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Secretary of State's Office
Herschler Building East
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Dear Secretary Buchanan,

I am writing you with an eminent request that the Office of Secretary of State determine that the elections of County Chairman, State Committee Man and State Committee Woman were conducted in blatant violation of Wyoming law. This is blatant vote padding and allowing fraudulent votes to sway an election. Elections have meaning and laws have meaning. Wyoming must hold itself up to a higher standard.

To be specific, the Uinta County Republican Party allowed four of its “officers” that were part of the Uinta County Republican Party Executive Committee, but were not part of the “county central committee” in that they were not elected precinct committee men or women, to vote in the election of the County Chair, State Committee Man and State Committee Woman.

On March 16, 2021 the Uinta County Republican Central Committee voted to elect new leadership. It is undisputed that there are 36 precinct committee men and committee women in Uinta County. It is also undisputed that at this election on March 16, there were 40 individuals that were allowed to vote. The Uinta County Republican Party allowed four “officers” that were elected two years prior by a prior central committee to participate in the election of the new County Chair, State Committee Man and State Committee Woman. Those facts are settled and are not disputed. The County Party Chair vote was 21-19, the State Committee Man was 21-19 and the State Committee Woman was 23-17. The four voters that were not part of the county central committee were all aligned with, and in fact were candidates for, the prevailing parties. There can be no doubt that by allowing these four individuals to vote, the Uinta County Republican Party changed the outcome of the election.

Wyoming Statute 22-4-104 (emphasis added) States:

The county central committee shall meet at the county seat each odd-numbered year at a time and place determined by the county chairman. The county chairman shall publish notice of the meeting in a newspaper of general circulation within

the county not less than ten (10) days before this meeting. At the meeting, **the county central committee** shall elect the chairman of the county central committee, one (1) state committeeman and one (1) state committeewoman...

In turn, Wyoming Statute 22-4-101 defines the county central committee as:

(b) The county central committee of each political party consists of precinct committeemen and committeewomen elected in the county at the regular biennial primary election.

Wyoming Statutes are very clear that ONLY the members of the county central committee are allowed to elect the County Chair, the State Committee Man and the State Committee Woman. It is undisputed that Uinta County allowed people to vote in this election that were not members of the county central committee as defined by Wyoming Statute. This is a clear and egregious violation of Wyoming law. There is no doubt that this decision impacted the outcome of the election.

Of note, the State Party by-laws mirror the language of the statute. The Wyoming Republican By-Laws can be found at: https://b53a1313-c80d-4334-bc70-dc6742e1bd0f.filesusr.com/ugd/d8b5a1_fa3b64d4d2e4497d9ef0d4973c5c80f7.pdf On Page 7, subpart 6, the State By-Laws read:

6. Officers and Terms of Office

1. The County Chairman, Vice Chairman, State Committeeman and State Committeewoman shall be elected by the **County Central Committee** at its March meeting in the odd numbered years to serve for a term of two (2) years.

This is the section that specifically governs “elections” of these specific officers. Once again, the voting body is specifically limited to the County Central Committee – which has been statutorily defined above and is also defined in the State Party By-laws at Page 5:

Article III County Central Committees

1. Membership

1. The Republican Central Committee of each County shall consist of the properly elected or appointed Republican Precinct Committeemen and Committeewomen in a County who shall hold office for a term of two (2) years or until their successors have been properly elected or appointed.

The State Party By-Laws are perfectly consistent with State Statute – which by law they must be.

The Uinta County Republican Party has claimed that officers can “vote” relying on a different section of the by-laws. I would point out that first, the by-laws cannot be inconsistent with state law. The statutes trump the by-laws. Second, the provision they point to is a general provision that discusses the way that the county conducts its regular business. They rely on the following Provision found on Page 9 of the by-laws:

9. Voting

1. Only properly elected, selected or appointed and ratified Precinct Committeemen and Precinct Committeewomen and elected officers shall be entitled to vote at Central Committee meetings. All County Central Committee members in office on the date the notice of a County Central Committee meeting is published shall be allowed to vote at the meeting.

I would again note that state statute governs, and the by-laws cannot be inconsistent with state statute. But, even beside that point, here the by-laws are perfectly consistent with the statutes. As set out above, the provisions that govern the “**election**” of the State Committee Man, State Committee Woman and County Chair (all members of the State Central Committee) are perfectly clear that the only eligible voters in those “**elections**” are the **county central committee members**, i.e., the duly elected precinct committee men and women. In Uinta County, that means there are only 36 people qualified to vote in that election. A later section that indicates that officers can vote on regular county business cannot overturn the specific and direct limitations on who can vote in elections for these important state offices. Especially when it is defined by statute.

Finally, I want to once again emphasize the importance of the State Central Committee and the important roles they play under state law. These positions are statutorily defined offices with statutory duties. Senator Barrasso, Governor Gordon, and even yourself all three came into state-wide office based on these statutory duties and the votes of these statutorily created positions. The State of Wyoming has a vested interest in making sure these elections are done correctly.

There are dozens of U.S. Supreme Court cases that confirm that if the state gives the political party real power in determining elected offices, that then the state has a legitimate interest in regulating the process of how those officers are chosen. Here, because the State of Wyoming has given the State Central Committee power to select candidates to replace statewide office holders, the State of Wyoming has a vested interest in how the members of the State Central Committee are chosen.

A recent 10th Circuit Court of Appeals Decision out of Utah does a nice job of summarizing this logic.

The Constitution grants states the right to prescribe “[t]he Times, Places and Manner of Holding Elections for Senators and Representatives,” Art I, § 4, cl. 1, and the Supreme Court has held that states enjoy similar authority to regulate their own elections, *see, e.g., Tashjian v. Republican Party of Conn.*, 479 U.S. 208, 217, 107 S. Ct. 544, 93 L. Ed. 2d 514 (1986). The Court has further recognized that “as a practical matter, there must be a substantial regulation of elections if they are to be fair and honest and if some sort of order, rather than chaos, is to accompany the democratic processes.” *Storer v. Brown*, 415 U.S. 724, 730, 94 S. Ct. 1274, 39 L. Ed. 2d 714 (1974). These regulations, however, whether they prescribe the time, place, and manner of elections or otherwise provide for orderly selection of the people's representatives, will invariably impose some burden upon

individual voters **and political parties**. See *Anderson v. Celebrezze*, 460 U.S. 780, 788, 103 S. Ct. 1564, 75 L. Ed. 2d 547 (1983).

Utah Republican Party v. Cox, 885 F.3d 1219, 1228, 2018 U.S. App. LEXIS 6939, *12-13, 2018 WL 1386427 (emphasis added).

Wyoming Statute Section 22-18-111 specifically lays out the role of the State Central Committee in filling vacancies. These 69 people on the State Central Committee are entrusted to represent the voters of the State of Wyoming and put forward three names to fill these offices. By granting this important power and by the State Central Committees accepting this power, the State Central Committees of both the Democratic and Republican Parties are subject to reasonable state regulations. Once again, the 10th Circuit addressed this issue by stating:

The distinction between wholly internal aspects of party administration on one hand and participation in state-run, state-financed elections on the other is at the heart of this case. When a party selects its platform, its Chairman, or even whom it will endorse in the upcoming election, the state generally has no more interest in these internal activities than in the administration of the local Elks lodge or bar association. But when the party's actions turn outwards to the **actual nomination and election of an individual who will swear an oath not to protect the Party, but instead the Constitution, and when the individual ultimately elected has the responsibility to represent all the residents in his or her district, the state acquires a manifest interest in that activity, and the party's interest in such activity must share the stage with the state's manifest interest.**

Id. at 1229(emphasis added).

That is precisely the case here. The State Central Committee has a vital role in nominating individuals to represent the entire state. Those individuals swear an oath to the Constitution and not to a party. This power makes the State Central Committee subject to state regulations. The state has a vested interest in making sure the process to replace these office holders is done according to the law.

Finally, I would note that Uinta County added four additional voters. If their theory is true, there is nothing that would prevent them from adding 25 “officers” or 50 or 100 or whatever it took to maintain control. Four was the number they needed, so they added four.

We request that you immediately conduct your independent review of the law with the assistance of the Attorney General if necessary. If you agree, we request that you immediately meet with Frank Eathorne and explain this error and request a new vote. We also ask that he fix this mistake in any county where it occurred. If the Mr. Eathorne and the State Party refuse to fix this blatant violation of Wyoming law, we ask that you use all means necessary to defend Wyoming law.

We appreciate your timely response to this matter as time is of the essence.

Sincerely,

Gen Z (amad)