

Donoghue, Richard (ODAG)

From: Donoghue, Richard (ODAG)
Sent: Sunday, December 27, 2020 10:05 PM
To: Brady, Scott (USAPAW)
Subject: Fwd: Report for Voter Deficit
Attachments: Summary PA Election Issues 12222020.pdf; ATT00001.htm; Letter Reply to Sec. Boockvar Lancaster County.pdf; ATT00002.htm; Election Timeline for Butler County - Kim Geyer.pdf; ATT00003.htm; Final Letter to Sen Johnson and Congressman Perry 12222020A(1).pdf; ATT00004.htm

JFYI regarding allegations about PA voting irregularities, for whatever it may be worth.

Begin forwarded message:

From: Scott Perry <scott@patriotsforperry.com>
Date: December 27, 2020 at 8:42:38 PM EST
To: "Donoghue, Richard (ODAG)" <ricdonoghue@jmd.usdoj.gov>
Subject: Fwd: Report for Voter Deficit

Sir, as discussed.

Sent from my iPhone

Begin forwarded message:

From: Frank Ryan <(b) (6) com>
Date: December 22, 2020 at 5:46:53 PM EST
To: "(b) (6) (HSGAC)" @hsgac.senate.gov>, scott@patriotsforperry.com, "Aument, Ryan" <ryanaument@pasen.gov>, rboop@pasen.gov, bcutler@pahousegop.com, kbenning@pahousegop.com, Jake Smeltz <jsmeltz@pahousegop.com>, bnye@pahousegop.com, Bill Dougherty (b) (6), Heather Honey (b) (6)
Cc: Frank Ryan <fryan@pahousegop.com>, Rod Corey <rcorey@pahousegop.com>
Subject: Re: Report for Voter Deficit

I would ask you to use the following materials. One page was inadvertently not scanned in for the Final Letter to Sen. Johnson and Congressman Perry. Everything else is perfect.

I apologize for the inconvenience and truly appreciate your understanding.

Semper fi,

Frank

On Tue, Dec 22, 2020 at 2:55 PM Frank Ryan (b) (6) > wrote:

Please see attached report for inclusion in the U. S. Senate Report as well as the update on the Voter Deficit in the 2020 General Election for President.

Semper fi,

Frank

--

Francis X. Ryan, KM
Colonel, USMCR (ret)

(b) (6)

(b) (6) (cell)

(b) (6)

Life Lessons Learned Book - www.colfrankryan.com

Revolutionizing Accounting for Decision Making - www.leanabc.com

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--

Francis X. Ryan, KM
Colonel, USMCR (ret)

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ELECTION ISSUES 

- **MORE VOTES COUNTED THAN VOTERS WHO VOTED**
 - MAIL IN
 - IN PERSON
- **DUPLICATE VOTERS:** PEOPLE IN SURE MORE THAN ONCE
 - EXAMPLE: SAME NAME & DOB BUT DIFFERENT ID #
- **DUPLICATE BALLOTS:** REQUESTED AND RETURNED

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MORE VOTES COUNTED THAN VOTERS WHO VOTED
 Official Voter Records – SURE System

3

VOTES COUNTED – DATA SOURCES

These vote totals do not include any votes from mail ballots received between 6 p.m. on election day and 5 p.m. the following Friday.



Sources:
<https://www.electionreturns.pa.gov/>
 and
 Official County Summary Results Reports
 (64 of 67 Counties)

	TOTAL	Election Day	Mail Votes	Provisional Votes
DEM Joseph R. Biden/Kamala D. Harris	420,750 ✓	148,171	274,574	7,805
REP Donald J. Trump/Mike R. Pence	282,213 ✓	209,459	67,154	6,290
LIB Jo Josephine/Jeremy Spike Cohen	8,361 ✓	5,095	3,060	183
Written Totals	2,767	1,217	1,450	42
Overvotes	389	49	226	14
Undervotes	1,431	427	913	91
Contest Totals	726,720	364,708	347,578	14,434
precincts Reporting	1323 of 1323			

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VOTERS WHO VOTED – DATA SOURCES

- ADAMS Election Map 20201214
- ADAMS FVE 20201214
- ADAMS Zone Codes 20201214
- ADAMS Zone Types 20201214
- ALLEGHENY Election Map 20201214
- ALLEGHENY FVE 20201214
- ALLEGHENY Zone Codes 20201214
- ALLEGHENY Zone Types 20201214
- ARMSTRONG Election Map 20201214
- ARMSTRONG FVE 20201214
- ARMSTRONG Zone Codes 20201214
- ARMSTRONG Zone Types 20201214



DEPARTMENT OF STATE

English Español HOME OTHER LINKS

PA Full Voter Export

As provided by 25 Pa.C.S. Section 1404(b)(1) (relating to Public Information Lists), as well as the SURE Regulations at 4 Pa. Code Section 184.14(b) (relating to Public Information Lists), the Department of State will provide the Full Voter Export List to requestors.

This version of the Public Information List is a full export of all voters in the county and contains the following fields: voter ID number, name, sex, date of birth, date registered, status (i.e., active or inactive), date status last changed, party, residential address, mailing address, polling place, date last voted, all districts in which the voter votes (i.e., congressional, legislative, school district, etc.), voter history, and date the voter's record was last changed.

Sources:

<https://www.pavoterservices.pa.gov/pages/purchasepafullvoterexport.aspx>
and
Official County FVE files directly from the County Dated 12/14/2020

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DATA FILE DEFINITIONS

- **Total Votes for President** – Sum of all votes counted for Biden, Trump, Jorgensen and all write in votes
- **Total Ballots Cast** – Total number of ballots cast in the county
- **Over-Votes** – Ballots cast with more than one selection for President
- **Under-Votes** – Ballots cast with no selection made for President
- **Write-In Votes** – Ballots cast with one write in vote for President
- **Total Voters SURE** – Total number of voters in the FVE who voted in the 2020 General Election 11/3/2020 (files updated 12/14/2020)
- **Voter Deficit** – Difference between the Total Ballots Cast and Total Voters recorded as voting on 11/3/2020 in SURE

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COUNTY	TOTAL VOTES 3 MAJOR CANDIDATES	N O T E	TOTAL WRITE IN	TOTAL VOTES FOR PRESIDENT	OVER & UNDER VOTES	TOTAL BALLOTS CAST	TOTAL VOTERS SURE	TOTAL VOTER DEFICIT
	DOS DATA		COUNTY DATA				FVE	
CAMERON	2,434		6	2440	15	2455	2450	-5

SAMPLE COUNTY DATA - CAMERON

Cameron County has a voter deficit of 5 – meaning that there were 5 more ballots cast than the number of voters in SURE FVE for Cameron County as of 12/14/2020

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TIMELINESS OF SURE FVE RECORDS

- Secretary of State certified the election results on 11/24/20.
- SURE FVE Files used for this analysis are dated 12/14/2020, 20 days after the certification



Department Of State Certifies Presidential Election Results

11/24/2020

Harrisburg, PA – Following certifications of the presidential vote submitted by all 67 counties late Monday, Secretary of State Kathy Boockvar today certified the results of the November 3 election in Pennsylvania for president and vice president of the United States.

Shortly thereafter, as required by federal law, Governor Tom Wolf signed the Certificate of Ascertainment for the slate of electors for Joseph R. Biden as president and Kamala D. Harris as vice president of the United States. The certificate was submitted to the Archivist of the United States.

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INTERIM REPORT TOTALS AS OF 12-20-2020

- Report contains full data from **64 counties**
- Write In Votes and Over/Undervotes were not available for all counties. Updates pending.
- Data is not included for over/undervotes or total ballots cast for the following counties: **Clarion, Crawford & Sullivan**
- 24 of 67 Counties had vote totals that did not match the Department of State Results

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INTERIM REPORT TOTALS AS OF 12-20-2020

COUNTY	TOTAL VOTES 3 MAJOR CANDIDATES	TOTAL WRITE IN	TOTAL VOTES FOR PRESIDENT	OVER & UNDER VOTES	TOTAL BALLOTS CAST	TOTAL VOTERS SURE	TOTAL VOTER DEFICIT	TOTAL VOTER SURPLUS
	DOS DATA	COUNTY DATA				FVE		
64/67	6,915,283	18,580	6,931,060	29,077	6,962,607	6,760,230	-205,122	2,532

Using the sources and data described in the previous slides, there is a VOTER DEFICIT in Pennsylvania. **205,122** more votes were counted than total number of voters who voted.

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SURE IS THE OFFICIAL VOTER RECORD IN PA

- If SURE data was correct, the election could not be certified due to the discrepancies.
- If SURE data was incorrect, the election could not be certified due to discrepancies.

By Statute, the SURE System is the official voter record in Pennsylvania. This record includes the date last voted. Total voters who voted in the General Election on 11/3/2020 was **6,760,230**. Secretary of State Boockvar certified **6,915,283** votes for just the three major candidates. That alone is a **voter deficit of 155,053 voters**.

This does not include write in votes or over/under votes which all increase the voter deficit.

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VOTER SURPLUS

Some counties have more voters than votes counted which is a normal variance. This is a result of several issues including:

- Rejected Provisional Ballots
- Mail-In Ballots Received after 8pm on Election Day
- Naked Ballots
- Mail Ballots with no Signature

The expectation would be that every county would have some votes that were not counted. In PA, **only 18 counties reported a voter surplus**. Despite the fact that every county had some ballots that were rejected.

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COUNTY	TOTAL VOTES 3 MAJOR CANDIDATES	N O T E	TOTAL WRITE IN	TOTAL VOTES FOR PRESIDENT	OVER & UNDER VOTES	TOTAL BALLOTS CAST	TOTAL VOTERS SURE	TOTAL VOTER DEFICIT	TOTAL VOTER SURPLUS
	DOS DATA		COUNTY DATA				FVE		
ADAMS	56,540	*	174	56,809	121	56,930	56,853	77	
ALLEGHENY	719,733	*	2,767	724,800	1,920	726,720	605,754	120,966	
ARMSTRONG	36,370	*	55	36,426	45	36,471	36,147	324	
BEAVER	94,122		275	94,397	248	94,645	94,387	258	
BEDFORD	27,574	*	0	27,610	67	27,677	27,564	113	
BERKS	205,540		584	206,124	1,452	207,576	207,587		11
BLAIR	63,595		153	63,748	141	63,889	63,834	55	
BRADFORD	30,159	*	60	30,232	156	30,388	30,349	39	
BUCKS	396,234		1,057	397,291	1,506	398,797	396,877	1,920	
BUTLER	113,305	*	349	111,309	227	113,899	113,914		15
CAMBRIA	70,574		177	70,751	244	70,995	50,058	20,937	
CAMERON	2,434		6	2,440	15	2,455	2,450	5	
CARBON	33,629	*	38	33,689	64	33,753	33,716	37	
CENTRE	77,493		398	77,891	203	78,094	77,328	766	

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COUNTY	TOTAL VOTES 3 MAJOR CANDIDATES	N O T E	TOTAL WRITE IN	TOTAL VOTES FOR PRESIDENT	OVER & UNDER VOTES	TOTAL BALLOTS CAST	TOTAL VOTERS SURE	TOTAL VOTER DEFICIT	TOTAL VOTER SURPLUS
CHESTER	314,502		1,251	315,753	833	316,586	313,543	-3,043	
CLARION	19,493		31	19,524		19,524	19,525		
CLEARFIELD	39,422		74	39,496	114	39,610	39,247	-363	
CLINTON	17,625		36	17,661	55	17,716	17,478	-238	
COLUMBIA	31,171		87	31,258	187	31,445	31,481		36
CRAWFORD	42,004	*	98	42,104		42,104	42,301		
CUMBERLAND	141,595		592	142,187	545	142,732	142,845		113
DAUPHIN	147,368		533	147,901	487	148,388	149,096		708
DELAWARE	327,931	*	1,075	328,329	1,821	330,150	326,142	-4,008	
ELK	16,906		40	16,946	89	17,035	17,077		42
ERIE	137,083	*	347	137,491	453	137,944	138,240		296
FAYETTE	62,139	*	91	62,258	117	62,375	61,952	-423	
FOREST	2,646	*	8	2,621	10	2,631	2,666		35
FRANKLIN	80,783		242	81,025	183	81,208	81,143	-65	
FULTON	7,977		13	7,990	44	8,034	8,016	-18	
GREENE	17,669		0	17,669	0	17,776	17,760	-16	

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COUNTY	TOTAL VOTES 3 MAJOR CANDIDATES	N O T E	TOTAL WRITE IN	TOTAL VOTES FOR PRESIDENT	OVER & UNDER VOTES	TOTAL BALLOTS CAST	TOTAL VOTERS SURE	TOTAL VOTER DEFICIT	TOTAL VOTER SURPLUS
HUNTINGDON	22,792		51	22,843	63	22,906	22,872	-34	
INDIANA	41,198		91	41,289	140	41,429	41,026	-403	
JEFFERSON	22,824	*	39	22,800	51	22,851	22,576	-275	
JUNIATA	12,043		29	12,072	36	12,108	12,072	-36	
LACKAWANNA	115,410		285	115,695	338	116,033	116,391		358
LANCASTER	280,239		1,136	281,375	1,163	282,538	281,117	-1,421	
LAWRENCE	46,076		111	46,187	132	46,319	46,023	-296	
LEBANON	71,652		206	71,858	202	72,060	71,524	-536	
LEHIGH	184,713	*	563	185,655	572	186,227	185,450	-777	
LUZERNE	153,321	*	99	153,499	635	154,134	149,877	-4,257	
LYCOMING	59,254		143	59,397	84	59,481	59,367	-114	
McKEAN	19,466		44	19,510	88	19,598	19,569	-29	
MERCER	57,954		163	58,117	178	58,295	58,308		13
MIFFLIN	21,502		45	21,547	56	21,603	21,538	-65	
MONROE	83,829	*	205	82,484	493	82,977	82,765	-212	
MONTGOMERY	510,157		0	510,157	3,238	513,395	508,084	-5,311	
MONTOUR	9,771		46	9,817	31	9,848	9,846	-2	

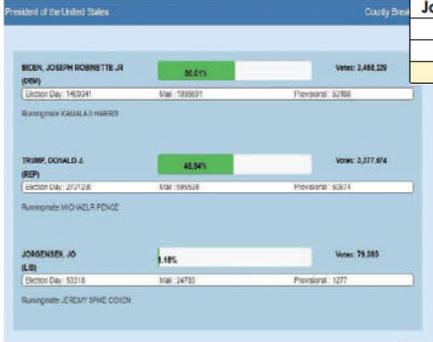
15

COUNTY	TOTAL VOTES 3 MAJOR CANDIDATES	N O T E	TOTAL WRITE IN	TOTAL VOTES FOR PRESIDENT	OVER & UNDER VOTES	TOTAL BALLOTS CAST	TOTAL VOTERS SURE	TOTAL VOTER DEFICIT	TOTAL VOTER SURPLUS
NORTHAMPTON	170,942		457	171,399	762	172,161	171,962	-199	
NORTHUMBERLAND	42,283		100	42,383	209	42,592	42,408	-184	
PERRY	24,652		76	24,728	54	24,782	24,894		112
PHILADELPHIA	741,377	*	2,067	743,966	5,351	749,317	719,024	-30,293	
PIKE	32,554	*		32,616	127	32,743	32,645	-98	
POTTER	9,064		21	9,085	3	9,088	9,119		31
SCHUYLKILL	70,603	*	152	69,672	1,237	70,909	70,974		65
SNYDER	19,140		41	19,181	57	19,238	19,237	-1	
SOMERSET	40,543		83	40,626	90	40,716	40,738		22
SULLIVAN	3,595		3	3,598		3,598	3,613		
SUSQUEHANNA	21,752	*	61	21,325	118	21,443	21,536		93
TIOGA	21,075	*		21,126	81	21,207	21,115	-92	
UNION	20,115		77	20,192	80	20,272	20,221	-51	
VENANGO	26,528		73	26,601	52	26,653	26,608	-45	
WARREN	20,650	*	56	20,345	129	20,474	21,012		538
WASHINGTON	118,478		278	118,756	383	119,139	117,156	-1,983	
WAYNE	28,089		58	28,147	88	28,235	28,231	-4	
WESTMORELAND	204,697	*	486	205,330	758	206,088	202,143	-3,945	
WYOMING	14,858		42	14,900	38	14,938	14,982		44
YORK	238,471	*	582	239,052	613	239,665	238,877	-788	

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RELIABILITY OF DATA FROM DEPARTMENT OF STATE

Candidate	Election Day	Mail	Provisional	Math Total	Certified Electors	Difference
Biden	1409341	1995691	53168	3458200	3458229	29
Jorgensen	53318	24783	1277	79378	79380	2
Trump	2731230	595538	50874	3377642	3377674	32
Write In	0	0	0	0	0	0
Totals	4193889	2616012	105319	6915220	6915283	63



- The DOS Data is not using equations or formulas to populate. This is demonstrated by the mathematical errors on the dashboard.
- Based on the Dashboard, PA actually certified the **incorrect number of electors**
- Data downloaded from the DOS website does not match data reported

• Source: <https://www.electionreturns.pa.gov/>

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RELIABILITY OF DATA FROM DEPARTMENT OF STATE

Candidate	Election Day	Mail	Provisional	Math Total	Certified Electors	Difference
Biden	1409341	1995691	53168	3458200	3458229	29
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Write In	0	0	0	0	0	0
Totals	4193889	2616012	105319	6915220	6915283	63

PA Pennsylvania Pressroom

11/24/2020

Harrisburg, PA – Following certifications of the presidential vote submitted by all 67 counties late Monday, Secretary of State Kathy Boockvar today certified the results of the November 3 election in Pennsylvania for president and vice president of the United States.

Shortly thereafter, as required by federal law, Governor Tom Wolf signed the Certificate of Ascertainment for the state of electors for Joseph R. Biden as president and Kamala D. Harris as vice president of the United States. The certificate was submitted to the Archivist of the United States.

The Certificate of Ascertainment included the following vote totals:

- Electors for Democratic Party candidates Joseph R. Biden and Kamala D. Harris – 3,458,229
- Electors for Republican Party candidates Donald J. Trump and Michael R. Pence – 3,377,674
- Electors for Libertarian Party candidates Jo Jorgensen and Jeremy Spike Cohen – 79,380

Due to mathematical errors, the Secretary of State **actually certified the incorrect number of electors**

Source: <https://www.media.pa.gov/pages/State-details.aspx?newsid=435>

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DUPLICATE VOTERS

Individuals in SURE With Multiple ID Numbers-
Both IDs Shown as Voted 11-3-2020

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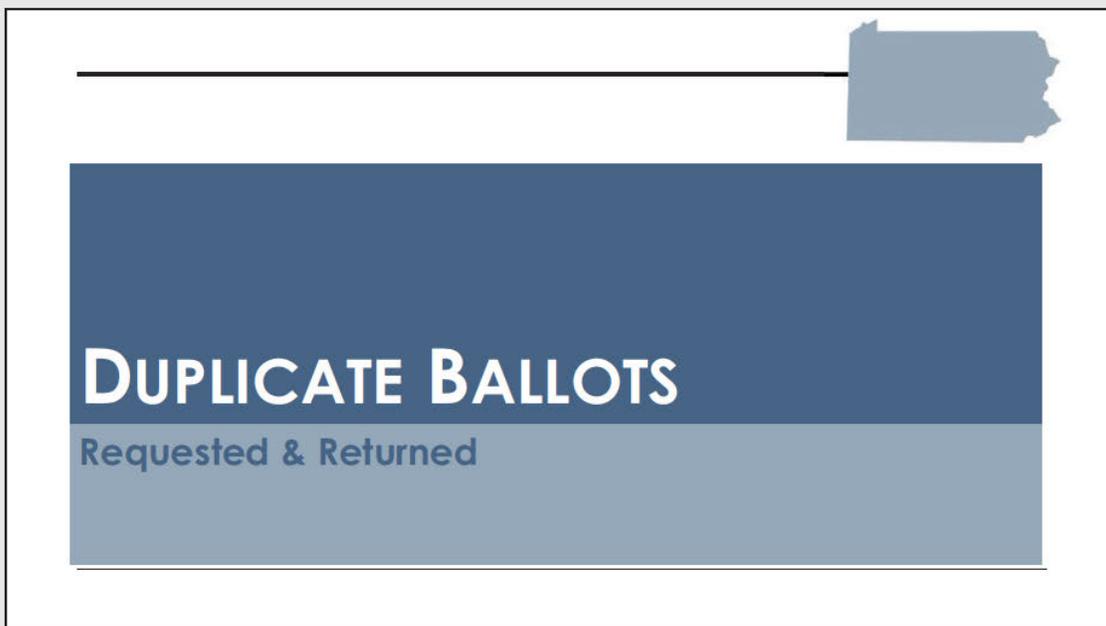
POSSIBLE DUPLICATE VOTERS

USING THE STATEWIDE FVE, A QUERY OF ALL RECORDS WHERE THE FIRST NAME, LAST NAME AND DATE OF BIRTH MATCHED AND WHERE BOTH RECORDED A VOTE ON 11/3/2020 – PRODUCED **4241 RECORDS**. THESE RECORDS WARRANT INVESTIGATION TO DETERMINE HOW MANY PEOPLE VOTED TWO OR MORE TIMES.

*THESE RECORDS HAVE BEEN REFERRED TO LAW ENFORCEMENT FOR INVESTIGATION

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DUPLICATE MAIL IN BALLOT APPLICATIONS

- County election officials were inundated with duplicate mail in ballot applications
- It was up to the county to review each new application and make a judgement call about whether to send a second mail in ballot
- There was no accounting of the excess mailed ballots.

Source: <https://www.post-gazette.com/news/politics-state/2020/10/16/pennsylvania-rejected-mail-ballot-applications-duplicates-voters/stories/202010160153>

"Overall, one out of every five requests for mail ballots is being rejected in Pennsylvania. An estimated 208,000 Pennsylvania voters sent in the spurned requests, some submitting them multiple times. Although the state's email rejecting the requests describes them as duplicates, it doesn't explain why, prompting some people to reapply. ProPublica and The Inquirer identified hundreds of voters who submitted three or more duplicate applications; one voter appears to have submitted 11 duplicates."

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10/16/20 Source: Department of State			DUPLICATE APPLICATIONS					
County	Total MIB Requests Approved	Duplicate Requests Rejected						
ADAMS	9,695	2,001	ELK	2,075	472	MONTOUR	2,292	243
ALLEGHENY	190,557	49,025	ERIE	28,685	4,183	NORTHAMPTON	42,266	6,850
ARMSTRONG	3,996	1,347	FAYETTE	7,595	1,680	NORTHUMBERLAND	5,696	1,047
BEAVER	16,893	5,362	FOREST	547	41	PERRY	3,304	545
BEDFORD	2,906	384	FRANKLIN	11,188	1,643	PHILADELPHIA	233,594	48,727
BERKS	42,084	7,544	FULTON	904	138	PIKE	8,305	1,039
BLAIR	9,578	2,993	GREENE	2,318	317	POTTER	862	92
BRADFORD	3,948	500	HUNTINGDON	1,674	205	SCHUYLKILL	6,813	443
BUCKS	104,236	21,607	INDIANA	8,678		SNYDER	2,523	433
BUTLER	16,718	4,468	JEFFERSON	2,664	249	SOMERSET	4,590	359
CAMBRIA	8,865	1,292	JUNIATA	1,116	281	SULLIVAN	375	39
CAMERON	310	98	LACKAWANNA	24,748	7,794	SUSQUEHANNA	2,833	392
CARBON	5,670	1,011	LANCASTER	53,245	8,664	TIOGA	2,361	444
CENTRE	17,952	3,483	LAWRENCE	7,379	1,113	UNION	3,193	508
CHESTER	88,238	24,433	LEBANON	13,403	2,205	VENANGO	3,653	747
CLARION	2,265	354	LEHIGH	46,091	9,229	WARREN	3,032	338
CLEARFIELD	4,894	897	LUZERNE	28,077	11,234	WASHINGTON	21,829	4,567
CLINTON	2,229	332	LYCOMING	7,622	1,128	WAYNE	5,154	684
COLUMBIA	5,264	693	MCKEAN	9,691	403	WESTMORELAND	34,103	12,871
CRAWFORD	6,584	782	MERCER	2,668	320	WYOMING	2,313	306
CUMBERLAND	31,206	5,703	MIFFLIN	21,453	3,661	YORK	42,677	10,191
DAUPHIN	32,778	7,247	MONROE	138,758	32,407	TOTAL		336,001
DELAWARE	71,523	15,779	MONTGOMERY	1,975	434			as of 10/16/2020
			MONTOUR	2,292	243			

Department of State released data showing the number of duplicate MIB Applications that had been rejected as of 10/16/2020.
DOS did not release the number of duplicates that were approved & mailed.

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EXAMPLE: LEBANON COUNTY DUPLICATES

- Lebanon County has 92,637 registered voters.
- As of 10/16/2020, Lebanon had already received 2205 duplicate mail in ballot applications.
- County election officials had to review and evaluate each application to determine if a second mail in ballot should be mailed
- 804 duplicate ballots were sent to voters in Lebanon County.
- The location of the additional 804 mail in ballots is unknown.

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THIRD PARTY ACCESS -SURE

Recap of Previous Issues Raised

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DEPARTMENT OF STATE GRANTED ACCESS & AUTHORITY TO THIRD PARTY ENTITIES

- Third Party Access to SURE using Web API
- Allowing Third Party Entities authority to use Web API to request Mail In Ballots
- Illegal Use of Voter Registration Data – posting on the internet



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CHAPTER 183. ESTABLISHMENT, IMPLEMENTATION AND ADMINISTRATION OF THE STATEWIDE UNIFORM REGISTRY OF ELECTORS (SURE System)

4 Pa. Code § 183.14. Public information lists

(i) Within 10 days of receiving a written request accompanied by the payment of the cost of reproduction and postage, the Department or a commission will distribute the public information list to any registrant in this Commonwealth for a reasonable fee, determined by the office providing the copies, as provided by section 1404(c)(1) of the act (relating to public information lists).

(j) The Department and a commission will supply the public information list in a paper copy or in an electronic format.

(k) The list may not be published on the Internet.

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DOS Expanded Third Party Entities Access to Include Mail-In Ballot Requests

On March 5 2020, The Department of State issued an update to the PA OVR Web API Specification document. In that update, they reveal that Posting Entities would be granted access and authority to allow the use of their apps to not only create voter registrations but also to add them to **permanent mail-in list**.

MAIL-IN BALLOT REQUEST OPTION (ACT 77 OF 2019)

As a part of Act 77 of 2019, a new ballot option was introduced for Pennsylvania voters, the mail-in ballot option. This is another option for voters to receive a ballot in the mail and it does not require an excuse to vote.

Additionally, a voter who is requesting a mail-in ballot may also request to be added to a permanent mail-in voter list, which is otherwise known as an annual mail-in ballot request. If they opt for the permanent option, they will then receive ballots automatically for the remainder of the calendar year for eligible elections. Then, they will be asked to renew this request each year from the county election office to continue to receive ballots for eligible election.

The process begins with the voter electing to submit a mail-in ballot application. Once their application is completed, processed and approved by the county, the voter will be begin to receive their ballots via the address



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StateWide VoterWeb

Voter data up to date: November 2, 2020
ALL 67 counties updated with 2020 Primary results
The VotesPA.com data for Mail-in Ballot Status is slightly different than VoterWeb.
State Dept "SENT" date is day labels made or sent to printers.
There is separate "Mailed" date on VotesPA that is not on State Dept file.

Your County (required)

Username (*not email address*)

Pass

Forgot your Login/Password? Enter your email address and submit.

If you are a Dem Candidate or Dem committee person, who would like to request a VoterWeb Account:
Please click [Request Account](#)
or email to request@voterweb.org
Subject: VoterWeb Account Request

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Document ID: 0.7.2774.160950-000002



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County Commissioners

Joshua G. Parsons, Chairman
Ray D'Agostino, Vice-Chairman
Craig E. Lehman

Hon. Kathy Boockvar
Secretary of the Commonwealth
Pennsylvania Department of State
North Office Building, Suite 302
401 North Office Building
Harrisburg, PA 17120
Via email

Dear Secretary Boockvar:

As you know Act 77 of 2019, which was signed into law by Governor Wolf, created a new mail in ballot option for voters in Pennsylvania. The law as passed by the legislature and signed by the Governor requires that all mailed ballots be received by 8:00 PM on election day.

Subsequently, the Pennsylvania Supreme Court created its own new rule. It ordered that ballots are to be accepted if they are postmarked on or before election day and are received within three days after polls close. Further, a ballot with no postmark or an illegible postmark must also be accepted if it is received by that same date.

That ruling has been appealed to the United States Supreme Court. In the U.S. Supreme Court's denial of a motion to expediate the case, the court appears to have relied on information from your department that you would provide guidance to counties to segregate ballots that come in after election day. It said:

"[W]e have been informed by the Pennsylvania Attorney General that the Secretary of the Commonwealth issued guidance today directing county boards of elections to segregate ballots received between 8:00 p.m. on November 3, 2020, and 5:00 p.m. on November 6, 2020."

On October 28th, 2020, Lancaster County received an email from Jonathan Marks, Deputy Secretary for Elections & Commissions, stating the following:

"Yesterday the Secretary issued the attached guidance related to mail-in and absentee ballots received from the United States Postal Service after 8:00 p.m. on Tuesday November 3, 2020. The guidance referenced that a motion to expediate a petition for a writ of certiorari related to the three-day extension was pending in



the United States Supreme Court. After the Secretary issued the guidance yesterday, the United States Supreme Court denied the pending motion to expedite consideration of the petition for a writ of certiorari. In doing so, three Justices of the Supreme Court joined in a statement that referenced the guidance that the Secretary issued yesterday directing county boards of elections to segregate ballots received between 8:00 p.m. on November 3, 2020 and 5:00 p.m. on November 6, 2020. Though the Secretary continues to strongly defend the 3 day extension to ensure that every timely and validly cast mail-in and absentee ballot is counted, to ensure uniformity and to respect the United States Supreme Court's consideration of the issues still before it, the Secretary strongly encourages each county board of elections to affirmatively confirm that it will comply with the attached guidance."

The attached "guidance" read:

"The county boards of elections **shall not pre-canvass or canvass any mail-in or civilian absentee ballots** received between 8:00 p.m. on Tuesday, November 3, 2020 and 5:00 p.m. on Friday, November 6, 2020 until further direction is received. These ballots shall be maintained by the county board in a secure, safe and sealed container separate from other voted ballots." [Emphasis added.]

By law, counties have eight days to complete the canvas. We have been informed by our elections office staff that once ballots are canvassed, it is logistically impossible to later remove those ballots from the total count. Thus, the guidance to keep these ballots separate and not canvass them immediately makes sense as they are likely the subject of litigation.

However, on November 1st, 2020, we received new "guidance" from Mr. Marks.

Strangely the new "guidance" has suddenly been changed to the following statement, which is in direct conflict with the earlier "guidance."

"The county board of elections **shall canvass** segregated absentee and mail-in ballots received after 8:00 P.M. on Tuesday November 3, 2020, and before 5:00 P.M. on Friday, November 6, 2020 **as soon as possible upon receipt of the ballots** and within the period specified by law for the canvass. The canvass meeting shall continue until all segregated absentee and mail-in ballots have been canvassed." [Emphasis added.]

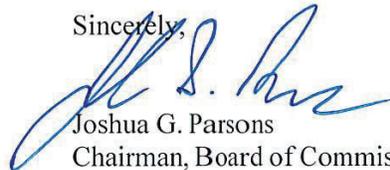
The new guidance is essentially asking us to add any ballots that come in after election day to our total count. In fact, the new "guidance" is strangely asking us to do this as "soon as possible." I anticipate that you would know full well that those contested votes cannot then be removed if the Commonwealth is ordered to do so by the United States Supreme Court.

This is in contravention to your earlier guidance and appears to be in contravention to what the United States Supreme Court relied on from your department. That court, in refusing to expedite the case, surely did not anticipate that you would make those votes impossible to remove from the total count.

As a result, at our Board of Elections meeting on November 2nd, 2020 a majority of the board exercised our legal authority to comply with the law and your first set of guidance and wait to canvass any ballots that come in after election day. We will make further decisions at a future board meeting and, of course, intend to continue to fully comply with the law, including the canvass deadline.

I remain, however, deeply concerned about this strange change in guidance by your department and what it means for the integrity of the election.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. G. Parsons", is written over the typed name.

Joshua G. Parsons
Chairman, Board of Commissioners

CC: Senator Joe Scarnati, President Pro Tempore, Pennsylvania Senate
Via email
Representative Bryan Cutler, Speaker of the Pennsylvania House of
Representatives
Via email

Document ID: 0.7.2774.160950-000004

Election Timeline for Butler County, Pennsylvania/November 12, 2020

In 2016, Butler County had a 72% voter support for Donald J. Trump in comparison to Hilary Clinton at 28%. Pennsylvania ranks 25th for voter participation with 51 percent of the eligible population voting in the 2018 election. Butler County was a stronghold for President Trump in the past as well as other Republican Candidates, I believe, our County was specifically targeted by external forces such as Governor Tom Wolf, Secretary of Commonwealth and State Election Director Kathy Boockvar, Mark Zuckerberg/ Media/ Tech, as well as, Progress PA and Democrats statewide, to name just a few. There is no doubt these entities used their positions to influence the overall outcome of the Pennsylvania 2020 election. Often times this was done under the Covid guise of safeguarding the health, safety, and accessibility of Pennsylvania voters. As a Butler County Commissioner, I witnessed first hand these ongoing efforts made by these entities to chip away preceding and post election through a variety of tactics with the purpose of creating confusion, chaos, and instilling fear...all implemented by design. Changes made "on the fly" to election laws intentionally without our elected state legislature, left Pennsylvania counties isolated and at the mercy of edicts by State officials with no recourse. Counties were left to their own devices and fortitude to determine what was occurring and push back as we did multiple times. What was even more tragic, these changes were most often accomplished under the guise and cover of the Covid pandemic that was used to influence the behavior of the public voter who fell for it hook, line, and sinker by the mail in ballot system which encompassed early voting. One by one, our own Pennsylvania Democratic State Officials stripped each of the previously established safeguards and firewall requirements that protect the integrity of the voter system. It was astonishing the extent and effort these aforementioned entities went to, to influence and marginalize the 2020 vote in any way to the advantage of Presidential Candidate Joe Biden. Progressive entities well understood it would not take much to manipulate and alter the playing field in what was predetermined to be a race separated by less than a 100,000 votes. Secretary Kathy Boockvar went as far as requesting King Bench provisions to be used as a mechanism by the Pennsylvania State Supreme Court, as State Officials were struggling to get Counties to comply with over zealous state edicts and guidance in lieu of laws. Governor Wolf signed a second renewal of his 90 day disaster for the Covid 19 pandemic that would extend beyond the November 3, 2020 election. Naturally, as expected, Covid hype despite evidence would begin to surge prior to and during the election with the intent to keep senior citizens from venturing out to the polls. Democrats were whole heartedly supportive of mail in balloting and they knew Republicans would prefer to vote in person at the polls. Bad weather or a pandemic, could possibly persuade some elderly or unhealthy individuals to stay at home? Hopefully, the Butler County timeline will illuminate a much needed light into the workings of these forces and how they can influence our local, state, and national elections. The data, numbers, and dubious actions compiled in the Butler County timeline demonstrate repeatedly as to the Governor and his Election Administration's great reluctance to follow existing election law and processes, their lack of respect for the Constitution, and the Governor's own defiance to govern with the elected Pennsylvania General

Assembly who represent the voice of and by the people. The people of Pennsylvania deserve to know to the extent and effort made by various entities to marginalize the existing laws and processes governing our Commonwealth's election system in an effort to alter and/or influence a Presidential Election. After all, if our laws and Constitution do not mean or stand for anything and we allow anyone, even a Governor, to over ride laws, even under the conditions of a pandemic, then why have a Constitution? Moving forward we must learn how we must work in each of our own capacities, whether, we are a working man or an elected county commissioner to stand up and protect not only our election system nationwide for the greater good of democracy and our country as a whole. Our future generations of voters and our country depend upon it.

Kimberly D. Geyer, Vice Chairman of the Butler County Commissioners

- Coming into office in 2016, Butler County, like many in PA, were in the process of researching state certified vendors of election equipment and investing into new voter equipment with a paper trail to replace existing equipment which was a touch screen technology and no paper trail. In April 2018, the [Department of State informed counties](#) they must select the new voting systems by the end of 2019 and voters must use the new system no later than the April 2020 primary election. At least 52 counties, or 78 percent, have taken official action toward selecting a new voting system. And 46 counties, or 68 percent, plan to use their new voting system in the November 2019 election. Because Butler County had begun the process of interviewing and acquiring new election equipment prior to the state mandate by the Governor, we felt in a better prepared position prior to our fellow counties who, some, had only begun the process after the 2018 mandate.
- October 31, 2019 Governor Tom Wolf made voting more convenient by signing PA Act 77 of 2019 into law. Without state legislature input, Governor Wolf removed straight party ballot voting. Governor Wolf established the ability for counties to set up temporary polling locations as early voting stations.

Some of the provisions of PA Act 77 of 2019 are as follows: (prior to last minute changes)

- **No excuse mail-in voting**
The law creates a new option to vote by mail without providing an excuse, which is currently required for voters using absentee ballots. Pennsylvania joins 31 other states and Washington, D.C. with mail in voting that removes barriers to elections.
- **50-day mail-in voting period**
All voters can request and submit their mail in or absentee ballot up to 50 days before the election, which is the longest vote by mail period in the country.

- **Permanent mail-in and absentee ballot list**
 Voters can request to receive applications for mail in or absentee ballots for all primary, general and special elections held in a given year. Counties will mail applications to voters on the list by the first Monday of each February. Voters who return an application will receive ballots for each election scheduled through the next February. Pennsylvania is the 12th state to provide voters with the automatic option.
- **15 more days to register to vote**
 The deadline to register to vote is extended to 15 days from 30 days before an election. Cutting the current deadline by half enables more people to participate in elections. The new more flexible and voter friendly deadlines provide more time to register to vote than 24 other states.
- **Creates Early Voting**
 Perhaps without full legislative awareness, Act 77 also creates early voting, which many state legislators did not fully understand as it was not clear in the act. This suddenly created long lines of voters in County election bureau offices in the week(s) leading up to the election, further distracting and hampering the ability to effectively execute actual mail ballot processing and election preparations. (See attached article from Philadelphia 3.0 PAC)
- **Extends mail-in and absentee submission deadlines**
 Voters can submit mail in and absentee ballots until 8:00 p.m. on Election Day. (Later extended to three days post Election Day). The current deadline is 5:00 p.m. on the Friday before an election, which is the most restrictive in the country. Pennsylvanians submitted 195,378 absentee ballots in 2018, but 8,162 more than four percent missed the deadline and were rejected. The national average is only two percent.
- The law also authorizes the governor to pursue a \$90 million bond to reimburse counties for 60 percent of their actual costs to replace voting systems. The new systems have enhanced security to help guard against hacking and produce an anonymous paper record so voters can verify their ballot is correctly marked when casting it. Paper records also allow officials to conduct the most accurate recounts and audits of election results.
- 3/6/20 Covid 19 made its presence known in Butler County. Meanwhile, PA Department of Health Secretary Rachel Levine was providing Pennsylvanians daily televised updates on the Covid pandemic and statewide stay at home, school, and business closures began to be implemented across regions of the PA Commonwealth.
- 3/27/20 Governor Wolf signed Senate Bill 422, which rescheduled Pennsylvania's primary election from April 28 to June 2 due to the COVID 19 emergency.
- 4/22/20 Governor closed Commonwealth with the exception of life sustaining businesses. Schools and childcare facilities closed. Stay at home orders in place.
- 4/22/20 Butler County election director resigns approximately one month ahead of what was to be the May 2020 Presidential Primary before the State

extended it to June 2, 2020. This would be a pattern reoccurring statewide due to frustration by State changes being made on the fly, and increased workloads related to the mail in ballot requirements. More than a 19 of PA's County Election Directors or Deputies resigned or left, that is one in every 3.5 counties. Butler County deputized two long time workers to split the position until posting the job vacancy after the June 2nd Primary.

- 4/28/20 Updated DOS (Dept. of State) guidance began occurring to all counties in regards to preparation of elections (2020 Presidential Primary) and HEIGHTENING Covid 19.
- 5/1/20 DOS asked counties to participate in a technology program called Albert Sensors to have counties connect into and to provide multi state information sharing and analytics. Butler County declined to participate as a pilot county. Butler County had just invested in new technology enhancements and did not want to that to interfere with our new internal technologies and security. (This request will come around again by DOS in the weeks leading to the Fall November election).
- 5/5/20 Butler County represented by two Republican County Commissioners (Osche & Geyer) filed petition for amicus brief for the Friends of Danny Devito case v. Governor Tim Wolf and Rachel Levine, Secretary of Health (respondents) for the statewide business closures and the Constitutional violations represented by Attorney Thomas W. King III.
- 5/7/20 (2:30p.m.) Butler County (Osche & Geyer) files lawsuit in federal district court on behalf of Butler County, and joining counties, Greene, Fayette, and Washington Counties v. Governor Tom Wolf and Rachel Levine, Secretary of Health for violating the constitutional rights of businesses and for the subjective process in determining business closures statewide.
- 5/7/20 Governor Wolf extends Stay at Home order for Counties in the Red to June 4th, two days AFTER the scheduled June 2nd primary further confusing voters, discouraging in person voting, and challenging Counties' ability to recruit adequate numbers of poll workers.
- 5/12/ 5/14/20 Poll Worker Training Occurred over these days with four sessions, two each morning and two each afternoon and one evening. Consider the changes since that time prior to the June 2 Primary and all of the changes that the DOS implemented between the Primary and November 3rd election. The constant barrage of DOS changes made it extremely challenging for Judges of Elections and poll workers to keep abreast of accurate information they needed to operate for election day. See attached letter from a Judge of Election.
- 5/2020 the two Republican county commissioners worked feverishly to equip all 89 precincts with trained poll workers, PPE, and locate new sites for those closed due to the Covid pandemic and the media narrative instilling wide spread fear into former poll workers. It was extremely challenging to get each and every poll open and staffed by those less fearful and willing to work under these conditions. Many older poll workers could not work due to compromised immune systems and it caused us to up our

game on recruiting and training new poll workers. i.e. Former precincts located in churches and schools closed due to the Governor's stay at home orders was in conflict with us as elected officials trying to get the public to understand that elections was a constitutional right and we had to open facilities for voting.

- The State stated they would send PPE to all the counties for their polling sites, such as hand sanitizer and masks. Despite that promise, Butler County went ahead and ordered our own PPE and Plexiglas partitions for the polls and it is a good thing we did, as the State's masks and hand sanitizers arrived the day before the election after we had delivered all the voting equipment to the polls for the June 2nd Primary.
- Training for poll workers was extremely challenging as per trying to secure a county site such as a school or facility that would allow us to hold training during a Covid pandemic and Governor ordered statewide closures. Thankfully, Butler School District and Cranberry Twp. Municipal Building each provided us a physical space to hold poll worker and Judge of Elections trainings. The next challenge was adhering to the Covid compliance while trying to conduct and provide training with masking and people fearful due to the nationwide and statewide narrative coming from the news sources. It certainly created extensive work above and beyond for everyone involved.
- Mid May, Counties received DOS guidance advising Counties may have drop boxes and drop off locations. This last minute change was one that the Butler County Republican Commissioners voted not to implement due to the lack of security issues. May 31st and onward, Butler County had daily protests across from the courthouse in Diamond Park and along Main Street by BLM.
- 5/29/20 Counties received a court order by the DOS to require accessible mail in ballots for ADA individuals and to make arrangements.
- 5/29/20 Counties received DOS guidance on privacy envelopes. All of these guidance's issued by DOS, required all counties to adapt and create changes with their operations and procedures. Another implication was the inability to train our poll workers and Judges of Elections due to the late and daily guidance changes in preparation for and leading up to the June 2nd election.
- 5/29/20 DOS issued guidance no longer requiring voter identification for ballots to be dropped off a drop off sites and drop box locations. Butler County was requiring ID for ballots being dropped off at the Election Bureau.
- 6/1/20 At 6pm Pittsburgh Media News Channels announced publicly that Governor Wolf used executive order to extend the deadline for receiving mail in ballots the night before the June 2nd Primary Election. I watched this announcement in my own living room that evening when I returned home from being at the county all day working. The Governor never bothered to reach out to the counties about this during the workday. Governor Wolf also announced the set up of additional drop boxes for only six of sixty seven counties statewide. This strategic move all added to the public's existing confusion 12 hours before the June 2, 2020 Presidential Election.

- 6/1/20 Governor Wolf also announced on the 6pm television news that ballots must be post marked by June 2nd, but received no later than June 9th for some counties, but not all counties. Again, adding additional public confusion and fear.
- 6/3/20 Governor Wolf amended stay at home order
- 6/5/20 Butler County was one of 12 counties to move to the yellow phase.
- 6/10/20 PA General Assembly passed a concurrent resolution directing Governor Wolf to issue a proclamation or executive order ending his issuance of the March 6 Covid 19 Disaster Emergency which was renewed June 3. Governor follows with statement that any concurrent resolution needs to come to the Governor for approval or disapproval and that orders will remain in place and that the legislature did nothing to end them.
- 6/16/20 Governor Wolf edicts: School Safety & Security Committee and Etc.
- 6/25/20 Governor Wolf and Secretary Levine sign 12 counties moving to the green phase effective the following day.
- 6/29/20 Governor Wolf announces that Lebanon County will move to the green phase of reopening on July 3, putting all counties in green.
- 6/29/20 Governor Wolf announces all businesses across PA can apply for grants to offset lost revenue associated with Covid 19.
- 7/1/20 Governor Wolf signs new order signed by Dr. Rachel Levine that mandates mask wearing directive at all times effective immediately.
- 7/1/20 Received state association communications regarding Trump Campaign and RNC filed law suit pursuant to Governor and DOS Secretary.
- 7/9/20 Governor Wolf signs an executive order protecting renters from evictions or foreclosures in the event they have not received assistance.
- 7/10/20 Governor Wolf signs an executive order authorizing state agencies to conduct administrative proceedings and hearings remotely.
- 7/16/20 Governor Tom Wolf releases federal CARES funding to PA Counties with the exception of Lebanon County who had opened their county despite the Covid associated closures moving from yellow to green on their own.
- 7/16/20 Butler County hires a new Election Director with extensive technical experience and local experience of working at the polls.
- 7/17/20 Federal Court in Pittsburgh, Judge William Stickman IV hears Butler County v. Governor Tom Wolf and Rachel Levine, Secretary of Health
- 7/22/20 Declaratory Judgment Hearing in Federal Court, Pittsburgh by Judge William Stickman
- 7/31/20 DOS announces that the State will provide the entire commonwealth's counties with prepaid postage for their envelopes, so voters would have no excuse for not mailing them. What they didn't tell county officials or the public, is typically, prepaid postage is not automatically postmarked. The State would use federal CARES funding (Covid 19 Relief Funds) to pay for postage. Postmarks matter to prove voters cast their vote on time.

- 8/14/20 Governor Tom Wolf finally concedes and releases federal CARES funding to Lebanon County after with holding it for a month. There is a timeline on these funds to be used before December 30, 2020.
- 8/27/20 The DOS contacted counties about additional second round funding being made available for election system equipment through the \$90 million bond amortization pursuant to Act 77 voting system reimbursements.
- 8/31/20 Governor Wolf signed a second renewal of his 90 day disaster for the Covid 19 pandemic that would extend beyond the November 3, 2020 election.
- 9/2/20 DOS contacts all county commissioners announcing that the non profit Center for Tech and Civic Life has expanded its Covid response grant program to offer all local election jurisdictions in the United States to apply for grants to help ensure staffing, training and equipment for the November 2020 election. The expansion is thanks to a \$250 million contribution from Mark Zuckerberg and his wife, Pricilla Chan, who also made a \$50 million contribution to the Center for Election Innovation and Research, which will offer additional grants to states. Butler County declined to accept these funds to protect the integrity of their election system in Butler County from being influenced by a private/public entity.
- Butler County Election Director informs us that Barbara Smotherman has been assigned to Butler County as the state election liaison. Deputy Smotherman is the Deputy Chief of Staff to DOS Secretary Kathy Boockvar.
- 9/8/20 Governor Wolf puts out an edict that restaurants must have self certification documents in order to open September 21st at 50% occupancy.
- 9/11/20 DOS issues guidance concerning examination of absentee and mail in ballot return envelopes as well as addressing signatures or lack of.
- 9/14/20 Federal Judge William Stickman IV rules that Governor Wolfs orders violated three clauses of the U.S. Constitution, the right of assembly, due process, and equal protection clause. Butler County wins suit.
- 9/14/20 PA State Supreme Court rules that signature verification on a ballot Vs the one in the voter's file no longer matters.
- 9/15/20 Governor and Secretary Levine turn up the news narrative on Covid and Butler County.
- 9/16/20 PA Attorney General issues a stay on judicial decision on federal decision striking down Governor Tom Wolf's business closures.
- 9/17/20 PA State Supreme Court rules ballots mailed back without secrecy envelopes will not be counted in the general election. Known as "naked ballots".
-
- 9/17/20 PA Supreme Court (Democratic Majority) issued the following:
 - Majority opinion in PA Democratic Party et al. v. Boockvar et al. holding as follows:**
 - The Election Code permits county boards of election to accept hand-delivered mail-in ballots at locations other than their office addresses including drop-boxes

- Adopts a three-day extension of the absentee and mail-in ballot received by deadline to allow for the tabulation of ballots mailed by voters via USPS and postmarked by 8:00 pm on Election Day
- Holds that voters are not entitled to notice and an opportunity to cure minor defects resulting from failure to comply with statutory requirements for vote by mail (Yet the DOS made this request on Election Day to Counties with naked ballots) See: 11/3/20
- Holds that a mail-in elector's failure to enclose a ballot in a secrecy envelope renders the ballot invalid
- Finds that the poll watcher residency requirement does not violate the state or federal constitutions
- **Order in Crossey et al v. Boockvar**
 - Dismisses the request to extend the received-by deadline for mail-in ballots as moot based on the decision in PA Democratic Party v. Boockvar
 - Dismisses the request that prepaid postage be provided on mail-in provide funding to county boards of election for postage on mail-in ballots
 - Denies the request that voters be permitted to obtain third-party assistance in return of mail in ballots
 - PA Supreme Court also ruled that the Green Party's candidate for president did not strictly follow procedures for getting on November's ballot and cannot appear on it, and the Department of State has now certified the ballot*.

- *What is important for the public to understand that as of 9 17 20, Counties were unable to print and prepare ballots prior to 9 17 20 due to the lack of a ruling on the Green Party candidate. The ballot was not state certified until this legal decision occurred. Now, counties in PA were racing to print their ballots and get them mailed out to all those who requested mail in ballots which were in the thousands.
- 9/24/2020 Commissioner Osche receives email from an overseas voter in Switzerland who is a dual resident of Butler County who claims she did not receive her email ballot. The election director reported that he had communication from the state indicating this was a "glitch" in the state system related to the secure email. She is a member of a group called "PA Abroad" and claims suspicion as that group believes that only Butler and Cumberland Counties did not send the ballots. After being called out on her reports, she replies that she did subsequently receive her ballot. And so begins the mass reports of voters "not receiving" ballots.
- Butler County began to mail out their ballots to mail in requesters beginning the week of September 28, 2020 and worked 7 days a week to begin to mail out and simultaneously accept applications. Butler County continually hired additional temporary staff and extended hours of service to keep up with all the changes and timelines.
- 10/1/20 Governor Wolf issued an executive order amending the previous order Directing Mitigation Measures, which would go into

effect the following day and would continue to until rescinded or amended in writing.

- 10/8/20 Governor Wolf issues an executive order amending the previous order related to Directing Mitigation Measures which would go into effect the following day until rescinded or amended in writing.
- 10/8/20 We became aware of a problem originating at the Department of State in the SURE System, which is the state's 15 20 year old data election's system and software. Voters who are monitoring the status of their ballot online are suddenly seeing it was mailed out in early September (before the ballot was state certified). Someone at the state level changed something in SURE early October that populated the "Ballot Mailed On" date with the same date his or her application was processed. A similar situation occurred in the Primary. It's happened across the state, and both the SURE helpdesk and DOS are aware of it. This has generated a high volume of calls to the County of folks monitoring their ballot process online.
- Butler County will come to learn from their Election Director that there were several glitches with the SURE system preceding the election.
- Butler County did an extensive mail drop to the U.S. Post Office of approximately 10,000 ballots October 13, 2020, the day after Columbus Day which was observed as a national holiday but in which the elections department worked and another 7,000 mailed out later that week.
- Week of 10/13/20 Democratic Commissioner hears from Governor's Southwest Regional Director about Albert Sensor Technology Pilot and pushes for our County's participation to which we again, decline.
- The week of October 19, 2020, the County began to get calls and complaints by public not receiving their mail in ballot despite requests made in September. The public was told that the ballots were not state certified until 9/17 and printed and mailed out until the 28th.
- 10/19/20 Election Director reports receiving the following memo from PA SURE regarding a "system performance" issue where a permanent mail voter approved for the primary did not have a general election application or label in SURE. It was determined that the permanent record was created after and not at the same time that the record was processed which resulted in no general election application being created for the voter, therefore the voter received no mail in ballot. Counties had no way to identify which voters this affected.
- Week of 10/19/20, PA Department of Health Officials contact the County Commissioners informing them they will be coming into Butler County to set up multiple pop up Covid testing sites throughout the county to begin Covid testing of up to 440 people at each site free

of charge. This process would begin in two days from the call and site locations would not be disclosed until they arrived and set up. Butler County Republican Commissioners pushed back and said NO as our positivity rate was 3.2% the lowest in Western PA at that point in time and with zero patients in our local Butler Health System Hospital. State Dept. of Health staff were insistent and aggressively pushing and informed us that within a day DOH was planning to release a report to the public similar to the one they compiled for Centre County. This report would call for enforcement measures on businesses and state recommendations, as well as, recommend ways in which the State wanted us as a County to spend our federal CARES funding. We delayed DOH's momentum by insisting that surrounding counties given their Covid numbers would see greater benefit than Butler County and are a better use of tax dollars. We had a follow up call on October 26th and when the conversation initiated again, DOH was told this was nothing more than a political attempt to come into Butler County, drive up numbers via testing, and put out a report that misleads our county with misinformation when our positivity rate is only 3.2% in contrast to other counties, such as Westmoreland that had three times our numbers. We communicated that they were attempting to create more chaos in our county to suppress voter turnout by instilling fear and misinformation. We clearly called them out telling them this was political. We suggested they place their pop up site on Slippery Rock University's campus if they were so moved by trying to help their students? Dept. of Health declined and wanted testing sites implemented throughout the county in undisclosed sites. We communicated the upcoming Election was the county priority at that point in time given our extremely low Covid numbers based on the DOH's state dashboard of statewide data.

- 10/22 23/20 Butler County fielded ten thousand calls over the course of weeks leading up to the election from people saying they did not receive their mail in ballot. Hired six additional people to set up a county phone bank ASAP. Worked 18 hour days to call back each and every voter to provide options so they could exercise their right to vote. This included mailing new ballots and voiding the originals and in some cases, over nighting out of state applicants. We also had sheriff deputies deliver ballots to disabled and to those shut in their homes with no recourse. The majority came to the Election Bureau and cast their vote in person via a new mail in ballot. Lines began to form from that day on and we extended our evening hours to accommodate those who worked beyond normal business hours and had weekend hours available on Saturdays.
- 10/26/20 DOS contacts Butler County Election Director of numerous complaints made to DOS and delay of mail concerns specifically for Butler and York County ballots mailed out two weeks ago. DOS, even

communicating that Governor Wolf and his wife's ballots were delayed in the York County mail system arriving a week apart from one and other. 50 minutes later, Western PA USPS Manager Jason Graney requests for our Election Director to call him to discuss matter.

- 10/26/20 Butler County Election Director reports to the Butler County Commissioners that same day, Mr. Graney will investigate the matter with the US Post Office.
- 10/26/20 Continue to field calls from the public and work to enable them to vote by presenting one of four options: going to polls, coming to Election Bureau, mailing a new ballot and voiding the original, or over nighting out of state or to a college or hospital. In the latter days of that same week leading up to the election, people were still calling to say they had not received our new ballot or over night ballot in the mail. We checked to verify their mailing and confirm with callers, that the new ballots were mailed. Confirmed that they were mailed or over nighted.
- Throughout this process, we are still receiving a high volume of requests for mail ballots, many of which are duplicate requests due to the high number of third party mailers voters are receiving at their homes, which is making them, think that their request was not processed. In addition, because of another glitch in the state's SURE system, people are not seeing their ballots being recorded in a timely fashion. This is yet another issue that is consuming staff time and slowing down the mail process.
- Butler County did not use a third party mailing company, as we believe the chain of custody of these ballots is critical. We have a check and balance system in place to be sure that all voters are receiving the correct ballot for their district and/or precinct. We have hired twenty additional temporary staff to assist.
- 10/23/20 Commissioners meet with the Sheriff, District Attorney, and Emergency Services Director to finalize security plan for the county at the polling locations and review our safety plan.
- 10/23/20 ACLU serves the County Elections with a cease and desist order pertaining to our requiring ID when voters turn in ballots at the Election Bureau located in the Government Center on Friday, the 23rd, after work hours. They set a deadline for Monday for a response.
- 10/23/20 PA Supreme Court rules that a voter's absentee or mail in ballot cannot be rejected based solely on a comparison of the signature on the ballot with the voter's signature on their registration form. The ruling came as a result of a King's Bench petition by Kathy Boockvar Secretary of Commonwealth and Elections who used this as a mechanism to get counties to comply as she was struggling with challenges by counties as per guidance vs. law.

- 10/23/20 PA Supreme Court ruled against President Trump and the RNC challenging Secretary Boockvar's interpretation of the election code.
- 10/26/20 Voter Intimidation Guidelines sent by Ali Doyle of Southwest Deputy Director to Governor Wolf
- 10/26/20 Ironically, we received hundreds of intimidating calls about counting "all votes" beginning November 3rd in lieu of November 4th that was inaccurately portrayed by Progress PA and Ben Forstate's inaccurate maps depicting Butler County as the only county in Western PA not counting votes until the day after Election Day. Several numbers coming from a call bank located in Pittsburgh and Northeastern PA were pushing out text messages and social media messages. People statewide were reacting to these messages and harassing our office staff and two Republican Commissioners making demands and threats. Progress PA had our names and phone numbers posted on their Facebook page instructing people to call and pressure the two Republican Commissioners, County Solicitor, and Office Assistant by name and instructed them to "take no prisoners". This is a tactic of technology and there is no recourse for providing accurate information, as that is not the goal. This tactic demonstrated to me how technology and external entities could be used in influencing the election's system, adding to chaos and distraction. Despite that difficult day, we "knew the game being played" and we stayed focus on what really mattered.
- 10/28/20 PA State Supreme Court rules that the time frame for submitting ballots would be extended three days after the election as long as there was a postmark, and if any ballots arrive post election without a postmark, it should be assumed that ballot was cast on time. So, why the rule of a postmark if not now necessary? Or even followed? Please see 7/31/20
- 10/28/20 DOS sends clarifications on Examinations of Absentee and Mail In Envelopes and ID Verification for Ballot Requests
- 10/28/20 DOS sends guidance on Voter ID Not Required for Verification for ballots handed into polling sites and drop boxes
- 10/28/20 DOS sends voter ID requirements
- 10/30/20 DOS sends PA Election Day Communication
- 10/31/20 Secretary Boockvar sends out Important Election Day Reminders
- 11/1/20 DOS sends guidance on canvassing and segregating ballots received post election day.
- 11/2/20 Butler County held an afternoon poll worker training.
- 11/2/20 DOS requesting mock elections to test election results import process. Again, Butler County declined. Another tactic.
- 11/3/20 On Election Day, DOS issues guidance on voters in quarantine related to Covid.

- 11/3/20 On Election Day, mid day, DOS contacts Election Director and County Solicitor asks if the commissioners want those who submitted naked ballots (ballots with no secrecy envelope) to be provided to each political party, so those parties can contact individuals to redo ballot, so it can be counted? Pennsylvania is the first and only state to disqualify ballots received without a required secrecy envelope giving voters no recourse to fix the mistake. Some PA counties allowed this and others did not. It was not consistent statewide.
- 11/3/20 On Election Day, Butler County's 850 ES&S High Speed Scanner breaks and cannot be repaired by a state certified technician. It is brand new, \$100,00 machine has only been used once for the June 2nd Primary Election.
- 11/3/20 On Election Day, We field multiple calls throughout the day requesting tallies and turn out from the State. We provide DOS no information other than to tell them our scanner is down. Our county election team works all day into the night to address scanning without the bigger scanner by using smaller scanning devices.
- 11/3/20 On Election Day, many of our polling locations are running out of ballots, as many people showed up surrendering their mail in ballot and wanting to vote. The costs associated with the mail in debacle have to be exorbitant due to the fact we are printing each person with an additional ballot who does this? Pennsylvania taxpayers should be furious and demanding better.
- 11/4/20 The day after the election we begin to field multiple calls from people demanding their ballots to be counted that are received after 8pm on Election Day threatening to call the ACLU & Authorities.
- 11/4/20 We announce on the 6pm news stations that Butler County is going to segregate ballots coming in after 8pm on Election Day on a daily basis and we are not going to open them, and keep them safe and secure until we receive further guidance from the DOS, to which we were promised ahead of time we would receive, but, had not.
- 11/5/20 DOS reissues guidance on ballot segregation requiring ID verification
- 11/5/20 Based on the news interviews of 11/4/20, people again begin demanding "all ballots to be counted" and for them to be integrated into the official tabulations. Again, we press back. Many of whom I spoke from, were not even from Butler County. Callers were simply reacting to text messages pushed out by anonymous call centers and social media postings.
- 11/5/20 Commonwealth Court Order petitions requiring segregation of all provisional ballots cast on Election Day by voters who also submitted a timely mail in or absentee ballot. These court ordered segregated ballots would be subject to review and validation.
- 11/6/20 Justice Alito issues Order that any ballots received after 8pm on Election Day in PA be segregated and secured and if counted,

counted separately. There is a petition before SCOTUS. Alito orders opposing side to reply by 2pm Saturday, November 7.

- Third Party entities and major political parties such as the Center for Voter Information purchased older, county voter rolls and mailed out mass distribution via the USPS thousands of unsolicited ballot applications to households and individuals. These mass mailings went to deceased voters, to former homeowners of a current homeowner, and to unregistered voters, to name a few scenarios. In some instances in Butler County, individuals filled out up to 15 different voter applications requesting a mail ballot per person. Each one of these 15 requests for a mail in ballot has to be processed through checks and balances for verification and to prevent duplication, as if it is the only and original request. These third party mailing entities also are generating hundreds of additional phone calls and taking time away from those applications needing to be processed. Adding insult to injury, often times, these third party entities utilize the County's Bureau of Election's return address as printed on the envelope in lieu of their own. This is misleading to the recipient who is led to believe that our county is mass distributing these mailers out? Taxpayers are led to believe we are using tax dollars to mail these mailers out, they are calling to verify that they are already registered as a voter and have been for years? This tactic is costing our taxpayers enormous tax dollars through time, effort, and manpower and distracting counties away from the focus of addressing applications in a timely and efficient manner. These same mailers have added to the confusion and anxiety of every voter wanting to do the right thing and that is, exercise their right to vote. This is a real problem that needs to be addressed.
- Finally, the US Postal Service needs to be addressed for the delay of processing and delivering mail in a timely and efficient manner. Butler County voters experienced many delays in receiving and returning ballots that took up to three to four weeks one way. This created thousands of phone calls. We have many accounts of ballots being mailed at the Butler Post Office across the street from the Bureau of Elections housed in Government Center that took 3 4 weeks and sometimes not at all to be returned to the Election Department. When inquired about, we were told they were considered "lost" in the mail system.
- This timeline is not inclusive of all the Governor's Orders pertaining to the Red Green, and Yellow Phases and Business Closures.

Evidence seems to point to a deliberate attempt to create confusion for voters and local election officials including local Judges of Elections, and to delay ballot delivery

to voters through SURE system issues, social media campaigns that encouraged voters to flood election bureaus with phone calls and emails, and early voting in election offices, all which hindered getting mail ballots to voters and forcing our office to cancel many initial mail ballots and issue new ballots. I can't say what happened in other Counties, but it appears Butler County may have been specifically and deliberately targeted by the state in this effort.

The Counties lack of control over mail ballots once they leave our chain of custody is problematic as we have no way of truly knowing what happens with that ballot before it comes back to the bureau. While there has always been absentee balloting, perhaps the early voting process provides a better solution than no excuse mail since it is done in person. Voting by mail, while intended to increase access, unfortunately creates an opportunity for those in power to manipulate and take advantage of vulnerable populations since we truly cannot ensure that it takes place without influence or intimidation. Empowering all to seek the truth about elections and candidates and to exercise their right to vote in person as much as possible should be our message to "disenfranchised" voters. It means that they get to feed their own vote into the scanner and essentially watch it be tallied, vs. relying on someone else to scan your ballot into the system or losing chain of custody of your own ballot. Pennsylvania has a lot of explaining to do and even more work to do to protect future elections from this embarrassing debacle.

*Leslie Osche
Chairman, Board of Commissioners
Butler County, PA*

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December 22, 2020

Senator Ron Johnson, Chairman
Committee on Homeland Security and
Governmental Affairs
328 Hart Senate Office Building
Washington, DC 20510

Congressman Scott Perry
1207 Longworth House Office
Building Washington, DC 20515

Dear Senator Johnson and Congressman Perry,

Once again, I thank you for the opportunity to present to your committee at the United States Senate on December 16, 2020. The following report and attachments are submitted as supplemental materials for the record.

Our concern is and has been the accuracy, transparency, and soundness of the election systems in the Commonwealth of Pennsylvania. Comments from the Secretary of State of the Commonwealth received during the hearing of December 16, 2020 cause additional concern since the ability to review the election results have been hampered by delays in data requests, systems shutdowns, and inaccessibility to the records needed to put to a rationale conclusion the concerns that millions have about this 2020 election ballot irregularities.

In light of our concerns, we researched additional inconsistencies to address more specifically the irregularities that we observed. The irregularities are well beyond any claims that could reasonably be made that it is a lack of experience with the systems that caused the concerns and instead points to significantly defective processes at various points of the vote tabulation from county level to the state level. Systems established to ensure that each voter can have only one vote failed on many levels which prevents any type of verification or reconciliation.

After the more detailed micro analysis of the data, we are still forced to conclude that the general election of 2020 in Pennsylvania was fraught with inconsistencies and documented irregularities associated with mail-in balloting, pre-canvassing, and canvassing to the point that the reliability of voting in the Commonwealth of Pennsylvania is impossible to rely upon.

Matter of judicial and administrative re-write election law:

1. Actions from the PA Supreme Court which undermined the controls inherent in Act 77 of 2019. The controls which were undermined include:
 - a. On September 17, 2020, unilaterally extended the deadline for mail-in ballots to be received to three days after the election, mandated that ballots mailed without a postmark would be presumed to be received, and allowed the use of drop boxes for collection votes.
 - b. On October 23, 2020, upon a petition from the Secretary of the Commonwealth, ruled that mail-in ballots need not authenticate signatures for mail-in ballots thereby treating in-person and mail-in voters dissimilarly and eliminating a critical safeguard against potential election crime
2. Actions and inactions by the Secretary of State which undermined the consistency and controls of the election process during the weeks preceding the General Election of November 3, 2020. The attached detailed letter of concerns from Butler County is but one example of the problems found at the County caused by the Secretary of State.

In addition to the concerns of the actions of the Secretary of State and the legislative overreach by the Pennsylvania Supreme Court, the inaccuracies of the actual results themselves call into question the accuracy of the SURE system, the consistency of the application of voting laws throughout the counties.

Errors in Controls

All of our previous concerns provided during our original testimony remain, but the following analysis of “Voter Deficit” illustrates that beyond the election law issue, there are sufficient numbers of ballots unaccounted for in the data available from the state and county systems to render certifying the election problematic at best.

Election Issues:

More Votes Counted than voters who voted

INTERIM REPORT TOTALS AS OF 12-20-2020

COUNTY	TOTAL VOTES 3 MAJOR CANDIDATES	TOTAL WRITE IN	TOTAL VOTES FOR PRESIDENT	OVER & UNDER VOTES	TOTAL BALLOTS CAST	TOTAL VOTERS SURE	TOTAL VOTER DEFICIT	TOTAL VOTER SURPLUS
	DOS DATA	COUNTY DATA			FVE			
64/67	6,915,283	18,580	6,931,060	29,077	6,962,607	6,760,230	-205,122	2,532

Using the sources and data described in the previous slides, there is a VOTER DEFICIT in Pennsylvania. **205,122** more votes were counted than total number of voters who voted.

People who possibly voted more than once

POSSIBLE DUPLICATE VOTERS



USING THE STATEWIDE FVE, A QUERY OF ALL RECORDS WHERE THE FIRST NAME, LAST NAME AND DATE OF BIRTH MATCHED AND WHERE BOTH RECORDED A VOTE ON 11/3/2020 – PRODUCED **4241 RECORDS**. THESE RECORDS WARRANT INVESTIGATION TO DETERMINE HOW MANY PEOPLE VOTED TWO OR MORE TIMES.

Duplicate Ballots: Requested and returned

DUPLICATE MAIL IN BALLOT APPLICATIONS

- County election officials were inundated with duplicate mail in ballot applications
- It was up to the county to review each new application and make a judgement call about whether to send a second mail in ballot
- There was no accounting of the excess mailed ballots.

Source: <https://www.post-gazette.com/news/politics-state/2020/10/16/pennsylvania-rejected-mail-ballot-applications-duplicates-voters/stories/202010160153>

“Overall, one out of every five requests for mail ballots is being rejected in Pennsylvania. An estimated 208,000 Pennsylvania voters sent in the spurned requests, some submitting them multiple times. Although the state’s email rejecting the requests describes them as duplicates, it doesn’t explain why, prompting some people to reapply. ProPublica and The Inquirer identified hundreds of voters who submitted three or more duplicate applications; one voter appears to have submitted 11 duplicates.”

DUPLICATE APPLICATIONS

10/16/20 Source: Department of State		
County	Total MIB Requests Approved	Duplicate Requests Rejected
ADAMS	9,675	2,001
ALLEGHENY	190,557	49,025
ARMSTRONG	3,996	1,347
BEAVER	16,893	5,362
BEDFORD	2,906	384
BERKS	42,084	7,544
BLAIR	9,578	2,993
BRADFORD	3,948	500
BUCKS	104,236	21,607
BUTLER	16,718	4,468
CAMBRIA	8,865	1,222
CAMERON	310	98
CARBON	5,670	1,011
CENTRE	17,952	3,483
CHESTER	88,238	24,433
CLARION	2,265	354
CLEARFIELD	4,874	897
CLINTON	2,227	332
COLUMBIA	5,264	693
CRAWFORD	6,584	782
CUMBERLAND	31,206	5,703
DAUPHIN	32,778	7,247
DELAWARE	71,523	15,779

ELK	2,075	472
ERIE	28,685	4,163
FAYETTE	7,595	1,680
FOREST	747	41
FRANKLIN	11,180	1,643
GUILFORD	904	138
GREENE	2,318	317
HUNTINGDON	1,694	205
INDIANA	8,679	—
JEFFERSON	7,664	349
JUNIATA	1,116	281
LAKEWATNA	24,748	7,994
LANCASTER	53,745	8,664
LANCASTER	7,379	13
LEBANON	13,483	2,005
LEHIGH	46,191	9,229
LEHIGH	28,977	11,234
LYCOMING	7,422	38
MCKEAN	918	433
MERCER	2,668	320
MIFFLIN	21,453	3,641
MONROE	136,758	32,457
MONTCOMERY	1,875	434
MONTCOMERY	2,292	243

MONTCOMERY	2,292	243
NORTHAMPTON	42,288	6,850
NORTHUMBERLAND	5,696	1,047
PERRY	3,304	143
PHILADELPHIA	233,594	48,727
PIKE	8,305	1,039
POTTER	862	92
SCHUYLKILL	6,813	443
SNYDER	2,523	433
SCHMICKEL	4,560	359
SULLIVAN	375	38
SUSQUEHANNA	2,833	397
TIOGA	2,361	444
UNION	3,193	506
VENANGO	3,653	747
WARREN	3,032	338
WASHINGTON	21,829	4,547
WAYNE	5,154	684
WESTMORELAND	34,100	12,517
WYOMING	2,313	306
YORK	42,677	10,191
TOTAL		336,001
		as of 10/16/2020

Department of State released data showing the number of duplicate MIB Applications that had been rejected as of 10/16/202.

DOS did not release the number of duplicates that were mailed.

The evidence presented in the attached report clearly shows that there was no review of the validity of votes and there was no reconciliation of the votes. The review of the data provided in this report, which was available to the Secretary of State, clearly illustrates that the results in PA should not have been certified.

SURE IS THE OFFICIAL VOTER RECORD IN PA

- If SURE data was correct, the election could not be certified due to the discrepancies.
- If SURE data was incorrect, the election could not be certified due to discrepancies.

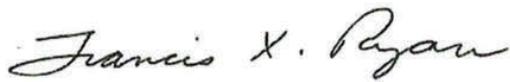
By Statute, the SURE System is the official voter record in Pennsylvania. This record includes the date last voted. Total voters who voted in the General Election on 11/3/2020 was **6,760,230**. Secretary of State Boockvar certified **6,915,283** Votes for just the three major candidates. That alone is a voter **deficit of 155,053 voters**.

(This does not include write-in votes or over/under votes)

The hotline designated for PA voters to report election issues was not working in the days following the election. The web form to report election issues was not functioning in the days following the election. Data that is supposed to be available to PA voters was removed from the data.pa.gov eliminating statutory requirements for transparency making any challenge to the Secretary of State's assertions a herculean task. We welcome the opportunity to work with the Secretary of State to resolve these concerns and the lack of transparency and inherent weaknesses in the control environment.

The report includes the detailed report of Voter Deficit and a Department of State timeline prepared by officials from Butler County, PA.

In light of the above, the inconsistencies and irregularities in the election process in the Commonwealth of Pennsylvania in the 2020 General Election raise questions about whether the selection of presidential electors for the Commonwealth is in dispute.



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101st Legislative District



Daryl Metcalfe, Member
12th Legislative District



David Rowe, Member
85th Legislative District



Barbara Gleim
199th Legislative District



Mike Puskaric, Member
39th Legislative District



Cris Dush, Senator-Elect
25th Legislative District



Jim Cox, Member
129th Legislative District



Eric Nelson, Member
57th Legislative District



Kathy Rapp, Member
65th Legislative District



Rob Kauffman, Member
89th Legislative District



Russ Diamond, Member
102nd Legislative District



Brett Miller, Member
41st Legislative District



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92nd Legislative District



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