



Constitutional Sheriffs and Police Officers Association and Election Denialism in Nevada

By Lisa Lynn Chapman, JD
Research Manager

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Introduction

Rugged individualism and anti-government sentiment are a part of the fabric of Nevada. Equally woven into Nevada is the glitz and glamour of the gaming mecca, Las Vegas. There has always been a clash between Southern Nevada (Clark County) and the rest of Nevada. When looking at electoral politics, the clash is very evident.

During the 2022 election, Adam Laxalt stated, “Clark County? We got major problems down there. And we’ve got to fight that.”¹ In a different speech, Laxalt said, “I do think votes count here. I do think votes count in at least 15 counties. Washoe County can be a little squirrely.”² Later in the year, election denier Laxalt was flanked by two Constitutional Sheriffs and Police Offices Assoc. (CSPOA) Sheriffs, Jesse Watts and Aitor Narvaiza, at a press conference.³

The CSPOA promotes the belief that Sheriffs are the true interpreters and enforcers of the constitution in their jurisdiction. However, legal authorities disagree. “They have no authority, not under their state constitutions or implementing statutes, to decide what’s constitutional and what’s not constitutional. That’s what courts have the authority to do, not sheriffs,” said Mary McCord, a former federal prosecutor and executive director of the Institute for Constitutional Advocacy and Protection at Georgetown University.⁴ McCord also stated that the CSPOA is part of

the “broader insurrectionist ideology that has gripped the nation since the 2020 presidential election.”⁵

This paper will discuss the intersection of election denialism and the CSPOA in Nevada and how this may appear in the 2024 election and post-election. There is a lot at stake during the 2024 election. The cultural clash is being played out in modern politics, and the results will reverberate throughout the country for decades.

¹ Democratic Sentatorial Campaign Committee, ICYMI: GOP Senate Contenders Tell Rural Counties Their Votes Count, Unlike in Urban Counties, accessed October 17, 2024.

² *Ibid.*

³ KUNR, As far-right extremism surges, a Nevada Senate race is giving a platform to a controversial group of sheriffs who buck federal authority, accessed October 18, 2024.

⁴ Reno Gazette Journal, A right-wing sheriffs group that challenges federal law is gaining acceptance around the country, accessed October 18, 2024.

⁵ *Ibid.*

Constitutional Sheriffs and Peace Officers Association

Founded in 2011 by former Graham County, AZ sheriff Richard Mack, the Constitutional Sheriffs and Peace Officer Association has grown into a national organization that recruits sheriffs and law enforcement to the “patriot” movement.⁶ Identified as an anti-government organization by the Southern Poverty Law Center,⁷ Mack and CSPOA have close ties to the [Oath Keepers](#), based in Las Vegas, NV.⁸ Mack was a former board member.⁹ He previously stated that “the greatest threat we face today is not terrorist; it is our own federal government.”¹⁰

Mack has a long-standing relationship with anti-government activities in Nevada. In 2014, he was active in the [Bundy standoff](#) with the Oathkeepers and other militias when Cliven Bundy called for support against the federal government, which was coming to confiscate cattle grazing on federal lands.¹¹ Bundy refused to pay grazing fees to the Bureau of Land Management for the grazing rights.¹² The standoff between Bundy and his followers and the federal government lasted several weeks.

This anti-government sentiment is upfront in the CSPOA’s organizing philosophy. Its ideology lies in the county supremacy and Posse Comitatus movements espoused by William Potter Gale in the 1970s.¹³ In short, the belief is that “the county, not the state or federal government, should control all land within its borders, and the county sheriff should be the ultimate law enforcement authority in the U.S.”¹⁴ In Nevada, where the federal government owns 85.9 percent of the land,¹⁵ it is easy to see how this idea, though flawed, took hold.

Article 6 of the Constitution states that local governments cannot override federal laws.¹⁶ However, in a 1997 case, [Printz v United States](#), of which Mack was a petitioner

⁶ Anti-Defamation League, *The Constitutional Sheriffs and Peace Officers Association (CSPOA) and Richard Mack: How Extremists are Successfully Infiltrating Law Enforcement*, accessed October 11, 2024.

⁷ Southern Poverty Law Center, *Constitutional Sheriffs*, accessed October 11, 2024.

⁸ Institute for Research & Education on Human Rights, *Shoulder to Shoulder: CSPOA and the Oathkeepers*, accessed on October 15, 2024.

⁹ See supra note 2.

¹⁰ *Ibid.*

¹¹ *Ibid.*

¹² ABC News, *How a standoff in Nevada years ago set the militia movement on a crash course with the US Capitol*, accessed October 11, 2024

¹³ See supra note 2.

¹⁴ *Ibid.*

¹⁵ Harris, Richard W, *Nevada’s Public Lands: Who Owns and Controls Nevada?*, Nevada Lawyer, page 16 October 2021.

¹⁶ U.S. Const. art. VI.

in the case, the Supreme Court of the United States ruled that the federal government cannot force counties to fulfill federal tasks, including disposing of handgun applications or notification of refusals.¹⁷ Mack and those in the county supremacy movement have expanded the ruling that the federal government cannot impose itself, which is opposed to Article 6. In a May 2020 interview, Mack stated, “Let me make this real clear: The president of the United States cannot tell your sheriff what to Do. I don’t care if it’s George Washington himself. They cannot tell us what to do.”¹⁸ The CSPOA reached out to sheriffs and law enforcement through training, online videos, and books.¹⁹ Additionally, the CSPOA also promotes health supplements and gold and silver sales.²⁰

Traditionally, the CSPOA has focused on issues regarding gun violence, immigration, and health policy.²¹ Constitutional Sheriffs have refused to enforce COVID-19 regulations and also common-sense gun regulations.²² In 2022, CSPOA partnered with the anti-immigration Peace Officers Association (PAN) and expanded their purview to investigate ([the now disproven](#)²³) allegations of election fraud in the 2020 election.²⁴ The two organizations also partnered with True the Vote, [producers of the debunked 2000 Mules](#),²⁵ to further the call for election investigations.²⁶ Four Constitutional Sheriffs investigated and failed to substantiate election fraud allegations.²⁷

Not to be dissuaded, CSPOA has developed a plan to establish county supremacy and undermine the federal government.

¹⁷ 521 US 898 (1997)

¹⁸ Southern Poverty Law Center, *Constitutional Sheriffs*, accessed October 11, 2024.

¹⁹ Constitutional Sheriffs & Peace Officers Association, www.cspoa.org

²⁰ *Ibid.*

²¹ American Oversight, *The Constitutional Sheriffs Movement and Its Threat to Democracy*, accessed October 15, 2024.

²² *Ibid.*

²³ Brennan Center for Justice, *The Myth of Voter Fraud*, accessed October 15, 2024.

²⁴ GlobeNewswire, *The CSPOA is Calling Upon All Americans and Law Enforcement Nationwide to Come Together in Pursuit of the Truth Regarding the 2020 Election*, accessed October 15, 2024

²⁵ Nation Public Radio, *Publisher of ‘2,000 Mules’ election conspiracy theory film issues apology*, accessed October 15, 2024.

²⁶ Reuters, *Insight: Right-wing U.S. sheriffs vow to probe 2020 voter-fraud claims*, accessed October 15, 2024.

²⁷ *Ibid.*

The CSPOA 180-Day Plan

It is called the Florida Foundation for Freedom; however, in reality, it is a project by the CSPOA designed to interfere with the upcoming elections. The CSPOA 180-day plan would replace the federalist system of government with the “Bill of Rights Constitutional Sanctuary Counties.”²⁸²⁹ The purpose of the plan is “through Constitutional Law, reestablish our Constitutional Republic and nullify all unconstitutional acts, including executive orders, legislation, proclamations, rules, regulations, statutes, supreme court decisions, treaties, and other acts that have been systematically used to usurp our God-given [sic] constitutional rights.”³⁰ The plan describes the role of “Constitutional Sanctuary Counties” as follows:

“In passing this type of ordinance or resolution, the county government seeks to stop the unconstitutional circumvention of the legislative process and to nullify all acts, administrative orders, executive orders, judiciary rulings, legislative actions, mandates, proclamations, regulations, rules, statutes, and treaties which violates or unreasonably restricts, impedes, or impinges upon an individual’s constitutional rights and violates the fundamental American doctrine of separation of powers. In doing so, the county declares such ‘unlawful acts’ to be invalid in that county and that they shall not be recognized by that county, and they shall be considered null and void of law and of no effect in that county.”³¹

The CSPOA plans to direct the county sheriffs, commissioners, and election officials by issuing “Notifications of Specific Actions.”³² If the Notification of Specific Actions is not implemented, the CSPOA threatens the removal of duly elected officials.³³ This removal is not by ballot but by using “citizen grand juries” or posses.³⁴

²⁸ Florida Foundation for Freedom, *180-Day Plan: Election 2024*, accessed October 17, 2024.

²⁹ Institute for Research & Education on Human Rights, *The Plan*, accessed October 17, 2024.

³⁰ Florida Foundation for Freedom, *180-Day Plan: Election 2024*, accessed October 17, 2024.

³¹ *Supra* Note 24

³² Institute for Research & Education on Human Rights, *The Plan*, accessed October 17, 2024

³³ *Ibid.*

³⁴ *Ibid.* quoting Bushman, Sam, Mitchell, William. “Liberty Roundtable. Radio Show Hour 1 – 03/12/2024.” Liberty Roundtable website. March 12, 2024.

“And this is one of the things that we’re also working on is the concept of the citizen’s grand jury. Because when you’re not having a judiciary that’s responsive to the Constitution, how do you deal with that? How do you basically hold the judiciary accountable? And a lot of the different legislative pieces that are being put forward to institute citizens grand juries that have that kind of teeth and say, listen, if you are a prosecutor, if you have had something brought to you that shows the evidence that there should be a grand jury impaneled and that the grand jury has given you the indictment that you must prosecute or you’re going to be removed from office and there will be another person hired to do your job at the county’s expense.”

These posses or “citizen grand juries” would be citizen groups that agree with the CSPOA extreme right-wing interpretation of the Constitution and would conduct extrajudicial action to enforce compliance with the “Notifications of Specific Actions,” including nullifying elections and removing duly-elected representatives on the State and County level.

The CSPOA 180-plan builds on and operationalizes the self-published work of Matt Trehwella.³⁵ Trehwella’s work justifies a Christian nationalist revolution starting from the municipal and county levels.³⁶ Trehwella has advocated for the use of political violence, including the murder of abortion doctors and also the execution of LGBTQ+ individuals.³⁷

Constitutional Sheriffs in Nevada

From the Sagebrush Rebellion³⁸ to the Bundy Ranch standoff,³⁹ Nevada has a long tradition of anti-government sentiment and action. Between the military, the Bureau of Land Management (BLM), and the US Department of Forestry, the federal government controls most of Nevada’s lands. Most Nevada ranchers lease grazing



Lander County Sheriff Ron Unger, left; Eureka County Sheriff Jesse Watts; Elko County Sheriff Ator Narvesa and Constitutional Sheriffs and Peace Officers Association founder Richard Mack gather in Elko on June 20, 2020. The Lander and Elko county commissions voted to join a “constitutional sheriffs” group that argues local law enforcement has final say over how to interpret laws. Jeff Mullins, AP

rights from the BLM. This means the BLM regulates how many cattle ranchers utilize the land.⁴⁰ Land management and grazing fees were the basis of many government confrontations. So, it is understandable in Nevada’s rural counties, the ideas of the CSPOA have taken root. The support of CSPOA by rural law enforcement is evidenced by their

attendance at the social gatherings to celebrate Lander County becoming the first

³⁵ Supra Note 27

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ Library of Congress, *Buckaroos in Paradise: Ranching Culture in Northern Nevada, 1945 to 1982, The Sagebrush Rebellion, 1960-1982*, accessed October 17, 2024.

³⁹ Associated Press, *10 years after armed standoff with federal agents, Bundy Cattle are still grazing disputed rangeland*, accessed 10.17.2024.

⁴⁰ Library of Congress, *Buckaroos in Paradise: Ranching Culture in Northern Nevada, 1945 to 1982, The Sagebrush Rebellion, 1960-1982*, accessed October 17, 2024.

county to be a member of the organization in May 2021.⁴¹ Elko followed and is also a lifetime member of the CSPOA in June 2021.⁴²

Nevada has three known CSPOA sheriffs: Lander County Sheriff Ron Unger, Elko County Sheriff Aitor Narvaiza, and Eureka County Sheriff Jesse Watts. Sheriff Narvaiza and Watts were also active in the Protect America Now movement and filmed videos supporting the organization.⁴³ Sheriff Watts illustrated his county supremacy views in his letter to Governor Sisolak regarding Watts' refusal to enforce "red flag" laws in Eureka County.



Another Sheriff appears to align with the CSPOA but has not been officially identified as a member. Douglas County Sheriff Dan Coverly attended the same Laxalt campaign as Watts and Aitor.⁴⁴ The Nevada State Ethics Commission fined Sheriff Coverly for attending the event in uniform. Coverly was a fellow at the Claremont Institute, as well.⁴⁵ The institute's mission "is to restore the principles of the American Founding to their rightful preeminent authority in our national life."⁴⁶

Election Denialism in CSPOA Counties

This section will highlight social listening from county officials with a CSPOA or a CSPOA-aligned Sheriff and Washoe County, which has a history of election denialism on the Board of County Commissioners. Informing Democracy conducted social listening regarding county official-level election denialism. Here is the link to the [Election](#)

⁴¹ Board of Lander County Commissioners Meeting, March 11, 2021 Minutes accessed October 17, 2024.

⁴² Board of Elko County Commissioners Meeting, June 2, 2021 Minutes accessed October 17, 2024.

⁴³ Narvaiza video for Protect America Now - June 3, 2021.mp4

⁴³ Watts video for Protect American Now - March 1, 2022.mp4

⁴⁴ This is Reno, Douglas County Sheriff in hot water again this time for violating state ethics law, accessed October 18, 2024.

⁴⁵ The Claremont Institute November 1, 2023 email regarding the 2023 Sheriffs Fellows.

⁴⁶ The Claremont Institute, www.claremont.org accessed October 18, 2024

[Officials Library](#). All social listening in the section is accredited to the Election Official Library.⁴⁷

Douglas County

Commissioner Walt Nowosad

- 1/6/21: Walt Nowosad Posted On Facebook: “Win, Lose Or Fraud...President Trump. I Just Want To Say Thank You For Showing Us That We Don’t Need To Be Under China’s Thumb Anymore Economically, Or Any Other Way.” [Facebook, Walter Michael Nowosad, [1/6/21](#)]
- 6/29/23: Walt Nowosad Reposted On An Image On Facebook Originally Posted On January 30, 2017: “Trump Is Being Attacked By All Sides! If You Stand With Trump Please Like And Share!” [Facebook, Walter Michael Nowosad, [6/29/23](#)]
 - 6/27/23: A Superseding Indictment Was Filed Against Donald Trump Over His Handling Of Classified Documents At Mar-A-Lago. “Federal prosecutors released a superseding indictment against former president Donald Trump Thursday, hitting him with a fresh charge over his alleged hiding of classified documents at his Mar-a-Lago home. In addition to the 31 counts he already faces, Trump was charged with illegally retaining national defense information.” [Washington Post, [7/27/23](#)]



- In April 2021, Walt Nowosad Posted An Image On Facebook Listing “When Valid IDs Are Required” And “When Valid IDs Are NOT Required: Voting.” [Facebook, Walter Michael Nowosad, [4/23/21](#)]

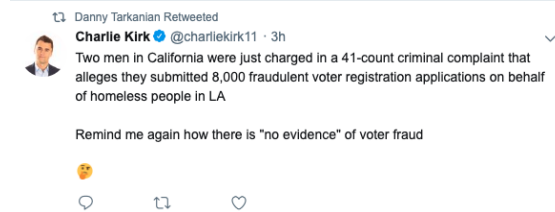


Commissioner Danny Tarkanian

- Tarkanian tweeted “questioned” vote by mail procedures in the 2020 election.

⁴⁷ Informing Democracy, Election Officials Library, accessed October 18, 2024

- Danny Tarkanian Tweeted: “Is It Legit To Mail Ballots To Inactive Voters (Many Who Are Dead Or Moved Out Of State). Why Not Mail Only To Active Voters.” [Twitter via Internet Archive, [3/1/21](#)]
- Danny Tarkanian Tweeted: “Is It Legit To Allow Ballot Harvesting Which Was Previously Outlawed In NV & Still Is In Most States. If Legit, It Raises Suspicions.” [Twitter via Internet Archive, [@DannyTarkanian, 3/1/21](#)]
- Danny Tarkanian Tweeted: “And You Are Wrong If You Claim The Clark County Mail In Ballots Were Manually Inspected.” [Twitter via Internet Archive, [@DannyTarkanian, 3/1/21](#)]
- Danny Tarkanian Tweeted: “Was It Legit To Lower The Verification Of Mail In Ballots To 40% Or The Failure To Manually Verify The Ballots In Clark County. Even If Legit It Certainly Raises Suspicion.” [Twitter via Internet Archive, [3/1/21](#)]
- Tarkanian amplified several election deniers spreading doubt about the election results.
 - Danny Tarkanian Retweeted Charlie Kirk’s Claim That “Two Men In California Were Just Charged In A 41-Count Criminal Complaint That Alleges They Submitted 8,000 Fraudulent Voter Registration Applications On Behalf Of Homeless People In LA. Remind Me Again How There’s ‘No Evidence’ Of Voter Fraud.” [Twitter via Internet Archive, [@DannyTarkanian, 11/18/20](#)]

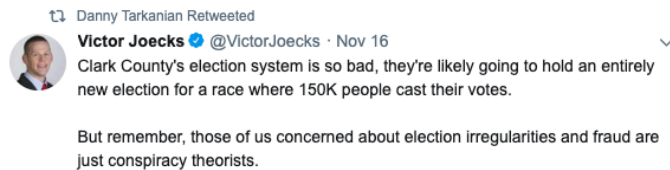


- Danny Tarkanian Responded “Agree Completely” To Eric Trump’s Tweet, “It’s Amazing How Hard The Democrats Are Fighting Against Signature Verification. Why In The World Would Anyone Push Back On This Concept?!” [Twitter via Internet Archive, [@DannyTarkanian, 11/18/20](#)]



- Danny Tarkanian Retweeted Victor Joecks: “Clark County’s Election System Is So Bad, They’re Going To Hold An Entirely New Election For A Race Where 150K People Cast Their Votes. But Remember,

Those Of Us Concerned About Election Irregularities And Fraud Are Just Conspiracy Theorists.” [Twitter via Internet Archive, [11/18/20](#)]



- Danny Tarkanian Retweeted Charlie Kirk: “I Just Don’t Buy That 78 Million Americans Legitimately Voted For Four Years Of What We Saw Last Night In DC: Conservatives Attacked, Women And Children Beaten In The Streets, Innocent People Forced Into Hiding - All At The Hands Of Joe Biden’s Base.” [Twitter via Internet Archive, @DannyTarkanian, [11/18/20](#)]



- Tarkanian casts doubt on the signature verification process in Nevada elections.
 - Danny Tarkanian: “My Biggest Concern With What’s Gone On, I’ve Said This Over And Over Again, Is The Signature Verification Of Votes That Are Coming In.” Danny Tarkanian said, “but my biggest concern with what's gone on, I’ve said this over and over again, is the signature verification of votes that are coming in. The legislature has passed universal mail-in ballots and I think that's completely wrong. It should only be going to people that have voted regularly, they call them active voters as opposed to inactive voters.” [Douglas County Board of Commissioners, Minutes, [10/7/21](#)]
 - Danny Tarkanian: “The Biggest Problem We Have In Our Elections Going Forward Is That Clark County Does Not Check Them Manually, They Check Them Through A Machine Or Through Automation, And The Developer Of The Software For That Machine Has Recommended A 50 Percent Level Of Verification.” Danny Tarkanian said, “The biggest problem we have in our elections going forward is that Clark County does not check them manually,

they check them through a machine or through automation, and the developer of the software for that machine has recommended a 50 percent level of verification of the signatures and at no point should they go less than 40 percent.” [Douglas County Board of Commissioners, Minutes, [10/7/21](#)]

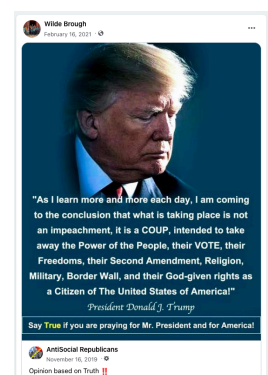
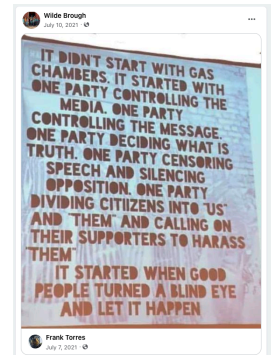
- Danny Tarkanian: “It’s My Understanding, And It’s Been Reported That They Used A 30 Percent Verification Level, And That The Number Of Ballots That They Challenged Was Very, Very Very Low.” Danny Tarkanian said, “It’s my understanding, and it’s been reported that they used a 30 percent verification level, and that the number of ballots that they challenged was very, very, very low.” [Douglas County Board of Commissioners, Minutes, [10/7/21](#)]
- Danny Tarkanian: “Does The Secretary Of State’s Office Have Any Influence On Requiring These County Clerks To Use A Reliable Level Of Signature Verification Or Are We At The Mercy Of What The County Clerk Does And Their County Commissioners, Which Happen To All Be Democrats In Clark County?” Danny Tarkanian said, “Does the Secretary of State's Office have any influence on requiring these County Clerks to use a reliable level of signature verification or are we at the mercy of what the County Clerk does and their County Commissioners, which happen to all be Democrats in Clark County?” [Douglas County Board of Commissioners, Minutes, [10/7/21](#)]

Elko County

Commissioner Wilde Brough

- “Brough, who seconded the motion, stated he was ‘surprised’ more people did not show up to observe the audit, particularly those who had voiced criticism of the process. ‘I thought there would be a few more people,’ Brough said. ‘I think I’m the one that said we ought to do it, let them all participate, and then they’ll see. Nobody wanted to participate.’” [Elko Daily Free Press, 11/18/22]
- “Commissioner Wilde Brough said there have been ‘no prosecutions yet’ in the presidential election in which Donald Trump lost to Joseph Biden, and he said that while he would have liked Trump to be president, he said that from the U.S Supreme Court and down the line, there is no evidence of fraud. ‘I have to look at it as a county commissioner. I have to give it the bigger picture,’ he said. Brough also said he didn’t believe Elko County elections were a problem.” [Elko Daily Free Press, 9/8/22]

- Wilde Brough Shared A Long Facebook Post Full Of Conspiracy Theories About The Clinton Foundation, The FBI, Robert Mueller, And Others. [Facebook, Wilde Brough, [7/19/21](#)]
- Wilde Brough shared an image on Facebook that read, “It didn’t start with gas chambers. It started with one party controlling the media. One party controlling the message. One party deciding what is truth. One party censoring speech and silencing opposition. One party dividing citizens into ‘us’ and ‘them’ and calling on their supporters to harass them. It started when good people turned a blind eye and let it happen.” [Facebook, Wilde Brough, [7/10/21](#)]
- On June 7, 2021, Wilde Brough shared an image on Facebook that read: “Echo if you think proof of citizenship and photo I.D. should be required to vote in America!” [Facebook, Wilde Brough, [6/7/21](#)]
- On June 6, 2021, Wilde Brough shared a Facebook post titled “DIVORCE AGREEMENT” For Red And Blue States. [Facebook, Wilde Brough, [6/6/21](#)]
- On April 25, 2021, Wilde Brough shared an image on Facebook of top Congressional Democrats that read, “Haven’t you figured it out yet? It’s not about Trump’s ‘corruption.’ It’s about making sure you don’t find out about their corruption.” [Facebook, Wilde Brough, [4/25/21](#)]
- On February 16, 2021, Wilde Brough shared a Facebook post from November 16, 2019 that read, “As I learn more and more each day, I am coming to the conclusion that what is taking place is not an impeachment, it is a COUP, intended to take away the Power of the People, their VOTE, their Freedoms, their Second Amendment, Religion, Military, Border Wall, and their God-given rights as a Citizen of the United States of America! President Donald Trump.” [Facebook, Wilde Brough, [2/16/21](#)]
- On January 8, 2021, Wilde Brough shared an image on Facebook that read: “How can you tell the truth is being told? Facebook blocks it. Twitter bans it. Google hides it. Youtube deletes it. Government



censors it, and the media never mentions it!" [Facebook, Wilde Brough, [1/8/21](#)]

- On November 19, 2020, Wilde Brough shared a Facebook post that read, "I'm all for a re-vote, in person, with ID required...How about you?" [Facebook, Wilde Brough, [11/19/20](#)]

Commissioner Travis Gerber

- Voted for Elko to join the CSPOA and attended an event where the CSPOA recognized Nevada Sheriffs at an event in Elko County in June 2021. [Elko Daily Free Press, 6/21/21]
- "Dressed in Minuteman garb and sitting on a horse that traveled to Washington, D.C., for the Grass March in support of ranchers, Elko attorney Travis Gerber held a 13-star flag and asked the crowd if they knew how many democracies existed in the world in 1776. 'There were zero democracies,' he said. 'And today, because of this flag and what it stands for, most of the world is free.'" [Elko Daily Free Press, 6/21/21]

Commissioner Rex Steninger

- "Commissioner Steninger voted nay in protest of the State regulation that mandated the way the recount was performed. The motion carried." [Elko County Board of Commissioners, Minutes, [7/6/22](#)]
- "I am convinced the last election was stolen and have been involved in every way I can think of to reveal the steal and fix the system," Elko County Commissioner Rex Steninger wrote in an October 2021 email obtained through a public records request." [Nevada Independent, 10/23/22]
- "'The ultimate goal is to prove fraud, reverse the recent election laws and have an honest election in 2022,' he wrote." [Nevada Independent, 10/23/22]
- "Commissioner Steninger shares concerns with the public about the voting system. He noted that it is the duty of elected officials to restore the confidence of the public in our voting system. The changes necessary are not possible before the November election, but we need to keep working on reestablishing trust for the public. He further noted the NRS laws on the process of an election challenge." [Elko County Board of Commissioners, Minutes, [10/19/22](#)]
- "Steninger said he understood it was too late to do anything before the November election, 'but in the meantime, we need to develop some sort of system to verify what the machines are telling us.'" [Elko Daily Free Press, 10/25/22]

- “Steninger also had a question on a related election issue – the dependability of voting lists, and he said his concern was based on reports of ‘bloated’ lists, such as Nevada being at 101% of possible voters. Deputy Secretary of State Mark Wlaschin said the Nevada Secretary of State’s Office has used the ERIC system since 2021 to help counties and states update voting lists.” [Elko Daily Free Press, 10/25/22]
- “Steninger said Jakeman is an elected official, so the county commissioners have no direct authority over her office, but they have budget authority and can choose to do away with the Dominion voting machines, citing an earlier finding of Chief Civil Deputy District Attorney Rand Greenburg.” [Elko Daily Free Press, 10/25/22]
- “But similar proposals failed elsewhere. In Elko County, commissioners considered alternatives to Dominion machines across multiple meetings. Those efforts were supported by the county’s Republican Party, which last year approved a resolution ‘urging replacement of Dominion voting machines.’” [Nevada Independent, 10/23/22]
- “Commissioner Steninger asked about the paper audit trail. Ms. Jakeman explained the process and advised ballots are confidential. Commissioner Steninger wanted to stress that he did not believe anything fraudulent happened in Elko County and he trusted Ms. Jakeman.” [Elko County Board of Commissioners, Minutes, [4/20/22](#)]

Eureka

County Clerk Kathy Bowling

- Kathy Bowling Posted A Video Of Rand Paul On The Senate Floor Talking About Trump’s Impeachment Following January 6th: “Amen!!! ENOUGH ALREADY!!!! Do Your Jobs And GET OVER IT!!!” [Facebook, [1/27/21](#)]
- Kathy Bowling Shared A Post From Marco Rubio: “Waste Of Time Impeachment Isn’t About Accountability. It’s About Demands From Vengeance From The Radical Left. And A New ‘Show’ For The ‘Political Entertainment Industry.’” [Facebook, Kathy Bacon Bowling, [1/27/21](#)]
- Kathy Bowling Shared A Wall Street Journal Opinion Piece Titled: “No, Trump Isn’t Guilty Of Incitement.” [Facebook, Kathy Bacon Bowling, [1/13/21](#)]

Lander

Commissioner Kathleen Ancho

- The Lander County Board Of Commissioners Discussed Reappropriating Budget Funds Allocated For Dominion Voting Systems. “For discussion and possible action on whether to reappropriate budgetary funds to the printing and use of paper ballots for all future elections. Such funds to be reappropriated from election service fees, annual license fees and warranty fees associated with the use of electronic voting machines. Namely, those funds allocated under the Voting System Agreement by and between Dominion Voting Systems, Inc. and Lander County, NV dated October 17, 2017. [Lander County Board of Commissioners, Minutes, [10/28/21](#)]
- “Commissioner Sparks made the motion to terminate the contract with Dominion Voting Systems. It was seconded by Commissioner Clark. The motion was voted and carried.” [Lander County Board of Commissioners, Minutes, [10/14/21](#)]
- Kathleen Ancho Defended The Constitutional Sheriffs’ Association And Said She “Contacted Richard Mack And He Stated That The Information About Him On Wikipedia And The Southern Poverty Law Center Website Is Not True.” “Kathy referred back to some information on the Constitutional Sheriffs’ Association from the last meeting. She did some research and wanted true information. She contacted Richard Mack and he stated that the information about him on Wikipedia and the Southern Poverty Law Center website is not true. She wanted to clarify that the organization they joined was not part of any white supremacist group and they are about protecting the community.” [Lander County Board of Commissioners, Minutes, [3/25/21](#)]

Commissioner Bryan Sparks

- “Commissioner Sparks made the motion to terminate the contract with Dominion Voting Systems. It was seconded by Commissioner Clark. The motion was voted and carried.” [Lander County Board of Commissioners, Minutes, [10/14/21](#)]
- “Commissioner Sparks stated that he’d like Sadie to provide information on three different options as far as paper ballots, other than Dominion. [...] Commissioner Sparks was not interested in electronic machines.” [Lander County Board of Commissioners, Minutes, [10/14/21](#)]
- “Commissioner Sparks stated he doesn’t think anything happened with our election in Lander County. Feels we’ve been disenfranchised at the state

level and could have possibly been represented better than somebody getting in by some manipulation.” [Lander County Board of Commissioners, Minutes, [10/14/21](#)]

Commissioner Wallace “JR” Thomas

- “Commissioner Sparks made the motion to terminate the contract with Dominion Voting Systems. It was seconded by Commissioner Clark. The motion was voted and carried.” [Lander County Board of Commissioners, Minutes, [10/14/21](#)]

Commissioner Patsy Waits

- “Commissioner Sparks made the motion to terminate the contract with Dominion Voting Systems. It was seconded by Commissioner Clark. The motion was voted and carried.” [Lander County Board of Commissioners, Minutes, [10/14/21](#)]

Washoe County

- Clara Andriola
 - “Commissioners in Nevada’s second most populous county on Tuesday refused to certify the results of two local recounts from last month’s primary, a rare move that has potential implications for the presidential race in one of the nation’s most important swing states. The three Republican members on the five-member Washoe County Board of Commissioners voted to reject the results of recounts in one race for a commission seat and another for a local school board seat. [...] Two of the Republican commissioners, Jeanne Herman and Mike Clark, have consistently voted against certifying results and are supported by the wider movement within the county that promotes election conspiracy theories. Republican Clara Andriola, who that movement has targeted in the primaries, joined them in voting against certification of the recounts, one of which involved the primary race she won. ‘There’s a lot of information that has been shared that in my opinion warrants further investigation,’ said Andriola, who had not previously voted against certifying results. She referenced several ‘hiccups’ by the elections department and referenced public commenters who raised concerns.” [Associated Press, [7/9/24](#)]
 - “Republican Clara Andriola, who that movement has targeted in the primaries, joined them in voting against certification of the recounts, one of which involved the primary race she won. ‘There’s a lot of

information that has been shared that in my opinion warrants further investigation,' said Andriola, who had not previously voted against certifying results. She referenced several 'hiccups' by the elections department and referenced public commenters who raised concerns." [Associated Press, [7/9/24](#)]

- "The Washoe County Republican Party kicked out County Commissioner Clara Andriola on Monday night." [Reno Gazette-Journal, 2/1/24]
- "Andriola said election integrity is a 'huge concern,' but that the resolution misrepresents what happened. 'That item actually included \$100,000 for Phase One and \$500,000 for Phase Two,' she said of an agenda item for The Elections Group voted on by commissioners." [Reno Gazette-Journal, 1/30/24]
- Phase One was to audit the county's 2022 election processes, and Phase Two was for possible work helping to implement the audit's recommendations." [Reno Gazette-Journal, 1/30/24]
- "Andriola said that before agreeing to fund Phase Two, she wanted to see the results of the audit, which was nearly done when the funding vote took place. She noted that \$100,000 is within the county manager's authority to spend without commission approval. Phase Two funding was never approved." [Reno Gazette-Journal, 1/30/24]
- Michael Clark
 - "Washoe County Commissioners on Tuesday voted 3-2 against certifying the results of an official recount of two races from Nevada's June 9 primary. The board's three Republicans, Commissioners Michael Clark, Jeanne Herman, and Clara Andriola voted against certification while Democratic Commissioners Alexis Hill and Mariluz Garcia voted in favor of certification." [Nevada Current, [7/10/24](#)]
 - "Washoe County Commissioners Mike Clark and Jeanne Herman on Friday voted against accepting the canvassing of the vote for the June 11, 2024, primary election. The 3-2 approval came after a contentious discussion where Clark, Herman and members of the public questioned the integrity of the election process." [This Is Reno, [6/24/24](#)]
 - In Washoe County, the swing area in Nevada that includes Reno, Republican Mike Clark won one of five county commission seats. He told a local newspaper, 'I don't have any personal knowledge' of whether President Biden legitimately won the 2020 election." [Los Angeles Times, 11/20/22]

- Jan Galassini
 - When Asked If She Thought Joe Biden Was The Duly Elected President, Jan Galassini responded, “Yes, But I Have Some Concerns About The Voting Process That Got Him There.” Galassini was asked, “Do you think Joe Biden is the duly elected president of the United States?” She replied, “Yes, but I have concerns about the voting process that got him there.” [Reno Gazette-Journal, 4/28/22]
- Jeanne Herman
 - “Washoe County Commissioners on Tuesday voted 3-2 against certifying the results of an official recount of two races from Nevada’s June 9 primary. The board’s three Republicans, Commissioners Michael Clark, Jeanne Herman and Clara Andriola voted against certification while Democratic Commissioners Alexis Hill and Mariluz Garcia voted in favor of certification.” [Nevada Current, [7/10/24](#)]
 - “Washoe County Commissioners Mike Clark and Jeanne Herman on Friday voted against accepting the canvassing of the vote for the June 11, 2024, primary election. The 3-2 approval came after a contentious discussion where Clark, Herman and members of the public questioned the integrity of the election process.” [This Is Reno, [6/24/24](#)]
 - Jeanne Herman proposed a new Election Administration Bill in 2023 that Washoe County’s Spokesperson said was impossible to implement and potentially illegal. “Washoe County Commissioner Jeanne Herman this week renewed her efforts to change how elections are run in Washoe County. According to Washoe County spokesperson Bethany Drysdale, her proposal is also impossible to implement and potentially illegal. The proposal has yet to be reviewed by Washoe County’s District Attorney or the Secretary of State’s office. During Tuesday’s Board of County Commissioners meeting, Herman said she wanted to get an item on the board’s agenda. She was vague in her comments, indicating that the issue was one she continued to hear about during public comment periods. She did not say what the problem was but had documents handed out to fellow commissioners during the meeting.” [This Is Reno, [12/14/23](#)]
 - Jeanne Herman’s proposal included a two-page “Clean Elections” Resolution and “A Draft Staff Report Outlining Perceived Problems Within The County’s Current Election Procedures.” “This Is Reno requested the documents Herman circulated. They included a

two-page draft 'Clean Elections' resolution that Herman said she wrote, outlining four actions to 'preserve the purity of elections.' The actions include using only paper ballots, hand-counting ballots in each precinct location, holding election results until counting is complete and making the counting process public and continuous until complete. The remaining 19 pages, which Herman said were 'a more professional stab at it,' were labeled as a draft staff report outlining perceived problems within the county's current election procedures and listing state laws that allegedly support the resolution. Herman did not respond to a request for comment on who assisted with preparing her document." [This Is Reno, [12/14/23](#)]

- Jeanne Herman: "I Wonder What You're Afraid Of? I Believe That The Answer To That Is You're Afraid Of Fair, Honest And Transparent Elections." "I wonder what you're afraid of? I believe that the answer to that is you're afraid of fair, honest and transparent elections.' She said the agenda item's language no longer reflected her original intent. 'It's both insulting and deliberately void of requestor's purpose and kind of an abomination,' Herman said. Commissioner Mike Clark expressed support for Herman and said that he's had a similar experience." [Reno Gazette-Journal, 8/15/23]
- Jeanne Herman's Election Integrity Bill, Which Included Paper Ballots, Hand-Counts, And Law Enforcement Presence At All Voting Sites, Failed 4-1. "After a marathon seven-hour public comment period, the Board of Commissioners shot down a resolution to overhaul Washoe County's voting processes by a vote of 4 to 1 Tuesday. Commissioner Bob Lucey said all the passionate words made clear to him that the proposal put forward by Commissioner Jeanne Herman 'fails the test' of having been vetted enough given its wide-ranging implications. Herman was the lone vote in favor. The plan was controversial for multiple reasons. It proposed 20 dramatic measures that would have returned the county to using paper ballots, hand-counting results, and adding a law enforcement presence at all voting sites." [Reno Gazette-Journal, [3/21/22](#)]
- Jeanne Herman Shared "17 Minutes You Must Watch: Beadles Vs. Rodriguez, Brown, Hill In



- Washoe County Nevada.” [Facebook, Jeanne Herman, [11/21/23](#)]
- Robert Beadles Claimed He Had Evidence Of Widespread Voter Fraud During The 2020 Election And Attacked Washoe County’s Clerk Saying, “Let’s Talk About Treason. That’s Right Treason.” “Businessman Robert Beadles claimed he had found evidence of widespread voter fraud in the 2020 election. Then he went on the attack, targeting a 48-year-old woman who runs elections in Nevada’s Washoe County. ‘Now, let’s talk about treason. That’s right, treason,’ Beadles told a Feb. 22 county commissioners’ meeting in Washoe, the second-largest county in this election battleground state. The Republican activist falsely accused the registrar of voters, Deanna Spikula, of counting fraudulent votes and told commissioners to ‘either fire her or lock her up.’” [Reuters, [10/19/22](#)]

Risk of the 2024 Election

Refusal to Certify

Based on the actions of past elections, it is expected that at least one or more of the counties will refuse to certify the election in an attempt to disrupt the Presidential election process with the continued claims of voter fraud. Under the Electoral Count Reform Act, Nevada must certify the state’s presidential electors by December 11, 2024.⁴⁸ A county’s delay in certification can cause a risk for Nevada to meet the deadline.⁴⁹ The unfortunate reality is that if Nevada fails to certify our presidential electors, Nevada will forfeit its six electoral votes, and the number of electoral votes needed nationally will be reduced by six. In short, by playing the games with the certification, elected officials risk nullifying all our votes.

However, there are guardrails in place to prevent this from happening. First, counties must complete the election canvass by November 15 and submit their certification to the Secretary of State.⁵⁰ If a county refuses to certify, the Secretary of State and Attorney General can petition the Nevada Supreme Court for a writ of mandamus.⁵¹ This procedure was implemented during the 2024 primary election when

⁴⁸ Campaign Legal Center, Nevada Election Certification Processes and Guardrails, accessed October 18, 2024.

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

Washoe County refused to certify the election.⁵² The Nevada Supreme Court had the opportunity to resolve this issue permanently. However, they dismissed the case as moot when Washoe County reconsidered the vote, and the certification passed.⁵³ ⁵⁴If a county still refuses to follow the writ of mandamus, the Nevada Supreme Court can order an alternative official to certify the election.

Policing at Poll Sites

With the increase of threats against election officials and election workers,⁵⁵ it is foreseeable that law enforcement may monitor poll locations.⁵⁶ In 2022, True the Vote, Protect America Now, and the CSPOA joined together to provide “local sheriffs with the information, resources, and tools to have real-time eyes on voting in their county,” which is beyond the scope of most county sheriffs’ duty.⁵⁷ And this year, Constitutional Sheriffs attempted to organize citizen patrols at polling locations to prevent non-citizen voting.⁵⁸ It is not a stretch of the imagination to believe that CSPOA and CSPOA-aligned sheriffs, with the support of their county commissions, will attempt to have law enforcement monitor polls.

While there are some legitimate reasons for law enforcement to be at the polls, their presence should only be noticeable to voters if election officials call them.⁵⁹ Otherwise, their presence may be intimidating to marginalized citizens with the right to vote.

Conclusion

The CSPOA is a genuine threat to our democracy and our elections. Three Nevada counties have already achieved two prongs of the CSPOA 180-day plan to usurp our state and federal elections and governments. The three counties where the

⁵² *Ibid.*

⁵³ *Ibid.*

⁵⁴ *Ibid.*

⁵⁵ National Public Radio, Officials in several Western states are preparing for a potentially contentious 2024 election, accessed October 18, 2024.

⁵⁶ MIT Election Data + Science Lab, The Role of Law Enforcement in Elections, accessed October 18, 2024.

⁵⁷ States United Democracy Center, Fact Sheet: Constitutional Sheriffs and Elections, accessed on October 18, 2024.

⁵⁸ Wired Magazine, Far-Right Sheriffs Want a Citizen Army to Stop ‘Illegal Immigrant’ Voters, accessed on October 18, 2024

⁵⁹ States United Democracy Center, Empowering Democracy: What Police Need to Know at the Polls, accessed on October 18, 2024.

CSPOA sheriffs operate have commissions stacked with election deniers. While several guardrails are in place to ensure the 2024 election will be certified, it will most likely be with some unnecessary obstacles by the CSPOA counties.

Recommendations:

- Increase civics education requirements in Nevada schools. K-12 civics education will help increase the understanding of government and the election process, thus helping to inoculate against disinformation and anti-government sentiment.
- Improve outreach by the Secretary of State's Election Department to local communities. Ideally, this should be in collaboration with the election department. This would allow community members to understand the election process better and increase confidence that the process is secure.
- Improve legislation regarding voter safety. During the 2023 Legislation session, AB354 was introduced, which would have prohibited firearms from being carried or possessed within 100 feet of an election site. This bill passed both houses and was subsequently vetoed. It is recommended that similar legislation be enacted to increase the safety of voters.
- The Nevada Secretary of State and local election departments should review and update their election office procedures to meet current best practices. Since most counties have new election officials, all incoming election officials must have clear guidance on administering an election. To help quell the growing mistrust of elections, election departments and the Nevada Secretary of State's office should engage in public input/engagement meetings to discuss and explain the procedures to communities throughout Nevada.
- Currently, there is no legislation regarding mandatory recounts in close elections. As such, Nevada should pass standardized legislation/regulations establishing a threshold at which a mandatory recount would be generated. The governing election department should pay for the mandatory recount. If a candidate wishes to ask for a recount outside the required threshold, the candidate must pay for the recount. The cost should be affordable and accessible to all candidates.