

No. 22-0415

---

**In the Supreme Court of Texas**

---

IN RE HARRIS COUNTY REPUBLICAN PARTY AND CINDY SIEGEL AS CHAIR OF  
HARRIS COUNTY REPUBLICAN PARTY,  
*Relators.*

---

Original Proceeding Pursuant to Texas Election Code § 273.061

---

**RESPONSE TO RELATORS' EMERGENCY ORIGINAL PETITION FOR  
WRIT OF MANDAMUS AND MOTION FOR EMERGENCY RELIEF**

---

Christian D. Menefee  
Harris County Attorney  
State Bar No. 24088049  
Christian.Menefee@cao.hctx.net

Jonathan G. C. Fombonne  
First Assistant County Attorney  
State Bar No. 24102702  
Jonathan.Fombonne@cao.hctx.net

Tiffany S. Bingham  
Assistant County Attorney  
State Bar No. 24012287  
Tiffany.Bingham@cao.hctx.net

Harris County Attorney's Office  
1019 Congress, 15<sup>th</sup> Floor  
Houston, Texas 77002  
Telephone: (713) 274-5101  
Facsimile: (713) 755-8924

May 24, 2022

Attorneys for Respondent  
Isabel Longoria  
Harris County Election Administrator

## IDENTITIES OF PARTIES AND COUNSEL

### **Relators**

Harris County Republican Party and  
Cindy Siegel as Chair of Harris County  
Republican Party  
8588 Katy Freeway, Suite 445  
Houston, Texas 77024

### **Counsel for Relators**

Steven J. Mitby  
State Bar No. 24037123  
[smitby@mitbylaw.com](mailto:smitby@mitbylaw.com)

Michael Barnhart  
State Bar No. 24040472  
[mbarnhart@mitbylaw.com](mailto:mbarnhart@mitbylaw.com)

Mitby Pacholder Johnson PLLC  
9450 Pinecroft Drive, PO Box 7280  
Spring, Texas 77387  
(713) 234-1446 Telephone

### **Respondent**

Isabel Longoria  
Harris County Election Administrator  
1001 Preston Street  
Houston, Texas 77002

### **Counsel for Respondent**

Christian D. Menefee  
Harris County Attorney  
State Bar No. 24088049  
[Christian.Menefee@cao.hctx.net](mailto:Christian.Menefee@cao.hctx.net)

Jonathan G.C. Fombonne  
First Assistant County Attorney

State Bar No. 24102702  
[Jonathan.Fombonne@cao.hctx.net](mailto:Jonathan.Fombonne@cao.hctx.net)

Tiffany Bingham  
Assistant County Attorney  
State Bar No. 24012287  
[Tiffany.Bingham@cao.hctx.net](mailto:Tiffany.Bingham@cao.hctx.net)

Harris County Attorney's Office  
1019 Congress, 15<sup>th</sup> Floor  
Houston, Texas 77002  
(713) 274-5101 Telephone  
(713) 755-8924 Facsimile

**Real Party in Interest**

The State of Texas

**Counsel for Real Party in Interest**

Office of the Texas Attorney General  
Brent Webster  
First Assistant Attorney General of Texas  
Grant Dorfman  
Deputy First Assistant Attorney General  
Shawn Cowles  
Deputy Attorney General for Civil Litigation  
Thomas A. Albright  
Chief, General Litigation Division

Christopher D. Hilton  
Assistant Attorney General  
Texas Bar No. 24087727  
[Christopher.hilton@oag.texas.gov](mailto:Christopher.hilton@oag.texas.gov)

Kimberly Gdula  
Assistant Attorney General  
Texas Bar No. 24052209  
[kimberly.gdula@oag.texas.gov](mailto:kimberly.gdula@oag.texas.gov)

William D. Wassdorf  
Assistant Attorney General

Texas Bar No. 24103022  
[will.wassdorf@oag.texas.gov](mailto:will.wassdorf@oag.texas.gov)  
General Litigation Division  
P.O. Box 12548, Capitol Station  
Austin, Texas 78711-2548  
(512) 463-2120 Telephone  
(512) 320-0667 Facsimile

**Real Party in Interest**

Harris County Democratic Party

**Counsel for Real Party in Interest**

Nickolas A. Spencer  
Texas Bar No. 24102529  
[nas@naslegal.com](mailto:nas@naslegal.com)

Spencer & Associates, PLLC  
9100 Southwest Freeway, Suite 122  
Houston, Texas 77074  
(713) 863-1409 Telephone

**TO THE HONORABLE SUPREME COURT OF TEXAS:**

COMES NOW, Respondent Isabel Longoria, in her official capacity as Harris County Elections Administrator, who responds to Relators' Petition for Writ of Mandamus as follows.

**INTRODUCTION AND SUMMARY OF THE ARGUMENT**

Relator Harris County Republican Party (HCRP) and Cindy Siegel have known for some time about Respondent Harris County Elections Administrator Isabel Longoria's plans to have certain Harris County employees collect election materials from polling locations (the "Optional Delivery Program"). Yet at the eleventh hour, they filed a misguided petition for writ of mandamus in this court containing a host of misstatements—and outright lies—in an attempt to sow confusion into the voting and counting process at a time where Respondent and her employees are working around the clock to run a safe and secure election.

As a threshold matter, the petition and motion should be denied because they are based on a misrepresentation about the Program. The Program complies with the Election Code because all the County workers returning ballots will be sworn in as election clerks *by the presiding judge* before taking custody of the election materials. As Relators explain in their own pleading, that is what the Election Code requires. Relators' contention that "Respondent may not appoint her couriers as presiding judges, as election clerks, or as any type of election officers" is thus

inapplicable. Put simply, Respondents are wrong about the facts, and their own petition explains why the Program is very much legal.

Granting the petition or motion would also create confusion in the election process, where many presiding judges are relying on the Optional Delivery Program. That Program was developed carefully, and presiding judges and other election officers were trained in how to administer the oath and operationalize the chain of custody process. Changing the process at the last minute could result in ballots being delivered late, or not being delivered at all. In fact, it was due to some of the issues in March 1 election that Relators complain about that the Optional Delivery Program was created.

Relators also lack standing to bring this action. Even assuming their allegations about Respondent's actions were true, which they are not, Respondents wholly fail to explain how they will be harmed. Instead, they only speculate that the writ is necessary to "protect the integrity of the Harris County primary runoff election and the county of ballots." They do not explain how the Optional Delivery Program will harm the integrity of the runoff or provide any evidence that it will. As they concede, Respondent used a similar program in the May 7 election, and Relators do not claim that it led to any problems. In fact, as Relators know, that election was successful. Relators also fail to note that the Optional Delivery Program

involves a robust chain of custody process that clearly follow the requirements of the Election Code, even though they are well aware of that process.

Finally, as Relators acknowledge, Respondent “agreed that presiding judges could choose to deliver the election materials in person.” Pet. at 6. Relator HCRP in fact directed their presiding judges to return election materials without using the Optional Delivery Program, which most have elected to do. In other words, the Optional Delivery Program is optional, and HCRP is not required to use it. While the Harris County Democratic Party is taking part in the program, HCRP has no standing to bring claims on their behalf. What’s more, Respondent has learned that HCRP is directing members of the party to act as runners in place of the County workers, thus engaging in the conduct that Relators apparently believe is illegal.

The Petition and Motion should be denied.

## **ARGUMENT**

### **I. RELATOR’S REQUEST TO ENJOIN THE PROCESS TO DELIVER ELECTION MATERIALS MERELY HOURS BEFORE THE POLLS CLOSE IS UNTIMELY AND MUST BE DENIED.**

HCRP has had knowledge of the EA’s program to have county law enforcement and employees pick up election materials for delivery to the central count station since early April 2022; however, HCRP failed to lodge a legal challenge until *after* today’s election commenced. *See* Appendix (EA 5/19/22 e-mail

to HCRP). With over two months lead time, HCRP never attempted to seek injunctive relief in the trial court. Now, only hours before the polls will close, HCRP asks this court to offer extraordinary relief that would topple the return of election materials and ballot county-wide. Texas courts have warned against judicial interference with ongoing election processes, as is the case with Plaintiffs' lawsuit. *See also Blum v. Lanier*, 997 S.W.2d 259, 261 (Tex. 1999) (holding that "judicial power cannot be invoked to interfere with the election process once it has begun"). *See also Skelton v. Yates*, 131 Tex. 620, 119 S.W.2d 91, 91–2 (1938) (election challenge moot once absentee voting has begun).

HCRP had knowledge of the delivery process, attended weekly meetings where the process was discussed, and received and consented to e-mails sent requesting input on the proposed chain of custody documents sent by the EA's office to both parties. *See* Appendix (EA 4/29/22 e-mail to HCRP advising of chain of custody document to be used during May 7 election to which no objection was made); *see* Appendix.

Later, on May 11, 2022, HCRP's counsel contacted the County Attorney's office and raised a concern about the election night delivery program. *See* Appendix. Thereafter, the EA's office advised HCRP that participation in the program was *voluntary*, and HCRP Presiding Judges could elect to deliver their own election materials. *See* Appendix (EA 5/18/22 e-mail to HCRP). Counsel for HCRP never

raised another concern about the delivery process. That was over 12 days ago, however, HCRP made no effort to seek relief in the trial court. Additionally, the delivery process was repeatedly discussed during weekly party meetings with HCRP, documents were provided to HCRP, documents were provided to HCRP Presiding Judges, documents with instructions were provided to election night drivers, training was provided to election night workers. *See* Appendix. Yet, HCRP did nothing until 1:00 p.m. today. HCRP did not even confer about the filing of the mandamus until after filing it at 2:48 p.m.

A writ of mandamus is only available when a party has no adequate remedy at law. In the *Prudential* case, this Court held that it would grant mandamus only when: (1) the trial court clearly abused its discretion and (2) there is no adequate remedy by appeal. *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124, 135-36 (Tex. 2004). In this case, no lower court has ever reviewed Relators' complaint because Relators sat for weeks on the alleged violations that they now profess will impact the integrity of the election. This is false. Relator's last-minute request for emergency relief will upend the in-place, secure process of delivery of election materials that will occur at 7 p.m. when the polls close.

Relators have had the opportunity to bring this matter to a lower court to have it decided, but they chose not to do so. Relators have had the opportunity to bring this matter to the appellate courts, but they chose not to do so. They never explain

this, and never explain what would prevent them from receiving timely relief from a lower court or appellate court before election day.

## **II. The Program is Optional And Properly Provides that Presiding Judges Appoint County Workers As Election Clerks.**

Relators misrepresent the Optional Delivery Program. As described in Appendix (Letter to Deputies; Training Presentation for May Elections; Instructions to Drivers; and Chain of Custody Document), all county workers who deliver election materials to the central counting station will be sworn in as election clerks by the presiding judge of the polling location from which they are picking up the materials. *See* Appendix. The Training Presentation also describes in detail the chain of custody established by Respondent, which ensures a safe transfer of election materials. The Chain of Custody document requires the sworn in election clerk to fill in all serial and s

The Texas Election Code provides that at the end of election night, the presiding judge of the polling location is to deliver election records to the presiding officer of the local canvassing authority. Tex. Elec. Code § 66.051. The Election Code states that, “a delivery of election records or supplies that is to be performed by the presiding judge may be performed by an election clerk designated by the presiding judge.” Tex. Elec. Code § 66.052. In a county like Harris County that uses a Central Counting Station, Tex. Elec. Code § 127.066(c) provides that ballots

boxes are delivered by election officers.<sup>1</sup> Election officers are, in general, the presiding judge, alternate presiding judge, and any election clerk appointed by the presiding judge at each polling location. *See, e.g.*, Tex. Elec. Code § 61.001, .003.

Election clerks are appointed by the presiding judge at the polling location under Tex. Elec. Code § 32.031. They must meet general eligibility requirements under Tex. Elec. Code § 32.051, and must be sworn in at the polling place by the presiding judge using the oath in Tex. Elec. Code § 62.003.

The full-time county employees are election officers. They have been sworn in by a presiding judge pursuant to Tex. Elec. Code § 62.003. *See* Appendix (Training Presentation); Appendix (Chain of Custody Document). Accordingly, contrary to Relators' petition, Respondent is *not* appointing election officers either by deputizing county workers or by appointing them in her role as central counting station manager. *See* Pet. 8-9. By their own reading of the Election Code, then, the county workers delivering election materials to the central counting station are

---

<sup>1</sup> Chapter 66 is the general provision pertaining to the conduct of elections and disposition of records. Chapter 127 of the Election Code applies to counties that use a central counting station. Harris County utilizes a central counting station to process election results. The general provisions of Title 8-Voting Systems make it clear that Title 8 controls if in conflict with other parts of the code. Specifically, "the other titles of this code apply to an election in which a voting system is used except to the extent that a provision is inconsistent with this title or cannot feasibly be applied in an election using a voting system." Tex. Elec. Code § 121.001.

election officers, who are explicitly required to deliver them. *See* Tex. Elec. Code §§ 66.052, 127.066(c). The presiding judge of the central counting station can then provide a signed receipt to the delivering election officers, as required by Section 127.068(a).

And because the county workers working as election officers are delivering the election materials to the central counting station, where there is a continuous video record and livestream of all activity, Section 127.1232(b) is not at issue. Section 127.1232(b) only requires a video recording and livestream “from the time the voted ballots are delivered to the central counting station.” Relators believe that video surveillance should begin at the polling location, but that is only because they fundamentally misunderstand the program.

### **III. ALL AUTHORIZED PERSONS HAVE ACCESS TO THE CENTRAL COUNT STATION.**

Relators falsely represent that authorized persons will not have access to central count. The EA created a placard for motor vehicles to ensure that authorized persons access the central count station at NRG Stadium. First, the EA’s office provided via e-mail a parking placard for all presiding judges who opted out of the driver program. *See* Appendix. HCRP Counsel objected to Presiding Judges printing placard materials. EA’s counsel responded that the EA was handing out paper parking placards to judges who requested it during supply handout and all would ensure that

they receive clearance to NRG central count to deliver materials. *See* Appendix, May 12, 2022 email. Relators now complain the first time about poll watchers. However, a poll watcher who has been appointed to serve at a particular polling location is the poll watcher who is permitted to accompany the officer in making the delivery. *See* Tex. Elec. Code. § 33.060(a). As in the 2020 election, with central count at NRG Stadium, poll watchers appointed just for central count will be allowed in Gate 10, with or without a parking pass. *See* Appendix. The Elections Office is not interfering with poll watchers who are following election officers that make delivery of election records. Relator’s complaints are much ado about nothing.

**IV. The EA’s Program is Voluntary, and This Court should dismiss Relators’ Petition for Writ of Mandamus because Relators lack standing.**

Relators have the “burden of unequivocally” showing they are “entitled to issuance of the writ of mandamus.” *Leach v. Fischer*, 669 S.W.2d 844, 846 (Tex. App.—Fort Worth 1984, no writ). Relators fail to show how they have been harmed by Respondent’s alleged conduct or have standing to bring this action. Plaintiffs alleged no specific harm and cannot because the EA election night delivery process is completely voluntary and HCRP expressed its intent not to participate. *See* Appendix.

Moreover, as this Court recently noted, “both this Court and the U.S Supreme Court have repeatedly held that an ‘undifferentiated public interest in executive

officers' compliance with the law' does not confer standing.” *In re Hotze*, 2020 WL 5919726, at \*4 (Blacklock, J. concurring). Because Relators lack standing, this Court lacks jurisdiction to issue a writ of mandamus. *Tex. Bd. of Chiropractic Examiners v. Tex. Med. Ass’n*, 616 S.W.3d 558, 566 (Tex. 2021) (“Constitutional standing is a prerequisite for subject matter jurisdiction.”) (internal citations omitted); *Williams v. Lara*, 52 S.W.3d 171, 178 (Tex. 2001) (same).<sup>2</sup>

Relators cannot show constitutional standing. *See Heckman v. Williamson Cnty.*, 369 S.W.3d 137, 150 (Tex. 2012). A citizen generally lacks standing to bring

---

<sup>2</sup> To the extent Relators believe that Texas Election Code § 273.061 permits them to seek a writ of mandamus to enforce the Election Code without having constitutional standing, they are wrong. Several appellate courts recently rejected that notion, holding that while Texas Election Code § 273.061 provides a procedure for mandamus in an election suit, it does not create a cause of action or confer standing on someone who lacks particularized harm. *See In re Kherkher*, 604 S.W.3d 548, 553-54 (Tex. App.—Houston [14th Dist.] 2020, no pet.) (“When the Legislature intends to confer standing by statute, it has shown that it is capable of unambiguously creating standing. . . .We conclude that section 273.061 does not confer standing on Kherkher to challenge Morris’s eligibility.”); *Bickham v. Dallas Cnty.*, 612 S.W.3d 663, 671-72 (Tex.App.—Dallas 2020, pet. filed Dec. 7, 2020) (holding that section 273.061 does not create standing for parties to “enforce their rights under the election code); *In re Public Interest Legal Foundation*, 2020 WL 5807408, at \*2 (Tex. App.—Houston [14th Dist.] 2020, no pet.) (noting that a party seeking to avail itself of section 273.061 must still meet constitutional standing requirements); *see also In re Hotze*, 2008 WL 4380228, at \*1 (Tex.App.—Houston [14th Dist. ] 2008, no pet.). Accordingly, Relators must still demonstrate that they meet the traditional elements of standing—and specifically, that they have suffered an injury-in-fact. *Heckman v. Williamson Cnty.*, 369 S.W.3d 137, 154-55 (Tex. 2012).

a lawsuit challenging the lawfulness of governmental acts. *Brown v. Todd*, 53 S.W.3d 297, 302 (Tex. 2001). As the Fourteenth Court of Appeals explained:

Standing consists of some interest peculiar to the person individually and not as a member of the general public. *Hunt v. Bass*, 664 S.W.2d 323, 324 (Tex. 1984). In other words, standing requires a concrete injury to the plaintiff and a real controversy between the parties that will be resolved by the court. *Heckman v. Williamson Cty.*, 369 S.W.3d 137, 154 (Tex. 2012). The claimant must be personally injured rather than the public at large. *Id.* at 155.

*In re Kherkher*, 604 S.W.3d at 551.

Relators fail to allege particularized harm and only allege vague allegations that fall far short of what is necessary to meet this Court’s standing requirement. Their mandamus is the “quintessential generalized grievances” about how the Texas Election Code is being followed. Accordingly, Relators’ Petition for Writ of Mandamus should be dismissed for lack of standing.

### **PRAYER**

Respondent respectfully requests that the court deny Relator’s Writ of Mandamus.

**Date: May 2, 2022**

Respectfully submitted,

*/s/ Jonathan Fombonne*  
**Christian D. Menefee**  
Harris County Attorney  
Texas Bar No. 24088049

Christian.Menefee@cao.hctx.net  
**Jonathan Fombonne**  
First Assistant County Attorney  
Texas Bar No. 24102702  
Jonathan.Fombonne@cao.hctx.net  
**Tiffany S. Bingham**  
Assistant County Attorney  
Texas Bar No. 24012287  
Tiffany.Bingham@cao.hctx.net  
1019 Congress, 15<sup>th</sup> Floor  
Houston, Texas 77002  
Telephone: (713) 755-5102  
Facsimile: (713) 755-8924

## CERTIFICATE OF SERVICE

On May 24, 2022, this document was served electronically on the following:

Steven J. Mitby  
Michael Barnhart  
*Counsel for Relator*

[smitby@mitbylaw.com](mailto:smitby@mitbylaw.com)  
[mbarnhart@mitbylaw.com](mailto:mbarnhart@mitbylaw.com)

Christopher D. Hilton  
Kimberly Gdula  
William D. Wassdorf

[christopher.hilton@oag.texas.gov](mailto:christopher.hilton@oag.texas.gov)  
[kimberly.gdula@oag.texas.gov](mailto:kimberly.gdula@oag.texas.gov)  
[will.wassdorf@oag.texas.gov](mailto:will.wassdorf@oag.texas.gov)

*Counsel for Real Party in Interest, The State of Texas*

Nickolas A. Spencer

[nas@naslegal.com](mailto:nas@naslegal.com)

*Counsel for Real Party in Interest, Harris County Democratic Party*

/s/ Tiffany S. Bingham

Tiffany S. Bingham

### **CERTIFICATE OF COMPLIANCE**

Based on a word count run in Microsoft Word 2016, this response contains 2695 words, excluding the portions exempt from the word count under Texas Rule of Appellate Procedure 9.4(i)(1).

/s/ Tiffany S. Bingham

Tiffany S. Bingham

# APPENDIX

---

**From:** Longoria, Isabel (Elections)  
**Sent:** Wednesday, April 13, 2022 1:14 PM  
**To:** karem@harrisdemocrats.com; Tumati, Neeharika (CAO); Alan Vera; Nicole Pedersen; Odus Evbagharu; ricsezen@gmail.com; Marga Matthews; chair@harriscountygop.com; Stevens, Beth (Elections); russlong@Reagan.com; John (Russ) Long; Melissa Conway - Political; Obakozuwa, Rachele (Elections); Carmen Cavazos; Garcia, Sara (Elections)  
**Subject:** 4/13 - Runoff Planning Recap

Good Morning All –

**Locations:** Thank you for the productive meeting this morning. Regarding the locations, I'll send shortly calendar invites for 5:00pm this afternoon and 1:00pm tomorrow to facilitate May 24<sup>th</sup> Primary Runoff location negotiations between HCRP and HCDP. I recommend, to the extent possible, the parties agree this evening to confirm election day locations that both parties agree are priorities or highly unlikely to change. This will allow the EA office to continue with the election preparations regarding recruitment, supply preparation, training, etc for the agreed upon locations. From there, this evening if time allows or at the 1:00pm meeting tomorrow, the parties can then move towards selecting locations that each party would like to prioritize that are not agreed upon.

Here is the Google Map link where we loaded the latest location lists from both parties:

<https://www.google.com/maps/d/edit?mid=13lnu8S1DGqNYFRC79wFxFwhsgtCoLhu&ll=29.81448360156166%2C-95.407935081844&z=11>

Let us know if we missed any locations. The map meant only to serve as a communication tool to help compare the location preferences of either party when negotiating. I'll leave it to each Party to decide whether or not you'd like legal counsel present for the location negotiations.

**Election Night Drop Off:** Today we also discussed that the EA office will implement a new election night equipment drop off system to help reduce the demands on election judges. We'll move to a system of having officers and deputized county staff pick up important equipment from each location and deliver it directly to the Central Counting station for processing. Next meeting I'll give an update on the feedback the parties had about chain of custody, providing identity confirmation of the staff picking up the election night equipment, and the timing of when the drivers will arrive at the voting locations. Let me know if you have any other questions or comments on how to make the updated election night system successful.

Let me know if there is anything we missed or how we can be of service,

Respectfully,



Isabel Longoria

Harris County Elections

Administrator

[Isabel.Longoria@vote.hctx.net](mailto:Isabel.Longoria@vote.hctx.net)

832.584.1757

she/hers



# ELECTION NIGHT DRIVER INSTRUCTIONS

## Tuesday, May 24

### WHAT TO BRING

1. **Chain of Custody Forms** – *This is the most important form needed all night.* This form is how we transfer custody of the materials from the Presiding/Alternate judges to you and then you to EA's Office. **A separate form is required for each voting location for each Presiding judge.**
2. **Deputy Letter** – MUST provide this letter to Presiding/Alternate judges verifying you're deputized as an EA team member and election officer for the night.
3. **Your Badge** – must show your Law Enforcement or County Employee badge to the Presiding/Alternate judges.
4. **Entrance Pass** – put this on your dash upon arrival at NRG
5. **Empty Vehicle** – the equipment is bulky but will fit in an empty vehicle

### INSTRUCTIONS & CHECKLISTS

1. **Arrival** – Arrive by 6:45 pm
2. **Show Badge and Deputy Letter to Presiding/Alternate Judges**
3. **Get sworn in by Presiding Judge** (oath is on the Chain of Custody document)
4. **Voting Equipment Checklist** – Verify all required voting equipment you're picking up is accounted for alongside the Presiding/Alternate judges (see 'Voting Equipment Checklist')
5. **Election Day Travel Log & Chain of Custody** – Go through each section with Presiding/Alternate judges –each section MUST be filled out AND turned into the EA's Office with the equipment (see 'Election Day Travel Log & Chain of Custody')
6. **Load Equipment into your Vehicle** – With the election workers' help, load equipment into vehicle
7. **Repeat Steps for second political party's equipment** (at same location) - if the Presiding Judge of either party opts out of the delivery process & elects to return the equipment themselves, please document on your second chain of custody form
8. **Text 832.622.0533** – provide your full name and the name of the polling location you are departing from before you leave
9. **Immediately Proceed to the NRG** – Gate 4



# VOTING EQUIPMENT CHECKLIST

Obtain all items shown below from each assigned location. **Check them off the list** to verify you have all the required equipment and materials.

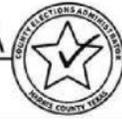
Verified	Item Name	Image
	1. Scan(s)	
	2. Ballot Bag(s)	
	3. Judge's Box <u>and</u> unused ballot paper	
	4. Ballot Box(es)	
	5. ePollbook case	

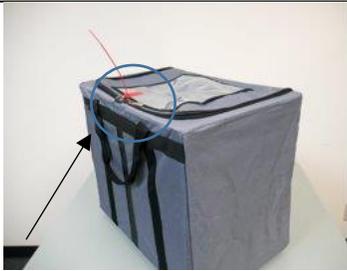


# Election Day Travel Log & Chain of Custody

Presiding and Alternate Judge will fill out chain of custody document. Please assist them if they request your help. **Check off the list below** as you go to verify all steps are complete before packing the vehicle.

Verified	Chain of Custody section	Image of Form	Equipment Needed
	Oath – Presiding Judge administers oath to driver	<p><b>Presiding Judge to administer oath to the designated driver*</b></p> <p>"I swear (or affirm) that I will not in any manner request or seek to persuade or induce any voter to vote for or against any candidate or measure to be voted on, and that I will faithfully perform my duty as an officer of the election and guard the purity of the election."</p> <p>*Pursuant to Texas Election Code Section 66.052 and 127.066, Presiding Judge hereby designates driver as an election clerk and officer to deliver election records and supplies to the Central Counting Station.</p>	n/a
	Location Name & Poll Code filled out at top left of document	<p>_____</p> <p><b>Location Name &amp; Poll Code</b></p>	n/a
	Election Date filled out at top left of document	<p>_____</p> <p><b>Election Date</b></p>	n/a
	1 <sup>st</sup> Scan Serial Number filled out	<p><b>Instruction: Fill in all Serial and Seal Numbers for Scan and one Ballot Bag)</b></p> <p><b>1<sup>st</sup> Scan Serial Number:</b></p> <p>_____</p>	
	1 <sup>st</sup> Scan Seal Number filled out	<p><b>1<sup>st</sup> Scan Seal Number:</b></p> <p>_____</p>	



	1 <sup>st</sup> Ballot Bag Seal Number	<p>1<sup>st</sup> Ballot Bag Seal Number:</p> <hr/>							
	2 <sup>nd</sup> Scan Serial Number filled out (only if applicable)	<p>2<sup>nd</sup> Scan Serial Number:</p> <hr/>							
	2 <sup>nd</sup> Scan Seal Number filled out (only if applicable)	<p>2<sup>nd</sup> Scan Serial Number:</p> <hr/>							
	2 <sup>nd</sup> Ballot Bag Seal Number filled out (only if applicable)	<p>2<sup>nd</sup> Scan Ballot Bag Seal Number:</p> <hr/>							
	Check off each item being transferred	<p>Confirm that all items below are provided to the Elections Office Deputy Representative and check each box to confirm:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Seals(s)</li> <li><input type="checkbox"/> Ballot Bag(s)</li> <li><input type="checkbox"/> Large Black Ballot Box(es) inside its corresponding bag</li> <li><input type="checkbox"/> Black iPad cases with all iPads, MiPs, and charging cables packed inside</li> <li><input type="checkbox"/> Judge's Box with ALL envelopes (Purple RID envelope, Green Voter Registration envelope, Yellow Provisional Ballot envelope, Tan Spoiled Ballot envelope, White Elections Administrator envelope) + unused ballot paper + compression sheets</li> </ul>	All equipment and materials being transferred						
	Presiding Judge, Alternate Judge, and Deputy EA team member sign Chain of Custody	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center;"><u>Presiding Judge's Signature</u></td> <td style="width: 33%; text-align: center;"><u>Alternate Judge's Signature</u></td> <td style="width: 33%; text-align: center;"><u>Deputy Elections Office Representative's Signature</u></td> </tr> <tr> <td style="height: 40px;"></td> <td></td> <td></td> </tr> </table>	<u>Presiding Judge's Signature</u>	<u>Alternate Judge's Signature</u>	<u>Deputy Elections Office Representative's Signature</u>				n/a
<u>Presiding Judge's Signature</u>	<u>Alternate Judge's Signature</u>	<u>Deputy Elections Office Representative's Signature</u>							

# EXHIBIT 11

Location Name & Poll Code

Election Date

## Election Day Travel Log & Chain of Custody

(This form must be used *in addition to* the Orange Chain of Custody that goes in each Scan)

**Instruction: Fill in all Serial and Seal Numbers for each Scan and Ballot Bag** (note that you may only have one Scan and one Ballot Bag)

1<sup>st</sup> Scan Serial Number:

1<sup>st</sup> Scan Seal Number:

1<sup>st</sup> Ballot Bag Seal Number:

2<sup>nd</sup> Scan Serial Number:

2<sup>nd</sup> Scan Seal Number:

2<sup>nd</sup> Ballot Bag Seal Number:

**Confirm that all items below are provided to the Elections Office Deputized Representative and check each box to confirm:**

Scan(s)

Ballot Bag(s)

Large Black Ballot Box(es) inside its corresponding bag

Black iPad cases with all iPads, MiFi, and charging cables packed inside

Judge's Box with ALL envelopes (Purple RID envelope, Green Voter Registration envelope, Yellow Provisional Ballot envelope, Tan Spoiled Ballot envelope, White Elections Administrator envelope) + unused ballot paper + compensation sheets

Presiding Judge's Signature	Alternate Judge's Signature	Deputized Elections Office Representative's Signature

### Presiding Judge to administer oath to the designated driver\*

"I swear (or affirm) that I will not in any manner request or seek to persuade or induce any voter to vote for or against any candidate or measure to be voted on, and that I will faithfully perform my duty as an officer of the election and guard the purity of the election."

\*Pursuant to Texas Election Code Section 66.052 and 127.066, Presiding Judge hereby designates driver as an election clerk and officer to deliver election records and supplies to the Central Counting Station.

# **ELECTION DRIVER**

# **NRG-Gate 4**

**(Naomi St. Entrance)**

**May 24, 2022**

EXHIBIT 12

***PLACE THIS SIDE UP***

***DIRECTLY ON THE INSIDE OF WINDSHIELD OR DASHBOARD***

---

**From:** Longoria, Isabel (Elections)  
**Sent:** Wednesday, May 18, 2022 2:07 PM  
**To:** karem@harrisdemocrats.com; Tumati, Neeharika (CAO); Alan Vera; Nicole Pedersen; Odus Evbagharu; ricsezen@gmail.com; Marga Matthews; chair@harriscountygop.com; Stevens, Beth (Elections); russlong@Reagan.com; Melissa Conway - Political; Obakoza, Rachele (Elections); Carmen Cavazos; Garcia, Sara (Elections)  
**Cc:** John (Russ) Long; Bingham, Tiffany (CAO); Mitcham, Susannah (CAO); Beeler, Christina (CAO); Smith, Lauren (Elections); Donna Stanart; Aguilar, Margarita (Elections)  
**Subject:** RE: Weekly Primary Planning Meeting

Good Afternoon,

I'm following up with a summary of items from our call this morning. Unless I hear otherwise from you, I will assume both parties agree with these notes.

- **Election Night Drop Off**
  - o Election Night drop off and Central Count has been moved to NRG Arena – Hall D. We will provide parking passes and more specific direction in the coming days, but parking will be in Maroon Lot.
  - o The Harris County Republican Party will be instructing its Presiding Judges to opt-out of the County Elections Program to have law enforcement and election staff to pick up and transport election night materials. Thus, each Republican Presiding Judge will be driving to NRG Arena Hall D to drop off their own equipment.
  - o The Harris County Democratic Party will still participate in the County Elections Program.
- **Supply Hand Out**
  - o We are on track for Election Day Supply Handout at ETC on Saturday and Sunday, 9am to 6pm each day. We'll have a table for each party to sit and answer questions from Judges.
  - o Republican Representatives on-site: Marga, Carmen, Nolan, or Adrian.
  - o Democratic Representatives on-site: Nicole or Karem.
- **Presiding Judge Vacancies**
  - o As of 10:00am this morning (may have changed since then)
    - 1 Democrat PJ Vacancy
    - 5 Republican PJ Vacancy (Marga was to confirm if it was actually 4 Vacancies)
    - Neither party has requested the EA office to help fill PJ vacancies.
- **Alternate Voting Locations**
  - o Rob requested a system to verify that each location not being used for voting has received the proper postings (notice and 4 closest voting locations) and somehow confirm those notices/posters have been posted.
    - Isabel getting with EA staff to figure out confirmation calls or visits.
- **Ballot Paper Allocations**
  - o EA Office will take Early Voting data to see if voting patterns would suggest that any locations need more ballot paper for Election Day than was previously allocated. This will be distributed during Supply Hand Out if so.
- **Other Questions**
  - o Rob relayed that Springwood MS (D82021) Democratic PJ wanted to connect with Republican PJ to discuss how the space could be equitably shared. Rachele connected the PJs after the meeting
  - o Marga relayed that she wanted more updates about the Kingwood EV location. EA received information that City of Houston helped with any parking and Starr testing concerns on Monday, Marga shared that the AJ at the location is reporting that parking issues still need to be addressed.

Let me know if you want to add anything to this summary or need further assistance,  
Respectfully,



**Isabel Longoria**  
Harris County Elections  
Administrator  
[Isabel.Longoria@vote.hctx.net](mailto:Isabel.Longoria@vote.hctx.net)  
832.584.1757  
she/hers

-----Original Appointment-----

**From:** Longoria, Isabel (EAD)

**Sent:** Tuesday, December 7, 2021 11:06 AM

**To:** Longoria, Isabel (Elections); [karem@harrisdemocrats.com](mailto:karem@harrisdemocrats.com); Tumati, Neeharika (CAO); Alan Vera; Nicole Pedersen; Odus Evbagharu; [ricsezen@gmail.com](mailto:ricsezen@gmail.com); Marga Matthews; [chair@harriscountygop.com](mailto:chair@harriscountygop.com); Stevens, Beth (Elections); [russlong@Reagan.com](mailto:russlong@Reagan.com); Melissa Conway - Political; Obakozuwa, Rachele (Elections); Carmen Cavazos; Garcia, Sara (Elections)

**Cc:** John (Russ) Long; Bingham, Tiffany (CAO); Mitcham, Susannah (CAO); Beeler, Christina (CAO); Smith, Lauren (Elections); [primary@harriscountygop.com](mailto:primary@harriscountygop.com); Aguilar, Margarita (Elections)

**Subject:** Weekly Primary Planning Meeting

**When:** Wednesday, May 18, 2022 10:00 AM-11:00 AM (UTC-06:00) Central Time (US & Canada).

**Where:** Microsoft Teams Meeting

Weekly meetings re-extended for the May elections.

---

## Microsoft Teams meeting

**Join on your computer or mobile app**

[Click here to join the meeting](#)

**Or call in (audio only)**

+1 281-985-1862,,634746885# United States, Houston

Phone Conference ID: 634 746 885#

[Find a local number](#) | [Reset PIN](#)

[Learn More](#) | [Meeting options](#)

---

---

**From:** Obakozuwa, Rachele (Elections)  
**Sent:** Wednesday, May 18, 2022 3:53 PM  
**Subject:** Election Nigh Supply Return  
  
**Importance:** High

Good Afternoon,

In response to your feedback on previous judge surveys, the Harris County Elections Office created a program to have Law Enforcement and Election Staff to pick up and securely deliver your election night equipment to the Central Counting station. We found this program to be successful on May 7th and plan to do it on May 24th as well.

However, this morning the Harris County Republican Party informed us that all Republican Presiding Judges intend to opt-out of this program. **Thus, by opting-out of the County Election Program you as the Presiding Judge on Election Night will drive all necessary scans, ballots, ballot bag, ballot boxes, iPads, and Judge box and envelopes to Central Count NRG Arena – Hall D (1 NRG Pkwy, Houston, TX 77054) promptly and without stopping and-regardless of the wait time.** If you forget any equipment, you will be in charge of returning to the voting location immediately to retrieve all the necessary items and return them to NRG Arena that evening.

While the Harris County Republican Party has made this decision against the professional recommendation of the Elections Office, we respect the right of each Presiding Judge to do what they believe is in the best interest of their voting location. If you choose to opt back in to the County Election Program, please respond to this email or let your Recruitment Coordinator know so that we can arrange for pick up for your materials.

We need your confirmation or response no later than Friday May 20<sup>th</sup>, 5:00pm, so that we may plan accordingly.



Office of Isabel Longoria  
Harris County Elections Administrator  
[ElectionJudgeInfo@vote.hctx.net](mailto:ElectionJudgeInfo@vote.hctx.net)  
713-755-1617

---

**From:** Longoria, Isabel (Elections)  
**Sent:** Thursday, May 19, 2022 2:04 PM  
**To:** Marga Matthews  
**Cc:** chair@harriscountygop.com; Stevens, Beth (Elections); Melissa Conway - Political; Beeler, Christina (CAO); Carmen Cavazos; Donna Stanart; Alan Vera  
**Subject:** May 24th - Election Night Ballot DropOff Process

Good Afternoon Marga,

In response to our communications yesterday, and yesterday's press release from your party, I want to address a few items.

On Wednesday morning during our weekly planning call with both political parties you notified the EA's office of your intent to opt-out all of your appointed Election Night Judges and circumvent our secure election night ballot transport process. As a direct result of these efforts to undermine the election, we moved all election night operations from the Election Technology Center to NRG to have the additional space needed to accommodate twice the number of vehicles we have to receive on election night. As you know, a change this significant and this late in the game throws chaos into a carefully-orchestrated system and seriously threatens our ability to process results.

With just days until the Election, I want to make very clear that your actions will directly result in a slower count, draining our resources and ensuring that we will likely not be able to release final unofficial results until well into Wednesday. Even after our continuous efforts to work with you in good faith, every week, for months, to carefully and collaboratively make elections fair, equitable, secure, and transparent, you will undoubtedly blame this office rather than take the responsibility for your actions.

Specifically, since early April, we have been fully transparent with both political parties regarding the drop-off process. In the lead up to the May 7 election, we asked for your feedback regarding the process and regarding the chain of custody documents we require. At no point did either party, including HCRP, raise any issues or concerns regarding the legality or logistics of this plan.

As a reminder, this initiative was established in response to overwhelming feedback on judges' surveys that they do not like driving after a long day to drop off their own equipment and waiting for the equipment to be received and processed. Thus, we adapted our system for the sake of the judges while also improving efficiency in processing and producing timely results, in consultation with the Harris County Attorney's office.

Respectfully,



**Isabel Longoria**  
Harris County Elections  
Administrator  
[Isabel.Longoria@vote.hctx.net](mailto:Isabel.Longoria@vote.hctx.net)  
832.584.1757  
she/hers

---

**From:** Obakozuwa, Rachele (Elections)  
**Sent:** Friday, May 20, 2022 5:12 PM  
**Subject:** Election Night Return  
**Attachments:** ED Judge Gate 4 Placard.pdf

Dear Presiding Judge,

We understand that you have decided to Opt-Out of the County Election Program where Harris County Elections would have Law Enforcement and Election Staff pick up your supplies. Please keep in mind that on Election Night, you will need to drive all necessary scans, ballots, ballot bags, ballot boxes, iPads with cases and the Judge box and envelopes to our Central Count at NRG Arena – Hall D (1 NRG Pkwy, Houston, TX 77054), Gate 4, as promptly as possible. If you forget any equipment, you will be in charge of returning to the voting location immediately to retrieve all the necessary items and return them to NRG Arena that evening.

You will need to print and display the attached placard when arriving at NRG. NRG will not permit entry to anyone without this placard.

Please be aware that we are expecting severe weather on election night. In addition to possible flooding, expect further delays in wait times for processing.

If on Election Day you should decide to Opt back in to the program, please connect with the Driver who will arrive to pick up the supplies from the other party's poll before they leave.

Thank you.



Rachele Obakozuwa  
Director of Logistics  
Office of Isabel Longoria  
Harris County Elections Administrator  
[Rachele.obakozuwa@vote.hctx.net](mailto:Rachele.obakozuwa@vote.hctx.net)  
Phone: 713-755-5792

---

Good Afternoon,

In response to your feedback on previous judge surveys, the Harris County Elections Office created a program to have Law Enforcement and Election Staff to pick up and securely deliver your election night equipment to the Central Counting station. We found this program to be successful on May 7th and plan to do it on May 24th as well.

However, this morning the Harris County Republican Party informed us that all Republican Presiding Judges intend to opt-out of this program. **Thus, by opting-out of the County Election Program you as the Presiding Judge on Election Night will drive all necessary scans, ballots, ballot bag, ballot boxes, iPads, and Judge box and envelopes to Central Count NRG Arena – Hall D (1 NRG Pkwy, Houston, TX 77054) promptly and without stopping and-regardless of the wait time.** If you forget any equipment, you will be in charge of returning to the voting location immediately to retrieve all the necessary items and return them to NRG Arena that evening.

While the Harris County Republican Party has made this decision against the professional recommendation of the Elections Office, we respect the right of each Presiding Judge to do what they believe is in the best interest of their voting location. If you choose to opt back in to the County Election Program, please respond to this email or let your Recruitment Coordinator know so that we can arrange for pick up for your materials.

We need your confirmation or response no later than Friday May 20<sup>th</sup>, 5:00pm, so that we may plan accordingly.



Office of Isabel Longoria  
Harris County Elections Administrator  
[ElectionJudgeInfo@vote.hctx.net](mailto:ElectionJudgeInfo@vote.hctx.net)  
713-755-1617

**Election Judge**

**NRG - Gate 4**

**(Naomi St. entrance)**

**MAY 24, 2022**

***PLACE THIS SIDE UP  
DIRECTLY ON THE INSIDE OF WINDSHIELD OR DASHBOARD***

**From:** Obakozuwa, Rachele (Elections)  
**Sent:** Saturday, May 21, 2022 5:12 PM  
**To:** cddorsey@sbcglobal.net  
**Subject:** Election Judge Updates

**Poll Code: D12149**

Dear CATHERINE DORSEY,

Thank you for agreeing to serve as Presiding Judge for the upcoming Primary Runoff election on Tuesday, May 24, 2022 at Poll Code D12149, Eisenhower Senior High School, 7922 Antoine Drive, Houston, TX 77088-4398. We look forward to working with you again. Please see below for reminders and updates about your assignment.

By now, you should have reached out to your voting location to connect with them and schedule setup. You should expect to have 6 DUOs. Please remind your Alternate Judge and 1 clerk about the setup arrangements you are making so they can be there to help you setup.

Supply Handout is this weekend. We look forward to seeing you soon.

At the end of election night, Harris County will have Law Enforcement and Election Staff (Drivers) to pick up and securely deliver your election night equipment to the Harris County Central Counting station at NRG Arena. Your driver will bring a Chain of Custody for you both to fill out. On this document, it will also have an Oath of Office for you to administer to the driver take before you to be designated by you to return the supplies (Sec. 66.052). Please be sure to send with them these important items:

- |                                 |   |
|---------------------------------|---|
| 1. All Scans (even if not used) | 5. Ballot Box   |
| 2. Ballot Bag                   | 6. ePollbook case   |
| 3. Judge's Box                  | 7. iPads (3 or more) and Mifi                             |
| 4. Envelopes with Pay sheet     | 8. Completed Election Day Travel Log and Chain of Custody |

We currently show that your Alternate Judge will be:

Name: SHARON BALDWIN  
Phone: 832-687-1211  
Email: fortitude2k4@yahoo.com

If you have any questions, please reach out to your recruitment coordinator, Gary Allen at Gary.Allen@vote.hctx.net or by phone at 713-274-4946.

See you soon! Thank you!

Best regards,



Harris County Recruitment Coordinators  
Office of Isabel Longoria  
Harris County Elections Administrator  
Phone: 713-755-1617  
[electionjudgeinfo@vote.hctx.net](mailto:electionjudgeinfo@vote.hctx.net)  
[www.harrisvotes.com](http://www.harrisvotes.com)

---

**From:** Bingham, Tiffany (CAO)  
**Sent:** Monday, May 23, 2022 10:04 AM  
**To:** Michael Barnhart  
**Cc:** Fombonne, Jonathan (CAO); Steve Mitby; christopher.hilton@oag.texas.gov; Fombonne, Jonathan (CAO)  
**Subject:** RE: Election Administrator's Threats Against Republican Precinct Judge

Hi Michael –

Please see my responses below.

---

**From:** Michael Barnhart <mbarnhart@mitbylaw.com>  
**Sent:** Saturday, May 21, 2022 5:24 AM  
**To:** Bingham, Tiffany (CAO) <Tiffany.Bingham@cao.hctx.net>  
**Cc:** Fombonne, Jonathan (CAO) <Jonathan.Fombonne@cao.hctx.net>; Steve Mitby <smitby@mitbylaw.com>; christopher.hilton@oag.texas.gov  
**Subject:** Election Administrator's Threats Against Republican Precinct Judge

Dear Tiffany,

Please see attached.

First, your client should be providing the placards for entry into Reliant as part of the Precinct Judges packets. It is Ms. Longoria's duty to establish the Central Counting Station and her failure to make all provisions for the statutorily required access to the central counting is a breach of that duty. It seems very unlikely that the "drivers" referenced in the attached are printing their own placards.

I have been advised that all judges requested printed car placards received them during the supply hand out this weekend. Also, if a judge did not receive a printed placard and is unable to print the placard, we will ensure that they receive clearance to NRG central count to deliver materials.

Second, HCRP has requested a copy of all documents being provided to Republican Party judges who opt-in to the EAs "pick up" program. Those documents have not been provided, Please have your client provide those documents immediately.

I am checking with the EA's office now. HCRP identified and designated each judge, so if you need this information immediately, I think you can request it from your judges.

Finally, please forward a copy of or a link to the weather forecast on which Ms. Obakoza relied in making the veiled threats in the attached letter.

The EA's office relies on weather assessment information from Harris County's Office of Emergency Management. I do not have a public link. A quick google search confirms that there will be 70% chance of rain on Tuesday, and the newscaster advised that rain is expected on Tuesday morning and then one to two more rain events on Tuesday night.

Michael



**Michael Barnhart**  
Senior Counsel  
**832-418-1684**  
mbarnhart@mitbylaw.com

IMPORTANT/CONFIDENTIAL. This message from Mitby, PLLC, is intended only for the use of the addressees shown above. It contains information that may be privileged, confidential, and/or exempt from disclosure under applicable law. If you are not the intended recipient of this message, you are hereby notified that the copying, use or distribution of any information or materials transmitted in or with this message is strictly prohibited. If you receive this message by mistake, please call Michael Barnhart immediately at (832) 418-1684 and destroy the original message. Thank you

---

**Subject:** FW: Election Day Readiness

**From:** Marga Matthews <[marga0207@gmail.com](mailto:marga0207@gmail.com)>

**Sent:** Monday, May 23, 2022 2:27 PM

**To:** Longoria, Isabel (Elections) <[Isabel.Longoria@vote.hctx.net](mailto:Isabel.Longoria@vote.hctx.net)>; HCRP Elections <[Elections@harriscountygop.com](mailto:Elections@harriscountygop.com)>; Carmen Cavazos <[carmen.cavazos@harriscountygop.com](mailto:carmen.cavazos@harriscountygop.com)>; [alandvera85@gmail.com](mailto:alandvera85@gmail.com); [michael@mkbarnhart.com](mailto:michael@mkbarnhart.com); Obakozuwa, Rachelle (Elections) <[Rachelle.Obakozuwa@vote.hctx.net](mailto:Rachelle.Obakozuwa@vote.hctx.net)>; HCRP Chair <[chair@harriscountygop.com](mailto:chair@harriscountygop.com)>; Steve Mitby <[smitby@seilermity.com](mailto:smitby@seilermity.com)>; Sonya Aston <[sonya@sonyaaston.com](mailto:sonya@sonyaaston.com)>

**Subject:** Re: Election Day Readiness

The Republican Party is working on filling these locations. Alexander Elementary we have a clerk that is stepping up to be the PJ.

We will have a constant update with you on these Locations, through out the day. I called Rachelle on the Alexander location supply pick up,

I would like to pick up the supplies, please let me know if I am able to do this asap. On the Chain of Custody, just letting you know we used your form, just duplicated , and yes we will notify the PJ's to give Harris County the original, and they will keep a copy.

Thank You

Marga Matthews  
Primary Director  
832-984-8825

On Mon, May 23, 2022 at 11:09 AM Longoria, Isabel (Elections) <[Isabel.Longoria@vote.hctx.net](mailto:Isabel.Longoria@vote.hctx.net)> wrote:

Good Afternoon Marga,

I want to bring attention to two pressing matters for Election Day tomorrow.

**Presiding Judge Vacancies & Closing of Polls**

As of this morning the Harris County Republican Party still has 5 Presiding Judge Vacancies. It appears over the last weeks HCRP has been fluctuating between 3 and 5 vacancies on any given day. This leaves less than

24 hours for you to recruit and place PJs, AJs and Clerks, and extremely questionable as to whether or not they would be prepared to safely run an election by tomorrow. **What is HCRPs plan in the likely event you are unable to staff your 5 voting locations?**

R72008	Alexander Elementary School
R82046	Memorial Parkway Junior High School
R22058	Shady Lane Park Community Center
R52004	Sam Rayburn High School
R62058	South Early College High School

### **Election Night Transportation Chain of Custody Forms**

We understand that over the weekend you handed out your own triplicate version of the attached Transportation Chain of Custody document to your Presiding Judges. We further understand that you have instructed your Judges to use that chain of custody document upon delivery of equipment and materials to NRG. We agree with that action and will instruct the election workers accordingly. However, we understand that your representatives have instructed your presiding judges to provide to election workers on site at NRG the carbon copy and not the original, top sheet. That is inconsistent with the election code. The original chain of custody should be provided to our office to provide to the Central Count Station Presiding Judge, while the carbon copy or “receipt” can be retained by the polling location presiding judge. See 127.068 of the Election Code. **Please confirm that you will instruct your judges accordingly.**

Respectfully,



**Isabel Longoria**

Harris County Elections  
Administrator

[Isabel.Longoria@vote.hctx.net](mailto:Isabel.Longoria@vote.hctx.net)

832.584.1757

she/hers





# May Elections





# Harris County Elections Office Election Night Driver Training

**TUESDAY, MAY 24, 2022**

# Before We Start



**Thank you** for joining the County Employee  
Volunteer Program and for helping us make election  
in Harris County successful!

# Agenda:



- Overview of What You'll Do
- Assignment
- Materials
- Step by Step on Election Night
- Next Steps
- Q&A

# Tuesday, May 24 – Overview of what you'll do



1. Go to assigned voting location – both parties have separate setup
2. Obtain specific voting equipment and materials from the location
3. Immediately and securely return equipment and materials back to NRG, Gate

4

# Tuesday, May 24 – How You'll Be Assigned



- Receive an email today with
  - Assigned location
  - Contact information for Presiding and Alternate Judges of assigned locations
  - Contact information for EA Team
  - Documents to take to location – must print out and take with you
    - EA Deputy Letter
    - Chain of Custody – Travel Log forms (2 per assigned location)
    - Entrance Pass to NRG, Gate 4

# Tuesday, May 24 – Materials to take with you



**Deputy Letter** – this letter shows you're deputized as an EA team member for the night  
– MUST have this with you to show the Presiding and Alternate Judge

**Your Badge** – must show your law enforcement or county badge to the Presiding and  
Alternate Judge

**Chain of Custody** – this form is how we transfer custody of the materials from the  
Presiding Judge/Alternate Judge to you and then you to us – ***it is the most important  
form needed all night***

# Step by Step – Before Election Day



1. Attend Swearing-in Zoom
2. Receive your assignment email
3. Print all documents provided - 2 sets for each voting location
4. Contact Presiding and/or Alternate Judge ahead of time to coordinate

# Step by Step – On Election Day



**Location** – Arrive at 6:45 pm

**Provide to first PJ & AJ** – Show your Deputy Letter + Your Badge

**Get sworn in** – be Sworn in by the Presiding Judge (oath is on the Chain of Custody)

**Verify all equipment** – Go through each item with PJ and AJ to make sure you have ALL required items

**Election Day Travel Log & Chain of Custody** – Go through each section with PJ and AJ – each section MUST be filled out

**Pack equipment in your vehicle** – With the election workers' help, pack all equipment into your vehicle

**Repeat** – go through the above steps with the other party's PJ & AJ

# Step by Step – On Election Day



## Verify All Equipment

1. Scan
  2. Ballot Bag
  3. Judge's Box with unused ballot paper
- 
1. Ballot Box
  2. ePollbook case

1.



4.



2.



5.



3.



# Step by Step – On Election Day



## Election Day Travel Log & Chain of Custody – fill out serial numbers + seal numbers



Location Name & Poll Code

Election Date

### Election Day Travel Log & Chain of Custody

(This form must be used *in addition to* the Orange Chain of Custody that goes in each Scan)

<b>Instruction: Fill in all Serial and Seal Numbers for each Scan and Ballot Bag (note that you may only have one Scan and one Ballot Bag)</b>		
1 <sup>st</sup> Scan Serial Number:		
1 <sup>st</sup> Scan Seal Number:		
1 <sup>st</sup> Ballot Bag Seal Number:		
2 <sup>nd</sup> Scan Serial Number:		
2 <sup>nd</sup> Scan Seal Number:		
2 <sup>nd</sup> Scan Ballot Bag Seal Number:		
<b>Confirm that all items below are provided to the Elections Office Deputized Representative and check each box to confirm:</b>		
<input type="checkbox"/> Scan(s)		
<input type="checkbox"/> Ballot Bag(s)		
<input type="checkbox"/> Large Black Ballot Box(es) inside its corresponding bag		
<input type="checkbox"/> Black iPad cases with all iPads, MiFi, and charging cables packed inside		
<input type="checkbox"/> Judge's Box with ALL envelopes (Purple RID envelope, Green Voter Registration envelope, Yellow Provisional Ballot envelope, Tan Spoiled Ballot envelope, White Elections Administrator envelope) + unused ballot paper + compensation sheets		
<b>Presiding Judge's Signature</b>	<b>Alternate Judge's Signature</b>	<b>Deputized Elections Office Representative's Signature</b>

# Step by Step – On Election Day



**Go through all steps with BOTH parties, unless the PJ opts out of driver program**

# Step by Step – On Election Day



## Pack Equipment in a Vehicle

*Must be enclosed  
vehicle - can't be open  
pickup truck*

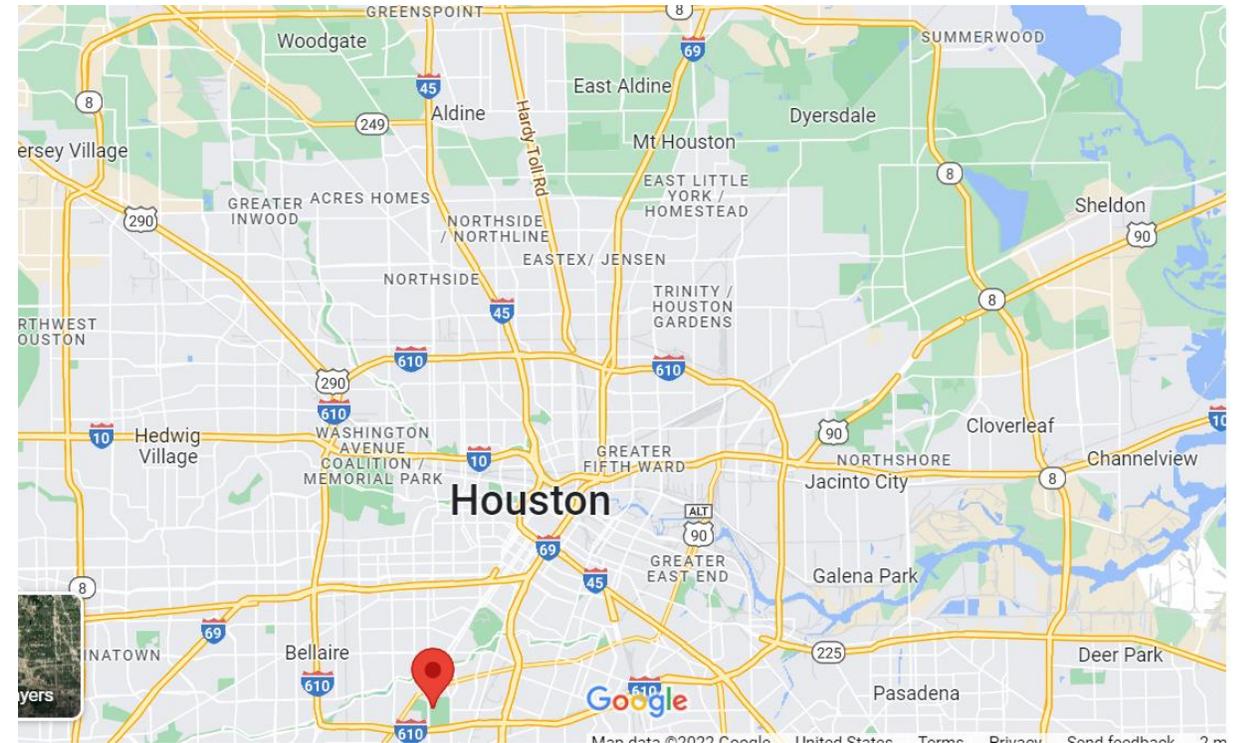


# Step by Step – On Election Day



## Drive to NRG, Gate 4

1. Pull into drive-thru drop-off line  
*(snacks and water provided upon your arrival)*
2. At the front of the line, members of the Elections Team will unload your vehicle
3. Sign over equipment and materials with the **Election Day Travel Log & Chain of Custody**
4. Be careful heading home + Thank you!



# May 24 – Next Steps



## Next Steps before May 24

- Email from EA Office including:
  - Assigned locations
  - Deputy letter
  - Chain of Custody Form
  - Contact Information for Presiding and Alternate Judge
  - Contact Information for EA Team

# May 24 – Q&A



**Questions? Comments?**

**Bingham, Tiffany (CAO)**

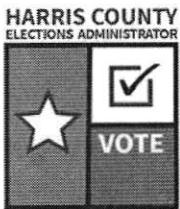
---

**From:** Stevens, Beth (Elections)  
**Sent:** Tuesday, May 24, 2022 5:11 PM  
**To:** Donna Stanart; HCRP Chair; Odus Evbagharu; Nicole Pedersen; Rob Icsezen; Alan Vera; Karem Maldonado; Carmen Cavazos  
**Cc:** Longoria, Isabel (Elections)  
**Subject:** Poll watchers

Good evening,

It has come to our attention that there may be confusion regarding poll watchers at Central Count this evening. Allow me to clarify – as in past elections where Central Count was operated out of NRG, poll watchers may enter Gate 10, with or without a parking pass, and will be allowed inside of Central Count so long as they have the proper documentation and demonstrate they went through the required training. Please let me know if you have any questions. Additionally, if a poll watcher is in contact with your party and has questions, please feel free to connect them with me via email or my cell phone.

Thank you,



**Beth Stevens**

Chief Director of Voting  
Office of Isabel Longoria  
Harris County Elections Administrator  
[beth.stevens@vote.hctx.net](mailto:beth.stevens@vote.hctx.net)  
713.274.9625

NO.: 22-0415

**In The Supreme Court of Texas**

**In re Harris County Republican Party  
and Cindy Siegel as Chair of Harris  
County Republican Party,  
Relators.**

---

**AFFIDAVIT**

---

BEFORE ME, the undersigned authority, on this day personally appeared Tiffany Bingham who swore under oath of the following:

“My name is Tiffany Bingham. I am of sound mind and competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

I am an employee of the Harris County Attorney’s Office in Harris County, and I am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities.

Attached are 13 exhibits:

Exhibit 1 – April 13, 2022 email regarding Runoff Planning Recap

Exhibit 2 – May 18, 2022 email regarding Weekly Primary Planning Meeting

Exhibit 3 – May 18, 2022 email regarding Election Night Supply Return

Exhibit 4 – May 19, 2022 email regarding Election Night Ballot Dropoff Process

Exhibit 5 – May 20, 2022 email regarding Election Night Return with attachment containing Election Judge Placard

Exhibit 6 – May 21, 2022 email regarding Election Judge Updates

Exhibit 7 – May 23, 2022 email regarding Election Administrator’s Threats Against Republican Precinct Judge

Exhibit 8 – May 23, 2022 email regarding Election Day Readiness

Exhibit 9 – May Elections Harris County Elections Office Election Night Driver Training

Exhibit 10 – Election Night Driver Instructions

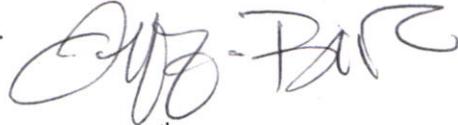
Exhibit 11 – Election Day Travel Log & Chain of Custody Form

Exhibit 12 – Election Driver Placard

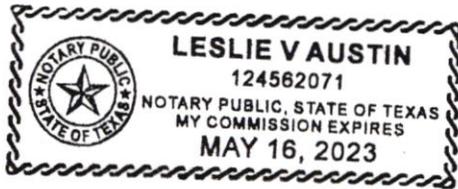
Exhibit 13 – Poll watcher email

I attest that each document is a true and correct of the original records.

**BEFORE ME**, the undersigned authority, this day personally appeared Tiffany Bingham and by oath states that the facts herein stated are true and correct.



**SWORN TO AND SUBSCRIBED BEFORE ME** on this 24<sup>th</sup> day of May, 2022.



  
Notary Public in and for the State of Texas

My commission expires: 05/16/2023