



Hanks US Senate
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12July2022

Colorado Secretary of State
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VIA: USPS CERTIFIED MAIL &

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Secretary Griswold,

Pursuant to CRS § 1-10.5-106 (2), as a certified candidate for United States Senate, this letter constitutes my notarized written request for a recount of the Republican primary race for United States Senate held on June 28, 2022. I also request all Cast Vote Records (CVR), ballot dropbox records, to include 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 CRS 1-10.5-107 (3).

As you may know, I was the only candidate of six at the GOP state assembly on April 9, 2022 to qualify for the primary ballot. Further, direct polling of nearly 68,000 Colorado voters concluding within 72 hours of the June 28, 2022 primary election indicated this campaign was up by 8% over my petition-on opponent.

There are significant indications malfeasance occurred in the June 28, 2022 primary, and the reported outcome of this election does not accurately reflect the will of Colorado voters in the race for US Senate or in other statewide races, as well as district and county races.

Three issues underpin my 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 (VSTL) 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.¹ CISA issued its warning in direct response to the findings of a recognized computer science expert, Dr. J. Alex 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.² 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 paras 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 process running within the Election Management Server during the November 2020 general election and April 2021 Grand Junction

¹ <https://www.cisa.gov/uscert/ics/advisories/icsa-22-154-01>

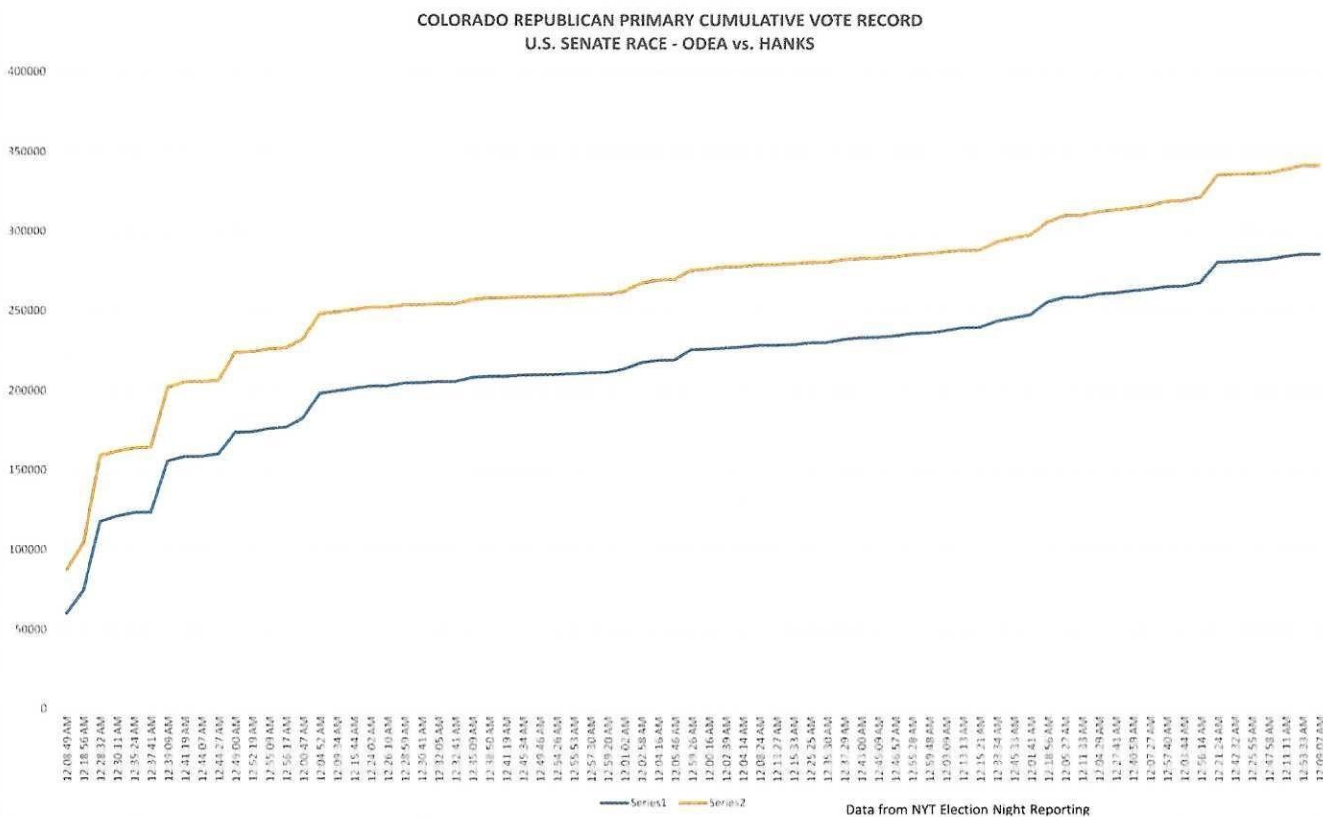
² Although CISA states they have “no evidence that these vulnerabilities have been exploited in any election,” there is no indication that CISA ever looked for any such evidence. Furthermore, your directed configuration and trusted build processes have systematically destroyed the election records, in the form of audit trail-critical log files, which would be necessary for any investigation.

municipal election.³ 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 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 United States Senate show an unnatural, near-perfect correlation between the respective candidates after the first three updates. Indeed, the candidates' tabulation results in the United States Senate race – and other races – 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 United States Senate between candidate O’Dea (in orange) and candidate Hanks (in blue). After three initial updates, the relative difference in the vote totals between the two candidates remains virtually unchanged.



(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 5/1/2022, but still received a mail-in ballot for the county of record, according to your records.

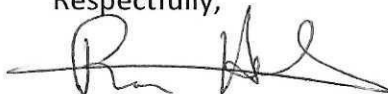
³ <https://useipdotus.files.wordpress.com/2022/03/mesa-3-report.pdf>

Specifically, 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 then 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.

Respectfully,



Ron Hanks
State Representative, HD60
Republican Candidate, United States Senate

State of Colorado

County of Fremont

Subscribed to and sworn before me by Ron Hanks

this the 13th day of July, 2022.

 _____, Notary Public
Signature

Jacob D. Winchester _____, Notary Public

Printed Name

