

March 22, 2021

Christi Jacobsen  
Montana Secretary of State  
Montana Capitol Building, Rm 260  
P.O. Box 202801  
Helena, MT 59620-2801

***RE: MISSOULA COUNTY BALLOT ENVELOPE DISCREPANCY***

Dear Madame Secretary,

I write to discuss some worrisome information gathered by a group of concerned citizens and myself regarding the last election in Missoula County. Specifically, through our investigation, it was learned that Missoula County tallied 4,592 more votes in last fall's election than it received ballot envelopes. Since one hundred percent of the vote was by either mail-in ballot or by absentee ballot, this means that Missoula County's official vote count exceeds the number of ballots actually cast by, again, 4,592 votes.

I also wish to set up a meeting with you to review our results, share with you the method by which we arrived at them, and to suggest additional steps that might be taken to discover how the troubling discrepancy occurred. I'd like also to discuss further steps that might be taken to uncover and prevent election fraud and to protect election integrity in Montana.

To describe how the vote discrepancy was discovered, Missoula County residents Lyn Hellegaard, Jane Rectenwald and Quentin Rhoades, and a few others, have been working on election integrity issues in Missoula County for a number of years. Lyn is a former Missoula City Councilwoman. Jane was a member of the 2004 Local Government Study Commission which discovered significant problems. Quentin is an attorney who has represented various individuals (Gary Marbut, Lisa Triepke, Art Wittich) and organizations (*e.g.*, Montana Green Party, Republican Party, the Montana Shooting Sports Association, Montana Citizens for Right to Work) in various election related issues for many years.

They began meeting in October, 2020, to work on ways to insure election integrity in Missoula County, which has a long record of the kinds of anomalies in its elections as were seen in the last fall nationwide. In November, they approached me to discuss their efforts and to request that I join them in working on this issue. I gladly accepted their invitation.

We began brainstorming ways to test the integrity of the mail-in ballot system. The idea was conceived to count the ballot envelopes and compare the number with the number of votes counted. I retained Quentin to represent me formally in corresponding with Missoula Elections Administrator Bradley Seaman prior to the election. Quentin informed him I would be seeking access to the ballot envelopes, invoking Montana's version of the Freedom of Information Act. We wanted to give him plenty of notice so he would be especially aware of the need to keep careful records. Ultimately, after the election, acting on my behalf, Quentin's law firm did gain access to, and conducted a count and review of the Missoula County mail-in and absentee ballot envelopes from the November 3, 2020 general election.

Quentin, Lyn and a group of 19 volunteers from the local community conducted the count on January 4, 2021, at the Missoula County Fairgrounds. To record the count, the team used blank spreadsheets supplied to them by the Missoula county election office. The sheets themselves had been specifically designed for vote recounts in past elections as opposed to envelope counting. But they worked very well for the purpose of accurately counting and recording the number of mail-in envelopes that were found. Election office staff secured a very large room of about 3,000 square feet at the Missoula County fairgrounds for the purpose. They set up ten long tables for the volunteers' use. Each table had only two chairs for counters, so as to maintain social distancing. They had 20 volunteer counters, led by Lyn. Quentin oversaw the effort but did not do any of the counting. Also present was Election Administrator Bradley Seaman and members of his staff.

In the center of the room were sealed boxes of all envelopes received by the election office during the November 2020 election. Election office staff brought the boxes to the counting tables and unsealed them. Inside, the envelopes were bound into packets. Volunteers then counted all packets in the boxes, recording individual numbers of envelopes in each packet. When the two counters at the table had counted all packets, the election staff would bring a new box and re-seal the finished box and take it away. The counters kept track of their counts on the above-described recount sheets.

The process of counting some 68,000 envelopes took about five hours. Lyn then took the count spreadsheets from the volunteers and tallied the total number of envelopes with

an adding machine, preserving the tapes for future reference and further audit. The originals have been scanned for easy distribution to interested parties and the press, and the originals are in the custody of Quentin's law firm.

Ultimately, their findings were as follows: In Missoula, County, there were 72,491 mail-in and absentee ballots cast in the November 3, 2020 general election. But there exists a mere 67,899 ballot envelopes—a gap of 4,592 or 6.33% - of the total. This may be an underestimate of the gap as County Election employees told us that some envelopes may have been double counted. It is also important to note that many people voted in person in Missoula County. Election Administrator Seaman, however, told Quentin that these people were all given absentee ballots, with the result being that every single ballot had an identical envelope, whether the voter voted in person, by mail, or by dropping ballots into collection boxes.

A random additional count was done on a subsample of 15,455 envelopes. Of these envelopes, 55 did not have dates and 53 did not have their signatures checked.

Further, it was noted that dozens of ballot envelopes had identical signatures, but the Missoula County Elections Office would not allow pictures to be taken of these envelope signatures, so no systematic count was made of this problem.

Finally, Election Administrator Seaman (who, incidentally, was highly cooperative with Lyn, Quentin and their requests), made an unsolicited offer to provide access to video of the counting activities from the 2020 election. When Quentin made a formal request for them, however, the troubling discovery was made that the video footage had disappeared.

Our team believes a number of additional tasks need to be undertaken. Most obviously, the ballots themselves need to be inspected and counted, which may require a court order. The signatures on the mail-in envelopes need to be carefully analyzed by a professional questioned documents examiner. We need a list of the voters, including the ballot stub number, who cast ballots in the 2020 Missoula County general election. These can be compared, for example, against lists of out-of-state and foreign students from the University of Montana and Missoula College, who are not eligible to vote in Missoula County. Voided ballots should be included in the total number of ballots used and the reconciliation of ballots should be addressed. Additional documentation needs to be secured from the Missoula County Election Office, to include:

1. A copy of the original order for the ballots, to show how many were ordered from the ballot vendor
2. Copies of the packing slips from when they arrived, which can be used to determine how many were left over that were not used.
3. The original unused ballots.
4. A list of every voter in Missoula County and the stub number from their ballot. (As we understand it, when the election office gives out ballots, it records the stub number in the voter record. That way, the candidates can get a daily report of which ballots were sent out.)
5. The original ballot stubs.
6. Records, if any, of daily ballot balances. (Think of it like a cash draw that gets balanced daily.)

I hope you agree with me that the tremendous discrepancy the team uncovered between the number of ballots cast and votes counted in Missoula County is deeply troubling and bodes tremendously ill for the future of our great State. I would like to arrange for you to meet with me, Lyn, Jane, and Quentin to discuss what we found and to explore ways your office could either assist in or even pick-up the investigation from here.

Thank you for taking the time to consider this issue. Please contact me at your convenience to discuss any immediate question you may have and to see if we can arrange a meeting.

Respectfully,

Rep. Brad Tschida

HD - 97 Missoula/Lolo/Alberton