

**FIVE STATES AND THE ELECTION
IRREGULARITIES AND ISSUES**

DECEMBER 8, 2020

KEY POINTS RE QUESTIONABLE ELECTION RESULTS IN FIVE STATES

- The U.S. Constitution gives absolute authority to State Legislatures to determine the “manner” of how a federal election is run.
- The U.S. Constitution gives absolute authority to State Legislatures to appoint presidential electors.
- State Legislatures have enacted election laws that permit citizens to participate and express their will regarding the selection of presidential electors.
- Under the U.S. Constitution, however, State Legislatures always have final authority regarding how presidential electors are chosen.
- **Democrat Party committees and left wing allies circumvented numerous state election codes by filing lawsuits and seeking executive agency actions to pressure judicial and executive branches of numerous state governments to “rewrite” their election codes without legislative action.**
- In its election lawsuits, the Trump campaign documented thousands of illegal votes that were cast, counted, and included in the final tabulation of these five states.
- These votes violated the Election Codes adopted by the State Legislatures, which also violates the U.S. Constitution.
- These illegal votes were outside the margin of victory in all five states.
- Time is short for the courts to remedy these wrongs and declare the elections null and void.
- **There is also a constitutional remedy:**
 - The U.S. Constitution vests in State Legislatures absolute authority to choose presidential electors. If the “manner” chosen by the State Legislature is not followed, which occurred in the 2020 presidential election

in these five states, then the State Legislature must reclaim its constitutional authority and responsibility to do what the constitution requires: appoint the presidential electors.

-In the alternative, the State Legislature can decide not to certify any presidential electors because the “manner” of voting was illegal and unconstitutional. The election then goes to the U.S. House of Representatives.

-Congress has the ultimate responsibility for receiving and counting the electoral college votes.

-There is no constitutional obligation for Congress to accept fraudulent vote and electoral votes.

ARIZONA

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(11 Electoral votes: 10,457 vote gap)

Democrat-controlled Maricopa County election officials did not “allow political party observers to effectively observe” the process of verifying mail-in signatures.

- Almost 700,000 mail-in votes were counted without any Republican oversight according to eight witnesses at the November 30 hearing in Maricopa County.
- Observers had to remain behind a specific point, which was at least ten to twelve feet away from the counting process.
- Most of the computer screens were turned so that the observers could not see them even if they had been sufficiently close to the screens.
- Arizona election law states that “procedures shall allow political party observers to **effectively observe** the election process....” (Emphasis added.)
- Many **Republicans were escorted from the building** by election officials when they protested the illegal situation of not being allowed to effectively observe the process.

Democrat-controlled Maricopa County election officials violated Arizona election law regarding handling duplicate ballots.

- A duplicate ballot situation arises when a ballot is damaged or defective so it cannot be properly counted. Arizona election law requires that when a new ballot is to be substituted for a damaged or defective ballot (duplicated), **it shall only be done in the “presence of witnesses,” shall “be clearly labeled ‘duplicate,’” and shall “bear a serial number that shall be recorded on the damaged or defective ballot.”**
- Maricopa County transmitted electronic information for duplicate ballots to an offsite printing company, which printed them offsite.
- The offsite company delivered the duplicate ballots to the election center in “batches,” which were not connected to the originals in any clearly observable way. Thus, there was no effective way of confirming whether the duplicates matched the originals.
- The duplicating process took place without Republican witnesses.

Maricopa County utilized **Dominion machines.**

- **Six minutes after the polls closed at 7 p.m. November 3, Biden received a net gain of 143,100 votes.** Cyber Security expert witness, retired Col. Phil Waldron, testified that such increase was a **mathematical impossibility** because there were not enough machines in use to process that many votes in that short amount of time.
- The Dominion voting machines were **connected to the internet, thereby completely violating all security mandates.**

GEORGIA

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(16 Electoral votes: 12,670 vote gap*)

Georgia law allows federal elections to be contested under specific provisions if sufficient to change or place doubt in the result. The relevant provisions are 1) if there was misconduct, fraud, or irregularity by election officials and 2) when illegal votes have been received or legal votes rejected.

- Georgia officials allowed approximately 100,000 unqualified persons to register and cast votes that are illegal under the above provisions as follows:
 - 66,247 Underage** persons allowed to register illegally, then voted
 - 8,718** Potential number of persons deceased prior to the date the state records accept votes, relying on available records re: name and birth year. Only the Secretary of State has the full birthdate information to ascertain the exact number of illegal votes cast in the name of deceased persons. Witness affidavits show that absentee ballots were sent to dead persons in Georgia
 - 2,560 Felons**
 - 2,423 Unregistered persons**
 - 4,926** Persons **registered in another state** after moving from Georgia
 - 1,043** Persons registered using a P.O Box, **not a legal residence**
 - 15,700** Persons who had filed a national change of address with the USPS as having **relocated to another state** prior to Election Day, and
 - 40,279** Persons who moved **without reregistering/** voting in their new county.
- Secretary of State Raffensperger violated Georgia law, which requires voters to request absentee ballots, no earlier than 180 days before the election for which the absentee ballot is requested
- Raffensperger sent unsolicited absentee ballot applications to all persons on the active voter rolls before the 2020 Georgia primary, and allowed requests for absentee ballots for the general election by checking a box on the application for the primary.
- **At least 305,701 persons**, according to State records, applied for absentee ballots more than 180 days prior to Election Day, **violating state law.**

- At least 2664 absentee ballots were mailed to individuals more than 180 days prior to Election Day, which violates state law.

Raffensperger allowed at least 217 persons to vote whose **absentee ballots**, according to State records, were **applied for, issued, and received all on the same day.**

By signing a Consent Decree purporting to change statutory language regarding receiving applications and ballots, Raffensperger violated Georgia law, which mandates election officials to “compare the identifying information [on an **application** for an absentee ballot] with the information on file” and if the application is signed by the elector to “compare the signature or mark” on file. The same comparisons for identifying information and signature are mandated regarding information contained on the **absentee ballot**. Votes not fulfilling these requirements must be rejected.

- The Consent Decree changed the number of personnel required to reject an absentee ballot for signature mismatch.
- The Consent Decree added cumbersome steps to the mandatory signature verification process.
- The Consent Decree allows election officials to match signatures on absentee ballot envelopes against the **application** rather than against the **voter file** as required by law.
- The low rejection rate of 0.34% of absentee ballots for the 2020 election compared to 2.9% for 2016 and 3.46% in 2018 is evidence that the signature matching and identification verification statutory mandates were not followed.
- **Had the statutory procedure been followed, applying the historic rejection rate, 30,000 to 40,000 absentee ballots lacking proper signatures would have been rejected and not included in the vote totals.**
- **Raffsperger has refused to conduct a signature audit despite being requested by the Trump campaign five times since November 10 to do so.**

The Constitution and Georgia’s Election Code guarantee citizens the right to vote in a transparent system.

- This right requires votes be counted, tabulated, and consolidated in the presence of representatives of parties and candidates, and election observers. Further it requires that the entire process be completely and fully open to the public.
- Georgia law also requires election duties be performed “in public,” and entitles each candidate to poll watchers, who may be permitted behind the enclosed space to observe the process and “counting and recording of votes.”

- Moreover, during the recount, Raffensperger declared that designated monitors would be “given complete access to observe the process” even “more closely” than the general public and media, which did not happen
- On Election Day, Fulton County officials claimed there was a “flood” because of a “pipe burst.” The incident was later revealed to be a leaky toilet.
- At about 10 p.m. on Election night, Fulton County officials at State Farm Arena instructed Republican poll watchers and the press that they were finished counting votes for the day and made them leave. Observers were told that ballot counting would resume at 8 a.m. the next day.
- Without the required transparency and access to observe by Republican poll watchers, and in violation of the U.S. Constitution and Georgia law, Fulton County officials continued from approximately 10:35 pm until 12:50 am to count ballots taken from beneath a covered table in the counting room. It is estimated approximately 18,000 ballots were illegally counted during this time.

* Margin continues to change

MICHIGAN

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(16 Electoral votes: 150,000 vote gap)

Republicans were prohibited from meaningful observation of mail-in vote counting in Wayne County.

- Michigan law requires an election challenger “be provided a space within a polling place where they can observe the election procedure and each person applying to vote.” The challenger must also be allowed to “inspect poll books as ballots are issued to electors and witness electors’ names being entered in the poll book.”
- Michigan law authorizes the election challenger to challenge election procedures not being properly performed, any person who the challenger has good reason to believe is not registered, improper handling of a ballot, violations of time the polling place is open, campaigning and fundraising by an election inspector, and any other violation of election law.
- An election challenger may examine each ballot as it is being counted.
- Michigan law provides a felony punishable by up to two years in prison for: any person who threatens or intimidates a challenger performing any of the above activities, any person who prevents a challenger from exercising their rights, and any person who fails to provide a challenger with “conveniences for the performance of the[ir] duties.”
- **Over 500,000 mail-in votes were counted in Wayne County without any meaningful Republican observation.**
- More than 100 Michigan credentialed challengers provided affidavits describing the numerous methods used by Democrat-controlled Wayne County to deny them a meaningful opportunity to carry out the election duties described above. Some of these methods include the following:
 - **Most of the challengers designated by the Republican Party or Republican candidate were denied access to the TCF Center (formerly Cobo Hall) while all Democrat challengers were allowed access.**
 - Those few Republicans who were admitted were not allowed sufficiently near the vote counting process to have meaningful observation of it.
 - Those few Republicans who were admitted were forced to remain at least six feet from the vote counting process but Democrat challengers were not

forced to remain behind such a barrier.

- At least three challengers swore Wayne County election officials physically pushed them away from the counting tables so they could not meaningfully observe the vote count.
- Many challengers swore they were threatened and harassed by Wayne County election officials, including being called “a racist name.”
- One challenger observed Democrat challengers sharing a packet of information entitled “Tactics to Distract GOP Challengers.”
- An election official told a challenger that Wayne County had a police SWAT team outside the building if Republican challengers argued too much.
- Another election official told a challenger that “since English was not [her] first language...[she] should not be taking part in this process.”
- Whenever a Republican challenger was ejected from the counting area, Wayne County election officials would cheer.
- **Many challengers swore that their challenges to ballots were ignored by not being recorded or by being told “you cannot challenge this.” One challenger was told that her challenges were no longer being accepted because the “rules no longer applied.”**

Challengers were prohibited from viewing the process for making a “duplicate” ballot.

- Michigan law states “If the rejection is due to a false read the ballot must be duplicated by two election inspectors who have expressed a preference for different political parties.” The duplication process must also be observed by challengers.
- **One challenger was told he was not allowed to observe ballot duplication because it “was personal like voting.”**
- Many challengers testified that duplication was performed only by Democratic election workers.

Wayne County election officials ran batches of ballots through the vote tabulation machines-some multiple times.

- One challenger observed a stack of about 50 ballots being fed “multiple times” into a ballot scanner machine.

- Another challenger witnessed the same group of ballots being rescanned into the counting machine “at least five times.”

There were numerous other violations of Michigan election law.

- When a challenger protested that the name on the ballot envelope did not match the name on the voter list, she was told to “get away” because they were using a “different process than other tables.”
- **Many challengers swore that when a voter’s name was not in the poll book, Wayne County election officials would enter a new record for that voter with a birth date of January 1, 1900.**
- Challengers observed ballots being counted where there was no signature or postmark on the envelope.
- One challenger observed that batches of envelopes “bore the same signature on the opened outer envelope.”
- Another challenger observed passengers in cars dropping off more ballots than the number of persons in the car and an election worker accepting a ballot after 8 p.m. on Election Day.
- One voter swore her deceased son has been recorded as voting twice since he passed away, once in 2020.
- Numerous challengers swore they witnessed pre-dating of ballots and were informed that **officials had instructed workers to pre-date ballots.**
- A law suit filed by the Great Lakes Justice Center alleges the Election Board “systematically used false information to process ballots, such as using incorrect or false birthdays,” including inserting “new names in the QVF [Qualified Voter File] after the election and recording these new voters as having a birthdate of 1/1/1900.”
- An affidavit filed by elections worker Jessie Jacob swears she was trained by officials from Detroit and the state of Michigan, both Democrat-controlled entities. She avers she:
 - was trained to pre-date ballots,
 - **was instructed not to ask a voter for any photo ID,**
 - **was instructed not to look for any deficiencies in the ballots nor to compare signatures on absentee ballots with those signatures on file,**

- witnessed workers coaching voters, and
- observed “a large number of people” who asked to vote in-person, but who had applied for an absentee ballot and were not required to produce or sign an affidavit swearing it was lost.

Wayne County, and other Michigan counties, utilized Dominion voting machines.

- The Trump campaign requested to have an observer witness testing of the Dominion machine. The campaign was only permitted to view part of the test of one machine by Zoom.
- **An affidavit filed by Dominion worker Melissa Carone avers that she observed one ballot batch being counted over eight times. When she informed her boss, he replied he did not want to hear about it.**
- Ms. Carone also avers that the city workers and Dominion employees made terrible comments about Republicans, so she did not reveal she was Republican.

Note: Biden outperformed Clinton by over 300,000 votes. He outperformed Obama by 2000 votes.

PENNSYLVANIA

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(20 Electoral votes: 82,000 vote gap)

Republicans were prohibited from observing the mail-in vote counting in Philadelphia and Allegheny Counties.

- **Over 680,000 mail-in votes were recorded without any Republican oversight.**
- Although Democrats were mostly (but not always) also prohibited from observing the mail-in vote count, it was of no significance: where Republicans were excluded, the **Democrat-controlled county had hired the counters.**
- The prohibition violates state law, which requires that each candidate and political party “shall be entitled to appoint” watchers.
- In Philadelphia, Republicans obtained a court order to allow watchers to observe within a specific distance. Democrat-controlled Philadelphia election officials threatened the Republicans with arrest if they walked beyond the metal barriers, which were 20-100 feet from the vote counting area.
- Democrat-dominated Pennsylvania Supreme Court held that since the state legislature did not specify the exact distance for “observing,” it would not do so. Thus, it held that just being in the room (some the size of a football field) was sufficient to “observe” under the statute.
- Allegheny and Philadelphia counties claimed the reason for not allowing Republicans to observe the counting process was COVID. However, other Pennsylvania counties had no such problem when permitting all candidates to have “watchers” to observe mail-in voting.

Although Pennsylvania election law, upheld by its Supreme Court, does not provide for “curing” a defective ballot, some counties allowed curing while others did not.

- “Curing” a ballot means that if a voter provides a mail-in ballot prior to election day and it is defective, e.g. insufficient information on the outside envelope or missing a second internal envelope containing the ballot, election officials contact those voters to “cure” the defect.
- The night before the election, Secretary of State Boockar emailed all county election officials that defective ballot voters should be contacted and provided provisional ballots.

- Mostly Republican counties did not cure because they considered to do so violated state election law. Mostly Democratic counties allowed voters to cure defective ballots.

The facts above establish that votes/voters were treated differently in Pennsylvania, depending on the county. Some votes were scrutinized by the candidates while others were not subject to any Republican oversight. Some voters were permitted to cure defective ballots while others were not. This difference in treatment of votes violates constitutional Equal Protection, as decided in Bush v. Gore, where the Supreme Court found that Florida was treating chads differently in vote counting.

The Pennsylvania legislature violated the state constitution when it passed Act 77. The constitution permits absentee ballot voting only in a few specific instances, such as sickness or having to work on election day. Act 77, which allows mail-in voting for any reason, is unconstitutional.

The Pennsylvania Supreme Court violated the U.S. Constitution when it ignored the (unconstitutional) Act 77's deadline for receipt of ballots. Act 77 retained the requirement that no ballot can be counted if received after 8p.m. election day. Under the U.S. Constitution, Art. I, only state legislatures have authority to prescribe "times, places and manner of holding elections...." The state Supreme court changed that deadline to three days after the election and even held that if the post mark cannot be read the ballot should be counted. Justice Samuel Alito directed Pennsylvania officials to segregate those ballots received after the deadline from those received timely under state law. How do we know that was done honestly if no Republicans could observe the process?

Note: Biden outperformed Clinton in the city of Philadelphia by 20,000 plus votes. He outperformed Obama by approximately 16,000 votes.

WISCONSIN

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(10 Electoral votes: 20,400 vote gap)

Absentee voting is a “privilege” under Wisconsin law and therefore must be “carefully regulated to prevent the potential for fraud or abuse...” The Legislature has made clear that the statutory requirements for absentee voting are mandatory and must be strictly applied. Four major issues in Wisconsin are based on violations of these strict provisions. Milwaukee County and Dane County, the two largest counties in the state, counted over 200,000 votes that were cast in violation of the state constitution and its election laws.

Wisconsin law S 6.86(1) (ar) specifically prohibits a clerk from issuing an absentee ballot “unless the clerk receives a written application.”

- The Canvassing Boards in Milwaukee and Dane Counties decided that the Clerk’s receipt of the envelope that contains the completed absentee ballot satisfied that requirement.
- 170,140 absentee ballots without the statutory required application were issued, cast, and counted in Milwaukee and Dane Counties.
- Other Wisconsin municipalities followed the statute by requiring a written application.
- **Representatives of the Trump Campaign objected to counting absentee ballots that did not have a written application but were overruled by the two Democrat- controlled counties.**

Wisconsin law S 6.87 (6d) is clear. “If a certificate is missing the address of a witness, the ballot may not be counted.”

- After completing an absentee ballot, the voter must place it into a secure envelope and seal it in front of a witness, who must sign and provide his or her address.
- 5,517 ballots were cast and counted with incomplete or incorrect Ballot Envelopes.
- Clerks in Milwaukee and Dane Counties illegally altered envelopes by supplying the missing information, either by using their own knowledge or searching unknown data bases.
- The Wisconsin Legislature in 2015 reaffirmed the long-held legal position of the State that specifically prohibits a Clerk from altering ballots in any respect and requires exclusion of ballots that are contained in incomplete or improperly

completed envelopes.

- Representatives of the Trump Campaign objected to counting such incomplete or improper ballots but were overruled by the two Democrat-controlled counties.

Wisconsin law that permits a person to request absentee voting on the basis of being Indefinitely Confined contains strict monitoring provisions.

- To qualify, a voter must be “elderly, infirm or disabled **and** indefinitely confined,” such as a nursing home resident.
- Clerks are charged with reviewing and expunging from the voter rolls those claiming to be Indefinitely Confined where the Clerk has “reliable information [the] elector no longer qualifies for the service.” No effort was made by the clerks in Milwaukee and Dane Counties to follow this mandate. A simple Google search revealed “Indefinitely Confined” voters who attended weddings, parties, and protests.
- 28,395 Indefinitely Confined Absentee Ballots were issued in Milwaukee and Dane Counties after March 25,2020.
- **In Milwaukee County, the Indefinitely Confined ballots were 11,978 in 2016 and 45,693 in 2020. In Dane County, the Indefinitely Confined ballots were 4569 in 2016 and 22,519 in 2020.**
- Representatives of the Trump Campaign objected to counting Indefinitely Confined ballots but were overruled by the two Democrat-controlled counties.

Dane County’s city of Madison on several different dates created 206 locations dubbed “Democracy in the Park” during which absentee ballots were distributed and certified.

- The events did not comply with Wisconsin law S6.855(1).
- The sites were not established by an act of the City of Madison Common Council, the governing body, as required by law.
- Biden campaign officials advertised the events, thus inappropriately coordinating with the city’s election officials.
- **17,271 absentee ballots were distributed during these events.**
- Representatives of the Trump Campaign objected to the counting of Democracy in the Park votes but were overruled by the two Democrat-controlled counties.

Note: Biden outperformed Clinton in Milwaukee by 28,000 plus votes. He underperformed Obama by 14,000 plus votes.