

Declaration of Rick Weible

Pursuant to 28 U.S.C Section 1746, I, Rick Weible make the following declaration.

1. I am over the age of 21 years and I am under no legal disability, which would prevent me from giving this declaration.
2. I currently reside at 803 Elk Street, Elkton, SD 57026.
3. I am a computer network engineer and data analysis expert with over 25 years of industry experience. Owner of a small computer consulting company, that has been in business for over 25 years providing compliance certifications, desktop support, programming, network management and security, web development and hosting.
4. South Dakota Codified Law “**12-20-32. Preservation of ballot boxes and pollbooks--Delivery of pollbooks to county canvassing board--Violation as felony.** The county auditor shall keep the ballot boxes and pollbooks in the same condition as when received, until the meeting of the county canvassing board, when he shall deliver the pollbooks to such board. A violation of this section is a Class 6 felony.”
5. South Dakota Codified Law “**22-6-1. Felony classes and penalties--Restitution--Habitual criminal sentences.....** Class 6 felony: two years imprisonment in the state penitentiary or a fine of four thousand dollars, or both.

If the defendant is under the age of eighteen years at the time of the offense and found guilty of a Class A, B, or C felony, the maximum sentence may be a term of years in the state penitentiary, and a fine of fifty thousand dollars may be imposed.

The court, in imposing sentence on a defendant who has been found guilty of a felony, shall order in addition to the sentence that is imposed pursuant to the provisions of this section, that the defendant make restitution to any victim in accordance with the provisions of chapter 23A-28.

Nothing in this section limits increased sentences for habitual criminals under §§ 22-7-7, 22-7-8, and 22-7-8.1.”

6. The evidence of the first first violation to where the pollbooks were not delivered to the board occurred at the **Brookings County Commission Meeting 6/7/2022 – Primary Election**
Video Link - <https://www.youtube.com/watch?v=IVXK0MO3dWw>
52:40 – Agenda item
54:30 – A report from ePulse, showing voters at each polling location (8)
55:29 - Jenna – “And I do have these down in office, so if you want to take a look ‘em and with

the listening public I can show you guys those.”

57:50 – Jenn showing report from ePulse check ins along side of Recap sheet, then tabulator sheet....for each location.

1:11:56 - Jenna “If there are any other little reports you would like me to pull. I know some of you guys like to see just different things with the poll pads, I can pull those reports and you can look at those in our office”

7. The evidence of the second violation to where the pollbooks were not delivered to the board occurred at the **Brookings County Commission Meeting 11/10/2022 – General Election**

Video Link - <https://www.youtube.com/watch?v=1-ly6gCQ5Ck>

30:57-31:14 – Jenna “If any of you are interested on seeing the over and unders, we do have the detailed and I also have a list of all of all the names who have voted absentee and at the polls for you to see in the office. Are there any questions?”

8. Ignorance of the law is not a defense, and this is why motorists are unable to use this as a defense for avoiding traffic violations, however if this is ignored, it will set a new documented precedence.

Rick Weible
11/15/2022
803 Elk Street
Elkton, SD 57026