

Date: 03/20/2023

Bill number: HB2086

Indicate Disposition: Opponent

Name: Thad Snider

Chairman Thompson and Members of the Committee,

My name is Thad Snider and I live in Johnson County. I am an OPPONENT of the following changes being proposed in this bill:

- New Section 3: There is no reason to forbid copying a hard drive. Copying something does not alter it. The only reason to forbid this would be hide something and/or to continue to obfuscate the public's ability to oversee and validate the outcome of their elections.
- New Section 8 K.S.A. 19-3419: The fact that four counties have appointed election commissioners and the other 101 have elected commissioners is an Equal Protections Violation of the Constitution. Each county should have the ability to elect their own Representative government and should not be subject to partisan, political appointees to run their county's elections. The will of the People should be reflected equally across the whole state.
- NOTE: Nowhere in this bill does it mention "chain of custody" — not once. Chain of custody is necessary for ballot security, accuracy and transparency.
- Section 24 KSA 25-604 (c): *"The ballots shall be printed on paper of sufficient strength as not to be punctured by ordinary pencil marking. Ballots shall be put in the possession of the county election officer at least five days BEFORE the election..."*. In the 2022 election cycle, there were instances where counties ran out of ballots and were authorized by the Secretary of State to photocopy ballots which does not meet the 5 day rule nor does copy paper meet the bar to *"not be punctured by pencil marking"*. There was no chain of custody for those ballots either. This was discovered during the recounts that took place after the 2022 primary. As is, there is no real accounting for ballots in vs ballots out leaving open the possibility of ballots being misused, or potentially photocopies being made to match a desired outcome by someone with nefarious intentions.
- Section 28 K.S.A. 25-112 (n): *"The secretary of state may adopt rules and regulations in order to implement the provisions of this section and to define valid*

forms of identification.” The SOS is not an authority on legal forms of identification and should not be the arbiter of such things. This should be codified in statute by the legislature and not left open to interpretation.

- Section 50 K.S.A. 25-3005a (b)(3): There is no reason to exclude precinct committeemen and woman from appointing poll agents. They are candidates on the ballots just like everyone else. This exclusion is another Equal Protections Violation where one candidate is given more rights and privileges than another and is therefore unconstitutional.

- Sec. 51 K.S.A. 2022 Supp. 25-3009(b)(1): *“The audit shall be performed manually and shall review all paper ballots or the corresponding ballot images...”* After the 2022 primary, I participated in a post-election audit where we were given photocopies of digital images of the ballots instead of the Voter-Verified Paper Audit Trail (VVPAT) ballot as required by this statute. I questioned this at the time because the statute clearly states that it must be the PAPER BALLOT that is used and not a digital image. I voiced my concerns to the Johnson County canvassers, the election commissioner, the district attorney and to the Secretary of State’s office. In an August 9th, 2022 email from Deputy Assistant Secretary of State, Clay Barker, he told me that KAR 7-47-1 allowed for the use of ballot images in lieu of the VVPAT ballot that is currently required for use in statute. He even provided by the necessary steps that promulgated KAR 7-47-1 into “law” so that now the “regulation has the full force and effect of law.” However, this entire process unconstitutional.

- 1) Regulations are not law regardless of backdoor politicking. The Constitution is clear that the legislative branch is the lawmaking body— not the executive branch. Legislative intent was clear in that the paper ballot was to be used for audit purposes. The Secretary of State’s usurpation of this power should alarm every member of this committee and the legislature as whole.

- 2) KAR 7-47-1 (d) states: *“Ballot images may be used for the manual audit if imaging technology exists during the tabulation process on election night.”* HOWEVER, in the very first line of this same regulation it says: **“Audit implementation. The requirements of this regulation shall not apply to local question elections, mail-ballot elections pursuant to K.S.A. 25-431 through 25-441 and amendments thereto, or statewide constitutional amendments.”**

- There was (1) constitutional amendment in the 2022 primary and (2) in the 2022 general election which would preclude digital ballot images from being used to audit that election. They were utilized anyways and even though I called it out to my county canvassers, every statutory authority over elections crimes and the

SOS's office, nothing was done and the election was fraudulently certified anyways.

- The fact that the Secretary of State passed a rule that allowed for certain parts of the ballot to be treated/audited differently is another Equal Protection violation of the Constitution as well as a violation of the Separation of Powers Doctrine as the Executive branch cannot make law— it can only enforce it.
- This all begs the question— if the use of digital images for post-election audits WAS legal then why is the Secretary of State now trying to RE-codify into law? Either it was lawful to use the digital images OR the Secretary of State's office misled me and the public about their adherence to the legislature clear intent to utilize the paper ballots for post-election audits.
- The whole purpose of using the paper ballot is to bifurcate the electromechanical voting systems from the audit process. If a “glitch” occurs, like what happened during the 2022 recount in Cherokee county, the only way to catch something like that is to use the paper ballot against the machine tally. Otherwise, the machine is simply auditing itself in which case no one would ever know because, for some reason, We the People are not allowed to see the system log files, the cast-vote records or the source code for the machines used in our elections (NEWS FLASH: The legislature and law enforcement are not allowed to view them either...). If we cannot independently verify the functionality of the machines as advertised, the only way left to verify the outcome is through the paper ballot audit. Allowing for the use of digital images for the audit completely shuts out the public from knowing for sure their vote was counted correctly.
- The pushback here from the Secretary of State will be speed and/or complexity of having to audit the paper ballot vs the digital image but the outcome of our elections should not be based on speed and the complexity is the result of mismanagement of the entire election process which has led to its current overly-complicated and convoluted version. Every election should be based on accuracy, transparency and verifiability. If referees on Monday Night Football can spend 10 minutes looking at ball placement on the field, I don't think it's too much to ask for our elected officials to spend the necessary time to get our elections right even if that means hand-counting paper ballots during the audit process.
- Lastly, for the record, the only way to achieve a transparent, accurate and secure count in an election is for it to be conducted using hand-marked paper ballots that are hand-counted right out in the open for everyone to see. This “black box” voting system that you are trying to legislate around is antithetical to

our Republic and is a gross violation of the Constitution. NO ONE, I repeat NO ONE, within the Kansas government has ever seen or inspected the source code used in the machines that tabulate our votes. That alone should be enough to stop this bill in its tracks and reconsider the way we conduct elections here in Kansas, but I hope you will consider the rest of my testimony as well.

Thank you for your time,

Thad Snider

Attached for Review & Referenced Above:

- KAR 7-47-1 language
- KAR 7-47-1 "Certificate of Adoption"
- Email from Clay Barker re: KAR 7-47-1's Promulgation Into "Law"
- Email Correspondence w/ KS Statutory Authorities Over Election re: 2022 Primary Recount
- Cherokee County, KS Statement on "Vote Flipping" (2022 Primary)

An official State of Kansas government website. [Here's how you know](#)

Agency 7

Secretary of State

Article 47.—Election Audits

7-47-1. Audit implementation. The requirements of this regulation shall not apply to local question elections pursuant to K.S.A. 25-431 through 25-441 and amendments thereto, or statewide constitutional amendments.

(a) As used in K.S.A. 25-3009 and amendments thereto, the term "unofficial election night returns" shall include ballots counted on election day, ballots cast in advance and counted on election day, and ballots cast by mail under the citizens absentee voting act (UOCAVA) procedures and counted on election day. This term shall not include challenged or marked as provisional or any ballots that are cast in advance and received after election day.

(b) Training shall be provided by the secretary of state to each county election officer. Each county election officer shall report to the election board, as specified in K.S.A. 25-3009 and amendments thereto, conducting the postelection audit. The audit shall include the identification of voter intent specific to the vote-casting technologies in use across Kansas.

(c)(1) An auditable race and precinct shall be a race and precinct meeting the requirements in K.S.A. 25-3009 and amendments thereto, for an audit to be conducted. The random selection of races and precincts shall take place in accordance with the procedure to randomize the selection of races and precincts shall be determined solely by each county election officer and the secretary of state. Upon completion of the audit, each election board shall transmit to the secretary of state office the results of the audit no later than 48 hours before the meeting of the county board of canvassers.

(2) In even-year elections, within 24 hours of the closing of the final polling location in Kansas, the list of races and precincts to be audited shall be transmitted by the secretary of state to each county election officer. Each county election officer shall list the races and precincts in the order specified until an auditable race is determined. Each county election officer shall list the total county precincts from the subset of auditable precincts. If no contested race exists, the election results shall be listed.

(3) In odd-year elections, each county election officer shall randomly select the races and then each precinct to be audited.

(d) Ballot images may be used for the manual audit if imaging technology exists during the tabulation process. (Authorized by and implementing K.S.A. 2018 Supp. 25-3009; effective, T-7-6-26-19, June 26, 2019;

Article 47. Audits

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(a) As used in K.S.A. 25-3009 and amendments thereto, the term "unofficial election night returns" shall include ballots cast and counted on election day, ballots cast in advance and counted on election day, and ballots cast by means of the uniformed and overseas citizens absentee voting act (UOCAVA) procedures and counted on election day. This term shall not include any ballots cast that are challenged or marked as provisional or any ballots that are cast in advance and received after election day.

(b) Training shall be provided by the secretary of state to each county election officer. Each county election officer shall provide training to the election board, as specified in K.S.A. 25-3009 and amendments thereto, conducting the postelection audit. The training shall include the identification of voter intent specific to the vote-casting technologies in use across Kansas.

(c)(1) An auditable race and precinct shall be a race and precinct meeting the requirements in K.S.A. 25-3009, and amendments thereto, for an audit to be conducted. The random selection of races and precincts shall take place in a public setting, and the procedure to randomize the selection of races and precincts shall be determined solely by each county election officer and the secretary of state. Upon completion of the audit, each election board shall transmit to the secretary of state and the county election office the results of the audit no later than 48 hours before the meeting of the county board of canvassers.

(2) In even-year elections, within 24 hours of the closing of the final polling location in Kansas, the list of randomly selected races to be audited shall be transmitted by the secretary of state to each county election officer. Each county election officer shall examine each race in the order specified until an

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JUN 20 2019

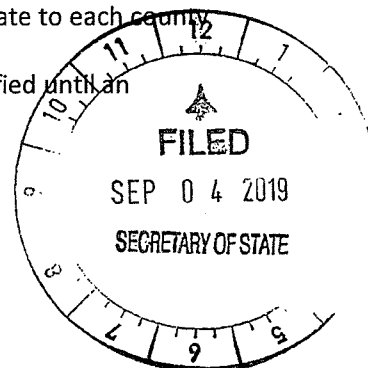
DIVISION OF THE BUDGET

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JUN 20 2019

DEPT. OF ADMINISTRATION

APPROVED
JUN 20 2019

ATTORNEY GENERAL



auditable race is determined. Each county election officer shall then randomly select one percent of the total county precincts from the subset of auditable precincts. If no contested race exists, the election board shall audit the first race listed.

(3) In odd-year elections, each county election officer shall randomly select the races and then each precinct to be audited.

(d) Ballot images may be used for the manual audit if imaging technology exists during the tabulation process on election night. (Authorized by and implementing K.S.A. 2018 Supp. 25-3009; effective, T-7-10-20-19, June 26, 2019; effective ~~Sept. 21, 2019.~~)

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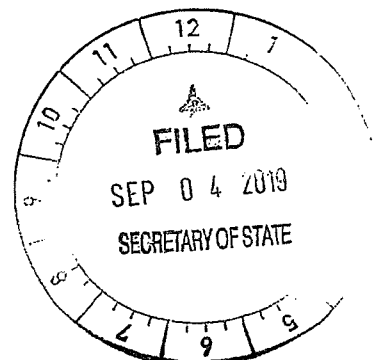
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JUN 20 2019

ATTORNEY GENERAL



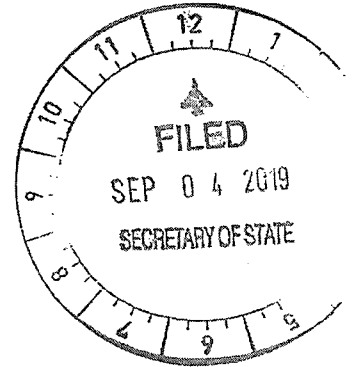
SCOTT SCHWAB
Secretary of State



Memorial Hall, 1st Floor
120 S.W. 10th Avenue
Topeka, KS 66612-1594
(785) 296-4564

STATE OF KANSAS

CERTIFICATE OF ADOPTION K.A.R. 7-47-1



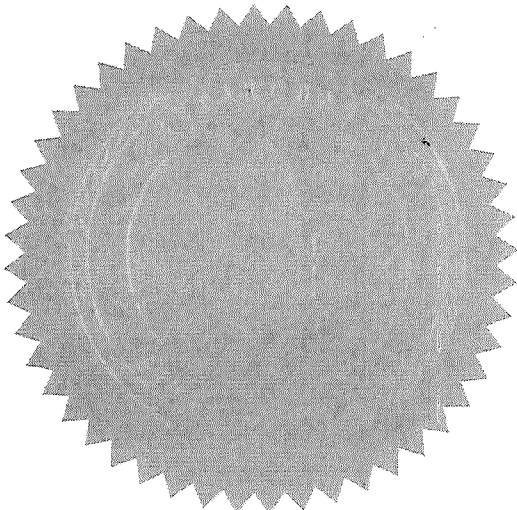
I, Scott Schwab, Secretary of State, hereby adopt K.A.R. 7-47-1 pertaining to election audits. This permanent regulation has been approved by the Director of the Budget as to the economic impact, the Secretary of Administration as to organization, style, orthography, and grammar, and by the Attorney General as to form and legality as being within the jurisdiction of the Secretary of State to adopt.

CERTIFICATION

I, Scott Schwab, Secretary of State, certify that I hereby adopt the above listed regulation.

In TESTIMONY WHEREOF, I
Hereto set my hand and
Cause to be affixed my
Official seal.

Done at the City of Topeka,
This 4th day of September,
In the Year of Our Lord
Two thousand and nineteen.



A handwritten signature in cursive script that reads "Scott Schwab".

SCOTT SCHWAB
Secretary of State

**Kansas Administrative Regulations
Economic Impact Statement
For the Kansas Division of the Budget**

Kansas Secretary of State
Agency

Jameson Beckner
Agency Contact

785-296-0080
Contact Phone Number

7-47-1 - Permanent
K.A.R. Number(s)

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt, along with the following to: Division of the Budget
900 SW Jackson, Room 504-N
Topeka, KS 66612

I. Brief description of the proposed rule(s) and regulation(s).

Implementing the provisions of KSA 25-3009 regarding audits of election results.

II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. (If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)

N/A

III. Agency analysis specifically addressing following:

A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

None.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

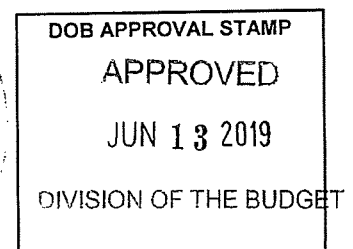
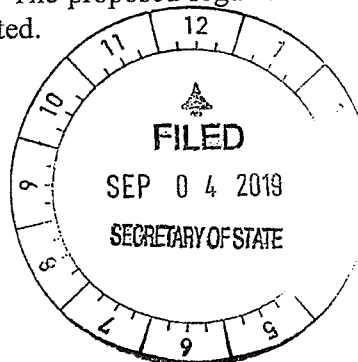
None.

C. Businesses that would be directly affected by the proposed rule and regulation;

None.

D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

There is no cost to this regulation. The proposed regulation will allow for transparency in how audits of elections are conducted.



- E. **Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;**

No economic impact is anticipated resulting from the provisions of this regulation.

- F. **An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.**

\$0

Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?

YES NO

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

Evaluating the cost of similar requirements to the state and local units of government over the preceding years determined that no cost would be accrued due to this regulation.

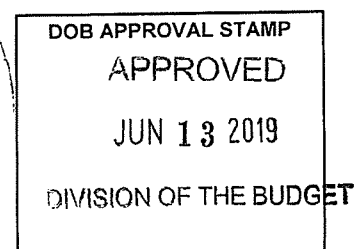
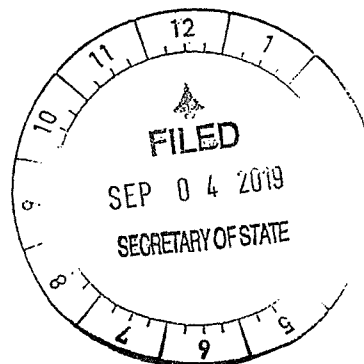
Training is already on-going in conjunction with the Kansas County Clerks and Election Officials Association (KCCEOA), weekly conference calls, and email instructions. Any audit training could simply be incorporated into such existing training. Minimal staff time would be added as a result of this reg and could be incorporated into existing business hours.

Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

- G. **If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.**

N/A



**Kansas Administrative Regulations
Economic Impact Statement
Public Hearing Certification**

Agency: Kansas Secretary of State

Agency Contact: Jameson Beckner

Phone Number: 785-296-0080

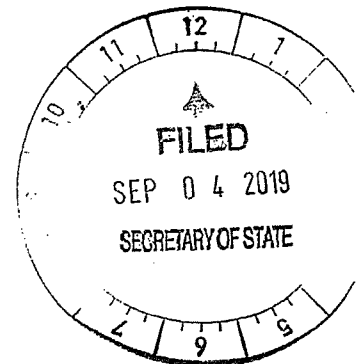
K.A.R. Number(s): 7-47-1



Public Hearing Date: September 4, 2019

Public Hearing Time: 9:00 AM

Public Hearing Location: Memorial Hall Auditorium

Public Hearing Attendance: No one appeared for comment. Agency staff included Lara Murphy, Bryan Caskey, Jameson Beckner, & Phill Hall.



From: Barker, Clay [KSOS] Clay.Barker2@ks.gov 
Subject: RE: KORA Request Response 2
Date: August 9, 2022 at 3:41 PM
To: Thad Snider 



Mr. Snider,

I had the Audit regulation saved from 2019. Attached is the final stamped regulation, the adoption certificate, and the economic impact statement. Everything else regarding the regulation would be exempt under KSA 45-221(a)(2) as drafts and policy analysis.


For a regulation to be issued, several steps are necessary. Chapter 77, Article 4 of KSA

1. The legislature must specifically order or authorize the agency to issue a regulation. In this, case KSA 25-3009(e) ordered the Sec of State to issue regulations on post-election audits.
2. The Department of Administration must review and approve the proposed regulation
3. The Attorney General has two separate lawyers with legislative expertise review the regulation to ensure the proposed regulation is in compliance with the statute(s) before they will approve it.
4. The Division of Budget has to approve the economic impact statement
5. The legislature gives input on the proposed regulation through JCARR (Joint Committee on Administrative Rules and Regulations)
6. The public has an opportunity to give input.
7. Once promulgated, a regulation "has the force and effect of law," KSA 77-415(c) (4).

Clay

Clay Barker
Deputy Assistant Secretary of State
General Counsel

Kansas Secretary of State
120 S.W. 10th Avenue | Topeka, KS 66612
W: 785.296.3483

From: Barker, Clay [KSOS]
Sent: Tuesday, August 9, 2022 2:33 PM
To: 'Thad Snider' 
Subject: RE: KORA Request Response 1

From: Thad Snider [REDACTED] 
Subject: Re: Saturday's "audit"

Date: August 10, 2022 at 8:13 PM

To: Sherman, Fred, ELC Fred.Sherman@jocogov.org

Cc: Sheriff Hayden calvin.hayden@jocogov.org, bocccommissioners@jocogov.org, Barker, Clay [KSOS] Clay.Barker2@ks.gov, DAT Howe Steve.Steve.Howe@jocogov.org, Trent, Peg, Lgl peg.trent@jocogov.org
[REDACTED]



Hello All,

Another day and no word from the election office about amending my tally sheet from Saturday's audit.

I also want to follow up on the unconstitutional rule put in place by the Secretary of State's Office that I mentioned previously. Here's what it says:

(d) **Ballot images** may be used for the manual audit if imaging technology exists during the tabulation process on election night. (Authorized by and implementing K.S.A. 2018 Supp. 25-3009; effective, T-7-6-26-19, June 26, 2019; effective Sept. 27, 2019.)

Ballot images would be the digital image of the paper ballot during the tabulation process. We were not presented digital images of ballots. We were presented with photo copies of the digital images of the ballots. Much like I cannot board an airplane with a photo copy of my driver's license, you cannot present me with a photocopy of a digital ballot image and expect me to sign off on the process or expect it to be legal.

Problems with this:

- No chain of custody was presented for the paper copies of digital images of a ballot so there is no way to know if the photocopies presented were those that were actually captured in the tabulation process.
- On election day, machines all over the county were "malfunctioning" and being pulled out of service. My attorney's wife said her precinct was down to (1) machine because the others were all taken out of service and when she went to vote the ovals were pre-filled in for her on the ballot-marking device. Countless stories and affidavits of issues with both the machines and administration of the election of been fielded and filed.
- The Ballot Definition Files (BDF) can be crafted to achieve a desired outcome. Without viewing the actual paper ballot from the machine, there is no way to know if the digital image was reflective of voter intent.
- There was no tabulator tape or cast-vote record to which to compare my count.
- In my second stack I audited, we discovered a 9 paper copies of digital images of a ballot (see how ridiculous that sounds?) difference from the previous auditors. This was summarily dismissed by the Johnson County Election worker and I was later (about 15 minutes) told that "your count matches so you're good". Well what about the previous people who were 9 votes short in their count? No one thought to question them about that? (See attached).
- There were no cameras viewing the process so there's no way to know if paper copies of digital images of a ballot were being swapped out or altered after the fact.
- Fred Sherman said that the voter party affiliations that were changed on election day were not accounted for in the assignment of partners. That means anyone who change from D or R or U on Election Day would not have been part of the calculus for assigning pairs when conducting the audit which means there is no way guarantee that the audit teams were indeed bipartisan (See: KS 25-3009 (a): "The audit shall be performed by a sworn election board consisting of **bipartisan** trained board members."
- Again, I was not presented with the ballot images taken from the tabulation machine. I was presented with photocopies of the (supposed) digital ballot images from the tabulation machine— not the same in legal sense, not even kind of.

It also says "may" so you are just choosing to do this which we know obfuscates any chance of catching "vote flipping" like we just found out happened in Cherokee County, KS. I spoke to the clerk and she said the only reason they caught it was because of the hand recount of the PAPER BALLOTS. And, as fortune would have it, that race was one that was selected for the recount. But what about all those races that didn't get audited? How do we know that votes didn't get flipped in Johnson County too? Short answer— we don't.

Did Johnson County Elections Office program their own election or did a 3rd party do it? Did anyone check the USB's, software, firmware or hardware after they were inserted into the machines? Are this USB's certified as a part of the electronic and electromechanical voting systems as required by state & federal statute? [← No they are not]

See, you have major problems here because not only did that not occur, but as I have pointed out, none of electronic or electromechanical systems are certified to VVSG 2.0 which is a 2017 requirement from the EAC as a part of HAVA (2002). The observance and implementation of HAVA is codified in Kansas statute so you have no choice but to follow it. So here you have illegal voting systems, unchecked, not audited correctly and completely vulnerable to vote manipulation.

Listen, I get it. You all think I'm a "right-wing nut job". But I'm not. I'm actually quite competent and a very productive member of this community. And frankly, like it or not, I'm also your boss (see: Constitution). And the fact is, I actually don't care with what party you affiliate. In fact, most of the people I have and continue to accuse of crimes are the same party affiliation as I am. But your opinion of me doesn't make me wrong. Just like last August when I came to the commission meeting and told you your health order for masking schoolchildren was unconstitutional (court agreed with me), so too is your administration of our elections (court will eventually agree with on this too). Or maybe the next Attorney General will. I hear he's a big fan of election integrity and the Constitution.

All that said, I'm anxious to see what you do on Friday with the canvass. Signing off on that in the middle of an active criminal investigation into election fraud when you know there were problems and no legal certification for any of the equipment used to

determine if they were counterfeit. I would not use a paper copy of the bill as doing anything else would be pointless. And that's what Saturday's exercise was— pointless. It was also illegal according to statute.

As if this was important enough, I was receiving reports from all over the county of machines that were pre-selecting candidates, not allowing people to change their votes once that was discovered and machines being pulled out of circulation constantly for malfunctioning. So the idea that the machines are flawless and incapable of making mistakes is absurd on its face. They are just Windows desktop computers and how many times in our lives have we had to "ctrl+alt+delete" to get one of those to work properly again? Hence, the necessity to compare the paper ballot to the results produced by the voting equipment since it is inherently flawed and capable of malfunction.

Personal Point of Contention

At the time of the audit I was weary of Fred Sherman's announcement that we were only viewing the printed copy of the digital images of the ballots but was not abundantly aware of the statutes mentioned above at the time. I have since had a chance to speak with legislators, law enforcement and attorneys familiar with Kansas election laws and I wish to amend my tally sheets and form I filled out for payment for participation in Saturday's audit.

I signed two different log sheets indicating a specific # of ballots were counted. I would like to amend those sheets I signed to reflect "0" votes counted as I was never given physical access to the paper ballots to be legally counted. I also signed a document indicating I would be paid for my time. I no longer wish to be paid for my time as I do not want to benefit financially from an illegal activity. **Please let me know that both of these items will be amended as requested.**

Since it was conducted illegally, the post-election audit should be re-done in the manner prescribed by statute. It should have never been done this way in the first place as Fred Sherman should have known the procedure and Connie Schmidt, former Johnson County Election Director and current Secretary of State's Office employee, was present and failed to adhere to the law. As such, both of them are guilty of violating KS 25-2420 (c)(d)(f) & (g):

KS 25-2420. Election fraud by an election officer. Election fraud by an election officer is, while being charged with any election duty, and with intent to hinder, prevent or defeat a fair election:

- (c) Possessing any falsely made, altered, forged or counterfeit poll books, registration books, party affiliation lists, election abstracts or returns or any other election papers.
- (d) Receiving, canvassing, counting or tallying any ballots, votes or election returns which are fraudulent, forged, counterfeited or illegal.
- (f) Declaring or otherwise proclaiming any false election result.
- (g) Declaring or otherwise proclaiming any election result based upon fraudulent, fictitious or illegal votes.

Electromechanical & Electronic Voting Systems

Why is the above procedure for the post-election so important? Because it allows the voters to know the electromechanical and electronic voting systems we utilize are functioning appropriately and are in compliance with State & Federal Law. That is not the case in Kansas.

In an email dated August 3rd, 2022, I notified (see attached) Clay Barker from the Secretary of State's office about the lack of legal certification for our Electromechanical & Electronic Voting Systems.

The most recent certification I received says that our systems are updated and certified to VVSG 1.0 standards. These are standards set by the EAC in 2005 and no are longer legal standards by which to certify our Electromechanical & Electronic Voting Systems. And according to KS 25-4406(m): Same; mandatory requirements for electronic or electromechanical systems approved. Electronic or electromechanical voting systems approved by the secretary of state: (m) **shall meet the requirements of the help America vote act of 2002 and other federal statutes and regulations governing voting equipment.** [bold emphasis is my own]

In furtherance of my point, the Kansas Legislative Research Department's 2020 Guidebook clearly states that the EAC guidelines changed in 2017 which means that any Electromechanical & Electronic Voting Systems utilized in Kansas for election should have adhered to the VVSG 2.0 standards. I know from previous KORA requests and communications with the Secretary of State's Office and Johnson County's Election Office that a certification for anything other than VVSG 1.0 has not been produced or otherwise disseminated and therefore every vote cast in Johnson County since *at least* 2017 was done illegally and unconstitutionally.

<page1image7381328.png>

Therefore, not only was the audit done illegally, but the election itself was conducted on uncertified, unconstitutional and illegal Electromechanical & Electronic Voting Systems.

Sheriff Hayden,

I know you are conducting an investigation into election fraud here in Johnson County. I would be willing to provide you with all of the source documents and data I have collected to supplement your investigation.

If I need to file a formal complaint with your office, please let me know the procedure by which to do so.

District Attorney Howe,

As one of the statutory authorities over election crimes, I fully expect your office to launch an immediate investigation and/or file an injunction or temporary restraining order to prevent the certification of this election until these issues are resolved.

If I need to file a formal complaint with your office, please let me know the procedure by which to do so.

Board of County Commissioners,

You cannot certify this election during the canvass. Doing so would be in violation of Kansas law as you now know the way in which the election and post-election audit were conducted illegally.

Mrs. Trent,

As another statutory authority over election crimes, I expect you and your office to take my claims seriously and advise your clients (the canvassers and Johnson County Election Office) to NOT certify this election until it is conducted legally and according to Kansas and United State Constitution.

If I need to file a formal complaint with your office, please let me know the procedure by which to do so.

Mr. Barker,

I never heard back from with regard to my email last week. I'm assuming you were looking into the claims but if not, please let me know why.

If I need to file a formal complaint with your office, please let me know the procedure by which to do so.

Mr. Sherman,

I have attached a KORA request for all 2022 election-related materials as I would like to inspect them prior to them being "sealed up". I also ask that keep all of these materials and do not destroy, alter or hide them as they will be subject to forthcoming civil and criminal proceedings.

I appreciate you all looking into this as elections are the bedrock of our Republic. As such, they should be treated with utmost care and due diligence. If I can provide anymore information, please let me know.

Thank you,

Thad Snider

<Problems with certifications.pdf>

<D-1-ElectionSecurity copy.pdf>

<KORA Request - 08:08:22 - 2020 Eleciton Records Inspection Request.pdf>

<Snider 1 (dragged).pdf>

To ensure the integrity and accuracy of unofficial election results of the Kansas Primary Election, the Cherokee County Clerk's Office recently conducted a post audit of election ballots cast.

As a result of the audit, Cherokee County Clerk Rebecca Brassart discovered that the thumb drives improperly switched votes cast for incumbent District 1 County Commissioner Myra Frazier and attributed them to challenger Lance Nichols.

"The integrity of our elections is of the utmost importance to me and the team within the County Clerk's Office. Upon discovering the improper programming, I immediately contacted representatives of Atchison Kansas based Lockwood Elections, who is responsible for programming the thumb drives used in our elections. The company recognized their error, and my office has since re-tabulated the ballots by a hand count audit, which resulted in Commissioner Frazier retaining her party's nomination for the November General Election later this year. The commission race was the only one impacted by the company's error and I have already visited with both candidates impacted," according to County Clerk Rebecca Brassart.

"This is a good example of why we verify the accuracy of election results by conducting a post audit of election results, regardless of what the unofficial election night numbers might indicate. I again want to assure the citizens of Cherokee County how important election accuracy is to me and reiterate my commitment to ensuring every valid vote is properly counted," concluded Brassart.

