

[REDACTED]
[REDACTED]
Henderson, Nevada 89044
[REDACTED]

During the early voting and election day I volunteered as a laptop operator for both early voting and election day at the Galleria Mall polling place in Clark County, Nevada.

This deposition is based on my processing approximately 1,000+ voters during my nine days of work

Observations:

1. **Read Warning Minimizations:** Voter check-in operators failed to direct the voters to read the NRS 293.780 #1's notice that "Voting more than once at same election" warnings.

While the training didn't cover this step more than noting it meant something no training indicated that the warning must follow the: *'Read the warning and hit continue to signify you understand'*, or something to that effect standard. With at least two operators that I overhear the speed of operations overrode appeared to override the legal requirements that the splash screen with the legal warning dictated.

2. **Attempting to Vote Twice:** I observed at least -2- attempts to vote twice (the software flagged the attempt, noted that a mail-in ballots had been received, and the team leader was to be called.) After the team leader's discussion with each of the two individuals, the team leader let the individual leave even though a suspected crime had been committed.
3. **Non-Congruent Warning:** In addition to the Read Warning Minimization noted above, the banner warned that Voting Twice is a Crime but, the law is clear that even *attempting to vote twice*, is a crime.
4. **Non-Nevada IDs Used:** The Vote Safe system's design would only allow the lowest election computer operator to perform same-day registration of any voter with a state-level state of Nevada identification document. I handled at least two people appeared on election day without a Nevada ID and were sent to the team leader for special handling protocols
5. **State Residency Unverified:** I observed and checked-in two people that were registered to vote by the Nevada Registrar of Voter's database but still possessed an out-of-state driver's license (one being a Washington state license.) The person possessing the Washington State license stated they lived in both places. When the team leader was questioned, I was told something close to the effect of *"All of the verifications had to have been handled at the Registrar of Voters office and that I was to act as if it was a qualified voter."*
6. **Voter Registration Database Update and Synchronization Problems:** Although a number of voters had proof of registering either on-line or at the DMV (that is, they either printed out the document or brought it up on their phones) they were not found in the on-line database, sometimes they failed to come up as a result in multiple searches in the database, the maximum number of tries I used was seven. On multiple occasions, the author searched the database and on the last, ultimately successful search, the information used in previous searches were visible for the voter.

Other times, the author could not find the voter and was forced to add a new voter record into the Registrar's database. Assuming the physical proof of the voting previously voting was true, due to a flawed search function in the on-line check-in system, the author created 20, 30, or more duplicate voter records in the nine days of working the polls and nearly 100 hours of work.

According to the team leader at the site I worked at, updates done at the DMV had not been merged with the Registrar's database for weeks and possibly more than 2 months prior to the election.

7. **Voter Registration Database Merging and Update - Issues:** Based on many final, successful, searches for a voter, it was confirmed with the voter that the DMV database uses different data entry standards than the Registrar's database. For example, there were multiple people with spaces embedded in their names, often the last name, for example "von Bismark" would be stored as 'vonBismark' in the DMV's database stores, i.e. without spaces and the Registrar's database generally stored the records with spaces, "von Bismark". If the two databases are merged when new voters are registered by the DMV the databases will, ultimately, create duplicate records in the Registrar's database.
8. **Provisional Voting – Failure to Notify the Voters:** While each voter added to the system and then voted that day was ultimately successful, each voter that was voting was voting 'Provisionally.' Little or no warning was given to the voter that their vote was not going to be tabulated on election day and, possibly not at all if some portion of their registration or record updates were found unacceptable.

This was in large part because: (i) employee training and work procedures did not require that warning be given, (ii) the workflow that the warning would have been issued in would have had to be given before the changes were made and most voters had already been waiting for extended times; and (iii) there was little time to explain to the voter that the changes they just requested would mean their vote today was provisional and not counted on election day.

On two different occasions, I tried to explain the fact that the voter was voting 'Provisionally' but given the general noise level at the polling place and the extra complexity of the communication process, the attempt led the voter to be somewhat confused because as the voter's plain question pointed out that the thing they desired to know was: *"I just want to vote! Can I vote now?"*

9. **Inadequately qualified software:** A high percentage of Vote Smart application failures indicated some, or all, of the following issues
 - a) **On-Screen Error Messages:** There were nearly continuous error messages and external device failures including numerous machine reboots to reset software lockups. The most common errors being (1) Failure to initialize the vote card, (2) Error messages around the failure to find the voter after the voter had been found and was currently being processed, and (3) Records of previously checked-in voters records not being sent to, and updated in, the central voting system (addressed below.)
 - b) **Bar Code Readers:** Bar code readers were the quickest and most accurate means of acquiring voter information during the check-in process, including the barcodes found on the driver's licenses.

There were multiple examples of inconsistent bar code reader operations across multiple machines. On election day I worked relief for most of the twelve laptop operators and I had an opportunity to work on multiple workstations and, after trying the barcode readers at multiple stations I found some of the barcode readers read. The results were unreadable (mostly driver's licenses) bar codes or inaccurately read barcodes (either Sample Ballots or Voter Registration Cards). Some readers could not read drivers licenses whereas others read the bar codes on drivers licenses without errors.

- c) **Voter Card Initialization Failures:** Voter card chip failures occurred both at card initialization, the step immediately preceding the voter being sent to the voting and the infrequent failures when

voter's attempts to vote may, or may not, be tied to the failures.

Voter Card initialization failures were generally caught before the voter left the check-in station but, it is possible that some of the failures encountered during actual voting occurred because of these problems (one machine I worked at experienced a high rate of voter card initialization failures exceeding 30%)

- d) **Card Reader Replacement:** In at least one machine, with a high failure rate the author forced the IT support personnel to replace the card reader. The new card reader slightly reduced but did not eliminate the voter card initialization failures. Conversations with other check-in laptop operators supports a conclusion that these Voter Card initialization failures were commonplace.
 - e) **Election Day Software Changes (Check-In Process):** Machine lockups during same day new voter registrations when picking party registrations, three of the four software lockups were when choosing Republican. Although new voters with 'Republican' as a choice for party were registered during early voting and there were no computer lockup problems during early voting.
 - f) **Machine Replacements:** Due to the lock up problems noted above, one machine had to be completely replaced at the voting site after a machine lockup described in (i) above, while other computers required a system reboot.
 - g) **Network and Machine Connectivity:** We regularly lost the localized internet connections created an inability to update central records, one time lasting all days for all machines at the voting site.
 - h) **Intrusion Detection Message:** On one of the days that the computers were off-line, and a technician was on-site, an 'Attempt to connect was blocked' message flashed up on my screen.
10. **Voter Protection Project:** The polling location lacked a GOP poll observers but the site had out-of-state Biden 'volunteers' as well as non-Clark County personnel wearing **Voter Protection** shirts working within 100 feet of the voting location, some sitting within feet of the side of the polling location giving out water and Halloween candy.
11. **Signature Verification:**
- a) **User Duplication of the Signatures Placed in the Registrar's Records:** A large number, and percentage, of voters could not duplicate their signatures on file with the registrar of voters in their first attempt, an estimated 100 voters had to be asked to provide a second signature for verification or 10% of all voters.
 - b) **More Signature Guidance:** Many voters could not duplicate their signatures without being told the form of their signatures (for example "You must sign with (a) first full name, (b) middle initial, and (c) full last name") and even then, a number of people could not match their signatures that were on file with the registrar of voters. Some because they had signed the forms years and years ago but others didn't have the passage of time as an excuse.
 - c) **Use of Driver's Licenses:** Occasionally, the voter was directed to sign the form the way they signed their driver's license, and although they pulled out their own driver's licenses a number of voters

failed to duplicate their signatures on their 2nd and later attempts and, after 3 tries and failures

- d) **Voters Without a Signature on File** A small number of voters had *No Signature* on file, possibly voters that registered somewhere or somehow where no signature capture was possible and those voters needed to show some form of ID to complete the voter identification step (see below.) I estimate that ~ 1% of the voters with this issue
- e) **Failsafe Verification of Voter's Identity**: Even with the above methods of identifying a voter, for a small number of voters, the voter was only verifiable through a review of the state identification document such as a driver's license. Without exception, everyone passed this last step in the verification process.
- 12 **Mail-In Ballot Surrender Process**: The Vote Safe software design included provisions for the handling of the 100% of mail-in ballots to every state voter and the following was added to the software control flow. The changes to the software flow included the insertion of a mail-in ballot 'Surrender' step where the voter was presented with two choices. Either the voter could 'Choose': (a) 'To surrender their mail in ballot' or Choose (b) "I do not have my mail-in ballot. I will sign an affirmation..." and the following was found to be in effect:
 - a) **Ballot Spoiling Process – Initial Process**: For the first part of the early voting process the surrendered ballots were spoiled by placing X's across both sides of each ballot and the return envelope with their name and address.
 - b) **Ballot Spoiling Process – Modified Process**: The initial process was time-consuming so the process was modified some days into the early voting process and only the printed name on the return envelopes were crossed out. Several times each day the surrendered ballots were gathered up and, as explained to the staff, were shredded sometime after the polls closed for the day.
 - c) **Surrendered Ballots – Accountability**: Other than possibly the check-in software tracking the number of surrendered ballots (we had no training on tracking), the mail-in ballot surrender process had no secondary checks built into it. We did not track in a log or any other visible way how many ballots were surrendered at each workstation or in the polling place I worked at.

There was no accountability of the surrendered ballots. That is, no log was kept, no count of the total number of surrendered ballots that needed to be verified, we collected the ballots, and they went into an envelope that was collected several times a day. Ballots were gathered up and temporarily stored at the polling location and then gathered up and taken, were told, to be shredded.

I attest that the above are true under penalty of perjury.



31 Nov 2020

Date