

November 13, 2020

Jocelyn Benson
Michigan Secretary of State
430 W. Allegan Street
Lansing, MI 48918

****HAND DELIVERED****

Secretary Benson,

As you are aware, the General Election currently being conducted in the State of Michigan has generated a great deal of interest and concern among the people of Michigan, with a record number of over 5.4 million Michiganders participating in the electoral process.

Every citizen deserves to have faith in the integrity of the election process and its outcome. It is our responsibility, as elected public servants, to assure the people of Michigan of the process's integrity through complete transparency and the faithful investigation of any allegations of wrongdoing, fraud, or abuse.

Unfortunately, a number of serious allegations have been made which cannot and should not be ignored.

First, in Antrim County, a "glitch" caused thousands of Michigan ballots that were meant for some candidates to be wrongly counted for their opposing candidates. While this issue was identified and corrected after observers flagged the unlikeliness of the outcome, it is unclear whether this issue replicated itself elsewhere. Antrim is just one of 47 counties in Michigan that used the software system at issue, Dominion Voting Systems, to process their ballots. This is particularly concerning when at least one other Secretary of State, specifically in Texas, refused to certify Dominion Voting Systems for use because the examiner could not verify that the system was "safe from fraudulent or unauthorized manipulation." This raises questions over whether there are fundamental flaws in the software itself.

Second, there are allegations that election officials critically mishandled numerous ballots, including:

- counted ineligible ballots;
- counted the same batches of ballots multiple times;
- instructed poll workers to backdate absentee ballots;
- counted late ballots after illicitly pre-dating them;
- used false information to process ballots, such as using incorrect or false birthdays and inserted new names into the QVF and recorded these new voters as having a birthdate of 1/1/1900;
- accepted ballots deposited in drop boxes after the deadline;
- duplicated ballots illegally;
- counted ballots even though the voter's name did not appear in the official voter rolls;

- ordered election workers to not verify voters' signatures on absentee ballots;
- barred poll challengers from observing the transposition and certification of absentee ballots that need to be transposed, including military ballots; and
- coached voters to vote for a particular candidate and party.

Third, there are allegations that unsecured ballots arrived at the TCF Center loading garage, outside of sealed ballot boxes, without any chain of custody, and without envelopes. According to the allegation, this included a batch of 40,000 ballots that arrived early Wednesday morning from out-of-state vehicles after officials said all ballots had already arrived. All of these new ballots were allegedly for one candidate.

Finally, there are allegations of illegal and official intimidation and interference with lawful election challengers and poll watchers, which is an essential aspect of election integrity. With limited audio or visual recordings in place, to protect the eyes and ears of poll watchers and challengers from both sides of the aisle are the on the ground accountability mechanism. Disrupting their access and preventing them from fulfilling their legal right and responsibilities is an infringement on the election process. The allegations include:

- harassment of challengers tolerated or perpetrated by election officials;
- arbitrary and unequal treatment of challengers;
- refusal to record challenges to their processes; and
- removal of challengers from the site if they politely voiced a challenge.

Each of these allegations is backed up by sworn affidavits of over 100 Michigan citizens, real people, willing to face legal consequences to their lives and livelihoods to stand by their assertions.

These claims deserve our full attention and diligent investigation to ensure fairness and transparency in our election process.

As such, and due directly to these issues, we are requesting a full audit be conducted of the 2020 General Election prior to the certification of any results.

Now, we must take every possible step to ensure that all Michiganders, and all Americans, have confidence that the State of Michigan conducted this election with integrity and accuracy. That can be best accomplished by a thorough audit and a verification that our election law and processes were correctly administered. Any fraudulently processed votes and unfair obstacles placed in front of legal poll challengers and watchers disenfranchise lawful voters of every citizen of Michigan, regardless of their political affiliation.

Every legal vote must be counted.

Sincerely,

Lana Theis
State Senator
22nd District

Tom Barrett
State Senator
24th District