

Summary of Evidence that the PA 2020 Elections Are Invalid

Compiled by Lancaster, PA for Free and Fair Elections ([Facebook](#))

December 29, 2020

To: Representative Bryan Cutler, Speaker of the House of Representatives of Pennsylvania.

From: Lancaster, PA for Free and Fair Elections

Dear Speaker,

We appeal to you on behalf of a group of some 500 Pennsylvanians who are concerned about your lack of responsiveness to the alleged unlawful activity that occurred in the 2020 presidential election. We have compiled here some of the statistical evidence, unlawful actions by election and state officials, as well as interference from a non-profit organization funded by billionaire, Mark Zuckerberg. Although we are not able to verify these assertions ourselves, we believe we have cited only credible sources, including PA's own election databases.

STATISTICAL EVIDENCE

On December 11th, PA State Rep. Frank Ryan, while under oath before the US Senate, provided four fact points which he compiled using official data from the Wolf Administration's state databases.

1. In Philadelphia County -- On 11/4 at 11:30am, the Department of State (DOS) posted updated mail-in ballot counts for Philadelphia County. The number of ballots reported counted was 508,112 ballots, despite the fact that only 432,873 ballots had been issued to voters. Later that day, the ballots counted number was reduced, but this begs the question - who had the authority to add and subtract votes on the ballot counts reported to the DOS? Even if this was simply a data entry error, the lack of internal controls over such reporting necessitates a review of the numbers, the process, and system access.

2. On 11/2, PA Open Data sites reported that, statewide, 2.7 million ballots had been sent out to voters. However, a data file received on 11/4, the day after the election, the PA Open Data sites reported over 3.1 million mail-in ballots had been sent to voters. This discrepancy of approximately 400,000 ballots from 11/2 to 11/4 has not been explained to Pennsylvanians. (Note: A simple online search reveals newspaper articles on election day stating the number of mailed-in ballots received by election day was 2.7m or less.)

3. A voter dataset available on [data.pa.gov](#) (which had been offline for weeks) indicated that it was last updated on 11/16. The download of 11/16 shows 75,505 more ballots returned on 11/16 than the download from 11/15. Therefore, from 11/15 to 11/16, 75,505 ballots were added to the dataset with no explanation provided to Pennsylvania voters.

4. A review of certified election results shows that the number of ballots mailed before the ballot was finalized; ballots mailed late; and ballots mailed inconsistent with enacted legislation relative to mail-in ballots is 154,584.

A comparison of official county election results as recorded by DOS shows that 6,962,607 total ballots were reported cast, yet the DoS/SURE system records indicate that only 6,760,230 total voters actually voted. This statistic suggests, unintelligibly, that 170,830 ballots were counted for which there is no identifiable voter.

On 11/24, without public investigation or explanation into the aforementioned statistics, Governor Wolf issued a certificate of ascertainment of presidential electors, stating that Vice President Joe Biden received 80,555 more votes than President Donald Trump.

We hereby demand that the PA General Assembly provide Pennsylvanians a public explanation on the above statistics. And we demand the PA Legislature provide this explanation prior to, not after, Pennsylvania certifies its electoral votes to Congress on January 6th.

UNLAWFUL ACTIONS BY STATE AND ELECTION OFFICIALS

The actions by the Secretary of State, Governor Wolf, and the PA Supreme Court to subvert the legal safeguards for absentee ballots afforded to PA citizens under the PA Constitution is staggering. Below is a portion from Rep. Mike Kelly's lawsuit, an argument which has never been refuted in court.

"Petitioners argue that in order to amend the Constitution, mandatory procedural 1 Act of June 3, 1937, P.L. 1333, as amended, 25 P.S. §§ 2600-3591.3 requirements must be strictly followed. Specifically, pursuant to Article XI, Section 1, a proposed constitutional amendment must be approved by a majority vote of the members of both the Pennsylvania House of Representatives and Senate in two consecutive legislative sessions, then the proposed amendment must be published for three months ahead of the next general election in two newspapers in each county, and finally it must be submitted to the qualified electors as a ballot question in the next general election and approved by a majority of those voting on the amendment. According to Petitioners, the legislature did not follow the necessary procedures for amending the Constitution before enacting Act 77 which created a new category of mail-in voting; therefore, the mail-in ballot scheme under Act 77 is unconstitutional on its face and must be struck down. Id., ¶¶27, 35-37. As relief, Petitioners seek, inter alia, a declaration and/or injunction that prohibits Respondents from certifying the November 2020 General Election results, which include mail-in ballots that are permitted on a statewide basis and are allegedly improper because Act 77 is unconstitutional.

Petitioners allege that mail-in voting in the form implemented through Act 77 is an attempt by the legislature to fundamentally overhaul the Pennsylvania voting system and permit universal, no-excuse, mail-in voting absent any constitutional authority."

In Pennsylvania, absentee and mail-in ballots were accepted up to three days after Election Day. On 11/7, in anticipation of a legal challenge, the United States Supreme Court ordered that the approximately 10,000 absentee and mail-in ballots that had arrived after Election Day be separated from ballots that had arrived on Election Day. This direction notwithstanding, a poll watcher reported on 11/7, that, in Delaware County, ballots received the previous night were not being separated from ballots received on Election Day, contrary to state law. (2)

Also contrary to state law, poll workers were trained to allow voters to cure or "correct" their ballots. According to one court filing, Democrat-controlled counties in Pennsylvania participated in pre-canvass activities prior to Election Day "by reviewing received mail-in ballots for deficiencies. Such discrepancies included "lacking the inner secrecy envelope or lacking a signature of the elector on the outer declaration envelope." Voters were then notified so that they could cure their ballots – a clear violation of state law. (2)

Additionally, there was a clear difference between how ballots were – or were not – cured in Republican counties versus Democrat counties. When Pennsylvania’s Secretary of State Kathy Boockvar issued illegal guidance authorizing counties to cure ballots, this illegal guidance was not followed in at least eight different Republican counties. Meanwhile, ballots were cured in Democrat counties under this illegal guidance. (2)

As a result, Joe Biden received a disproportionately high percentage of the mail-in and absentee ballots. And perhaps not coincidentally, Pennsylvania saw a dramatic decrease in the rejection rate for mailed-in ballots. In 2016, the rejection rate of 1.0% for absentee ballots dropped to virtually nothing at 0.28% in 2020, despite poll workers handling millions more mailed-in ballots. (2)

We hereby demand that the PA General Assembly provide Pennsylvanians a public explanation as to why it would certify an election in which millions of ballots were potentially handled unlawfully and unequally across its counties. And we demand the PA Legislature provide this explanation prior to, not after, Pennsylvania certifies its electoral votes to Congress on January 6th.

INFLUENCE OF BILLIONAIRE, MARK ZUCKERBERG

The Amistad Project of the Thomas More Society, headed by former Kansas Attorney General, Phill Kline has collected grant agreements between the Center for Tech and Civil Life (CTCL) and various counties in the swing states, including Philadelphia, Delaware, and Centre County (1). Amistad has filed a lawsuit. Here are some of its assertions for Pennsylvania.

CTCL was funded by \$500,000,000 in donations by a partisan billionaire, Mark Zuckerberg and his wife, Priscilla Chan. CTCL entered into grant agreements with *select* counties in Pennsylvania (blue counties) to help them conduct their elections. These grant agreements typically provided counties much more funding than the federal gov’t did, thereby gaining significant influence on how ballots would be cast and counted. The grants called for election workers to handle absentee ballots in ways that plainly violated PA’s safeguards regarding absentee ballots. The grants included clawback provisions for non-performance. Below describes how CTCL influenced three PA counties:

Philadelphia County: The grant awarded Philadelphia County \$10,000,000. It provided that the County establish some 800 “satellite election offices”. It spelled out how the satellite locations would be used, and their title - “satellite election offices”. PA law requires both political party Challengers be in the “polling place” because curing of ballots is allowed for absentee ballots that can’t be read by machine (damaged, etc). Poll workers may create and cast a new ballot without the voter present. The presence of both party challengers is the only way to prevent fraud. The grant essentially required the satellite location to do the work of the ‘polling place’, but required them to be called “satellite elections offices”. Election officials then reasoned that the “satellite elections office” is not a “polling place”, and therefore the law does not require a Republican challenger to be present, and they barred Republican challengers from the room.

Delaware County: The CTCL grants called for the use of “ballot dropboxes”. These dropboxes were set on public streets and allowed voters to drop their mailed ballot prior to and on election day in lieu of in-person voting, with no election official present. In Delaware County, a Democrat stronghold, there was one dropbox every four square miles. Conversely, in the 59 PA counties that Trump won in 2016, the PA voters were provided one dropbox every 1,159 square miles. This inequality in the number of dropboxes was obviously due to the inequitable funding CTCL provided to Democrat-leaning counties.

Centre County: A Zoom conference call from 9/17 is available on YouTube, in which a Centre County commissioner explains to a group that the County received \$50,000 from federally funded, taxpayer money for its election, but had recently received a **\$1,000,000 grant** from Mark Zuckerberg's non-profit, and that the funds would be employed for dropboxes and satellite election offices. He went on to emphasize heavy utilization of these voting resources near the PennState campus. (3)

We hereby demand that the PA General Assembly provide Pennsylvanians a public explanation as to how CTCL's massive infusion of cash into select PA counties to fund their elections is legal under PA law and lawful under the U.S. Constitution. And we demand the PA Legislature provide this explanation prior to, not after, Pennsylvania certifies its electoral votes to Congress on January 6th.

LEGAL AND JUST REMEDY - DECERTIFY

Sadly, the 2020 presidential election was so unlawfully conducted that no reasonable adult, let alone a PA lawmaker, could certify it to have determined the popular vote winner. Indeed, polls show 50% of the nation believes the election was illegitimate, including nearly 70% of Republican voters and even 20% of Democrats. These polls do not indicate Americans do not *like* the outcome; they indicate the nation does not *believe* the outcome because the election was so unlawful. That sentiment, and frankly that level of disgust and disillusionment, is unprecedented in American history, and dangerous.

Certain legislators in this assembly, Republicans no less, would seem to prefer to leave the aforementioned illegalities to the courts to provide remedy, but in fact, the US Constitution requires no judicial remedy because all necessary power to remedy a failed election is vested in the State legislature. Still others call for investigations from within the Executive branch, but the Constitution does not vest powers there either. The US Constitution states that it is the duty of the state legislature, alone, to defend Pennsylvanians from this travesty. As it should be, since you are especially the representatives who live and breathe amongst your own people. Finally, some of you blithely propose that a newly formed bipartisan committee of legislators will fully and publicly investigate the 2020 election illegalities, but only after it is certified. Expressing a pretense of concern, you have thus far resisted to act to address the present and redeemable concerns of thousands of your own Republican constituents. Do not withhold good from those to whom it is due, when it is in your power to do it. Do not say to your neighbor, "Go, and come again tomorrow I will give it"—when you have it with you. Fortunately, your opportunity has not yet passed.

We, the citizens of PA, demand that the General Assembly come into session no later than January 5th and resolve that Pennsylvania conducted an illegal and invalid election, and that the just and legal remedy for the Legislature is to (1) reclaim its powers under Article II to direct the State's electors, and (2) decertify PA's slate of electors. There must and should be zero electoral votes from Pennsylvania certified to the Congress.

Reclaiming and decertifying is the right and just remedy for an invalid election. They are, at the least, necessary steps to avoid further destruction of Pennsylvanians' confidence in elections and, more broadly, our Commonwealth's peace, justice, and liberty. This action is also needed to uphold and defend the separation of powers endeavored under our Constitution. You must send a message to our state's executive and judicial officials that if they so flagrantly conspire to flaunt the laws of the Legislature, they shall never prevail. We are a nation and a state of laws, not of men, if you will do your duty now.

- (1) https://www.theepochtimes.com/video-phil-kline-new-amistad-project-election-lawsuit-500-million-to-increase-votes-in-democratic-strongholds_3632254.html

- (2) <https://www.thethinkingconservative.com/wp-content/uploads/2020/12/The-Immaculate-Deception-12.15.20-1.pdf>
- (3) https://www.youtube.com/watch?v=LD2AWX_2O1E&feature=youtu.be (start at 45 minute mark)