

**In the Matter Of:**

**BOARD OF STATE CANVASSERS MEETING**

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**BUREAU OF ELECTIONS PUBLIC HEARING**

*August 16, 2024*

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STATE OF MICHIGAN  
BUREAU OF ELECTIONS

BOARD OF STATE CANVASSERS MEETING  
201 Townsend Street  
Lansing, Michigan  
August 16, 2024  
9:59 a.m.

RECORDED BY: Marcy A. Klingshirn, CER 6924  
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APPEARANCES: MR. ADAM FRACASSI - Elections Staff  
MS. ALESSA BOES - Elections Staff  
MS. JENNY MCINERNEY - Elections Staff

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1           Lansing, Michigan

2           Friday, August 16, 2024 - 9:59 a.m.

3           MS. BOES: Good morning. This hearing is being  
4 called to order at 10:00 a.m. on August 16th, 2024, at the  
5 Binsfield office building in Lansing, Michigan.

6           This hearing was published in three newspapers of  
7 general circulation. My name is Alessa Boes, and I will be  
8 facilitating the hearing today. Next to me is my colleague  
9 Jenny McInerney.

10           This is a public hearing on proposed  
11 administrative rules entitled "Electronic Voting Systems."  
12 This hearing is being conducted pursuant to sections 31,  
13 794c, and 797b of the Michigan Election Law. The purpose of  
14 the hearing today is to listen to public comment on the  
15 proposed administrative rules. Notice that public  
16 comment -- oh, note that public comment is still open and  
17 the Department will accept written public comments until  
18 5:00 p.m. today.

19           Please note that we are here today to receive your  
20 comments on the proposed rules. If you wish to speak,  
21 please make sure you've signed in -- is there anyone here  
22 who hasn't signed in? All right. Great. And indicated a  
23 willingness to speak. We will call on speakers in the order  
24 in which names are listed on the sign-in sheet. When you  
25 come forward to speak, please identify yourself with your

1 name, the organization you represent and both your mailing  
2 and e-mail address so that this information may be  
3 transcribed into the hearing report.

4 If you have additional comments to submit in  
5 writing, you may leave them at the registration desk or  
6 submit them to the Board no later than 5:00 p.m. today.  
7 Public comments will be limited to three minutes per person  
8 because the purpose of this hearing is to listen to public  
9 input related to the proposed rules. We will not answer  
10 questions. Again, if you -- if you have more comments than  
11 you can fit in, in your time to speak, you can e-mail them  
12 or leave them in at the desk. The e-mail is  
13 Elections-PublicComment@michigan.gov.

14 So with that I will call the first speaker. Looks  
15 like Sheree Ritchie. And, Sheree, if you could just flip on  
16 whatever microphone? There's a little button.

17 MS. SHEREE RITCHIE: Oh, either -- not the one in  
18 the middle? Okay.

19 MS. BOES: Yeah.

20 MS. SHEREE RITCHIE: Okay.

21 SHEREE RITCHIE

22 MS. SHEREE RITCHIE: Good morning. My name is  
23 Sheree Ritchie and I am here representing several groups;  
24 Pure Integrity Michigan Elections, Michigan Fair Elections,  
25 Stand Up Michigan, The Freedom Alliance, and Mid-Michigan

1 Women for Conservative Values, all of which I would like to  
2 emphasize represent several hundred thousand voters  
3 throughout the state of Michigan.

4 I'm here today on behalf of an individual in our  
5 organization who worked early voting days for the primary  
6 election. She worked on Saturday, July 27th and Wednesday,  
7 July 31st. And the experience that she had on those days  
8 were that the first thing in the morning on those two days  
9 the -- the statewide electronic poll book crashed, was  
10 unavailable so the polls could not begin functioning. And  
11 here are some notes that she submitted to her clerk upon  
12 review and feedback.

13 EPB outages Saturday and Wednesday. This is the  
14 elephant in the room. And this -- I'm saying "I," but it's  
15 not myself. This is on behalf of my colleague. I  
16 experienced -- this is the elephant in the room. I  
17 experienced these two outages, have heard and read about  
18 this in the press, and heard that there was a 'fix' as in  
19 correction or repair.

20 However, whenever voting equipment is tied to the  
21 Internet, there are serious security risks. Citizens are  
22 concerned with due cause that our early voting processes are  
23 dependent on CrowdStrike and real time Internet connection  
24 and data transfer. I have also heard of recent EPB outages  
25 due to CrowdStrike in other states, Ohio and Arizona. This

1 should raise alarm bells with everyone, particularly our  
2 election officials, whom we trust and rely on for the safe  
3 and secure administration of our elections.

4 The seriousness of Internet-connected  
5 vulnerabilities coupled with the recent CrowdStrike national  
6 issues, I believe warrant an independent investigation into  
7 the causes and remedies to ensure safe and secure elections  
8 and we are hopeful that you will agree.

9 MS. BOES: Okay. Thank you for your -- if you're  
10 finished? Okay. Go ahead.

11 MS. SHEREE RITCHIE: I will submit a written  
12 comment as well --

13 MS. BOES: Absolutely.

14 MS. SHEREE RITCHIE: -- to the e-mail address and  
15 I will provide the locations where this was reported.

16 MS. BOES: Excellent.

17 MS. SHEREE RITCHIE: Thank you.

18 MS. BOES: Thank you for your comment. All right.  
19 The next person on the list who has indicated they would  
20 like to speak is Patrick Colbeck.

21 MR. PATRICK COLBECK: Here's a copy of the report,  
22 here, plus a copy of this.

23 MS. BOES: Thank you.

24 MR. PATRICK COLBECK: And will be sent  
25 electronically as well.



1 MS. MCINERNEY: Thanks.

2 MS. BOES: Okay. Great.

3 PATRICK COLBECK

4 MR. PATRICK COLBECK: Ms. Boes, my name is Patrick  
5 Colbeck. I'm a former Michigan state senator. I represent  
6 in this capacity the group Michigan Grassroots Alliance of  
7 which I'm president. During my second term in the Michigan  
8 Senate I served as vice chair of the Senate Election to  
9 Government Reform Committee. And prior to my service in the  
10 Michigan Senate I successfully risk-based engineering  
11 management career supplemented by certification of the  
12 Microsoft Small Business Specialist.

13 During the 2020 election I served as a certified  
14 poll challenger at the TCF Center in Detroit. So in short,  
15 I have a unique blend of experience with Michigan Election  
16 Law and election practices, coupled with a professional  
17 experience in -- with information technology.

18 So upon receiving notice of the proposed rules for  
19 electronic voting systems, which are the topic of discussion  
20 for this hearing, I proceeded to conduct a thorough review  
21 of the proposed rules which I have documented in the 126-  
22 page document that you have in your possession. My review  
23 evaluated the compliance of the proposed rules with the  
24 Michigan constitution, with current Michigan Compiled Law,  
25 and United States Code.

1           In addition to evaluating compliance with the  
2 proposed rules with the existing law, I evaluated the  
3 proposed rules for any gaps that need to be filled in order  
4 to ensure the accuracy and integrity of our election which  
5 is required by our Michigan constitution. During my public  
6 testimony I'll proceed to provide a summary of my findings.

7           Finding number one. The proposed rule set for  
8 electronic voting systems have insufficient scope and rigor  
9 to ensure the accuracy and integrity of our elections as  
10 required by our Michigan constitution. Finding number two.  
11 The proposed rules appear to be biased towards diminishing  
12 the rights of voters and local election officials in favor  
13 of increased control of elections and election records by  
14 the Michigan Department of State. Once again, our Michigan  
15 constitution requires that all voting rights be liberally  
16 construed in favor of voter rights in order to effectuate  
17 its purpose.

18           And finding number three. The Michigan Department  
19 of State appears to be engaged in deliberate and reputed  
20 abuse of the rule-making process to subvert the integrity of  
21 our elections.

22           In support of finding number one regarding  
23 insufficient rigor, I'd like to point out that in a rule set  
24 that's supposedly specific to electronic voting systems,  
25 there is notably zero mention of best practices regarding

1 security protocols for electronic systems. There's notably  
2 zero reference to secured digital record transfer for  
3 systems designed to connect to the Internet.

4           There are rules pertaining only to the use of two  
5 components to the electronic voting system: hand fed  
6 polling location tabulators and voter accessible devices.  
7 The rule set ignores any usage guidance for batch fed  
8 tabulators, electronic poll books, adjudication equipment,  
9 vote tally equipment, networking equipment and election  
10 night reporting. The requirements for end-to-end system  
11 testing replicating how this critical infrastructure  
12 performs on election night is prefaced with the words "if  
13 practical." Yet there seems to be an inexplicable focus  
14 upon the security of physical records, not digital records,  
15 in this -- in this rule set for electronic voting systems.

16           MS. BOES: Your -- your three minutes are up.

17           MR. PATRICK COLBECK: Okay.

18           MS. BOES: But we do have your written comments  
19 and you are welcome to submit additional comments to our  
20 e-mail address by 5:00 p.m.

21           MR. PATRICK COLBECK: Okay. I encourage you to  
22 look through that rule set because there's a lot of effort  
23 put into it and if they are adopted the way that they're  
24 proposed, we have a reasonable assurance of securing this  
25 upcoming election. But without them, as a -- as an IT

1 professional there's no way in heck we're going to be able  
2 to trust the election results.

3 MS. BOES: Thank you for your comments. The next  
4 person on the list indicating they wish to speak is Jim  
5 DeSana. I apologize if I pronounced your name wrong.

6 MR. JIM DESANA: DeSana, close enough.

7 MS. BOES: DeSana. Thank you.

8 JIM DESANA

9 MR. JIM DESANA: Good morning.

10 MS. BOES: Good morning.

11 MR. JIM DESANA: I'm State Rep Jim DeSana and --

12 MS. BOES: Oh, microphone.

13 MR. JIM DESANA: Am I on now?

14 MS. BOES: No. There's a -- a little button.

15 There you go.

16 MR. JIM DESANA: Thank you. Again, I'm State Rep  
17 Jim DeSana representing Monroe County and Wayne County. And  
18 I'm here to voice my concerns about electronic rules and the  
19 current rules that we have and whether we're following those  
20 rules.

21 I've spoken to both my Monroe County clerk and a  
22 representative in my township of Ash, and I want to relate  
23 to you an incident that happened on primary election day ten  
24 days ago in Ash Township. A voter came in and presented  
25 themselves to vote and they had no proof of residency, they

1 were not in the QVF, but they were told by the Secretary of  
2 State that they could vote -- a representative at the  
3 Secretary of State. They, again, they had no proof of  
4 residency other than stickers on their driver's license  
5 which she did at the Secretary of State.

6 After stating that she spoke with somebody at the  
7 Secretary of State, she then was told that she could vote in  
8 Ash Township. They called the Secretary of State because  
9 they have rules that if you're under the 14 days you have to  
10 go back and vote in your prior jurisdiction. So after a  
11 call to Dave Tarrant at the Secretary of State's Office  
12 which took over 25 minutes to complete on the election day,  
13 Mr. Tarrant instructed the assistant clerk to go through the  
14 back door and qualify her in the QVF, which is against the  
15 rules stated both by the Monroe County clerk and by the Ash  
16 Township clerk.

17 So my question is we're instituting more rules and  
18 we're not following the rules that we currently have in  
19 place. And this could have been a very innocent thing.  
20 This person had no malicious intent. She was just not  
21 eligible to vote by the rules that you currently have. And  
22 the question that my Monroe County clerk had was if these  
23 are the rules that we're supposed to follow, why are we not  
24 following them and why would Mr. Tarrant not have called and  
25 said, "Oh, I got a call from a voter and she can -- she can

1 vote just based on the stickers on her driver's license" or  
2 just based on her driver's license. She had no other proof  
3 of residency, nothing else other than the stickers which is  
4 not allowed under the current rules, so that -- I want to  
5 really reemphasize.

6 I think we've got a lot of issues here with our  
7 election system of people not doing their job properly and  
8 when somebody tries to do their job properly as we do in  
9 Monroe County, they're told by the Secretary of State go  
10 through the back door, trick the system, put this person in  
11 the Qualified Voter File, let her vote without knowing  
12 possibly that she could have voted in her prior jurisdiction  
13 in Bay City and come into Ash Township and voted again. I  
14 have grave concerns with those rules and how they're played  
15 out with our local clerks and I believe that we are making  
16 it very difficult for our local clerks to conduct an  
17 election. Thank you.

18 MS. BOES: Thank you. The list I have in front of  
19 me does not indicate anyone else wishing to speak. Is there  
20 anyone here that would like to speak? Okay, sir. Could you  
21 please sign in and --

22 MR. DAVID HOWELL: I am signed in.

23 MS. BOES: Oh.

24 UNIDENTIFIED SPEAKER: David Howell.

25 MR. BOES: I'm sorry. What's your name?

1 MR. DAVID HOWELL: David Howell.

2 MS. BOES: Oh, okay. I -- I apologize. I just  
3 overlooked that. Thank you. Mr. Howell, you may please  
4 come up.

5 MR. DAVID HOWELL: I'm in the medical field which  
6 is known for bad handwriting, so ...

7 MS. BOES: That was completely my fault.

8 DAVID HOWELL

9 MR. DAVID HOWELL: My name is David Howell. I'm  
10 representing Michigan Fair Elections and Pure Integrity for  
11 Michigan Elections. My e-mail is Dbems9howell@comcast.net.  
12 And my address is 9487 Guinea Road in Grand Ledge, Michigan.

13 The reason that I'm here is I'm here in support of  
14 all of the findings that Senator Colbeck noted in his  
15 written report and -- and his investigation that he just  
16 turned in to you. Among other things he pointed out that  
17 there were some shortcomings with the electronic poll book.  
18 And the electronic poll book is a derivative of the  
19 Qualified Voter File.

20 And from my viewpoint the greatest shortcoming of  
21 the, of the QVF is what's known as the cancellation  
22 countdown list. You get placed on the cancellation  
23 countdown list if you don't vote over a two federal election  
24 cycle, upon death, upon notice from another state that a  
25 person has obtained a driver's license in another state, and

1 upon notice from the U.S. Postal Service that a person has  
2 permanently changed their address.

3 A person can remain on the -- on the countdown  
4 list for two federal election cycles, which is between four  
5 to six years depending on when you're placed on the list.  
6 The vulnerability is that the people on the countdown list  
7 for the most part would have no inkling or any idea  
8 whatsoever if someone who has access to the QVF cancellation  
9 countdown list completed an absentee ballot application in  
10 their name because the -- on the QVF you can obtain a  
11 person's name, address, Social Security number, driver's  
12 license number and that's all you need for the application.

13 And it's a particular problem when people on  
14 the -- when people sign up for the permanent absentee ballot  
15 list because if you're a student at -- if you're a senior at  
16 Michigan State and you sign up for the permanent absentee  
17 ballot list, you graduate and you move, your absentee ballot  
18 is going to be sent to -- to your last known mailing  
19 address. And there are over 10,500 graduates a year from  
20 Michigan State University.

21 My question would be what happens to all those  
22 ballots that are out there? And that's a major  
23 vulnerability and there's the potential there to -- to  
24 compromise our election system.

25 MS. BOES: Mr. Howell, that is your time.



1 MR. DAVID HOWELL: Thank you.

2 MS. BOES: But you are welcome to send additional  
3 comments to our e-mail by 5:00 p.m. today. Thank you.

4 Are there any other people who wish to speak at  
5 this time? If there are no further comments, I hereby  
6 declare the meeting closed. Any additional comments  
7 regarding the proposed rules that you may wish to share may  
8 be submitted in writing to the Bureau of Elections, PO Box  
9 20126, Lansing, Michigan 48901, or by e-mail to  
10 Elections-PublicComment@michigan.gov. The record will  
11 remain open until 5:00 p.m. The current time is 10:17 a.m.  
12 Thank you for coming.

13 (Proceeding concluded at 10:17 a.m.)

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CERTIFICATE

I, Marcy A. Klingshirn, a Certified Electronic Recorder and Notary Public within and for the State of Michigan, do hereby certify:

That this transcript, consisting of 16 pages, is a complete, true, and correct record given in this meeting on August 16th, 2024.

I further certify that I am not related to any of the parties to this action by blood or marriage; and that I am not interested in the outcome of this matter, financial or otherwise.

IN WITNESS THEREOF, I have hereunto set my hand this 29th day of August, 2024.

*Marcy A. Klingshirn*

Marcy A. Klingshirn, CER 6924  
Notary Public, State of Michigan  
County of Eaton  
My commission expires: March 30, 2029

		4:17	<b>allowed</b>	<b>begin</b>
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