

WILLIAMSON COUNTY REPUBLICAN PARTY REORGANIZATION CHALLENGE

Highlights of the Elevate Brief

Following are key points in our rebuttal to the claims of the Brian Clifford-led challengers during the Williamson County Republican Party (WCRP) Reorganization process.

Background

- Throughout the campaign, the Elevate slate remained positive in our messaging. But from the outset of the Clifford-led group's campaign, they remained committed to a pattern of deceitful behavior which they carried through the post-campaign challenge.
- Their behavior included lies, purposefully sown confusion, underhanded and misleading tactics and a series of false, highly damaging defamatory attacks in their mailings, text messages, calls and media stories against Elevate candidates (now the duly elected CEC), the WCRP leadership, volunteer members of the Contest and Credentials Committee (CCC), county officials and many others.
- In attempting to reverse their election loss, the Clifford group:
 - Used documented, highly specific, defamatory statements that are knowingly false and malicious, with reckless disregard for the truth.
 - All eight members of the Clifford group bear responsibility.
 - Has hampered the immediate business of the county party.
 - Is asking the party to capriciously waste the approximately \$15k spent on the convention and spend an additional \$15k for a new convention.
 - Hedged against its convention loss by explicitly claiming beforehand that voters' votes would be "suppressed, claiming Elevate would "rig the election."
 - Knowing full well it would create a chaotic and difficult situation for the all-volunteer CCC, employed an opaque and misleading separate registration process via a deception "registration" site that harvested names of Republican voters who wished to participate in the convention.
 - They collected and stored this data with the advance intent to hold it until late in the process.
 - They did this without full disclosure and, therefore, likely without full voter consent.
 - **On the Saturday before the Tuesday election, they dropped more than 900 names on the state registration website (an amount representing 70%+ increase in registrations to that point), to potentially cause some of the chaos and confusion they are now pointing toward.**
 - **Knowing that the original convention venue could only hold 850 people, they released their warehoused registrations creating a need to move the venue.**
 - **They then defamed the CCC, WCRP and CEC when the convention was inevitably moved (same as in 2023) with their "voter suppression" claims.**
 - The CCC made heroic efforts to process these names and were rewarded with accusations and innuendoes about their motives.

- They claimed that TNGOP Chairman Scott Golden “recognizes the validity of (their) claims” when he merely confirmed he had received their complaint. This attributed false support from the state party chairman who is a neutral arbiter in this case.
 - **Openly and deceitfully targeted a volunteer CCC member by accusing her of “flippantly” stating they should “burn certain ballots” (therefore implying evidence of fraud), knowing full well that Ms. Moonhee Bischof was responding to a statement of Williamson County Election Commission Chairman Jonathan Duda that extra, unused ballots should be “shredded or burned.” Mr. Duda confirmed this in his statement. This potentially defamatory claim has been republished by Clifford team supporters on various social media groups.**
 - Conspicuously lacking any hard evidence, they sent an email and social media post begging the public for any observations they might use in pursuit of this contest.
 - They accused sitting elected officials (such as Commissioner Bill Petty and Williamson County School Board Member Donna Clements) they included a list of private individuals, including family members of their opponents. They also named individuals who were not even in the state/country when the contest occurred.
- An on-site hand recount during the convention, overseen by both campaigns and the TNGOP, confirmed the results of the election.

Legal standard

- Tennessee law is clear, noting that “voiding an election is an extreme remedy (*King v. Sevier Cnty. Election Comm’n*, 282 S.W. 3rd 37, 43 (Ten Ct App. 2008)).
- While Tennessee courts recognize that “[n]o election is perfect, and honest mistakes sometimes occur” *Newman v Shelby Cnty. Election Comm’n*, No. W2011-00550-COA-R3-CV, 2012 WL 432853, at *5 (Tenn. Ct. App. February 13, 2012), “mistakes, without *evidence of fraud, illegality, or a causal connection between the mistakes and the uncertainty of the election results will not void an election...*” Id. At *9 (emphasis added).
- Mr. Clifford’s group, therefore, carries a heavy burden and must show evidence of fraud, evidence of illegality, or evidence of a causal connection between proven mistakes and some uncertainty in the election results. The Clifford group’s claims are styled as fraud claims.

Argument

- It is apparent the Clifford group presents no real evidence and has no legitimate case.
- This is a poor attempt to cobble together loose conjecture to justify undoing a valid election because the contestants cannot accept the reality of their loss.
- Their claims are uniformly opinion-based and there is no actual evidence of fraud.
- Actual evidence is required.
- But all they have is speculation and vilification. NO ACTUAL EVIDENCE OF FRAUD IS PROVIDED.

Procedural violations

Failure to hold reorganizational meeting by January 30, 2025

- We received permission from Chairman Golden to delay the meeting four days.

Time and place of reorganization convention not properly set per TNGOP bylaws

- No evidence provided. In all declarations from the Clifford group, not a single one states the change from Liberty Hall to the Marriott, nor setting the time, resulted in disenfranchisement. The date and initial location were set on February 3rd.
- They used the change of venue to cast doubt on the election results prior to the convention.
- The venue change was the result of Clifford's group sandbagging their registrations.
- And since she was a candidate in both the 2023 and 2025 conventions and said nothing, it appears WCC candidate Michelle Sutton realized the location change was not a sinister tactic.

Alleged secret meetings of the Contest and Credentials Committee

- They made no actual allegation of being deprived of the right to attend CCC meetings.
- They also provided no evidence of "secret" meetings. Just shadowy innuendos.

Non-delegates permitted on convention floor

- County reorganization conventions typically make room for some non-delegates.
- Clifford supporters (Chris Burger, Aaron Gulbransen) were on the floor.
- No actual election impact is proven here.

Improper election procedures

- Chairman Golden & CCC Debbie Deaver placed all candidates on the same ballot and had all voted on at once to ensure the accommodation of the most voters.
- Surely the WCC doesn't consider accommodating more voters is bad, especially given their pre-election claims of "voter suppression?"
- Chairman Golden allowed early voting at the urging of vocal WCC supporter Alderman Bev Burger. If this levied any prejudice, it would have been against the Elevate slate.

Candidates denied the right to appoint observers

- The WCC made no specific allegation that any delegate requested and was denied the opportunity to appoint an observer.
- Both campaigns were asked to submit two volunteers to oversee polling and results. Only one of the WCC observers showed up. Their failure does not justify a complete redo.

Election security and integrity violations

Early opening of registration and convention floor

- Getting more registrants checked in early actually expedited the process, assisting the Clifford slate. given the fact that they sandbagged and waited so long to register “their” voters.

Open access to voting/count room

- By implying that anyone in the vote center could have cheated, the Clifford slate inadvertently admits they have no evidence of cheating. Jaundiced speculation vs. specific evidence.
- The WCC takes the reprehensible step of implicitly accusing any number of people – including SEC officials -- of being probable cheaters without proof.
- WCC observer Chris Burger raised no concerns with the electoral process at any time.
- Mr. Duda’s statement notes that volunteers were stationed at the doors.

Questionable “spoiled” ballots

- Mr. Duda confirms that spoiled ballots were replaced with valid ones.
- He also confirms spoiled ballots were kept in a separate location and envelope.
- The Clifford crew claims the “unauthorized individuals” took ballots in order to “fix” them. But they can’t name these individuals or explain the circumstances.

Chain of custody breakdown

- The WCC provides no evidence that they asked to inspect the ballots or chain of custody, which is the customary process for an election.
- Their observers were in the room at every step involving the ballots.

Bona fide Republicans denied right to vote

- Every statement submitted about this concern came from a voter who was allowed to vote.
- Mr. Justin Wilson did not pre-register and therefore did not have time to appeal his rejection. His statement herein about this concern is not relevant.

Campaigning and electioneering in voting areas

- No actual fraud or harm was proven. Both Clifford and Drell Floyd were positioned next to the line waiting to vote and gladhanding voters.
- The WCC also falsely accuse Commissioners Mary Smith, Lisa Hayes, Chris Richards and Barb Sturgeon by name implying they engaged in election fraud... “handling all the ballots in the most rigged election in Tennessee history.” This behavior is so egregious it should be grounds for censure, stripping bona fide status.

Conflicts of interest

Biased election officials

- The WCC accuses sitting Republican officials of bias, election interference and voter intimidation without any proof. No evidence or support is offered.

SEC member bias

- The WCC apparently believes that they are themselves entitled to campaign recklessly with false claims, but any logical and fact-based pushback against their lies constitutes election fraud and makes any critic of their misconduct a liar and cheater.
- The WCC offers no proof of fraud by Committeemen Steve Allbrooks and Cyndi Miller and is obviously willing to ruin any reputation standing in the way of their selfish advancement.
- Every appeal cited by the WCC concerning denial of bona fide status was carefully considered by the registration team and TNGOP verification team.

Incumbent advantage

- Neither slate received official notice of their acceptance as qualified candidates. Since it applies to both candidates, no actual harm is alleged by this fact. A formality lapse is insufficient to overturn a valid election.
- Chairman Miller had every right to extoll the achievements of the prior Board members on the Elevate slate who achieved the results. Not a single declaration was offered from a voter alleging that Miller swayed their vote.

Denial of poll viewers

- The WCC had the opportunity of having two observers. Only one showed up. Mr. Baxter Lee was “chased away” from the registration area because he was not a poll watcher.

Voter intimidation

- The WCC’s campaign was predominantly negative and misleading, and in many instances employed provably false defamatory statements. They spent their entire brief accusing others without offering any actual proof.
- Clifford provoked a negative crowd reaction during his speech because those that had heard Mr. Hickey’s radio interview that morning knew that Mr. Clifford had just uttered a blatant falsehood. Mr. Hickey did not affirm that Elevate planned to cancel primary elections.

Response: Election interference by the WCC

- By all standards this was a fair convention, despite the devious and malicious actions of the Brian Clifford slate.
- WCC supporter and funder Baxter Lee stood near the registration table using his own list of voters to confuse registrants and contradict the official state list of eligible voters. It caused a number of complaints so the WCRP respectfully asked Lee to step away.

Conclusion

- The WCC does not prove a single instance of actual fraud.
- The WCC's pattern of behavior and argumentation is highly troubling and rife with demonstrable, provable falsehoods and at times sinister fantasy, casting serious doubt over any claims they make here.
- Speculation and defaming sitting officials and volunteers and intimidating the children of opponents is not a substitute for proving actual fraud. Nor is it evidence of honest leadership.
- We therefore request the SEC:
 - Dismiss this election contest, with prejudice; the election was fair and valid.
 - Further investigate Baxter Lee and other WCC members for possible direct election interference; subpoena Lee's "list."
 - Officially censure Brian Clifford, Ali Adair, Drell Floyd, Patti Carroll, Michelle Sutton, Steven Giono, Kimberly Calcote and Rob Verell (all who signed the brief and are therefore responsible for, and lend their names and reputations to, all claims therein):
 - for their actions, before and after the election in committing acts of defamation against fellow Republicans and election volunteers;
 - for intentionally sowing confusion amongst bona fide voters;
 - for misleading registrants as to their registration status with the state;
 - for alleging without evidence that members of the CCC and SEC committed acts of election interference; and
 - for otherwise impeding the legitimate electoral process.
 - Consider a change to the Bylaws that will permit SEC members to suspend the bona fide status of any person that commits the forgoing acts.
- Their behavior has been an offense to common decency and morality. Theirs has been conduct unbecoming the party and should be sharply condemned. We should not allow candidates and political consultants to sink to the lowest level of human discourse.
- Their appeal fails on a lack of evidence as the facts show. No evidence of fraud or wrongdoing.
- Don't simply dismiss the appeal but sanction the WCC to send a strong message that conduct like the WCC's will never be tolerated.

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