

YORK COUNTY BOARD OF COMMISSIONERS

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ASSISTANT SOLICITOR
DONALD L. REIHART

September 1, 2021

Email Only: records@americanoversight.org

Zachery Morris on behalf of
American Oversight
1030 15th Street NW, Suite B255
Washington, DC 20005

Re: Docket No. 21-0217 --Date of Original Docketing: 7/26/2021

Dear Mr. Morris:

As you are aware, the County of York invoked its right to an additional thirty (30) days to respond to your Open Records Request requesting the following information:

All records reflecting communications (including emails, email attachments, text messages, messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp), telephone call logs, calendar invitations, calendar entries, meeting notices, meeting agendas, informational material, draft legislation, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or other materials) sent or received by Commissioners Ron Smith and/or Julie Wheeler regarding attempts by the Pennsylvania legislature or its agents to conduct inquiries or investigations into York County's November 2020 elections, including but not limited to Senator Doug Mastriano's December 2020 request to conduct a "voluntary forensic examination of the general election."....

Please provide all responsive records from November 3, 2020, through February 28, 2021.

Based upon the information in your request, the County perform a search and have located documents that may be responsive to your request which are attached.

Please also note, part of your request was not sufficiently specific to determine what exactly was being requested. The purpose of the Right-To-Know law is to promote access to official governmental information in order to prohibit secrets, scrutinize the actions of public officials, and make public officials accountable for their actions. In pertinent part, Section 703 of the Act provides that a request for records "should identify or describe the records sought with sufficient specificity to enable the agency to ascertain which records are being requested." The specificity of a request must be construed in the request's context, rather than envisioning everything the

September 1, 2021

Zachery Morris

Page 2

request might conceivably encompass. With that in mind, your request is partially denied pursuant to 65 P.S. §67.703 because it is overly broad in the scope of documents sought.

Portions of your request that ask for “communications with other York County Officials”, “communications with other Pennsylvania officials”, “communications regarding any allegations of fraud: and “communications regarding the implications of examinations or their findings ...” is overbroad, vague and is unable to be used to determine the documents you are requesting. Despite this fact, some documents from executive members of the County and other legislative members were located and reviewed and have been provided here.

It is important to note that the documents were limited by the dates provided of November 20, 2020, through February 28, 2021.

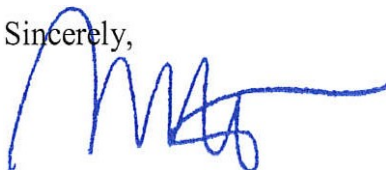
Please be advised that where your requests docketed at 21-0215, 21-0216, 21-0217 and 21-0218 have requested duplicative items, they will not be provided again with each request.

Additionally, please be advised that with regard to personal identification information, such as email addresses, phone numbers and/or addresses of third parties, that information has been redacted pursuant to 65 P.S. §67.708(b)(6)(i)(A). Additionally, based upon the conversion of the original message to a .pdf document, some of the information was further redacted from the converted documents, which was imbedded as a result of the conversion and did not exist in the original communication, that information was also redacted.

Pursuant to the Office of Open Records’ final Decision in *Jenkins vs. Pa. Dep’t of State*, OOR Dkt. AP 2009-065, it should be noted that: “It is not a denial of access when an agency does not possess records and [there is no] legal obligation to obtain them (see e.g. Section 67.506(d)(1)).”

You have the right to appeal the denial of any information, if applicable, in writing to Office of Open Records, 333 Market Street, 16th Floor, Harrisburg, PA 17101-2234. Your appeal must be filed with the Office of Open Records within fifteen (15) business day of the date of this letter.

Sincerely,



Michéllle Pokrifka, Esquire

MP/acp

Attachments

[REDACTED]

From: Moyer-Schwille, Kelley [REDACTED]
Sent: Wednesday, July 21, 2021 2:06 PM
To: Pokrifka, Miche'lle
Subject: RE: Correspondence of July 14, 2021
Attachments: Senator Mastriano letter 7.14.2021.pdf

CAUTION: External email!

Hello Ms. Pokrifka

With regard to your email below and the attached.
Senator Mastriano's staff is currently in the process of reviewing and will get back with you as soon as possible.
Thank you very much for your patience.

Kelley Moyer-Schwille
Assistant to Senator Doug Mastriano

From: Pokrifka, Miche'lle <MPokrifka@YorkCountyPA.gov>
Sent: Wednesday, July 21, 2021 1:25 PM
To: Moyer-Schwille, Kelley [REDACTED]
Subject: RE: Correspondence of July 14, 2021

Ⓞ CAUTION : External Email Ⓞ

Ms. Moyer-Schwille:

The Commissioners of York County have asked me to reach out to Senator Mastriano's Office to ask when we can expect a reply to our correspondence.

Any information you can share regarding this matter would be appreciated?

Thank you,

Michèle Pokrifka, Esquire
Solicitor for York County

Solicitor's Office
York County Administrative Center

28 East Market Street
2nd Floor
York, Pennsylvania 17401
Phone: (717) 771-4777
Fax: (717) 771-4341
mpokrifka@yorkcountypa.gov

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[REDACTED]

From: Pokrifka, Miche'lle <MPokrifka@YorkCountyPA.gov>
Sent: Wednesday, July 14, 2021 2:35 PM
To: 'dmastriano@pasen.gov'
Cc: [REDACTED] 'vdegraffenreid@pasen.gov'; [REDACTED]
[REDACTED] Wheeler, Julie L.; Hoke, Doug; Smith, Ronald E.; Pokrifka, Miche'lle
Subject: Correspondence of July 14, 2021
Attachments: Senator Mastriano letter 7.14.2021.pdf

Senator Mastriano:

Attached please find a response from the York County Commissioners to you correspondence of July 7, 2021.

Please confirm your receipt of this correspondence.

Thank you.

Michèle Pokrifka, Esquire
Solicitor for York County

Solicitor's Office
York County Administrative Center
28 East Market Street
2nd Floor
York, Pennsylvania 17401
Phone: (717) 771-4777
Fax: (717) 771-4341
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[REDACTED]

From: [REDACTED]
Sent: Friday, February 5, 2021 2:10 PM
To: Wheeler, Julie L.
Subject: Rep Smucker - Building Confidence in Elections - for Submission to YDR.docx
Attachments: Rep Smucker - Building Confidence in Elections - for Submission to YDR.docx

CAUTION: External email!

Hi Commissioner,

Great article the other day! I wanted to share with you a submission we are making to the York papers. Here is our press release on Lloyd's bill that we referenced. <https://smucker.house.gov/media/press-releases/rep-smucker-mcclain-introduce-voter-confidence-act>

Have a great weekend!

[REDACTED]



For Exclusive Submission to: York Daily Record

Building Confidence in Elections

by Rep. Lloyd Smucker, representing Pennsylvania's 11th District including Lancaster and parts of York County

Every American deserves to be confident that our elections are secure and that all eligible votes are counted efficiently and in a transparent manner. On the morning of January 7, 2021, I stood up for the voters in my congressional district who, like me, had concerns about the unconstitutional, last-minute changes made to the election in Pennsylvania.

My concerns, and ultimately my objection to accepting Pennsylvania's presidential electors, are not about fraud, but rather the unconstitutional measures taken by unelected bureaucrats and partisan justices in the Commonwealth of Pennsylvania which have caused millions of our state's voters to question the election. The [state constitution](#) makes it very clear that only the state legislature can make changes to election law; not the Secretary of State nor the State Supreme Court. And make no mistake, Pennsylvania Democrats and media outlets are purposefully conflating claims of 'fraud' and claims that they abused their roles and mismanaged the election. They are not the same.

The most egregious example is the undisputed fact that guidance on the "curing" of ballots from outgoing Pennsylvania Secretary of State Kathy Boockvar resulted in [unequal treatment](#) of voters from counties across the Commonwealth. Voters in Lancaster County could have had their mail-in ballot dismissed if it was not submitted following the letter of the law. However, [in other counties](#), voters were contacted [by political party representatives or county elections officials](#) to correct these errors. The disparate treatment of voters in the same state violates the Equal Protection Clause of the United States Constitution. Two [cases remain](#) before the United States Supreme Court on these issues. How would Democrats have responded if this happened under a Republican gubernatorial administration?

The media takes their bias even further by equating the raising of objections regarding the constitutionality of the disparate treatment of voters from my home state to sedition, the latest charge adopted to malign and silence those with legitimate concerns. That claim is patently false. The objections I raised and the process by which these objections were considered are established [by law](#). Some claim that my actions were unconstitutional, which is also patently false.

There was no media outrage at the objection to Ohio's electoral votes [being challenged in 2005](#) or at the [9 attempts of House Democrats](#) to challenge states President Trump won in the 2016

presidential election. The selective hysteria is a well-coordinated and hypocritical attack to malign and discredit Republicans.

My vote to reject Pennsylvania's electors was unrelated to the abhorrent events that occurred the evening before. These actions were despicable, I condemn them in the strongest terms possible and hope those perpetrators are brought to justice. It is extremely disappointing that individuals were fed false claims and were led to believe that the election outcome could have changed. There was never a chance of that happening. However, the actions by extremists on January 6th did not change the constitutional questions about the administration of the election in Pennsylvania.

We must move forward as a nation and build confidence of voters from all political party affiliations in our electoral process.

We cannot, every four years, have tens of millions of individuals doubt the outcome of a presidential election. I fear that part of the distrust with the process in Pennsylvania is the sheer smug incredulity of Boockvar, who despite [confirming the need](#) for changes to Pennsylvania's election laws, has called legislative hearings to review her actions "[charades](#)".

This is inexcusable at a time when [recent polling](#) suggests nearly half of Pennsylvanian voters are not fully confident in the results. Now that Gov. Wolf has the ability to nominate a new secretary, [after Boockvar's resignation](#), he should nominate someone who is dedicated to rebuilding trust.

Reestablishing voter confidence should not be a partisan exercise and I will do my part to ensure that it is not. To that end, I have introduced [legislation](#), the Voter Confidence Act, to establish a bipartisan and bicameral commission to review the practices and policies of federal, state and local election officials and the impact they had on the security and integrity of the election. The COVID-19 pandemic also unquestionably impacted election administration last year. This commission would share best practices for administering elections during pandemics or other national emergencies, ensuring security of mail-in or absentee ballots, and bolstering confidence in the integrity of future elections.

Rep. Lloyd Smucker represents Pennsylvania's 11th Congressional District and serves on the House Committee on Ways and Means.

###

[REDACTED]

From: Smith, Ronald E.
Sent: Friday, November 20, 2020 2:53 PM
To: Mike Jones
Cc: [REDACTED]
Subject: Fwd: Voter Fraud Request
Attachments: 93rd District List of Potentially Fraudulent Votes GE 2020.docx; SURE VOTER DATA.PDF

Mike
FY!!!
RON

From: "Pokrifka, Miche'lle"
Sent: Friday, November 20, 2020 1:56 PM
To: "Smith, Ronald E."
CC: "Ulrich, Steven F." , "Mendoza, Anne S."
Subject: Voter Fraud Request

Commissioner Smith,
The Elections Director, Asst. Director and I looked into each of these voter profiles. I have attached notes after each of the voter names to indicate when they last voted in York which conflicts with the dates provided in the info from RepNet. We checked our voter records along with estate filings and obituaries across the country. I have also attached redacted SURE system information (redacted to exclude SS, DRL and Voter ID number which we do not disclose) which provides the most updated election information on these individuals. We also added to that document info as to when they last voted at the poll or AP. You will see that these dates, the AP dates also conflict with the RepNet dates. It would seem that this RepNet database, that I have never heard of, has incorrect information on nearly all of the voter profiles that were provided. Although some voter information is correct the activity date in RepNet was incorrect the majority of the time and does not appear to have been updated with voter information from the general of 2018 through the present.

All of these voters are current registered and active voters in York County.

Michèle Pokrifka, Esquire
County of York Solicitor
Administrative Building
Solicitors Office
28 East Market Street, Second Floor
York, PA 17401
717-771-4777

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Puleo, Agatha

From: PA Senator Jay Costa <costa@pasenate.com>
Sent: Thursday, July 8, 2021 8:45 AM
To: Wheeler, Julie L.
Subject: Letter from Senator Jay Costa & Members of Senate Intergovernmental Operations Committee
Attachments: Intergovt members letter 7.8.21 - York.pdf

Importance: High

CAUTION: External email!

Dear Commissioner Wheeler,

Please see the attached letter.

Thank you,
Senator Jay Costa
Democratic Leader
Senate District 43

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Subject: Call with Doug Mastriano's Office
Location: Conference call 717-[REDACTED]

Start: Thu 12/31/2020 11:00 AM
End: Thu 12/31/2020 11:30 AM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Wendt, Lisa A.
Required Attendees: Wheeler, Julie L.; Hoke, Doug; Smith, Ronald E.; Pokrifka, Miche'lle

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33RD SENATORIAL DISTRICT

- SENATE BOX 203033
HARRISBURG, PA 17120-3033
PHONE: 717-787-4651
FAX: 717-772-2753
- 37 SOUTH MAIN STREET, SUITE 200
CHAMBERSBURG, PA 17201
PHONE: 717-264-6100
FAX: 717-264-3652
- 16-A DEATRICK DRIVE
GETTYSBURG, PA 17325
PHONE: 717-334-4169
FAX: 717-334-5911
- 118 CARLISLE STREET, SUITE 309
HANOVER, PA 17331
PHONE: 717-632-1153
FAX: 717-632-1183



DOUG MASTRIANO
SENATOR

COMMITTEES

INTERGOVERNMENTAL OPERATIONS
CHAIR

AGRICULTURE & RURAL AFFAIRS
VICE CHAIR

GAME & FISHERIES

STATE GOVERNMENT

TRANSPORTATION

VETERANS AFFAIRS & EMERGENCY
PREPAREDNESS

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December 28, 2020

Commissioner Julie Wheeler, President
York County Commissioners
York County Administrative Center
28 East Market St.
York, PA 17401

Dear President Commissioner Wheeler:

I respectfully request the County of York to allow the Allied Security Cooperation Group to conduct a voluntary forensic audit of the voting machines utilized during the 2020 general election.

As you might be aware, the Senate of Pennsylvania has formed a bipartisan committee that is exploring electoral integrity issues, such as security, accuracy and uniformity. The committee is vetting these issues statewide.

Your county's help in this matter would be appreciated.

Please do not hesitate to contact me, if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Doug Mastriano".

Senator Doug Mastriano
33rd Senate District

DM/dz/kms



Senate Committee on Intergovernmental Operations

Senator Doug Mastriano

Chair

Senate Box 203033 • Harrisburg, PA 17120-3033 • (717) 787-4651 • www.senatormastriano.com

TO: President Commissioner Julie Wheeler
York County Administrative Center, 2nd floor
28 E. Market St.
York, PA 17401

CC: Steven F. Ulrich, Director, Board of Elections
Veronica Degraffenreid, Acting Secretary, Department of State

FROM: Senator Doug Mastriano

DATE: July 7, 2021

SUBJECT: Request for Information Pertaining to the 2020 General Election and 2021 Primary Election

President Commissioner Wheeler,

A combination of legislative updates to the election code, the COVID-19 pandemic, actions by our Secretary of State in October and November, and late decisions by the Supreme Court of Pennsylvania presented unprecedented challenges and substantive changes to our Commonwealth's election process in 2020. These factors combined to cause a great burden on counties and county officials during the general election cycle.

Additionally, this was the first election in Pennsylvania with "mass" mail-in voting. In 2020, there were 2.7 million ballots cast by mail and absentee compared to about 263,000 absentee ballots cast in 2016. Many of these ballots were counted at offsite locations with limited outside observation or oversight. Furthermore, mail ballots without signature verification were permitted to be counted across the Commonwealth.

The damage to the integrity and confidence in our election process will not be undone with the passing of time. I believe the only way to restore confidence in our Commonwealth's election process is to undertake a forensic investigation of the election results. By doing this, faith in our election system will be restored.

The case for a forensic investigation of election results is well-defined.

In the weeks leading up to the election, the Pennsylvania Department of State repeatedly altered the manner in which Pennsylvania's election was conducted. The constantly changing guidance delivered to counties contradicted Election Code language that the department is obligated to uphold. Those who voted in person were held to a higher standard than those who mailed in their ballots. Signatures required for mail-in ballots were rendered meaningless as the PA Supreme Court ruled that ballots could not be rejected based on an analysis of the voter's signature.

On September 17th, the PA Supreme Court ruled that counties had to count ballots received up to three days after Election Day.

A week before the election, the Department of State told the U.S. Supreme Court that ballots received after 8 p.m. on November 3 would be segregated. But the department changed the rules two days before the election and directed counties to canvass those ballots as soon as possible upon receipt. The U.S. Supreme Court had to eventually step in and order the counties to segregate the ballots.

Just hours before the polls opened on November 3, the department changed the rules again by providing last-second guidance on how to help voters whose mail-in or absentee ballots were incorrectly completed. The late release of this "guidance" resulted in inconsistent application across the Commonwealth. Some counties contacted voters as directed and while others did not. There was no basis for that guidance in current or case law.

The fundamental changes to the manner and conduct of the election undermined the faith of our citizens. A January poll from Muhlenberg University showed that 40% of Pennsylvania voters are not confident that the final results of the 2020 Election accurately reflected how Pennsylvanians voted. It is critical to the health of our Republic for people to trust in the election system.

Election process problems were not limited to 2020. During the May Primary, multiple poll locations ran out of their supply of ballots. This occurred even though counties are required to print at least 10% more ballots than the highest number of votes cast in any of the previous three municipal primary elections. In some precincts, voting machines improperly labeled the headers of Republican ballots as Democrat while the GOP races still appeared. In one county, a "printing issue" caused both Democratic and Republican ballots to be rejected. These errors occurred in a lower-turnout election, where mistakes should be least likely to occur.

The Intergovernmental Operations Committee is a standing committee of the Pennsylvania State Senate with oversight and investigatory responsibilities regarding activities relating to or conducted between two or more governments or levels of government, including the administration of elections across the Commonwealth.

As set forth in Pennsylvania Senate Rule 14 (d), each standing committee is empowered with the authority to inspect and investigate the books, records, papers, documents, data, operation, and physical plant of any public agency in this Commonwealth, including county boards of elections.

As the Chair of the Intergovernmental Operations Committee and in accordance with the Pennsylvania Constitution and the rules of the Senate of Pennsylvania, I request the items outlined in "Exhibit A" as part of the Committee's investigative authority.

The items requested by this committee are sufficiently specific and the items sought are reasonably relevant to its investigation of the 2020 General Election and 2021 Primary.

The Supreme Court of Pennsylvania has consistently recognized that the legislative branch's "power to investigate is an essential corollary of the power to legislate. The scope of this power of inquiry extends to every proper subject of legislative action." (Carcaci v. Brandamore)

Further, as stated in McGinley v. Scott, "The right to investigate in order to acquire factual knowledge concerning particular subjects which will, or may, aid the legislators in their efforts to determine if, or in what manner, they should exercise their powers, is an inherent right of a legislative body."

A thorough investigation is necessary for the General Assembly to adequately consider future legislation to reform and amend Pennsylvania's Election Code. This includes, but is not limited to; in-person voting, mail

ballot voting, absentee ballot voting, voter registration, voter identification, ballot collection facilities, inspection rights during the canvassing of ballots, election machine security, mail and absentee ballot security, information technologies, infrastructure and controls, and election integrity.

I request that you provide, and permit inspection, testing, or sampling of the items identified in the attached "Exhibit A" to the Intergovernmental Operations Committee.

In addition, please instruct all employees of the Board of Elections to cooperate and, if requested, participate, under the direction of the Intergovernmental Operations Committee, or its designees, in the inspection, testing, or sampling of the items.

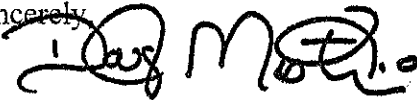
Please respond declaring that the Board of Elections will plan to comply with the Senate Intergovernmental Operations Committee's request by **July 31, 2021** with a proposed timeline regarding inspection, testing, or sampling of items.

A subpoena may be issued if a plan to comply with the requests of this letter and Exhibit A is not presented to the Intergovernmental Operations Committee within the stated period of time. The Intergovernmental Operations Committee is open to considering any requests that you may have to facilitate transport and maintain the security of responsive materials.

A forensic investigation of our election results and processes for the 2020 General Election and 2021 Primary will go a long way toward restoring trust and support in our system. Voting is the bedrock of American virtue and the most fundamental right of all citizens. We should continually look for ways to improve the voting process to ensure our elections are secure and accurate.

I look forward to your response and full cooperation in assisting the Intergovernmental Operations Committee to review and improve Pennsylvania's election process.

Sincerely,



Doug Mastriano
State Senator, 33rd District
Chair, Intergovernmental Operations

Exhibit A

Pertaining to the November 2020 General Election and May 2021 Primary, the Intergovernmental Operations Committee requests access to the following books, letters, or other documentary evidence from your county for the purpose of forensic analysis:

1. All ballot production, processing, and tabulation equipment from satellite election offices and any other location used to count votes.
2. The software and bootable media, hardware tokens (security keys) for the equipment described in item #1, and the election management system that was used.
3. Forensic images of all election equipment:
 - Servers – Election management server, file servers, network servers, dial-up servers, or any other server utilized for the processing or storage of election results or data required to run an election.
 - Tabulators – high speed and normal speed
 - Ballot marking devices – including accessibility, or for normal voting
 - Desktops & laptops – Utilized within the Election Management System for any purpose including but not limited to: EMS Client, adjudication, registration, creation of ballots or designs, processing results, uploading results or anything similar
 - Signature matching and ballot sorting equipment
 - Switches, routers or other network equipment – This includes normal networking equipment as well as any specialized systems such as Intrusion Detection Systems, Firewalls, Intrusion Prevention Systems or similar
4. Forensic images of all removable media (including, but not limited to USB thumb drives, external hard drives, backup tape cassettes, memory cards, PCMCIA cards, Compact Flash, CD/DVD or similar) used as part of the election process or to load software, configuration, or programming.
5. Forensics images of the firmware of any device associated with the election that does not have a hard drive; including any tooling required to extract that firmware, if applicable.
6. Forensic images of all SIM cards used for wireless 3G/4G LTE/5G communications.
7. Forensics on all machines utilized for absentee ballot processing to include:
 - All logs from the system
 - Backups of the system
 - Offsite cloud storage associated with the system
 - Media used to transfer data (USB drives, compact flash, external hard drives)
8. Logs from all routers, switches, firewalls, IDS, IPS or similar devices. This includes, but is not limited to:
 - Netflows (or equivalent)
 - DHCP logs
 - Access logs
 - VPN logs
 - PPP logs
 - RDP logs
 - Splunk logs

- Any remote administration tool logs

9. Logs from all computer systems, servers, desktops, laptops, or similar including but not limited that was used in the design, management, and running of the election:

- Windows Event logs
- Access logs
- Firewall logs
- IDS / IPS / Malware / Virus Scan Logs
- Database logs
- All logs generated from applications associated in any way with the election

10. Logs from all EMS Server(s), EMS Clients, tabulators, ballot marking devices, ballot on demand printers, scanners, voting systems, or other election equipment including, but not limited to:

- Error logs
- Access logs
- Debug output
- Audit logs
- Administrator logs

11. Election Log Files XML, EML, JSON, DVD and XSLT other election files and logs for:

- Tabulators
- Result pair resolution
- Result files
- Provisional votes
- RTM logs
- SQL database files and logs
- Signature checking & sorting machine

12. List of all IP addresses utilized at any location where election equipment was utilized during the entire election period. This includes the time from when the election equipment was ready to receive a cast ballot to when the certified results were officially published. This shall include, but is not limited to:

- IP addresses of any cellular modems utilized by voting equipment
- IP addresses of any routers utilized at any location where votes were cast, counted, tallied, or reported
- IP addresses of any dial-up connections utilized
- IP addresses of any computers utilized to process, send or upload election results

13. Access or control of ALL routers, tabulators or combinations thereof (some routers are inside the tabulator case) in order to gain access to all the system logs.

14. Election Settings:

- Ranked profiles and entire change history of audit trail logs
- Ranked contests and entire change history audit trail logs
- Rejected ballots report by reason code
- All configuration files utilized to control the election

15. Accounts and Tokens:

- Username & Passwords (Applications, Operation Systems, Routers, Switches, Firewalls, etc)
- File and/or Harddrive Encryption Passwords or keys (Bitlocker, Veracrypt, Etc)
- Security Tokens (iButton, Yubikey, SmartCard, Etc)

16. ES&S Express VoteXL Specific:

- All Paper Vote Summary Cards

- All USB Flash Drives

17. Voter Rolls:

- Database of voter rolls
- Forensic Image of computer/device used to work with voter rolls
- Copy of media device used to transfer voter rolls

18. Records required from the voting system- Daily and cumulative voter records for those who voted with sufficient definition to determine:

- Voter's name and Registered Voting address
- Address for correspondence (mailing address)
- D.O.B.
- Voter ID number
- How Voted (mail, in-person early, in person Election Day)
- Where Voted (if applicable)
- Date voted (if applicable)
- Party affiliation (if recorded)
- Ballot by mail Request Date
- Ballot by mail sent date
- Ballot by mail voted date (if applicable)
- Ballot cancelled date (if applicable)
- RAW, HTML, XHTML and SVG files (Ballot Images)

19. Access needed to physically and forensically examine all date and time-stamped paper ballots as required:

- Voter Tally Paper Rolls, Test Ballots, Ballot Test Matrix

20. Paper samples from all ballot paper utilized during the 2020 election cycle.

21. All ballots cast or attempted to cast during the 2020 General Election. This includes, but is not limited to:

- Mail in and absentee ballots
- Provisional Ballots
- Early Voting Ballots
- Accessibility Ballots
- Spoiled Ballots
- UOCAVA ballots
- Election Day Ballots

22. All request forms for mail ballots and absentee ballots.

23. All envelopes for mail in and absentee ballots.

24. All reports detailing all ballots that were rejected prior to election day and the process to contact the voter to cure the ballot.

25. All cartridges from all voting machines and scanners.

26. All affidavits for assistance.

27. All envelopes of requested ballots that were returned as undeliverable.

28. All training materials used to train County Employees including temporary employees, Judges of Election, Inspectors, Clerks, and all persons who staffed the satellite voting offices.

29. All duplicated ballots and all logs that would allow the duplicate to be compared to the original.
30. Chain of custody records and procedures for all ballots from the start of the election through the current date.
31. All pollbooks from all precincts, wards, and divisions.
32. All supplemental pollbooks from all precincts, wards and divisions.
33. A list of all voters who cast an absentee or mail ballot and voted on the machines at the polls on Election Day.
34. All contracts and agreements between any vendor or contractor that supplies voting equipment of any type, software utilized in the election process, ballot paper, election design support, election equipment support, or election support. This includes, but is not limited to contracts dealing with:
 - Ballot Marking Devices, Tabulators, Election Management Systems, or similar
 - Election Design Software, Tabulation Software, Voting Registration Software, Duplication Software, Adjudication Software, Signature Verification Software, or anything similar related to the election
 - Ballot Paper, Printing Services, Mailing Services, Scanning Services, Address Validation Services
 - Election Design Services, Election Equipment Repair, Election Equipment Service, Election Processing, or other Election support services
 - Internet service provider, cellular service provider
35. Timeline (1 month prior to the election to 1 month after the election) for each location that utilized a piece of election equipment that includes:
 - Who accessed the equipment (the organization they represent and their position in the organization), on what date, for what purpose, what electronic media was used, and what records were kept
 - Any tests that were performed during the access of the equipment (voters on election day are not to be included)
36. A complete end-to-end election setup for use in a laboratory:
 - This would include all the equipment necessary to simulate an election and recreate the precise scenarios of election day in 2020
 - Central Server, tabulators (high speed and normal), poll pads, etc
 - This specifically includes all of the passwords, security tokens, physical keys, key fobs, etc., needed to use each piece of equipment
 - Instruction manuals on how to use the end-to-end setup
 - Duplicate copy of election tabulator bootable media for multiple selected locations
 - Ballots used in the locations selected
37. All precincts return sheets with the paper tapes:
 - Any return sheets that were unusable, needed to be recreated, or fixed in somehow should also be included with their notes (front and back)
38. Dates/times of the technicians/people of LAT testing that had access to election equipment.
39. Dates/times of software updates on election computers and servers.
40. Dates/times of certification of the equipment (servers, election computers, election hardware devices).
41. Details of all CTCL related activities, included but not limited to:

- Equipment purchased by CTCL
- Number and locations of drop boxes installed
- List of resources CTCL had access to, including voter rolls or other data

42. Details and data surrounding the SURE system including:

- A full copy of the database holding all records and change records in the SURE system
- A copy of all logs showing all changes to the voter rolls as well as the username, name, IP address, or other details of the individual making the change
- A list of individuals and organizations with access to the SURE system and any of its Application Programming Interfaces
- Manuals and programmer documentation for interfacing with the SURE system

43. List of where the clerk stores all election equipment and data along with list of individuals that have access to these areas.

44. Information related to voting system design, architecture, and configuration.

45. Information pertaining to cybersecurity protocols and settings put into place.



8 July 2021

President Commissioner Julie Wheeler
York County Administrative Center, 2nd Floor
28 E. Market Street
York, PA 17401

Dear Commissioner Wheeler:

It has come to our attention that Senator Doug Mastriano intends to use his position as Chairman of the Intergovernmental Operations Committee to request election materials from Philadelphia (and two other counties) to conduct a “forensic investigation” of the 2020 General and 2021 Primary election.

This action is inappropriate for a variety of reasons and as a result, we are of the opinion that you should not comply with this request.

First, election oversight is outside of the authority of the Intergovernmental Operations Committee. That committee was established in the 2011-12 legislative session with the sole authority, in Senate practice, of oversight of the Regulatory Review Act. Elections and Department of State activity has always fallen under the purview of the State Government Committee, of which Senator Mastriano is not the chairman.

Second, even if it were within the jurisdiction of this committee (that we, the undersigned, are the Democratic members of) it is not within his sole discretion to compel you to provide the materials requested in his letter. Under Senate Rule 14(d)(3), it takes an act of the full committee to issue a subpoena, not a simple request of a chairperson. To proceed with a subpoena, he must be granted the authority of the committee – requiring a publicly advertised hearing and vote of its members. This has not yet happened, though he is using his chairmanship to begin his requests to counties.

Further, if a subpoena is ultimately issued by an act of the committee, we continue to question the jurisdiction of this committee to issue one in this scenario or for one to be issued for the specific materials that have been requested.

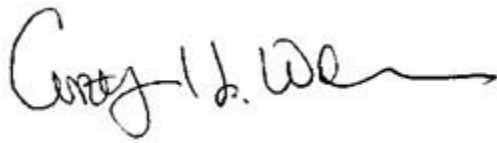
Yet another audit would be redundant and a waste of taxpayer dollars. The 2020 election has been audited and reviewed extensively. The results of the 2020 election have been

challenged in the courtrooms of 86 judges and upheld initially in 85 of them; the 86th was ultimately decided against former President Trump as well.

The Pennsylvania Department of State has also already completed statistical sampling as required in Title 25 and a risk limiting audit. To conduct yet another review with Pennsylvania taxpayer dollars is an insult to our stewardship of those resources.

Please contact us with any questions about our opinion on the authority of the Senate in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony H. Williams". The signature is fluid and cursive, with a long horizontal flourish at the end.

Senator Anthony H. Williams
Democratic Whip
Democratic Chair, Intergovernmental Operations Committee

A handwritten signature in black ink, appearing to read "Jay Costa". The signature is bold and cursive, with a large initial "J" and a long horizontal flourish.

Senate Democratic Leader Jay Costa
Member, Intergovernmental Operations Committee

A handwritten signature in black ink, appearing to read "Vincent Hughes". The signature is cursive and somewhat stylized, with a long horizontal flourish at the bottom.

Senator Vincent Hughes
Member, Intergovernmental Operations Committee

A handwritten signature in black ink, appearing to read "Steve Santarsiero". The signature is cursive and somewhat stylized, with a long horizontal flourish at the bottom.

Senator Steve Santarsiero
Member, Intergovernmental Operations Committee

YORK COUNTY BOARD OF COMMISSIONERS

COMMISSIONERS
JULIE WHEELER, PRESIDENT
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ADMINISTRATOR/CHIEF CLERK
MARK E. DERR

SOLICITOR
MICHÈLLE POKRIFKA

YORK COUNTY ADMINISTRATIVE CENTER
28 E. Market Street, York, PA 17401

SENT BY EMAIL AND FACSIMILE

January 4, 2021

Senator Doug Matriano
118 Carlisle Street, Suite 309
Hanover, PA 17331

RE: Forensic Audit Request

Senator Matriano:

Thank you for taking the time to speak with the York County Commissioners regarding your request for the forensic audit of the election equipment and mail in ballots. We appreciate that a representative from Wake Technology Services was able to join the call to address some of the logistical issues related to the audit request.

At this time although the majority of the Commissioners have no objection to the audit request we believe that based upon the pending litigation matters that involve Dominion our involvement should be as a result of compliance with an issued subpoena which we discussed during the call.

Despite the fact that we did not have any equipment issues or anomalies during the election there is a possibility that we could be attached and be compelled to be involved in this litigation. The Board would like to avoid further expense regarding election litigation matters. As I am sure you are aware the recent cases that York County was compelled to be involved in resulted in significant expense for the taxpayers of the County.

Also, as stated during the phone conference we are in the middle of completing the risk limiting audit that was requested by the Department of State.

I would note that despite your assertion that if York County would voluntarily submit to your request to perform the independent audit it could avoid a request of the Bipartisan Committee when they reconvene in January. As standing committees have subpoena power we cannot be sure that the Committee would agree to forgo a further subpoenaed audit as a result of our

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January 4, 2021

voluntary compliance with your independent audit and would prefer to address all of the elections issues in one comprehensive audit.

As stated, the majority of our Board has no objection to the request but believe that having the issued subpoena to engage the audit provides a level of comfort to our Board to engage in this process.

Yours in service,


Julie Wheeler, President


Doug Hoke, Vice President


Ron Smith, Commissioner