

ROBERT BEADLES
10580 N. McCarran Blvd. #115, Apt. 386
Reno, NV 89503
Appellant, In Pro Per
916-573-7133

FILED

MAR 05 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *Elizabeth A. Brown*
DEPUTY CLERK

3/4/24

Clerk of the Court
Nevada Supreme Court
201 South Carson Street
Carson City, NV 89701-4702

Re: Expedited Ruling Request for Case No. 87683

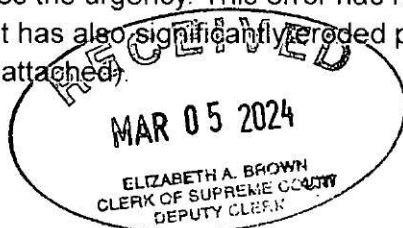
Dear Justices of the Nevada Supreme Court,

I write to you not only as an advocate before this Honorable Court but as a steward of the democratic process that defines our great state. Following your gracious agreement to expedite the decision in Case No. 87683, I respectfully request this court to issue its ruling within the coming week. The urgency of this matter cannot be overstated, given its profound impact on our election system and, inherently, the fundamental right to vote.

The commencement of candidate filing for office today, with a deadline of March 14, 2024, sets a critical timeline that we must adhere to in order to ensure the integrity of our upcoming elections. Furthermore, the deadline to clean voter rolls, a vital step in safeguarding our elections, passed on February 25, 2024. The encroaching deadlines underscore the immediate need for judicial intervention.

Precedent for an expedited ruling in this context is well-established by this court in *Miller v. Burk*, 124 Nev. 579, 188 P.3d 1112 (Nev. 2008), and *Election Integrity Project of Nevada, LLC v. Eighth Judicial District Court in and for County of Clark*, 136 Nev. 804, 473 P.3d 1021 (Nev. 2020). These cases affirm the Supreme Court of Nevada's prerogative to fast-track proceedings in matters of significant public interest, particularly those affecting the electoral process. Moreover, NRAP Rule 2 further empowers this court to expedite its decisions for good cause, which is manifestly present here.

The recent incident receiving national press coverage involving a "glitch" in the Secretary of State's presidential preference primary system, displaying incorrect voter information statewide, exacerbates the urgency. This error has not only compromised the integrity of our electoral system but has also significantly eroded public trust in the electoral process (see a few examples attached).



24-07941

Additionally, the refusal by Washoe County and the Secretary of State to consider election integrity resolutions for Commissioner Herman or Clark further undermines public confidence and calls into question the commitment to transparent and fair elections. The obstruction by Commissioner Hill, a party to this lawsuit, in failing to allow these critical (attached) resolutions to be voted on, underscores the need for this court's intervention.

The declining public trust in Nevada's election integrity presents a dire need for this court's decisive action. As justices, you have the unique capacity to restore faith in our electoral system through a timely ruling in this case.

In light of the above, I implore the court to expedite its ruling to allow for necessary remedies to be implemented ahead of the primary election. The dismissal of my lawsuit overlooked the substantive issues at stake, and justice delayed further would be justice denied to me and the electorate at large.

Thank you for your consideration of this urgent request. I trust in this court's commitment to justice and its pivotal role in upholding the democratic principles that govern our state.

Respectfully,

Robert Beadles, Appellant In Pro Per

cc: Haldeman, Suzanne shaldeman@da.washoecounty.gov
Hickman, Elizabeth ehickman@da.washoecounty.gov
Liddell, Lindsay L liddell@da.washoecounty.gov
nvscclerk@nvcourts.nv.gov

And mailed to:

Lindsay Liddell
One South Sierra Street Reno, Nevada 89501

Clerk Of The Court
201 S. Carson St.
Carson City, NV 89701



Robert Beadles, Appellant In Pro Per

Date: 3/4/24

RESOLUTION: _____

Ballot Count Resolution

WHEREAS, the Board of Commissioners of Washoe County has received overwhelming public comment that expressed a desire for a commitment to clean, accurate, secure, and prudent elections;

WHEREAS, the Board of County Commissioners recognizes the authority of State and Federal law over many aspects of elections conducted by Washoe County, as well as the State administrative code as a useful guideline for election processes while allowing each county the latitude over many aspects of elections conducted by their own county;

WHEREAS, State law has mandated mail ballots and a uniform standard for counting and recounting all votes accurately as provided by law and it would only be prudent for Washoe County to conduct parallel counts; and

WHEREAS, the Board of Commissioners of Washoe County is committed to the transparency, equity, accuracy, security, and fiscal responsibility within processes and procedures of its elections.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY,

Washoe County elections shall be conducted in a manner that best serves local interests, follows the law, ensures accuracy and security, reduces opportunities of fraud, reduces outside influences, ensures fiscal responsibility, ensures the ascertainment by proper proofs of persons entitled to the right of suffrage, and preserves the purity of elections which may include the following:

- Commitment to utilizing hand counts in parallel to electronic counts.

Adopted this 27th day of February, 2024

Alexis Hill, Chairman
Washoe County Commissioner

ATTEST:

County Clerk

Addendum to Nevada Voter Bill of Rights (NRS 293.2546) and/or stand-alone resolution

To Whom It May Concern,

As a registered voter in the State of Nevada, I hereby endorse and submit this legal paper, advocating for enhanced integrity and transparency in our election processes. This paper outlines critical procedures to be implemented to ensure the sanctity of our elections. I respectfully request your support and action to immediately incorporate these measures into our existing election framework:

The following must be adhered to as set forth in NRS sections 244, 288, 293, 293A-C, along with all additional relevant NRS sections and the Nevada Constitution.

Chain of Custody:

Chain of custody shall be followed throughout the entire ballot creation and transport process, from creation to counting of the ballot, in accordance with the relevant sections of the Nevada Revised Statutes (NRS). Protocols for the chain of custody will be established collaboratively with election officials and security experts, adhering strictly to the NRS. These protocols shall be published on the county website for accountability. The procedures from the start of ballot creation to the counting of the ballot and storage of the ballot after counting shall be published on the county website by the last day of the election counting process for all to see, ensuring security and transparency that the process was followed.

Signature Verification: The process of signature verification must adhere strictly to the protocols set forth in the relevant sections of the Nevada Revised Statutes (NRS), thereby upholding the accuracy and legitimacy of voter identification. (Signature verification will employ the latest technologies and best practices recognized nationally, enhancing both accuracy and efficiency).

Ballot Counting and Verification: To guarantee the integrity of the election results, all ballot counting and the verification of marked bubbles shall be conducted simultaneously with any machine tallying. This manual verification process will involve an equal representation of registered voters from Washoe County, spanning all political affiliations, to ensure fairness and impartiality. If hand counts cannot be done simultaneously, then the hand count will commence immediately after the machine counts every 100 ballots.

Oversight and Transparency: The oversight of the manual counting process will be managed by a seven-member board, including the County Clerk, the Registrar of Voters (ROV), and five registered voters from Washoe County, with representation from two Democrats, two Republicans, and one non-partisan member. In counties with no ROV, the county assessor will take the ROV's place. This board is charged with addressing and resolving any discrepancies between machine and manual counts. Furthermore, to promote transparency, the entire process will be live-streamed, and any discrepancies identified will be promptly reported on the county's website, alongside the actions taken to rectify such issues. (Oversight board member selection will be transparent, incorporating public input, with live streaming designed to protect voter privacy)

Legal Accountability: Any election contractor or worker found in violation of the above processes will be subject to prosecution in accordance with the relevant Nevada Revised Statutes (NRS). (Legal consequences for process violations will be proportional and aligned with existing election-related statutes).

By signing this legal paper, I express my commitment to the principles of election integrity and transparency. I urge my political representatives to consider these proposals seriously and to take swift action to incorporate them into our electoral practices.

Sincerely,

Name: _____

Address: _____

City, State, Zip: _____

Email: _____

Date: _____

Signature _____

FILED

JAN 12 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY *Michael Fuller*
DEPUTY CLERK

1 ROBERT BEADLES
2 10580 N. McCarran Blvd. #115, Apt. 386
3 Reno, NV 89503
4 Appellant, In Pro Per

5 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

6 MR ROBERT BEADLES, an individual,
7 Appellant,
8 vs.
9

NVSC Case No.: 87683

District 1 Case No: 23-OC-00105 1B

District 2 Case No: CV23-01341

10 JAMIE RODRIGUEZ, in her official
11 capacity as Registrar of Voters and in her
12 personal capacity; the WASHOE COUNTY
13 REGISTRAR OF VOTERS, a government
14 agency; ERIC BROWN in his official
15 capacity as WASHOE COUNTY
16 MANAGER and in his personal capacity,
17 ALEXIS HILL in her official capacity as
18 CHAIRWOMAN OF WASHOE COUNTY
19 BOARD OF COMMISSIONERS and in her
20 personal capacity; WASHOE COUNTY,
21 Nevada a political subdivision of the State
22 of Nevada, and DOES I-X; and ROE
23 CORPORATIONS I-X.

24 Respondents.

25 **MOTION TO EXPEDITE RULING**

26 **I. INTRODUCTION**

27 Pursuant to NRAP Rule 27, Appellant, Robert Beadles, respectfully

28 submits this Motion to Expedite Ruling regarding the appeal from the

dismissal with prejudice under Rule 12(b)(5) of the Nevada Rules of Civil

Procedure. This motion is crucial due to the imminent nature of the

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
DEPUTY CLERK

24-01322

1 upcoming election and the significant public interest in resolving the legal
2 issues at hand promptly.
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4

5 **II. BACKGROUND**

6

7 On 12/11/23, I filed my Opening Appellate Brief challenging the lower
8 court's dismissal with prejudice under Rule 12(b)(5). The brief, among
9 other facts and evidence, demonstrated adherence to NRCP Rule 8(a)(2),
10 effectively contesting the basis for dismissal. As of this date, it has been 33
11 days since the filing of my Opening Appellate Brief. The Respondents are
12 not required to respond to my brief, and there is zero chance of a successful
13 settlement conference; therefore, I ask this honorable court to expedite the
14 ruling in the best interests of all parties and the public.
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21 **III. ARGUMENT**

22 **Urgency Due to Upcoming Election:** The matters at issue in this case are
23 directly pertinent to the forthcoming election, which is only five months
24 away. The resolution of these issues is imperative to ensure the lawfulness
25 of the electoral process.
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2 **Absence of Respondents' Response:** Given that the Respondents are not
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4 obligated to respond to my brief, per NRAP Rules 31 and 46, and there is
5
6 no chance of a successful settlement conference, I urge this Honorable
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8 Court to move forward with its ruling based on my brief, my submitted
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10 pleadings, and all 170 exhibits submitted to this and the lower courts.
11

12 **Precedent for Expedited Rulings:** The Nevada Supreme Court has the
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14 authority to expedite proceedings in situations of significant public interest
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16 or urgency with elections as shown in *Miller v. Burk*, 124 Nev. 579, 188
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18 P.3d 1112 (Nev. 2008) and in *Election Integrity Project of Nevada, LLC v.*
19
20 *Eighth Judicial District Court in and for County of Clark*, 136 Nev. 804,
21
22 473 P.3d 1021 (Nev. 2020). Additionally, NRAP Rule 2 shows this
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24 honorable court can expedite its decision or for other good cause.
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26 **Need for Swift Resolution:** An expedited ruling is imperative in this case.
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28 Should the Court decide in my favor, immediate relocation of the trial to a
neutral county and the selection of a jury are critical steps, both of which

1 are notably time-consuming. This urgency is compounded by recent
2 developments: Respondent Rodriguez's resignation as ROV and the
3 appointment of a seemingly unqualified successor. Furthermore,
4 unresolved issues raised in my complaint persist. The respondents' media
5 team, as evidenced in Exhibits 168-170, is disseminating misleading
6 information, directly impacting the forthcoming election. Contradictorily,
7 while the District Attorney's Office has indicated the feasibility of
8 implementing Vice Chair Commissioner Herman's election integrity
9 measures, the respondents' media representation erroneously labels these
10 safeguards as potentially illegal. A prompt and favorable ruling would
11 address these multifaceted concerns, ensuring clarity and integrity in the
12 electoral process.
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1 IV. CONCLUSION

2 Your Honor, I am aware you have a tremendous caseload, and I apologize
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4 for adding to your workload with my motion and request. However, with
5 the election just five months away, for any hope of having a lawful election
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7 by then, this case must be allowed to move forward. I believe I have
8 overcome the NRCP Rule 12(b)(5) dismissal with prejudice, as I have over
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10 100 allegations in which I can be granted remedy by this court, a lower
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12 court, or a jury, thus adhering to NRCP Rule 8(a)(2). My court orders,
13 Exhibit 72 alone, and the respondents' violations (Exhibits 23-24) should
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15 overturn Judge Russell's ruling.

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18 It is imperative that this case moves forward as swiftly as legally possible
19 to ensure Washoe has lawful elections and to avoid setting an erroneous
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21 precedent by allowing cases to be dismissed under NRCP Rule 12(b)(5)
22 when they clearly adhere to NRCP Rule 8(a)(2). I respectfully ask you to
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24 expedite this ruling in the pursuit of justice and the best interests of the
25
26 public, ensuring a lawful and fair electoral process.
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28

Respectfully submitted,

By: 

ROBERT BEADLES, Appellant In Pro Per,

10580 N. McCarran Blvd. #115, Apt. 386,

Reno, NV 89503 916-573-7133

AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document
does not contain the Social Security Number of any person.

DATED: January 12th, 2024


Robert Beadles, Appellant In Pro Per

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4 **CERTIFICATE OF SERVICE**
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6 Pursuant to NRCP 5(b), I hereby certify that on January 12th, 2024, I served
7 all parties by electronically emailing the defense counsel and by sending via
8 first-class mail with sufficient postage prepaid to Lindsay Liddell, the
9 respondents' defense attorney.

10 Haldeman, Suzanne shaldeman@da.washoecounty.gov
11 Hickman, Elizabeth ehickman@da.washoecounty.gov
12 Liddell, Lindsay L lliddell@da.washoecounty.gov

13 And mailed to:
14 One South Sierra Street Reno, Nevada 89501
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Robert Beadles, Appellant In Pro Per

Full Exhibit Glossary

Exhibit 1 ROV 11-17-22- Petition. 40 pg.

Exhibit 2 11-23-22 Contest 12 pg.

Exhibit 3 Unanswered Petition served upon defendants 12/1/22. 19 pg.

Exhibit 4 Email exchange between the plaintiff and defendants. 5 pg.

Exhibit 5 Email exchange between the plaintiff and defendants. 5 pg.

Exhibit 6 Email exchange between the plaintiff and defendants. 7 pg.

Exhibit 7 Email exchange between the plaintiff and defendants. 1 pg.

Exhibit 8 Email exchange between the plaintiff and defendants. 2 pg.

Exhibit 9 Email exchange between the plaintiff and defendants. 16 pg.

Exhibit 10 Addresses from tax records appearing in conflict to vote. 6
pg.

Exhibit 11 Addresses from tax records appearing in conflict to vote. 56
pg.

Exhibit 12 Addresses from tax records appearing in conflict to vote. 51
pg.

1 Exhibit 13 Addresses from tax records appearing in conflict to vote. 22
2 pg.

3
4 Exhibit 14 Addresses from tax records appearing in conflict to vote. 99
5 pg.

6
7 Exhibit 15 Detailed report showing tax record vs voter record concerns.
8 15 pg.

9
10 Exhibit 16 Supplemental statements on election system issues 30 pg.

11 Exhibit 17 Supplemental statements on counting the votes in secret 3 pg.

12
13 Exhibit 18 Supplemental statements on the deficiency of Signature
14 Verification 8 pg.

15
16 Exhibit 19 Supplemental statements on Lack of Transparency and
17 Accountability 12 pg.

18
19 Exhibit 20 Supplemental statement glossary 1 pg.

20
21 Exhibit 21 Supplemental statements on unclean voter rolls 6 pg

22 Exhibit 22 Supplemental statements on not prepared for 2024 4 pg.

23
24 Exhibit 23 ROV blatantly breaking laws and court orders (video)

1 Exhibit 24 ROV blatantly breaking laws and court orders (transcript) 5
2 pg.

3
4 Exhibit 72 Washoe Observation Court Orders 6 pg.

5 Exhibit 97 The Elections Group Proposal 85 pg.

6
7 Exhibit 101 Take it down to the studs and start over 6 pg.

8 Exhibit 109 Highlights of Supplemental Statements 4 pg.

9
10 Exhibit 111 DA Confirming Laws and Abilities 5 pg

11 Exhibit 132 Media and defendant's bias 59 pg.

12
13 Exhibit 134 Hill-County-Email 1 pg.

14 Exhibit 135 Hill-County-Email-Libel-Raise Funds 1pg.

15
16 Exhibit 136 Melody Brown DUI video

17 Exhibit 137 Melody Brown DUI video transcript 15 pg.

18
19 Exhibit 138 Hill Ethics Complaint 54 pg.

20 Exhibit 139 Hill Using County Property For Personal Gain.pdf 3 pg.

21 Exhibit 140 Hill-Campaign-Email 1 pg.

22
23 Exhibit 143 Brown Ethics Complaint 5 pg.

24 Exhibit 149 Defendant Rodriguez Declaration 2 pg.

1 Exhibit 168 This Is Reno-Bethany Drysdale-Eric Brown 3 pg.

2 Exhibit 169 Washoe District Attorney Analysis 3 pg.

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4 Exhibit 170 Commissioner Hermans 12/23 Election Integrity Resolution
5 1 pg.
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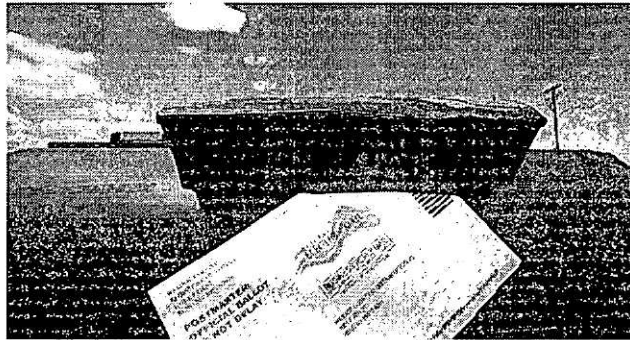


Primary Chaos: 'Glitch' in Software Shows Voters Cast Ballot In Presidential Primary

thenevadaglobe.com/fl/primary-chaosglitch-in-software-shows-voters-cast-ballot-in-presidential-primary/

Megan Barth

February 19, 2024



Yesterday, The Globe received calls from concerned citizens who said that the Nevada Secretary of State's office incorrectly reported that they had voted in the Presidential Preference primary held on February 6th, even though they did not cast a mail-in ballot and opted to vote only in the Nevada GOP "First in the West" caucus on February 8th.

Today, the Secretary of State's office released a statement citing technical issues for the error:

On Sunday, February 18, the Secretary of State's Office became aware of possible technical issues related to the vote history of individuals who did not participate in the Presidential Preference Primary.

Elections and IT staff began working on the issue immediately, and met with County Clerks and Registrars this morning. We are working to resolve the issue as soon as possible, and will provide further updates as we can."

It is important to note that vote history is generated separately from election results. Results on SilverStateElection.NV.gov and county canvasses of the votes are unaffected and accurate.

Last Friday, Washoe County Commissioners voted 3-1 to approved the vote totals. Alexis Hill, Mariluz Garcia and Clara Andriola voted in favor with Mike Clark opposed and Jeanne Herman absent.



Michael McDonald speaks at Jim Marchant fundraiser for SOS at Dragonridge Country Club, November 9, 2021 (Photo: Megan Barth for The Nevada Globe)

Prior to the passage of AB126 in 2021, Nevada's major political parties held caucuses for choosing and binding delegates to the national convention and nominating presidential candidates. After 105,000 Democrats voted in the 2020 caucuses, Bernie Sanders dominated the Democratic field, despite predictions of chaos, and his delegates overthrew the Harry Reid political power structure. After this shift in political power, legislation to prevent such political upheaval and caucus-related "chaos" was born.

At the time, Harry Reid told the Las Vegas Review Journal: "My No. 1 priority is getting rid of the caucuses. They don't work. It was proven in Iowa. We did OK here, but the system is so unfair."

Due to numerous reports, The Nevada Republican Party says it will be investigating alleged irregularities in mail-in ballot counting citing concerns about the security of the ballot counting procedures and the accuracy and transparency of the ballot counting process.

The state GOP says it is actively in communication with the Secretary of State's Office to conduct an investigation into the alleged irregularities.

"We take these reports very seriously," stated Michael McDonald, Chairman of the Nevada Republican Party. "The cornerstone of our Republic is the trust and confidence of the American people in the electoral process. Any indication of irregularities must be thoroughly investigated to ensure the integrity of our elections."

FRANCISCO V. AGUILAR
Secretary of State

MAGGIE SALAS CRESPO
Deputy Secretary for Southern Nevada

SHAUNA BAKKEDAHL
Deputy Secretary for Commercial Recordings

DEBBIE I. BOWMAN
Deputy Secretary for Operations

STATE OF NEVADA



OFFICE OF THE
SECRETARY OF STATE

GABRIEL DI CHIARA
Chief Deputy Secretary of State

ERIN HOUSTON
Deputy Secretary for Securities

MARK A. WLASCHIN
Deputy Secretary for Elections

MEMORANDUM

To: Secretary of State Francisco Aguilar
From: Chief Deputy Gabriel Di Chiara, Deputy Secretary for Elections Mark Wlaschin
Date: February 21, 2024
Subject: February 18, 2024 Vote History Discrepancies

Mr. Secretary,

On February 18th, the state was made aware of potential irregularities relating to the vote history of individuals who did not participate in the Presidential Preference Primary (PPP). State staff met that evening to discuss possible root causes, and determined that a conclusion could not be reached without input from the clerks and registrars of counties with affected voters. After those preliminary discussions, state and county staff met to discuss the issue at 8 am on February 19th, and remained working on it throughout the day. What follows is an outline of the circumstances that brought about these irregularities, as well as the steps that the state and counties took to alleviate the issue.

The technical issue that resulted in the inaccurate information being displayed was a miscommunication in code, based on the state and counties interpreting the same data in different ways. These events highlight the importance of modernizing our election system, and educating voters on how elections are administered in Nevada.

It is important to note that at no time were election results affected by this issue nor any voter Personally Identifiable Information (PII) compromised. The voter registration and election management systems are kept separate. Additionally, at no point was any county data inaccurate. *Any claims to the contrary are false.*

This memo is based on the understanding of Secretary of State staff, and is not intended to make any representations on behalf of the counties

Summary

The Secretary of State's website provides several election-specific services to voters, including the ability to register to vote, update your voter registration, and more. Once such service is 'vote history' which allows voters to login and see which elections they voted in and by what method (early voting, vote by mail, etc).

ELIZABETH A. BROWN
NEVADA SECRETARY OF STATE
101 N. Carson Street, Suite 400
Carson City, Nevada 89701-4201

PAUL LAXALT BUILDING
COMMERCIAL RECORDINGS
401 N. Carson Street
Carson City, Nevada 89701-4201

LAS VEGAS OFFICE
2250 Las Vegas Blvd North, Suite 400
North Las Vegas, Nevada 89030-5873

Over the weekend of February 18th, individuals who did not participate in the PPP, when checking their vote history on the Secretary of State's website, found that they had a PPP vote history of 'Mail Ballot Counted'. This primarily seemed to be affecting individuals who did not vote in the PPP and did not surrender their ballots.

The effect of this issue was concerning to many voters: people who had not voted received a message saying their mail ballot had been counted. As soon as the issue of erroneous data was identified, state and county staff immediately began working together to diagnose and resolve the problem; by 8pm on February 20th fixes had been identified for all impacted counties.

The root cause of the incident was simple and preventable in retrospect: the state voter database was hard-coded to interpret a certain vote history code in one way before and on Friday, February 16th, the 10th day after the election, and to interpret that same code another way after that date. Before the 10th day after an election, counties marked any voters who had been sent a mail ballot with the code "MB" - after this date, the system interprets the "MB" code as a Mail Ballot Counted.

This change on the 10th day signifies the acceptance of the results by the Boards of County Commissioners/Supervisors pursuant to NRS 293.387 which must occur not later than the 10th day after the election. The 'canvass' code was a solution to a problem facing the state in the 2020 election cycle, and has been in place ever since. In prior elections, individual counties worked with the state and their vendors to take steps based on their election management system, ensuring that this code was only applied to appropriate individuals; some of those steps did not happen for the PPP.

This was also the culmination of various issues that election administrators at the state and local level have been trying to address for years. The increasingly politicized climate around elections, the number of demands placed on individual clerks and their staff, the turnover of election staff at every level, lack of adequate resourcing for local election offices, and the precarity of the bottom-up system currently in place could each lead to unfortunate outcomes on their own. The fact that Nevada's elections run so smoothly is a testament to the hard work of the clerks and registrars in the face of this adversity.

The solution, as the legislature saw fit to write into law with AB422 in 2021, is moving to a top-down voter registration and election management system. This will take the potential for issues related to data conversion out of the process entirely, while also allowing the state to spot check data and assist counties with troubleshooting. Due to your focus on this subject, and the governor's decision to include \$30 million in one-shot dollars for the VREMS project, our new system will go live before the June 2024 primary election. There is no substitute for a top-down system, and with the support of the counties the VREMS system will alleviate these concerns and many more.

The current voter registration process

Currently, Nevada's bottom-up voter registration systems requires the state to stitch together 17 different files from different systems and combine them into a single statewide file, which we then make available to the public. Bottom-up systems have not been a best practice in the

industry for decades, and there are fewer than 6 states (including Nevada) that currently have a bottom-up voter registration system.

Each night, the counties send a copy of their own voter registration file to the state via secure upload. The state has an automated program that then 'stitches together' these files, creating that single statewide voter registration file. The files contain data related to each voter: county voter ID number, name, birth date, and assorted other data. Some of this other data includes 'vote history', meaning if a voter voted in any given election, and also by what method.

The code that the counties use related to mail ballots is "MB". The statewide voter database has been programmed to interpret the "MB" code coming from a county voter file in two different ways based on the date. At any point prior and up until the 10th day after the election, "MB" means that a mail ballot has been sent to the voter. Following the 10th day after the election, the system interprets the "MB" code as meaning "Mail Ballot Counted". This 'canvass' code has been in place for each election since Nevada became a universal vote by mail state in 2020, and was based on feedback from the counties at that time.

In order to ensure the accuracy of the voter file, counties worked with their internal teams and election management vendors to identify a way to remove the "MB" code from voters who were sent a mail ballot but did not return it, surrender it, or vote by another method. Once that 'clean up' step was taken at the county level, the 'canvass' code would run at the state level and voters would see their vote history updated appropriately: the "Mail Ballot Counted" message for individuals who voted by mail, and no vote history for individuals who did not vote.

Crucially, after this programmatic was put in place the state and counties had little interaction on the matter. Given the many demands on the clerk/registrar's time, short-staffing, turnover in county offices, etc., it was perhaps unrealistic to expect that the 'clean up' step would happen on a regular basis without communication from the Secretary of State's office.

This election, there were a number of issues related to the voter history data uploaded to the state, and how the state's system interpreted that data. The technical reasons behind the "MB" code issue varied from county to county, but they all became public upon the execution of the 'canvass' code at 12:00am on Saturday, February 19th.

As the election management and voter registration systems are kept separately, and both are currently controlled by the counties, it is impossible for the state to know who actually voted in the election and who did not. As such, inaccurate data would be indistinguishable from accurate data, and the state was unable to pre-emptively identify that there was an issue.

Issues and solutions by county

VOTEC Counties (Churchill, Elko, Esmerelda, Eureka, Humboldt, Lincoln, Lyon, Mineral, Nye, Pershing, Storey, White Pine)

Twelve of Nevada's counties utilize the VOTEC election management system, VEMACS. The 'clean up' step described above was historically accomplished in different ways, even among VOTEC counties; it involved a single setting several menus deep. Once the issue was pinpointed as the presence of the "MB" code, counties were

able to identify and implement a solution and the “MB” code was removed from voters who had not returned their mail ballot.

The state is very grateful to Lisa Lloyd, Lincoln County Clerk, for taking screenshots of the process step by step so that it could be distributed to other counties.

Clark County

Two post-‘canvass code’ files that Clark County sent to the state were in a format that the state system could not read appropriately, and resulted in inaccurate information being displayed on the state site; again, at no point was county data inaccurate. Once these formatting issues were identified, Clark County was able to make an adjustment and move an updated file to our system by 5pm on Monday, February 19th, which was immediately validated and moved into production.

Washoe County

Washoe County maintains their own instance of an election management system, DIMS, that is no longer supported by the vendor. As a result, any changes to statute or regulation can require adjustments to source code that have the potential for error. The Washoe County issue was specific to their instance of DIMS, which made identifying the problem and solution complicated. By 8 pm on Monday, February 19th an accurate file was moved to the Secretary of State, where it was verified and put into production.

Respectfully,

The Office of the Secretary of State

*Memo prepared for Secretary Aguilar by Chief Deputy Gabriel Di Chiara and Deputy for Elections Mark Wlaschin