New American

Restoring Election Integrity

Traditional American elections — those from the mid-1800s until the mid-1900s — were among the most trusted elections in the world. This was in no small way due to the fact that America's elections were open to the public. At that time, every aspect of American elections, except the marking of the voters' secret ballots (where secret ballots were used), was open to the public. There was no need to apply ahead of time to ask for permission to be an election observer. Any member of the public was welcome to walk in during any phase and observe the process. The only requirement was that the person observing was not allowed to be disruptive.

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In the 2020 election, credible witnesses have come forward and even signed affidavits for attorneys such as Rudy Giuliani and Sidney Powell saying that election observers were refused access to witness vote counts and other processing of absentee ballots; that they saw some absentee ballots that had never been folded (which casts doubt that they were ever placed into envelopes as absentee ballots should be); that electronic voting machines changed voters' selections; that ballots were cast using the names of people known to have moved to other states; that observers were told to leave the building because of a water leak and then some of the election workers stayed behind, with surveillance videos capturing what appeared to be those election workers processing ballots that came from under a table; that there were sudden unaccountable spikes of vote totals for Biden; and other problems.

Many allegations will never be proved or disproved by judicial proceedings because the lawsuits and accompanying affidavits were disregarded by courts, not based on merit but on "standing" — basically having the right to sue. The U.S. Supreme Court stood aside and declined to hear the case of *Texas v. Pennsylvania, et al.*, which documented "voting irregularities that resulted from Defendant states' unconstitutional actions" — not just in the case of Pennsylvania but in three of the other contested states as well.

Whether or not one believes the claims of fraud, the fact that the system is so ill-designed that such accusations can be credibly made indicates the system needs to be changed. Otherwise, almost assuredly America will see a situation where those who feel cheated might stop voting or perhaps even act aggressively based on frustration and rage.

America's election laws, and consequently America's elections, have gone a long way downhill, especially in the last 50 to 100 years. It's time to turn it around and restore traditional American election integrity.

Specific Changes in Election Laws and Procedures That Are Needed

• ***Reinstate paper ballots***: In the 2020 election, there were numerous affidavits by electronic espionage experts alleging electronic vote manipulation. As well, many vote checkers have claimed that they literally saw computer screens change votes from Trump to Biden and that they complained about it on election day. Among the evidence of fraud were numerous suspicious bumps in vote totals for Biden and votes repeatedly taken away from President Trump, to an extent that ruled out chance or simple reporting errors.

One way to limit electronic manipulation is through moving to paper ballots. In many voter precincts, voting is done on electronic screens and the vote is recorded electronically. In such places, it is virtually impossible to tell if fraud occurs. Paper ballots not only allow for accurate vote counts, they leave a paper trail to recheck votes.

• ***Reinstate voting and vote counting as public acts***: In the 2020 election, election observers — representing Republican candidates and non-partisan volunteers — were often kept from viewing vote counts altogether, as is easily documented by videos online. Fraud would be greatly allayed if many sets of eyes kept track of proceedings (with observers allowed close enough to the counting tables that fraud could be seen). To that end, anyone should be able to observe election processes without need of prior application, though limits may need to be set on numbers of observers.

• ***Reinstate the precinct as the place where voters cast their ballots and where the ballots are counted***: In major metropolitan areas, ballots are often counted in large counting facilities, as was the case in locations where vote disputes happened in this election: Philadelphia, Milwaukee, Atlanta, Detroit, etc. The purported reasons that the centers are used is to centralize counting and to speed counting, but these counting centers usually finish their counts last, not first. Logic and many close-call races that usually end up going to Democrats have made many observers suspicious that the main reason large counting centers are used is to assure that there is enough vote fraud to swing important elections — hence the late-arriving vote counts.

Not only do large voting centers often use optical scan vote-counting machines, which can be rigged to favor one candidate over another, but the fact that the ballots have to be transported to the central counting location provides plenty of opportunity en route to add fake ballots for one candidate or another, throw out ballots, or alter ballots. As well, at a large counting center, a small staff trained to commit fraud could repeatedly be used, limiting the likelihood of getting caught cheating. On the other hand, counting ballots at the precinct level would require a much greater number of conspirators to commit widespread fraud.

Absent large counting centers, local precincts could hand-count paper ballots in an hour or two if enough pairs of vote counters (usually one Democrat and one Republican) are brought in to count ballots after the polls close. The vote counting must start promptly after the polls close and not be interrupted. No slow counts or delayed counts should be allowed.

This type of law should be enacted at the state level, but where necessary a federal law could be narrowly applied, and it would be constitutional. To require states to reinstate voting in precincts for U.S. House and U.S. Senate elections in places that have abandoned precincts in favor of all-mail

balloting, Article I, Section 4 of the U.S. Constitution should be used, which says:

> The times, places and manner of holding elections, for Senators and Representatives, shall be prescribed in each State by the legislature thereof, but the Congress may at anytime by law make or alter such regulations, except as to the places for choosing Senators.

This may seem at first to grant carte blanche authority to the federal government to run elections, but as Alexander Hamilton explained in *The Federalist Papers*, No. 59: If "an article had been introduced into the Constitution empowering the United States to regulate the elections for the particular States, would any man have hesitated to condemn it, both as an unwarrantable transposition of power and as a premeditated engine for the destruction of the State governments?"

• ***Allow candidates to choose areas to audit the vote***: In every election of substantial size, such as a race for state representative or larger, candidates ought to be able to choose to audit a certain number of votes to detect suspected fraud. The audit should use a procedure known as a Comprehensive Audit Recount, where candidates, especially losing candidates, would select small segments of the election, usually one or more precincts, to be counted manually in public. Along with a recount, voters who are listed as having voted in an election would be contacted to ensure that they exist and that they voted in the election, rather than someone else using their names. (Methodologies to correct the totals should be put in place, too.)

As well, if fraud is found, candidates should be able to ask for a larger audit.

• ***Mandate that the election process be recorded with video and audio equipment***: This would also include repealing all laws in states that forbid audio or video recording in or near voting or vote-counting places. The only part of the election process that should not be recorded is how someone actually votes. Everything else should be recorded. More than a thousand affidavits alleging fraud have been ignored in this election, which should not be true, and there simply is not enough time between when a vote takes place and the time when the votes are certified to prove fraud, owing to the fact that gathering evidence is presently so difficult.

Extensive monitoring is self-evidently a must: In the current election cycle, even video showing that election officials in Fulton County Georgia kicked out election observers and Republicans (saying there was a water leak in the building) and then took out and counted ballots that were previously obscured beneath tables was dubbed inconclusive of fraud — though there is no reason other than to commit fraud to do what apparently took place.

• ***Publicly and immediately post precinct vote results***: Precinct results must be publicly proclaimed, printed on paper, and posted publicly at the precinct voting location for at least seven days. They should also be posted on a website immediately and maintained on the website for at least two years so that researchers have ready availability to the results. In the present election, data analysis shows (backed by TV recordings) that vote counts for President Trump often actually went *down* as the night progressed. Using local ballot counts and instant results notification, a concerned electorate could quickly verify or disprove fraudulent vote reporting by simply posting vote totals online, inhibiting such fraud.

Hand in hand with this would be abolishing the relatively new and oft-used practice of using encryption

to keep precinct results secret, supposedly as a strategy to protect precinct results from tampering. Public disclosure and public access are the best way to prevent tampering with election results.

Moreover, spoiled-ballot totals should be published, and spoiled ballots should be made available for citizens to inspect for at least six months after the election.

• *Mandate the cleaning up of all voter registration lists*: At least two months before each federal election, voter registration lists should be updated. And since many states give driver's licenses to illegal immigrants, states should be required to take steps to prove that voters are actually eligible to vote in this country. In the November election, it is undisputed that tens of thousands of dead people voted (actually they had help), and similar numbers of people who had moved out of state either voted illegally or saw someone else vote using their names. And many thousands of people requested ballots for the same address and thousands of others had ballots sent to post office boxes, which is illegal.

• *Eliminate same-day voter registration*: Laws allowing for same-day voter registration or for Internet voter registration should be repealed. In the recent election, almost all new voters in the areas accused of fraud — mainly from Democratic-controlled areas — apparently voted for Biden, whereas across the rest of the United States, Trump saw huge gains in Hispanic and black votes. The traditional 30-day cut-off for voter registration should be reinstated to allow sufficient time for voter registration to be validated.

• *Put in place laws to protect evidence*: In this election, not only has it been reported that suspected fake ballots were destroyed in large batches to avoid fraud detection, but a main computer server that was set to be checked for vote fraud was spirited away to parts unknown. Candidates should not have to win a court case to protect evidence; the default position should be that all evidence needs to be kept either for a specific period of time — say two years — or until all challenges are dealt with in the courts. And access to this evidence should be easy to get for candidates and their representatives. (In this election, it is reported, even election data that is normally available on state government sites is being removed from the sites or withheld altogether, making proving fraud extremely difficult.) Those people who try to destroy ballots or other possible evidence of vote fraud should be punished harshly. Again, video monitoring of election processes and ballots would make this feasible.

• *Punish fraud*: After an election, appoint a committee to seek out fraud, including voter intimidation, illegal ballot harvesting, buying votes, and more, and bring charges against culprits. Nowadays, the lax enforcement of vote fraud virtually means that unless someone confesses to having committed vote fraud *and* has video and audio evidence to prove they actually committed the fraud, the person will face no charges. Multiple people have been caught on camera by the investigative entity Project Veritas admitting to massive vote fraud, but the admissions led to few charges. This lax enforcement is an open invitation to commit fraud, with confidence that, if caught, it will go unpunished.

• *End early voting*: Early voting at polling places leads to multiple problems: It enables repeaters to vote multiple times, it provides opportunity to election insiders to scan the results, and it allows them time and opportunity to alter the ballots or vote counts.

• *Require an absolute chain of custody for ballots*:In Arizona, a poll observer noted that for 10 days after election officials thought all ballots were turned in, truckloads of ballots kept appearing. She asked officials, "How can you not know how many ballots are still out there?" In another case, a truck driver in Pennsylvania noted that his truck with nearly 300,000 ballots disappeared after post office

officials refused to offload the ballots at their proper destination. And many Republicans who voted absentee said there was no record they had voted, while many others discovered that someone else had voted using their names.

In many states, under the present system, there is virtually no way to discern who voted via absentee ballot and who didn't, and even if a ballot seems to make it through the mail stream unscathed, there is no way of knowing whether the vote was altered along the way. Supposedly, signatures were checked to see if a ballot was proper, but many reports indicate that signatures were ignored out of hand by ballot checkers. (Likewise, many people believe fingerprint verification would solve identity issues, but once fingerprints are uploaded into a computer system, it would be only too easy to alter the system to retrieve the fingerprints in order for others to have use of them or to have the machine simply ignore the fingerprints.) Even certified mail won't work to stop the problem, because certified mail only assures that a ballot reaches the correct destination, not that the ballot wasn't altered on the return.

Ballots should be treated like physical evidence in court cases: They should be accounted for at all times. Those who remember the O.J. Simpson murder trial remember that his defense lawyers were able to have blood evidence (O.J.'s bloody trail) deemed tainted because an absolute chain of custody of a blood sample from O.J. was broken — the defense claimed the police used O.J.'s blood sample to frame him despite no proof of such a claim. Most absentee ballots should be delivered directly to a voting place by a trusted proxy on election day — a proxy who should both sign for the ballot when picking it up and sign it into the voting station — greatly eliminating the ability to add fake ballots to the count. (States should require that absentee ballots arrive by election day and be delivered to the precincts to be counted in public on election day.) Moreover, the ballot envelope should contain adequate safeguards against fraud, such as photographic and signature proof of identification put inside by the voter and a seal against tampering. Also, the number of absentee ballots one can submit as a proxy should be severely limited. In the case of military ballots from overseas, ballots should be transferred in tamper-proof bags to their intended destinations, and soldiers should be able to track their ballots through a commercial shipping system to their intended destination, where the ballots should be signed in and stored unopened under video surveillance.

Internet voting and alternative forms of electronic voting, such as voting via telephone should also be abolished.

• ***Repeal laws that allow for unattended drop boxes for ballots***: Unattended drop boxes allow for large numbers of absentee ballots to magically appear with no record of how or when they were cast. Another election integrity weakness in unattended drop boxes is that they are vulnerable to having someone, ostensibly a voter casting a ballot, deposit an explosive device or an incendiary device in the drop box. Such an act could destroy untold numbers of ballots with no official record of how many ballots were destroyed or whose ballots they were.

• ***Repeal laws allowing for no-excuse absentee balloting***: Again, in the states where most fraud purportedly took place, absentee ballots are too easy to obtain. Absentee ballots should be limited to those who can prove they will be out of town on election day or are physically incapable of making it to a polling place. In the case of requested absentee ballots, photographic identification should be required to even request an absentee ballot, and a ballot should be delivered to the recipient via certified mail. A random check of those who ask for absentee ballots should be done every election to cut back on fraud. Limiting the number of absentee ballots would have the added benefit of making vote

counting much quicker.

Opponents to such a suggestion will be quick to claim that poor people and those without proper IDs would be disenfranchised by such a system, but if the opportunity for fraud is allowed to happen, not only is it likely that the votes of millions of Americans would be rendered null and void by fraud (which is also voter disenfranchisement — at a greater scale), voting precincts are intended to be relatively small to make access possible — and the federal government already essentially requires that poor people have official IDs so that they can do such things as apply for Medicare and Medicaid or get certain medications at pharmacies.

• ***Ballots should have verifying features***: Affidavits and video have documented the claims that numerous ballots in this election were not real, but were likely made on commercial copiers or printers. As in the manner that America puts certain features in paper currency to prove it's real — watermarks, colored thread, and holographic images — similar features should be built into ballots to limit fraud. After all, our votes are at least as valuable as our currency.

Too, after an election, all ballots that were printed should be accounted for — including absentee ballots and those ballots that were *not* used in the election. This is to ensure that ballots are not simply handed out illegally or filled in illegally and then added to the vote-count process.

• ***Make it easier to recruit election clerks***: To ensure adequate participation in the voting process, the basic standard day for an election worker should include the option of working a half-day, usually about seven hours, rather than the 14-hour work day that is currently in many locations. The election judges and alternate election judges should be able to take time off during the day provided at least one is on duty at all times on election day.

• ***Don't allow government employees or political hacks to run the polls***: If not enough ordinary citizens step forward to work at the polls — a situation that can be contrived to justify hiring biased poll workers via the political buddy system — use something like a jury call, if necessary, to get the additional poll workers. Like a jury pool, the people selected can be interviewed to assess their skills.

Most election fraud is committed by election insiders, not by outside hackers.

• ***Require paper voter sign-in sheets***: Voter sign-ins should be on paper, and voters should sign in consecutively (the voters' names and signatures are in the sequence in which they appear at the polls). The election judges' and election clerks' names should be affixed on the completed sheets to reduce the chance of adding fake voters (a fraud that Lyndon Baines Johnson's cronies perpetrated in his Senate primary runoff against Democrat and former Texas Governor Coke Stevenson).

Electronic signatures should be eliminated. Even the supposed benefits to electronic signatures are faulty. Modern technologies that display voters' signatures for election clerks to use for comparison don't really work because electronic signatures are often poor facsimiles of the real thing. Plus, electronic signatures could enable fraud: A computer system that can retrieve a signature from a voter-registration database and display it on a screen can also be adapted to retrieve that same signature and apply it to an electronic signature block as if that voter had appeared at the polls to vote. This type of technology could lead to computerized ballot-box stuffing the likes of which have never been seen before.

• ***Congress should repeal Motor Voter and HAVA (Help America Vote Act of 2002)***: The Motor Voter law is an unconstitutional law that has done much harm to America's voter-registration

databases. In addition to registering voters without verifying citizenship, it also restricts the states' ability to accomplish voter registration clean-ups.

HAVA has the dubious distinction of being the law that forced the states to buy voting equipment that in many cases didn't have a voter-verified paper trail. HAVA also created the Election Assistance Commission (EAC), and neither the EAC nor the Federal Election Commission did much to prevent or clear up 2020 presidential election controversies.

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The problems encountered in the 2020 general elections have awakened the awareness of the public regarding election integrity. The good news is that solutions to our electoral problems are to be found not in expensive new technologies that can't be monitored by the public, but rather in restoring the use of tried and true methods of the past and providing additional ability to monitor election proceedings. Not only would the changes restore election integrity, but they would probably also cost considerably less than new technologies, especially once they are in place for a few election cycles.

The reforms listed above should serve well as a litmus test to evaluate whether an election-integrity plan is one that will improve election integrity. In the end, it should be asked, "Does a proposed election change transfer power from the voters to those who run the elections, or will it help return the power of the ballot box back to the voters, where it belongs?" The future of our Republic depends on accurate, honest, and open elections.

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