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To whom it may concern,

This is a general accounting of observation I made during the California June 2016 elections. To the best of my knowledge the following is true and correct. I signed in each day as a representative of Diane Richards (Candidate for Board of Supervisor District 5). The process of observing the pre-Election Day activities and post-Election Day activities took place in the Trinity County Courthouse; basement meeting room. I attended from May 31, 2016 to June 20, 2016. I attended every day, for the entire time it was open to the public; excepting June 10th and June 13th which were attended by fellow observers.

On Tuesday May 31, 2016 at 12 p.m.; I began observing pre-Election Day activities. From the far side of the room we (John Hamilton, Mike Wear and/or I) watched the appointed Trinity County Clerk/Recorder/Assessor Shanna White process mail-in ballot envelopes. An employee sorted the envelopes. Shanna White used a hand scanner to input information, reference a computer/monitor (checking signatures), marked the ballots with a green marker and placed the envelopes into two piles. Shanna White used several different marks (usually one or two strokes) on the envelope but since we were on the far side of the room, we could only guess at what she was writing by the movement of her arm and wrist. They appeared to be slash marks and symbols; not words. At the end of the day John Hamilton asked Shanna White 'what do those marks mean?' Shanna White told him that she was only writing whether the signatures were good or not. The next day and all of the following days of the mail-in ballot processing; Shanna White used only one mark on the mail-in ballots, and wrote in a note book, instead of the eight or so different marks that she had been using. There was a one hour break. At 4 p.m. Shanna White asked us to leave. She followed us out and locked the door. We were told they were done for the day and would start again at 12 p.m. the next day. When we came back the next day (as with each day of our observations) we could see there had been changes to the room and to the ballots; though no one was supposed to go into the room. This was indicative of every day. We were too far away to see what was happening. We were allowed to ask question when told. We were under constant threat of being thrown out and Shanna White would change her methods if she noticed that we were trying to keep track or make out what was happening with the ballots. I personally asked very few questions. I did not want to get thrown out as I may not have been allowed back in. Mike Wear tried a few times and cited the code to Shanna White. After seeing Shanna White's reaction, I didn't dare repeat mentioning Election Code or try to make challenges.

Text cited from Elections Observation Rights and Responsibilities – May 2016 are in italics and quotation marks.

“Observers have the right to: Observe pre-Election Day activities, as permitted by law, such as voting equipment preparation and testing and vote-by-mail ballot processing.” “View the canvass of the vote activities following the election. View vote-by-mail and provisional ballot processing.” “Elections officials have the right to: Use discretion in determining a sufficiently close distance for observers to stand from the process they want to observe.” Shanna White's interpretation of 'distance of observers' was approximately 25 feet away from all operations; excepting that we were allowed to see the number on the machine wire locks and the number on the tape which was on the back of the voter machine. We were never close enough to validate any procedures other than by the color of the ballot. In reality, I was able to observe nothing more than the color of the ballot envelopes and general shape because we were always too far away and/or our view was blocked.

“Vote-by-Mail Ballot Processing Elections Code section 15104 (a) The processing of vote by mail ballot return envelopes, and the processing and counting of vote by mail ballots, shall be open to the public, both prior to and after the election. (b) A member of the county grand jury, and at least one member each of the Republican county central committee, the Democratic county central committee, and of any other party with a candidate on the ballot, and any other interested organization, shall be permitted to observe and challenge the manner in which the vote by mail ballots are handled, from the processing of vote by mail ballot return envelopes through the counting and disposition of the ballots. (c) The elections official shall notify vote by mail voter observers and the public at least 48 hours in advance of the dates, times, and places where vote by mail ballots will be processed and counted. (d) Notwithstanding paragraph (2) of subdivision (b) of Section 2194, vote by mail voter observers shall be allowed sufficiently close access to enable them to observe the vote by mail ballot return envelopes and the signatures thereon and challenge whether those individuals handling vote by mail ballots are following established procedures, including all of the following: (1) Verifying signatures and addresses on the vote by mail ballot return envelopes by comparing them to voter registration information. (2) Duplicating accurately damaged or defective ballots. (3) Securing vote by mail ballots to prevent tampering with them before they are counted on election day. “

Though we did not speak when we were told not to and on several days we were told that we could not even ask questions until Shanna White asked us; Shanna White repeatedly complained that we were “making this take a long time” or “making this harder” which seemed odd since we did not change anything in the election process other than observing her following protocol. Though she still did not follow Election Code as we were never allowed to observe as per the “Elections Observation Rights and Responsibilities – May 2016”. We showed up each day the process was open to the public and watched Kabuki Theater as Shanna White went through the motions of following the law.

The public was notified when the post-election canvass would begin. The door to the room where the pre and post-election canvass took place was only signed for the first two days. Though observers asked, we were never allowed to see signatures, envelopes, ballots or addresses at a distance closer than 20 to 25 feet. The only part of the election process we were able to see close enough to make note of was when we were allowed to see the paper from the machine test and verify the numbers on the machine locks; even that process turned out to be fabricated. We later found that changes were made to the vote by mail voting machine chip after the public viewing of the voting machine interrogations. Ballots were not secured. They were kept in open trays in a room which had multiple keys in circulation. At least one County meeting was held in the room with the unsecured ballots. That meeting (witnessed by John Hamilton) was attended by Judy Morris; who was running for office at that time.

Excepting possibly two provisional ballots; Shanna White was the only person seen to validate signatures and all other voter information on all the ballot envelopes. Observers were unable to make any challenges because we were never given the opportunity to observe properly.

Provisional ballots were nothing more than photocopies on a standard 8 ½ by 11 inch sheet of paper. They were not proper ballots. Though we were not close enough to inspect the provisional paper sheets during post-election observations, they seem to have no official identification, nor did they appear to be numbered or to have removable tabs or any type of tracking. The content of every Provisional ballot was transcribed onto a proper ballot by the Election Board. This process was witnessed by observers who were about 20 feet away behind a rope.

“Elections officials may not delay or interrupt scheduled operations and processes because an observer is present.” Observers were repeatedly misled and/or misinformed on when pre-election and post-election procedures would occur. One example: on Thursday June 9th Shanna White told Mike Wear, John Hamilton, and I that she would not be handling the ballots until June 15th when in fact, she began processing ballots on Monday June 13th. Regardless, one or two of us were still present each day.

On May 31 and June 1st Mike Wear informed Shanna White that she needed to interrogate the voting machines by the deadline. Shanna White ignored Mike and spent May 31 and June 1 processing mail-in ballots. After informing Mike Wear (who is wheel chair bound and has to travel about 40 miles to get to the Court House) that she would let him know when she would be interrogating the machines Shanna White did not contact him. I had to call him when John Hamilton and I came in that day and found that she was going to start right then. By the time Mike Wear got there, Shanna White was finishing the second machine interrogation and then quit for the day. Shanna White began interrogating the voting machines days later than the deadline required by law. Shanna White processed ballots which could have been done later and delayed interrogating the voting machines; though Mike Wear informed her that she had a deadline. Shanna White began interrogating the voting machines on June 2, 2016 and finished on June 3, 2016. **The following week, Shanna White told us that she was using a different program to program the memory cards in the machines. Therefore the vote by mail machine was NOT interrogated in public. The question remains; after Shanna White publicly interrogated the vote by mail machine and locked it; why {before Election Day}**

did she take it out and run more ballots though it, have it malfunction (as she stated), and then use another program to test it; all done behind closed doors? *“Elections Code section 18564 Any person is guilty of a felony, punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for two, three, or four years who, before or during an election: (a) Tamper with, interferes with, or attempts to interfere with, the correct operation of, or willfully damages in order to prevent the use of, any voting machine, voting device, voting system, vote tabulating device, or ballot tally software program source codes. (b) Interferes or attempts to interfere with the secrecy of voting or ballot tally software program source codes. (c) Knowingly, and without authorization, makes or has in his or her possession a key to a voting machine that has been adopted and will be used in elections in this state. (d) Willfully substitutes or attempts to substitute forged or counterfeit ballot tally software program source codes. “*

During the June 7, 2016 elections multiple election code violations were observed, by me and others, at the Weaverville Polling place. Though the Poll Inspector was made aware of these violations, she refused to make changes. She also closed the Poll five minutes early, denying a person the chance to vote. When the woman showed the Poll Inspector the time on her phone, I heard the Poll Inspector tell the woman “we opened the Poll by my watch and we close the Poll by my watch”. The Poll area was not signed from any street. There was one small sign on the building but the building itself did not have an address posted. The voter information guide was marked with a nonexistent address which failed to include the correct road, address or a town. The Weaverville polling site was listed on the voter guide as “9212 Veteran Memorial Hall”.

“Closing the Polls Elections Code section 14403 *Immediately upon the closing of the polls and before any voted ballot is taken from any of the ballot containers, the precinct board member shall, in the presence of all persons in the room who may desire to observe them, proceed to render the unused ballots unusable in one of the following ways: (c) By placing all of the unused ballots into a special container provided for that purpose. A tamperproof seal containing spaces for entering the total number of unused ballots enclosed, the beginning and ending serial numbers thereof, and signature lines for all members of the precinct board following a statement certifying that all of the ballots were placed in the container in their presence and the information on the seal is true and correct, shall be provided. After signing the seal, it shall be placed on the container in a manner so that the container cannot be opened without tearing the seal.*

Elections Code section 14404 *Immediately upon the arrival of the hour when the polls are required by law to be closed on election day, the elections official conducting the election shall openly, in the elections official's main office, in the presence of any persons who are present to observe, according to the procedure set forth in Section 14403, proceed to render every unused ballot remaining in the control of the elections official unusable. The elections official shall forthwith make and file an affidavit, in writing, as to the number of ballots destroyed. If the procedure in subdivision (c) of Section 14403 is used, the tamperproof seal shall be signed by the elections official and at least one deputy or assistant elections official or registrar. The sealed container shall then be placed, with the sealed containers containing unused ballots from the precincts, in a security area by the elections official until disposition is made pursuant to Section 17301 or 17302. Alternatively, the elections official may, immediately upon the arrival of*

the hour when the polls are closed, recycle for any other lawful purpose any unused ballots remaining in the control of the elections official that clearly identify the election for which they were prepared. No later than 30 days following the last day to certify the official results of the election, the elections official shall make and file an affidavit, in writing, as to the number of ballots recycled. At the elections official's discretion, the unused ballots may be recycled up to six months following an election or at the conclusion of an election contest proceeding, whichever is later." I was unable to see if the unused ballot numbers were written down before they were sealed. Poll workers worked on several tasks at the same time and as such were unable to witness and validate the work or others. For example: Poll workers counted surrendered vote by mail ballots, turned in vote by mail ballots, unused ballots and ran the end report on the voting machine at the same time. There were three poll observers and we spread out as best we could to try to watch closing procedures. **When closing out the voting machine; it took about 30 minutes during the public voting machine interrogation, but it took less than 10 minutes when they closed the machine at the poll.** As for the handling of unused ballots at the main office, we were once again too far away to see what was happening. Our view was occasionally completely blocked by the people handling the ballots.

Though I was present for the *Pre-Election Day Voting Equipment Preparation and Testing*, I noted that the Zero Test and report times for the public testing were much longer than the same tests performed on Election Day. For example; the Weaverville voting machine took longer than 30 minutes to run the report on 7 sample ballots but only took less than 10 minutes on election night, with multiple precincts, at the Weaverville poll. The Zero Tests were similarly long during the public vote machine testing but were very short when the machine was Zero tested at the opening of the poll. The time needed for the Poll zero test and report were similar to previous elections years but because we were never allowed to observe pre-election procedures before, we were unaware of the discrepancy.

"Elections Code section 15272; The count shall be public and shall be continued without adjournment until completed and the result is declared. During the reading and tallying, the ballot read and the tally sheet kept shall be within the clear view of watchers." The tally sheet and all other materials were never within the clear view of watcher. In fact, I was not aware that there ever was a tally sheet. There was a 7 day gap in the canvass because there was no provision for the 5 day notice of the one percent tally.

"Elections Code section 15301; The canvass shall be continued daily, Saturdays, Sundays, and holidays excepted, for not less than six hours each day until completed." The canvass was never six hours long and was usually about 4 hours long or less.

"Elections Code section 15105; Prior to processing and opening the identification envelopes of vote by mail voters, the elections official shall make available a list of vote by mail voters for public inspection, from which challenges may be presented." I witnessed Mike Wear ask Shanna White for the vote by mail list. Shanna White told him that he could not have it. Mike Wear informed Shanna White that she had to make the list available to him and that she could not open envelopes until she did. Mike Wear also cited the Election Code to Shanna White for reference. Shanna White never gave us any lists and ignored Mike Wear's request. I decided not to repeat

the request because Shanna White seemed on the verge of making Mike Wear leave. This left us with no way to make challenges; since we were denied any information. If a charge is made by the Elections Office that there were no challenges before opening the vote by mail ballots; that is false because *“All challenges shall be made prior to the opening of the identification envelope of the challenged vote by mail voter.”* All lists and information requested by observers were denied; leaving us no way to challenge anything.

“Elections Code section 18502 Any person who in any manner interferes with the officers holding an election or conducting a canvass, or with the voters lawfully exercising their rights of voting at an election, as to prevent the election or canvass from being fairly held and lawfully conducted, is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months or two or three years.”
Shanna White prevented the canvass from being fairly held and lawfully conducted.

Several requests were made to see signatures and other information which observers may witness; all were ignored and/or denied. Shanna White aggressively told John Hamilton and me, “you have the right to observe but you don't have the right to tell me what to do or how to do it.” We asked some questions and Mike Wear reminded Shanna White of the Code which was in her own handout but it was never forced on her. On some days we were told to wait until Shanna White had the time to answer our questions.

“Elections Code section 15106

Except as otherwise provided, the processing of vote by mail ballot return envelopes, the processing and counting of vote by mail ballots, and the disposition of challenges of vote by mail ballots shall be according to the laws now in force pertaining to the election for which they are cast. Because the voter is not present, the challenger shall have the burden of establishing extraordinary proof of the validity of the challenge at the time the challenge is made.” Since public observation and public lists were denied, voters had no representation which the observers who were present could have provided.

During the processing of the provisional ballots; observers were once again denied any meaningful access to the process and could only observe from across the room. Shanna White was the only person to validate the provisional ballots excepting one or two, which she may have shown to Deana Bradford. The Election Board who processed the provisional ballots was not introduced to us. Deana Bradford is the former Trinity County Clerk/Recorder/Assessor who was also Shanna White's In-law, was one of the Election Board members. Two other women on the board (whose names seem to be Barbara and Dawn Marie) were also present as Election Board members. As she was taking out the name tags, Barbara asked Shanna White, “Is your Mother, Barbara Gallwitz, going to be here today?” Deana Bradford quickly leaned across the table and whispered something to Barbara. Barbara Gallwitz did show up a few minutes later and took her spot as an Election Board member. Barbara Gallwitz is in fact the Mother of Shanna White and I thought it was interesting that an Election Board member brought that fact up in front of the observers.

Prior to the one percent manual count Shanna White and another employee were sorting ballots by precinct and then by party. Which is what Shanna White told us they were doing. They may have been though there was no way to confirm that is actually what they were doing. I could see when they separated by political party but it did not look like they separated out all the precincts. There was a large pile of ballots to process so John Hamilton and I stepped out to speak. We were gone less than four minutes. When we returned; Shanna White and her employee were cleaning up and getting ready to leave. The pile they had before them should have taken at least 20 minutes; yet they were already cleaning up to leave.

Canvass Process

“Elections Code section 335.5 The “official canvass” is the public process of processing and tallying all ballots received in an election, including, but not limited to, provisional ballots and vote by mail ballots not included in the semifinal official canvass. The official canvass also includes the process of reconciling ballots, attempting to prohibit duplicate voting by vote by mail and provisional voters, and performance of the manual tally of 1 percent of all precincts.” The pretense of an ‘official canvass’ was performed for the people who came each day for the entire election process. The first two days of ‘canvass’ was observing an employee sort office supplies and empty boxes. Unused ballots were not counted/reconciled in my presence at the Weaverville Poll or during the canvass. The one percent manual tally was not done properly. On Friday June 17, Shanna White announced that the post-election one percent manual tally would be on Monday June 20th at 1 p.m. Shanna White asked an employee to remind her to post it on their website (which violated the five day notice). Shanna White was made aware that this violated the 5 day notice. Consequently, on June 20th at 12:30 p.m. I watched an election employee place a paper on the door stating that the one percent count would be postponed until June 27 at 1 p.m. We arrived at 1 p.m. sharp (Shanna told us that if we were not there by 1 p.m. we would not be allowed in and if we left, we would not be allowed back in unless they took a break). When we arrived, ballots for 2 of the 25 or so Precincts were already chosen. Observers were told nothing about the process and were not allowed to speak. One of us did ask for the number of the precinct; otherwise we would not have even been given that information. Precinct 321 was done for all candidates. Precinct 581 was done for the Board of Supervisor candidate only. The entire manual one percent tally took less than ½ hour. The results of the tally deviated significantly from the actual election results. Election board member Deana Bradford (who was the Trinity County Clerk/Recorder/Assessor last year) read the one percent tally to another election worker. That same morning Deana Bradford had been sworn in as a member of the Trinity County Grand Jury.

At the Trinity County Board of Supervisors meeting on July 6, 2016 the Certification of the Canvass was agnized. *“Clerk Recorder Assessor*
2.07 Accept the Certification of the Canvass of the June 7, 2016 Presidential Primary Election completed on June 27, 2016, and direct the Clerk to let the record show that the Official Statement of Votes Cast is hereby made a part of the minutes of the Board, and the following candidates are hereby declared elected to the offices specified:
Board of Supervisors District 2: Judy Morris;
Board of Supervisors District 3: Barbara Chadwick; and
Board of Supervisors District 5: John Fenley.
Fiscal Impact: No fiscal impact.”

During the agenda item; I asked that the BOS not accept the Certification of the Canvass due to missing ballots and other irregularities and to give the Secretary of State's Office a chance to investigate these issues before they considered it official. The Trinity County Board of Supervisors (3 of whom were running for office during that election) voted to accept the Certification of the Canvass.

The forgoing is a summary of my observation from May 31 2016 to June 17, 2016.

I, ____ Kay L. Graves ____, declare that to the best of my knowledge the foregoing statement is true and correct.

Execute at ____ Trinity County ____ California, this __12__ Day of July, 2016.

Kay L. Graves