,032,801**

⭐ 2. Were the votes counted from eligible voters, as required by the US Constitution?

Ineligible or Uncertain Registration Type that Voted in 2022 GE	Votes cast in 2022 GE
Illegal duplicate registrations	269,284
Voted before registered	151,318
Inactive registration that was never active	104
Questionable inactive status	2,088
Registered after 2022 GE, yet voted	46,284
Voter was inactive when voting in 2022 GE	642
Back dated registrations	13,076
Record shows modification prior to registration date	1,223
Invalid or illogical registration date	143,002
Age discrepant registrants (younger than 17 or older than 115, the oldest known person in US)	8,591
Registrations with questionable address	68,793
APPARENT VOTING VIOLATIONS:	**704,405**
UNIQUE VOTES IMPACTED BY APPARENT VOTING VIOLATIONS:	**589,985**

⭐ 3. Was the number of votes counted equal to the number of voters who voted?

Official Source	Reported Total
Illinois SBOE Official Results of 2022 GE canvas report	4,144,125 votes counted
Illinois Voter raw data, provided by the Illinois SBOE	4,116,634 voters who voted
DIFFERENCE:	**27,491 more votes counted than voters who voted**

⭐ 4. Was the number of ballots in error valid according to the Help America Vote Act of 2002?

Ballots with apparent voting violations in the 2022 GE according to IL SBOE raw data	589,985
Allowable machine error rate is 1/10,000,000 ballot positions or 1/125,000 ballots	33
Provable accuracy fails to meet any protective legal standard	**589,952 unresolved vote errors**

"Congress seeks. . . .to guard the election of members of Congress against any possible unfairness by compelling, under its pains and penalties, everyone concerned in holding the election to a strict and scrupulous observance of every duty devolved upon him while so engaged. . . . The evil intent consists in disobedience to the law." —In re Coy, 127 U.S. 731 (1888)

*Extracted from an official copy of the Illinois Voter database provided by IL SBOE, received on January 25, 2023.

AMERICAN OVERSIGHT

★ Who We Are:

United Sovereign Americans is dedicated to protecting the citizens of America by assuring transparent, unwaveringly lawful, and trustworthy elections. The right of citizens to freely choose our representatives guarantees that our government upholds our will and serves by consent. Our life, liberty, and pursuit of happiness are secured by the law. United Sovereign Americans is particularly committed to ensuring fidelity to the law as it relates to elections and voting. United Sovereign Americans is at the ready to guard the validity of elections through education and litigation.

★ What Has Been Accomplished Already:

- United Sovereign Americans was incorporated as a 501(c)(4) non-profit in June, 2023.

- We have already invested over 3500 educational hours in our online federal election law discussion and training program, free and open to the public every Tuesday from 7-9pm Eastern time online. Hundreds of citizens have attended, from every state in the nation.

- We are in the process of onboarding state chapters, and rapidly building our Election Validity Scorecard for each of these states.

- We held a national training conference in St Louis, MO the weekend of September 15-18, 2023, and have an upcoming training conference in Dallas, TX the weekend of November 3-5, 2023. These conferences are an opportunity for total immersion in the Election Validity strategy, from grassroots education to advocacy and litigation. This includes the historical and constitutional basis for the legal approach. They are intended for individuals who want to form or help lead a state chapter, attorneys, analysts, auditors, and influencers.

- The release of our New York chapter's Election Validity Scorecard, and the submission of an official complaint to NYSBOE requesting a line-by-line explanation of over 5 million apparently invalid or illegal registrations, and over 745,000 votes cast in the 2022 GE by these registrants, has triggered a "Cease and Desist" letter from NY's Attorney General Letitia James, indicating that the facts as presented are on target.

- Marly Hornik, CEO and Harry Haury, Chairman have both appeared on national calls and podcasts as a call for the public to become educated and involved.

As is often the case, we make things too difficult. There were millions of cases of 'election fraud' in 2020 and 2022 as defined by the DOJ themselves and documented by election officials, themselves. But no one put it all together in a succinct and comprehensive or easy to understand framework. We did, and we are rapidly spreading the message nationwide. It is obvious from the reactions of the New York Board of Elections and the New York Attorney General that we struck a nerve deep in 'Blue' territory and they are concerned. We intend to force the prosecution of election misconduct nationwide, and we are coming on fast.

States with United Sovereign Americans Representatives	Electoral College Votes
California	54
Texas	40
Florida	30
New York	28
Pennsylvania	19
Illinois	19
North Carolina	16
Georgia	16
Michigan	15
Virginia	13
Arizona	11
Tennessee	11
Massachusetts	11
Maryland	10
Colorado	10
Missouri	10
Wisconsin	10
Nevada	6
Nebraska	5
New Mexico	5
Total: 20 States	**Total: 339 Electoral College Votes**

From: Andrew, Jordan <JAndrew@elections.il.gov>
Sent: Tuesday, March 05, 2024 4:27 PM EST
To: Oldfield, John <JOldfield@elections.il.gov>
Subject: RE: IL vr stats

Thank ya, sir!

Best Wishes –

Jordan Andrew (she/her)
Deputy General Counsel
Illinois State Board of Elections
p. 217-785-4003

From: Oldfield, John <JOldfield@elections.il.gov>
Sent: Tuesday, March 5, 2024 2:04 PM
To: Andrew, Jordan <JAndrew@elections.il.gov>
Subject: FW: IL vr stats

From: Oldfield, John
Sent: Tuesday, December 12, 2023 3:39 PM
To: Kelly, Amy <AKelly@elections.il.gov>; Matthews, Bernadette <bmatthews@elections.il.gov>; Kirk, Jeremy <JKirk@elections.il.gov>; GeneralCounsel <GeneralCounsel@elections.il.gov>
Cc: Nicholson, Clayton <CNicholson@elections.il.gov>; Dietrich, Matt <MDietrich@elections.il.gov>
Subject: FW: IL vr stats

Clayton and myself have discussed some of these issues with this letter, and there seems to be some disinformation and concerned to instill doubt in the election process. County is reaching out to us for a response.

From: Oldfield, John <JOldfield@elections.il.gov>
Sent: Tuesday, December 12, 2023 1:40 PM
To: Nicholson, Clayton <CNicholson@elections.il.gov>
Subject: Fwd: IL vr stats

Will you look this over, have you seen this? We can talk after lunch

Get Outlook for iOS

From: Kay T. Olson <kolson@grundycountyil.gov>
Sent: Tuesday, December 12, 2023 1:26:43 PM
To: Oldfield, John <JOldfield@elections.il.gov>
Subject: IL vr stats

John,

I've attached some IL registration and voting statistics information that is being circulated around our area. I was informed that an individual will be present at our Co Bd mtg tonight distributing this information and speaking during public comment. I realize this is just some raw data but was curious if you have seen this before? I would like to be prepared with a few counterpoints, if you could provide any clarification on any of these it would be greatly appreciated.

Most Sincerely,
Kay

Kay Olson
Grundy County Clerk & Recorder
111 E. Washington St., Room 12
Morris IL 60450
815-941-3367
kolson@grundycounty.il.gov

From: Andrew, Jordan <JAndrew@elections.il.gov>
Sent: Tuesday, March 05, 2024 2:43 PM EST
To: Malowitz, Marni <MMalowitz@elections.il.gov>
Subject: RE: IL vr stats

I did a bit. VRS finished a review of the numbers and have put together that document that's in your XFER file. Brent and I are working on cleaning it up and adding some more exposition. Nothing formal has gone out.

Best Wishes –

Jordan Andrew (she/her)
Deputy General Counsel
Illinois State Board of Elections
p. 217-785-4003

From: Malowitz, Marni <MMalowitz@elections.il.gov>
Sent: Tuesday, March 5, 2024 11:58 AM
To: Andrew, Jordan <JAndrew@elections.il.gov>
Subject: FW: IL vr stats

Hi Jordan,

Did you get involved in this Grundy County issue when it came up? Or anything else with the United Sovereign Americans?

I'm trying to respond to a letter from a couple of them and want to ensure I know what communications we've had. Thanks!

Marni M. Malowitz
General Counsel
Illinois State Board of Elections
(312) 814-6462

From: Nicholson, Clayton <CNicholson@elections.il.gov>
Sent: Tuesday, March 5, 2024 11:03 AM
To: Malowitz, Marni <MMalowitz@elections.il.gov>
Subject: FW: IL vr stats

Clayton Nicholson

Illinois State Board of Elections
Voter Registration Team Lead
(217)558-2873

From: Oldfield, John <JOldfield@elections.il.gov>
Sent: Tuesday, December 12, 2023 4:47 PM
To: Matthews, Bernadette <bmatthews@elections.il.gov>; Kelly, Amy <AKelly@elections.il.gov>; Dietrich, Matt <MDietrich@elections.il.gov>; Kirk, Jeremy <JKirk@elections.il.gov>; GeneralCounsel <GeneralCounsel@elections.il.gov>
Cc: Nicholson, Clayton <CNicholson@elections.il.gov>
Subject: RE: IL vr stats

Thanks everyone, I agree too.

From: Matthews, Bernadette <bmatthews@elections.il.gov>
Sent: Tuesday, December 12, 2023 4:40 PM
To: Kelly, Amy <AKelly@elections.il.gov>; Dietrich, Matt <MDietrich@elections.il.gov>; Oldfield, John <JOldfield@elections.il.gov>; Kirk, Jeremy <JKirk@elections.il.gov>; GeneralCounsel <GeneralCounsel@elections.il.gov>
Cc: Nicholson, Clayton <CNicholson@elections.il.gov>
Subject: Re: IL vr stats

I agree that there isn't enough time to review and compare data and provide an adequate response. We can follow up with the County after its meeting of a response is requested but I think we refrain from any formal comment at this point in time.

From: Kelly, Amy <AKelly@elections.il.gov>
Sent: Tuesday, December 12, 2023 4:37:12 PM
To: Dietrich, Matt <MDietrich@elections.il.gov>; Oldfield, John <JOldfield@elections.il.gov>; Matthews, Bernadette <bmatthews@elections.il.gov>; Kirk, Jeremy <JKirk@elections.il.gov>; GeneralCounsel <GeneralCounsel@elections.il.gov>
Cc: Nicholson, Clayton <CNicholson@elections.il.gov>
Subject: Re: IL vr stats

I agree with Matt, given the time restrictions on this request and not having an outline of the specific data we deem misinformation, I would avoid providing any sort of statement at this time.

I did a quick spot check from the 2022 canvass report and those totals appear to be correct. I can't verify the raw data numbers as that report is not available on our website. (I assume it has to be requested).

John and Clayton could likely verify some of the other data, but I do think if a response is deemed appropriate, we need more time to effectively dissect the data provided.

Just my two cents.

From: Dietrich, Matt <MDietrich@elections.il.gov>
Sent: Tuesday, December 12, 2023 4:20 PM
To: Oldfield, John <JOldfield@elections.il.gov>; Kelly, Amy <AKelly@elections.il.gov>; Matthews, Bernadette <bmatthews@elections.il.gov>; Kirk, Jeremy <JKirk@elections.il.gov>; GeneralCounsel <GeneralCounsel@elections.il.gov>
Cc: Nicholson, Clayton <CNicholson@elections.il.gov>
Subject: Re: IL vr stats

My suggested statement (though I don't think this deserves a response from us):

This document is riddled with unsourced misinformation and -- where "IL BOE Database" is indicated as a source -- falsely sourced misinformation. Voters seeking accurate election data are encouraged to visit www.elections.il.gov for official vote totals publications and other information on voting and registration.

Matt Dietrich
Public Information Officer
Illinois State Board of Elections
(217)558-1955

From: Oldfield, John <JOldfield@elections.il.gov>
Sent: Tuesday, December 12, 2023 3:38 PM
To: Kelly, Amy <AKelly@elections.il.gov>; Matthews, Bernadette <bmatthews@elections.il.gov>; Kirk, Jeremy <JKirk@elections.il.gov>; GeneralCounsel <GeneralCounsel@elections.il.gov>
Cc: Nicholson, Clayton <CNicholson@elections.il.gov>; Dietrich, Matt <MDietrich@elections.il.gov>
Subject: FW: IL vr stats

Clayton and myself have discussed some of these issues with this letter, and there seems to be some disinformation and concerned to instill doubt in the election process. County is reaching out to us for a response.

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To: Nicholson, Clayton <CNicholson@elections.il.gov>
Subject: Fwd: IL vr stats

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From: Kay T. Olson <kolson@grundycountyil.gov>
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To: Oldfield, John <JOldfield@elections.il.gov>
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Most Sincerely,

Kay

Kay Olson

Grundy County Clerk & Recorder

111 E. Washington St., Room 12

Morris IL 60450

815-941-3367

kolson@grundycounty.il.gov

From: Andrew, Jordan <JAndrew@elections.il.gov>
Sent: Tuesday, March 05, 2024 4:28 PM EST
To: Malowitz, Marni <MMalowitz@elections.il.gov>
Subject: RE: IL vr stats

That's a great idea. I'll riff off of Clayton's response and put something together for you.

Stand by.

Best Wishes –

Jordan Andrew (she/her)
Deputy General Counsel
Illinois State Board of Elections
p. 217-785-4003

From: Malowitz, Marni <MMalowitz@elections.il.gov>
Sent: Tuesday, March 5, 2024 1:52 PM
To: Andrew, Jordan <JAndrew@elections.il.gov>
Subject: RE: IL vr stats

Here is the letter I need to respond to.   Mine plan thus far is to tell them we can't access their thumb drive for information security reasons, and election fraud should be reported as a crime.

Should we combine efforts on this?

Marni M. Malowitz
General Counsel
Illinois State Board of Elections
(312) 814-6462

From: Andrew, Jordan <JAndrew@elections.il.gov>
Sent: Tuesday, March 5, 2024 1:44 PM
To: Malowitz, Marni <MMalowitz@elections.il.gov>
Subject: RE: IL vr stats

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Jordan Andrew (she/her)
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Illinois State Board of Elections
p. 217-785-4003

From: Malowitz, Marni <MMalowitz@elections.il.gov>
Sent: Tuesday, March 5, 2024 11:58 AM
To: Andrew, Jordan <JAndrew@elections.il.gov>
Subject: FW: IL vr stats

Hi Jordan,

Did you get involved in this Grundy County issue when it came up? Or anything else with the United Sovereign Americans?

I'm trying to respond to a letter from a couple of them and want to ensure I know what communications we've had. Thanks!

Marni M. Malowitz
General Counsel
Illinois State Board of Elections
(312) 814-6462

From: Nicholson, Clayton <CNicholson@elections.il.gov>
Sent: Tuesday, March 5, 2024 11:03 AM
To: Malowitz, Marni <MMalowitz@elections.il.gov>
Subject: FW: IL vr stats

Clayton Nicholson
Illinois State Board of Elections

Voter Registration Team Lead
(217)558-2873

From: Oldfield, John <JOldfield@elections.il.gov>
Sent: Tuesday, December 12, 2023 4:47 PM
To: Matthews, Bernadette <bmatthews@elections.il.gov>; Kelly, Amy <AKelly@elections.il.gov>; Dietrich, Matt <MDietrich@elections.il.gov>; Kirk, Jeremy <JKirk@elections.il.gov>; GeneralCounsel <GeneralCounsel@elections.il.gov>
Cc: Nicholson, Clayton <CNicholson@elections.il.gov>
Subject: RE: IL vr stats

Thanks everyone, I agree too.

From: Matthews, Bernadette <bmatthews@elections.il.gov>
Sent: Tuesday, December 12, 2023 4:40 PM
To: Kelly, Amy <AKelly@elections.il.gov>; Dietrich, Matt <MDietrich@elections.il.gov>; Oldfield, John <JOldfield@elections.il.gov>; Kirk, Jeremy <JKirk@elections.il.gov>; GeneralCounsel <GeneralCounsel@elections.il.gov>
Cc: Nicholson, Clayton <CNicholson@elections.il.gov>
Subject: Re: IL vr stats

I agree that there isn't enough time to review and compare data and provide an adequate response. We can follow up with the County after its meeting of a response is requested but I think we refrain from any formal comment at this point in time.

From: Kelly, Amy <AKelly@elections.il.gov>
Sent: Tuesday, December 12, 2023 4:37:12 PM
To: Dietrich, Matt <MDietrich@elections.il.gov>; Oldfield, John <JOldfield@elections.il.gov>; Matthews, Bernadette <bmatthews@elections.il.gov>; Kirk, Jeremy <JKirk@elections.il.gov>; GeneralCounsel <GeneralCounsel@elections.il.gov>
Cc: Nicholson, Clayton <CNicholson@elections.il.gov>
Subject: Re: IL vr stats

I agree with Matt, given the time restrictions on this request and not having an outline of the specific data we deem misinformation, I would avoid providing any sort of statement at this time.

I did a quick spot check from the 2022 canvass report and those totals appear to be correct. I can't verify the raw data numbers as that report is not available on our website. (I assume it has to be requested).

John and Clayton could likely verify some of the other data, but I do think if a response is deemed appropriate, we need more time to effectively dissect the data provided.

Just my two cents.

From: Dietrich, Matt <MDietrich@elections.il.gov>
Sent: Tuesday, December 12, 2023 4:20 PM
To: Oldfield, John <JOldfield@elections.il.gov>; Kelly, Amy <AKelly@elections.il.gov>; Matthews, Bernadette <bmatthews@elections.il.gov>; Kirk, Jeremy <JKirk@elections.il.gov>; GeneralCounsel <GeneralCounsel@elections.il.gov>
Cc: Nicholson, Clayton <CNicholson@elections.il.gov>
Subject: Re: IL vr stats

My suggested statement (though I don't think this deserves a response from us):

This document is riddled with unsourced misinformation and -- where "IL BOE Database" is indicated as a source -- falsely sourced misinformation. Voters seeking accurate election data are encouraged to visit www.elections.il.gov for official vote totals publications and other information on voting and registration.

Matt Dietrich
Public Information Officer
Illinois State Board of Elections
(217)558-1955

From: Oldfield, John <JOldfield@elections.il.gov>
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Cc: Nicholson, Clayton <CNicholson@elections.il.gov>; Dietrich, Matt <MDietrich@elections.il.gov>
Subject: FW: IL vr stats

Clayton and myself have discussed some of these issues with this letter, and there seems to be some disinformation and concerned to instill doubt in the election process. County is reaching out to us for a response.

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Subject: Fwd: IL vr stats

Will you look this over, have you seen this? We can talk after lunch

Get Outlook for iOS

From: Kay T. Olson <kolson@grundycountyil.gov>
Sent: Tuesday, December 12, 2023 1:26:43 PM
To: Oldfield, John <JOldfield@elections.il.gov>
Subject: IL vr stats

John,

I've attached some IL registration and voting statistics information that is being circulated around our area. I was informed that an individual will be present at our Co Bd mtg tonight distributing this information and speaking during public comment. I realize this is just some raw data but was curious if you have seen this before? I would like to be prepared with a few counterpoints, if you could provide any clarification on any of these it would be greatly appreciated.

Most Sincerely,

Kay

Kay Olson

Grundy County Clerk & Recorder

111 E. Washington St., Room 12

Morris IL 60450

815-941-3367

kolson@grundycounty.il.gov

From: Andrew, Jordan <JAndrew@elections.il.gov>
Sent: Monday, March 11, 2024 12:49 PM EDT
To: Malowitz, Marni <MMalowitz@elections.il.gov>
Subject: RE: IL vr stats
Attachment(s): "United Soverign Citizens.Voter List.docx","Ltr to Zitko 2 24.docx"

Hi Marni –

Attached is your letter with some information added to reflect the communication regarding the United Sovereign Citizens communication. Please feel free to edit or change that paragraph as you'd prefer. I've also attached the communication for a more detailed explanation.

As always, please don't hesitate with questions or concerns. Thank you!
Jordan

From: Malowitz, Marni <MMalowitz@elections.il.gov>
Sent: Tuesday, March 5, 2024 4:09 PM
To: Andrew, Jordan <JAndrew@elections.il.gov>
Subject: RE: IL vr stats

Thanks. Here is what I had started.

Marni M. Malowitz
General Counsel
Illinois State Board of Elections
(312) 814-6462

From: Andrew, Jordan <JAndrew@elections.il.gov>
Sent: Tuesday, March 5, 2024 3:28 PM
To: Malowitz, Marni <MMalowitz@elections.il.gov>
Subject: RE: IL vr stats

That's a great idea. I'll riff off of Clayton's response and put something together for you.

Stand by.

Best Wishes –

Jordan Andrew (she/her)
Deputy General Counsel
Illinois State Board of Elections
p. 217-785-4003

From: Malowitz, Marni <MMalowitz@elections.il.gov>
Sent: Tuesday, March 5, 2024 1:52 PM
To: Andrew, Jordan <JAndrew@elections.il.gov>
Subject: RE: IL vr stats

Here is the letter I need to respond to.   Mine plan thus far is to tell them we can't access their thumb drive for information security reasons, and election fraud should be reported as a crime.

Should we combine efforts on this?

Marni M. Malowitz
General Counsel
Illinois State Board of Elections
(312) 814-6462

From: Andrew, Jordan <JAndrew@elections.il.gov>
Sent: Tuesday, March 5, 2024 1:44 PM
To: Malowitz, Marni <MMalowitz@elections.il.gov>
Subject: RE: IL vr stats

I did a bit. VRS finished a review of the numbers and have put together that document that's in your XFER file. Brent and I are working on cleaning it up and adding some more exposition. Nothing formal has gone out.

Best Wishes –

Jordan Andrew (she/her)
Deputy General Counsel
Illinois State Board of Elections

IL-SBE-24-0488-A-000017

p. 217-785-4003

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Illinois State Board of Elections
Voter Registration Team Lead
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Cc: Nicholson, Clayton <CNicholson@elections.il.gov>; Dietrich, Matt <MDietrich@elections.il.gov>
Subject: FW: IL vr stats

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Most Sincerely,

Kay

Kay Olson

Grundy County Clerk & Recorder

AMERICAN
OVERSIGHT

IL-SBE-24-0488-A-000019

111 E. Washington St., Room 12

Morris IL 60450

815-941-3367

kolson@grundycounty.il.gov

2329 S. MacArthur Blvd.
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

69 W. Washington St., Pedway LL-08
Chicago, Illinois 60602
312/814-6440
Fax: 312/814-6485

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Tonya L. Genovese
Catherine S. McCrory
Rick S. Terven, Sr.
Jack Vrett

EXECUTIVE DIRECTOR
Bernadette M. Matthews

February __, 2024

To: Kenneth Zitko and Jodie Zitko
        3N778 Walt Whitman Road
        St. Charles, IL 60175

        Re: Letter re: alleged election fraud

Mr. Zitko, Ms. Zitko,

I am in receipt of your letter dated December 21, 2023. I am returning with this letter
the thumb drive you submitted to the Illinois State Board of Elections ("Board"). I am
unable to view the contents of the thumb drive, as accessing such drives is not
permitted under our information security controls.

It is difficult to ascertain the nature of your concerns based upon your letter and
inventory spreadsheet without seeing the content of the drive, but the documents listed
appear to relate to voter registration. The Board has general supervisory powers over
the administration of registration laws in the statute. 10 ILCS 5/1A-1, 1A-8(12). Our
primary responsibility with respect to voter registration is to operate the technological
aspects of the electronic Illinois Voter Registration System, which local election
authorities use to input individual voter registration information from their jurisdictions.
10 ILCS 5/1A-25. We are not a law enforcement agency and have no investigative
powers relating to fraudulent voter registrations or other voter fraud. 10 ILCS 5/1A-8.

Without investigating the material contained within the thumb drive for the reasons
detailed above, if the data source for that information and/or the information contained
within what you describe as the 2022 General Election Validity Scorecard is the
statewide voter file, that information is not a valid point of comparison against the 2022
General Election canvass. The statewide voter file is a listing of all of the voter
registrations, active and inactive, at the time the file was requested. It is a continually
changing list as new voters are registered, current voters update their registrations, and
voters' registrations are cancelled for a myriad of reasons and those changes are
reflected in the voter file as they occur. The vast majority of the purported
inconsistencies noted by your organization do not reflect voters whose registrations

IL-SBE-24-0488-A-000021

were cancelled between the date of the 2022 General Election and the creation of the statewide voter file serving as your data source. The data source also fails to account for grace period registrations or provisional votes.

Election-related crimes are listed in Article 29 of the Election Code and include voting more than once (10 ILCS 5/29-5), providing false information in voter registrations (10 ILCS 5/29-19), and disregard of the Election Code (10 ILCS 5/29-12). The offices of each county's State's Attorney and the Attorney General are the only Illinois agencies authorized to prosecute these crimes. Criminal complaints should be filed with the police who may refer criminal matters for prosecution. The Board has no authority over criminal matters.

Your letter also references election certifications. The Board does canvass and issue proclamations of results of races for certain offices based upon votes physically cast. 10 ILCS 5/22-7. Even if an individual vote was unlawfully cast, that is a matter for investigation and/or prosecution by the criminal justice system, as the Board has no statutory authority to independently disregard ballots in its canvass based upon a suspicion of individual voter wrongdoing.

Thank you for writing with your concerns.

Very Truly Yours,

Marni M. Malowitz
General Counsel
(312) 814-6462

Page 2

www.elections.il.gov

IL-SBE-24-0488-A-000022

The count comparison circulated by United Sovereign Americans is a misrepresentation of information contained within the statewide voter file. The statewide voter file is a listing of all of the underline current voter registrations – active and inactive – and a listing of those voters' vote history and districts. It is not a comprehensive or fully inclusive list of all voters who voted in any previous election, including 2022. As such, it is not an appropriate data source for comparison against the canvass numbers since it does not include any registration records for voters who have been cancelled since the election in question. In short, the data source they are using does not include registration records for voters who may have voted in the 2022 election, but have since been cancelled due to death, incarceration, or moving out of state.

The statewide voter file includes active registrations and inactive registrations as well as the voter history associated with each of those registrations. It does not include cancelled registrations. Active registrations are those registrations are those of voters' whose addresses have not changed since registering and who remain otherwise eligible to vote. Inactive registrations are the registrations of voters who have not responded to the voter list maintenance notices sent within four years, and have not voted or appeared to vote in the last one to two federal elections (*see* 52 USC 20507(d)). Voters with an inactive registration status are still registered and may vote. Cancelled registrations are those registrations that have been cancelled by virtue of the voter's request, death, incarceration, confirmed move out of state, or failure to vote in two consecutive federal elections after being placed in inactive status.

When a voter's registration is cancelled, that voter is removed from the statewide voter file. Moreover, as redistricting occurs, election jurisdictions are not required to and may not update/include cancelled registrations. This could lead to perceived inaccuracies in address and district data presented in the statewide voter file.

As cancelled registrations are removed from the statewide voter file as the registrations are cancelled, the more time that passes from the election to the date the registration list is created – the more deviation there will be from the election canvass list and the statewide voter file. While the State Board of Elections cannot be certain of the date the voter file United Sovereign Americans is using as its source – the 2022 General Election occurred over 16 months before the date of this correspondence; meaning that every registration cancellation that has occurred in the last 16 months would not be reflected within the statewide voter registration file.

The vast majority of the purported inconsistencies in the 2022 General Election Canvass count and the voter registrations are accounted for by acknowledging the registrations that have been cancelled since the 2022 General Election. After an election has passed, all election authorities within the State submit and approve the voter history for that election. After this information is transmitted to the SBE, staff of the SBE conduct a thorough comparison of the voter history data against the canvass data to ensure the accuracy of the information before updating the voter history and district portions of the statewide voter file.

In addition to the continually changing registration list, the count comparison circulated by United Sovereign Americans does not seem to account for grace period registrations or provisional votes, both of which are permissible under the Illinois Election Code (see 10 ILCS 5/4-50, 5-50, and 6-100 for grace period registration and voting and 10 ILCS 5/18A-1 *et seq.* for provisional voting).

An analysis conducted by staff has determined that when cancelled registrations, grace period registrations and changes, and provisional votes are properly accounted for, the 2022 General

Election canvass is not only statistically accurate, but also accurate according to State law, federal law, and are in line with the registrations at the time of the 2022 General Election.

From: Andrew, Jordan <JAndrew@elections.il.gov>
Sent: Monday, March 11, 2024 12:28 PM EDT
To: Davis, Brent <BDavis@elections.il.gov>; Nicholson, Clayton <CNicholson@elections.il.gov>; Oldfield, John <JOldfield@elections.il.gov>
Subject: RE: Potential response letter for the canvas comparison
Attachment(s): "United Soverign Citizens.Voter List.docx"

Great edits – thank you for the clarification on active registrations and I was searching for the word continually! Thank you!

I've included the edits and cleaned up the comments. If there are no further objections, please feel free to circulate/utilize this in your communications.

Thanks, again!
Jordan

From: Davis, Brent <BDavis@elections.il.gov>
Sent: Monday, March 11, 2024 11:07 AM
To: Andrew, Jordan <JAndrew@elections.il.gov>; Nicholson, Clayton <CNicholson@elections.il.gov>; Oldfield, John <JOldfield@elections.il.gov>
Subject: RE: Potential response letter for the canvas comparison

This is really good. I did make a couple of suggestions and/or clarifications, please feel free to scrap them if I'm overthinking or overcomplicating things.

From: Andrew, Jordan <JAndrew@elections.il.gov>
Sent: Monday, March 11, 2024 10:28 AM
To: Nicholson, Clayton <CNicholson@elections.il.gov>; Oldfield, John <JOldfield@elections.il.gov>; Davis, Brent <BDavis@elections.il.gov>
Subject: RE: Potential response letter for the canvas comparison

Good Morning, All.

My apologies for the extreme delay in responding. I've edited Clayton's response a bit to be more of an exposition. Please take a look and advise if it meets with your collective approval.

Thank you!
Jordan

From: Nicholson, Clayton <CNicholson@elections.il.gov>
Sent: Wednesday, February 14, 2024 9:45 AM
To: Andrew, Jordan <JAndrew@elections.il.gov>; Oldfield, John <JOldfield@elections.il.gov>
Subject: FW: Potential response letter for the canvas comparison

Were we good to send this out? I haven't sent anything yet.

Clayton Nicholson
Illinois State Board of Elections
Voter Registration Team Lead
(217)558-2873

From: Nicholson, Clayton
Sent: Friday, February 9, 2024 12:36 PM
To: Oldfield, John <JOldfield@elections.il.gov>; Andrew, Jordan <JAndrew@elections.il.gov>
Cc: Davis, Brent <BDavis@elections.il.gov>
Subject: Potential response letter for the canvas comparison

Below is the best description I can give, please modify, correct or whatever. I have also included Brent in this e-mail as I have heard they are getting calls on this claim as well.

The count comparisons that is being referenced has to do with a lack of understanding of the data contained within the statewide voter file. They are treating the statewide voter file data as if was a list of voter history and the voters with that history. The statewide voter list is actually a list of all active and inactive voters and a list of those voters history and districts. This means that as voters get cancelled they will no longer appear on the statewide voter statewide voter list. That is the reason that the counts are different to the canvas in the comparison the further you get away from an election the more of those records get cancelled which also means the lower the amount of voters that have history for that election. If the cancelled records were not taken out, the counts are very close to the Canvas numbers.

After an election has passed and the election authorities have sign off on having all their history for the last election entered a thorough comparison is done to the previous count of voters, districts, and precincts as well as the histories are compared to the Canvas data for verification that the SBE is indeed getting the expected number of voter histories.

So the reported data is not factual in the manner that the data that was used was not a list of all voters who voted in any previous election. The statewide voter file has historically been used by communities in order to create walk list and as such there has never been a need for cancelled voter records, in addition to that a jurisdiction may not update a cancelled records districts as redistricting is done, so the cancelled voter data could also be inaccurate from an address and district stand point, making the preferred use of the statewide voter data hindered by such data existing.

Thank You,
Clayton Nicholson
Illinois State Board of Elections
Voter Registration Team Lead
(217)558-2873

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December 21, 2023

Bernadette Matthews
Executive Director,
Illinois State Board of Elections
69 W. Washington Street, Suite LL08,
Chicago, IL 60602

Ms. Matthews:

Our names are Kenneth and Jodie Zitko. We are state directors for United Sovereign Americans and we are submitting this complaint to the Illinois State Board of Elections on behalf of the citizens of Illinois.

We have enclosed the following:

1. This cover letter
2. Illinois' 2022 General Election Validity Scorecard
3. Inventory spreadsheet listing all files provided on the enclosed USB drive, including record counts for each CSV file and notations citing laws and statute as reference for the complaint
4. One Kingston brand 64 GB USB drive with 106 files on it, matching the inventory spreadsheet

As can be seen from the attached documents, it appears that there are serious breaches of statutory standards on both the Federal and state level required by the law. In some cases, millions of potential voter irregularity/registration cases would either need to be explained or classified as illegal votes, obviously affecting: 1) compliance with Federal and state vote procedure requirements; 2) reflecting election results certified as legal but which in fact were illegal; and 3) reflecting possible election fraud in Illinois during the 2022 election.

Allow us to stress that this is not a vague complaint of election fraud conspiracy. It is not an attempt to overturn any particular election result. It is intended, however, to point to what may be ongoing illegal procedures and a failure to follow the law in elections in Ilinois. If this is the case it must be identified and remedied.

If you choose to dismiss the facts forming the basis of this inquiry, further action will be pursued. We would hope, however, that the factual anomalies are investigated and satisfactorily explained. Many have raised these issues repeatedly and have received no meaningful response regarding millions of potential anomalies and potential violations of state and Federal law, rules and procedures. While we do not know who is responsible for these anomalies, we do know who has to date failed to review similar findings, failed to investigate these potential crimes and who certified election results contrary to standards for error, accuracy and compliance. We hope that this dismissive attitude will not be repeated, but that the facts are recognized, investigated and explained.

Our concern, obviously, is that the resulting election certifications apparently were made despite objective, factual data raising concerns that the State had massively compromised systems, and that the certifications may represent serious disregard of the voters' civil and constitutional rights within the state.

We ask for a response of intentions from the ILSBOE within ten days. We have attached our summary report, our detailed method of analysis and extraction files containing all anomalies. This analysis used data provided from the Illinois State Board of Elections and the queries provided can be run against your own data by your own staff.

Sincerely,

Kenneth Zitko and Jodie Zitko

3N778 Walt Whitman Road,

St. Charles, Illinois. 60175

(847) 528-2806

Ken.zitko@usa4freedom.org

Jodie.zitko@usa4freedom.org

Enclosures: __ __ Illinois' 2022 General Election Validity Scorecard

              __ __ Inventory spreadsheet

              __ __ USB drive with 106 files on it, matching the inventory spreadsheet

December 21, 2023

Bernadette Matthews
Executive Director,
Illinois State Board of Elections
69 W. Washington Street, Suite LL08,
Chicago, IL 60602

Ms. Matthews:

Our names are Kenneth and Jodie Zitko. We are state directors for United Sovereign Americans and we are submitting this complaint to the Illinois State Board of Elections on behalf of the citizens of Illinois.

We have enclosed the following:

1. This cover letter
2. Illinois' 2022 General Election Validity Scorecard
3. Inventory spreadsheet listing all files provided on the enclosed USB drive, including record counts for each CSV file and notations citing laws and statute as reference for the complaint
4. One Kingston brand 64 GB USB drive with 106 files on it, matching the inventory spreadsheet

As can be seen from the attached documents, it appears that there are serious breaches of statutory standards on both the Federal and state level required by the law. In some cases, millions of potential voter irregularity/registration cases would either need to be explained or classified as illegal votes, obviously affecting: 1) compliance with Federal and state vote procedure requirements; 2) reflecting election results certified as legal but which in fact were illegal; and 3) reflecting possible election fraud in Illinois during the 2022 election.

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Sincerely,

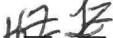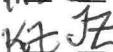Kenneth Zitko and Jodie Zitko

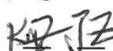3N778 Walt Whitman Road,

St. Charles, Illinois. 60175

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Ken.zitko@usa4freedom.org

Jodie.zitko@usa4freedom.org

Enclosures: Illinois' 2022 General Election Validity Scorecard

Inventory spreadsheet

USB drive with 106 files on it, matching the inventory spreadsheet

UNITED SOVEREIGN AMERICANS

Illinois' 2022 General Election Validity Scorecard

★ 1. Were the voter rolls accurate, as required by the National Voter Registration Act of 1993?

Ineligible or Uncertain Registration Type	Number of Instances*
Illegal duplicate registrations	483,566
Voted before registered	2,843,869
Inactive registration that was never active	11,931
Questionable inactive status	8,687
Voted while inactive	763
Back dated registrations	47,687
Record shows modification prior to registration date	4,346
Invalid or illogical registration date	230,124
Age discrepant registrants (No age, younger than 17 or older than 115 - oldest known person in US)	21,099
Registrations with questionable address	219,046
Deleted Registration (Cast ballot, but deleted before federally required retainage period ended)	161,683
APPARENT REGISTRATION VIOLATIONS:	**4,032,801**

★ 2. Were the votes counted from eligible voters, as required by the US Constitution?

Ineligible or Uncertain Registration Type that Voted in 2022 GE	Votes cast in 2022 GE
Illegal duplicate registrations	269,284
Voted before registered	151,318
Inactive registration that was never active	104
Questionable inactive status	2,088
Registered after 2022 GE, yet voted	46,284
Voter was inactive when voting in 2022 GE	642
Back dated registrations	13,076
Record shows modification prior to registration date	1,223
Invalid or illogical registration date	143,002
Age discrepant registrants (younger than 17 or older than 115, the oldest known person in US)	8,591
Registrations with questionable address	68,793
APPARENT VOTING VIOLATIONS:	**704,405**
UNIQUE VOTES IMPACTED BY APPARENT VOTING VIOLATIONS:	**589,985**

★ 3. Was the number of votes counted equal to the number of voters who voted?

Official Source	Reported Total
Illinois SBOE Official Results of 2022 GE canvas report	4,144,125 votes counted
Illinois Voter raw data, provided by the Illinois SBOE	4,116,634 voters who voted
DIFFERENCE:	**27,491 more votes counted than voters who voted**

★ 4. Was the number of ballots in error valid according to the Help America Vote Act of 2002?

Ballots with apparent voting violations in the 2022 GE according to IL SBOE raw data	589,985
Allowable machine error rate is 1/10,000,000 ballot positions or 1/125,000 ballots	33
Provable accuracy fails to meet any protective legal standard	**589,952 unresolved vote errors**

"Congress seeks. . . .to guard the election of members of Congress against any possible unfairness by compelling, under its pains and penalties, everyone concerned in holding the election to a strict and scrupulous observance of every duty devolved upon him while so engaged. . . . The evil intent consists in disobedience to the law." —In re Coy, 127 U.S. 731 (1888)

Extracted from an official copy of the Illinois Voter database provided by IL SBOE, received on January 25, 2023.

Unite4Freedom.com ★ info@Unite4Freedom.com

11122023

AMERICAN OVERSIGHT

IL-SBE-24-0488-A-000033

USB Drive file inventory:

The drive contains 106 files. There is a pair of files for each relevant complaint category. For each pair, the file with the '.csv' extension is the actual records that meet the explanation, and the file of the same name with the '.sql' extension is the SQL query used to generate the output in the '.csv' file. The number of records in each '.csv' file is provided. Violations for each record set include but are not limited to the code and statute references included in the 'notes' column

Files related to the overall voter roll / all registrations:

	Record Count	Notes:
USA-IL1-01-01-DUP-Voter_with_multiple_SUID.csv	2,234 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.4 Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-01-01-DUP-Voter_with_multiple_SUID.sql		Query for above record set
USA-IL1-01-02-DUP-Voter_with_multiple_addresses_and_multiple_SUID.csv	180,583 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.4 Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-01-02-DUP-Voter_with_multiple_addresses_and_multiple_SUID.sql		Query for above record set
USA-IL1-01-03-DUP-Voter_with_data_changes_and_new_SUID.csv	68,281 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-01-03-DUP-Voter_with_data_changes_and_new_SUID.sql		Query for above record set
USA-IL1-01-04-DUP-Voter_with_no_data_changes_except_new_SUID.csv	5,713 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-01-04-DUP-Voter_with_no_data_changes_except_new_SUID.sql		Query for above record set
USA-IL1-01-05-DUP-Voter_with_same_SUID_missing_then_exists.csv	8,825 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-01-05-DUP-Voter_with_same_SUID_missing_then_exists.sql		Query for above record set
USA-IL1-01-06-DUP-Voter_with_same_Firstname_and_Lastname.csv	891 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.4 Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)

File	Records	Statutory reference
USA-IL1-01-06-DUP-Voter_with_same_Firstname_and_Lastname.sql		Query for above record set
USA-IL1-01-07-DUP-Voter_with_Changed_Firstname.csv	32,927 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.4 Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-01-07-DUP-Voter_with_Changed_Firstname.sql		Query for above record set
USA-IL1-01-08-DUP-Voter_Men_with_Changed_Lastname.csv	9,769 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.4 Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-01-08-DUP-Voter_Men_with_Changed_Lastname.sql		Query for above record set
USA-IL1-01-09-DUP-Voter_Women_Changed_Name_Same_SUID.csv	45,698 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.4 Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/4-16) (from Ch. 46, par. 4-16)
USA-IL1-01-09-DUP-Voter_Women_Changed_Name_Same_SUID.sql		Query for above record set
USA-IL1-01-10-DUP-Voter_with_votes_changed_after_election.csv	128,645 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-01-10-DUP-Voter_with_votes_changed_after_election.sql		Query for above record set
USA-IL1-02-01-VBR-Some_votes_prior_to_registration_date.csv	2,164,281 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-02-01-VBR-Some_votes_prior_to_registration_date.sql		Query for above record set
USA-IL1-02-VBR-All_votes_prior_to_registration_date.csv	679,588 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-02-VBR-All_votes_prior_to_registration_date.sql		Query for above record set
USA-IL1-03-01-IIR-Registered_as_Inactive.csv	11,931 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-03-01-IIR-Registered_as_Inactive.sql		Query for above record set

File	Records	Legal Authority
USA-IL1-04-01-QIR-Active_voter_set_inactive.csv	8,687 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-04-01-QIR-Active_voter_set_inactive.sql		Query for above record set
USA-IL1-05-00-VWI-Voted_while_Inactive.csv	763 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-05-00-VWI-Voted_while_Inactive.sql		
USA-IL1-06-00-BR-Backdated_Registrations.csv	47,687 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-06-00-BR-Backdated_Registrations.sql		Query for above record set
USA-IL1-07-00-MD-Modified_Date_Prior_to_Registration_Date.csv	4,346 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-07-00-MD-Modified_Date_Prior_to_Registration_Date.sql		Query for above record set
USA-IL1-08-01-DRD-Registration_with_blank_Registration_Date.csv	82,902 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-08-01-DRD-Registration_with_blank_Registration_Date.sql		Query for above record set
USA-IL1-08-02-DRD-Registration_Date_and_age_do_not_match.csv	56,304 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-08-02-DRD-Registration_Date_and_age_do_not_match.sql		Query for above record set
USA-IL1-08-03-DRD-Registration_Date_on_Jan_1.csv	90,918 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-08-03-DRD-Registration_Date_on_Jan_1.sql		Query for above record set
USA-IL1-09-01-ADR-Registration_with_Blank_Age.csv	20,863 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)

File	Records	Legal basis
USA-IL1-09-01-ADR-Registration_with_blank_Age.sql		Query for above record set
USA-IL1-09-02-ADR-Registration_younger_than_17_older_than_115.csv	236 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4; Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A; Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3; Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-09-02-ADR-Registration_younger_than_17_older_than_115.sql		Query for above record set
USA-IL1-10-01-RIA-Addresses_in_multi-unit_buildings_no_unit_number.csv	180,323 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4; Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A; Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3; Illinois Election Law: (10 ILCS 5/1A-16 - 16.7)
USA-IL1-10-01-RIA-Addresses_in_multi-unit_buildings_no_unit_number.sql		Query for above record set
USA-IL1-10-02-RIA-No_Address_Redacted_Address_Registrations.csv	1,018 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4; Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A; Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3; Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-10-02-RIA-No_Address_Redacted_Address_Registrations.sql		Query for above record set
USA-IL1-10-03-RIA-Only_street_name_changed.csv	8,836 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4; Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A; Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3; Illinois Election Law: (10 ILCS 5/1A-16 - 16.7)
USA-IL1-10-03-RIA-Only_street_name_changed.sql		Query for above record set
USA-IL1-10-04-RIA-Only_house_number_changed.csv	28,869 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4; Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A; Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3; Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL1-10-04-RIA-Only_house_number_changed.sql		Query for above record set
USA-IL1-11-00-RAP-Records_deleted_before_22_month_retainage_period_ended.csv	161,683 Records	Illinois Compiled Statutes: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3; 52 U.S. Code § 20701 Retention and preservation of records and papers by officers of elections
USA-IL1-11-00-RAP-Records_deleted_before_22_month_retainage_period_ended.sql		Query for above record set

Files related to the votes cast in the 2022 GE / registrations with a 2022GE vote record:

File	Records	Legal basis
USA-IL2-01-01-DUP-Voter_with_multiple_SUID.csv	508 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.4; Public Law 103-31 National Voter Registration Act of 1993, Section 5 c; Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A; Illinois Election Law: (10 ILCS 5/1A-16, Section 8 c.2.A)
USA-IL2-01-01-DUP-Voter_with_multiple_SUID.sql		Query for above record set

File	Records	Citation
USA-IL2-01-02-DUP-Voter_with_multiple_addresses_and_multiple_SUID.csv		H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.4 Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL2-01-02-DUP-Voter_with_multiple_addresses_and_multiple_SUID.sql	68,468 Records	Query for above record set
USA-IL2-01-03-DUP-Voter_with_data_changes_and_new_SUID.csv		H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL2-01-03-DUP-Voter_with_data_changes_and_new_SUID.sql	23,796 Records	Query for above record set
USA-IL2-01-04-DUP-Voter_with_no_data_changes_and_new_SUID.csv		H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL2-01-04-DUP-Voter_with_no_data_changes_except_new_SUID.csv	2,297 Records	Query for above record set
USA-IL2-01-05-DUP-Voter_with_same_SUID_missing_then_exists.csv		H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL2-01-05-DUP-Voter_with_same_SUID_missing_then_exists.sql	2,436 Records	Query for above record set
USA-IL2-01-06-DUP-Voter_with_same_Firstname_and_Lastname.csv		H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.4 Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3
USA-IL2-01-06-DUP-Voter_with_same_Firstname_and_Lastname.sql	276 Records	Query for above record set
USA-IL2-01-07-DUP-Voter_with_Changed_Firstname.csv		H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.4 Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3
USA-IL2-01-07-DUP-Voter_with_Changed_Firstname.sql	16,306 Records	Query for above record set
USA-IL2-01-08-DUP-Voter_Men_with_Changed_Lastname.csv		H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.4 Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3
USA-IL2-01-08-DUP-Voter_Men_with_Changed_Lastname.sql	4,181 Records	Query for above record set

File	Records	Legal Citations
USA-IL2-01-09-DUP-Voter_Women_Changed_Name_Same_SUID.csv	22,371 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.4 Public Law 103-31 National Voter Registration Act of 1993, Section 5 c Illinois Election Law: (10 ILCS 5/4-16) (from Ch. 46, par. 4-16)
USA-IL2-01-09-DUP-Voter_Women_Changed_Name_Same_SUID.sql		Query for above record set
USA-IL2-01-10-DUP-Voter_with_2022GE_votes_changed_after_election.csv	128,645 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3
USA-IL2-01-10-DUP-Voter_with_2022GE_votes_changed_after_election.sql		Query for above record set
USA-IL2-02-01-VBR-Votes_prior_to_registration_date.csv	151,318 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL2-02-01-VBR-Votes_prior_to_registration_date.sql		Query for above record set
USA-IL2-03-01-IIR-Registered_as_Inactive.csv	104 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL2-03-01-IIR-Registered_as_Inactive.sql		Query for above record set
USA-IL2-04-01-QIR-Active_voter_set_Inactive.csv	2,088 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL2-04-01-QIR-Active_voter_set_Inactive.sql		Query for above record set
USA-IL2-05-00-RAE-Registered_after_the_2022GE_yet_voted.csv	46,284 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1A & B Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL2-05-00-RAE-Registered_after_the_2022GE_yet_voted.sql		Query for above record set
USA-IL2-06-00-VWI-Voted_while_Inactive.csv	642 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL2-06-00-VWI-Voted_while_Inactive.sql		Query for above record set

File	Records	Legal Authority
USA-IL2-07-00-BR-Backdated_Registrations.csv	13,076 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1.A & B H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL2-07-00-BR-Backdated_Registrations.sql		Query for above record set
USA-IL2-08-00-MD-Modified_Date_Prior_to_Registration_Date.csv	1,223 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL2-08-00-MD-Modified_Date_Prior_to_Registration_Date.sql		Query for above record set
USA-IL2-09-01-DRD-Registration_with_blank_Registration_Date.csv	59,665 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL2-09-01-DRD-Registration_with_blank_Registration_Date.sql		Query for above record set
USA-IL2-09-02-DRD-Registration_Date_and_age_do_not_match.csv	17,502 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL2-09-02-DRD-Registration_Date_and_age_do_not_match.sql		Query for above record set
USA-IL2-09-03-DRD-Registration_Date_on_Jan_1.csv	65,845 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL2-09-03-DRD-Registration_Date_on_Jan_1.sql		Query for above record set
USA-IL2-10-01-ADR-Registration_Date_on_Jan_1.csv	8,563 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL2-10-01-ADR-Registration_Date_on_Jan_1.sql		Query for above record set
USA-IL2-10-02-ADR-Registration_younger_than_17_older_than_115.csv	28 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5)
USA-IL2-10-02-ADR-Registration_younger_than_17_older_than_115.sql		Query for above record set
USA-IL2-11-01-RIA-Addresses_in_multi-unit_buildings_no_unit_number.csv	50,736 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - 16.7)
USA-IL2-11-01-RIA-Addresses_in_multi-unit_buildings_no_unit_number.sql		Query for above record set

File	Records	Citations
USA-IL2-11-02-RIA-No_Address_Redacted_Address_Registrations.csv	701 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. d-5) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5) Illinois Election Law: (10 ILCS 5/1A-16 - 16.7)
USA-IL2-11-02-RIA-No_Address_Redacted_Address_Registrations.sql		Query for above record set
USA-IL2-11-03-RIA-Only_street_name_changed.csv	4,539 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5) Illinois Election Law: (10 ILCS 5/1A-16 - 16.7)
USA-IL2-11-03-RIA-Only_street_name_changed.sql		Query for above record set
USA-IL2-11-04-RIA-Only_house_number_changed.csv	12,817 Records	H.R. 3295-43 Help America Vote Act of 2002, Section 303 paragraph a.1-4 Public Law 103-31 National Voter Registration Act of 1993, Section 8 c.2.A Illinois Compiled Statues: (720 ILCS 5/17-3) (from Ch. 38, par. 17-3) Sec. 17-3 Illinois Election Law: (10 ILCS 5/1A-16 - par. d-5) Illinois Election Law: (10 ILCS 5/1A-16 - 16.7)
USA-IL2-11-04-RIA-Only_house_number_changed.sql		Query for above record set

From: Matthews, Bernadette <bmatthews@elections.il.gov>
Sent: Monday, March 11, 2024 5:18 PM EDT
To: Malowitz, Marni <MMalowitz@elections.il.gov>; Andrew, Jordan <JAndrew@elections.il.gov>
Subject: United Sovereign Americans v Maryland SBE
Attachment(s): "MEI v. SBE.pdf"

Marni and Jordan,

Simply for your information, attached is a lawsuit filed by the United Sovereign Americans' Maryland chapter against Maryland's Board of Elections.

Since we received a "complaint" from them and will be submitting our response, I just wanted to keep you in the loop as to any emerging litigation.

Bernadette M. Matthews
Executive Director
Illinois State Board of Elections
69 West Washington, LL-08
Chicago, IL 60618
(312) 814-6444
bmatthews@elections.il.gov

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Maryland Election Integrity LLC 116 Defense Highway, Annapolis, MD 21401	* * * *	
Plaintiff	* *	
United Sovereign Americans, Inc. 167 Lamp and Lantern Village Suite 194 Chesterfield, MO 63017	* * * *	
Plaintiff	* *	Case No.:
v.	* *	
Maryland State Board of Elections 151 West Street #200 Annapolis, MD 21401	* * * *	
SERVE ON: Michael G. Summers, In his representative capacity as the Chairman of the Maryland State Board of Elections 151 West Street #200 Annapolis, MD 21401	* * * * * *	
Defendant	*	

****

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Maryland Election Integrity LLC, a Maryland limited liability company, and United Sovereign Americans, Inc., a Missouri nonprofit corporation, Plaintiffs, by Hartman, Attorneys at Law, and C. Edward Hartman, III, hereby bring this Complaint for Declaratory and Injunctive Relief, and plead as follows:

PARTIES

1. Maryland Election Integrity LLC is a Maryland limited liability company. Its principal office is located in Maryland.

2. United Sovereign Americans, Inc. is a nonprofit corporation incorporated in the state of Missouri.

3. Maryland State Board of Elections (hereinafter referred to as "MDSBE") is a government agency that administers elections in Maryland.

JURISDICTION AND VENUE

4. This action seeks declaratory and injunctive relief from deficient voter registration rolls leading to violations of Federal and state laws, the certification of results from a provably flawed, inaccurate, and obscure process outside the view of impartial witnesses or the public, including the use of voting systems in Maryland that are believed to have void EAC certifications in violation of federal law, and the refusal of the Maryland State Board of Elections to comply with Public Information Act (PIA) requests and Federally required transparency. This Court has subject matter jurisdiction over this complaint because the case presents substantial questions of federal law, and the state claims are so related to the federal claims that they form part of the same case or controversy. 28 U.S.C. §§ 1331 and 1367.

5. This court has authority to issue a declaratory judgment and to order injunctive and other relief that is necessary and proper pursuant to 28 U.S.C. §§2201 and 2202 as there exists a case of actual controversy.

6. This court has personal jurisdiction as the Defendant is a Maryland Agency.

7. Venue is proper in this district under 28 U.S.C. § 1391(e)(1).

STANDING

8. Maryland Election Integrity LLC is an organization comprised of members who are registered voters in the state of Maryland.

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9. The members have been and are currently harmed by the MDSBE and the ES&S voting systems currently and formerly in use in Maryland elections. The violations of Maryland election laws, the US Constitution, and Federal civil rights laws pertaining to voter registration rolls, transparency, compliance, and certification of the voting systems, and the serious issues hereinafter discussed with the overall voting systems exemplify their injury. The lack of transparency by MDSBE with respect to the voting systems and the reports generated by them has resulted in Plaintiffs being denied lawful Public Information Act (PIA) requests and the Federally mandated preservation of auditable items.

10. If the Court grants Plaintiffs' requested relief, the injury to the Plaintiffs' members would cease to exist.

11. The Supreme Court has indicated that if one party to a lawsuit has standing, other entities can join as parties without having to satisfy independently the demands of Article III, provided those parties do not seek a distinct form of relief from the party with standing. E.g., Horne v. Flores, 557 U.S. 433, 446 (2009).

12. United Sovereign Americans is not seeking a distinct form of relief and, therefore, has standing.

BACKGROUND

13. Article 1 Section 2 of the US Constitution grants the right to choose representatives to the people of the several states, according to the voting eligibility requirements of the state.

14. The Fourteenth Amendment Section 1 defines a citizen as all people born or naturalized in the United States, and subject to the jurisdiction thereof.

15. The Fourteenth Amendment Section 2 protects the eligible citizen voters of a state against both denial, or abridgment in any way, of their vote.

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16. The National Voter Registration Act (NVRA) was passed for the purpose of ensuring accurate, current voter registration rolls. Congress' power to pass NVRA comes from Article 1, Section 8, Clause 18 of the US Constitution, the Necessary and Proper Clause, making accurate voter rolls a requirement to uphold the right of the people to choose their representatives.

17. Of the three components of an election, voters, votes, and counts, in that order, each relies on the accuracy of the preceding component(s) in order to be trustworthy. Without all being intact, the system will not meet the requirements for certifying the vote, plainly needing the ability to prove both accuracy and compliance.

18. It is a settled legal principle that dilution of a qualified voter's vote is a form of disenfranchisement, Ex parte Siebold, 100 U. S. 371 (1879), United States v. Saylor, 322 U. S. 385 (1944), Reynolds v. Sims, 377 U.S. 533 (1964).

19. The Help America Vote Act requires that voter roll databases contain only the registrations of qualified citizen voters residing in that state. *52 USC § 21083(a).* Each qualified voter is granted a unique statewide identifier in the database, averting the risk of double-voting, or extra ballots being cast in the name of a particular voter. Further, the constitutional mandate is that the election system must only count eligible voters. Maryland cannot demonstrate that there is effective control of eligibility in Federal or State dimensions of those requirements and has implemented a system that does not guarantee accuracy or compliance with only allowing eligible voters to register and vote.

20. The Help America Vote Act requires that federal elections adhere to an accuracy standard, "…set at a sufficiently stringent level such that the likelihood of voting system errors affecting the outcome of an election is exceptionally remote even in the closest of

elections." United States. (2002) *U.S. Federal Election Commission FEC*. United States. [Web Archive] Retrieved from the Election Assistance Commission, https://www.eac.gov/sites/default/files/eac_assets/1/28/Voting_System_Standards_Volume_I.pdf.

21. For a voting system, accuracy is defined as the ability of the system to capture the intent of the voters without error. United States. (2002) *U.S. Federal Election Commission FEC*. United States. [Web Archive] Retrieved from the Election Assistance Commission, https://www.eac.gov/sites/default/files/eac_assets/1/28/Voting_System_Standards_Volume_I.pdf.

FACTS

Voter Rolls

22. The National Voter Registration Act of 1993 (NVRA) states that "[t]he purposes of this act are to ensure that accurate and current voter registration rolls are maintained." *52 USC § 20501(b)(4).*

23. Meticulous analysis of the official Maryland State Voter Registration Database reveals a minimum of 79,392 current apparent registration violations (Voter Registration Database snapshots were purchased 8/2021, 12/2021, 7/2022, 8/2022, 12/2022, 1/2023, 2/2023, 3/2023, 4/2023, 5/2023, 6/2023, and 7/2023).

24. The analysis revealed 1,699 instances of duplicate registrations, 25,084 instances of registrants with questionable inactive status, 3,366 instances of active registrations without a certified US Post Office mailing address, 5,680 instances of active registrants who moved at least 4 years ago, 605 instances of registrations with no residential address, 296 instances of active registrants with a nonstandard address, 1,218 instances of active registrants who

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are deceased, 883 instances of age discrepant registration (younger than 18 or older than 115), and 40,518 instances of questionable registration date. A spreadsheet with the apparent registration violations is attached as **Exhibit A.**

25. **Exhibit A** shows the registration type, the number of apparent violations, and the Maryland election law/rule in violation.

26. The apparent violations are pursuant to Md. Election Law Code Ann. §§ 3-101, 102, 502, 503 & 504.

27. These numbers clearly show the voter rolls in Maryland are not accurate and current as required by the NVRA: *52 USC § 20501(b)(4)* and violate specific Maryland laws pertaining to voter registration, i.e. §§ 3-101, 102, 502, 503 & 504.

28. Inaccurate voter rolls have significant downstream consequences in elections.

29. The purpose of a voting system is to accurately record, store, consolidate and report the specific selections, and absence of selections, made by the voter as well as to accurately measure the intent of the total body of eligible voters that voted.

30. The definition of a voting system is found in HAVA Section 301. *52 USC § 21081.*

31. Under HAVA, a voting system is defined as "the total combination of mechanical, electromechanical, or electronic equipment (including software, firmware, and documentation required to program, control, and support the equipment) that is used to define ballots; to cast and count votes; to report or display election results; and to maintain and produce any audit trail information." *52 USC § 21081(b)(1)(A)-(D).*

32. The ability to "cast and count votes" begins with establishing eligibility, including citizenship, and registering only qualified citizens into voter registration databases, thus

assuring that all ballots granted, and thereby all votes cast and counted, are lawfully cast and counted according to the US Constitution.

33. Voter registrations are used to create pollbooks, which can either be networked or non-networked. "Networked pollbooks are electronic pollbooks with a connection to an external database, and may include a direct connection to the voter registration database or a separate server." Cybersecurity and Infrastructure Security Agency, *Critical Infrastructure Security and Resilience Note*, Jul. 28, 2020, at 2-3, https://www.cisa.gov/sites/default/files/publications/cisa-election-infrastructure-cyber-risk-assessment_508.pdf.

34. Maryland is a state in which all local jurisdictions use E-Poll books, meaning the pollbooks have a direct connection to the voter registration database.

35. Following pollbook preparation is ballot preparation. Ballot preparation "generates the data necessary for tabulating votes within a voting machine, and aggregating tabulated votes within a jurisdiction or state." Cybersecurity and Infrastructure Security Agency, *Critical Infrastructure Security and Resilience Note*, Jul. 28, 2020, at 3, https://www.cisa.gov/sites/default/files/publications/cisa-election-infrastructure-cyber-risk-assessment_508.pdf.

36. Voting machines are used following ballot preparation. "Voting machines encompass both technology and processes used by election officials to prepare voting machines for ballot tabulation, and in some cases presentation. Specifically, this includes loading the ballot files created during ballot preparation onto voting machines." Cybersecurity and Infrastructure Security Agency, *Critical Infrastructure Security and Resilience Note*, Jul.

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28, 2020, at 3, https://www.cisa.gov/sites/default/files/publications/cisa-election-infrastructure-cyber-risk-assessment_508.pdf.

37. The U.S. election process seen above shows the link between voter registration and the ballot files being loaded onto voting machines.

38. It also shows voter registration is encompassed in the definition of a voting system as defined in *52 USC § 21081(b)* because a voting system consists of documentation required to program the voting machines.

39. As voter registration is part of the voting system, it is subject to the allowable error rates of voting systems as set forth in *52 USC § 21081(a)(5)*.

Error Rates

40. Section 301 of HAVA regarding "Voting System Standards," states that the "error rate of [a] voting system in counting ballots...shall comply with the error rate standards established under section 3.2.1 of the voting systems standards issued by the Federal Election Commission[.]" *52 USC § 21081(a)(5)*

41. The accuracy requirements set under the Federal Election Commission (FEC) voting systems standards section 3.2.1 establish that "the system shall achieve a target error rate of no more than one in 10,000,000 ballot positions, with a maximum acceptable error rate in the test process of one in 500,000 ballot positions." United States. (2002) *U.S. Federal Election Commission FEC*. United States. [Web Archive] Retrieved from the Election Assistance Commission, https://www.eac.gov/sites/default/files/eac_assets/1/28/Voting_System_Standards_Volume_I.pdf.

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42. The Voluntary Voting System Guidelines, Version 1.1, Section **4.1.1 – Accuracy Requirements** states in part, "[a]ll systems shall achieve a report total error rate of no more than one in 125,000." United States. (2015) *U.S. Election Assistance Commission*. United States. [Web Archive] Retrieved from the Election Assistance Commission, https://www.eac.gov/sites/default/files/eac_assets/1/28/VVSG.1.1.VOL.1.FINAL1.pdf.

43. The Voluntary Voting System Guidelines, Version 1.1, Section **4.1.1 – Accuracy Requirements** then states, "[t]he benchmark of one in 125,000 is derived from the "maximum acceptable error rate" used as the lower test benchmark in the 2005 Voluntary Voting System Guidelines Version 1.0. That benchmark was defined as a ballot position error rate of one in 500,000. The benchmark of one in 125,000 is expressed in terms of votes, however, it is consistent with the previous benchmark that the estimated ratio of votes to ballot positions is ¼." United States. (2015) *U.S. Election Assistance Commission*. United States. [Web Archive] Retrieved from the Election Assistance Commission, https://www.eac.gov/sites/default/files/eac_assets/1/28/VVSG.1.1.VOL.1.FINAL1.pdf.

44. Maryland voting systems are subject to the error rates defined in the FEC Voting System Standards 3.2.1 and explained in the Voluntary Voting System Guidelines (VVSG).

45. The number of apparent voting system errors in counting votes in the 2020 General Election, according to MDSBE raw data, was 62,075. A spreadsheet is attached showing the apparent voting violations in the 2020 and 2022 General Election as **Exhibit B.**

46. The number of apparent voting system errors in counting votes in the 2022 General Election, according to MDSBE raw data, was 27,623. This can also be seen in **Exhibit B.**

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47. The allowable number of voting system errors in counting votes to comply with HAVA is calculated by dividing the total number of Maryland voters who voted in a given election by 125,000.

48. For the 2020 General Election this is ~3,000,000 votes/125,000 = 24. For the 2022 General election this is ~2,000,000 votes/125,000 = 16.

49. The number of voting system errors in counting votes for the 2020 General election (62,075) greatly exceeded the maximum allowable error rate (24).

50. The number of voting system errors in counting votes for the 2022 General election (27,623) greatly exceeded the maximum allowable error rate (16).

51. In sum, the voting system error rates are exponentially above the maximum allowable error rates. Inaccuracy and the specter of fraud have irretrievably damaged the reliability and credibility of results.

52. The Members of Plaintiff exhausted every administrative remedy known to them in advance of the 2022 general election, to have these issues repaired. Plaintiffs continued in 2023 to seek redress and repair for these egregious violations through democratic means.

53. The Maryland State Board of Elections dismissed these concerns without any meaningful review or response and intends to administer and certify Maryland's 2024 general election under the same inaccurate conditions.

Requirements for Certifying Voting Systems

54. The requirement for certifying voting systems is set forth in Section 231 of the Help America Vote Act ("HAVA"). *52 USC § 20971.*

55. Under HAVA there is a requirement for providing "for the testing, certification, decertification, and recertification of voting systems hardware and software by accredited laboratories." *52 USC § 20971(a)(1)*

56. While HAVA does allow for the "optional use by states," Maryland has adopted the certification requirements: "The State Board may not certify a voting system unless the State Board determines that…the voting system is (i) examined by an independent testing laboratory that is approved by the U.S. Election Assistance Commission; and (ii) shown by the testing laboratory to meet the performance and test standards for electronic voting systems established by the Federal Election Commission or the U.S. Election Assistance Commission[.]" *Md. Code Ann., Elec. Law § 9-102*

57. *Md. Code Ann., Elec. Law § 9-102* requires voting systems to conform with standards set by the Federal Election Commission and the U.S. Election Assistance Commission. Maryland also has received HAVA grants; therefore, the State is subject to the requirements set forth by HAVA.

58. Under HAVA, states that receive payments for improving the administration of elections must use the funds "in a manner consistent with each of the laws described in section 21145…and the proposed uses are not inconsistent with the requirements of title III." *52 USC § 20901(c).*

59. HAVA also sets forth the requirements for accrediting testing labs that perform certification tests on voting systems.

60. HAVA states that the requirements to be met by testing labs to become accredited are found in the Voluntary Voting Systems Guidelines ("VVSG").

61. Maryland has also adopted guidelines for certification, which are governed by the Code of Maryland Regulations (COMAR), Title 33, and the Election Law of the Annotated Code of Maryland.

62. COMAR 33.09.03.04 requires that applicants submit a Technical Data Package, a Business Information Package, anti-bribery and anti-debarment affidavits, as well as voting equipment.

63. COMAR 33.09.03.05 details the requirements for the Technical Data Package.

64. Under COMAR 33.09.03.05(A) Required Information "[t]he technical data package shall contain all documentation previously submitted for the qualification testing of the system, including each of the following…(5) Software Source Code (both in the form of a listing and in a machine-readable form on media acceptable to the evaluation agent)[.]"

65. Election Systems & Software (ES&S) is the manufacturer of the voting systems currently in use in Maryland.

66. Page 4 of the ES&S EVS 5.2.0.0 Maryland State Board of Elections (MDSBE) certification report (the "Report"), dated December 4, 2014, states that the Technical Data Package was submitted.

67. Page 20 of the Report says that all listed requirements were provided **except** the Software Source Code. An excerpt of this report is attached as **Exhibit C.**

68. Under COMAR 33.09.03.05 requirements, Maryland was required to review the source code of the voting systems.

69. Maryland did not review the source code for ES&S EVS 5.2.0.0 as they were required to under Maryland Law and evidenced by the Report.

Modem Use

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70. In January 2020, the EAC received complaints about ES&S marketing to their customers that the use of a modem on the voting system is optional. The correspondence between the EAC and ES&S is attached as **Exhibit D.**

71. The EAC determined that ES&S violated Sections 5.14 and 5.15.1 of the EAC Testing and Certification Program Manual Version 2.0 by representing or implying that the DS200 with modem configuration is EAC certified when in fact attachment of a modem is disqualifying.

72. The EAC also determined that ES&S violated Section 5.16 by failing to warn purchasers that adding a modem to the DS200 would void the EAC certification of the voting system in its entirety.

73. This violation led to a number of states using modems on the ES&S voting systems.

74. Eleven of these states acknowledged using ES&S voting systems with attached modems while others have not admitted to using modems.

75. The voting systems with modems attached were likely used for years with void EAC certification.

76. ES&S created a proposal that was used for the purpose of persuading Colorado to use its voting system on December 4, 2013 (the "Colorado Proposal") the relevant portions of which are attached as **Exhibit E.**

77. In the Colorado Proposal, ES&S sets forth questions and answers.

78. One such question, on page 13 of Section 9.0 - General Questions, asks "[i]s there any remote communication technology associated with your proposed solution?"

79. In response to the question, they state in part "[t]he DS200 Tabulators use wireless modems to connect to the SFTP Server via the Internet."

80. ES&S unequivocally admits that the voting systems use modems.

81. Contained in the ES&S EVS 5.2.0.0 certification report issued by the EAC, dated July 2, 2014, is a table titled "2005 VVSG Supported Functionality Declaration." The table states that modems are not a supported functionality of the voting machine. The relevant table from the certification report is attached as **Exhibit F.**

82. Page 10 of the Report for Maryland certification (December 2014) states that "[r]esults can be transferred by **modem** to the EMS server." The relevant portions of which are attached as **Exhibit G.**

83. Results in fact are not permitted to be transferred by modem as the EAC has never certified a voting system with a modem; further, simply attaching a modem will void the EAC certification.

84. Any voting system with an attached modem has a void EAC certification and is not allowed to be used according to the EAC.

85. The meeting minutes of the MDSBE meeting on July 16, 2015 show that in prior elections, three local boards – Baltimore, Montgomery, and Prince George's Counties – transmitted unofficial election results from either a polling place or a regional transmission center. The relevant portion of the meeting minutes is attached as **Exhibit H.**

86. Transmitting unofficial election results is typically accomplished by the use of a modem or email.

87. The only way to determine whether Maryland used modems to accomplish the transmission of the unofficial election results in this situation is to examine the various DS200 audit logs and configuration reports the machines generate. The logs and reports were requested from MDSBE and the Local Boards of Election, in at least 22 out of the 23 counties in Maryland,

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through PIA requests but not produced. The PIA requests and/or responses are attached as **Exhibit I**.

88. Transmitting unofficial election results from a polling place leaves the system vulnerable to cyber-attacks.

89. In an MDSBE meeting dated July 27, 2017, they stated "approximately 1,400 of the DS200 scanners have non-functioning modems installed that have not been used since delivery. ES&S has started removing these modems, which they wish to put back into their own inventory. Once each modem is removed, acceptance testing will be performed on the unit under SBE and local board supervision prior to returning to service." The relevant portion of the meeting minutes is attached as **Exhibit J**.

90. A voting system with a modem installed on it has a void EAC certification.

91. Approximately 1,400 voting systems being used in Maryland prior to 2017 had void EAC certifications.

92. Maryland. Code, Elec. Law § 9-103 states MDSBE ("(2) **shall** decertify a previously certified voting system if the voting system no longer meets one or more of the standards in § 9 102(d)(1)(i) through (iii) of this subtitle.") (emphasis added)

93. Md. Code, Elec. Law § 9-102 says ("(d) The State Board may not certify a voting system unless the State Board determines that: (1) the voting system will: (i) protect the secrecy of the ballot; (ii) protect the security of the voting process; (iii) count and record all votes accurately;")

94. The voting machines did not comply with Md. Code, Elec. Law § 9-102(d)(1)(i) and (ii) considering the transmission of the unofficial results is susceptible to cyber risks.

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95. In 2017 machines in Maryland had modems attached which were to be removed prior to "returning to service." This creates the presumption that the modems on the machines were in use, despite MDSBE claiming the modems were non-functioning and had not been used since delivery. This shows the machines were used in elections with attached modems. Whether the modems were functioning is irrelevant as attachment of a modem voids the EAC certification.

96. Once again, numerous PIA requests were made for the DS200 audit logs and configuration reports which would tend to show the modems were functioning or non-functioning, but not produced.

97. According to ES&S the configuration reports are automatically printed upon login to the machines; therefore, the PIA requests for these documents should have been fulfilled with responsive documents.

98. The systems were being used in elections with void EAC certifications.

Maryland Public Information Act

99. Maryland's Public Information Act ("PIA") gives the public the right to access government records without unnecessary cost and delay.

100.   GP § 4-103(a) provides that "[a]ll persons are entitled to have access to information about the affairs of government and the official acts of public officials and employees."

101.   In response to numerous PIA requests in most Maryland counties, MDSBE and the local Boards of Elections stated that they do not have any responsive documents.

102.   The information being requested, audit logs, system logs, error logs, configuration reports, etc. of voting systems, is information that should be available because of the audit requirements set under HAVA and COMAR.

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103.   ES&S also represents that these reports and logs are either automatically generated by the machines or easily accessed in their Colorado Proposal.

104.   In Section 12.0 – UVS System Requirement of The Colorado Proposal ES&S goes into great detail about the audit logs the machines generate. The relevant portions of the Proposal are attached as **Exhibit K**.

105.   Req. ID H-1 requires the systems to "Store sufficient data in an unalterable system audit log file to allow the auditing of all operations related to election setup, ballot creation, ballot tabulation, results consolidation and report generation."

106.   ES&S's response states "[e]ach application has its own audit log to allow the auditing of all operations relating to the election setup, ballot creation, ballot tabulation, results consolidation and report generation. The ES&S proposed voting system audit log provides sufficient information to allow the auditing of all operations related to ballot tabulation, results consolidation, and report generation."

107.   The rest of the response from ES&S goes through the system audit capabilities of all the components of the voting system.

108.   ES&S responded to an inquiry for their audit trail techniques and reports in the Colorado Proposal. "Please explain what audit trail techniques and audit reports are incorporated in your proposed system."

109.   For the DS200 Tabulator ES&S stated "[i] n addition to the audit log described previously that records all use operation and substantial application operations or errors, the DS200 has various configuration reports, ballot accounting reports, and results reports, all of which can be used forensically for auditing."

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110.   These reports are created by the voting machines and were requested through PIA requests but not produced.

111.   ES&S responded to an inquiry into their audit logs files, location, and access to them. "Please provide a list of all audit log files, the file location within the voting system, and the procedures to navigate to and retrieve them from the voting system."

112.   For the DS200 Tabulator ES&S states "[t] he signed audit logs are written to the log directory on the removable media. The audit log events can be accessed on the DS200 onscreen or through a printed report. When the media is read back into the EMS the audit logs are also retrievable from the EMS through a machine audit log report or exported in a comma separated format."

113.   These audit logs are created and were requested through PIA requests but not produced.

114.   Next, ES&S addresses Req. ID H-15 in the Colorado Proposal which requires the systems to "[c]reate audit records prior to the initiation of ballot counting to verify hardware and software status. These particular audit records shall include the identification of the software release, the identification of the election to be processed and the results of hardware and software diagnostic tests."

115.   ES&S's response states in part "[o]n power up, a configuration report is automatically printed to create a hard copy record of the relevant configuration and settings of the particular DS200."

116.   The fact that the configuration reports are automatically printed is confirmed by the Dorchester County Board of Elections Chief Judges' Manual. The relevant portion of the manual is attached as **Exhibit L.**

117.   The configuration reports are **automatically printed** and were requested through

PIA requests but not produced. To state there are no responsive documents to this request

is clearly false as the voting machines automatically print them.

118.   The Election Law of the Annotated Code of Maryland § 9-102(d) says that the

"State Board may not certify a voting system unless the State Board determines that: (1)

the voting system will... (vi) be capable of creating a paper record of all votes cast in order

that an audit trail is available in the event of a recount, including a manual recount[.]"

119.   Pages 15 and 16 of the Report for Maryland certification (December 2014) analyze

the voting system with respect to COMAR 33.09.02.07.

120.   COMAR 33.09.02.07 explains the audit trail requirement stating that: "[t]he voting

system shall be capable of providing an audit trail of all ballots cast so that, in a recount,

the election can be reconstructed, starting with the individual votes of all eligible voters."

121.   The Board of Elections states in the Report that ES&S EVS 5.2.0.0 satisfied the

audit requirements: "[a]ll tabulators and the EMS system maintain an audit log for each

election."

122.   The information Plaintiffs requested through the PIA requests is not new

information that must be created. There are responsive documents to the requests, as

opposed to Defendant's contentions.

123.   The information is already available on the voting systems and ES&S details how

to print the reports in Chapter 20 of their Electionware Volume V: Results User's Guide.

The relevant portions of the guide are attached as **Exhibit M**.

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124.   The information is stored in the course of an election on the voting systems and, if not, the systems do not conform to the representations made about their capabilities to create audit logs.

125.   The PIA requests have been denied, notwithstanding the laws that were clearly drafted to allow for public review.

Blank Ballots, Undervotes, and Overvotes

126.   HAVA Section 301 requires voting systems to "provide the voter with the opportunity (in a private and independent manner) to change the ballot or correct any error before the ballot is cast and counted (including the opportunity to correct the error through the issuance of a replacement ballot if the voter was otherwise unable to change the ballot or correct any error.)" *52 USC §21081(a)(1)(A)(ii).*

127.   Maryland creates a Cast Vote Records report for each county in Maryland for each election, which contains the total number of registered voters, the total number of ballots cast, and the results in that county.

128.   The Cast Vote Records EL45a report shows the total number of blank ballots cast in each county in the state of Maryland for each election.

129.   Upon calculation, the total number of blank ballots cast in the 2022 General Election in Maryland was 82,356.

130.   Some counties had much higher percentages of blank ballot than others. Possible reasons for this can be explained below.

131.   It is believed that many people did not intend to cast blank ballots in the 2022 General Election, and the settings of the machines were the reason for the ballots being cast blank.

132.   Upon further inquiry, it has been discovered that the ES&S DS200 tabulator can be configured to accept blank ballots, undervotes, and overvotes instead of rejecting them and notifying the voter to cure the mistake.

133.   According to a DS200 Operators Guide dated July 18, 2019, an admin can establish the ballot handling options. The relevant portions of the guide are attached as **Exhibit N**.

134.   Section 7.4.1 – **Establishing Ballot Handling Options** Page 108 of the DS200 Operators Guide states, "[w]hen you create your election definition, your Electionware settings determine for each ballot style how the DS200 handles specific types of ballot conditions. For each of these ballot condition, you can set the DS200 to always accept or always reject ballots with a specified conditions. For some of those conditions, you can instead have the DS200 query the voter to ascertain a voter's intent. You can set the DS200 to always accept, always reject, or query the voter for the following ballot conditions: Undervoted ballot; Blank Ballot; Overvoted Ballot; and Unreadable Marks on Ballot."

135.   The DS200 operator's guide then goes to state, "Selecting **Always Accept** for any of these conditions causes the DS200 to skip the voter query function for that condition. The DS200 will not display the query screen for those conditions."

136.   The DS200 operator's guide then goes through each of the conditions (blank ballots, overvoted ballots, undervoted ballots) to show what the query looks like on the machine if the settings allow for a query.

137.   If **Always Accept** is selected on voting machines, voters are not provided the opportunity to change the ballot or correct the error before the ballot is cast and counted. This violates *52 USC §21081(a)(1)(A)(ii)* because voters are not notified of their deficient ballot and given a chance to cure the error before the machine accepts it.

138.   Section 7.11.3 – **Report Options** Page 124 of the DS200 Operators Guide details the reports and audit logs the machine generates.

139.   It states that the Configuration Report, Event Log Report and Summary Event Log, and System Log can be generated.

140.   Section 9.1 – **Reports Overview** Page 150 of the DS200 Operators Guide states "the DS200 can automatically print the Configuration, Zero Totals, and Ballot Status Accounting reports as part of the poll opening process."

141.   At the bottom of this section Page 151 of the guide states, "[y]ou can also manually request additional copies of any reports that are generated automatically."

142.   Section 9.6 – **Configuration Report** on Pages 158-160 of the DS200 Operators Guide contains a sample Configuration Report. The sample configuration report is attached as **Exhibit O**.

143.   The configuration report shows if there is a modem attached on the DS200, whether the Event log will be printed on poll close, as well as the settings for accepting blank ballots, overvotes, and undervotes.

144.   As stated previously, and emphasized by this section's findings, the configuration reports that <u>the machines automatically print</u> will confirm whether modems were in use and if the blank ballots were the product of machine settings.

145.   COMAR 33.10.01.03(B) Auditability. "The tabulators shall provide a vote cast record of all ballots cast and audit log of alerts provided to voters and tabulator events and errors."

146.   COMAR 33.10.01.03(B) proves the machine generates audit logs that would show alerts to voters. These alerts would show up for voters if they cast a blank ballot,

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undervoted, or overvoted. If there are no alerts for these conditions in the audit logs, the machines were set to automatically accept these deficient ballots.

147.   The audit logs were, again, requested through PIA requests, which were not fulfilled despite statutory language stating the machines generate them.

148.   COMAR 33.10.01.03(g) – **Actions Taken to Change Conditions** is relevant to the blank ballot and PIA issues.

149.   COMAR 33.10.01.03(g)(1)(a),(b) states, "The system shall be capable of printing from its audit trail: actions taken by operators to change conditions; and the time of the occurrence."

150.   COMAR 33.10.01.03(g)(2) then states, "System operators shall record in a logbook all actions to change conditions that cannot be printed from the audit trail. That logbook, as well as all reports produced by the printer, shall be retained by the local board."

151.   This unequivocally shows that the reports and logbook must be retained by the local board under Maryland law.

152.   These reports were requested from the Local Boards of Elections, they responded stating they had no responsive records.

153.   Stating they have no responsive records for reports they are required to retain goes to show they either violated Maryland law and Federal law by failing to retain those records, or they are unlawfully denying PIA requests for the reports.

Count I

Declaratory Judgment - 28 U.S.C. § 2201

154.   Plaintiffs incorporates by reference and realleges the averments of paragraphs 1 through 153.

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155.   28 U.S.C. § 2201 requires a case of actual controversy.

156.   There exists an actual controversy of a justiciable issue between the Maryland State

Board of Elections (MDSBE) and Maryland Election Integrity, LLC within the jurisdiction

of this Court concerning the interpretation of The National Voter Registration Act of 1993:

52 USC §20501(b)(4), Maryland. Code, Elec. Law §§ 3-101, 102, 502, 503 & 504, HAVA:

52 USC §21081, COMAR 33.09.03.05, Maryland. Code, Elec. Law § 9-103, Md. Code,

Gen. Provisions § 4-103, The Election Law of the Annotated Code of Maryland § 9-102(d),

COMAR 33.09.02.07, and COMAR 33.10.01.03.

157.   Despite mandatory statutory language requiring current and accurate voter rolls,

which shall include only the names and registration information of eligible citizen voters,

and Maryland law specifying processes to do so, Maryland has failed to keep voter rolls

accurate.

158.   Despite mandatory statutory language stating the maximum allowable error rate of

voting systems, the voting systems in Maryland are still in use in violation of the statutory

scheme.

159.   Despite mandatory statutory language stating the technical data package shall/must

contain all documentation previously submitted, including the software source code, the

Board of Elections did not receive and analyze the source code in violation of the statutory

scheme.

160.   Despite mandatory statutory language stating the MDSBE shall decertify machines

that do not protect the secrecy of the ballot and protect the security of the voting process,

the Board of Elections did not decertify the machines in violation of the statutory scheme.

161.   Despite mandatory statutory language stating all persons are entitled to have access to information about the affairs of government, and in particular, access to an audit trail from elections, the MDSBE is denying PIA requests for this information in violation of the statutory scheme.

162.   Despite mandatory statutory language stating voters shall have the opportunity to change their ballot or correct any error before the ballot is cast, Maryland voters have been denied this in violation of the statutory scheme.

163.   In accordance with 28 U.S.C. § 2201 claims are present between the parties involved which indicate imminent and inevitable litigation.

WHEREFORE, Plaintiffs respectfully requests that this Honorable Court:

A. Determine and adjudicate the rights and liabilities of the parties with respect to Maryland laws and Federal laws in the context of voting systems and public access to voting system logs.

B. Enter a declaratory judgment order against Defendant declaring it did not properly comply with The National Voter Registration Act of 1993: *52 USC § 20501(b)(4)* and Md. Election Law Code Ann. §§ 3-101, 102, 502, 503 and 504 in maintaining accurate voter rolls.

C. Enter a declaratory judgment order against Defendant declaring the voting machines and the voting system being used in Maryland Elections exceed the maximum allowable error rate as set forth in HAVA: *52 USC § 21081.*

D. Enter a declaratory judgment order against Defendant declaring the certification of the ES&S EVS 5.2.0.0 voting system violates COMAR 33.09.03.05.

E. Enter a declaratory judgment order against Defendant declaring they failed to decertify a voting system that did not protect the secrecy of the ballot and security of the voting process, thus violating Maryland. Code, Elec. Law § 9-103.

F. Enter a declaratory judgment order against Defendant declaring it did not properly comply with Md. Code, Gen. Provisions § 4-103, The Election Law of the Annotated Code of Maryland § 9-102(d), COMAR 33.09.02.07, and COMAR 33.10.01.03. in refusing to produce election-related documents requested through PIA requests.

G. Enter a declaratory judgment order against Defendant declaring the configuration of the voting systems did not comply with *52 USC § 21081(a)(1)(A)(ii)*.

H. Grant such other and further relief as the nature of this cause may require.

COUNT II

Injunction

164.   Plaintiffs incorporates by reference and realleges the averments of paragraphs 1 through 163.

165.   There is a balancing test that courts typically employ in determining whether to issue an injunction. To seek a permanent injunction, the plaintiff must pass the four-step test: (1) that the plaintiff has suffered an irreparable injury; (2) that remedies available at law, such as monetary damages, are inadequate to compensate for the injury; (3) that the remedy in equity is warranted upon consideration of the balance of hardships between the plaintiff and defendant; and (4) that the permanent injunction being sought would not hurt public interest. See, e.g., Weinberger v. Romero—Barcelo, 456 U.S. 305, 311–313, 102 S.Ct. 1798, 72 L.Ed.2d 91 (1982); Amoco Production Co. v. Gambell, 480 U.S. 531, 542, 107 S.Ct. 1396, 94 L.Ed.2d 542 (1987).

166.   Plaintiffs, as Maryland voters and interested citizens with standing, have been

irreparably injured by the voting systems currently in use in Maryland and the MDSBE.

Plaintiffs allege that voter rolls are highly inaccurate, error rates on the voting systems

exceed the maximum allowable error rates, voting systems were not certified correctly,

machines have been used that have VOID EAC certifications, large numbers of blank

ballots were cast, and the MDSBE is unlawfully withholding evidence of such. This has

caused abridgement to their right to vote "[a]nd the right of suffrage can be denied by a

debasement or dilution of the weight of a citizen's vote just as effectively as by wholly

prohibiting the free exercise of the franchise" *Reynolds v. Sims*, (377 U.S. 533). The right

to vote is paramount "[e]specially since the right to exercise the franchise in a free and

unimpaired manner is preservative of other basic civil and political rights, any alleged

infringement of the right of citizens to vote must be carefully and meticulously

scrutinized." *Reynolds v. Sims*, 377 U.S. 533 (1964). Inaccurate voter registration practices

have led to voting system error rates well above the statutory threshold causing dilution of

eligible voter's votes. Use of the ES&S Voting Systems in a noncompliant manner has

resulted in dilution of Plaintiff's votes and has resulted in an impaired election process

resulting in concrete harm to Plaintiff's rights to vote. Denial of Plaintiff's PIA requests

resulted in Plaintiffs not being able to access information in which they are entitled.

167.   The remedies available at law are wholly inadequate to compensate Plaintiffs for

the injuries to their right to vote in a free and unimpaired manner and their statutory right

to access public information.

168.   Plaintiffs' harms are to basic rights and the interests are clear whereas Defendant's

interest in using the ES&S voting system is simply for ease of use, despite the inaccuracies

and deficiencies. Defendants have no interest in failing to keep accurate voter rolls. Defendants' interest in not fulfilling PIA requests is unknown. Any abridgment to the right to vote needs to be meticulously scrutinized and this weighs in favor of Plaintiffs.

169.   This injunction is necessary for public interest as it would notify millions of Maryland voters their rights are being abridged, and that they will no longer be, thus restoring trust in the voting process. Also, it would definitively give Marylander's access to certain public information, rather than the illusion of having access.

170.   The Defendant failed to follow the statutory scheme requiring them to provide accurate and current voter rolls. The Defendant should be mandated to cure and address any discrepancies in the voter rolls; ensure votes counted are from qualified citizen voters; ensure the number of votes counted is equal to the number of voters who voted; adhere to the accuracy requirements for federal elections; and ensure systems, machines, security measures, procedures, infrastructure, policy, and conduct are compliant with the law regarding certification, testing, operational validation, and operational implementation.

171.   The error rates of the voting system in place in the 2020 and 2022 General Election greatly exceeded the maximum acceptable error rate. The Defendant should be mandated to decertify the machines used in the 2020 and 2022 General Election in Maryland and enjoined from using them in subsequent elections.

172.   The Defendant failed to follow the statutory scheme put in place by the state of Maryland which details the procedure to be followed in certifying voting systems. The nonadherence to the statutory scheme creates grounds for the decertification of the voting system ES&S EVS 5.2.0.0. Defendant should be mandated to decertify the voting system ES&S EVS 5.2.0.0 and enjoined from using it in subsequent elections.

173.   The Defendant failed to follow the statutory scheme requiring them to protect the secrecy and security of an election. The Defendant should be mandated to decertify the voting system ES&S EVS 5.2.0.3 and enjoined from using it in subsequent elections.

174.   The Defendant failed to produce requested documents in response to numerous PIA requests. The Defendant should be mandated to produce, including but not limited to, audit logs, system logs, error logs, configuration reports, etc. of voting systems.

175.   The Defendant failed to allow voters the opportunity to change their ballot or correct any error before the ballot is cast. The Defendant should be mandated to configure voting machines to notify voters they are casting blank ballots, overvotes, and undervotes instead of automatically accepting them.

176.   The Defendant has shown willful and gross negligence in assuring the system of processes, procedures, human conduct and machines are unable to produce reliable, accurate or compliant measurements of voter intent. The Defendant should be mandated to fix the entire voting system to ensure legal compliance and required functionality. Further, the Defendant should implement a system of comprehensive testing, monitoring and auditing by a certified and accredited independent auditor to ensure the repaired system functions as required. If the electoral process cannot be proven to be accurate and compliant, the election shall not be certified, and a special election shall be held within 30 days correcting any deficits in conduct.

177.   The Defendant has flaunted the Constitutional requirement to only allow known citizens eligible to vote, to vote. Registrations, mail-in and in person voting must be required to prove identity, eligibility, and citizenship.

178.   Since it is impossible to guarantee that ballots mailed in are not tampered with or

lost in transit, the Defendant should be ordered to implement a tracking system first from

the printer to the voter, and then from the voter to the tabulator, so that no ballots are lost

or tampered with or destroyed. In such cases the voter must be actively notified their ballot

is lost and given a chance to submit a new ballot.

179.   Since a large number of unexplained blank ballots have been registered, and a larger

number of votes were counted than voters that were counted as having voted, the Defendant

shall be ordered to implement control mechanisms to insure chain of custody of all ballots

is maintained, and forgery protection at least equal to financial security standards with

bonds and currency are maintained on ballots and with ballot handling.

180.   As demonstrated by irrefutable statistics, the Defendant has lost control of the

voting system. The Defendant should be mandated to use comprehensive batch control

systems, as in the financial industry with item processing.

WHEREFORE, Plaintiffs respectfully requests that this Honorable Court:

A. Issue an injunction mandating Defendant update and keep accurate the voter rolls in

   Maryland as well as address the discrepancies previously shown.

B. Issue an injunction enjoining Defendant from administering or certifying any election

   wherein the voter registration database is not certified to contain only qualified citizen

   voters, with compliant registration records.

C. Issue an injunction enjoining Defendant from administering or certifying any election

   where the entire voting system, from the qualified voters' hands to the tabulated

   count, is not provably secure and compliant.

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D. Issue an injunction enjoining Defendant from administering or certifying any election wherein all system steps and all components thereof are not fully auditable on a transaction/action by action basis.

E. Issue an injunction enjoining Defendant from administering or certifying any election wherein the entire system is not monitored effectively to detect real time variances from legal conduct.

F. Issue an injunction enjoining Defendant from administering or certifying any election wherein the entire system is not open and transparent for auditing by trusted parties outside the control of the state election boards and state executives, from qualified voters' hands to the certified count.

G. Issue an injunction enjoining Defendant from certifying any election wherein the results do not accurately and provably reflect voter intent, individually and collectively, in compliance with the law.

H. Issue an injunction enjoining Defendant from using the voting systems used in the 2020 and 2022 General Elections in future elections in Maryland due to the exceptionally high error rates and mandating the decertification of the system or systems.

I. Issue an injunction enjoining Defendant from using the ES&S EVS 5.2.0.0 voting system in future elections in Maryland and mandating the decertification of the system.

J. Issue an injunction enjoining Defendant from using the ES&S EVS 5.2.0.3 voting system in future elections in Maryland and mandating the decertification of the system.

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K. Issue an injunction mandating Defendant comply with PIA requests for, including but not limited to, audit logs, system logs, error logs, configuration reports, etc. of voting systems.

L. Issue an injunction mandating Defendant to program voting machines to query voters in the case they are attempting to cast a blank ballot, undervote, or overvote instead of automatically accepting such ballots.

M. Establish a Special Master to guide the Maryland State Board of Elections to institute change prior to the November 2024 election and subject to the approval of this court to:

    i.   Insure we know who is voting and that each voter is provably a U.S. citizen.

    ii.   Insure that the entire system from the Voter's hands to the tabulated count is provably secure including ballots from printer to storage.

    iii.   Insure that all system steps and all components thereof are fully auditable on a transaction/action by action basis.

    iv.   Implement a monitoring system able to effectively detect real-time variances from legal conduct.

    v.   Implement a system that allows end to end insured and certified audits by trusted parties outside the control of the State Election bureaucrats and executives, from the voters' hands to the certified count. such audits to be paid for by the State. Such audits will be done at sufficient scale to prove the intent of the voters was determined accurately and in compliance with the law.

      vi.   Prevent elections from being certified that are unable to prove they

accurately determine voter intent; individually and collectively, in

compliance with the law.

N. Grant such other and further relief as the nature of this cause may require.

Respectfully submitted,

HARTMAN, Attorneys at Law

Date: March 6, 2024   By: */s/ C. Edward Hartman, III*
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<u>AFFIDAVIT</u>

I have personal knowledge of the facts alleged in this Complaint. Based on my personal knowledge I verify that the matters stated in this Complaint are true.

I declare under penalties of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: 3/6/2024

Katherine Sullivan
Class A Member of Md Election Integrity LLC

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From: Andrew, Jordan <JAndrew@elections.il.gov>
Sent: Friday, March 08, 2024 3:56 PM EST
To: Nicholson, Clayton <CNicholson@elections.il.gov>; Oldfield, John <JOldfield@elections.il.gov>
Subject: united sovereign citizens question

Hello!

Apologies for my extreme delay here, but I'm finally circling back to the united sovereign citizens response. I'm looking to clarify the information contained in this first paragraph, specifically this underlined part:

The count comparisons that is being referenced has to do with a lack of understanding of the data contained within the statewide voter file. They are treating the statewide voter file data as if was a list of voter history and the voters with that history. The statewide voter list is actually a list of all active and inactive voters and a list of those voters history and districts. This means that as voters get cancelled they will no longer appear on the statewide voter statewide voter list. That is the reason that the counts are different to the canvas in the comparison the further you get away from an election the more of those records get cancelled which also means the lower the amount of voters that have history for that election. If the cancelled records were not taken out, the counts are very close to the Canvas numbers.

Does this mean that the statewide voter file includes active, inactive, and cancelled registrations? If it does contain cancelled registrations, does it contain information on when the registration was cancelled and/or transferred?

Thank you!
Jordan