

Monroe A. Miller, Jr.
2200 Camp Branch Road
Waynesville, NC 28786
May 21, 2021

Subject: Email Dialog with Pat Gannon, Public Information Director at NCSBE.

The following is a very short email dialog with **Pat Gannon**, Public Information Director (a.k.a. Spinmeister) at the North Carolina State Board of Elections. The general topic is the Telit secret modem embedded in the ES&S DS200 voting machines.

Here we go...

Subject: RE: [External] Re: Request for Public Information.

Date: Mon, 17 May 2021 16:55:22 +0000

From: Gannon, Patrick <Patrick.Gannon@ncsbe.gov>

To: Monroe Miller, Robert Inman <robert.inman@haywoodcountync.gov>, Cc: June Ray <jray@haywoodbuilders.com>, rlmclean3@aol.com <rlmclean3@aol.com>, Elizabeth Norris <endn@dost.us>, Howard Sorrells (sorrelpen@gmail.com) <sorrelpen@gmail.com>, Jeremy D. Fish <jeremy.fish@haywoodcountync.gov>, Ann Boyd <Ann.Boyd@haywoodcountync.gov>, Danny Davis (daviddanny@bellsouth.net) <daviddanny@bellsouth.net>

CC: Bell, Karen B <Karen.Bell@ncsbe.gov>, Tornow, Kelly <Kelly.Tornow@ncsbe.gov>, Love, Katelyn <Katelyn.Love@ncsbe.gov>

Mr. Miller,

The State Board does not permit members of the public to disassemble or otherwise manipulate certified voting equipment. This equipment is held to stringent Federal and state standards, and allowing the public to access equipment can violate those standards, as well as equipment warranties. Further, voting systems are to be stored in a location such that access is restricted only to county board of elections staff and the system cannot be tampered with (08 NCAC 04 .0306).

Thanks,

Pat

Patrick Gannon
Public Information Director
O: (919) 814-0765
M: (984) 204-0767

Subject: Request for Public Information.

Date: Wed, 19 May 2021 11:27:07 -0400

From: Monroe Miller

To: Patrick Gannon <Patrick.Gannon@ncsbe.gov>

CC: Karen Bell <Karen.Bell@ncsbe.gov>, Kelly Tornow <Kelly.Tornow@ncsbe.gov>, Katelyn Love <Katelyn.Love@ncsbe.gov>, George Cleveland <George.Cleveland@ncleg.gov>, Keith Kidwell <Keith.Kidwell@ncleg.net>, Jay N. DeLancy <jay@voterintegrityproject.com>, Robert Inman <robert.inman@haywoodcountync.gov>, June Ray <jray@haywoodbuilders.com>, Rusty McLean <rlmclean3@aol.com>, Howard Sorrells <sorrelpen@gmail.com>, Danny Davis <davidanny@bellsouth.net>, Jeremy D. Fish <jeremy.fish@haywoodcountync.gov>, Ann Boyd <Ann.Boyd@haywoodcountync.gov>, Elizabeth Norris <endn@dost.us>

Mr. Gannon,

I don't see any reference which backs up your statement as to why "the State Board does not permit members of the public to disassemble or otherwise manipulate certified voting equipment". All you sent me was 08 NCAC 04.0306, which addresses voting systems at the county level, not the State Board level.

08 NCAC 04 .0306 DUTIES OF CUSTODIANS OF VOTING SYSTEMS (a) The chair of the county board of elections shall be responsible for the safekeeping, storage, maintenance and care of the voting system. The voting system shall be stored in a location such that access is restricted to county board of elections staff and the system cannot be tampered with when not in use on election day. The county board of elections may appoint as many persons as determined necessary for the maintenance, storage and care of the voting system and for the preparation and testing of the voting system and delivery to the voting precincts preceding a primary or an election. Persons employed for this purpose shall be compensated for their services as authorized by the county board of elections. (b) On election day when the system is used for voting purposes and until the chair of the county board collects the system, the voting system shall be under the supervision and control of the chief judge unless the county board of elections authorizes another elections official to have supervision and control. History Note: Authority G.S. 163-23; 163-165.7; Temporary Adoption Eff. April 15, 2002; Eff. August 1, 2004; Readopted Eff. June 1, 2019

It would appear that all I received from you was a bunch of spin.

Please send me a reference, i.e., NCGS, Title code, minutes of the State Board meetings, anything, that backs up your statement, other than 08 NCAC 04.0306.

By the way, I never got a response from you after George Cleveland asked that I resent my original Request for Public Information to you - " If your information request was not fulfilled in Mr. Gannon's reply please inquire of him as to the remaining questions."

(Addressed to Karen Bell) • Did you know prior to the article cited in Mr. Delancy's post if you even knew that ES&S had designed as part of the DS200 line of products secret modem capability?

(Addressed to Karen Bell) • Can you direct Robert Inman and our local board of directors to have Jeremy Fish do a walk-through with me?

Thank you,

Monroe A. Miller, Jr.