

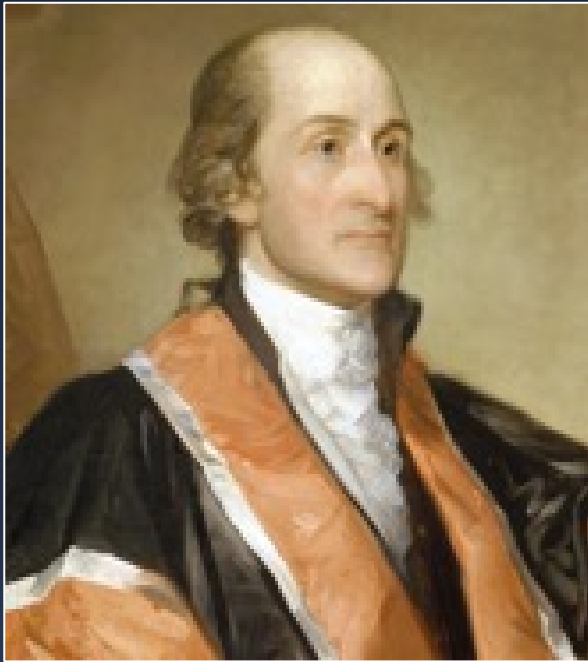
STRENGTHENING CONFIDENCE IN OUR ELECTIONS

INTERIM JUDICIARY COMMITTEE

OCTOBER 20, 2021

The Right to Choose Our “Rulers”

John Jay



- “Providence has given to our people the choice of their rulers....”

My Constitutional Duty

Why does Utah care? Trump won!

- My #1 job is to protect the rights of the people
- Our #1 right is to a free and fair election
- If that right is not secure, the protection of every other right is in jeopardy!
- If we do an audit and we're clean, I've done my job
- If we do an audit and we're not clean, I've done my job

How do We Secure Our #1 Right?

- ① Independently audit the results
- ② Reform election policy

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Public Demand for Election Audits

- “55% of likely U.S. voters support forensic audits of election results to ensure there was no voter fraud” (including 38% of Democrats)¹
- 53% of Utah voters believe “vote-by-mail increases fraud”²
- There were _____ people here today

Auditing enables elected officials to maintain the consent of the governed

¹Rasmussen poll (6/23/21); ²Big Data Poll (August 2021)

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Was There Fraud?

- It's an audit that determines that. However:
 - Seth Keshel (Biden received 1.6 – 2.6X Obama)
 - Dr. Frank (R value is over 0.99 in all by three counties)
 - Draza Smith (“there’s absolute machine control”)
 - Voter turnout 90% in all five major counties
 - Cindy Butler (significant levels of excess ballots)
 - Private flow of money to counties/municipalities
 - State election office refuses to provide legislators legally-entitled voter rolls

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It Should NOT Be a Partisan Issue

- The National Democratic Party Platform calls for “mandatory” and “meaningful” audits
 - “We must give voters the confidence that their ballot was counted as cast by supporting mandatory, statistically meaningful post-election audits and full transparency of all election results and data.”
(National Democratic Party platform - p. 56)

Recommended Audit

- Conduct an independent audit of two counties (Utah, Salt Lake)
- Prioritized activities:
 1. “Phantom” voter and voter roll analysis (including canvass)
 2. Full forensic analysis of machines and connected equipment
 3. Verification whether private funds were used to conduct election activities
 4. Signature verification
 5. Ballot examination, including “kinematic artifact detection”
 6. Ballot recount
- Conduct the audit through the Office of the Legislative Auditor General
- Estimated cost = TBD

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Reforming Utah Election Policy

- We have used mail-in ballots for a decade and counted by machine for two decades
- Utahns are concerned¹:
 - ① 53% agree “vote by mail increases fraud”
 - ② 66% agree “ballots should only be sent to those who cannot vote in person”

¹Big Data Poll (August 2021)

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Reforming Utah Election Policy

- 3 81% support “requiring ballots to be counted in the local precinct”
- 4 76% support “banning private individuals, corporations, etc. from funding ... elections in Utah?”
- 5 81% believe election “integrity” should be prioritized over voter “convenience”

A citizen initiative calling for election reform has just begun

Draft Election Reform Legislation

- Allow mail-in (absentee) ballots only for those traveling or immobilized
- Count ballots with volunteers at the precinct level
- Require photo ID when an absentee ballot is authorized or at the polling location
- Prevent private funds from paying for registration and other election activities
- Perform independent audits on an ongoing basis

Summary

- The right to a free and fair election is foundational
- Election policy is the responsibility of the legislature
- Most Utahns believe vote-by-mail increases fraud, and have other concerns regarding our election system
- Several analyses demonstrate highly concerning patterns in Utah's 2020 election results
- As elected officials, we must ensure our actions build trust, not the opposite
- An audit and election policy reform are warranted