

MEMORANDUM

TO: File# 2017-123046

FROM: Todd M Flanagan, Investigator

RE: Election Law Complaint – Dixville, NH
Preliminary Report

DATE: February 3, 2017

In light of the fact that a meeting has been scheduled next week on this matter, I am submitting this report as a preliminary report and update with respect to the investigative efforts thus far and to outline where we are at this point.

During the 2016 General Election, I was assigned to Coos County in order to inspect the polling locations there. During the course of my duties that day I stopped off in Stark, NH in order to conduct an inspection. While there, I was approached by Susan Croteau, Town Clerk. She advised that she had watched WMUR news and there was a segment on the early General Election voting in Dixville. She said that the segment showed a subject she knew to be a Stark resident voting in Dixville, NH. I asked if she recalled the name and she said that his first name was “Jacques”, but that she could not recall his last name. I gave her my contact information and asked her to call or email me when she had the name. I continued the inspection in Stark as well as others.

Later in the day, I travelled to W. Stewartstown, NH in order to conduct an inspection of the polls there. During this inspection, I had a conversation with the town moderator, Rick Samson. He expressed some concerns he had with the Dixville polls. He said that he developed these concerns after being present there of for the 2016 Presidential Primary Election. He said that he had reported his concerns to Deputy Secretary of State David Scanlan and was not sure how it had been handled or addressed. He recommended that an investigator be sent to Dixville to observe the process in future elections.

Mr. Samson said that he is a Coos County Commissioner, but also serves as a selectman in the unincorporated location of Dixville, NH. He said that he was present at the Dixville polls for the Primary Election and that he observed that the election officials were not in compliance with a number of aspects of the voting law statutes. He mentioned issues such as the names not being

called out and crossed off/for the voters who check in as well as the ballots being counted in private by the moderator and not in public. He stated that the ballots were handed to the moderator, who placed them in the ballot box, vs the voters placing it in the ballot box themselves.

Mr. Samson went on to state that he questioned the legitimacy of some of the voters on the checklist and is concerned that some are not residents of Dixville, NH. Since Mr. Samson had told me that he had already filed a complaint, I told him that I would do my best to follow up on the status of the complaint. I went on to explain that the investigators assigned to voting day poll inspections are all from other Bureaus and units within the AG's Office and not assigned to the election law unit. I added that, due to current caseload, it might take a few days before I could get back to him.

On November 9, 2016, I received an email from Rick Samson in which he sent me a copy of the original complaint he sent to Deputy Secretary of State David Scanlan. The complaint appears to have been emailed to Deputy Scanlan on October 17, 2016 and it reads as follows:

Deputy Secretary of State David Scanlan

State House Room 204

Concord NH 03301

RE: Election Laws and Procedures

Dear Deputy Secretary Scanlan,

As a follow up to our discussion on Thursday October 13th I would respectfully request the following:

#1: That your office contacts the election officials of the Unincorporated Place of Dixville New Hampshire and request their list of residents and verification of residency

#2: The election officers be updated and be required to follow all NH election laws and procedures required by the state of New Hampshire

#3: That the polling place be required to have room and space large enough for all voters, election officials and the public to observe the procedure

The reason for this request is that as a moderator for the town of Stewartstown, an observer and a selectman for the Unincorporated Place of Dixville that on the morning of February 9, 2016 I observed what I determined to be possible flaws in the 2016 Presidential Primary elections and procedures.

Some of my observations were: the number of registered voters, method of resident voter verification, opening and closing of the polls, absentee voter irregularities and the method of counting the votes.

Part of the problem may be a lack of understanding, not familiar with our election laws and inexperience in the election procedures here in New Hampshire.

I am available to answer any questions that you may have and assist your office to correct any of the concerns that I may have.

Thank you in advance for your prompt attention to my concerns.

Respectfully Submitted,

Rick Samson Coos County Commissioner District Three

CC: Jennifer Fish, Chairman Tom Brady, Chairman Robert Theberge

On November 10, 2016, I received the full name of the Stark resident that had voted in Dixville from Susan Croteau. This subject was identified as:

Jacques Couture DOB [REDACTED]
[REDACTED].
Stark, NH 03582

Ms. Croteau later advised that, according to town records, Mr. Couture has been registering his vehicles in Stark since 2014 and has been using [REDACTED] as his home address. He was said to be living there with a woman named Mary-Ann.

On November 30, 2016, I emailed Election Law Attorney Brian Buonamano the complaint that Rick Samson had sent to the Secretary of State's Office on October 17th. I inquired as to whether or not our office had received it and/or had looked into it. I was advised by Attorney Buonamano that this complaint had apparently not been received by our office. Subsequently, on January 3, 2017, I was assigned to follow up on this complaint. At this time there was no investigator assigned to the election law unit and cases were being distributed among investigators in other bureaus.

On January 17, 2017, I conducted a phone interview with:

Jacques Couture
[REDACTED]
Stark, NH 03582
Tel# [REDACTED]

Mr. Couture [REDACTED] was very cooperative and forthcoming. He said that he had lived and worked at the Balsams Resort for 22 years and, as a result, he voted there every year. The Balsams closed in 2010 or 2011, at which point he said he moved to Stark. He said that he now lives at [REDACTED], with a friend/companion of his named [REDACTED]. He said that he registers his vehicles in Stark as well.

I asked him how he felt it was appropriate for him to continue to vote in Dixville when he had clearly moved to Stark many years ago. He said that Tom Tillotson, whom he said was "the Mayor" of Dixville asks him every election if he is "coming up to vote". He said that Tom is in charge of the elections in Dixville and has been for a long time. Mr. Couture said he felt that if Tom (Tillotson) was asking him to come up to vote then it must be okay for him to do so. Mr. Couture said he "never thought much about it till now". He added that he is good friends with Tom and visits him in Dixville from time to time. He added "I hope to go back to Dixville to live someday".

I asked Mr. Couture if he was aware of anyone else who has been voting in Dixville but does not live there. He said that there was a gentleman, who had gone through a "bad" divorce, and had lost his home in Dixville to his wife many years ago. He said that this gentleman lives out of state, but he could not recall which state, nor could he recall the gentleman's name. I asked Mr. Couture if I could call him once I obtained the list of voters in Dixville in order to run the names by him and he said yes. He said that once he heard the name again he would likely recognize it.

Mr. Couture asked what he should do in the future with respect to voting and I advised him that he would need to vote in the town that he lived in or was domiciled in. I added that, given what he had told me concerning how long he has lived in Stark as well as the fact that he registers his vehicles there, it would appear that Stark, NH was where he was domiciled. He agreed and was apologetic; adding once again that he thought it was okay to do so because Tom Tillotson had been endorsing it. He said that he would make sure he corrected this in the future.

On Monday January 23, 2017, I received a call back from the Dixville town clerk after leaving a message the prior Friday:

Deborah Tillotson
Town Clerk
Dixville, NH

Tel# [REDACTED]

Tel# [REDACTED]

Ms. Tillotson advised that she was indeed the Town Clerk for Dixville. I explained that I was looking into the issue of residency for some of the people who voted in Dixville in both the Presidential Primary and the General Election. I inquired as to why her number was a Massachusetts exchange and she said that she and her husband own businesses in Massachusetts which cause them to spend a lot of time there. In fact, a background I ran on Tom and Deborah Tillotson showed a home located in Boston that they appear to have owned dating back to the late 1980's:

[REDACTED], Boston, MA

The background I ran also showed the following address associated with the Tillotsons:

[REDACTED] Dixville, NH

DMV records show that the Tillotsons have NH driver's licenses and give the Dixville address as their address of record with DMV. In addition, their vehicles are registered to that address.

I asked Ms. Tillotson to provide copies of the Dixville voter checklists for both the Presidential Primary and the General Election. I received this information via email the next day.

In reviewing the lists I noted that, in the 2016 Presidential Primary, there were nine (9) registered voters listed with six (6) showing an address of 1000 Cold Spring Rd and the remaining three (3) showing 2000 Cold Spring Rd. These three were Thomas Tillotson, Deborah Tillotson as well as their son Tanner Tillotson. Additionally, the list for the 2016 General Election showed a total of eight (8) voters, five (5) of whom had an address of 1000 Cold Spring Rd. and the three (3) Tillotsons again showing an address of 2000 Cold Springs Rd.

It was noted on the checklist for the General Election that there was a name that was handwritten below the seven (7) typed names on the list. This is typically done when someone registers to vote that day. The individual's first name appeared to be "Nancy", but the last name was difficult to read due to the poor quality of the copy and the handwriting. The address was clearly given as 1000 Cold Spring Rd., Dixville, NH.

Upon reviewing this information, I had concerns that there was potentially a bigger issue at hand than simply one person (Jacques Couture) having voted, who may not have been domiciled in Dixville. This concern was supported by the fact that 1000 and 2000 Cold Spring Road are both part of the Balsam's Resort and the resort has been closed since about 2011. The fact that a newly registered voter would give the Balsams as their address was troubling. In addition, I had learned from Mr. Couture that, at least one other person voted in Dixville, while not being a resident there.

After obtaining the lists, I contacted Mr. Couture in order to read the names to him in an attempt to identify the subject he was referring to who had also voted in Dixville without living there. The first name I read to him was Peter Johnson. He immediately said that this was the person he was referring to. This appeared to bring back Mr. Couture's memory as he then recalled that the man had given him a business card. I had Mr. Couture retrieve the card and read it to me. It read as follows:

Peter Johnson
Roberts Fishing Lures
Vineyard Haven, MA
Tel# [REDACTED]

On January 25, 2017, I had a phone conversation with:

David Scanlan
Deputy Secretary of State

Deputy Scanlan advised that he had indeed received the complaint from Rick Samson back in October of 2016. He said that, as result, he called and spoke with Tom Tillotson. He said that he made Tom aware that a complaint had come in and directed Mr. Tillotson that he should take appropriate measures to ensure that Dixville was in compliance with all aspects of the voting laws and procedures. Deputy Scanlan directed Tillotson to review the State's voting law statutes with respect to handling the polls in Dixville.

Deputy Scanlan said that his conversation with Tillotson was general in nature and he did not recall getting into any specifics. Deputy Scanlan advised that he forwarded the Samson complaint to the election law unit. He offered to look for the email in which he forwarded the complaint to the AG's Office. He did so while I had him on the phone. He then advised that he could not find the email, which led him to believe that he may have printed it out and delivered it to Attorney Brian Buonamano.

On Friday January 26, 2017, I called and spoke with:

Peter Johnson
[REDACTED]
Vineyard Haven, MA
Tel# [REDACTED]
Tel# [REDACTED]

I advised Mr. Johnson [REDACTED] that I had been assigned to follow up on residency issues with respect to the last few elections in Dixville. Mr. Johnson, without hesitation, stated that he is “domiciled” in Dixville and that he is currently under a “temporary absence” from his “domicile” with an “intent to return” to Dixville. I found his response to be interesting in two ways. First of all, it was without any hesitation, almost as if scripted. Secondly, he used words and phrases that I would not expect the average voter to necessarily use such as “domicile”, “temporary absence” and “intent to return”. I asked him if he had spoken with anyone about this issue prior to my call and he said he had not.

As I began to ask specific questions pertaining to how he was establishing Dixville, NH as his domicile he asked, “How deep are you digging on this?” I told him I was just trying to be sure that people were voting in the right town and/or state.

Mr. Johnson said that he did not feel comfortable speaking with me as he had no idea who I was or if I was really a state investigator. I expressed to him that I understood and that I wanted to make him feel more comfortable with that. Accordingly, I agreed to send him an email that would confirm that I worked for the NH Department of Justice (DOJ). He said that he would then call me back, but that it would likely not be the same day as he was busy. After hanging up with Mr. Johnson I did indeed send the email.

On Tuesday January 31, 2017, after not receiving a return call from Mr. Johnson, I called him back. He said he had received my email, but had been busy with work. He runs a fishing tackle shop in Massachusetts. He stated to me that he wondered why the issue was being looked at. He said that he had called Tom Tillotson over the weekend (Saturday) and that Tom told him there was nothing to worry about and supposedly stated to Mr. Johnson, with respect to his having voted in Dixville, “I’m comfortable with it”. I asked him what else was discussed and he said that nothing else was discussed with respect to the voting issues.

I asked Mr. Johnson to expand on why he thought it was appropriate for him to have registered and voted in Dixville. He went on to explain that when he was married, he and his wife owned a home on [REDACTED] in Dixville, NH. He said that he went through a “nasty” divorce around 1999 and lost his home to his ex-wife. The property was eventually sold by his ex-wife and somehow became part of a tract of land and/or property that Les Otten was planning on acquiring in connection with the Balsams redevelopment project. He said that Les told him that he would keep Mr. Johnson in mind and would offer him the opportunity to buy back his prior home and property. Les more recently told Mr. Johnson that this deal was likely going to fall through.

I went on to ask Mr. Johnson what circumstances allowed him to register to vote in NH, much less Dixville, and he said that he owns 115 acres of land in Campton, NH and rents a home located at [REDACTED] North Bridgewater, NH. He said that he, in fact, gets mail

at a PO Box [REDACTED] in Campton, NH. He said that he is a selectman in Dixville and, in August of 2016, received mail from the Secretary of State's Office with a packet of information reminding towns about the the various rules and statutes concerning elections.

Mr. Johnson said that he was merely on a "temporary absence" from Dixville and intended to return there to live. I asked him when he last lived in Dixville. He said that the last time he lived there was in 1999, when he owned the home with his wife. He said that he had actually filed paperwork with the Secretary of State's Office "declaring" Dixville as his "domicile". I asked him to provide a copy of that paperwork if he was able to locate it.

I ran a check through DMV and found that Peter Johnson has a NH Driver's license issued to him with an address of [REDACTED], North Bridgewater, NH. This license was issued on September 29, 2016. He registered his vehicle to that address on November 9, 2016. It is important to note that Mr. Johnson's license was issued or renewed to the Bridgewater, NH address slightly more than a month before the General Election. Additionally, his car was registered to the Bridgewater, NH address a day after the General Election.

Mr. Johnson went on to state that the definition of "temporary absence" from a particular "domicile" has not been well defined and is open to interpretation. He added that there is no set time limit for a temporary absence. He said he has always liked Dixville and the North Country and it has always been his intent to move back someday. I expressed to him that I did not believe that the intent of the law was to allow for people to extend a temporary address out to 17 years or more simply because they liked a particular area and hoped or planned to move back there some day. He did not respond to this other than to say that it was not "well-defined".

On Tuesday January 31, 2017, I spoke on the phone with:

Leslie (Les) Otten
Tel# [REDACTED]

I had noted that Mr. Otten had voted in Dixville in the 2016 Presidential Primary, but didn't vote in Dixville in the subsequent General Election. Mr. Otten explained that he is the developer who is trying to redevelop the Balsams in Dixville, NH. He said that, as a result, at the time of the Presidential Primary, he was spending more time living in New Hampshire than he was in Maine. He owns a home in Maine and registers his vehicles in Maine. At the time of the Presidential Primary he was staying at the residence on the Balsam's property, located at 1000 Cold Spring Rd.

Mr. Otten said that, in making the decision to vote in Dixville in the Presidential Primary, he relied upon the advice of his friend, Tom Tillotson. He knew Tom to be "in charge" of the elections in Dixville, but did not know his title. When I mentioned the title of "moderator", Mr.

Otten said that this was correct. He said that Mr. Tillotson told him, based upon his (Otten's) circumstances at the time, that he should consider voting in Dixville, so he did. He said that he then got off the registered voters' list in Maine and got on to the list in Dixville for the Presidential Primary.

Mr. Otten said that his development project became bogged down and delayed between the Presidential Primary and the General Election. He said that he began spending most of his time back home in Maine. He said that he therefore got off the registered voter list in Dixville and registered back in Maine for the General Election. He stated that it seemed to him to be the right thing to do. He said that Tom Tillotson was somewhat let down by this when he found out. The records for Dixville do, in fact, reflect that, while Mr. Otten voted in Dixville in the Presidential Primary, he did not vote in Dixville in the General Election.

Mr. Otten said that he had learned that the complaint that had been filed with respect to voting issues in Dixville had been filed by Rick Samson, a Coos County Commissioner and selectman in Dixville. He said he could not recall who he heard this from, but said it was likely from Tom Tillotson. Mr. Otten went on to explain some of the dynamics with respect to the Balsams redevelopment project and how he felt that it might be why the complaint was filed.

Mr. Otten told me that he has been outwardly vocal in his support of the Northern Pass Project as he feels that this project, as well as the Balsams development project, are good for the North Country. In fact, Northern Pass, through Forward New Hampshire Fund, has invested \$2 million into the Balsams development project. As a result, he said that Rick Samson has been at odds with him at every turn. He said that Mr. Samson told him one day that he (Otten) would "pay" for his support of Northern Pass. Mr. Otten took this to mean that there would be retribution.

Mr. Otten also said that Mr. Samson had gone to the media (Colebrook Chronicle) and made allegations against Dixville with respect to voting fraud but that the story never ran. Mr. Otten feels that the current investigation is one more attempt by Mr. Samson to hurt his reputation and, in addition, derail the Balsams project. Mr. Otten felt that it was important for investigators to be aware of the dynamics of late in the North Country.

Mr. Otten added that the registered voter list for Dixville would likely show two (2) of his workers, Clay Smith and Russell Van Deursen. He said that both were staying in the house at [REDACTED] Cold Spring Rd. more than they were at their respective homes due to work on the project.

On February 1, 2017, I conducted a phone interview with:

Nancy DePalma
[REDACTED]
Colebrook, NH
Cell# [REDACTED]

The reason for this interview was that the Dixville voter checklist for the 2016 General Election showed a name that was hand written below the seven (7) typed names. The address associated with this name was [REDACTED] Cold Spring Rd., Dixville, NH. The handwritten name was difficult to read, but after running a few possibilities in an investigative database, I found a woman by the name of Nancy DePalma ([REDACTED]), who appeared to have lived in Virginia, but also had a more recent Colebrook, NH address listed.

I advised Ms. DePalma that I was following up on some election issues from the past few elections in Dixville and was trying to confirm residency for some of the voters. She confirmed that she had indeed registered to vote at the Dixville polls on Election Day in November 2016. Ms. DePalma said that she moved from Virginia to New Hampshire about six (6) months ago. She said that she “splits her time” between Colebrook and Dixville. I asked her where she spends the majority of her time and she said “it is split” and would not elaborate other than that when I asked for any type of schedule or estimate of the “split” time.

I asked her if she owns a home or pays rent and she said she rents a home at [REDACTED] in Colebrook. I asked her what town she registered her car in and she said Colebrook as well. I asked her how she decided to register to vote in Dixville and she said that she stays at “The Hale House”, which is part of the Balsams located at [REDACTED] Cold Spring Rd., Dixville “at times so that there is a presence there”. I then asked what she meant by that. She said that she works for the developer, Les Otten, and that, since the Balsams has been shut down for a number of years, he likes to have someone on the property to keep an eye on things.

Ms. DePalma said that she and a number of other people (she could not recall how many) stay at the Hale House to be a “presence” there from time to time. She said that they are not caretakers nor are they required to perform any duties there. She said that they “sort of take turns” staying there. I asked her if there is any kind of schedule for this and she said no. She said that someone will just call her and, since she lives fairly close by (Colebrook), she will go there and stay. I again tried to get a better idea on how often this occurs, but Ms. DePalma would only say that she “splits her time” between the two locations.

I asked Ms. DePalma if she recalled filling out any documents pertaining to registering to vote in Dixville on the day of the General Election and she said yes. I asked her if she filled out an affidavit and she said yes. I asked why she did not register to vote in Colebrook, when this was where she pays rent and registers her car. She said that she registered to vote in Dixville as a “matter of convenience”. She said she was very busy at the time and was in Dixville a lot. She said that it was simply more convenient for her to vote there. She said that if she had not voted in Dixville then she likely would not have voted at all in the General Election. At this point, Ms. DePalma told me that she was headed into work and could not talk any longer, but that she would call me back when she got to work.

After ending the call with Ms. DePalma, I ran her name through the NH DMV database and found that her address of record with DMV was:

[REDACTED]
Colebrook, NH

Her NH Driver's license was issued on December 2, 2016 and she registered her car to the [REDACTED] address on January 20, 2017. A search of various real estate sites shows [REDACTED] Colebrook, NH to be a single family home. Ms. DePalma never got back to me and I have called, but have been unable to make contact with her since the interview.

I followed up with Attorney Buonamano in order to find out if there was a history of any similar complaints out of Dixville. He advised me of a complaint that was filed on or about November 12, 2012 in which the complainant had seen a You Tube video of the 2012 General Election in Dixville and observed two (2) subjects voting in Dixville who were not residents. The voters in question were Rick and Donna Irwin. Rick Irwin had apparently been employed as the entertainment director at the Balsams Resort, which had closed in 2010 or 2011.

When interviewed by an investigator from the AG's Office, Mr. Irwin stated that he lost his job at the Balsams in 2010 when it closed. He lived there with his wife while he was employed at the Balsams. He said that workers were told that the hotel was going to reopen a year or so later and that he was waiting for that to happen with the intent of moving back to live and work there.

The investigator recommended to him that he and his wife register in Sugar Hill, the town they were currently living in and had moved to after he lost his job. He was told that if the Balsams were to reopen in the future and he became employed there and lived there again he could re-register.

The letter closing out that case, authored by Attorney Stephen G. LaBonte, concluded that there was no intention to commit a voting violation and therefore no enforcement would be taken. It is unclear from the case file as to whether or not election officials in Dixville were provided a copy of the letter or were otherwise made aware of the issue.

On Wednesday February 2, 2017, I called and spoke with:

Richard (Rick) Irwin
[REDACTED]
Sugar Hill, NH 03586
Tel# [REDACTED]

In speaking with Mr. Irwin I learned that he had been the Dixville Town Clerk for six (6) years. He said that, after being contacted by an investigator with respect to the issue of domicile and in speaking with the Secretary of State Bill Gardner and Deputy Scanlan, it was clear that he should consider registering in Sugar Hill. He said that this was, in large part, due to the fact of the timeline for the Balsams development changing dramatically to the point where it was unknown if, or when, it would re-open.

I asked Mr. Irwin if he ever had any conversations with Tom Tillotson, who was the moderator at the time, and he said that there were discussions as well as direction from the Secretary of State's Office with respect to the issue of domicile and temporary absence. The Secretary of State's Office recommended that the election officials in Dixville begin scrutinizing the voter registration list and the issue of temporary absence, in light of the unknown future of the Balsams.

Since he used to live on the site and gave the address of [REDACTED] Cold Springs Rd. at the time, I asked Mr. Irwin to describe the situation and living arrangements for me. He told me that [REDACTED] Cold Springs Rd. was basically the main address for the Balsams and that everyone, who worked and lived there, gave that address. He said that there was staff housing that consisted of a three (3) floor dormitory type building. The rooms were set up like dorm rooms. Some had kitchens and baths and some didn't. He said that, at one point, there were approximately 100 employees living there, many of them seasonal.

I asked Mr. Irwin where Tom and Deborah Tillotson lived and he said they lived on [REDACTED] [REDACTED] in Dixville. When I asked why they would give [REDACTED] Cold Spring Rd. on the checklist he said that he was not sure, but that this was Tom's father's house.

I have noted that, as this investigation goes on, some witnesses have become less than cooperative. For instance, I have emailed and called Deborah Tillotson (Clerk) in order to obtain the voter registration forms and affidavit filed by Nancy DePalma, the woman who registered to vote on Election Day. I have received no response. Additionally, Ms. DePalma never returned my call on the afternoon that she said she would call me from work. I placed numerous calls to her the following day and the phone rang busy each time I called, which was at varying times of the day.

In conducting some research on the internet I located a great deal of media footage, photos and articles pertaining to the 2016 General Election in Dixville, in large part due to the first votes in the nation being cast there at midnight. One of the best resources was found at the NH 1 News site:

<http://www.nh1.com/videos/watch-live-dixville-notch-1st-in-nh-to-vote-in-2016-election--15212/>

This site shows complete live video footage of the 2016 General Election in Dixville. It shows the polls opening at midnight and the voters standing in line at the ballot box with completed ballots in their hand. Mr. Tillotson is at the ballot box with his cell phone monitoring the time, his wife Deborah is at the table beside him. Their son Tanner is at the table beside her.

One reporter explained what she apparently understood was supposed to happen in that she said that the voters were lined up to take their ballots, after which they would go into the voting booths, come out and place their ballots into the ballot box. The reporter also stated that “at the 12th hour” a voter had come in to register to vote in Dixville.

Another reporter stated that “a curve ball here was thrown tonight in Dixville Notch” in that a voter had just come in to register to vote, adding that this was the first time that this has occurred in the history of Dixville. That woman was identified in the media as Nancy DePalma. She was actually interviewed by the media. That interview can be seen at the following site:

<http://www.wsj.com/video/clinton-wins-dixville-notch-nh-midnight-vote/38F5B9D7-7173-4878-9649-D103BDD68675.html>

The above site shows interviews conducted with Nancy DePalma, Peter Johnson and Russell Van Deursen.

The NH 1 video shows that, as the clock reaches midnight, Tanner Tillotson hands his ballot to Tom Tillotson who places it in the ballot box. Tanner is followed by the rest of the voters, each of whom hand their ballots to Tom Tillotson and he places them in the box. Nancy DePalma is seen walking towards one of the voting booths and in doing so walks between the voters placing their ballots in the box and the box itself. She and later emerges and casts her ballot. Tom Tillotson is seen reaching down to the table and picking up what appears to a ballot and placing it into the ballot box. Deborah Tillotson is then seen handing what appears to be a ballot to Tom Tillotson, who places it in the box. The polls quickly close and the votes are counted with the following results:

Hilary Clinton – 4
Donald Trump – 2
Gary Johnson - 1
Mitt Romney – 1 (write-in vote)

The reporter closed the coverage by mentioning that the officials in Dixville were proud of the fact that they represented a “microcosm” of what the country could expect from the election this year as well as being proud of the fact that they had 100% voter participation.

In reviewing Title I Section 7:6c it is noted, in part that:

“the attorney general may hold hearings and require the attendance of individuals by the use of subpoena and may require the production of books, documents, records, and other tangible goods by use of subpoena duces tecum. Any testimony required by the attorney general at a hearing which he or she is empowered to hold under this section shall be given under oath”.

At this point in the investigation it might be beneficial and productive to issue subpoenas to both Thomas Tillotson (Town Moderator) as well as his wife Deborah Tillotson (Town Clerk) requiring the production of any and all voter files for the town of Dixville for the 2016 Presidential Primary, the 2016 State Primary and the 2016 General Election, as well as requiring them to present for interviews on this matter.

What started out as an investigation into a complaint involving one voter, who may not have been a resident of Dixville (Jacques Couture), has appeared to uncover a potentially more pervasive issue with respect to the process in Dixville as a whole. Some, but not all, of the factors upon which this is based is as follows:

- Admissions from voters that they do not live in Dixville.
- Prior complaint concerning this issue in 2012 which resulted in the Dixville town clerk (Rick Irwin) getting off the Dixville voting list and onto the Sugar Hill list.
 - ❖ Note: Given the small size of the community it is difficult to imagine that this did not serve as a reminder or warning to Dixville officials to more closely scrutinize the voter checklist.
- On at least two (2) occasions, once around 2012 and again in 2016, officials from the Secretary of State’s Office had conversations with Dixville Officials regarding their process, advising them to scrutinize the issue of residency, especially in light of the questionable time frame of the Balsams development.
- Given the small size of the community it is difficult to imagine that when all of the voters have an address of record associated with a location that has been closed for a number of years that this would not warrant more scrutiny on their part.
- Statements from voters that the practice of them coming to Dixville to vote was endorsed or encouraged by the moderator.

- The fact that a same day voter registration is allowed to go through giving an address of the Balsams and the voter herself stated she registered there as a matter of convenience and had never lived in Dixville while the Balsams was open.
- Apparent reluctance on the part of Dixville Officials to provide copies of the voter registration forms and affidavit for Nancy DePalma.
- Media reports and footage showing potential procedural issues with the voting process in Dixville

At this point any further investigation will be put on hold pending the results of next week's meeting.

EOR