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JUL 14 2022

**ELECTIONS
CO SECRETARY OF STATE**

VIA OVERNIGHT DELIVERY & EMAIL

Jena Griswold
Colorado Secretary of State
1700 Broadway, Suite 550
Denver, CO 80290

Secretary Griswold,

Pursuant to CRS § 1-10.5-106 (2), as a certified candidate for the Office of Secretary of State of Colorado, this letter constitutes my notarized written request for a recount of the Republican primary race for that office held on June 28, 2022 (the “June 2022 primary”). I am also requesting that all Cast Vote Records (CVR), ballot dropbox records including video surveillance, all records pertaining to signature verification, all records and reports related to voter registration and voting history, and all electronic voting system logs specified in the 2002 Voting System Standards mandated by CRS Title 1, Article 5, Part 6 be provided to canvassing boards as part of the recount process pursuant to e.g. CRS § 1-10.5-107 (3).

I have reasons to believe extensive malfeasance occurred in the June 2022 primary, and that the apparent outcome of this election does not reflect the will of Colorado voters not only for myself but also for many other America First statewide and local primary candidates. Not only did I take almost 61% of the delegate vote at the GOP state assembly, I also took the highest position in the GOP poll at 47%, and won every straw poll where I spoke by wide margins. As detailed in a post-election article by Emerald Robinson: *Something Stinks in Colorado: How did an unknown candidate [Michael O'Donnell] with no following and no money tie with Tina Peters in a GOP primary?*¹

The following three issues underpin this request:

- (1) Three weeks before the primary, the Cybersecurity and Infrastructure Security Agency (“CISA”) announced nine security vulnerabilities in Dominion Voting Systems, Inc. (“Dominion”) machines, undetected by Voting System Testing Lab certification testing or state acceptance and Logic & Accuracy testing, that could be used to steal or alter votes, and the Colorado Secretary State’s Office apparently took no remedial action despite CISA’s warnings.**

On June 3, 2022, CISA issued an advisory warning identifying nine critical security vulnerabilities (more appropriately termed “security failures”) in the Dominion ImageCast X devices (and attached components) used in sixteen states, including Colorado.² CISA issued its warning in direct response to the findings of a recognized computer science expert, Dr. J. Alex

¹ <https://emeralddb3.substack.com/p/something-stinks-in-colorado>

² <https://www.cisa.gov/uscert/ics/advisories/icsa-22-154-01>

Halderman, who had twelve weeks to examine this voting system. Prior to CISA's warning, Dr. Halderman filed multiple sworn declarations in a federal court in Georgia attesting to the fact that: (1) these security failures could be exploited to steal or alter votes while evading all known safety procedures such as logic and accuracy tests and risk-limiting audits; (2) Dominion ignored Dr. Halderman's requests to meet in order to seek a remedy for these security failures; and (3) it would take many months for Dominion to try to fix these security failures and obtain Election Assistance Commission (EAC) and state-level approvals for such changes. CISA's June 3, 2022 advisory warning also identified thirteen defensive measures, none of which appear to have been undertaken in Colorado prior to the June 28, 2022 primary. Indeed, consistent with my request for a recount, CISA recommended, among other things, that officials **“[c]onduct rigorous post-election tabulation audits of the human-readable portions of physical ballots and paper records, to include reviewing ballot chain of custody and conducting voter/ballot reconciliation procedures.”** (Emphasis added).

Notably, none of the security failures CISA identified were detected through any prior certification or testing process. Colorado has specific statutes governing the use of electronic voting machines which appear to have been violated by the aforementioned acts. For example, CRS § 1-5-601.5 requires all voting systems and voting equipment meet the voting systems standards that were promulgated in 2002 by the Federal Election Commission (the “VSS”). CRS § 1-5-615(1)(l) states that “[t]he secretary of state shall not certify any electronic or electromechanical voting system unless such system . . . [c]ounts votes correctly.” CRS § 1-7-512(1)(e) states that “[a] voting system provider . . . shall . . . [n]otify the secretary of state and the designated election official of any political subdivision using its voting system of any defect in the same system known to occur anywhere.” CRS § 1-13-107 states that “any public officer, election official, or other person upon whom any duty is imposed by this code who violates, neglects, or fails to perform such duty...is guilty of a misdemeanor...”

CISA's advisory warning also states that other versions of related Dominion software such as Dominion's recently installed ICX/D-Suite 5.13 used in the June 28, 2022 primary were not tested to determine if these security failures are present.³ The presence of these security failures identified in CISA's advisory warning in the Dominion ICX machines would either directly prevent ICX/D-Suite 5.13 compliance with VSS standards including paragraphs 2.2.1, Security; 2.2.11, Data Retention; 4.2.2, Software Integrity; 6.2.1.2, Individual Access Privileges; 6.4.1, Software and Firmware Installation; 6.4.2, Protection Against Malicious Software, or would directly violate CRS § 1-5-615, because there is no evidence your office conducted such testing as would be required to determine whether the vulnerabilities are present on D-Suite 5.13, thereby rendering the compliance status of the Dominion ICX machines as unknowable or indeterminate.

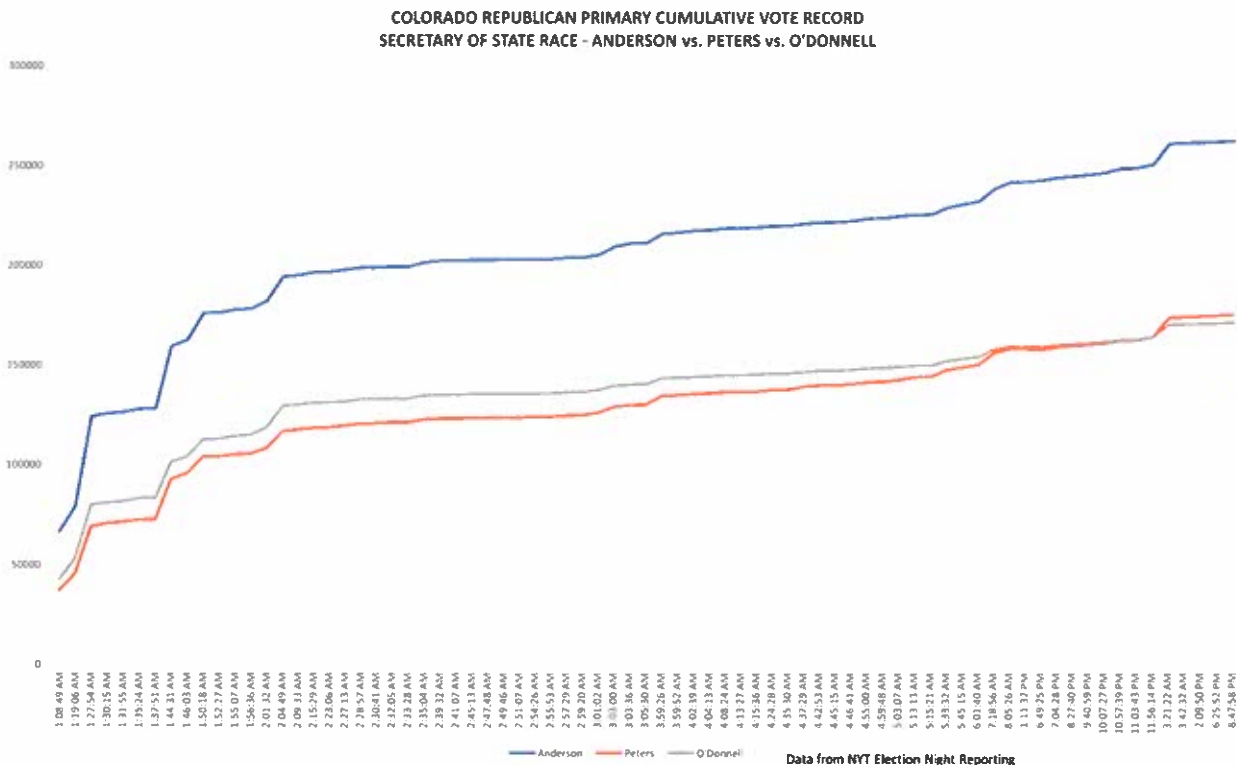
CISA's advisory provides credence to findings referenced in Mesa County Report #3, co-authored by Jeff O'Donnell and Dr. Walter C. Daugherty, that the unauthorized ballot manipulation meticulously evidenced in Report #3 was plausibly caused by a rogue software

³ Although CISA states they have “no evidence that these vulnerabilities have been exploited in any election,” there is no indication that CISA ever looked for any such evidence. Furthermore, your directed configuration and trusted build processes have systematically destroyed the election records, in the form of audit trail-critical log files, which would be necessary for any investigation.

process running within the Election Management Server during the November 2020 general election and April 2021 Grand Junction municipal election.⁴ The security vulnerabilities identified by CISA, along with your failure to ensure these electronic voting systems were compliant with Colorado law, by itself warrants a recount and an independent forensic audit of Dominion machines employed in the June 2022 primary.

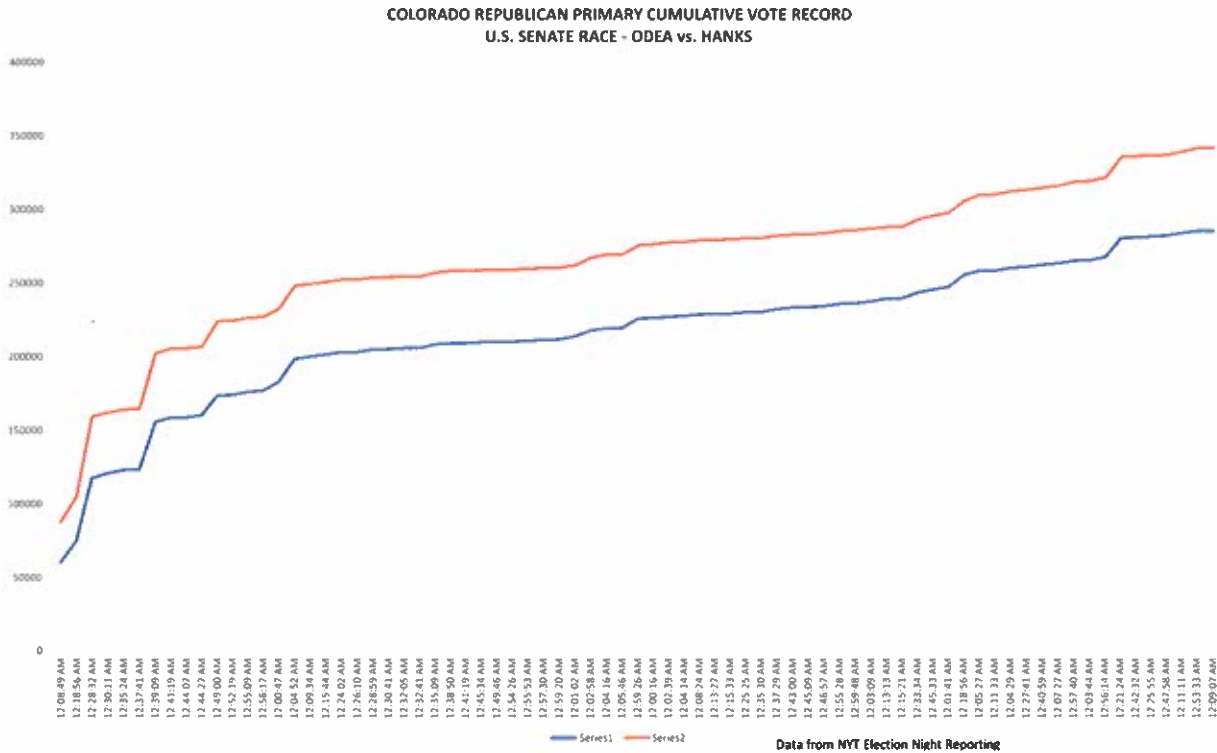
(2) The Primary race for Secretary of State and United States Senate shows an unnatural pattern of vote processing.

Election results taken from the New York Times feed between June 28, 2022 and July 2, 2022 continuously updated and reported for Secretary of State and United States Senate June 2022 primaries each show an unnatural near perfect correlation between the respective candidates after the first three updates. Indeed, the candidates' tabulation results in each race have a correlation value (termed R-squared) exceeding .99 (1.0 being a perfect correlation). This near perfect correlation remains after the first three updates regardless of where or when votes were tabulated and uploaded. Such a near identical correlation strongly suggests vote tallies are being artificially controlled as shown in the chart below tracking the cumulative votes at each update for candidate Anderson (blue), candidate Peters (orange) and candidate O'Donnell (gray).



⁴ <https://useipdotus.files.wordpress.com/2022/03/mesa-3-report.pdf>

Similarly, the chart for primary race for United States Senate between candidate Odea (in orange) and candidate Hanks (in blue) shows that after the initial three updates, the relative difference in the vote totals between the two candidates remains virtually unchanged after the first three updates.

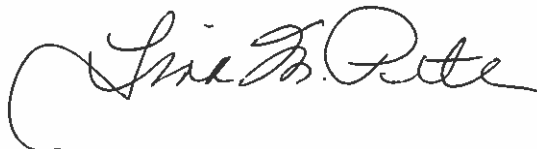


(3) Colorado’s Voter Registration System (SCORE) is not adequately maintained to ensure legitimate voters are receiving mail-in ballots.

As you are aware, Colorado sent out over three million mail-in ballots in connection with the June 2022 primary. According to the National Change of Address (NCOA) database, 67,006 voters filed a permanent change of residential address out of their county of record with the post office prior to May 1, 2022, but according to your records still received a mail-in ballot for the county of record—44,130 voters filed a permanent change of residential address out of Colorado and the remaining 22,876 filed a permanent change of residential address out of their county, but still reside within Colorado. Facts like these indicate material deficiencies in your oversight of SCORE that raise serious concerns about the integrity of elections in Colorado and your compliance with statutory federal requirements under 52 U.S.C. 21083(a)(3) and (4).

In conclusion, CRS § 1-10.5-106 (2) requires you to notify the political subdivisions of this request no later than one day after receipt of this request. The political subdivisions will determine the cost of the recount and send that cost estimate to you within one day, which you will then aggregate. To be clear, CRS § 1-10.5-106 (2) does not permit you to determine the cost of the recount. I look forward to your timely response.

Tina M. Peters



Certified Candidate for the Office of
Colorado Secretary of State
PO Box 128
Grand Junction, CO 81502

State of ~~Colorado~~ Nevada

County of Clark

Subscribed to and sworn before me by Tina M. Peters
this the 12th day of July 2022.

Laurince Lovelife, Notary Public
Signature

Laurince Lovelife, Notary Public
Printed Name

My Commission Expires: Oct. 26, 2022

[Affix Notarial Seal Here]

