

Exhibit 1: Administrative Documents

Section A: Introduction and Summary of Findings Affidavit

Section B: List of Joint Review Team Members and details about the
Citizen Task Force for Voter Rights (CTFVR) leaders

Section C: List of Sealed Records to Be Opened

Exhibit 1, Section A: Summary of Findings Affidavit

Prepared By CTFVR Chair, Robert E. Frank, Colonel, USAF (Ret.) For White Pine County Petitioners

1. Purpose, Authority, Summary of Rationale and Procedures: The purpose of this Introduction and Summary of Findings Affidavit is to highlight some important evidence, findings and ground rules expected after over a year of research and analyses by a half dozen Nevada citizens in response to the unreasonable voting results from the 2014 Congressional District 4 (CD4) Republican Primary Election.

Official sources at all levels have been respectfully asked and been unable to explain how a homeless, penniless, unknown Las Vegas street person who spent nothing, and did nothing to get elected in the 2014 CD4 race received over 5,000 votes in 7 mostly rural counties. Even more inexplicable in rural White Pine County is that he reportedly received more votes than the two outstanding Nevada Republicans who had conducted very aggressive and expensive (over \$200k) grassroots campaigns.

Exhibit 2 contains a letter dated October 7, 2014 to the previous NV Deputy Secretary of State requesting information on how to explain the unreasonable voting in the CD4 primary race. Despite many follow up phone calls and conversations, no reply to our questions was received. So, our group had to conduct our own investigation from open sources and submit this petition.

Strangely, many state executives and legislative leaders do not share our high concern for explaining this bizarre situation. The typical response is that people often vote in mysterious ways, and that is probably what happened in this case.

But, anyone who has ever worked hard and spent precious time and money in a hotly contested primary race knows how difficult and expensive it is to earn hundreds of votes. But, we wonder how anyone with extensive elections experience could easily believe that many thousands of valid votes could come to an unknown man initiating zero efforts in a 7-County Congressional Primary?

As more fully explained below, and in Exhibits 2 and 3, our joint team findings have revealed there is solid evidence to question the accuracy of the 5,353 reported votes for candidate Mike Monroe in 2014, and to petition for a manual inspection of the sealed records for this particular CD4 race.

Briefly, this Petition is to investigate the inexplicable and unreasonable voting results reported for the 2014 CD4 Republican Party Primary Election in White Pine County. There is no intent or interest to contest the primary winner or general election winner. The purpose is to identify causes of mysterious system malfunctions or possible illegal tampering of the distribution of Republican primary votes in that CD4 race, and to try to anticipate and prevent such from happening again in the future.

One election manager has objected to the need for a review claiming the NV election system is totally secure and we should just accept their opinion. But, we show that is not possible since independent audit and comprehensive chain-of-custody rules of evidence are not being used to detect election system malfunctions and fraud.

Some documents have been included under Exhibit 2 to respond to some state and county election officials who have contended that no evidence exists showing the Nevada election system contained errors or that votes were illegally modified.

Of course, that is a key reason why we believe the Petition for actions to compare the sealed records votes with the certified electronic votes is required--before any other actions can be contemplated.

Overview of Evidence in the Exhibits: Exhibits attached to this petition show why Petitioners are saying the reported 2014 primary election results were “mysterious”, “inexplicable”, “unreasonable” and “unacceptable”.

For example, White Pine was 1 of 2 Counties out of 7 in CD4 where candidate Mike Monroe, an unknown, penniless, homeless, unemployed, and unkempt Las Vegas street person was reported as winning the Republican Primary. (See Exhibit 2, Section A for details.)

Also reported in Series 2 Exhibits is that the NV electronic election system claimed Mr. Monroe received 22.18% (5,393 votes) in the 4th Congressional District primary. That was compared to Crescent Hardy’s 42.59% (10,339 votes) and Niger Innis’ 33.08% (8,030 votes). A fourth candidate, Mr. Carlo Poliak conducted a token campaign and received 2.15% (522 votes) of the total.

If protest votes in a Congressional race were actually cast by Republicans for an unknown man with no campaign efforts, ballots for Mike Monroe could have been around 2% of the total—not 22%.

Meanwhile, although Mr. Monroe did nothing to earn a single vote, he was credited with winning the White Pine County Republican Party Primary election. In WPC alone, Mr. Monroe’s 259 votes (33%) exceeded Niger Innis’ 256 votes (32.5%) and Crescent Hardy’s 249 votes (31.7%). Monroe even won more votes than Hardy and Innis in Precinct #1 in Ely where Republicans find it impossible to believe an unknown, homeless man could earn any votes. (See Exhibit 2-series documents for more details.)

In July 2015, the 259 reported WPC votes for Mr. Monroe were called into question by a paid professional phone survey contracted by the Citizen Task Force for Voter Rights (CTFVR) on behalf of Petitioners. The survey called a statistically valid number of primary election voters by phone and found none who had heard of or voted for Mr. Monroe—even in protest. (See Exhibit 2, Section D for detailed phone survey evidence and Exhibit 1, Section B for details on the CTFVR and its leaders.)

2. Full Verification Of Hardware and Software: Exhibit 2, Section C and other 2-Series Sections provides some evidence on why one cannot accept unsubstantiated opinions from state government its electronic election system is invulnerable to physical and/or electronic tampering.

Exhibit 2, Section C cites details from a leading source of global election systems expertise, the New York Brennan Law Center Security Task Force, who has researched commercially available voting machine products. The Center has openly stated “all of the major electronic voting systems in use in the United States have serious security and reliability vulnerabilities.”

Without government or professional access to the ballot data, and tools to verify the integrity of stored and contractor-calibrated election hardware and software before, during and after elections, claims of superior election system security for this vital foundation must be rejected until trustworthy status can be verified and shown capable of being sustained over the long-term.

Such public trust might be established using independent audits by specially qualified, professional fraud examiners. But, NV is not using certified audit records, chain of custody records, and other standard business practices required of secure IT systems used for such as banking, publicly-traded corporations and national security. As a result, the Nevada election system appears to be exceptionally vulnerable to most types of tampering and corruption as described in Exhibit 2, Section C.

Below is a high-level summary list quoted from Exhibit 2, Section C for an “effective audit scheme” developed for state governments about a decade ago by a national task force on election system audits and security led by professor/attorney Lawrence Norden of The Brennan Center for Justice at the New York University School of Law. This is particularly relevant since CD4 was a federal election primary.

- *Use Transparent and Random Selection Processes for All Auditing Procedures*
- *Allow the Losing Candidate To Select Precinct(s) or Machine(s) To Be Audited*
- *Place an Independent Person or Body in Charge of the Audits*
- *Implement Effective Procedures for Addressing Evidence of Fraud or Error*
- *Encourage Rigorous Chain of Custody Practices*
- *Audit a Minimum Percentage of Precincts or Machines for Each Election*
- *Record/Publicly Release Numbers of Spoiled Ballots, Cancellations, Over-votes and Under-votes*
- *Audit Entire System, Not Just the Machines*
- *Increase Scrutiny in Close Elections*

There is no evidence that Nevada has considered implementing anything like the decade-old, national audit process. This appears to be a policy matter as there has been plenty of time to budget for and implement such an audit plan using HAVA (Federal Help American Vote Act) funds. In fact, there seems to be no understanding of why independent audits are required for secure IT systems.

We also understand that even basic commercial computer system malware defenses and practices are not being used on election system components. For example, we understand that virus protection software is not used on State-provided, election system laptop personal computers running under the obsolete and highly vulnerable Windows XP operating system.

Such vote-processing/analyzing PCs are reportedly state-provided for use by counties during elections to merge and process votes uploaded manually from old-fashioned PCMCIA cards (now called PC Cards) containing the ballot tallies from insecure voting machines. The PCs reportedly use undisclosed and possibly uncertified software to consolidate, process and display voting results by race before reporting them to the Secretary of State via vulnerable modem and file transfer protocol applications over public networks. If confirmed, this is a dangerous, highly vulnerable system architecture.

While the risks of malware attacks can be reduced if such a PC is not routinely connected to the internet, it is a management problem if it is not recognized how an employee, janitor, visitor or contractor passing by with a flash/thumb drive or access to a counterfeit PC memory card could infect such a machine in seconds--without being discovered.

Also, without using modern tools and services to detect fraud on the PC, associated PC memory cards, and voting machines, they all could be infected with a virus or other malware by a previous PC software "update" or counterfeit PC card.

In the meantime, there are many tools and services in the commercial markets capable of being used by the NV Election System leadership to achieve the higher levels of trust used in other secure government and industry applications. Some are mentioned in the 2-Series Sections.

Regardless, in this cyber warfare age, without using independent fraud examiners to detect system vulnerabilities, it is essential to use volunteers to inspect the records and compare the results with electronic votes.

National reports have also indicated the procedures used in Nevada's "Post Election Audit" (PEA) processes are not likely capable of accomplishing its audit goals. For example, a PEA could not be expected to detect the inexplicable voting results in this case. 2-Series Sections explain some aspects of this audit issue. More is available if needed.

It is alarming that State authorities have not already adopted widely recognized "independent" system audit methods to help protect our citizens and government from election errors and fraud.

3. Massive Republican "Protest Votes" Are Not A Credible Excuse For CD4 Results. Some political leaders and media have often claimed the bizarre rural district voting for a Las Vegas homeless guy in the 2014 CD4 primary was probably due to "Republican protest voting". But, it is not reasonable to believe such an unfounded, seemingly frivolous claim. Occasional protest votes in general elections can occur, but were not a factor in this Republican primary. But, the hard evidence about the thousands of unsubstantiated votes in the CD4 primary shows such a claim is not relevant to this case.

Common sense alone suggests a man like Mr. Monroe could not (a) have received over 5,000 "Republican protest" votes in mostly rural CD4, or (b) fairly win the White Pine County Republican Congressional Primary with 259 votes when the opposition offers such highly competent, well-known, Republicans as Crescent Hardy and Niger Innis. Claims of protest votes insult the WPC CD4 voters.

Republicans in CD4 who take their very valuable time to vote in primaries are not the kinds of people who cast thousands of protest votes for unknown persons. Furthermore, it is impossible for us to accept that one-third of Ely and other WPC Republicans would vote for a LV street person like the one described in Exhibit 2, Section A. Something had to be critically wrong with that primary race report.

4. Sole Option: It now seems clear there were either serious system errors or corrupt tampering during the 2014 WPC CD4 Republican primary. Again, we believe the only way to clear up otherwise unanswerable questions about system integrity is to compare sealed records to the electronic reports.
5. County Clerk Authority: Basic authority and the Legislative intent for White Pine County elected officials to conduct this special review are embedded in the Title 24 series of statutes and regulations found in Exhibit 3. For example, a variety of boards and special processes are described in those statutes with the apparent legislative intent for County Clerks to anticipate and prevent election system components from failing, or from being tampered with, prior to certification of elections. But, those processes appeared to be ineffective in 2014 for detecting and explaining the thousands of questionable votes. The problems need to be identified and the processes made to work in the future.
6. Special Duty: Since the Title 24 authorized election boards and related processes failed to handle the election system problems identified in 2-series Exhibits, we believe White Pine County elected officials have the special duty to resolve this mystery for WPC citizens. The statutes appear intended to empower County Clerks to act at any time to detect and correct all kinds of election system problems.
7. WPC Property & Authority: This inspection request is limited to reviewing sealed 2014 Republican White Pine County CD4 primary election records. We believe the election records stored in WPC are owned by White Pine County, and that jointly investigating possible system problems as allowed by a local court order are within the duty, responsibilities, and authorities of county officials as described under Title 24 and other Nevada statutes. No one else has such authorities and responsibilities.
8. Joint Inspection/Review Team: Under the requested court order, the WP County Clerk is authorized to open and make jointly accessible for manual verification certain sealed election records from the June 2014 Republican Primary Election. The Joint Review Team is recommended formed by the WPCC with WPCRCR Representatives and individuals with having special technical assistance coming from the nonpartisan Citizen Task Force for Voter Rights (CTFVR). CTFVR members and their backgrounds are described in Exhibit 1, Section B.
9. Post Election Audit Processes Unsuccessful: We believe that normal County Clerk election processes under NAC 293.255 for Post Election Audits (PEAs) using sample verifications could not detect the type of irregular voting results identified by our petition. Normal system monitoring capabilities did not/could not detect the abnormalities during the election period or at post-election time. And, the losing candidate's immediate objections to the Secretary of State over the inexplicable election results

were summarily rejected without an effective appeal process by state authorities. There seems to be a lack of reasonable due process methods for this kind of situation involving electronic voting systems.

Since the open 2014 evidence has been discovered and analyzed, there is compelling rationale for questioning the previously reported electronic results for that race, and to consider independent audit and chain of custody procedures to comply with standards recommended in 2-Series Exhibits. For now, only a manual review could reveal what might have caused such unacceptable results.

10. Records To Be Opened: The limited list of records to be unsealed are found in Exhibit 1, Section C.
11. Physical Matching: Review results should confirm or deny that the reported election system tallies are matched by the stored and sealed records from the June 2014 election. Based on the phone survey results, even if the sealed records match the electronic records, further investigations will be needed.
12. Rapid Action Needed: Early completion of the requested action is needed to quickly permit the return of election records to sealed storage. The records to be reviewed are routinely scheduled for destruction 22 months after the election – in April 2016. This requested inspection and report on findings needs to be completed in March 2016. If the review cannot be completed by the normal destruction date, we request the court to order the delay of destructing these records for one year.
13. Authority To Copy: As provided under NRS293B and other statutes, members of the review team will be permitted to make digital copies of records and activities at their own expense to support the subsequent joint reporting of results. Voter privacy rules will be enforced by the WPCC.
14. Safeguarding Opened Records: The opened records will be protected by the WPCC and made available daily for the joint review team as needed for a period not less than five (5) and not more than fifteen (15) working days. WPCC will ensure that if any voter privacy data is found on records selected for review and copying, such data will be appropriately redacted. WPCC shall also provide maximum security for the opened records to avoid tampering prior to completion of the inspection and reports.
15. Costs: All costs to comply with implementing the requested order will be absorbed by the various participants with the exception that the Petitioners may be required to pay a standard filing fee.

The Petitioners, in Proper Person, under penalties of perjury, being first duly sworn, say they have read all pages in Exhibit 1, Section A, know the contents thereof; that the same is true of their own knowledge, except as for those matters stated as upon information and belief, and as to those matters, they believe them true.

Michael F. Kneese

Freda Jean Kneese
Petitioners

Jed A. Peeler

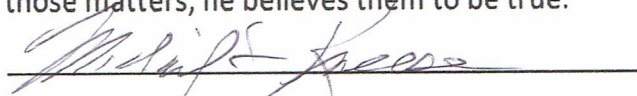
VERIFICATION

STATE OF NEVADA

COUNTY OF WHITE PINE

Michael F. Kneese, under penalties of perjury, being first duly sworn, deposes and says:

That he is a Petitioner in the above action; that he has read the foregoing Summary Statement and knows the contents thereof; that the same is true of his own knowledge, except as for those matters stated as upon information and belief, and as to those matters, he believes them to be true.



Subscribed and Sworn before me

this 13th day of February, 2016

Kelly L Jackson

Notary Public

VERIFICATION

STATE OF NEVADA

COUNTY OF WHITE PINE



Freda Jean Kneese, under penalties of perjury, being first duly sworn, deposes and says:

That she is a Petitioner in the above action; that she has read the foregoing Summary Statement and knows the contents thereof; that the same is true of her own knowledge, except as for those matters stated as upon information and belief, and as to those matters, she believes them to be true.

Freda Jean Kneese

Freda Jean Kneese

Subscribed and Sworn before me

This 13th day of February, 2016

Kelly L Jackson

Notary Public



VERIFICATION

STATE OF NEVADA

COUNTY OF WHITE PINE

Jed A. Peeler, under penalties of perjury, being first duly sworn, deposes and says:

That he is a Petitioner in the above action; that he has read the foregoing Summary Statement and knows the contents thereof; that the same is true of his own knowledge, except as for those matters stated as upon information and belief, and as to those matters, he believes them to be true.

Jed A. Peeler

Jed A. Peeler

Subscribed and Sworn before me

This 13th day of February, 2016

Kelly L Jackson

Notary Public



Exhibit 1, Section B: Members of the White Pine County Joint Review Team

Nicole Baldwin, White Pine County Clerk, Joint Review Committee Chair

Michael F. Kneese, WPCRPPC Designated Petitioner

Freda Jean Kneese, WPCRPPC Designated Petitioner

Jed A. Peeler, WPCRPPC Designated Petitioner

Robert E. Frank, Colonel, USAF (Ret.), Henderson,

Technical Advisor & Chair, Citizen Task Force for Voter Rights

Julie Hereford, Las Vegas,

Technical Advisor & Co-Chair, Citizen Task Force for Voter Rights

Lisa Mayo-DeRiso, Las Vegas,

Technical Advisor & Co-Chair, Citizen Task Force for Voter Rights

Nic Alfonsetti, Mesquite,

Technical Advisor & Co-Chair, Citizen Task Force for Voter Rights

Notes:

- 1. WPCRPPC = White Pine County Republican Party Central Committee**
- 2. WP District Attorney Oversees Legal Processes and Advises the County Clerk**

CITIZEN TASK FORCE FOR VOTER RIGHTS (CTFVR) TEAM EXPERTISE:

Julie Hereford, Las Vegas, NV. Co-Chair/Co-Founder of CTFVR. A Principle Partner of NV Grassroots Strategies. Julie has been very active in political campaign efforts since the 2004 Bush-Cheney re-election. Some political positions held include: Campaign Finance Director for Niger Innis for Congress (CD4), State Director for 60 Plus Association of NV, Chair of Candidate Recruitment for both State and Clark County Republican Parties, Active Member of NV Federation of Republican Women, Chair of Community Outreach for Romney 2012, State Chair of Coalitions for McCain-Palin 2008, Founder of the Asian American Leadership Council of NV, Director of Outreach for NV Republican Party, and Coalition Director for Clark County Republican Party. Prior to retiring in 1998, she was President/Owner of Tai-Pan International, Inc. and Pecor Steel Engineering for 16 years. Selected SBA Exporter of Year for Mid-Atlantic Region.

Lisa Mayo-DeRiso, Las Vegas, NV. Co-Chair/Co-Founder of CTFVR. President of Mayo & Associates for 23 years—a LV consulting company with expertise in strategic planning, new business development, marketing and public relations. Lisa is also a partner in First Tuesday, a political consulting company where she consults to candidates as they run for office. She handles city, county, state and national races with a 75% win rate for clients. Lisa serves on the boards for LV USO and Scenic NV. Her many public service awards include Teacher of the Year, National University, 1992, and Distinguished Women in Nevada in 1991 and 2014. Lisa earned a BS in Economics from Colorado University and MBA from Pepperdine University

Nic Alfonsetti, Mesquite, NV. Co-Chair/Co-Founder of CTFVR. Nic is a retired serial entrepreneur after over 30 years experiences with seemingly unlimited interests in technology and machines. He has personally launched more than a dozen companies in just as many markets, sold them for profit, and started over in many different geographical areas throughout the USA. His most recent interest has been in computer technologies where he specializes in personal computers and networks. He has served for years in the Mesquite/Clark County Election Center where he was responsible for voting machines and related system operations and security. He joined the initial cadre of founders of CTFVR to be of service in helping to discover the causes of the apparent CD4 election system failures and to help prevent such problems in future elections.

Robert E. (Bob) Frank, Colonel, USAF (Ret.), Henderson, NV. Chair/Co-Founder of CTFVR. <https://www.linkedin.com/pub/robert-e-frank-colonel-usaf-ret/16/9a5/955> Bob specialized for over 40 years in data systems analysis, design, development and operations in the USAF, NATO, Defense Supply Agency, Energy Department, and for such major financial institutions as Wells Fargo Bank and Fidelity Investments. He served 22 years in military logistics, contracting and computer leadership positions. Before retirement he was USAF Chief of Supply Policies and Procedures in the Pentagon, and Chief Technical Officer for Logistics Systems in Air Force Logistics Command in Dayton, Ohio. His over 20-year civilian career positions have included Control Data Corporation Director of Open Systems, Chief Scientist and Project Leader for Electronic Commerce at Lawrence Livermore National Laboratory, and Founder/CEO of an Internet secure transaction exchange company. He received a BBA from Oklahoma University, MBA from Auburn University and graduated from masters-level Air Command & Staff College and Air War College programs.

EXHIBIT 1, Section C: Items Requested from Sealed Records Of 2014 Republican White Pine County Primary Election

Prepared By Nic Alfonsetti, CTFVR Co-Chair & Clark County Edge Systems Election Volunteer
For The White Pine County Petitioners

These items are requested from sealed records for this review:

1. Team Leader Log. This record should contain all accounting of votes, machine performance from start to the end of the day of voting, and the records of workers. This should include the number of workers used each day at each poll and their time sheets. If an EDGE Machine or its printer fails, that fact should be written in the LOG. If a Card Activator fails and is changed out, that fact should also appear on the daily report. If a Computer fails or has reliability problems, that should be reflected in the same report.
2. All Printer Rolls. (Edge Printer and Scanner), intact, as seen at the County Election Certification before the results were sent and certified by the Nevada Secretary of State.
3. All Paperwork Produced. (including backup disks) used by Computer Clerk(s) for all voters including Provisional Voters.
4. Voter Signature Log. Indicates the number of Voters for Primary and General Elections.
5. Poll Team Leader Log for the numbers of machines. It is used to account for memory cartridges and the reported numbers of votes.
6. Poll Team Leader Log showing any changes of printers, number of printer rolls used, and serial numbers of printers.
7. Poll Leader Log that indicates Voter Walk Outs, failures to vote, etc.
8. Poll Leader Log that indicates signatures of all staff and the oath signatures of all pole workers.

9. Poll Leader Log reporting the total of votes taken from the Edge Machines at close of each day.
10. Team Leader Log Indicating the number of voters that applied for an Absentee Ballet that chose to personally vote and properly surrendered their Absentee Ballet
11. Poll Leader Log indicating number of voters that needed assistance, (Importance: some health care workers try to vote for patients.)
12. Team Leader Log indicating the Chain of Custody of the Edge Machine Cartridges and storage over night with SEAL numbers when transported offsite.
13. Poll Team Leader Log containing the Log of Seals used for the entire time the Edge Machines are at the voting sites.
14. Detailed Report of Service performed on any Edge Machine, Scanner, other machine, or software to include; Company/Technician name, what service performed, and report of services completed.

Notes:

A review of the items that go to the County Election Department should be confirmed to be certified to follow the Chain of Custody of the Cartridge data transfers, numbers of signature checkers, and counts to verify the Machine counts are correct to the Poll Team Leaders paper work.

The Team Leader LOG should also be inspected for (1) reporting the vote count to the Secretary of State, (2) certifying the final count to the SOS, and (3) obtaining the IP address for the PC modems used to report vote tallies, (4) report the numbers modems dialed to make reports, and (5) identify what secure software and protocols were used to transfer the election numbers and data to Secretary of State Office before election certification is completed.