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**AFFIDAVIT IN SUPPORT OF SUMMONS**

STATE OF NEVADA        )  
  )        ss:  
COUNTY OF CLARK        )

COLIN HAYNES, being first duly sworn, deposes and states:

I am the Affiant herein and I am a Criminal Investigator III with the State of Nevada, Secretary of State. The agency is charged with enforcing Chapters 293 of Nevada Revised Statutes. This chapter includes the Election Registration laws of the State of Nevada.

I have been assigned to the agency for approximately seventeen (17) months. Prior to my employment with the agency, I was employed as an investigator with the Office of the Attorney General for three (3) years and six (6) months, assigned to the Bureau of Consumer Protection and Medicaid Fraud Control Unit.

Prior to my employment with the Attorney General’s Office, I worked as an investigator with Las Vegas Metropolitan Police Department assigned to investigate Elder Financial Exploitation for a period of five (5) years and six (6) months. I also have eleven (11) years experience working as a police officer in London, England, assigned to patrol, field training and intelligence divisions.

In addition to my experience investigating complex financial crimes, I have attended NASAA investigator training courses and the Financial Investigations Practical Skills Training hosted by the National White Collar Crime Center and Research Institute where I learned investigative skills pertaining to Securities Fraud and other financial crimes. In 2004 I successfully completed the requirements for Peace Officer Category II Basic Certification, which included 276 hours of instruction. I also have the Intermediate and Advanced Peace Officer certificates from the State of Nevada and I am a Certified Fraud Examiner through the national Association of Certified Fraud Examiners.

On July 2 2008, I was assigned to investigate a referral regarding a series of apparently fraudulent Voter Registration Application (VRA) forms that were filed with the Clark County Registrar of Voters by the Association of Community Organizations for Reform Now, Inc.

1 (ACORN). During the investigation I learned certain facts, which lead me to believe that the  
2 Association of Community Organizations for Reform Now, Inc. (ACORN), Christopher  
3 Edwards (EDWARDS) and Amy Busefink (BUSEFINK) have committed the offenses of  
4 Compensation for Registration of Voters based upon number of Voters Registered, a category  
5 E felony in violation of NRS 293.805 (1) (a); within the county of Clark, State of Nevada.

6 This Affidavit is made of my own personal knowledge, except where stated on  
7 information and belief, as to those matters, I believe them to be true and if called as a witness,  
8 I could competently testify thereto.

9 In support of the assertion to constitute the existence of probable cause for the  
10 requested warrant, the following facts are offered.

11 I began my investigation on July 2 2008, after the Secretary of State received a  
12 complaint from Harvard "Larry" Lomax (LOMAX), Clark County Registrar of Voters. In this  
13 complaint LOMAX stated that his office had received a significant number of Voter  
14 Registration Application (VRA) forms that appeared to be fraudulent. LOMAX identified that  
15 many of these applications were submitted to the County by ACORN.

16 LOMAX described that his office was able to identify the applications submitted by  
17 ACORN because the serial numbers of all applications issued to ACORN were recorded prior  
18 to issuance.

19 ACORN has been incorporated in the State of Nevada as a Foreign Non-Profit  
20 Corporation under Corp Number C14579-2004 since June 2, 2004.

21 Based upon this referral, the Nevada Secretary of State opened an investigation to  
22 determine if fraudulent VRA forms were being submitted to the county and if so, the  
23 circumstances surrounding the submittal of these forms.

24 The subsequent investigation revealed that throughout 2008, ACORN hired canvassers  
25 whose job was to approach members of the public and encourage and assist them to register  
26 to vote by completing a VRA form and giving the completed VRA form back to the canvasser.  
27 These completed VRA forms were then returned to ACORN by the canvassers. From there,  
28 the completed forms were sent to the county registrar by ACORN.

1           Statements provided by witnesses employed by ACORN as canvassers, Team leaders,  
2 Political Organizers (supervisors) and the Field Director for the Las Vegas office revealed that  
3 ACORN paid their canvassers an hourly rate of between \$8.00 and \$9.00 per hour. In  
4 addition to this hourly rate ACORN paid their canvassers financial incentives based on the  
5 number of completed VRA forms submitted by each canvasser. Specifically, ACORN was  
6 paying bonuses of \$5.00 per shift to canvassers who brought in twenty one (21) or more  
7 completed forms in one shift. This bonus was commonly known as “Blackjack”.

8           Statements provided by witnesses employed by ACORN as canvassers, Team leaders,  
9 Political Organizers (supervisors) and the Field Director for the Las Vegas office revealed that  
10 ACORN made continued employment, and continued compensation, contingent upon the  
11 canvasser registering a specific number of voters each day. According to these statements  
12 and ACORN training documentation that I reviewed, this number was set at twenty (20) forms  
13 per day. It was the policy of ACORN to terminate from employment canvassers who failed to  
14 obtain twenty (20) VRA forms per day.

15           On October 7, 2008, as part of this ongoing investigation, I obtained and served a  
16 search warrant at the office of ACORN, located at 953 E. Sahara Ave suite D18, Las Vegas,  
17 NV 89109. Property seized subject to this warrant included the computer hard drives found in  
18 the office and hard copy documentation.

19           I reviewed the information contained on these hard drives and contained in the hard  
20 copy documents also seized from the office. I found a document titled “Orientation Outline”  
21 that appeared to contain instructions for the presentation of orientation training to newly hired  
22 canvassers. Item number 7 on this document states: “Review goals and standards for each  
23 canvasser – It is important that each canvasser understand what their daily and weekly goals  
24 will be. There should be a minimum number set so that each canvasser understands the  
25 standards. They must understand what number they need to meet in order to be kept on staff.  
26 Convey to the participants that the standards are real and will be strictly enforced”

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1 This document was subsequently shown to Alicia Estrada (ESTRADA), an ex-Political  
2 Organizer at ACORN. ESTRADA identified this document as the outline for the presentation  
3 of orientation training to newly hired canvassers.

4 I also located scanned copies of timesheets that document the hours worked by  
5 canvassers. These timesheets contained a column titled "other/bonus". The timesheets  
6 documented any extra payments or bonuses to which the canvasser was entitled.

7 On January 13, 2009, ESTRADA was interviewed regarding this investigation. She  
8 stated the following:

- 9 • ESTRADA interviewed with ACORN for the position of Political Organizer in January  
10 2008 in Chicago. She was hired in February 2008 and was sent to Miami for a one  
11 month training course, along with other Political Organizers who were hired at about  
12 the same time. After this training she was sent to Las Vegas.
- 13 • As a Political Organizer her job was to hire canvassers, conduct orientation and training  
14 for the new hires and then manage them; dealing with payroll and daily office  
15 organization. At the Las Vegas office, Chris Edwards (EDWARDS) was the senior  
16 manager for ACORN. His job title was Field Director.
- 17 • Canvassers were required to bring in at least twenty (20) completed VRA forms each  
18 shift. This was a policy of ACORN and ESTRADA was told this during her one month  
19 training in Miami. All Political Organizers were assigned a team of canvassers and the  
20 Political Organizers had to ensure that their team brought in 1000 completed cards per  
21 week. The policy of ACORN was that canvassers had to meet this quota or be  
22 terminated from employment; however this was not uniformly enforced and it was left to  
23 each individual Political Organizer to deal with any of their canvassers who failed to  
24 meet this quota.
- 25 • ESTRADA did not like to terminate canvassers who didn't bring in twenty (20) cards,  
26 although she did fire a few. Some of the other Political Organizers were much stricter  
27 and fired many canvassers for failing to meet this quota.

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- 1 • The fact that each canvasser had to meet this twenty (20) card quota was  
2 communicated to the canvassers and the fact that continued employment depended on  
3 meeting this quota was also communicated to the canvassers.
- 4 • In addition to earning their hourly rate, canvassers could earn a bonus if they brought in  
5 at least twenty one (21) completed cards per shift. The bonus was an extra \$5.00 for  
6 each day that they hit this target. This bonus was called “Blackjack”. The bonus was  
7 introduced several times, depending on how well things were going. It would run for a  
8 while and then stop. EDWARDS was the person who decided if and when to offer the  
9 blackjack bonus.
- 10 • It was the responsibility of each Political Organizer to complete canvasser timesheets  
11 and input the data into the payroll system. If a bonus or extra money was added to  
12 payroll the reason for the bonus was supposed to be identified within the payroll  
13 system. Extra money was paid to canvassers for things such as gas money, bus fares  
14 and heat allowance. When Political Organizers entered the data into the payroll  
15 system they were encouraged to identify what the extra pay was for, but this was not  
16 always done.
- 17 • Some canvassers were docked pay if they didn’t meet quota. ESTRADA saw  
18 examples of canvassers being told that they had to stay out in the field for as long as it  
19 took to get twenty (20) cards, but if they came in with less, the Political Organizer would  
20 not pay them for all the hours they worked. ESTRADA saw examples of Political  
21 Organizers taking time sheets that reflected a canvasser working a certain number of  
22 hours per day and then crossing out those hours and putting in a lower number of  
23 hours on the time sheet.

24 ESTRADA identified five (5) timesheets that she had signed as the supervisor that  
25 documented the payment of “Blackjack” or “21+” bonuses to canvassers. ESTRADA also  
26 identified twenty three (23) other timesheets that identified the payment of \$5.00 bonuses to  
27 staff. On these timesheets the reason for the bonus was not always identified; however  
28 ESTRADA recalled that many were payment of the “blackjack” bonus.

1 On January 8, 2009, I interviewed Joseph Camp (CAMP) regarding this investigation.  
2 He stated the following:

- 3 • CAMP was employed by ACORN from February 2008 until the end of 2008. When he  
4 was initially hired he was hired to work in the quality control department, called the  
5 Organization or Operation Call Center (OCC). In May 2008, CAMP took over as the  
6 OCC manager, initially as acting manager in May and June and then as fully promoted  
7 manager in July 2008. CAMP remained manager of the OCC until October 2008.
- 8 • Among other duties, the staff of the OCC would identify canvassers who were  
9 submitting too few VRA forms each day. The OCC staff would complete a  
10 Performance Investigation Worksheet when they identified canvassers who were  
11 submitting too few VRA forms. In many cases involving canvassers submitting too few  
12 cards, the Political Organizer supervising the canvasser may already have addressed  
13 the issue with the canvasser before the OCC manager identified a problem.
- 14 • To CAMP'S knowledge there wasn't a single cut-off number below which a canvasser  
15 was considered to be under-performing. The number at which this determination was  
16 made varied depending on many factors and was often left up to the Political Organizer  
17 supervising the canvasser.
- 18 • If a canvasser was under-performing they were put on Ultimatum, which meant that  
19 they were counseled and told that they had to bring in more forms or they would be  
20 fired. Canvassers were usually given a maximum of four (4) days to improve and then  
21 they were fired. A canvasser may be counseled several times before being fired.
- 22 • As manager of the OCC, CAMP performed Performance Investigations for low  
23 numbers of VRA forms. CAMP counseled about twenty canvassers for turning in a low  
24 number of cards and he believed that he ultimately fired about fifteen of those.
- 25 • CAMP confirmed that ACORN fired a significant number of canvassers for both  
26 suspected fraud and for turning in an unacceptably low number of VRA forms. Of  
27 those terminated, CAMP estimated that sixty percent were terminated for turning in an  
28 unacceptably low number of VRA forms and forty percent were for suspected fraud.

- 1 • In addition to their hourly rate, canvassers could get addition bonuses or payments,  
2 such as bus fares, gas money and bi-lingual allowance. In September 2008,  
3 EDWARDS announced that canvassers could be paid an additional bonus; CAMP  
4 believed \$5.00, if they submitted twenty one (21) or more VRA forms per day. They  
5 called this "Blackjack and it was written on the white board for everyone to see.

6 On February 5, 2009, I interviewed John Creedon (CREEDON) regarding this  
7 investigation. He stated the following:

- 8 • CREEDON went to work for ACORN in February or March 2008. After one day as a  
9 canvasser, he was promoted to Team Leader. In May 2008, CREEDON became a  
10 Political Organizer and was assigned his own team of canvassers to supervise.  
11 CREEDON also spent a short time working in the OCC.
- 12 • Team Leaders were expected to bring in more completed VRA forms than canvassers,  
13 but everyone had a quota to meet. It was communicated to all staff that there were  
14 expectations in terms of the number of forms they had to bring in each day.  
15 CREEDON couldn't recall exactly what the numbers were but he believed that it was 20  
16 cards per day for a canvasser and 30 per day for a team leader.
- 17 • This was an ACORN policy and it equated to about five (5) cards per hour with a  
18 canvasser working six (6) hours per day. One work hour was considered as travel time  
19 to get to the location and one hour to get back. That left four (4) hours of collecting  
20 cards at five (5) cards per hour. Six (6) hours per day for five (5) days constituted the  
21 30 hour work week for canvassers. This was all communicated to CREEDON by  
22 EDWARDS, the Field Director, when CREEDON was hired. CREEDON then  
23 communicated these quotas to all of his staff when he was eventually promoted to a  
24 Political Organizer.
- 25 • Although this was an ACORN policy, it was not strictly enforced. It was generally left to  
26 the Political Organizer to deal with canvassers who failed to meet their quotas, though  
27 sometime EDWARDS would direct that a canvasser had to be fired for poor numbers  
28 and sometimes he would direct that a canvasser be given more time to improve. In

1 total, CREEDON believed that he only fired about ten (10) canvassers for failure to  
2 meet quotas and most of these were at the direction of EDWARDS.

- 3 • CREEDON was not aware of any performance bonuses based on the number of cards  
4 submitted. He had never heard of “Blackjack” or of daily bonuses for canvassers  
5 bringing in more than 21 cards in a day. CREEDON thought he heard of a bonus for  
6 canvassers bringing in over 100 cards per week, but he wasn’t sure about this.
- 7 • CREEDON finally quit ACORN over the issue of quotas. He received a phone call from  
8 EDWARDS to give him a heads-up that ACORN had decided to fire him because his  
9 team was bringing in such low numbers. After he got the word from EDWARDS,  
10 CREEDON decided to quit before he could be fired.

11 On January 29, 2009 I served a grand jury subpoena on ACORN requesting  
12 documentation pertaining to the organizations policy of setting quotas for their canvassers and  
13 for documentation pertaining to the payment of the “Blackjack” bonus.

14 On February 24, 2009 I met with Brian Mellor (MELLOR), Legal Counsel for ACORN.  
15 MELLOR produced documentation responsive to this subpoena. During this meeting Mellor  
16 stated the following:

- 17 • In regard to “Blackjack”, MELLOR stated that it was not ACORN policy to pay  
18 performance related bonuses to their staff. MELLOR stated that back in 2003, ACORN  
19 engaged in a voter registration drive during which they compensated their canvassers  
20 through bonuses linked to the number of voter registration forms collected by each  
21 canvasser. This policy turned out to be a bad policy and since then, ACORN has not  
22 compensated canvassers based on performance.
- 23 • MELLOR stated that when he received the subpoena identifying a “Blackjack” bonus he  
24 had no idea what this referred to. He contacted senior members of ACORN staff,  
25 Kimberly Olsen (OLSEN), the National Director of ACORN’S voter registration project  
26 and Amy Busefink (BUSEFINK), a Deputy/Regional Director, to see if they knew of  
27 “Blackjack”. BUSEFINK informed him that it referred to a bonus being paid to  
28 canvassers working from the Las Vegas office of ACORN that was linked to the



1 number of voter registration cards the canvasser collected. Specifically it was the  
2 payment of \$5.00 if the canvasser collected 21 or more cards. BUSEFINK also  
3 informed MELLOR that she visited the Las Vegas office in August 2008 and saw a sign  
4 on a white board that offered this bonus to staff. She instructed the Las Vegas office  
5 director, Chris Edwards (EDWARDS) that he could not offer this bonus and she  
6 removed the signs.

- 7 • MELLOR stated that the ACORN policy, training and compensation manuals address  
8 incentives such as giving awards or movie tickets for high performers, but there is no  
9 mention of paying bonuses. MELLOR stated that the policy manuals do not specifically  
10 state that cash bonuses cannot be paid based on the number of voter cards collected;  
11 however this was an oversight and, when the manuals were written, MELLOR did not  
12 think to specifically exclude this type of bonus. MELLOR stated that he was involved in  
13 the writing of the manuals.
- 14 • MELLOR stated that ACORN use an online payroll system identified as CCI OMS. The  
15 hours worked by each canvasser are documented on a written timesheet, as are any  
16 additional payments made to the canvasser. Additional payments might include gas  
17 money, bus fares or a heat allowance when it is excessively hot. The information from  
18 the timesheets is then entered into the online system by the political organizers  
19 supervising the canvassers. When a bonus is paid, there is a comments section in the  
20 payroll system that should be used to explain the reason for the bonus.
- 21 • MELLOR stated that he caused payroll reports to be generated from the data in the  
22 CCI payroll system. He provided me with an electronic copy of four such reports.  
23 MELLOR opened one of the reports on his laptop and showed the columns titled  
24 "Incentive" and "Comments". MELLOR pointed out that some of the entries reflect the  
25 payment of "Blackjack" or "21+".
- 26 • MELLOR stated that EDWARDS was instructed not to pay this bonus by BUSEFINK in  
27 August 2008. MELLOR stated that the payroll entries he was producing all appeared to  
28 be for dates after EDWARDS was instructed not to offer this bonus. MELLOR stated

1 that he was personally unaware that EDWARDS was paying this bonus and that  
2 OLSEN told him she was not aware of it either. OLSEN went to the Las Vegas office in  
3 late September 2008 to close down the operation and she saw nothing that reflected  
4 the payment of the "Blackjack" bonus at that time.

- 5 • MELLOR further stated that he was unable to provide any emails that might reflect  
6 communications about this matter because the computers used by both BUSEFINK  
7 and OLSEN crashed shortly after the election and deleted their emails.

8 I examined the four (4) payroll spreadsheets produced by MELLOR and noted that they  
9 covered the period July 17, 2008 through September 20, 2008. Three of the four  
10 spreadsheets reflect, in the comments section, that "Blackjack" or "21+" bonuses were paid to  
11 canvassers.

12 On February 25, 2009, I interviewed Christopher Edwards (EDWARDS) regarding this  
13 investigation. He stated the following:

- 14 • EDWARDS responded to a Craig's List add for leadership positions with ACORN in  
15 January 2008. He was offered a position as the Field Director for the Las Vegas office.  
16 He attended one months training in Miami, but after a few days of training he was told  
17 that he would be a Political Organizer, not the Field Director.
- 18 • When EDWARDS arrived in the Las Vegas office, there was a Political Organizer and  
19 two community outreach organizers already on staff. In March 2008, EDWARDS  
20 attended a Field Director training course. EDWARDS was promoted to the position of  
21 Field Director on April 1, 2008. At that time he was the senior member of staff in the  
22 Las Vegas office.
- 23 • Part of the training to be a Political Organizer and Field Director included information  
24 about the standards that were set for Political Organizers and canvassers. Canvassers  
25 were required to get a minimum of twenty (20) completed VRA forms per shift. The  
26 target was enforced flexibly, with canvassers being allowed to remain on staff if they  
27 consistently reached about seventeen (17) cards a day.

- 1 • Canvassers who failed to reach the target were placed on Ultimatum, which meant that  
2 they were told they had one more chance to meet a set target. If they failed to meet  
3 this target the canvasser was terminated. EDWARDS terminated or directed the  
4 termination of many canvassers for failing to meet this quota.
- 5 • The fact that quotas were in place and were enforced with termination from  
6 employment was clearly communicated to all employees, by EDWARDS and by his  
7 Political Organizers. All of the training literature referenced the quota and office  
8 performance was judged on the dollar cost for each card collected.
- 9 • Towards the end of July 2008, EDWARDS came up with the idea of offering the  
10 “Blackjack” bonus. The bonus was a payment of \$5.00 for each day a canvasser  
11 submitted at least twenty one (21) completed VRA cards, with telephone numbers.  
12 EDWARDS was not aware that payment of bonuses based on the number of cards  
13 collected might be a violation of any law.
- 14 • EDWARDS openly advertised the existence of the “Blackjack” bonus to all staff. Not  
15 many actually received it. EDWARDS wrote the term “Blackjack” on a white board in  
16 the main office and had his Political Organizers tell all of the staff that they could earn  
17 this extra \$5.00.
- 18 • ACORN promoted numerous incentive programs in all of the offices. These included  
19 Political Organizers taking high performing canvassers to lunch, offers of movie tickets  
20 or other give-a-ways. During the weekly Field Director calls between the office Field  
21 Directors and the National Director, Kimberly Olsen (OLSEN), the Field Directors would  
22 discuss what they were doing to motivate staff. EDWARDS could not recall if he  
23 specifically spoke about “Blackjack” during any of these weekly calls; but he believed  
24 he must have done because he was very proud of his office performance and  
25 frequently spoke about what he was doing to keep things running.
- 26 • EDWARDS recalled that he had a telephone conversation with Amy Busefink  
27 (BUSEFINK), the Regional Director for ACORN prior to her visiting the Las Vegas  
28 office in August 2008. EDWARDS recalled that he informed BUSEFINK that he was

1 offering the Blackjack bonus and what this bonus was. During that conversation  
2 BUSEFINK told EDWARDS that she thought the bonus was a good idea.

- 3 • In August 2008, BUSEFINK visited the Las Vegas office. At that time, the “Blackjack”  
4 bonus was in place and it was written on the white board. BUSEFINK saw that the  
5 Blackjack bonus was being advertised to the canvassers and she made no comment  
6 about this. EDWARDS specifically stated that BUSEFINK did not tell him to wipe or  
7 remove the whiteboard advertising Blackjack to the canvassers, nor did she tell him  
8 that he could not offer this bonus.
- 9 • At no time did any member of the management above EDWARDS tell him that he could  
10 not offer this bonus.
- 11 • If a canvasser earned the bonus, it was documented on their timesheet. This data was  
12 then entered into the online payroll system by the Political Organizer supervising the  
13 canvasser. In addition to entering hours and pay rate, the Political Organizer would  
14 enter bonuses and was required to document the reason for the bonus in the payroll  
15 system, in the comment section.
- 16 • Both BUSEFINK and OLSEN had access to the payroll system and could see the  
17 bonuses that were paid to canvassers. EDWARDS stated that there were frequent  
18 payroll issues and BUSEFINK and OLSEN emailed him many times about one problem  
19 or another. They could not have done this without looking at the payroll system and  
20 seeing the bonuses that were being paid.
- 21 • EDWARDS recalled receiving emails from OLSEN in which she addressed the number  
22 of hours being worked by canvassers and the amount of bonuses being paid. She  
23 even included spreadsheets that showed the “Blackjack” bonus was being paid.  
24 OLSEN never disputed the payment of this bonus or told EDWARDS not to pay this  
25 bonus.
- 26 • EDWARDS finally stopped offering the bonus in September 2008 because of cost over-  
27 runs in his office.

1 On February 26, 2009, I spoke with ESTRADA regarding the visit of BUSEFINK to the  
2 Las Vegas office in August 2008. ESTRADA recalled the visit, though not the exact dates.  
3 She recalled that the "Blackjack" bonus was being offered and was documented on the  
4 whiteboard when BUSEFINK arrived. ESTRADA stated that the bonus was not cancelled or  
5 the whiteboard removed when BUSEFINK was at the office or following her visit and the  
6 "Blackjack" bonus continued to be offered.

7 Between November 21, 2008 and January 16, 2009 I interviewed ten (10) witnesses  
8 who were employed by ACORN as canvassers or Team Leaders during 2008. These  
9 witnesses included Joseph Terry (TERRY), Steven Jackson (JACKSON), Sharon McAllister  
10 (MCALLISTER), Carl Barker (BARKER), Richard Agusti (AGUSTI), Marshea Greenwood  
11 (GREENWOOD), Debra Caldera (CALDERA), Ana Ramos (RAMOS), Kyrene Williams  
12 (WILLIAMS) and Jerica Payne (PAYNE).

13 All of these witnesses confirmed that they were required to meet quotas in terms of the  
14 number of VRA forms they collected each day. All of these witnesses confirmed that they  
15 were told they would be terminated from employment if they failed to meet the quota.

16 WILLIAMS and PAYNE stated that they were not paid for all the hours they worked  
17 because they failed to reach this quota on at least one day.

18 TERRY, JACKSON, MCALLISTER, BARKER, AGUSTI, GREENWOOD, CALDERA  
19 and RAMOS all confirmed that they earned the "Blackjack" bonus for collecting twenty one  
20 (21) or more completed VRA forms.

21 I located timesheets in the computer hard drives seized from the office of ACORN and  
22 in the hard copy material seized from the office of ACORN which documented that TERRY,  
23 JACKSON, BARKER, AGUSTI and GREENWOOD all earned bonuses identified on the  
24 timesheets as "Blackjack" or "21+" bonus.

25 I located timesheets in the computer hard drives seized from the office of ACORN and  
26 in the hard copy material seized from the office of ACORN which reflected the earning of  
27 \$5.00 bonuses that were not specifically identified as "Blackjack" or "21+" bonuses, but which  
28 the witnesses confirmed were paid for gathering twenty one (21) or more VRA forms.

1 From the documents produced by MELLOR on behalf of ACORN in response to the  
2 subpoena served on ACORN and from the documents seized from the office of ACORN, I  
3 identified additional documentation that reflected the ACORN policy of requiring canvassers to  
4 collect at least twenty (20) VRA forms per day or be terminated from employment. These  
5 documents included the ACORN OCC manual and the job description for a Field Canvasser.  
6 MELLOR also produced training manuals that he identified as being used to train new Political  
7 Organizers and Field Directors. Included with this production was a training outline, under  
8 heading "Voter Registration 101" in a paragraph titled "Standards" which stated "The minimum  
9 standards to meet your budget are 20 cards a shift. You should be telling staff the office goal  
10 is 25. People averaging less than 20 cards a shift will be fired".

11 I also located email communications that occurred between OLSEN and BUSEFINK,  
12 the National and Regional Directors and EDWARDS, the Las Vegas Field Director in which  
13 the policy of requiring canvassers to meet quotas or terminating those canvassers was  
14 discussed.

15 An email dated Wednesday September 10, 2008 had a spreadsheet attached to it. The  
16 email identified that the payroll entries documented on the attached spreadsheet were in  
17 question. The attached spreadsheet included comments identifying the bonuses on these  
18 payroll entries as "blackjack" bonuses or "21+" bonuses. This email appeared to have  
19 originated from an email address that was identified as "Kimberley Olsen", the ACORN  
20 National Voter Registration Director.

21 Throughout 2008, the Association of Community Organizations for Reform Now, Inc.  
22 (ACORN) employed canvassers to register people to vote. ACORN paid those canvassers a  
23 flat hourly pay rate, but made continued employment, and therefore continued compensation,  
24 contingent upon the canvasser registering a specific number of voters each day. Canvassers  
25 who failed to register a specified number of voters were terminated from employment.

26 From July 27, 2008 through October 2, 2008, ACORN also provided additional  
27 compensation, in the form of the "Blackjack" or "21+" bonus that was based upon the total  
28 number of voters a person registered. EDWARDS, as the Las Vegas Field Director, was

1 responsible for implementing the payment of this bonus; however, evidence, in the form of the  
2 statements of EDWARDS and ESTRADA show that BUSEFINK, Regional Director for  
3 ACORN, was aware that this bonus was offered.

4 Evidence, in the form of data entry into the national payroll system used by ACORN in  
5 which the payment of this bonus was clearly documented, also supports that OLSEN, the  
6 National Director of ACORN was aware that this bonus was in place. The fact that OLSEN  
7 knew that this bonus was being paid is also supported by an email with attached payroll  
8 spreadsheet sent by to EDWARDS in September 2008. This payroll spreadsheet identified  
9 payment of the "Blackjack" or "21+" bonus.

10 It is respectfully submitted that the foregoing establishes probable cause that  
11 Christopher Edwards (EDWARDS), Amy Busefink (BUSEFINK) and the Association of  
12 Community Organizations for Reform Now (ACORN) have committed the offense of  
13 Compensation for Registration of Voters based upon number of Voters Registered, a category  
14 E felony in violation of NRS 293.805 (1) (a); within the county of Clark, State of Nevada.  
15 Accordingly, I respectfully request that a summons be issued for ACORN.

16 FURTHER YOUR AFFIANT SAYETH NAUGHT

17  
18 \_\_\_\_\_  
19 COLIN HAYNES  
20 Criminal Investigator III  
21 Secretary of State, Securities Division

20 STATE OF NEVADA  
21 COUNTY OF CLARK  
22 SUBSCRIBED and SWORN TO before me  
23 by \_\_\_\_\_  
24 this \_\_\_\_\_ day of \_\_\_\_\_ 2009

23 \_\_\_\_\_  
24 NOTARY PUBLIC, in and for said  
25 County and State  
26  
27  
28