

The Way I See It...Observations of WI Election Integrity from a Common Citizen

Background:

After observing the Milwaukee County recount of the 2020 Presidential race, I was inspired to seek firsthand experience regarding potential vulnerabilities to free and fair elections in Wisconsin. Over the past few years, I have assessed the process through hands-on participation and general observation of Washington County elections. The purpose of this report is not to revisit results of previous elections; nor is it to accuse individuals of any wrongdoing or election fraud. This report is intended to summarize potential vulnerabilities as identified by a common citizen, with the objective of having them addressed prior to future elections. The process was assessed for Washington County for no other reason than logistics. However, the information in this report can and should be applied to other counties throughout Wisconsin based on the similarity of voting equipment used and the standardized process guidelines provided by Wisconsin Elections Commission (WEC).

Election Process Participation Included but Not Limited To:

- *Badger Book/Election Training – Poll Worker for Trenton Township*
- *Observation of Milwaukee County 2020 Presidential Election Recount*
- *Public Test of Voting Equipment – Trenton Township*
- *Public Test of Voting equipment – City of West Bend*
- *Observation of Board of Canvassers- Washington County*
- *Participation in Washington County Audit of Senate/Governor Midterm Races*
- *Observation of Elections at West Bend Memorial Library*
- *Observation of Elections at West Bend Central Count and City of West Bend*

Conclusion:

In my opinion, the use of high tech Dominion ICE electronic tabulators represents a significant risk to election integrity. As demonstrated during the public test of equipment, these units are capable of generating completed ballots using the ADA compliant Voter Accessibility (VA) feature. The ink jet cartridge associated with the VA feature is virtually identical to the felt tip markers provided to voters, making it difficult to determine whether machine error could potentially lead to votes being cast in under-voted races (for any ballots cast). Currently, post-election audits of voting equipment may be delayed whenever the *potential* for a recount is communicated. The number of used and unused ballots prior to and immediately after elections needs to be recorded and audited, along with consumables associated with the electronic tabulators such as thermosetting tape rolls and ink jet cartridges. And finally, same day registration ballots currently contribute to election results prior to statewide database verification, which occurs post-election.

Recommendations:

Voter accessibility ink jet cartridges should differ in color from the felt tip markers issued at poll locations. Top of the ticket races (at a minimum) should be hand sorted/hand counted immediately after polls close for post-election machine verification on site at each municipality (including central count locations). This action would also help determine whether recounts will be requested. And finally, ballots cast by same day registered voters should be considered provisional until statewide registration database information is updated/compiled and verified.



Sue True
June 16, 2023

SUMMARY OF NOTES

Milwaukee Recount of 2020 Presidential Race (11/20/20 - 11/27/20 Wisconsin Center)

I decided to observe the Milwaukee County recount of the Presidential election in order to ease my concerns regarding election integrity. I was aware of reports regarding “switched” or “flipped” votes like that reported in Antrim County, Michigan, or the (Peter) Navarro Report, or the statistical impossibilities reported by Capt. Seth Keshel or Dr. Shiva Ayyadurai – to name a few. Although I had election training experience at my local municipality; I had never participated in/observed any formal recount process. My expectation was simple: ballots would be sorted into piles per candidate, (i.e., one pile “Biden”, one pile “Trump”, one pile “Other”) before being hand counted, and possibly loaded into electronic tabulators for comparison. Instead, what I saw was the total number of ballots being hand counted (not sorted), then loaded into electronic tabulators, which would determine the distribution (i.e., election results).

This method of “recounting” did not rule out machine error, especially concerns regarding weighted distribution issues. Specifically stated, “Could an electronic tabulator mistakenly assign a weighted value to each candidate?” For instance, Candidate A=0.95, Candidate B=1.05. The total number of ballots would still be 2.00, but the long-term distribution (i.e., election results) would be skewed. Only a sorted hand count of the original paper ballots cast would identify any possible discrepancy between original machine tapes and actual ballots cast.

In the end, I left the Milwaukee recount with more questions than answers. Why would so much attention be focused on sorting envelopes for “Indefinitely Confined” absentee voters, while the greatest opportunity to confirm election results with raw data (simultaneously confirming machine output) was disregarded? Considering the amount of resources/personnel associated with the event, I believe both objectives could have been accomplished in a similar time frame.

Washington County Process

I began sharing my concerns and asking questions about the equipment with my municipal (Trenton Township) clerk as well as my (Washington) county clerk. It is noteworthy to mention that numerous voters had voiced their skepticism of the electronic tabulators during subsequent elections. In other words, I wasn’t the only one with questions.

I was happy to learn about the post-election Board of Canvassers meetings, which would include randomly selected races to be hand sorted/hand counted to verify machine results (unlike the Milwaukee recount). In fact, Washington County has voluntarily performed audits of randomly drawn races as part of the Board of Canvassers practice, regardless of being selected by WEC for post-election audits (required by the state). Unfortunately, I learned that the Presidential race of 2020 was reportedly excluded from this voluntary random audit due to the potential for a statewide recount.

After observing countless Board of Canvassers meetings over the past few years, I believe they contribute very little to election integrity. With the exception of the voluntary random audits that take place, these meetings will only catch human error/typos. Most hours (sometimes extending over multiple business days) are spent comparing actual machine tape results with a spreadsheet of data produced using those same machine tape results. I have often asked the County Clerk and Board of Canvassers team members, “Why would they ever be different?”

Voluntary random audits associated with the Washington County Board of Canvassers practice could contribute to election integrity in theory. However, after observing the election process for several seasons, I believe that random audits can only safeguard elections if performed in a timely manner (i.e., immediately after polls close/on site at municipalities).

Public Test of Equipment

If there is one process that I recommend everyone observe, it is the public test of voting equipment. It was here that I first recognized the full capability of the electronic tabulator used to process my ballot. These machines (Dominion Image Cast Evolution series) are capable of generating completed ballots by literally coloring in the oval-shaped “bubbles” of candidates that are selected using an audio-assistance control pad to accommodate voters with special needs. I believe that most in-person voters would likely remember whether this feature was utilized in a Washington County election, because it would require some time for the device to be set up, and for the voter to listen to the audio instructions before choosing candidates. In short, unless there is a dedicated machine, the use of this feature would likely hold up the line of other voters trying to cast their ballots.

This ADA-compliant Voter Accessibility feature may have been designed with good intentions of accommodating voters with special needs. However, there is one aspect that I find alarming, and I would argue that voters with special needs would likely agree. This feature utilizes a dedicated ink jet cartridge, which is virtually identical to that of the black felt tip markers issued to in-person voters. Furthermore, the machine-generated oval is designed to actually appear imperfect in order to mimic human markings. What real-time safeguards are currently in place to prevent the potential exploitation of this feature? For example, if the machine erroneously filled in the under-voted races of other ballots, wouldn't the disabled voter be disenfranchised along with every other voter?

During the public test of the Voter Accessibility feature, you may observe what I refer to as “perfectly imperfect” machine generated ballots. I recommend taking the time to closely examine the perfectly imperfect ballots, because I believe that some “patterns” can still be distinguished. You may also learn that the ink jet cartridge is unrelated to the machine tape used to print election results. That paper is actually thermosetting paper which does not require an ink jet cartridge. With that said, what safeguards/documentation are in place to confirm that the ink jet cartridge “life” is monitored and that the pre- and post-election (as well as the pre/post-election machine verification) contents are consistent with usage?

Public Test of West Bend Central Count

I attended the public test of equipment for the City of West Bend on April 1, 2023. This was a larger event than my local municipality (Trenton Township) since the City of West Bend would be testing eight (8) electronic tabulators. There was one other woman observing in addition to me, who asked if we could look at the zero tape on the first machine to be tested. The reason for the inquiry was clarified by the observer who was wondering if each candidate was listed individually and set to “0” on the initial tape. It should be noted that the City Clerk was not present. I believe the individual performing the test was the Deputy Clerk. However, this individual informed the observer that she would need to fill out a Freedom of Information Request. I was quite surprised that we were not allowed to look at the zero tape at this public test of equipment.

I took the opportunity to examine the machine generated “perfectly imperfect” samples from the first machine (as did the other observer). However, I needed to attend a holiday-related personal activity and could not observe the test in its entirety. When I returned (with a family member), there were two machines left to be tested, and the other observer had left. When I asked to review the machine generated ballots, I noticed that at least one ink jet cartridge had been replaced. The alignment/test page appeared to have been printed on the back of a sample ballot and it caught my eye since I had recently observed it at another municipality. When I asked how many of the six (6) tabulators required fresh ink jet cartridges, I was told that I would need to complete a Freedom of Information Request. That seemed strange considering the answer would literally have been observed if I had stayed the entire duration. I also learned that the VA feature would not be tested on the two remaining machines since they would be used at the Central Count facility, with no in-person voting. This made sense, since there are no in-person voters at Central Count. However, I am still unclear regarding the answer to the following questions...Do the two (2) machines at West Bend Central Count have ink jet cartridges installed? If so, how often have they been replaced? If so, could it be determined whether they were dried out vs empty?

During the public test of equipment at Central Count, I noted the question was asked whether Central Count ever needed to obtain ballots from in-person locations (should absentee ballots get damaged during the opening of envelopes)? I learned that Central Count reportedly has enough of their own stock of ballots. Perhaps this is not the case for every election (see below).

General Elections Observer-West Bend Library 11/8/22 Midterms

I decided to observe several poll locations during the morning, prior to working at my municipality. Most of the morning was spent observing the West Bend Memorial Library voting process; however, I also took some time to visit/observe the nearby City of West Bend (in-person) process as well as the West Bend Central Count process (located in the same building). My main takeaway regarding the Midterms/based on all observations/election work experience was...Same day voter registration was off the charts! I was amazed by the virtually constant influx of voters needing assistance.

The most “eyebrow raising” activity that I witnessed occurred that morning at the WB Memorial Library. As an observer, I was seated next to a table where two election workers (one female, one male) were responsible for initialing/distributing ballots to voters. A woman caught my attention as she hastily approached the table and literally said, “I need a stack of twenty-five.” The male election worker then counted twenty-five ballots, handed them to this woman, and I watched her leave the room (voting for this election took place in the Children’s Storytime room).

I immediately (yet gently) asked the male election worker to clarify what I had just seen/heard. I was told that it was someone from Central Count and that it was common for Central Count workers to request ballots due to potential damaging of the ballots during the opening of the envelopes. When I asked specifically if there was a formal procedure to document the removal of ballots, he informed me that the woman had probably talked with the Election Chief. It was possible (since I had not been paying attention to the woman until the “stack of 25” comment) that something more formal had preceded the observed activity. However, the Election Chief (an 80+ year old woman) was constantly busy addressing same day voter/other registration issues throughout the morning. In fact, I had to wait patiently for her to become available in order to ask about the incident. In my opinion, she did not initially appear familiar with the incident that I was describing; however, she did confirm the reasoning that the male election worker had shared with me. She explained that whenever this occurred, they simply noted it on the inspector’s log sheet.

Washington County Audit of November 2022 Senate and Governor Races

Washington County conducted a post-election audit of the November 2022 general election nearly a month after ballots were cast. The audit took place the week of 12/5/22 and included the hand sorting/counting of 70,000+ ballots for Governor and Senate races, which had been cast 11/8/22. Rather than focusing solely on the task of sorting into piles per race in the quickest manner, I used the opportunity to more closely examine every ballot. After all, what other opportunity exists to actually see so many ballots post-election? I noted that very few ballots exhibited under-votes in any of the races. Again, this wasn't surprising-it was simply noted. I was surprised by the handful of ballots that were accepted by the tabulator, including "x" marks made with a graphite pencil, or green colored ballpoint pens. (I had always used the black felt tip marker provided at my polling location for fear of my ballot being rejected/ unreadable by the machine.)

What did catch my attention were the ballots that appeared "perfectly imperfect". In my opinion, these ballots resembled machine-generated perfectly imperfect markings that could be observed only during the testing of the voter accessibility feature. If you hadn't observed the public test of equipment and you're focused on sorting/ counting ballots in a reasonable amount of time, it would likely never catch your eye. The best description of these marks would be: perfectly symmetric unfilled slivers along both sides of the oval-yet perfectly within the top/bottom lines, with a much lighter/ unfilled dot at the center. The unfilled center dot looked virtually identical for all races on the ballot. I felt confident enough on day two of reviewing ballots, that I gently shared an example with several individuals at my table (including an Election Chief from Richfield, and an election worker from Kewaskum). I simply asked something along the lines of, "Isn't this wild? How does a person fill out every race on the ballot to look like this?"

Perhaps the Voter Accessibility feature was utilized by a substantial number of voters for the midterm elections. Perhaps these unique ballot markings were produced by artistic individuals at the polls. Either way, there needs to be a transparent way of safeguarding this high-tech capability from potential malfunction.

A handwritten signature in blue ink that reads "Sue True" followed by the date "6/16/23".

Sue True
West Bend, WI
June 16, 2023

Why all of this matters...*If I Were a Bad Guy...*

Foreword:

If I Were a Bad Guy is provided in order to engage the reader by oversimplifying the topic of election integrity in a fictitious way. Potential vulnerabilities that I have observed firsthand are compiled into a “perfect storm” of activity that illustrates how “easy” I imagine it could be to exploit those vulnerabilities. *If I Were a Bad Guy* is fictitious and does not represent firsthand observations of, or participation in any wrongdoing.

If I Were a Bad Guy...

First, I’d go for the low hanging fruit. What would prevent me from programming a high-tech electronic tabulator with simple “IF race is under-voted THEN fill in CANDIDATE A” type code? Perhaps it could be buried within many levels of computer code...it wouldn’t require internet access and I’d make certain that the rule would not apply during any public testing period. (Maybe it’d be applied after a certain number of ballots cast until polls close.)

Next, I’d insert more complicated internal computer code to produce a weighted distribution (again, set up to occur outside the period of public testing). Maybe something like, when a ballot is inserted, Candidate “A”=0.95, Candidate “B”=1.05. A total of 2.00 ballots cast is accounted for on election night; however, the election results (i.e., total distribution) would be skewed in favor of my selected candidate.

If I were a bad guy, I’d prefer any skewed results to approximate a 49/51 type distribution in order to communicate that a potential recount may occur. But not *too* close, since I don’t really wanna bring too much attention to a recount. I just wanna delay potential post-election machine verifications as much as possible. Because keep in mind...as a bad guy...time is of the essence. Rather than store the ballots during any postponement period, I’d more than likely print fresh ballots using the Voter Accessibility feature to match a predetermined machine output. *Voila!* I’m prepared for any future hand counts since my ballots now match my distribution.

Now don’t forget voter registration...If I were a bad guy, let’s pretend I’m a college student that grew up with mom and dad in Happyville. I am likely registered to vote in Happyville. But when I’m living near my college/university in Smiletown, what would prevent me from using my proof of Smiletown residency for same day registration, while still voting (maybe absentee?) in Happyville? If I get caught post-election...At least the election results, technically, have come and gone...and my selected candidate won!

 Sue 2 6/16/23

Sue True
June 16, 2023