

April 5, 2022

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

RE: 2020 General Election – Missoula County Voting Irregularities

Greetings,

My client, Brad Tschida, is a founding member of the Missoula County Election Integrity Project (The Integrity Project). Recall that we sent you an investigative report on October 19, 2021, detailing a large body of evidence and identifying an array of potential violation of Montana election law. To add to the growing body of evidence, enclosed please find an affidavit signed under oath by Lyn Hellegaard. It is offered in support of the Integrity Project's call for an investigation of election irregularities in Missoula County Montana.

On Wednesday March 30, 2022, the Missoula County Republicans circulated an email to their membership reporting that a count of "Affirmation Envelopes from the 2020 election that were contained in 33 numbered boxes." This represents a discrepancy of two additional numbered boxes of affirmation envelopes as compared to a count made by the Missoula County Election Integrity Project (the Integrity Project) on January 4, 2021.

On January 4, 2021, the Election Office produced 31 sealed boxes of affirmation envelopes to the Integrity Project pursuant to a request made under Montana "right to know" law. The County had an obligation to and claimed that it did produce all the boxes of affirmation envelopes it had in its custody per Montana election regulations. The Integrity Project's January 4, 2021, count revealed that the County Election Office had tallied 4,592 more votes than the number of envelopes it received in the all mail-in election. The troubling result raised concerns over the integrity of the 2020 vote count. In an affidavit, Lyn Hellegaard, who served as the supervisor of the Integrity Project team of citizen volunteers who counted the signature envelopes on January 4, 2021, states that election officials produced 31 boxes of envelopes for the January 4, 2021 count.

In a count commissioned by the Missoula County Republicans and conducted on March 28–29, 2022, by County Election Office staff. The Election Office produced a total of 33 numbered boxes of affirmation envelopes two more than the County produced on January 4, 2021. The March 2022 count resulted in 71 fewer envelopes than votes tallied, while the January 2021 count resulted in 4,592 fewer envelopes than votes tallied.

The two additional boxes of envelopes produced on March 28 explain the difference of 4,521 between the two counts. The Integrity Project can only speculate about the origins of the County’s additional and unexplained “two extra boxes” of affirmation envelopes.

The Election Office’s early destruction of the video logs from the 2020 General Election make this discrepancy even more egregious. After County Election Administrator Bradley Seaman made the Integrity Project aware of the video logs, on December 22, 2020, 42 days after election day, Integrity Project legal counsel asked in writing to view the election day video. County IT staff informed Seaman in an email he forwarded to the Integrity Project on January 26, 2021, that the video had been deleted before it had been requested. The deletion of the video violated Missoula County regulations requiring all video records to be preserved for at least 60 days, as well as the Federal law requiring all election records to be maintained for 22 months.

If the video had not been destroyed, it could easily resolve the question of the number of affirmation envelope boxes that were filled on election day.

The additional two boxes of affirmation envelopes materializing for the second count could mean only one of two things, neither of them reassuring. It could mean that the Election Office is merely incompetent and lost track of the two boxes. If this is the case, a written chain of custody should exist in County records to establish when the lost boxes disappeared and when and where they were found. The Election Office should, at the very least, release the chain of custody to the public.

The other alternative is that in the 15 months since January 4, 2021, two extra boxes of counterfeit envelopes were generated deliberately by wrongdoers. The latter alternative could explain why in the recent count, the Election Office required citizen observers to sit at least six feet away – too far away to see the signatures or dates on the affirmation envelopes. This revelation calls the Missoula County Election Office into deeper question than before.

Secretary Jacobson

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In sum, it is incumbent upon your office to investigate the Missoula County Election Office errors as the public continues to have deep seated concerns about the 2020 election.

Thank you for your attention to this matter. Please contact me if you have any questions or need for additional evidence.

RHOADES & ERICKSON PLLC

A handwritten signature in blue ink, appearing to read "Quentin M. Rhoades", is written over a light blue rectangular background.

Quentin M. Rhoades

QMR/llm

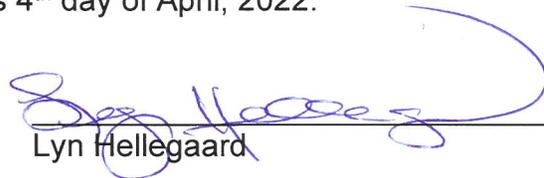
cc: Client

18. I counted the original tally sheets twice and came up with a total of 63 sheets. 60 sheets from the "regular" envelope boxes and 3 tally sheets from the "special box." I requested the receptionist at Rhoades & Erickson, PLLC, count the tally sheets to confirm my counts were accurate. She confirmed that she had counted a total of 63 tally sheets. This would mean there were 31 boxes of affirmation envelopes provided at the January 4, 2021, count.

19. In sum, on January 4, 2021, the County Election Office provided the MCEIP with two boxes of affirmation envelopes **fewer** than were counted by the County in March of 2022. The source of the additional box of envelopes produced and counted this March is not known.

FURTHER AFFIANT SAYETH NOT.

DATED this 4th day of April, 2022.


Lyn Hellegaard

STATE OF MONTANA)
 : ss
County of Missoula)

This instrument was acknowledged before me on the 4th day of April, 2022, by
Lyn Hellegaard.


Notary Public for the State of Montana

