

## **Exhibit 2: White Pine County Evidence**

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## **Exhibit 2, Section A: Unreasonable Outcome In WPC CD4 Primary**

**Prepared by CTFVR (Lisa Mayo-DeRiso & Robert E. Frank) for White Pine County Petitioners**

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Mike Monroe, a homeless handyman of apparent African American decent who appears in his photo to be in his 40s and who registers to vote as a Clark County Republican, has claimed to run for elected office three times; twice in Congressional District 1 (2006, 2010) and once in Congressional District 4 (2014). But, this paper reveals serious doubts about that person.

Mr. Monroe has apparently never been required by the Nevada Secretary of State to verify his identify and legal domicile and he seems to have improperly had his name placed on ballots for federal office. Since he seems to be a street person, this former candidate for Congress has been hard to find since the 2014 primary for personal interviews. Moreover, our research of the FEC Campaign Finance and Report site (<http://www.fec.gov/disclosure.shtml>) was unable to locate any lawful past campaign reporting for claimed aliases Mike Monroe, Michael Ace Monroe, or even Mike A. Monroe.

Something is very wrong when such a person can be permitted to claim to continue to run campaigns for federal offices and consistently fail to comply with state and federal registration and reporting rules. For example, Mr. Monroe has no proof of ever having a hired campaign manager, nor has he posted a single sign or distributed any flyers in any of the three federal races he is reported to have entered in recent years. He appears to be a fraud.

The 2014 Congressional District 4 (CD4) primary race held four debates, but candidate Mike Monroe never showed up for any of them. His alleged campaign had no web site, no email, no social media sites, no press releases and no media stories before the primary election. As a result, the CTFVR and White Pine County Petitioners claim the votes reported for Mr. Monroe in that primary election in the district and county are suspect and require an in depth review to determine if the voting system malfunctioned or if election fraud was involved.

For example, how could the complete lack of effort by Mr. Monroe result in the following:

Cresent Hardy	42.59%	10,339 Votes
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Niger Innis	33.08%	8,030 Votes
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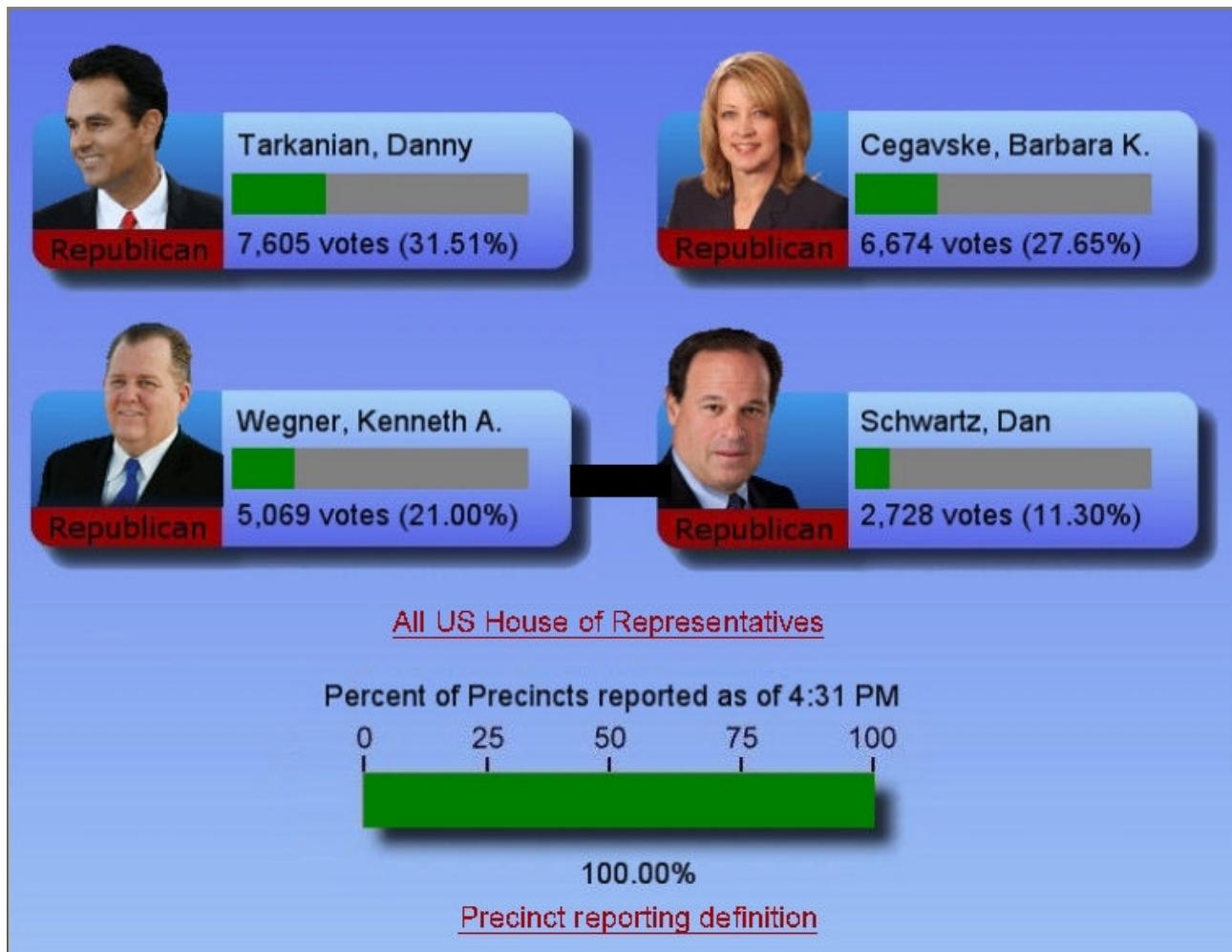
<b><u>Mike Monroe</u></b>	<b><u>22.18%</u></b>	<b><u>5,384 Votes</u></b>
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Carlo "Mazunga" Poliak	2.15%	522 Votes
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In 2006, it is said that the same Monroe ran for Congress in Congressional District 1. But, his name listed on the primary ballot was Michael Ace Monroe. That Monroe candidate in District 1 received 2,193 votes, or 10.6% in a three person race, where strong primary campaigns by Kenneth Wagner won with 10,615 votes, and Russ Michelson received 7,907 votes.

In 2010, a Mike A. Monroe ran as a Republican in Congressional District 1 in the primary. There were 8 names on the ballot, with Kenneth Wagner winning with 7,216 votes, and Michele Fiore coming in second with 5,923 votes. That Mike A. Monroe received only 457 votes, or 1.7% of the vote total.

2012 CD4 (R) primary candidates and results are shown below. How could a homeless, no campaign, unemployed, unknown street person receive more Congressional votes by rural Republicans in 2014 than well-known, active candidates Wegner and Schwartz in 2012?



In 2014 the record also shows a Mike Monroe filed with the SoS to run in Congressional District 4 as a Republican. Also on the ballot were National Civil Rights Leader Niger Innis, Nevada Assemblyman Crescent Hardy and unknown Carlo "Mazunga" Poliak. Carlo Poliak ran a minimal campaign and had his photo on the ballot. But, unknown, zero-campaigner Mike

Monroe spent nothing and showed no photo while receiving over 10 times the votes. We have inserted Mr. Monroe's official Secretary of State photo in the below space to reflect what SoS ballots, election reports and other election materials should have shown, but did not reveal.

(Blank During Election)



**REP**  
**Hardy,  
Cresent**



**REP**  
**Innis,  
Niger**



**REP**  
**Monroe,  
Mike**



**REP**  
**Poliak,  
Carlo "Mazunga"**

So, while Monroe and Poliak ran similar campaigns, the results were strikingly different:

<b>Mike Monroe</b>	<b>22.18%</b>	<b>5,384 Votes</b>
<b>Carlo "Mazunga" Poliak</b>	<b>2.15%</b>	<b>522 Votes</b>

Niger Innis and Cresent Hardy both employed professional teams with their campaigns for fund raising and spending over \$200,000 for campaign materials and travel. Credible, winning campaigns also sponsor polls. Niger Innis conducted several polls throughout the campaign, and consistently polled ahead of Cresent Hardy

Jerry Dorchuck | Chairman, CEO | P.M.I., Inc. of PMI Polling in Marianna, FL, a well respected polling firm conducted polling in the CD4 race for Niger Innis. The following poll was run for Niger Innis from May 27-29, 2014—just before the primary election in early June.

Hello, we are conducting a brief 2 question survey about the Republican primary election for Congress here in District 4 and the Lt. Governor's race. This survey will take less than 60 seconds of your time and is brought to you by PMI.

State of Nevada  
Congressional District 4  
Republican Primary

May 27-29, 2013

\*\*Question 2. In the race for Congress do you intend to support Cresent Hardy or Niger Innis?

Press 1 for Cresent Hardy    **POLL = 43.01% -- ACTUAL PRIMARY VOTES RECEIVED = 42.63%**

Polling numbers had Niger Innis leading Cresent Hardy by 8-14 points heading into the CD4 primary election period.

The actual election results confirm the accuracy of the polling as it relates to Cresent Hardy; but, Niger Innis' actual results show a 23.91% variance between polls and primary voting.

Cresent Hardy	42.59%	10,339 Votes
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<b>Niger Innis</b>	<b>33.08%</b>	<b>8,030 Votes</b>
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<b>Mike Monroe</b>	<b>22.18%</b>	<b>5,384 Votes</b>
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Carlo "Mazunga" Poliak	2.15%	522 Votes
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**It was reasonable to expect Mike Monroe to perform more closely to Carlo Poliak with 2.15% of the vote; but, unreasonable to expect Monroe to receive 22.18% of the total vote.**

**It is also not believed to be a random occurrence for Mike Monroe to perform within 1.73% (23.19 – 22.18) of the actual variance between Niger Innis pre-election polling numbers, and the actual percentage of votes Mike Monroe received. These data suggest that about 5,000 of the votes tallied for Mr. Monroe should have been received and reported for Mr. Innis. Such a high variance is not random. The cause must be investigated.**

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**To provide additional support of our position that the CD4 results were “unreasonable” and must be investigated, this Las Vegas Review Journal story ran immediately after the election:**

*Las Vegas Review Journal Posted June 12, 2014 - 4:33 pm Updated June 12, 2014 - 5:32 pm*

**“Handyman Mike Monroe’s strong show in congressional primary has everyone asking why”**

***“The election over, Mike Monroe was hard at work Thursday, fixing a water heater in Las Vegas. Actually, Monroe never stopped his handyman and construction jobs and never really campaigned much in the highly competitive race for the vast 4th Congressional District covering northern Clark County and six rural counties.***

***Despite that laissez-faire attitude, Monroe won two counties and swept up 22 percent of the GOP primary vote Tuesday, finishing third behind the winner, Assemblyman Cresent Hardy, R-Mesquite, and Niger Innis, a conservative civil rights activist. Hardy will face incumbent U.S. Rep. Steven Horsford, D-Nev., in the Nov. 4 election.”***

***"I get around," Monroe said, noting he has traveled every county in the district, including Esmeralda and White Pine, where he beat Hardy and Innis. "I'm from Nevada. I've been traveling all these counties for years and people know me. I'm a people person. I'm out there with the people. I have a platform. They (Hardy, Innis) don't have a platform." Monroe has a low opinion of Innis as a Nevada candidate. "Niger Innis is a carpetbagger," Monroe said. "I was born here. This is my state."***

-----End of R-J Quote-----

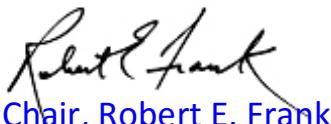
In that R-J post-election story Mike Monroe speaks of a “platform”, but there is no evidence Monroe ever provided any written or verbal support for any issues or arguments for any manner of governing at the federal or state levels. In addition, he professes that he “traveled all the counties” but he seems to have never walked a precinct in any of the counties nor attended any organized political or GOP functions in the years he claimed to live in Nevada.

It should also be noted that Mike Monroe never met Niger Innis, nor was Niger Innis a “carpetbagger”, having lived and been highly active in the district for three years.

Finally, significant research efforts have been invested in the two rural counties (White Pine and Esmeralda) where Mr. Monroe was reported to have won the primaries. We have tried to discover evidence on why 33% of registered Republican voters who voted in the primary would favor Mr. Monroe over the two, well-known leading candidates, Innis and Hardy. But, after investing significant efforts in White Pine County, professional political callers could find no voters claiming to know or to have voted for Monroe in the 2014 Primary.

It seems clear that something went seriously wrong in the Nevada 2014 CD4 Republican Primary election process. We submit there are compelling reasons for district judges to authorize County Clerks to open and inspect the sealed election materials for that 2014 Republican CD4 race to determine how the inexplicable results could be understood. The root causes must be identified and fixed before the beginning of the 2016 election cycle.

#### **FOR THE CITIZEN TASK FORCE FOR VOTER RIGHTS AND WHITE PINE COUNTY PETITIONERS:**



Chair, Robert E. Frank  
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and

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# EXHIBIT 2, Section B: Summary of 2014 White Pine Republican Primary Voting

**HIGH LEVEL SUMMARY OF THE 3 KEY CANDIDATES FROM THE  
WHITE PINE STATEMENT OF VOTE  
BY LISA MAYO-DERISO  
PROVIDING FOCUSED EVIDENCE SUPPORTING THE NEED TO  
OPEN, REVIEW AND ANALYZE WHITE PINE COUNTY  
2014 REPUBLICAN PARTY CD4 PRIMARY ELECTION MATERIALS**

The below Summary of the Citizen Task Force for Voter Rights Summary of the Statement of Vote for 11 White Pine County Precincts Was Completed on 11/19/14

Precinct	Cresent Hardy	Niger Innis	Mike Monroe
#1 Absentee Ballots	7	2	8
Early Vote	11	18	14
#2 Election Day	7	9	7
Early Vote	5	7	6
#3 Election Day	16	8	13
Absentee	5	0	5
#4 Election Day	7	21	22
Absentee	7	3	5
Early Vote	21	9	15
Total:	35	33	42
#5 Election Day	15	39	25
Early Vote	21	20	26
#6 Election Day	6	14	11
Absentee	2	2	3
Early Vote	7	4	8
#7 Election Day	8	11	16
#8 Early Vote	0	0	1
#9 Election Day	2	9	11
#10 Election Day	12	19	15
<b>Total White Pine Votes:</b>	<b>249</b>	<b>256</b>	<b>259</b>
	Cresent Hardy	Niger Innis	Mike Monroe

## **EXHIBIT 2. SECTION C: SUMMARY OF PROFESSIONAL PHONE SURVEY OF WHITE PINE COUNTY 2014 REPUBLICAN PARTY VOTERS**

**Prepared by CTFVP Co-Chair Julie Hereford for WPC Petitioners**

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A White Pine County (WPC) Phone Survey of 2014 Republican Primary Voters was conducted in April 2015 by a professional survey contractor under the sponsorship of the WPC Republican Party and supervision of CTFVR Co-Chair **Julie Hereford**.

The survey found "**NO ONE**" who voted for or remembered **Candidate Mike Monroe**. It seems reasonable to conclude from this effort that evidence does not exist to verify the 259 votes (33% of total) that the homeless, penniless, Las Vegas street person, Mike Monroe, reportedly received when the NV Secretary of State certified he won the 2014 White Pine County Republican Primary against two highly experienced, well-funded career Republicans with professional campaign staffs.

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The technical back up to this summary includes such items as the survey form, detailed tables from which the phone calls were made, and recordings of the related conversations. These extensive records are available to the court if desired. Although CTFVR only had 444 phone numbers available, 1,660 calls (4 rounds) were made at different times of day to increase the chances of contacting voters.

- I. Project: Phone Survey in WPC by Citizen Task Force for Voter Rights (CTFVR)**
- 2. Purpose: Surveying Republican Primary Voters who voted during 2014 CD4 Primary Election for Congressional candidate Mike Monroe.**
- 3. Targeted Universe: 786 Republican Voters with 444 phone numbers available.**
- 4. Dates of Survey: 4/24/2015 - 4/29/2015**
- 5. Total phone numbers dialed: 1,660 (4 rounds)**
- 6. Number of calls connected: 180 (10.8% of 1,660)**
- 7. Replies to Survey -- For 50 completed calls (28% of 180 or 11.3% of 444)**  
**42 NO -- meaning don't know Mike Monroe or didn't vote for MM**  
**8 Others -- meaning don't remember or do not want to complete survey.**
- 8. Answering Machines: 6**

**Special Remarks:**

**Note #1 on Survey Success Rate:** National average for phone survey is 5 to 10%

**Note #2 on National Post Election Audit sampling rate:** Average of 3% to 5%

**Note #3 While most of the remaining WPC Republican Voters could be called, no one believes many of the 256 votes certified for Monroe could be found.**

## Project Detail Report for: 4/24/2015 - 4/30/2015

Account Name: maffatt.com  
 Campaign Name: New Project

System Dispositions	04/24/2015	04/25/2015	04/26/2015	04/27/2015	04/28/2015	04/29/2015	04/30/2015	Total	%
drop	0	12	0	9	0	23	0	44	2.7%
human	0	43	0	49	0	88	0	180	10.8%
machine	0	66	0	82	0	359	0	507	30.5%
no answer	0	266	0	309	0	337	0	912	54.9%
service unavailable	0	3	0	7	0	7	0	17	1.0%
<b>System Dispositions</b>	<b>0</b>	<b>390</b>	<b>0</b>	<b>456</b>	<b>0</b>	<b>814</b>	<b>0</b>	<b>1,660</b>	<b>100.0%</b>
Agent Dispositions	04/24/2015	04/25/2015	04/26/2015	04/27/2015	04/28/2015	04/29/2015	04/30/2015	Total	%
answering machine	0	0	0	1	0	5	0	6	3.3%
dnc	0	1	0	1	0	3	0	5	2.8%
hit	0	18	0	13	0	19	0	50	27.8%
hungup before hello	0	14	0	14	0	34	0	62	34.4%
not available	0	2	0	10	0	16	0	28	15.6%
not interested	0	4	0	6	0	8	0	18	10.0%
wrong party	0	4	0	4	0	3	0	11	6.1%
<b>Agent Dispositions</b>	<b>0</b>	<b>43</b>	<b>0</b>	<b>49</b>	<b>0</b>	<b>88</b>	<b>0</b>	<b>180</b>	<b>100.0%</b>
sp01-sp01	04/24/2015	04/25/2015	04/26/2015	04/27/2015	04/28/2015	04/29/2015	04/30/2015	Total	%
No	0	16	0	12	0	14	0	42	75.0%
Other	0	4	0	5	0	5	0	14	25.0%
<b>sp01</b>	<b>0</b>	<b>20</b>	<b>0</b>	<b>17</b>	<b>0</b>	<b>19</b>	<b>0</b>	<b>56</b>	<b>100.0%</b>

# Affidavit

This is the sworn affidavit of Linda Nickels  
of Clark County, Nevada

STATE OF NEVADA  
COUNTY OF WHITE PINE

I, the undersigned, Linda Nickels, being duly sworn, hereby depose as follows:

1. I personally contacted by telephone each person on the attached survey form and following the attached script did ask and determine if each said person voted for Mike Monroe in the Republican Primary Election held in White Pine County on June 10, 2014, and if called as a witness could testify completely thereto.
2. I am over the age of 18 and I am a resident of the State of Nevada. I suffer no legal disabilities and have personal knowledge of the facts set forth in the attachments hereto.

I declare that, to the best of my knowledge and belief, the information on the attached documents is true, correct and complete.

Executed this 19<sup>th</sup> day of May 2015.

Linda Nickels

## NOTARY ACKNOWLEDGEMENT

STATE OF NEVADA, COUNTY OF WHITE PINE,

This Affidavit was acknowledged before me on this 19<sup>th</sup> day of May, 2015  
By Mike Monroe, who being first duly sworn on oath according to law,  
deposes and says he/she has read the foregoing Affidavit subscribed by him/her, and that the matters stated  
herein are true to the best of his/her information, knowledge and belief.

Mike Monroe  
Notary Public

Notary Public  
Title (and rank)



My commission expires August 30, 2016

ATTACHMENT 1 - PHONE SURVEY  
AFFIDAVIT By LINDA NICKLES  
DATED MAY 19th, 2015

**SCRIPT FOR PHONE SURVEY TO DETERMINE VOTES CAST FOR MIKE MONROE**  
**in the Republican Primary Election for CD-4 held in White Pine County on June 10, 2014**

Hello, this is LINDA NICKLES calling. As you are probably aware, we had a shocking result here in the White Pine County CD-4 Republican primary election last June.

**Mike Monroe, an unknown, homeless and apparently penniless man with no campaign activity received more votes in White Pine County than two very well known Republicans with high profile campaigns. A second unknown candidate received almost no votes.**

**It is a mystery and statistical improbability how such an unknown candidate with no campaign activity could have earned the majority of votes in this Republican election in mostly rural, White Pine County.**

**We are asking to have the election records opened for review by county and public election experts to find out what caused this inexplicable outcome. To have rationale for opening the sealed records, we need to discover via a phone survey how many registered Republicans voted for this candidate for Congress.**

**Will you share with me if you voted for this candidate so we can gather data to determine if the sealed election results should be opened for review?**

**Did you vote for Mike Monroe in this election? \_\_\_\_\_**

**Thank you for your assistance!**

Mike Monroe, White Pine  
Winner of 2014 Republican  
CD-4 Primary for Congress



*(Note: Only if they ask, give them the names of the other three candidates to refresh their memory. If they mention "secret ballots", tell them we do not need to know WHO else they might have voted for. We only need to know IF they voted for Mike Monroe, and only to determine if election results need to be opened and examined for possible irregularities.)*

ATTACHMENT 2 - PHONE SURVEY  
AFFIDAVIT BY LINDA NICKELS

## **SURVEY TO DETERMINE VOTES CAST FOR MIKE MONROE**

**In the Republican Primary Election for CD-4 held in White Pine County on June 10, 2014**

DATED MAY 19TH, 2015

## **Exhibit 2, Section D: Electronic Election Systems Highly Vulnerable To Fraud**

Prepared By CTFVR Chair, Robert E. Frank for the White Pine County Petitioners

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**Election System managers sometimes claim their systems are highly secure because they design, audit and control everything themselves in secret. But, that is wrongful behavior.**

**High risks of cyber warfare at all levels of government and business require today's secure systems managers to be constantly upgrading their own expertise and their hardware, software, policies, procedures and subordinate training to cope with global threats.**

**Such government employees are usually ignorant of what they must know because it is impossible for the typical manager to stay abreast of all the latest info on how to deal with the cyber threats of the 21<sup>st</sup> Century. Such managers need to use a variety of exceptionally qualified outside professionals to augment staff expertise. Government managers also need access to independent professionals to verify their staff work and certify the trustworthiness of complex elections. Unfortunately, Nevada is apparently not using these proven management methods that become more urgent every day.**

**During the past decade, there have been dozens of Internet-reported ways to hack into poorly designed and highly vulnerable election systems—like the ones used by Nevada. Some of the best known fraud threats to electronic election systems are found in the video clips mounted on a web site provided by the technical consultants to WPCRPCC, the Citizen Task Force for Voter Rights. <http://citizentaskforce.org/>**

**When Citizen Task Force for Voter Rights began its investigation into the bizarre, inexplicable 2014 voting results in this case, it conducted a high level analysis of the NV election system and quickly discovered many serious system vulnerabilities to errors, tampering and fraud. The top 10 vulnerabilities of Nevada's Election System are included at the end of this Exhibit 2c. After access to the internal processes and hidden components in the future, there are many more major defects likely to be disclosed in Nevada's election system.**

**The obvious conclusion is that under no circumstances could the Nevada Election System be considered "secure" or even somewhat invulnerable to tampering and fraud. In fact, some could consider it something of a miracle if no one has ever exploited the easily observable weaknesses to change some past NV election outcomes. A healthy respect for what hackers and crackers can do is the first management step for working to reduce the threats of fraud.**

**To illustrate just a few examples of what must be done in Nevada to implement a secure election system, we have included a few quotes from the massive, multidisciplinary studies performed in recent years for The Congress by the famous Brennan Center for Justice at the New York University School of Law. These selected quotes about voting system security and**

post-election audits have been included as some basic evidence for why we feel it is so important for the 7<sup>th</sup> District Court to approve this petition to seek the truth.

While important audit process changes are required now to detect tampering and criminal fraud, it is a totally different situation to consider what needs to be done in the future to re-engineer the NV election system to make it reasonably “secure” and capable of passing a rigorous audit by a professional fraud examiner--as is done in banks, major corporations, casinos, and federal government agencies.

In our opinion, the NV election system is unacceptable until it implements independent audits aligned with public standards. And, we believe sufficient public policy exists to allow basic audit management to be modernized without waiting for statutes to be changed.

With this in mind, the following introductory comments are quoted from the NY Brennan Center Task Force and its decades of work to become a global leader in systems security and auditing expertise. (Highlighting in red and underlining are inserted for emphasis.)

*“In 2005, in response to growing public concern over the security of new electronic voting systems, the Brennan Center assembled a task force (the “Security Task Force”) of **the nation’s leading technologists, election experts, and security professionals to analyze the security and reliability of the nation’s electronic voting machines**. One of the key findings of the Security Task Force is by now widely accepted by computer scientists, many election officials, and much of the public: all of the major electronic voting systems in use in the United States have serious security and reliability vulnerabilities.*

Many have advocated mandating voter-verified paper records as a solution to these vulnerabilities. *In fact, voter-verified paper records by themselves will not address the security and reliability vulnerabilities the Brennan Center and many other groups have identified.* To the contrary, as the Brennan Center Security Task Force noted in *The Machinery of Democracy: Protecting Elections in an Electronic World*, *voter-verified paper records, by themselves, are “of questionable security value.”* Paper records will not prevent programming errors, software bugs, or the insertion of corrupt software into voting systems.

*Voter-verified paper records will only have real security value if they are regularly used to check electronic tallies. It is for this reason that the Brennan Center urges Congress to adopt meaningful post-election audit legislation as soon as possible. Currently, only thirteen states require both voter-verified records and regular audits of those records.”*

...

"The Brennan Center has concluded that, among other things, an **effective audit scheme** that addresses these questions will do the following:

- **Use Transparent and Random Selection Processes for All Auditing Procedures.** Audits are much more likely to prevent fraud, and produce greater voter confidence in the results, if the ballots, machines or precincts to be audited are chosen in a **truly random and transparent manner.**
- **Allow the Losing Candidate To Select Precinct(s) or Machine(s) To Be Audited.** In addition to conducting random audits, **jurisdictions should allow a losing candidate to pick at least one precinct to be audited.** This would serve two purposes: first, it would give greater assurance to the losing "side" that the losing candidate actually lost; second, it would make it much more likely that anomalous results suggesting a programming error or miscount were reviewed.
- **Place an Independent Person or Body in Charge of the Audits.** To increase public confidence that the audit can be trusted, it will be helpful to ensure that the person or persons supervising the audit are viewed as **independent of the State's chief election officer, vendors who may have sold machines being audited, and any candidate running in an audited race.**
- **Implement Effective Procedures for Addressing Evidence of Fraud or Error.** If audits are to have a real deterrent effect, jurisdictions must adopt clear procedures for dealing with audit discrepancies when they are found. **Detection of fraud will not prevent attacks from succeeding without an appropriate response.** Such procedures should also ensure that outcome-changing errors are not ignored.
- **Encourage Rigorous Chain of Custody Practices.** Audits of voter-verified paper records will **serve to deter attacks and identify problems only** if states have implemented solid chain of custody and physical security practices that will allow them to make an accurate comparison of paper and electronic records.
- **Audit a Minimum Percentage of Precincts or Machines for Each Election, Including At Least One Machine or Precinct for Each County in the State.** An audit that targets a fixed percentage (e.g. 3 percent) of machines or precincts to audit in each Congressional District is an efficient method for catching broad-based error or fraud. **By auditing at least one machine or precinct in every county, jurisdictions will greatly increase the likelihood that they will find discrepancies caused by fraud or error at the county level.**

- **Record and Publicly Release Numbers of Spoiled Ballots, Cancellations, Over-votes and Under-votes.** Audits that record the number of over-votes, under-votes, blank votes and spoiled ballots (including in the case of DREs, cancellations) could be extremely helpful in uncovering software attacks and software bugs and point to problems in ballot design and instructions.
- **Audit Entire System, Not Just the Machines.** History has shown that incorrect vote totals often result from mistakes when machine totals are aggregated at the tally server. Accordingly, good audit protocols will mandate that the entire system - from early and absentee ballots to aggregation at the tally server - be audited for accuracy.
- **Increase Scrutiny in Close Elections.** Software bugs and/or tampering that affect the software of a small number of machines will generally not affect the outcome of federal elections. In extremely close races, of course, such problems can change the outcome of a race. In such cases, **a 3 percent audit is unlikely to uncover a software bug, programming error or malicious attack that might alter the results of the race.** Accordingly, the Brennan Center recommends that exceptionally close races receive heightened scrutiny.”

-----End of Brennan Center Quotations-----

## TOP 10 VULNERABILITIES TO ERRORS & TAMPERING IN NEVADA ELECTION SYSTEM

Prepared By CTFVR Chair, Robert E. Frank for the White Pine County Petitioners

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Citizens should not blindly trust our Nevada government to certify its own results, election system components, and processes because of the below listed vulnerability areas.

Concerned parties need to view the video evidence of systemic election system defects listed on [CitizenTaskForce.Org](http://CitizenTaskForce.Org). For example, Nevada's election system indicates that:

1. End-to-end, election system “chain-of-custody” records and “audit trails” are not in place;
2. Fraudulent election results can come from not implementing independent audits and security oversight by licensed audit/fraud professionals outside of government agencies;
3. Accurate re-counts of election results seem unattainable, and even the basic, ineffective provisions are unreasonably priced under statute limitations.

4. Insider tampering is possible due to insufficient background checks and failures to require a comprehensive, disciplined buddy system for such a critical, secure data system;
5. External tampering threats exist due to not nurturing effective security practices and cultures within the full range of election employees, contractors and volunteers;
6. Internal and external hardware and software inspections and testing cannot be conducted by County employees on systems components before, during and after elections;
7. Locks on machines, magnetic devices, and transport vaults appear easily defeated;
8. Seal and tamper detection training for workers appears inadequate;
9. Chain of custody records for storage and transport drivers and ballot handlers are not part of the “Post Election Audit process” and other relevant security procedures; and
10. Election managers appear insufficiently trained and not held accountable for systems under their authority when they are found vulnerable to corruption or criminal violations.

NV election system statutes, policies, procedures, vulnerabilities and operating deficiencies urgently need to be repaired and/or replaced. Secret self inspections of electronic systems are not acceptable in this complex world of massive cyber threats and rapidly expanding forms of vulnerable nanotechnologies.

There appears to be overwhelming evidence for demanding Nevada election system redesign by the highest levels of specialists to ensure it is “secure” and to implement the use of truly independent, specially trained auditors and fraud examiners to certify the integrity of election results. While making voting convenient and easy for citizens is important, such criteria must not override the more vital needs for having a provably trustworthy system.

Otherwise, citizens, candidates, candidate sponsors and political parties cannot depend on the accuracy of election results and our unique American Republic could lose public support.

## **Exhibit 2, Section E: Independent Audits of Election Systems**

Prepared By CTFVR Chair, Robert E. Frank for the WPC Petitioners

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**The information below has been extracted from the web link below. The executive authors and national organizations specializing in election principles and practices are listed.**

Source: <http://electionaudits.org/auditprinciples>

**This expert information is particularly significant since it appears that the Nevada Election System at the Legislative, State and County levels have not implemented many, if any, of the well-documented reasons and methods for independent auditing of elections.**

**Since secure public elections must be considered vastly more important to sustaining the integrity of our free society, NV audit standards should be more stringent than what is required for financial institutions, national security, and publicly traded corporations.**

**This lack of independent auditing of NV elections needs to be identified as a matter of great concern. It is must be investigated and fixed, quickly. Otherwise, the trustworthiness of Nevada elections is at high risk.**

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The following election audit principles and recommendations are endorsed by the following organizations:

- Brennan Center for Justice
- Citizens Alliance for Secure Elections - Ohio
- Citizens for Election Integrity Minnesota
- Coloradoans for Voting Integrity
- Common Cause
- CTVotersCount.org
- E-Voter Education Project New York
- Florida Voters Coalition
- Georgians for Verified Voting
- Iowans for Voting Integrity
- Michigan Election Reform Alliance
- SAVOurVotes-Maryland
- Verified Voting
- Voting Integrity Task Force - Coalition for Peace Action - New Jersey
- Citizens for Election Integrity Massachusetts

Also, statistical portions, principles and best practices, are endorsed by the [American Statistical Association](#).

## **“Why Audit Election Results?**

No voting system is perfect. Nearly all US elections today are counted using electronic voting systems. Such voting systems have produced result-changing errors through problems with hardware, software, and procedures.<sup>[1]</sup> Errors can also occur in hand counting of ballots or in the compiling of results. Even serious error can go undetected if results are not audited effectively.”

“Well-designed and properly performed post-election audits can significantly mitigate the threat of error, and should be considered integral to any vote counting system. A post-election audit in this document refers to hand-counting votes on paper records and comparing those counts to the corresponding vote counts originally reported, as a check on the accuracy of election results, and resolving discrepancies using accurate hand counts of the paper records as the benchmark. Such audits are arguably the most economical component of a quality voting system, adding a very small cost<sup>[2]</sup> for a large set of benefits.”

**“The benefits of such audits include:**

- Revealing when recounts are necessary to verify election outcomes
- Finding error whether accidental or intentional
- Deterring fraud
- Providing for continuous improvement in the conduct of elections
- Promoting public confidence in elections

Post-election audits differ from recounts. Post-election audits routinely check voting system performance in contests,<sup>[3]</sup> regardless of how close margins of victory appear to be. Recounts repeat ballot counting in special circumstances, such as when preliminary results show a close margin of victory. Post-election audits that detect errors can lead to a full recount. When an audited contest is also recounted, duplicate work can be avoided....”

“Voting systems should have reliable audit records. Best effort audits should be performed even if the technology does not support optimal audits, or even if the laws do not permit optimal remedies.<sup>[4]</sup> No single

model for post-election audits is best for all states. Election traditions, laws, administrative structure and voting systems vary widely. Nonetheless, there are guiding principles that apply across all states. As states develop their own audit models, the public should have the opportunity to help shape those regulations.”

“The following principles were written to guide the design of high-quality post election audits. They were developed by an ad hoc group comprising many stakeholders, including election officials, public advocates, computer scientists, statisticians, political scientists and legislators.”

## **ELECTION AUDITING PRINCIPLES**

1. **TRANSPARENCY:** Elections belong to the public. The public must be allowed to observe, verify, and point out procedural problems in all phases of the audit without interfering with the process.
2. **INDEPENDENCE:** The authority and regulation of post-election audits should be independent of officials who conduct the elections. The actual work of postelection audits may be best performed by the officials who conduct the elections.
3. **PAPER RECORDS:** Ideally, post-election audits use hand-to-eye counts of voter-marked, voter-verified paper ballots. Where such paper ballots are not available, other forms of voter-verifiable paper records should be used.
4. **CHAIN OF CUSTODY & BALLOT ACCOUNTING:** Robust ballot accounting and secure chain of custody of election materials and equipment are prerequisites for effective post-election audits.
5. **RISK-LIMITING AUDITS:** Post-election audits reduce the risk of confirming an incorrect outcome. Audits designed explicitly to limit such risk (risk limiting audits) have advantages over fixed-percentage or tiered audits, which often count fewer or more ballots than necessary to confirm the outcome.
6. **ADDRESSING DISCREPANCIES and CONTINUING THE AUDIT:** When discrepancies are found, additional counting and/or other investigation may be necessary to determine the election outcome or to find the cause of the discrepancies.
7. **COMPREHENSIVE:** All jurisdictions and all ballot types, including absentee, mail-in and accepted provisional ballots, should be subject to the selection process.
8. **ADDITIONAL TARGETED SAMPLES:** Including a limited number of additional targeted samples of ballots can increase audit effectiveness and public confidence. Such samples may be selected by candidates, issue committees, parties, election administrators, or

others as provided by regulation.

9. **BINDING ON OFFICIAL RESULTS:** Post-election audits must be completed prior to finalizing official election results and must either verify the outcome or, through a 100% recount, correct the outcome.”
- 

Notes: “[1] For example, in Pottawattamie County, Iowa, in the June 2006 primary election for County Recorder, the original optical scan count showed challenger Oscar Duran defeating the incumbent, John Sciortino. A hand count showed that Sciortino actually had won handily; the scanners had been misprogrammed. In Napa County, California, after the March 2004 primary, the 1% manual tally discovered that the optical scanners had been miscalibrated and were failing to detect the dye-based ink commonly used in gel pens. The ensuing recount recovered almost 6700 votes (but no outcomes changed).

[2] For instance, in Minnesota after the 2006 general election, the cost of the wages for election judges (pollworkers) to count votes has been estimated at \$24,500 to \$27,000 statewide, 9 to 10 cents per hand-counted vote, and about 1.2 cents per voter in the election (<http://www.ceimn.org/files/CEIMNAuditReport2006.pdf>). While audit costs will vary depending on the scope of the audits and other considerations, they can be expected to be a small fraction of election administration costs.

[3] We will use “contest” to refer to any ballot item (such as an election to public office or a ballot initiative) not to a challenge to the results, as in some states.

[4] The proposal of best practices for auditing a given system does not imply an endorsement of the system.”

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## **Ineffective Audit Policies/Practices Create Opportunities For Fraud**

The blow quotes from a 90-page, NY University School of Law document are included to illustrate what the Nevada Election System must do to reduce its high risks to errors, tampering and fraud. With no apparent system-level audit trails, no comprehensive chain-of-custody records, and no use of independent, licensed auditors and licensed fraud examiners, the NV Election System is highly vulnerable to undetected tampering and criminal corruption.

From a management perspective, Nevada does not have an official “Election System Chief Technical Officer” (highly qualified professional IT employee or contractor) who sets, monitors and enforces state election security standards and practices for the Nevada Secretary of State.

In today’s world of successful cyber crimes against government (including the White House, Defense, and Intelligence Agencies), this omission should be considered a serious, material weakness in what everyone expects to be the highest level security data system in the State.

**The following are brief quotes from the Brennan Center for Justice at the NY University School of Law paper for The Federal Election Commission: [www.brennancenter.org](http://www.brennancenter.org)**  
(Red letter and underline emphasis in the quotes are provided by the Petitioners.)

## **“Post Election Audits: Restoring Trust in Elections”**

***“In addition to the general recommendations for all audit models made in the “Audit Best***

*Practices” section and which we strongly reiterate here, we also make the following recommendation to strengthen the fixed-percentage model:*

- **Implement Effective Procedures for Acting on Seemingly Small Discrepancies.** If audits are to have a real deterrent effect, jurisdictions must adopt clear procedures for addressing audit discrepancies when they are found. As noted in “The Machinery of Democracy”, a seemingly minor discrepancy between paper and electronic records (of even just a few votes) could indicate far more serious problems. Without protocols for responding to discrepancies, the detection of fraud or error will not prevent them from occurring again. Such protocols should include a required review of system software code.”

**WPC Petitioner Note:** It has been admitted by NV election system managers that Nevada has never had access to the commercial voting machinery software code, hardware testing and/or networking processes. Only uncleared vendors and service contractors appear to have had code access, and without government technically-qualified oversight.

Without government access and capabilities to inspect, test and verify the election hardware and software before, during and after elections, claims of superior security for Nevada election systems cannot be accepted by the Legislature, candidates for office, the political parties and state citizens.

**Quoted from page 19 of the report:**

#### **“ENSURING OVERALL AUDIT EFFECTIVENESS**

*If the audit is to be effective, jurisdictions must have certain basic policies and practices in place. Principally, jurisdictions ought to:*

- **Ensure the Physical Security of Audit Materials.** Effective auditing of voter-verifiable paper records will serve to deter attacks on voting systems and identify problems only if states have implemented solid procedures to ensure the **physical security of election materials used in a post-election audit, including the paper records of the vote, voting machines, and tally servers.**
- **Implement Effective Procedures for Addressing Evidence of Fraud or Error.** If audits are to have a real deterrent effect, jurisdictions must adopt clear procedures for addressing discrepancies between the paper records and electronic tallies when they are found. **Without protocols for responding to discrepancies, the detection of fraud or error will not prevent it from successfully altering the outcome of an election.**

*Recommended responses include making corrections where warranted, disallowing results if an appropriate remedy cannot be determined, and ensuring accountability for discrepancies. Jurisdictions should document discrepancies and any actions in response to them in **publicly available discrepancy logs**.*

*When there have been no losses or additions of paper records, a **single unexplained discrepancy** between the paper records and electronic tallies is a **strong indication of a software problem of some kind**.*

*Any such discrepancy, even if it is just one vote and can have no effect on the outcome, is grounds for a **review of voting machine software code**. Such a review need not delay certification of the election, but it should be investigated. **To be effective, election officials must have the ability to audit the code, not just the votes.***

- ***Audit the Entire Voting System, Not Just the Machines.*** Although this study focuses only on post-election audits of voter-verifiable paper records, jurisdictions should conduct audits of the entire voting system to catch errors or fraud in other parts of the voting system. Historically, incorrect vote totals often result from aggregation mistakes at central vote tally locations.

***Accordingly, good audit protocols will mandate that the entire system – from early and absentee ballots to aggregation at the tally server – be audited for accuracy. This should also include, at the very least, the ability of election officials to audit the code where they deem necessary.”***

## **Exhibit 2, Section F: Handyman Mike Monroe's Strong Show In Congressional Primary?**

RJ [reviewjournal.com](http://reviewjournal.com)

<http://www.reviewjournal.com/politics/elections/handyman-mike-monroe-s-strong-show-congressional-primary-has-everyone-asking-why>

# **Handyman Mike Monroe's strong show in congressional primary has everyone asking why**

By LAURA MYERS LAS VEGAS REVIEW-JOURNAL

June 12, 2014 - 4:33pm

Posted Updated June 12, 2014 - 5:32pm



Niger Innis (Erik Verduzco/Las Vegas Review-Journal)

[image](#)

The election over, Mike Monroe was hard at work Thursday, fixing a water heater in Las Vegas.

Actually, Monroe never stopped his handyman and construction jobs and never really campaigned much in the highly competitive race for the vast 4th Congressional District covering northern Clark County and six rural counties.

Despite that laissez-faire attitude, Monroe won two counties and swept up 22 percent of the GOP primary vote Tuesday, finishing third behind the winner, Assemblyman Crescent Hardy, R-Mesquite, and Niger Innis, a conservative civil rights activist. Hardy will face incumbent U.S. Rep. Steven Horsford, D-Nev., in the Nov. 4 election.

A stunned Innis, a tea party candidate who thought he had a chance for an upset, can't believe Monroe did so well. He said he is gathering information to file a complaint with the Nevada secretary of state's office.

"The mystery of the ages is 'who is Mike Monroe?'" Innis said as the election returns came in Tuesday night, showing him losing to Hardy and just beating Monroe. "He (Monroe) is siphoning off a lot of votes."

In a release sent out Thursday afternoon, Innis said an investigation needs to look at the potential of a computer error or "glitch" in the system, although he cited no evidence for such a possibility.

"But I believe until we investigate, until Secretary of State (Ross) Miller investigates, we won't know the reason for Mr. Monroe getting 22 percent of the vote," Innis said in the statement. "And believe me, there is a reason out there somewhere. We just have to work together to find it."

Innis for Congress Campaign Manager Steve Forsythe discounted suggestions that Monroe's vote total was the result of protest votes.

Forsythe said the campaign will move ahead not because they believe the overall results will be changed, but because there is an obvious flaw in the voting system in Nevada and the 22 percent vote for Mr. Monroe was either the result of a computer error or a loophole in the registration/voting process that was taken advantage of.

Monroe said he can't explain his strong showing, though he has some name recognition from two previous runs for Congress, in 2006 and 2010. Innis, who moved to Nevada in 2007, isn't widely known here, Monroe said, while Hardy is better known in Clark County and parts of rural Nevada because his family has been here for generations.

"I get around," Monroe said, noting he has traveled every county in the district, including Esmeralda and White Pine, where he beat Hardy and Innis. "I'm from Nevada. I've been traveling all these counties for years and people know me. I'm a people person. I'm out there with the people. I have a platform. They (Hardy, Innis) don't have a platform."

Monroe has a low opinion of Innis as a Nevada candidate.

"Niger Innis is a carpetbagger," Monroe said. "I was born here. This is my state."

In 2010, Monroe won only 1.7 percent of the vote in a crowded field of eight candidates vying for the GOP nomination in the 1st Congressional District in urban Las Vegas. In 2006, he got 10.6 percent of the vote in CD1, finishing last in a field of three Republican candidates.

In Tuesday's primary Monroe won 22.11 percent of the vote, finishing behind Innis at 33.12 percent, and Hardy, who prevailed with 42.63 percent of the vote. A fourth GOP candidate, Carlo Poliak, got 2.14 percent of the vote.

Hardy won Clark County, which accounts for three-quarters of the voters in CD4, and finished first in Lyon County, recording a total of 10,396 votes.

Innis won in Lincoln, Mineral and Nye counties, finishing with 8,076 votes.

Monroe won tiny Esmeralda County and vast White Pine County, for a total of 5,392 votes.

Poliak finished dead last in all seven counties, picking up just 523 votes.

In the congressional races, there's no "none of these candidates" option on the ballot, so some Monroe votes could have been a protest from Republicans who didn't like the two main contenders.

The Innis campaign said it has been unable to find any voters who cast ballots for Monroe.

But Tom Grover, an active member of the Nevada Republican Party, said Thursday he voted for Monroe because he didn't like the fact that Hardy and Innis are "social conservatives" who oppose same-sex marriage. He said he would have voted for "none" if it had been an option.

"I just couldn't vote for either of them," Grover said. "They're old school, 20th century conservatives. ... I'm definitely

an outspoken supporter for equal rights for gays and lesbians. I think it's the civil rights issue of our generation."

Pre-election polls showed Hardy and Innis both had low name recognition, around 30 percent. Early surveys also showed a high number of undecided voters, or far more than half in a primary where just over 19 percent of the Nevada electorate cast ballots.

In a low-turnout, low-information contest, some voters may have randomly ticked off Monroe's name because "it seems like a normal name," one GOP operative speculated. Neither Cresent nor Niger sound as normal as Mike. Poliak has run in nearly every election cycle since the 1970s, but this was his first congressional race.

Monroe laughed at how well he did this year, and said he plans to run again, partly for the \$174,000 salary.

He said he didn't have time this year to seriously campaign because he was too busy with work.

"Next time I'm going to put work aside," Monroe said, anticipating possible victory down the road.

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**Official 2014 Secretary of State Photo of  
Congressional Candidate Mike Monroe for CD4**



## **Exhibit 2, Section G: Ely Times Asks "Who Is Mike Monroe?"**

June 20, 2014 By [Garrett Estrada](#) [Leave a Comment](#)

### **Who Is Mike Monroe?**

*While many residents of White Pine County might have followed the local races in last weeks primary election, there was one race that has some county voters scratching their heads.*

*On the Republican side of the ticket for Congress seat, District Four, many expected it to be a tight race between Crescent Hardy and Niger Innis. Both had campaigned hard, planted signs and visited the county on multiple occasions. Yet when the results were released, relative unknown Mike Monroe beat out both in White Pine County.*

*Monroe finished with 259 votes, or 32.95 percent in the county, narrowly beating Innis' 256, 32.57 percent and Hardy's 249, 31.68 percent.*

*While upsets are not unusual during the primary election season, Monroe's victory in both White Pine and Esmeralda counties had some voters wondering who this Mike Monroe even was.*

*"I've never even heard of him. I asked everyone I know and I can't even find anyone that voted for him," said Michael Kneese, an active Republican party member, of Monroe's unexpected vote total in White Pine County.*

*It might have something to do with the fact that Monroe never even campaigned. According to an interview with the Las Vegas Review-Journal, Monroe said he never had much time to campaign because he maintained a regular job in the Las Vegas area as a handyman and a construction worker.*

*Monroe finished in third place in the race, behind Hardy, who won the race with 42.6 percent of the votes, and Innis, who finished second with 33.1 percent. Despite his loss, and never even participating in a debate with the other two candidates, Monroe still finished with 22.1 percent of the votes, a substantial number. In his interview with the Review-Journal, Monroe claimed that it could've been due to some name recognition, since he had run for Nevada congressional positions twice before.*

*In 2006, Monroe finished in last place between in a field of three candidates with just over 10 percent of the vote and in 2010 he only received 1.7 percent in a field of eight possible party elects. While name recognition might have had some effect, conservative writer Chuck Muth chalked up the dramatic increase in votes to constituents being unhappy with either front runners.*

*"Those folks weren't voting for Monroe," Muth said. "They were voting against both Hardy and Innis. And since there was no 'none of the above' option on the ballot, the Monroe vote was a 'pox on both your houses' vote, not a vote for an unknown candidate."*

*Innis' camp thinks something else might be afoot. Unhappy that Monroe had "siphoned" off a significant amount of votes in the race, Innis released a statement claiming an investigation should look into whether Monroe's unexpectedly high number of votes had been the result of a "glitch" in the voting computers, though there has not been any evidence brought forth yet to suggest this.*

*For a candidate running for Congress, Monroe is not particularly easy to reach. In fact, a Google search for Monroe reveals no campaign website or even confirmed photographs of what he looks like. Even the one phone number he provided to the Nevada Secretary of State's Elections office when he filed only rings once before falling silent.*

*The mystery of Monroe's two rural Nevada primary wins might not have an immediate answer, but they do illustrate a larger picture about the political mindset of a growing number of rural Nevadans.*

*In a primary where the most voted for candidate on the Democratic side of the ticket for Governor was "none of these candidates," nothing is set in stone for general election, especially in counties like White Pine."*

## **Exhibit 2, Section H: Ely Times on 20Jun14 by Thomas Mitchell**

### **"District 4 Primary Results Raise Questions"**

The Ely Times, June 20, 2014 By [Thomas Mitchell](#)

*"In more than four decades of covering elections across four different states, half of those in Nevada, I'm not sure I've ever seen anything quite like the results this past week in the Republican primary for Congressional District 4, which covers the southern half of rural Nevada and a chunk of Clark County, where most of the district's voters reside.*

*Yes, Crescent Hardy won the right to advance to the general election against incumbent Steven Horsford, capturing nearly 43 percent of the votes cast, besting Niger Innis' 33 percent. But how to explain how Mike Monroe picked up 22 percent of the votes cast?*

*Monroe is a cipher. He did not campaign. He raised and apparently spent no money. He did not debate. He did not go door to door. He gave no media interviews. Few have even seen a photo of him.*

*Conservative pundit Chuck Muth dismissed it as just a protest vote, since voters did not have a choice of "None of these candidates" as they do in statewide races. He called the Monroe vote "a 'pox on both your houses' vote, not a vote for an unknown candidate."*

*But if so, why did Monroe get 22 percent of the vote, while Carlos Poliak, who at least submitted his photo and information about himself to the press, garnered only 2 percent? Poliak got 523 votes to Monroe's 5,392.*

*In fact, Monroe won the race in White Pine and Esmeralda counties. He had only two votes fewer than Innis in Lyon County. He had more votes than Hardy in Mineral County.*

*Innis concedes he lost the primary to Hardy, but said he plans to ask the secretary of state, the office in charge of election integrity, to audit the returns.*

*"Was it computer error? Was it a glitch in the system? We don't know," Innis said in a press release. "But I believe until we investigate, until Secretary of State (Ross) Miller investigates, we won't know the reason for Mr. Monroe getting 22 per cent of the vote. And believe me, there is a reason out there somewhere. We just have to work together to find it."*

*A Las Vegas newspaper account noted, "Although Monroe didn't campaign heavily or debate, he has run for Congress twice before, giving him greater name recognition with some voters."*

*Name recognition?*

*In 2010 a Michael A. Monroe ran as a Republican for the Congressional District 1 seat and picked up less than 2 percent of the vote. In 2006 a Michael "Ace" Monroe ran for the same seat and got just more than 10 percent of the vote.*

*That district is entirely within Clark County. How did his name get so much recognition in all those rural counties?*

*A White Pine County source said he was told that a number of Democrats switched to Republican registration just before the primary.*

*But why? With Horsford's huge Democrat base in Clark County, neither Hardy or Innis had much of a chance. Could it have been a demented Operation Chaos affair — like when Rush Limbaugh encouraged Republicans to register as Democrats and vote for Hillary Clinton just to keep her in the running longer so she and Obama could inflict further damage on each other during the primary?*

*Tracked down by a newspaper reporter, Monroe was going about his handyman's job and repairing a water heater.*

*Monroe couldn't explain why he got so many votes. "I get around," Monroe told the reporter. "Niger Innis is a carpetbagger. ... I was born here. This is my state."*

*But Innis said, "We owe it to the people of Nevada, to the voters in CD4 that supported either Cresent or myself, to take a good, hard look at these results. I know how hard we worked on this campaign and I have a pretty good idea of how hard Cresent worked on this race. To have a candidate receive 22 per cent of the vote when he did no campaigning at all — no signs, no mail, no grassroots, no walk teams, no phone banks, no advertising, no social media, basically nothing at all — raises major questions."*

*Or is this what happens when less than 20 percent of the state's voters bother to go to the polls? Actually, in White Pine County approximately 40 percent of registered Republicans voted and 33 percent of Esmeralda Republicans turned out — yet Monroe won both.*

*Nevadans have made some odd election picks before, but this is most curious. Be careful who you cast a protest vote for, because you might have to live with him as your congressman for two years."*

Thomas Mitchell is a longtime Nevada newspaper columnist. You may share your views with him by emailing thomasmnv@yahoo.com. Read additional musings on his blog at <http://4thst8.wordpress.com/>.

## **Exhibit 2, Section I: Thomas Mitchell Writes "Candidate Innis Calls on Secretary of State to Investigate Unusual Results in CD4 Race."**

Jun12 by [Thomas Mitchell](#)

Shortly after I [posted a blog](#) questioning how a candidate who did no campaigning could possibly garner 22 percent of the vote in the GOP primary for Congressional District 4, second place finisher Niger Innis sent out a press release calling for the secretary of state to investigate the outcome.

"Was it computer error? Was it a glitch in the system? We don't know ..." Innis' press release said. "And believe me, there is a reason out there somewhere. We just have to work together to find it."

The Review-Journal [posted a story](#) in the past few minutes about the unusual outcome — with a remarkable lack of incredulity — along with what might be the first known interview with candidate Mike Monroe.

Perhaps, this goes to show what might happen when the vast majority of registered voters stay home and let the few determine who will represent Nevada in Congress.

Since it does not appear Innis posted the press release online, here is the release in its entirety:

### NIGER INNIS FOR CONGRESS CAMPAIGN TO CHALLENGE VOTE RESULTS IN DISTRICT 4 REPUBLICAN PRIMARY

**Las Vegas, NV (June 12, 2014)**— Acknowledging that the end result of the June 10th Republican Primary for Congressional District 4, in which Assemblyman Cresent Hardy won, may not change, Niger Innis and his campaign today announced that they are going to call upon Secretary of State Ross Miller to undertake an audit of the election results.

"At this point in time, Cresent Hardy has won the Republican nomination to face Steven Horsford in the November General



Niger Innis (R-J photo)

Election, and we need to move forward," Innis said. "However, what is irrefutable is that the vote total for Mr. Monroe is, without a doubt, questionable."

"With all due respect to Mr. Monroe, the 22 per cent of the vote he received is simply inconceivable based upon his lack of campaign activities, which quite frankly, were none," Innis continued. "Let me be clear. I am not claiming I lost the race due to votes for me being counted as votes for Mr. Monroe. Some of his votes could very well have been cast for Mr. Hardy."

"Was it computer error? Was it a glitch in the system? We don't know," Innis continued. "But I believe until we investigate, until Secretary of State Miller investigates, we won't know the reason for Mr. Monroe getting 22 per cent of the vote. And believe me, there is a reason out there somewhere. We just have to work together to find it."

There have been several theories of protest votes against Mr. Hardy and Mr. Innis because of what was perceived as a negative campaign. Innis for Congress Campaign Manager Steve Forsythe discounts those claims.

"There were two 'minor' candidates on this ballot and if roughly 24 per cent of the voters decided to cast a protest vote, it is most likely that the 24 per cent would've been divided relatively equally between Mr. Monroe and Mr. Poliak," Forsythe observed. "If the voters don't know either candidate, and both of whom have run numerous times before, why would one get over 90 per cent of that protest vote?"

Forsythe said that the campaign has decided to move ahead not because they believe the overall results will be changed, but because there is an obvious flaw in the voting system in

**Exhibit 2, Section E: Candidate Innis Calls on SoS To Investigate CD4 Primary Results**      Pg. 2 of 3

Nevada and the 22 per cent vote for Mr. Monroe was either the result of a computer error or a loophole in the registration/voting process that was taken advantage of.

"I'm more than a little concerned that there haven't been alarm bells going off in either the SOS office, the various county election departments or with the media that these results are highly unusual," Forsythe said. "The predictability and conformity of elections year-to-year lie in the consistency of the process. If you look at all the results from primary election evening, there are no anomalies in any race, except one, CD4. Pretty much across the ballot, 'minor' candidates received minor attention and vote totals."

"It is such a glaring departure from not just Tuesday night, but when looking back at election results for years, the fact that no one would step forward and say 'hey, let's at least take a look at these vote totals for Mr. Monroe' is very troubling.

Innis said, "We owe it to the people of Nevada, to the voters in CD4 that supported either Cresent or myself, to take a good, hard look at these results. I know how hard we worked on this campaign and I have a pretty good idea of how hard Cresent worked on this race. To have a candidate receive 22 per cent of the vote when he did no campaigning at all – no signs, no mail, no grassroots, no walk teams, no phone banks, no advertising, no social media, basically nothing at all – raises major questions."

While Innis has acknowledged that Mr. Hardy is the winner from Tuesday's election, Forsythe said that will not change the campaign team's commitment to move forward with requests for an investigation at the various levels of government, as well as conducting their own independent investigation.

"Niger has graciously accepted the results of the primary election," Forsythe said. "However, we as a team, will do everything in our power to try to come to some conclusion as to how Mr. Monroe received 5,392 votes.

"We have been contacted by our supporters throughout the district and they have urged us to investigate this matter," Forsythe said. "The fact that Mr. Hardy and Mr. Innis both worked so hard in the rurals, yet Mr. Monroe won White Pine and Esmeralda counties, beat Mr. Hardy in Lincoln and finished a strong third in Nye and Lyon counties has to give pause to the thought that something just isn't right about this election."