

Lynn DeRoche
Name
1922 2nd Ave N
Address
Great Falls, MT 59401
City State Zip Code
406-799-4168
Phone Number
Email Address

CLERK OF DISTRICT COURT
MONTANA

2023 MAY 24 AM 10:10

FILED
BY Elizabeth Freeray

MONTANA JUDICIAL DISTRICT COURT, COUNTY

IN RE THE OF:
Initials of Minor Child(ren).
GFPL Board of Trustees
Petitioner,
and
Sandra Merchant
Respondent.

Cause No.: DV-23-222
Department No.

NOTICE OF FILING

The undersigned has attached for filing with the Court, the following:

Monitor - notes

Dated this 24th day of May, 2023.
(date) (month) (year)

Lynn DeRoche
(Your signature)

May 23, 2023, 10:00am

I came into the elections the office and was only greeted by Patrick Coley, and he asked if I was the monitor. I replied with yes and introduced myself as Lynn DeRoche. I got no greetings from Sandra or Dev.

I requested some reports from Sandra: copy of how many ballots were printed in each precinct, a copy of how many absentees' ballots were mailed in each precinct and a daily report of how many ballots were accepted. As of 3:00pm this afternoon I had not received any of these reports.

Dev Biddick waited on all voters that came into the elections office.

10:03am- Dev Biddick helping a voter. The voter (Michael Bloechl got permission to use his name) had come into the office to change his address from Missoula County to Cascade County. After he filled out his voter registration card Dev asked for ID, and he gave her his MT DL which is a picture ID. But she was also, requiring him to have a second piece of ID so, he had to look up his utility bill on phone. He eventually was given his absentee ballot.

10:24am- Husband & Wife (Everette & Carol Hall got permission to use their names) both can into the office to drop off their voted ballots but also, let Sandra know they also received one additional affirmation envelope in each of their ballot packets that belonged to another voter. I requested a copy of the affirmation envelopes that belong to Margaret Halko & Delynn Hall. Dev then addressed Sandra with the issue and to see how to deal with it. Dev, called the SOS was told she would need to contact these voters to see if they receive their ballots and if not then would need to work out a plan on how to get the ballots to the voters. As of 3:00pm this afternoon when I left the issue was still not addressed.

10:30am- Five voters had come into the office to drop off ballots and no election personnel was around to come to counter to help them.

10:36am-Voter (Lynn Stubbs got permission to use her name) came to get a replacement and no personnel were there to come to counter to help her.

10:47am-Voter came into the office to check her and husband's voter registration status and to see if their address was current since they had moved. Sandra did NOT explain it was late registration so, the lady had taken 2 voter registration forms with her and stated that she would put them in the mail. Now, she thinks she will receive ballots in the mail.

10:56am- Sandra and Rae had left the elections office for meeting and returned to back to the office around 1:00pm.

11:04am- I asked Dev Biddick when is the close of regular registration: May 5,2023 and when late registration begins: May 8th,2023.

11:19am-I asked Patrick when he is processing the mail and he comes across a ballot that has a mismatched signature how do they handle those. His response was he puts them off to the side and at the end of the day maybe Sandra or Dev will look at them to compare the signatures. As, of 3:00pm neither Sandra nor Dev had looked at the mismatched signatures.

11:38am-Rosalie Holliman (got permission to use her name) she stated she called the office yesterday (Monday May 22,2023) and talked to Dev about her and her husband not receiving their absentee ballots as, they were mailed to Georgia. She stated that she had the same issued with school election so, she had to go to Exhibition Hall at the fairgrounds to go vote and while she was there, they had updated their mailing address back to their Great Falls address. Dev looked her up in the system and that change was never made. The husband did not have his ID with him so, I had advised Dev that as, long as, he had anything with his name and current address that was a proper form of ID per MCA 13-13-114.

11:40am-Voter came into the election office as he and his wife received a call yesterday (Monday May 22,2023) and was told since they both signed the affirmation envelope and both ballots were in the one envelope that they could not count their ballots. So, both ballots were rejected and will not count.

11:46am-6 voters waiting at the counter waiting to be helped and no staff besides Dev in the office. Dev is on the phone and Pat had left the office.

11:52am-Martha Reeves (got permission to use her name) came into see why she has not received her absentee ballot in the mail. I asked Dev when her ballot was sent, and it was not mailed from the election's office until May 18,2023.

12:13pm-Pam Wiens (got permission to use her name) came into drop off her ballot but wanted to make sure it was ok since the affirmation envelope was ripped, she was told she needed a new affirmation, or her ballot would not count be rejected.

12:17pm-voter who is an election judge has not been contacted to work this election. She wanted to know when she would be contacted, and Dev took her name and number.

12:43pm-An elderly voter came into update her address and get an absentee ballot. She also, wanted to know what she needed to do to get her friend's address updated and make sure the friend received her ballot. Dev was unsure on how to assist on making sure the friend got the address updated and was able to receive a ballot. Sandra was still not back from her meeting so, Dev had no one to ask or assist her on this issue.

1:03pm-Voter came into the elections office and wanted to vote but was not given the option to pick up an absentee ballot only option to vote on election day June 6,2023.

1:07pm-Carol Robinson a volunteer came into the office wanted to why I was in the office and what are my job duties. I responded with she would need to speak to Sandra on this issue as, I was just monitoring the Library Election process. Sandra, at this time was back in her office and did not come out to address the issue.

2:43pm-Husband and wife voter came into the office to pick up a ballot as, they were going to be out of town due to some medical procedures. They wanted to know what they needed to do and was only given the option they had to sign-up to be on the absentee voter list in order to pick up a ballot. This is not true they can pick an absentee ballot and not be put on the absentee voter list.

2:55pm-Husband and wife voter came into the office to change their absentee mailing address as, they are snowbirds and are back in Great Falls for the summer. Their ballots were mailed on May 18,2023 to their AZ address.

3:02pm-Donovon Dennis a Uniformed and Overseas Voter called and was inquiring about his ballot. Dev was not able to assist him. So, she took his phone number and email address and gave the message to Sandra. I am not sure if this issue was resolved when I left at 3:15pm.

3:11pm- I asked Sandra if they would be working after hours and her response was that she would not be there after 5:00pm but was unsure if Pat or Dev would be working. So, I asked Pat, and he responded he would be processing ballots into the system, and he would work until 8:00pm or 9:00pm tonight and he would be the only one in the office.

3:15pm-I left the Elections Office.

2023 MAY 26 AM 9:45

FILED

K. Morris

MONTANA EIGHTH JUDICIAL DISTRICT COURT, CASCADE COUNTY

GREAT FALLS PUBLIC LIBRARY
BOARD OF TRUSTEES,

Petitioner,

vs.

SANDRA MERCHANT, in her official
capacity as CASCADE COUNTY CLERK
& RECORDER and CASCADE COUNTY,

Respondent.

Cause No.: DV-23-222
Hon. Brenda R. Gilbert

MONITOR'S REPORT

May 24, 2023, 10:15am

Present: I, Sandra, Dev Biddick, Pat Coley, Sveltiana Pinnoch (new election hire), Carol Robinson-volunteer at the ballot drop box

10:18am- Asked Sandra for the reports I requested, and she responded with she is working on them.

10:26am-Dev was working on cancelling out a deceased voter that the ballot sent back to the election office. I asked how the process was done but she stopped working on the issue after I had asked how the process worked.

10:51am- Robert Koostra (asked for permission to use his name) came into the office to see why he didn't receive his ballot when his daughter had already received hers. When I asked Robert permission to use his name and before I could explain why and what I was doing, Pat

Coley let him know why I was asking him his name and what I was doing and that he would have to be a witness in court when the judge sees the report. So, I went to Sandra and let her know what happened and that it was my place to let the voter know what I was doing. She did not respond to the issue. Pat then immediately got on the phone to the VA Clinic asking to talk to a lawyer as the Court appointed and that this issue was causing his PTSD to spike or flare up.

11:12am- Peter Russette (asked permission to use his name) came into the elections office with 6 ballots that were delivered to his address and the people are not residents at his address and he did not receive his Library ballot at his home address. He brought in his voter registration card to prove that he did live at the address. He said he changed his address in May 2022 and received his voter registration card in the mail in June. Sandra took the 6 ballots from him and said she would have to call the SOS to rectify the situation. She then looked up Peter in the voter database and told him he wasn't a registered voter at that address and proceeded to blame the previous administration and staff for this issue. He filled out a voter registration application to be a registered voter and he wanted to be on the absentee list and wanted to vote his ballot now. As of 2:15 pm don't know if the issue on the 6 ballots were resolved.

1:05pm- A newly registered voter came into to register, and Dev was assisting him. After Dev got him registered, she told him he would have to go to Exhibition Hall on election day June 6, 2023, to vote. She didn't explain to this voter the late registration process and he should have received an absentee ballot now since he is considered a late registrant.

2:15pm- As of this time I haven't received any reports that were requested on Tuesday May 23, 2023. Also, Sandra if they would be working after hours. She responded I would need to call the office before 5:00 pm.

4:47pm- I called the elections office and Dev answered and I asked if they would be working after hours. She put me on hold to ask Sandra and came back with Sandra would be there until 5:30 pm and Pat would be there until 6:30 pm.

8:23 pm- I was driving past the Annex (elections office located) and Pat Coley's vehicle was still in the parking lot and Julie Bass (election judge volunteer) were still working in the elections office!

EMAILED

Judge Gilbert
Raph Graybill

Lilla Lund
Nancy McCracken

2023 MAY 30 AM 9:54

FILED
BY K. MORRIS

MONTANA EIGHTH JUDICIAL DISTRICT COURT, CASCADE COUNTY

GREAT FALLS PUBLIC LIBRARY
BOARD OF TRUSTEES,

Petitioner,

vs.

SANDRA MERCHANT, in her official
capacity as CASCADE COUNTY CLERK
& RECORDER and CASCADE COUNTY,

Respondent.

Cause No.: DV-23-222
Hon. Brenda R. Gilbert

MONITORS REPORT

May 26, 2023 10:18am

Present: I, Pat Coley, Svetlana Pinocchi, Dev Biddick and Sandra Merchant

10:20am- I asked Sandra for the reports that I have requested. She finally had the information printed.

10:30am- Beth Cooper a volunteer for Ballot Box drop box.

10:38am- Voter came into get a ballot and was not an absentee voter. She also wanted to check her husband's status as, she thought, he was on the absentee list to receive his in the mail. Dev was hesitant to check his status as he was not present. She eventually checked his status, and he

was not on the absentee list. So, the wife took two absentee applications to be signed up for future elections and will go to the polls on election day to vote.

10:47am- Voter came in checking on wife's absentee status as she was in the hospital and not going to make it to the polls on election day. She was not on the absentee list. So, I asked Dev if I could make a suggestion. She immediately went to Sandra to let her know the issue and I wanted to make a suggestion. Sandra responded to Dev with if she had looked at the laws pertaining to absentee voters. Dev told her she didn't find anything in the law pertaining to this issue. I asked Sandra if I could make a suggestion and she said OK. I told them both in the law that with a voter being absentee from the polling place the voter could request a one-time ballot for this election. Also, on the Absentee Ballot Application there is a option on the bottom of the app to designate someone to pick up the ballot. This form is on the MT SOS's page. Dev gave the form to the elector and gave his instructions on how to fill it out and return and she would issue the ballot. He did return with the form and was issued the ballot for his wife.

10:58am- Gregg Rydquist (gave permission to use his name) came into the office and received two ballots in his absentee packet and his mother-in-law (Dorothy Pitcock) never received hers in the mail and she is on the absentee list. Pat told Gregg the system must have issued him two ballots. That's untrue as, the system cannot issue two ballots at the same time. Pat looked up Dorothy's name and her ballot came back as undeliverable and the address on her label is the correct address. I suggested the same information to Pat that he could give Gregg the Absentee Ballot Application and have Dorothy fill out the designated person option and Gregg could pick her ballot up for her. Gregg did come back with absentee application and picked up the ballot.

11:15am- Voter came into update his address and he does have a picture ID. Pat was asking him for a second form of ID. He shouldn't have to show a second form of ID if he has a picture ID. Pat had him fill out a voter registration card so he could update his address and he printed him a voter confirmation card but did not issue a ballot to him. He shouldn't have been able to print to the voter ID if the voter was registered correctly as a late registrant.

1:14pm- Voter came with hers and husband voter registration cards to update their mailing addresses as they both are to receive ballots in the mail. Pat looked them up in the system and it showed that both ballots were sent. He told her to come back on Tuesday May 30,2023 to get a ballot. Pat could have updated the wife's address and reissue her ballot but not the husband's as he needs to come in person with ID to receive his ballot.

2:55pm- Asked Sandra if they would be working after hours and she responded with no one is working this weekend.

EMAILED

Judge Gilbert
Raph Graybill
Lilla Lund
Nancy McCracken

CLERK OF DISTRICT COURT
CASCADE COUNTY

2023 JUN - T AM 8:14

FILED
BY *Elizabeth Freeray*

MONTANA EIGHTH JUDICIAL DISTRICT COURT, CASCADE COUNTY

GREAT FALLS PUBLIC LIBRARY
BOARD OF TRUSTEES,

Petitioner,

vs.

SANDRA MERCHANT, in her official
capacity as CASCADE COUNTY CLERK
& RECORDER and CASCADE COUNTY,

Respondent.

Cause No.: DV-23-222
Hon. Brenda R. Gilbert

MONITORS REPORT

May 31, 2023, 10:01am

10:34am- Voter dropped her ballot off and brought her husband's ballot back as a deceased voter. She stated this is the second time she had brought the ballot back and reported that her husband as a deceased voter. Pat asked her if she had the death certificate and if so, he would need a copy of it. She told she did and would need to run home and get it. After she had left, he asked me if that was the correct process. I responded with yes and no. I gave him the advice of he could have called over the Clerk & Recorder's office Birth & Death Dept and asked them to verify the date of death or he could have looked up the obituary in the Great Falls Tribune. He thanked me for the new information.

11:42am- Voter came into the office to see why she hasn't received her absentee in the mail. She stated to Dev that she had come into the office before this election and did an updated voter registration card to update her address and the lady that took her card told her she would get the address updated before the upcoming election. The voter refused to fill out a new card and was very upset and frustrated as she filled out the card in the office.

11:56am- I asked Sandra if the office would be open during the public test and if anyone would be in the office to issue ballots if voters came into to get a replacement ballot or late register. She responded with Jeremiah would be in the office, but no one will be issuing ballots. The only staff I have seen issue ballots are Dev and maybe Sandra if needed. The new employee Svetlana has not been trained to help at the front counter if a voter needs a replacement ballot or a late registrant comes in.

EMAILED

Judge Gilbert
Raph Graybill
Lilla Lund
Nancy MacCracken