

## RESOLUTION

**WHEREAS**, Laramie County Clerk Debra Lee has continued to cast a dark cloud over the integrity of Laramie County's elections by failing to notify Laramie County Chairman Taft Love with the statutorily-required notice of general election voting equipment testing at the email address at which he requested all notices be sent.

**WHEREAS**, Taft Love publicly asked Clerk Lee to send all future notices to him at a specific address because he was having difficulty with the email address to which she had sent previous notices.

**WHEREAS**, despite Chairman Love's request, Clerk Lee sent notice of the general election voting equipment testing to the email address he specifically asked her not to use and she did not send notice to the email address he did ask her to use.

**WHEREAS**, as a result of Clerk Lee emailing the notice to the email address he told her not to use, the Laramie County Republican Central Committee did not receive timely notice and was denied its statutory right to attend the general election testing of the voting equipment on October 4, 2024.

**WHEREAS**, Clerk Lee performed testing using "standard ballots", but only a handful of "Express vote ballot cards", in both the primary and the general election testing, even though she knew that the primary and general election would be performed using exclusively "Express Vote ballot cards" using the touch screen Express Vote voting machines.

**WHEREAS**, "standard ballots" have **ovals** filled in by the voter using a pen that is read by the tabulator; in contrast, "Express Vote ballot cards" have a **bar code** generated by the machine that the tabulator must read.

**WHEREAS**, the testing Clerk Lee performed was properly tested to determine if the tabulators are accurately reading the **ovals**, but has not been tested to determine in accordance with the strict requirements set forth in Wyoming Statutes section 22-11-104 (b) (iii) if the tabulators are set to properly read the **bar codes** on the Express Vote ballot cards.

**WHEREAS**, in other words, the Clerk has tested a ballot style Laramie County will not be using and has NOT sufficiently tested the ballot style that Laramie County will be using in the general election.

**WHEREAS**, ES&S, the manufacturer of the voting equipment understands the importance of testing all ballot styles and instructs Clerks in section 3.3.2 of the DS200 Operator's Guide that "ES&S recommends you test every ballot style you plan to use and that you test every voting target on each of those ballot styles."

**WHEREAS**, Clerk Lee claims to have tested all the tabulators and all the express vote machines for the general election on October 4<sup>th</sup> in the basement of the Laramie County Courthouse, but those who attended testing in the Courthouse basement previously cannot believe that all those tabulators and Express Vote voting machines would fit in the courthouse basement, nor is there enough time in one day or sufficient Clerk staff to test that many voting machines and tabulators in one day.

**WHEREAS**, Clerk Lee has still not provided data she was obligated to turn over as set forth in the Consent Decree in case number 2024-CV-0202597 in Laramie County District Court (“Consent Decree”), which she agreed to produce to end the litigation surrounding her errors in the primary election voting equipment testing, including data that the Wyoming Republican Party believes will demonstrate that she did not perform testing on every piece of voting equipment she claimed to have performed as set forth in the certifications filed with the Wyoming Secretary of State.

**NOW THEREFORE**, be it resolved that Laramie County Clerk Debra Lee be censured by the Wyoming Republican Party Executive Committee for the following:

1. Notifying Laramie County Chairman Taft Love at an email address he specifically asked her to not use and that she knew was unlikely to be received by him and failing to notify him at the email address he specifically asked her to use, therefore denying Laramie County Republicans the opportunity to attend and observe the general election voting equipment testing; and
2. Failing to test “Express Vote ballot cards” in full compliance with Wyoming Statutes and ES&S recommendations, by failing to assign all candidates in the same race a different number of votes on the “Express Vote ballot cards” and all the other statutory requirements.
3. Giving voters a false sense of election security by testing “standard ballots”, which she knew would not be used in the election and failing to sufficiently test the “Express Vote ballot cards”, which she knew would be the primary means of voting in Laramie County, with a different vote assigned to each candidate and all other statutory requirements.
4. Failing for many weeks now to produce the data Clerk Lee was Court-ordered to produce, as outlined in the Consent Decree signed by the Judge.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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W. Frank Eathorne, Chairman,  
Executive Committee of the  
Wyoming Republican Party