

# Election Integrity 2023

## San Joaquin County

Overview

August 10, 2023

Election Integrity means having elections that are safe, secure, honest, transparent, and accurately reflect the will of the electorate.

One honest voter = one honest vote

# Election Integrity is NOT a Partisan Issue

In order for us to have essential trust in our system of government, everyone needs to know that our elections are fair, honest, and accurate.

If we cannot trust our elections, we cannot trust our government. Lack of trust leads to discord, division, and a breakdown of civil order.

# My Background

- Scientist – over 50 years in industry
- 10 years medical device development
- 10 years secure communications technology development
- 12 years developing secure systems for detecting drugs, explosives, weapons, and contraband
- Hold a fundamental patent in secure wireless communications
  
- Working with a dedicated volunteer group of San Joaquin citizens to identify election integrity issues, gather solid evidence suitable for legal action, and generally promote safe, secure, and accurate elections in San Joaquin and across the state of California. We are entirely self funded.

# Questions to be answered

**How secure and accurate are San Joaquin elections?**

**Do our elections faithfully reflect the will of the voters or are they tainted by fraud, manipulation, or other factors?**

**Do we have the necessary protections in place to ensure fair and honest elections?**

**What is election fraud and how does it affect our elections?**

**What can be done to improve integrity?**

# What is election fraud?

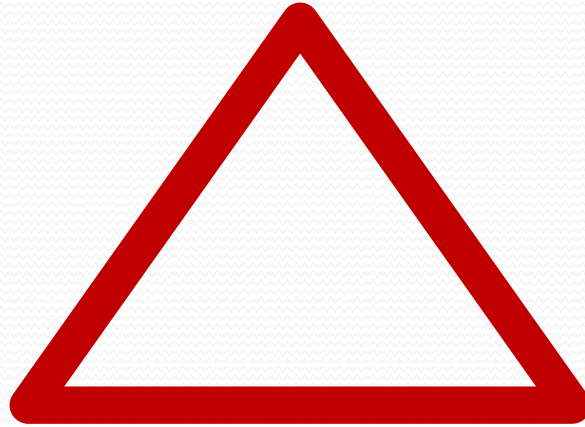
- **The intentional introduction of illegitimate ballots, the destruction of legitimate ballots, and manipulation of ballot counts to obtain a desired outcome that is contrary to the will of the voters.**
- To understand if fraud is present in San Joaquin elections we will need to look more closely at how fraud is committed and what mechanisms are used.

# Two basic types of election fraud

- **Traditional**: cemetery voting, double voting, etc. – small scale, unlikely to affect an outcome – **retail fraud**.
- **Systematic**: exploits multiple parts of the election system, including voter rolls, absentee voting, ballot delivery system, counting methods and systems, and other components to alter the outcome of an election in ways that are often **subtle, difficult to detect, and frequently hard to prove, but very effective at changing the outcome of an election** - fully capable of altering the outcome of even national scale elections – **wholesale fraud**

# The Election Fraud Triad

**Dirty voter rolls**



**Ballot drop  
boxes**

**Universal  
Vote by Mail**

We will be looking at each of these in turn to see how they can affect our elections and to what extent they might apply in San Joaquin



# Voter Rolls – a first step in fraud

- Contain the information used to determine who gets ballots, who has voted, and lots of personal data
- Easy to create fictional voters, change existing voter entries, add non-citizen and other illegal voters.
- Providing false information is a crime, but is almost never prosecuted.
- Very difficult to remove bad entries in the rolls
- Provide comprehensive information that supports a variety of election fraud methods, especially combined with absentee voting / universal vote by mail.
- Was a minor concern when we used traditional methods of in-person voting and hand counting.

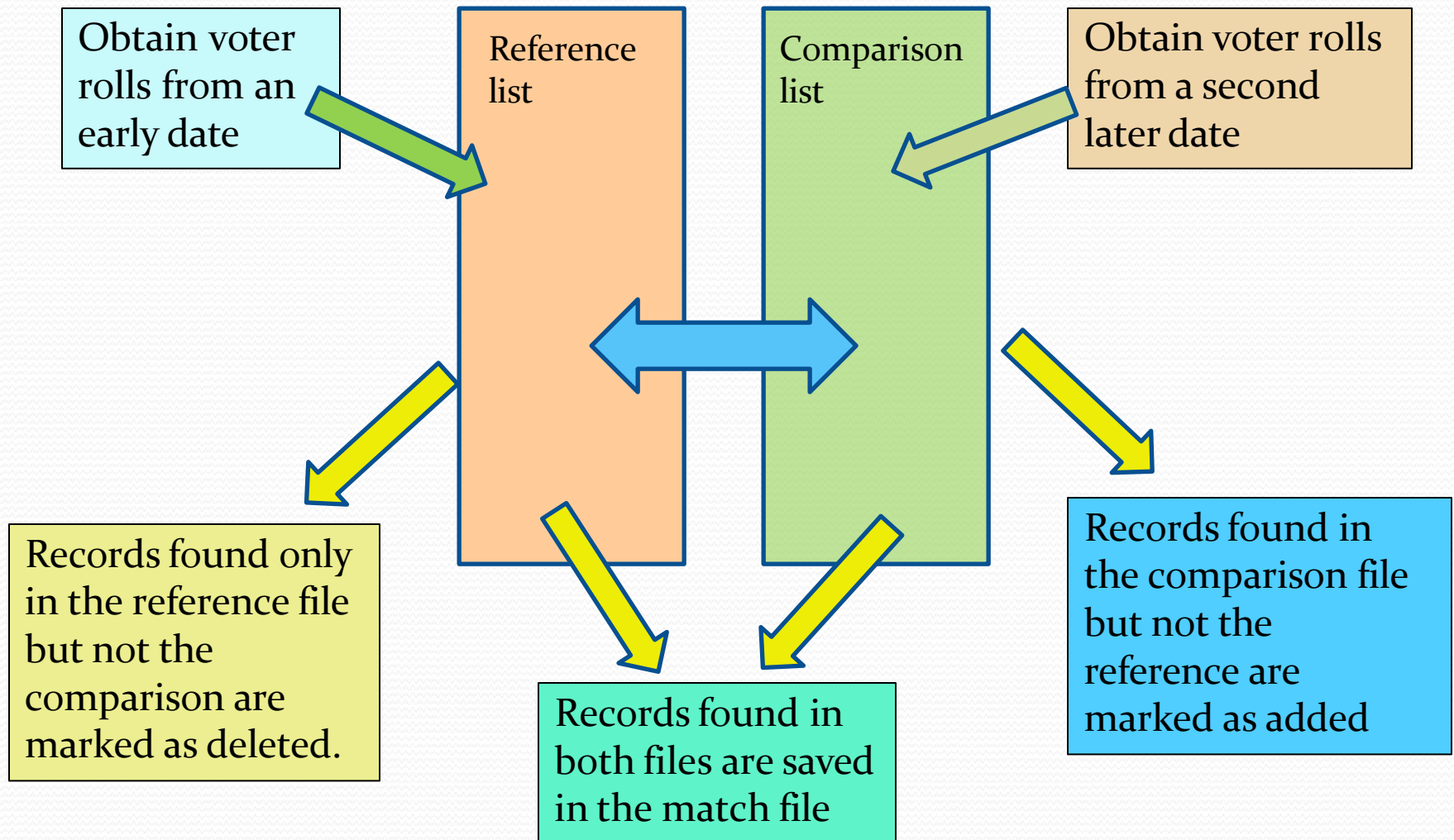
# Investigating voter rolls

- At least four different voter rolls are used in San Joaquin:
  - **Active voters** – current registrations used to determine who gets mailed a ballot, who has voted, to validate an absentee/vote-by-mail ballot and to verify signatures.
  - **Inactive voters** – registration data for voters who have been removed from the active rolls for lack of voting history, certain moves, lack of other information, etc.
  - **Cancelled voters** – registration data for deceased voters, out of county moves, other permanent disqualifying conditions.
  - **Provisional/pending voters** – underage pre-registrations, missing data pending, other conditions.

# Voter rolls change with time

- New voters are added, voters move, die, get married, change names, and even vote occasionally.
- We have been collecting “snapshots” of voter rolls for nearly a year to look at how the rolls change and to look for voting patterns, suspicious activity, improper entries, and other indications of potential fraud
- One of our most powerful tools is the ability to compare different snapshots to see what has changed.

# How we analyze the voter rolls



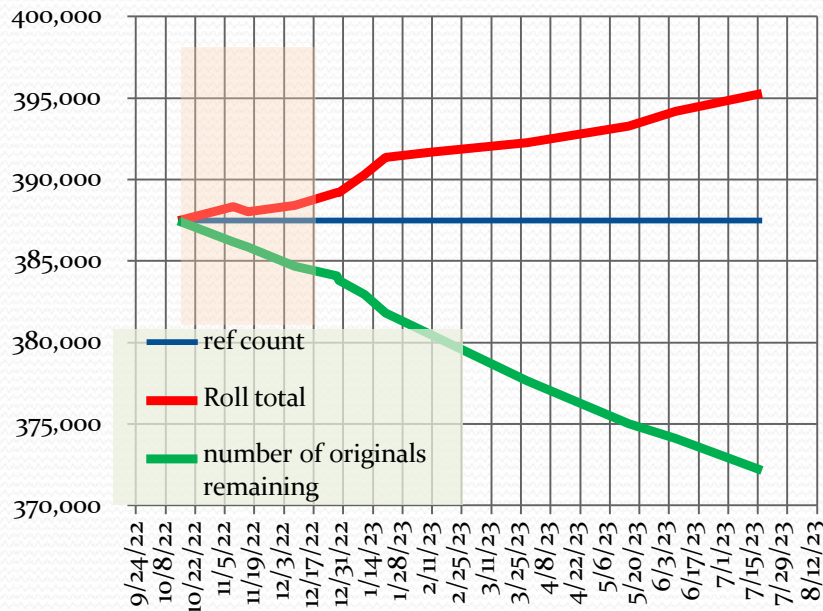
# Early findings

- **Churn** – unexplained activity in the voter rolls with voters being added and removed in large numbers in short, even daily, timeframes.
  - The net change in the voter roll size was small over time.
  - The numbers added and removed were often in thousands per month.
  - Detailed examination showed that less than half of the entries removed could be explained by the four legal methods for removing a registration entry.
  - Entries removed at one time would sometimes be added back in a later snapshot.

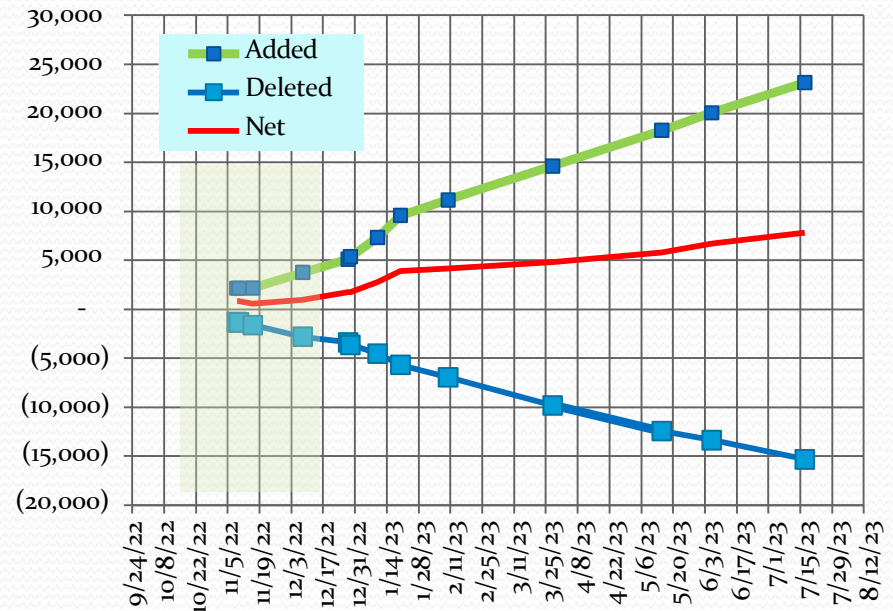
# What churn looks like

- The graphs below show two different views of churn observed in the San Joaquin voter rolls in the last several months.
- The charts are based on official data obtained from the San Joaquin Registrar of Voters office.

### Voter roll growth and disappearing voters



### Additions, deletions and net change



# Churn by the numbers

date	Roll total	cumulative values				Net	Churn
		diff	Originals	Added	Deleted		
10/14/22	387,474		<b>387,474</b>				
11/9/22	388,311	837	386,157	2,154	(1,317)	837	3,471
11/10/22	388,281	807	386,128	2,153	(1,346)	807	3,499
11/16/22	388,026	552	385,856	2,170	(1,618)	552	3,788
12/8/22	388,416	942	384,663	3,753	(2,811)	942	6,564
12/28/22	389,200	1,726	384,091	5,109	(3,383)	1,726	8,492
12/29/22	389,191	1,717	383,825	5,366	(3,649)	1,717	9,015
1/10/23	390,279	2,805	382,950	7,329	(4,524)	2,805	11,853
1/20/23	391,367	3,893	381,794	9,573	(5,680)	3,893	15,253
2/10/23	391,663	4,189	380,514	11,149	(6,960)	4,189	18,109
3/28/23	392,261	4,787	377,650	14,611	(9,824)	4,787	24,435
5/15/23	393,291	5,817	375,026	18,265	(12,448)	5,817	30,713
6/6/2023	394,158	6,684	374,108	20,050	(13,366)	6,684	33,416
7/17/2023	395,276	7,802	372,139	23,137	(15,335)	7,802	38,472

In just nine months, ten percent of the active voter registrations have been churned – where did they all go? Where did they come from? Why is it happening at all?

# Other voter roll information

- **Improper voter addresses** – some of our information was used to support the recent Lodi Councilman investigations
- **Dead voters** – the active rolls contain a large number of deceased voters.
  - We estimate there are as many as **10,000 deceased voters** out of about 390,000 voters in the active rolls.
  - Several of these have voted in recent elections after they died. Until recently, **there was at least one voter in the active rolls who died in 2016 and had voted at least twice since then.**
- **Reserve voters** – registrations of fictional voters, voters who haven't voted in over eight years, voters who have moved out of the county, and many others. **We found over 60,000 of these in the rolls prior to the 2022 election.**



# San Joaquin voter rolls are dirty

- Last March, there were **392,261** active voters listed in the rolls. In April, **2,296** dead voters and voters who had moved were removed from the active rolls. In May, there were **393,291** voters remaining in the rolls.
- Prior to the 2022 election, there were **nearly 60,000 “reserves” in the rolls**. Most of them are still there. Roughly **10,000 voted in the 2022 election**, for the first time in nearly ten years.
- In the last 8 months, **over 38,000 entries were added or removed from the rolls**. That is almost **10%** of the total. Less than half are for legitimate reasons.
- At least 10% of the voter roll entries are invalid, and more likely 25-30%

# Universal Vote by Mail (VbM)

- Mandated as a response to the Covid pandemic of 2020 by passage of AB37, which also mandated drop boxes and other fraud supporting modifications to our election systems. VbM is also known as absentee voting.

## **Carter-Baker Commission '05**

**“Absentee ballots remain the largest source of potential voter fraud.”**

<https://www.bakerinstitute.org/event/carter-baker-commission-16-years-later-voting-mail>

# Universal Vote by Mail (VbM)

**There is no way to know if the ballot enclosed in a return envelope was prepared by the voter whose name is on the envelope.**

**The chain of custody for a ballot is broken from the time the certified voter list is sent to the printer until the time a ballot envelope is received by the Registrar of Voters.**

# Universal Vote By Mail – the meat and potatoes of fraud

- **No way to tell if the contents of a ballot envelope actually reflect the choices of the person whose name is on the outside.**
- Now required by California Law – AB37
- **Every country in Europe has tried VbM and rejected it.**
- Ballot chain of custody does not exist with VbM
- Very easy to introduce massive numbers of fraudulent ballots that are almost guaranteed to be counted.
- **Very low risk of detection**



# Why?

**Over 1,700 VbM ballots  
received in 2022 with no  
signature, or wrong signature**

# Where did all the ballots go?

Over 387,000 ballots mailed out in 2022

160,000 VbM ballots returned

**227,000 ballots unaccounted**

where did they go?

Trash, dumpsters, sold to ballot traffickers, used to replace legitimate ballots

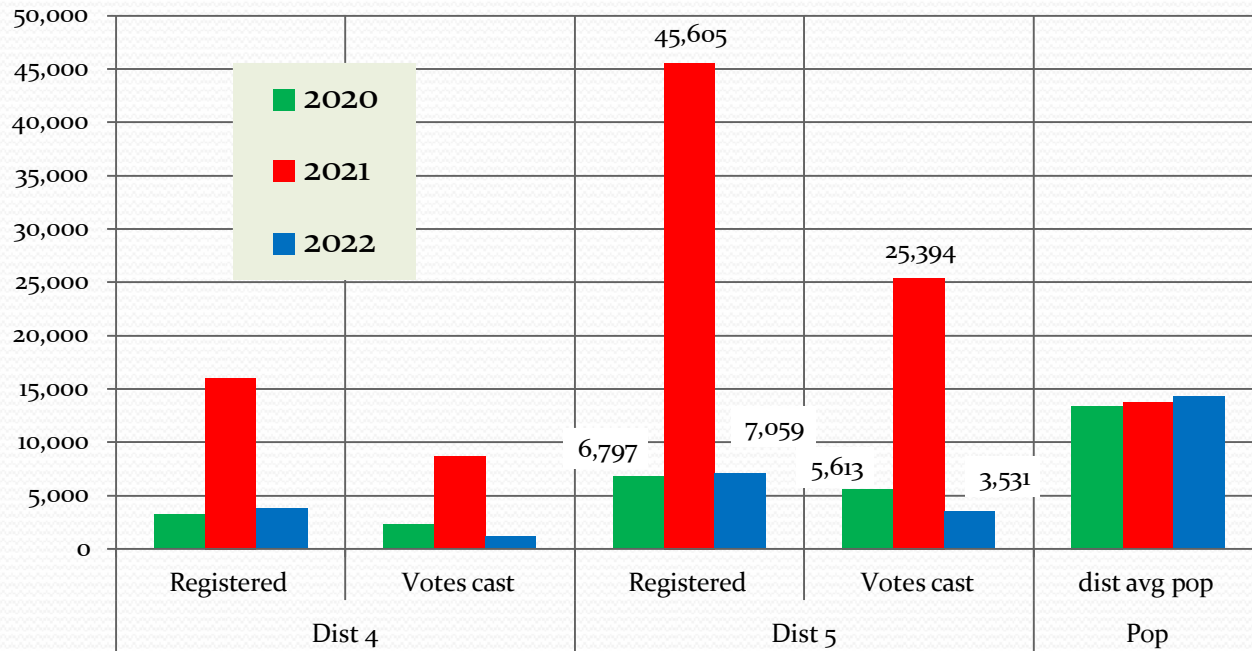
- California Secretary of State claims Vote by Mail is safe, secure, and better than in-person voting
- **Ballot harvesting is legal in CA** – allows strangers to collect ballots from voters under the assumption that they will deposit them in the mail or a drop box. **It is also an easy way to collect signed envelopes for other uses.**

# VbM Facilitates Fraud

- Two examples – **Don't try this at home!**
  - Ballot redirection – **used in San Joaquin**
  - Ballot replacement – **supported by harvesting**
- Makes voter intimidation easy – **used in San Joaquin**
- Promotes ballot trafficking – **observed in San Joaquin**
- Almost no effective barriers – **100% of known fraudulent ballots were counted in recent election**
- Combined with dirty voter rolls can generate large numbers of illegitimate votes indistinguishable from legitimate ones.

# VbM + Dirty voter rolls: calling up the reserves

## Lodi Voter Registrations and Votes Cast



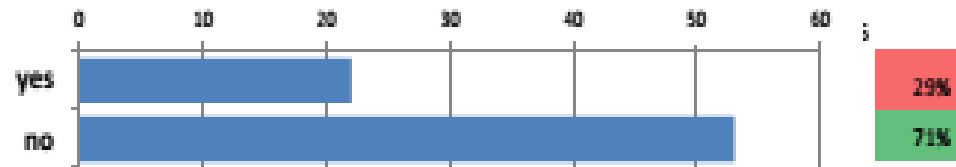
**Data sources: Certified election history data from the San Joaquin Registrar of Voters website – detailed election data.**



# Vote by Mail is not popular

- We recently conducted a survey of nearly 200 San Joaquin voters of all ages and political preferences.
- **Over twice as many people prefer to vote in person.**

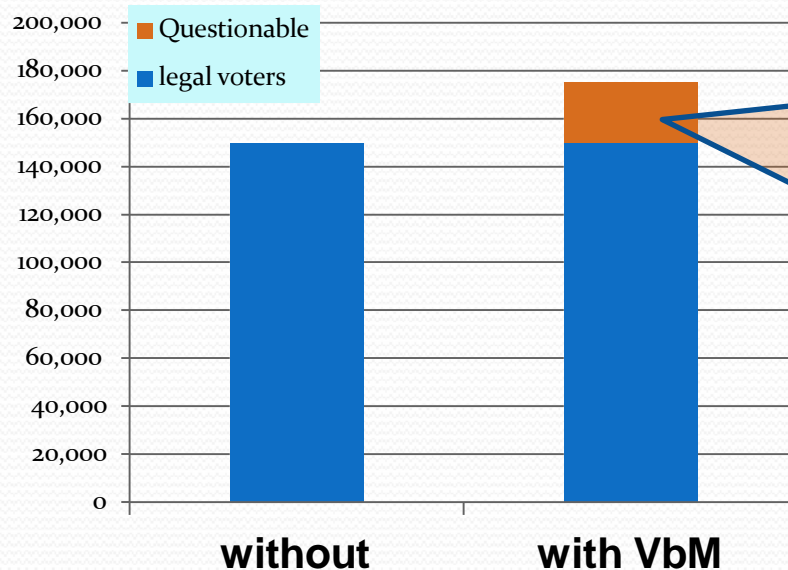
Do you prefer to vote by mail?



- People feel more confident that their vote will be counted if they vote in person.
- People feel that they have actually performed their civic duty when they vote in person.
- Many people are aware of the fraud potential of VbM and do not trust it.

# How VbM can increase voter turnout

- Vote by Mail can appear to increase voter turnout, but the increase is assumed to be due to more legal voters – an untested assumption.
- With in-person voting, reserves, dead voters, and other illegitimate voters seldom show up to cast ballots.
- VbM makes it easy for illegal ballots to be cast and counted.
- **VbM is very popular among those who want to commit election fraud**



Is the increase due to more legal voters casting ballots,  
**OR**  
to reserve votes, dead votes,  
and other improper voting  
facilitated by VbM?

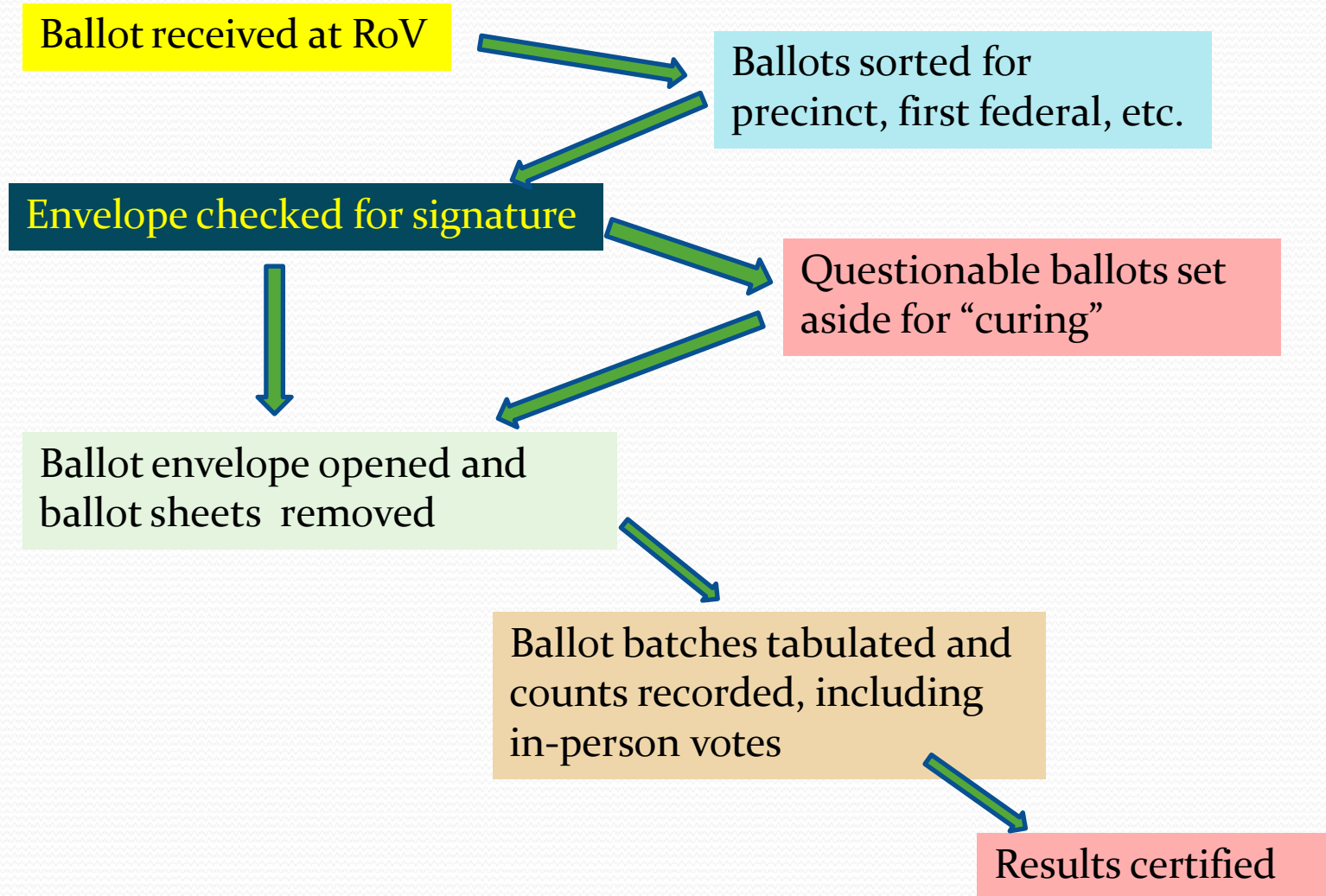
Are there checks that prevent  
fraudulent VbM ballots from being  
counted?

**Almost none.**

Once a fraudulent VbM ballot is delivered to the Registrar of Voters, or deposited in a drop box, it is almost certain to be included in the official counts.

Submitting a fraudulent ballot is a serious crime, but it is difficult to detect and almost never prosecuted.

# Processing of received VbM ballots



# Signature checking is no barrier to fraud

- Signature checking, which is supposed to detect and eliminate improper ballots, **has been reduced to simply checking if a signature is present on the envelope.**
- California law EC 20960(b)(et. seq.) requires that any signature present must be **assumed valid** unless three inspectors agree that it does not match the official sample for that voter.
- Even ballots lacking signatures on the return envelopes can be “cured” **by a phone call or email to the contact provided in the registration record.**
- **These vulnerabilities have been exploited in San Joaquin to have fraudulent ballots passed through for counting and certification.**

## Signature checking is no barrier to fraud

- In a Public Records Request, our Registrar of Voters has acknowledged:
  - they have no idea how effective signature checking might be,
  - they don't know of any studies on the effectiveness of signature checking,
  - they have no idea how much fraud there might be in an election.
- These vulnerabilities have been exploited in San Joaquin to have fraudulent ballots passed through for counting and certification. - **100% of known fraudulent ballots passed signature checking.**

# How ballots are “cured”

- California law allows VbM ballots that have missing signatures or other defects to be “cured” so that they can be counted as legal votes.
- In order to cure a ballot, the voter named on the envelope is contacted **using the phone, email, or physical address provided in the voter rolls.**
- If the contacted voter approves the ballot, it is forwarded for further processing including counting.

# Drop Boxes – the last leg

- Drop boxes facilitate introduction of large numbers of fraudulent ballots that are almost guaranteed to be counted.
- Video monitoring can only show someone inserted ballots in a drop box – they don't show which ballots, and often the person cannot be identified.
- Most fraud happens **before** a ballot is inserted in the drop box. The box only provides an easy way to deliver the ballots to counting.



# Drop boxes and ballot harvesting work together

Is this person a good citizen helping friends and neighbors vote, delivering harvested ballots?

OR

are they a ballot “mule” delivering fraudulent ballots to be counted?

Can you tell?



# US Post office vs. ballot drop boxes

- A voter has a choice of putting a VbM ballot in a post office box or of using a county provided drop box.
- There is one great advantage for using drop boxes over the US postal system:
  - Putting a fraudulent ballot in a post office box is a serious **Federal crime** that has reasonable probability of being investigated.
  - There appears to be no law against putting a fraudulent ballot in a drop box and there is little chance of investigation, so using a drop box is much lower risk.

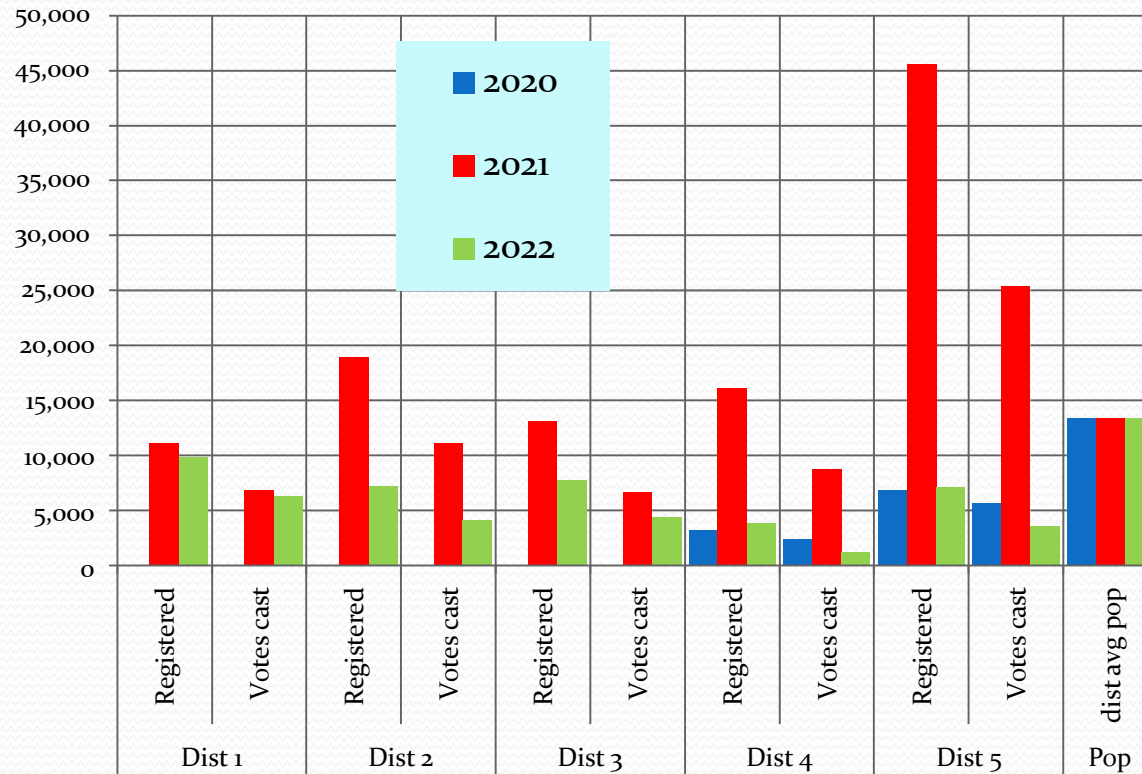
# How can we detect and prove fraud?

- We are fortunate in that the recent case of election fraud in Lodi has provided hard data to estimate the extent of fraud in recent elections.
  - We know the minimum fraud that was needed to “win” in at least one election, and have ballot envelopes from an official investigation;
  - We know how voter rolls, VbM and drop boxes were systematically exploited to inject fraudulent voters and ballots into the system;
  - We know at least one identifying pattern to recognize likely fraud;
  - We know that current checks, including signature verification, are useless in detecting fraud;
  - We know that canvassing of suspect ballots is an effective way to detect and measure the amount of fraud present;
  - We know many of the elements that contribute to make fraud easy, so we know what problems must be addressed.
- We are also fortunate in having the example of the 2021 recall election as a clear indication of problems and confirmation of methods employed.

# How do we know?

- How much fraud is there, and how do we know?
- VbM fraud, unlike traditional fraud, is difficult to measure and easy to hide. Fortunately, we are starting to develop methods to detect and measure VbM fraud.
- The recent election integrity prosecution has provided hard data on systemic VbM fraud.
  - **A minimum of 15% of the VbM ballots in one race appear to have been fraudulent. The actual amount could be 25% or more.**
  - Fraud fingerprint data shows that at least some of the 2022 races had similar rates.

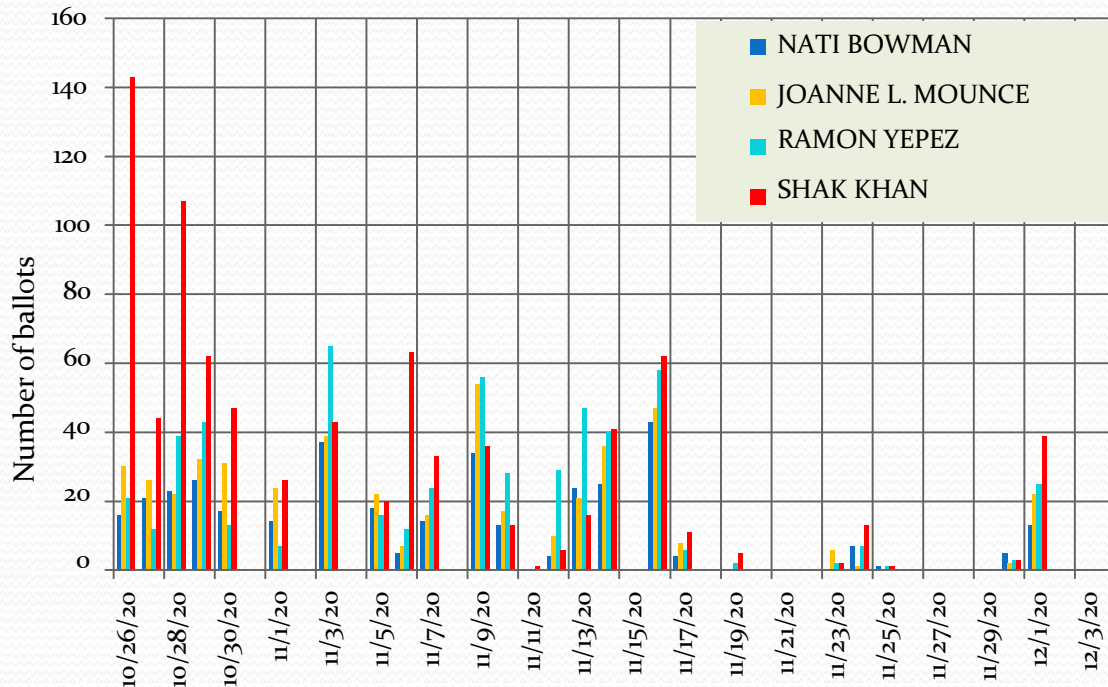
# VbM + Dirty voter rolls: calling up the reserves



**Data sources: Certified election history data from the San Joaquin Registrar of Voters website - detailed election data.**

# Khan's election CVR records – a fingerprint of fraud

- We were also able to obtain the counts and time history of ballot processing from the cast vote records for that election.
- The chart shows that Khan's race was decided by VbM ballots received in the first five days of counting prior to election day.
- This pattern is typical for VbM fraud, although it is attributed to a propensity for one group of voters to vote by mail. **Reserves also turn out early.**



# Almost impossible to prosecute

- Because of the anonymity of VbM, of drop box delivery, and the ability to hide online access points for the voter registry, **it is nearly impossible to identify those who would conduct systematic election fraud.**
- As a result, even though the activities are illegal, the difficulty in identifying perpetrators, as well as collecting actual evidence **make election fraud a very low risk activity, with potentially very high payoff.**
- Most forms of election fraud are felonies, but if a felony conviction were a real deterrent, our prisons would be empty.

# Many ways elections can be attacked

- In addition to the fraud triad elements, there are other ways elections can be manipulated. **We have focused on gathering hard data demonstrating misuse of election systems** to obtain specific results contrary to the will of the voters.
- Machine involvement has been speculated and demonstrated at multiple locations nationwide, including the **recent demonstration of ballot tabulator malfunctions** in Arizona. Due to lack of transparency as well as the difficulty of demonstrating machine misbehavior to non-technical observers, we have refrained from discussing machine issues.
- One particular machine – the **electronic poll pad**– is worth mentioning, however, since it is internet connected and represents a particular point of vulnerability in our electronic election systems.



## Election system hardware and software – election machines

- Traditional hand counting of ballots has been the mainstay of our elections for over 250 years
- Hand counting is reliable, trusted, transparent, quick, cannot be hacked, has low error rates, is easy to audit, easy to recount, and results are well accepted by citizens.
- The California Secretary of State has modified regulations to make hand counting so difficult, onerous, expensive, and subject to her control as to make it almost a requirement to use machine processing of ballots.
- A companion law, AB 969 to amend Section 15270, awaits passage.
- **Machines are not transparent, are difficult to audit, expensive, not trusted, vulnerable to hacking, subject to mechanical, electronic, and other non-human errors, and contribute to public conflict over election results.**

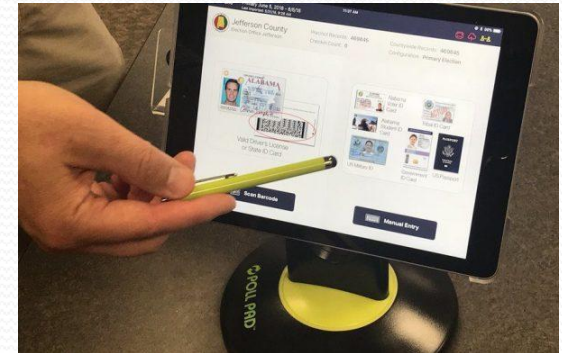
# Software, hardware, and the Internet

- The California Election code states that **NO** election equipment shall be connected to the Internet (Section 19205)
- The California Election code also states that **IF** election equipment is connected to the internet, it must use secure connections. [Section 20154(p)(4)]
  - **Isn't that a bit contradictory?**
- Nearly all of our election systems from poll pads to voter databases, to ballot counting systems are deeply connected to the Internet, either directly or through connected networks.
- **Almost every government computer system has been hacked, including our most secure ones.**

**Why should we believe that our election systems are invulnerable?**

# What can electronic poll pads do?

- According to the User Handbook for the KNOWiNK poll pads published on the SoS website, the poll pads can be used for:
  - checking if a voter has already voted
  - updating the voter history to indicate they have voted
  - checking if a voter is out of the assigned precinct
  - locating a correct voter precinct
  - downloading voter files
  - uploading voter files
  - changing voter registration information
  - cancelling a previously recorded vote to allow a new vote
  - sending an email to a voter
  - conducting an online help session with the manufacturer
- Poll pads **connect to the internet** using the facilities at the polling locations. Most of these are in schools, churches, and public buildings, so they **do not have secure wireless connectivity nor do they have dedicated wireless access points separate from public access and use.**



# Poll books are one of the most vulnerable parts of our election systems

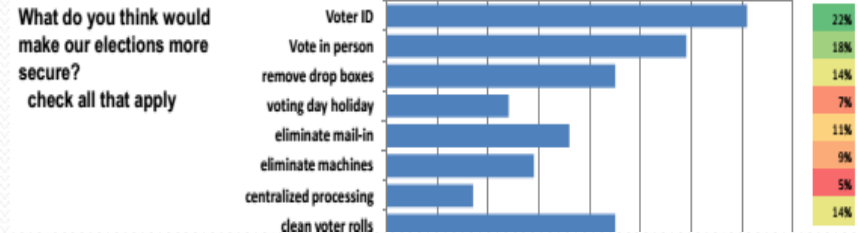
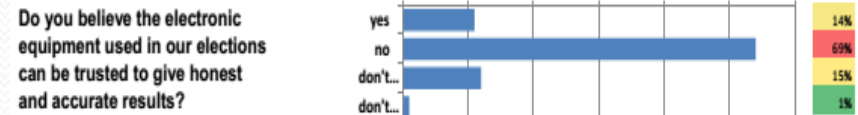
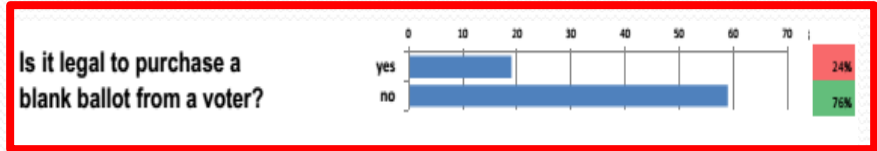
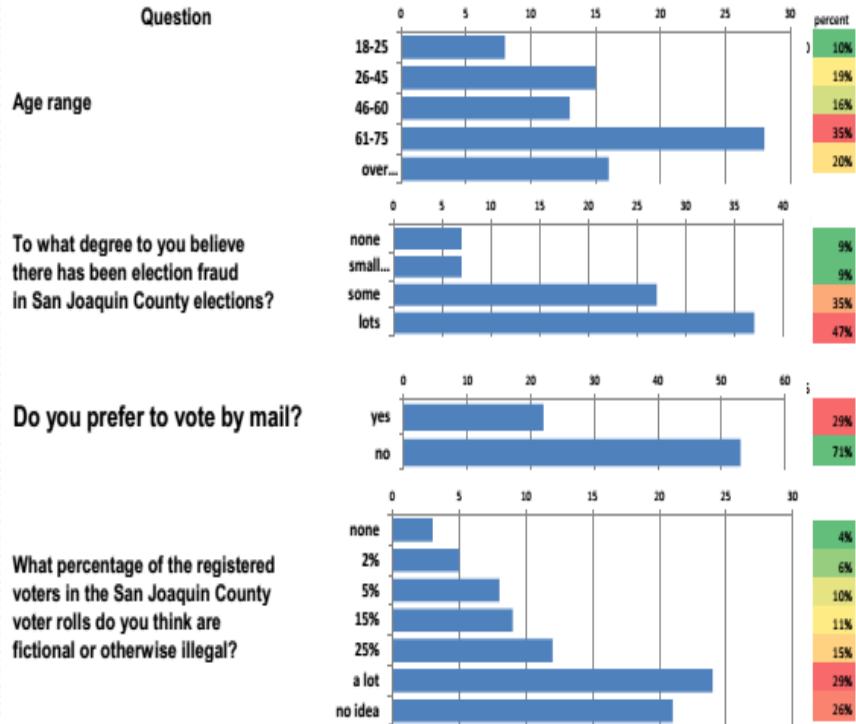
- There are **large numbers of electronic poll pads** distributed throughout the county during an election.
- **Virtual Private Network (VPN) connections are not secure.** VPNs only provide casual security. **A simple Google search turned up over a dozen ways to hack VPNs.**
- **Poll pads can be “impersonated”** giving a rogue computer access to the entire election network to obtain data, alter vote and voter records, inject malware, and otherwise corrupt our election systems.
- Even the most secure national defense and 3 letter agency websites have been hacked, and their security is far better than can be implemented in our election systems.
- **There are many actors worldwide** with the knowledge, dedicated resources and malign intent, both domestic and foreign who see advantage in corrupting our election systems.

**Why should we think that our election infrastructure cannot be compromised?**

# What do voters want?

- Overwhelmingly, we want **elections we can trust**
- We want elections where if there are questions about results, those questions can be resolved through clear and **transparent audits** of the entire process.
- We want elections where it is **safe to vote and hard to cheat.**
- We want election officials to stop telling us our elections are safe and secure when they are obviously not.

# Non-Partisan survey results of San Joaquin voters



While the survey was a small preliminary one, it did capture a broad range of ages. It shows high concern for election fraud, a preference for in-person voting, and the perception of high levels of fraud in our elections.

A surprising number of respondents believed it is legal to purchase blank ballots – it is not! The survey showed little faith in the ability of our elections to produce fair and accurate results. It further showed the unpopularity of centralization of elections – something with great significance for the Voter’s Choice Act.

## Improvements possible at the local level

- Easy actions:
  - **Reject the Voter's Choice Act**
  - Promote voter education, especially regarding ballot security – direct RoV to promote in-person voting on election day.
  - **Prepare Supervisor resolutions to:**
    - Request the SoS and legislature to reject the ERIC system
    - Request the SoS and legislature to fix voter registration system
    - Request the SoS to improve voter roll maintenance
    - Request legislature to repeal AB37
  - Advertise and emphasize sheriff hotline for reporting election issues, including multiple voting, reports of prior voting when voters tries to vote in person, stray ballots, etc.

## Many improvements possible at the local level

- Require Registrar of Voters to follow the law
  - **Timestamp all VbM ballots** that do not have postmarks
  - **Eliminate internet connections for poll pads** (this is actually fairly easy to do and will have minor effect on operations)
- Bring RoV back under Board of Supervisors supervision
- Cancel third party voter roll maintenance contracts and **bring voter rolls back under local RoV control**
- Commission a signature verification study with a local college.



## Many other improvements possible at the local level

- **Set up audit teams** (citizen volunteers?) before each election to conduct real audits of election processes and results
- Create volunteer teams for “**Canvass to Cure**”
- Require RoV to **set aside no-signature VbM ballots** for in-person canvassing – no phone or email. (not prohibited in election code)
- **Eliminate drop box locations** when a Post Office box is nearby
- Use **BOTH** simple hand counting and machine counting and compare results.

## Many other improvements possible at the state and local level

- Hardest:
  - Eliminate VbM except by specific request, and track ballots
  - Establish **EFFECTIVE** signature verification procedures to actually detect fraudulent ballots.
  - Follow the Shasta example and **reject electronic tabulators** and other related electronic election management components.
  - Ban **ALL** internet connections for voting equipment, including not only poll books, but also online access to voter rolls **during entire election period**, as well as access to election results prior to election day

# End of Presentation

# Supplemental information on election fraud in San Joaquin, other California locations, and across the US.

**Texas Democrats Paid Homeless Man to Falsify Ballots | Police Body Camera Footage Charles Jackson**

<https://www.youtube.com/watch?v=J4s6QhNsQno>

**Homeless Whistleblower Exposes Apparent Voting Irregularities '21**

Despite never receiving ballots, their votes were cast & counted

<https://www.youtube.com/watch?v=PqzfsuhTvII>

**Stebbins v. White '87**

Stockton Mayoral Race. Removed from office for voter intimidation (absentee voting)

<https://caselaw.findlaw.com/court/ca-court-of-appeal/1845113.html>

**Us V. Taylor '20**

Wife of Woodbury Co. Iowa Board of Supervisor indicted on 52 counts of mail-in voter fraud

<https://siouxlandnews.com/news/local/wife-of-woodbury-co-board-of-supervisor-vice-chair-charged-with-voter-fraud>

**People v. Montenegro '20**

Attempted to pass 8,000 fraudulent registrations during City of Hawthorne Mayoral Race

<https://www.cbsnews.com/losangeles/news/voter-fraud-election-la-county-homeless/>

# Supplemental information on election fraud in San Joaquin, other California locations, and across the US.

## **Racine County Sheriff WI '21**

Sheriff investigation reveals election fraud by way of nursing homes and mail-in ballots

<https://www.fox6now.com/news/wisconsin-election-law-violations-racine-county-sheriff-reveals-findings>

## **Carter-Baker Commission '05**

“Absentee ballots remain the largest source of potential voter fraud.”

<https://www.bakerinstitute.org/event/carter-baker-commission-16-years-later-voting-mail>

## **People v Howard '20**

Four in L.A. County paid homeless people cash and cigarettes for forged signatures on ballots and voter registration forms

<https://www.the-sun.com/news/1232689/election-crooks-paid-homeless-people-signatures-ballots-los-angeles/>

**Honest Elections Project** – nonpartisan information on election issues and data

<https://www.honestelections.org/election-reform/>