

Special Committee on Voter Confidence Meeting Minutes

(Approved 7/12)

Meeting date: June 7, 2022 at 1:00 P.M.

Location: Portsmouth City Hall, Council Chambers
1 Junkins Ave
Portsmouth NH 03801

In Attendance:

Commission: Bradford E. Cook (Co-Chair), Richard Swett (Co-Chair), Ken Eyring, Andrew Georgevits, Amanda Merrill, Jim Splaine, Douglass Teschner, and Olivia Zink

Secretary of State's Office: Anna Fay, David Lang, and Jennie Taggart

Committee Co-Chair Richard Swett opened the meeting at 1:10 P.M. Committee members stated their names and town/city of residence. Co-Chair Swett announced that during the public comment session, anyone who spoke at previous meetings would be moved to the bottom of the list due to time constraints. He invited them to speak at future meetings.

Co-Chair Richard Swett motioned to approve the 05/24/2022 draft minutes. Committee member Ken Eyring submitted changes to the minutes. There was a discussion about what should be included in the minutes, the Right to Know Law (RSA 91-A) and the process moving forward regarding changes to minutes. Committee member Jim Splaine made a motion to attach Mr. Eyring's changes to the draft minutes as an addendum. All voted in favor.

Local Elected Officials Testimony

Kelli Barnaby, Portsmouth City Clerk, gave testimony on her experience as a clerk. She discussed election official training and said the training opportunities with the Secretary of State's office have been enhanced. She also discussed the oath she took as city clerk.

Co-chair Swett announced the names of testimony sent to the voter confidence email address. Testimony was sent by Susan Richman, Stefan Katz, Carol Petruszewicz, Deborah Sumner, Kit Lord, Normand Hule, Gale Carey, Kathleen Bean, and Bess Mosley.

Committee member Doug Teschner arrived at 1:28 P.M. He discussed an article in the New Hampshire Bulletin about the intimidation of poll workers and an article he wrote about political polarization. He passed out his ground rules for public comment.

Lorrie Pitt, Durham Town Clerk, spoke about her experience as town clerk and the oath she took. She discussed the safety of elections, training and education.

The Committee and Ms. Pitt had a discussion about same-day registration, affidavits and how the town works with the University of New Hampshire during elections.

Ann Shump, Durham Chairman of the Supervisors of the Checklist, spoke about the large number of voter registrations, volunteers, and working with UNH. She suggested encouraging members of the public to volunteer during elections could increase voter confidence.

Public Comment

Regina Barnes, Hampton, described her background in auditing and as a selectperson. She spoke on NH election laws, RSA 656:40, ballot counting machines, and outsourcing memory cards for ballot machines. She encouraged the public to continue to volunteer.

Brenda Towne, Wakefield, spoke about how she got involved with voter integrity after the 2020 election and the process she took to do a citizens' audit.

Co-Chair Swett said the Committee is interested in solutions to problems surrounding voter confidence.

Ms. Towne described concerns with the increase of absentee ballots and voter turnout growth/decrease. She pointed out a large increase in voter turnout among the Democratic Party. She discussed the Windham audit, the documentary *Kill Chain*, and Georgia's elections. She discussed a master report made on election machines to analyze performance. She would like an audit on the machines and expressed her concerns with the integrity of recounts. She described her experience with the Windham audit and intention to back up memory cards. Ms. Towne said she has video of the audit team wiping machine memory cards of election data. She told the Committee she will provide discrepancies that prove the Windham machines were hacked and reset during the audit.

Co-Chair Swett brought up time constraints and asked for suggested solutions.

Ms. Towne brought up Al Brandano's presentation of canvassing efforts to check owner deeds against registrations/affidavits and presented them to the Committee.

Co-Chair Swett encouraged the Committee to check the *Hacking Democracy* website for details.

Ms. Towne said few House and Senate Bills offering potential solutions have been passed. She suggested increased transparency by making voter registration, voting history, and the digital copies of ballots available to the public.

Co-Chair Swett mentioned a demonstration of ballot machines will occur at the Committee's July 12th meeting.

Ms. Towne suggested removing ballot counting machines, requesting hand counts instead. She voiced concerns with e-poll books. She requested a sample audit of the 2020 election.

The Committee and Ms. Towne had a discussion about the *Hacking Democracy* documentary, door-to-door canvassing, and the process of a citizen audit. Ms. Towne mentioned the New Hampshire Voter Integrity Group master website (NHVIG).

Rebecca Perkins Kwoka of Portsmouth, D-21, spoke about election integrity and confidence. She clarified that poll books approved in NH are not to be connected to the internet. Ms. Kwoka repeated that NH elections are safe and secure. She talked about misinformation regarding voter

fraud and SB-3. She also talked about the SOS office and the important leadership role it has. Ms. Kwoka suggested that NH implement automated and online voter registration and join the Electronic Information Registration Center (ERIC).

Committee member Andrew Georgevits brought up the distinction between fraud and discrepancies. He asked both parties to recognize discrepancies were found during the Windham audit but the term “fraud” was not used.

Bob Perry, Strafford, previously served on the House Election Law Committee for 7 years. He discussed claims of voter fraud and concerns about election deniers who are running for office. Mr. Perry said the SOS office should push back against claims of voter fraud to increase voter confidence.

Elizabeth Mooney, Portsmouth, brought up concerns about tracking people who vote twice and faithless electors.

Derek Arnold, Derry, representing We the People, spoke about surety bonds and their relation to oaths taken. Mr. Arnold has not voted and will not vote until he thinks elections are safe and secure. He mentioned 2020 elections; asked why funds are not being used to ensure elections are safe and secure. He suggested in-person voting, ID voting, and getting rid of voting machines.

Matthew Sabourin Dit Choiniere, Seabrook, Chairman of the New Hampshire Independence Political Action Committee, gave testimony on CACR 32.

Milford resident Reverend Sarah Rockwell, a rector for St. Andrew’s Episcopal Church of Manchester, shared a letter addressed to Secretary Scanlan. She voiced concerns about the makeup of Committee, noting it does not include people of color. She said the letter includes about 45 signatures of clergy throughout the state from various faith traditions. After reading the letter to Committee, she handed it to Co-Chair Swett to give to Secretary Scanlan.

Referencing the number of signatories, Co-Chair Cook encouraged Ms. Rockwell to get more people to testify on this matter.

David Holt, Somersworth, claimed that there is no statistically significant fraud or discrepancies in NH or nationally. He spoke about the Committee’s Derry meeting RE: elected officials numerous statements that the elections are safe and secure. He said the Committee is investigating something that doesn’t exist, gaslighting the problem. Mr. Holt called for accessible polling places and less legislation that increases voter suppression.

Co-Chair Swett explained the reason the Committee was formed was to investigate and listen to people talk about why voter confidence in our election system has diminished over the years.

Committee member Splaine referenced the mission statement that is posted on the SOS website. He also said the goal of the Committee is to look for root causes of reduced voter confidence and address concerns. He encouraged Mr. Holt to come up with suggestions and write to the Committee.

Anne Copp, Nashua, presented 360 returned mailers from the New London 2008 election. She spoke on instances of suspected issues she brought forward to SOS. She discussed the Windham

audit, *Kill Chain* and the Derry 2020 election. She said the SOS is not doing enough to address election integrity issues. Ms. Copp spoke about the process she took to do a citizen audit of the Derry election. She voiced concerns about RSA 4:45 Sec 2 C and the erasure of data on LHS machines. She requested a forensic audit of the 2020 election and that the state get rid of machines and hand count ballots.

The Committee and Ms. Copp had a discussion about the recount process and transparency.

Co-Chair Swett asked Ms. Copp to send a simple list of solutions.

Sue Polidura, Portsmouth, discussed minority inclusion. She spoke about her experience in the 2008/2010 election and same-day registration. She claims that the problem is with voter law and residency parameters. She inquired why it is so easy for non-residents and citizens to vote. She suggested that only tax paying residents who are registered should be able to vote. Ms. Polidura mentioned SB2. She suggested provisional ballots.

Committee member Teschner stated that NH prides itself on same-day results and brought up concerns with provisional ballots.

Kelsey Klementowicz, Portsmouth, focuses on election law and claimed that elections are safe and secure. She spoke on election laws, the Election Procedure Manual and ballot security. She discussed allegations of discrepancies between machine totals and hand counts. She explained the process and the investigation of discrepancies, stating unresolved discrepancies are public knowledge. Ms. Klementowicz spoke about the Windham audit and the audit report. She described the process for identity verification and said that the AG's office is thorough with investigations into voter fraud allegations.

Co-Chair Swett asked Ms. Klementowicz what she propose the Committee recommend to increase voter confidence.

Ms. Klementowicz's suggested solutions include informing the public about voter fraud results. She spoke about the Zillow investigation and how voting domicile works. She suggested using the ERIC system, cleaning up the language in the statute and modernization.

There was discussion about same-day registration, minimizing the challenges the elected officials face, and online voter registration. Ms. Klementowicz mentioned Election Net.

Committee member Teschner discussed conspiracy theories and lack of trust. He asked Ms. Klementowicz for any other thoughts to increase voter confidence and trust. Ms. Klementowicz discussed issues with elevating false narratives and requested the Committee rebut false claims.

Peter Somssich, Portsmouth, State Representative Ward 3, discussed the 2020 election and absentee ballots. He mentioned the hand-counting process and claimed most people want to keep tabulator machines. He suggested that every citizen get a passport as an ID. He recommended an Independent Redistricting Commission to prevent gerrymandering. He also suggested increasing the availability of absentee ballots. He raised concerns about affidavit ballots and suggested clearer guidelines. Mr. Somssich discussed same-day registration and the motor voter law. He

also mentioned that the SOS office needs to be modernized and use new technology to streamline the voting process.

Committee member Splaine restated the Committee's mission statement and asked for suggestions to increase voter confidence and avoid too much discussion on Windham.

Mr. Somssich suggested the SOS and AG offices need to be more aggressive in challenging false accusations and address allegations publicly.

Michael Bean, Rye, discussed LHS contracts with each town and their responsibility to oversee machines. He also mentioned memory card programming and machine coding. He claimed there is no one overseeing the LHS machine in Rye. Mr. Bean also mentioned the Windham audit, risk-limiting audits, and verified voting.

Co-Chair Cook clarified hacking vs programming.

Mr. Bean talked about his experience with recounts.

Co-Chair Swett asked Mr. Bean to offer solutions.

Mr. Bean proposed making Election Day a holiday for all. He also said machines should be eliminated in favor of hand-counting and paper ballots should be used.

Co-Chair Swett announced the Committee had run out of time and apologized to those who weren't able to speak. He suggested sending testimony to be read into the record at the next meeting.

Co-Chair Cook announced the next meeting was scheduled for July 12th. He mentioned the Ballot Law Commission is meeting at 9am the same day and invited those who want to attend. He mentioned that he would give a presentation of the Ballot Law Commission's adopted criteria for ballot counting devices followed by a presentation from the vendors on how our current machines work.

Co-Chair Swett reiterated the Committee is unpaid and voluntary.

There was a discussion regarding the meeting scheduled for a later date in Laconia.

Co-Chair Cook made a motion to adjourn the meeting, Committee member Amanda Merrill seconded it. All voted in favor. None opposed.

Meeting adjourned at 4:31pm.