

## CITIZEN TRUTH REVIEW

### Introduction

- March 8<sup>th</sup> 2023 – Commissioner Christopher Richards held a town hall for citizens to express their views on buying BMDs.
- May 4<sup>th</sup> 2023 – WCEC wrote a letter to CC in advance of presenting a resolution to purchase BMDs.
- May 8<sup>th</sup> 2023 – CC monthly meeting the resolution was presented. The WCEC representative was questioned during the meeting. The resolution was defeated.
- May 18<sup>th</sup> 2023 – WCEC meeting the election commission voted to again to propose the same resolution that was previously defeated but to add a \$30,000 to \$50,000 proposal to study hand marked paper ballots for the future.
- Jun 12<sup>th</sup> 2023 – CC monthly meeting the resolution was presented as amended. The WCEC representative again spoke at the meeting. The resolution passed.

The proposed resolutions by the WCEC ignored a history of comments from citizens via emails, public statements at the CC & WCEC, and the town hall meeting. However, most troubling to citizens was the inaccurate citing of sources by the WCEC that may well have swayed Commissioner's votes. At the CC meetings, citizens were not allowed to rebut the WCEC's statements or present the testimony of experts to provide balance to the WCEC's arguments.

County Commissioners cannot be experts on every subject and must rely on county staff and commissions to present correct information. We submit that the May 4<sup>th</sup> letter, as well as the representations made on May 8<sup>th</sup> and June 12<sup>th</sup>, are examples of presenting misleading information to achieve the goal of acquiring voting machines, despite the valid concerns expressed by citizens.

The following "Citizen Truth Review" identifies and documents with factual sources examples where misinformation was used, and presents pertinent data that should have been shared with Commissioners in order to present fair and balanced information. The authors have gone to great lengths to present documented facts that are backed up with footnotes and links to sources.

It is particularly critical for governmental and community leaders to require accurate and correctly documented facts to make informed decisions. The following document was created to bring to light the misinformation that was provided by the WCEC.

## Citizen's Truth Review

	WCEC Allegations	The Truth WCEC did not publicly disclose to Commissioners
<b>A. May 4 WCEC letter misrepresentations</b>		
1	WCEC argues against Hand Marked Paper Ballots (HMPB), citing National Academies of Science, Engineering, Medicine (NA) <sup>1a</sup>	The NA actually recommends both HMPB and BMD systems (P. 6). The NA states “voter-marked paper ballots are the <b>standard</b> for usability...” and “This has prompted calls for hand-marked (opposed to BMD-produced) paper ballots whenever possible” (P. 79). The National Academies along with many university cyber teams and Ph.D. professors <b>strongly support HMPB</b> over BMDs. <sup>1b, 1c, 1d, 1e, 1f, 1g, 1h, 1i, 1j</sup>
2	WCEC said “Ballot box ‘stuffing’ on a large scale is not a hypothetical risk,” therefore, they should not go to HMPB. <sup>2a</sup> The WCEC cited 750 cases from the Heritage Foundation Election Fraud database.	The cited cases are not applicable to the process citizens are requesting, which is HMPB + optical scanners in precincts. This is an inaccurate citing for the source to object to HMPB in a polling location. <sup>2b,2c</sup>
3	WCEC states, “Studies have shown that the error rate of recording true voter intent with Hand-Marked Paper Ballots to be as high as 5%... WCEC experience mirrors this for Mail-in Absentee Voting...” <sup>3a</sup>  WCEC says, “a system exclusively of Hand-Marked Paper Ballots is 3 to 5 times more error prone than the current system used in Williamson County.” <sup>3b</sup>	WCEC specifically chose a cited source with a <b>34 Senate candidate race</b> , which is an aberration. <sup>3c</sup>  The two statements made by WCEC are misleading for several reasons: (1) the high 4.9% error is based on a central tabulator (without the possibility of self-adjudication) plus the 34 candidate aberration; (2) without the aberration, the central tabulation error rate in this cited source is listed as 0.9%; (3) these statements are being used to discount all uses of HMPB based on a small % of HMPBs that have always been used, which is the absentee ballot (which have never had the possibility of self-adjudication, that has always been allowed); (4) if using HMPB in precincts, as requested by citizens of Willco, the same study shows the error rate to be a low of 0.7% (without aberration) to high 1.4% (with aberration), much lower than the 5% cited by WCEC; (5) WCEC cited source states HMPB in precinct is actually an advantage, because tabulators alert voters to errors; (6) the state of Washington uses HMPB for millions of voters and has a low reject rate of 0.72%. This is with no in-person voter self-adjudication and the 0.72% includes signature mismatch rejects. <sup>3d,3e,3f,3g</sup>
4	WCEC states, “Without stringent chain of custody controls, Hand-Marked Paper Ballots are highly vulnerable to tampering. Once a ballot is added to the ballot box, there is no way to determine if it is legitimate or not.” “Similarly, Hand-Marked Paper Ballots can be destroyed and manipulated.” <sup>4a</sup>	Voter electronic data & records can be destroyed and manipulated by a single keystroke. Multiple experts denounce BMDs as easily manipulable, errors not auditable <sup>4b</sup> & a high security risk. Without stringent chain of custody controls, BMD vote systems are <b>extremely</b> vulnerable to tampering. <sup>4c, 4d, 4e, 4f, 4g, 4h, 4i</sup>  Whether it is a BMD barcode ballot or a HMPB, once it is added to a ballot box, there is no way to determine if it is legitimate and there are documented machine vote manipulations. <sup>4j</sup> However, HMPB's can have security features in the paper, have unique features from hand marking, and utilize random & unique control numbers, whereas, BMD codes are susceptible, which is the reason the State of Colorado banned them. <sup>4k</sup>
5	WCEC says it completed a thorough request for proposal (RFP) and that it was “asked to consider implementing Hand-Marked Paper Ballots ...” <sup>5a</sup>	WCEC only did a RFP for a BMD system and did <b>NOT</b> do a RFP for HMPB. <sup>5b,5c</sup> WCEC did not clarify this point with CC. WCEC alleges they listened to citizens’ HMPB request for over two years, but still did not do a RFP for HMPB.
6	WCEC says HMPB “would cost Williamson County more to implement.” <sup>6a</sup>	The WCEC information is incorrect because (1) the BMD proposal failed to include an additional ~\$200K necessary for 3 more vote centers, <sup>6b,6c</sup> (2) a HMPB + optical scanners capital cost is estimated at \$800K gross total, one-half the cost of WCEC BMD system; <sup>6d, 6e, 6f</sup> (3) Pennsylvania state-wide <u>actual</u> costs show HMPB + OS is <b>half the cost</b> as a full BMD model; <sup>6g</sup> (4) Georgia studies show significantly higher YOY BMD costs; (5) there is no analysis of full life-cycle costs of BMD's vs. HMPB's YOY, which would include IT staff, support and maintenance contracts, breakdowns of equipment, transportation and secure storage, purchase of new machines once they reach end of life, etc. <sup>6h, 6i, 6j, 6k, 6l</sup>

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7	WCEC states, "we were notified by the SSDOE [Secretary of State Division of Elections] that we could no longer use the election equipment [the Dominion system]."7a	In the SSDOE Feb 2022 letter to the WCEC, the SSDOE recommends, but does not mandate, removal of the Dominion system.7b By removing Dominion, WCEC wasted \$1.5MM in usable 2019 equipment7c only to request the state and county cover rental & capital payments for a <b>similar system</b> costing an additional \$1.6MM 7c for a county that has a debt greater than <b>\$1.2 billion</b> .
<b>B. May 8<sup>th</sup> CC &amp; June 12<sup>th</sup> CC meetings, WCEC verbal misrepresentations</b>		
8	In May 8 CC meeting, WCEC gives example of absentee ballots (HMPBs) where voter intent is unclear and ballots are not counted. Therefore, WCEC says they cannot recommend a HMPB voting system.8a	The absentee HMPB system is not changing. The HMPB + optical scanner model the citizens are requesting confirms if ballots have no errors (Voter Verified Self-Adjudication). If a ballot needs to be corrected, voter can correct on the spot with no impact to efficiency.8b,8c,8d <b>WCEC must or should know about self-adjudication.</b>
9	<p>The WCEC was questioned in the May 8 meeting about long lines with BMDs (vote times). WCEC stated the Aug &amp; Nov 2022 experienced long vote lines all across TN with HMPB and BMDs, so BMD is not the issue. WCEC solution is to add more vote centers and machines.9a</p> <p>WCEC noted citizens have stated HMPB provide more reliability, but they say their findings have found the opposite.9b</p>	<p>We question the WCEC statement regarding the Aug and Nov 2022 elections because the WCEC provided no evidence that HMPB vote times were as long as BMD vote times anywhere in the state. WCEC provided no evidence a precinct HMPB + optical scanner system is less reliable than an all-BMD machine voting system.</p> <p>In general, HMPB stations can be twice as fast as BMD stations9c and a university 10,000 simulation shows touchscreens can create long lines that HMPBs do not.9d Poll workers and poll watchers in multiple elections have observed that BMDs are the slowest part of system, because (1) BMDs break down, reducing reliability; 9e,9f (2) BMDs require startup time; (3) BMDs require extra steps for verification; (4) BMDs require time to print summary cards; (5) BMDs require humans to explain system to voters; (6) booths remain open because not enough poll workers to explain the system; (7) BMDs malfunction requiring multiple tries to get votes recorded; (8) poll workers and poll watchers confirm voters are disenfranchised because they cannot wait in long BMD lines; (9) BMDs cannot handle influx in voters like HMPBs; (10) In poll working training, technicians noted there can be BMD calibration issues as also noted in decades of elections. 9g,9h (11) "Simple error situations required rebooting the device. This can easily create long lines...."9i</p> <p>The WCEC proposed solution to shorten wait times equates to hundreds of thousands of dollars in additional costs that the county does not have and more machines will not solve the vote time problem and does <b>not</b> resolve the BMD reliability issue.</p>
10	WCEC stated in June 12 CC meeting that vote centers were successful because of a 9% voter increase from Nov. 2016 to Nov. 2020 presidential elections.10a	<p>The SOS voter turnout statistics show a 6.68% increase from 2016 to 2020. Vote centers empirically did not increase voter turnout based on SOS statistics from 2000 – 2020 for presidential elections.10b, 10c, 10d</p> <p>Maury County and Williamson County estimated population increases were both around 12% to 13%.10e,10f,10g, 10h National Media data shows both Maury County and Williamson County increased actual votes by 31% from Nov. 2016 to Nov. 2020. Yet, Maury County is a <b>precinct county</b>, not a vote center county.10i Therefore, vote centers make no impact to voter turnout over precincts.</p> <p>Therefore, Williamson County data does <b>not</b> show vote centers increasing voter turnout.</p>

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