

**The Election Integrity Fund's**

**Executive Summary of Key Points on the  
November 2020 Election in Michigan**

**By**

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## **Executive Summary**

The following report includes a summary of and a rebuttal to The November 2020 Election in Michigan report issued by the Michigan State Senate Government Oversight Committee.

Our report provides data to support the opinions and desires of Michigan constituents.

Additionally, it offers evidence in support of our contention that the election record chain of custody was broken, that state election laws were violated, and that key information about statistical anomalies cannot be accounted for through evidentiary science.

Moreover, this report shows that investigation is needed to drive accountability in our election process, to provide an understanding of the quality of execution of the election to be used for continuous improvement, and to ensure that voters can trust that their votes are counted accurately and not cancelled by the addition of phantom voter ballots.

Finally, this report makes recommendations for steps that must be taken in this investigation.

Most importantly, this report discusses the need for a comprehensive, full, forensic audit of the November 3, 2020 election in Michigan.

## **Introduction**

The legitimacy of the American system of government rests upon free and fair elections, and yet a large percentage of people in Michigan believe that election laws were broken, facilitating manipulations which may have changed the outcome of the November 2020 election results.

A Rasmussen poll taken on June 23, 2021 shows that [55 percent of voters across America still support audits of the November 2020 elections.](#)

The doubts about the underpinnings of our constitutionally limited form of government and its common law processes are being torn asunder by many documented irregularities from that election. We believe that it is incumbent upon the American people to demand and be given a full forensic audit of last year's election, to examine and interpret the present condition of our political institutions, and to make corrections so that the future of our elections is more secure.

Recently, the Michigan State Senate Committee on Government Oversight, chaired by Senator Edward McBroom, conducted meetings behind closed doors which lacked transparency, followed by the issuance of a 55-page report called [The November 2020 Election in Michigan.](#)

## Inconsistencies in the McBroom Senate Report

Many were stunned by the Committee's lack of investigation, their stated preference for emotions over facts, the conclusory nature of the report, and the suggestion that the Michigan Attorney General investigate private citizens for making claims contrary to her own dogmatic proclamations.

This Committee seems to have made a fatal mistake that The Amistad Project Lead Attorney Phill Kline often warns his protégées about – that is, “Looking for fraud; rather than looking for illegality.” And quite frankly, the Senate Committee's report did not even do that well.

Michigan law has a hundred guardrails to protect against elections being stolen. If this Committee had done its required due diligence, they would have looked at where those guardrails were disregarded, which would have led the Committee to take corrective actions to instill much needed confidence and transparency in our elections.

The Senate Oversight Committee report on the November 2020 Election in Michigan seems to have been driven by one question and that was: “Is there one thing that will show a vote reversal of 150,000 plus votes that will overturn the election?”

If potential fraud didn't show hundreds of thousands of ballots, it was ruled unworthy of investigation.

There is a constant refrain throughout the report, stating that although they received sworn affidavits and eyewitness testimony of lawlessness, there was “no evidence.” Actually, there was plenty of evidence; eyewitness testimony is considered to be one of the strongest forms of direct evidence. It should be used to trigger investigation which can lead to clarification, the discovery of more evidence, and continuous improvement to our election processes. However, this committee didn't do the required investigation of the evidence to determine if laws were broken or to hold those responsible accountable. This Committee repeatedly expected eyewitnesses to provide *all* of the evidence.

We can only imagine the public response if an eyewitness to an assault shared their testimony within the law enforcement community and that law enforcement community member responded by saying that the accusation was false because the eyewitness couldn't provide victim DNA kit results, a medical report, the attacker's address, DNA swabs from under the suspects fingernails, the suspect's confession with a signed Miranda waiver, *etc, ad nauseam*.

We don't ask eyewitnesses to build and present cases, because they are not capable of doing so, and they are too close to the situation to evaluate it fairly. Law enforcement and a court of competent jurisdiction takes a lead as the first step in a process and they build a case upon that lead.

The Senate Committee's report appears to be more of a defense of Michigan's election practices than any sort of true investigation. We are not aware of any outside investigators having been brought in, or any on-site investigators that might have followed leads to some sort of conclusions.

Here are a few highlights from the Michigan State Senate Government Oversight Committee report that appear to be trying to defend election results:

- **Ballot Harvesting** - Ballot harvesting could have taken place but the report findings warned that ballot harvesting itself was *not* evidence of election fraud;
- **Absent Voter Counting Board Imbalances** - The imbalances in Detroit's absentee voting counting boards "could exist due to fraudulent activity" but the Committee did not investigate it and recommended that Wayne County investigate itself;
- **"No Evidence"** - Poll observers who were kicked out of *TCF* in Detroit presented no evidence of election fraud (the report doesn't indicate how people kept away from the evidence would be in a position to deliver the evidence). The report's conclusion was that Republican challengers should apologize for their behavior in becoming rowdy when they were kicked out of the counting center and the windows were boarded up;
- **Illegality** - The Wayne County clerk's office may have acted illegally in not hiring Republican poll inspectors, so the Committee report "encourages" the clerk's office to follow the law the next time around;
- **Ballot Dumps** - The Detroit middle-of-the-night ballot dumps could have contained anywhere between 15,000 and 100,000 absentee ballots, but the Committee believes it was most likely between 30,000 and 45,000 ballots. The Committee did not indicate where the ballots were collected from, if dropbox transfer logs were available, whether these ballots went through the signature comparison process, whether these ballots were excused from this requirement as they were brought in as a result of same-day registration, or whether they were checked against the Qualified Voter Files (or excused), *etc.*

Without a doubt, the report leaves this organization with more questions than answers.

- 1) Did the Committee look into the 30,000 same day registrations?
- 2) Did the Committee take Livonia and Detroit up on their offers to have Committee personnel come on-site to look at records?
- 3) Why did the Committee decide to not use an outside firm or an investigatory body to track down leads?
- 4) Did the persons combing through the FOIA's and/or subpoenaed records know what to look for or have election training?
- 5) Did the Committee ever receive subpoenaed electronic poll books from the City of Detroit?
- 6) Was a single *TCF* allegation followed up on with an investigator speaking to the affiant, tracking down the AVCB, interviewing the election inspectors at the table, and comparing the testimony to the assigned poll books, QVF, and associated records -- or

was there just a macro question presented to an election official of whether an individual accusation was possible?

- 7) Why did the committee only look for fraud that would provide enough evidence to overturn the election instead of investigating illegal actions and then, if found, holding those who committed illegalities accountable for those actions?
- 8) Is Attorney Matt DePerno's assertion true that he discovered through the FOIA process that Committee Chair Senator Edward McBroom actually communicated with Antrim County Clerk Sheryl Guy, admitting that he (McBroom) was confused by the Antrim County information and asking her (Sheryl Guy) to help him write a portion of the Report?

The June 2021 Oversight Committee report contained several acknowledgements of existing fraud, and although Senator McBroom disputed that the fraud was "systemic," he admitted that fraud existed. Nonetheless, Senator McBroom contends, in his letter prefacing the report, that the primary allegations of election impropriety were concerned with the controversy surrounding Antrim County.

Senator McBroom writes,

"Most of the rigorous debate over additional audits comes from fears surrounding the technology used and its vulnerabilities as allegedly demonstrated in Antrim County. Without any evidence to validate those fears, another audit, a so-called forensic audit, is not justifiable.[...] However, I am keeping a close eye on the legislatively-initiated forensic audit in Arizona and will continue to ask questions regarding other election issues I feel are not settled. If genuine issues are shown in Arizona's audit or from continued investigation here, I will not hesitate to ask the Committee to consider recommending an audit or amending this report."

As our above information shows, there are many other clear-cut examples of election impropriety beyond this one small county.

Our report's key findings of potential election issues raise concerns of far more than 155,000 votes, which constitute the margin of victory in the 2020 presidential election.

We would ask that Senator McBroom review our following **Summary of Key Findings** so that he might agree that we *are* presenting "genuine issues" that do require that he ask the Committee to initiate a full forensic audit.

### **Summary of Key Findings**

The following findings are well-supported and give rise to probable cause for a full forensic audit of the entire State of Michigan's election results. This report focuses on four key areas: chain of custody violations, repeated suspicious ballot dumps, statistical anomalies and a court

case requiring further action. Each piece of evidence strongly indicates the need for investigation. Benign explanations for these events are very difficult to reasonably support.

Each of these issues will be presented as follows: *Problem / Evidence / Scope of Effect*.

### **1. Chain of Custody Violations.** Primarily found at the Detroit TCF Center:

NOTE: “Chain of Custody” can be defined as the verifiably accurate possession of one ballot for one voter tracked continuously and competently throughout the process from the receipt of the ballot by the voter to that ballot being counted with an accurate representation of that voter’s desired choices for elective office.

- a. Problem - **Double-Counted Votes**: Multiple tabulation of the same batches of ballots: individual poll workers were observed running the same batches of anonymized ballots through the tabulation machines multiple times.

Evidence - Affidavits of [Affiant 4](#), [Affiant 9](#), [Affiant 12](#), [Affiant 13](#), [Affiant 19](#), [Affiant 36](#), [Affiant 39](#), [Affiant 40](#), [Affiant 41](#), [Affiant 44](#), [Affiant 50](#), [Affiant 51](#).

Potential scope - At least 50,000 ballots.

- b. Problem - **Unattended Ballots and Ballot Boxes**: Ballots were often left unlocked and unattended, in violation of state law.

[Michigan election law specifies the care with which ballots and ballot boxes are to be secured.](#) There are widespread reports of ballots and ballot boxes left unsealed and scattered around the TFC center.

Furthermore, [Michigan Election Law Act 116 of 1954, 168.761d](#) under **168.761d - (3)(b)** regarding Absent voter ballot drop box states that drop boxes “*whether located indoors or outdoors, be securely locked and be designed to prevent removal of absent voter ballots when locked.*”

Additionally, although the Senate Oversight Committee Report entitled **The November 2020 Election in Michigan** did comment about the construction of the ballot boxes, no PROOF was presented that the ballot boxes that were placed outdoors were monitored, as is also required under the same law **Sec. 761d - (4)(c)** which states that “*The city or township clerk must use video monitoring of that drop box to ensure effective monitoring of that drop box.*”

Moreover, no PROOF was shown as to the compliance of the collection of the absent voter ballots under **Sec. 761d - (5)** of this same law which states that “*Only a city or*

*township clerk, or a sworn member of his or her staff, is authorized to collect absent voter ballots from an absent voter ballot drop box.”*

A full forensic audit could prove that the law was or was not properly followed.

Evidence - Affidavits of [Affiant 3](#), [Affiant 4](#), [Affiant 7](#), [Affiant 8](#), [Affiant 9](#), [Affiant 10](#), [Affiant 16](#), [Affiant 17](#), [Affiant 18](#), [Affiant 28](#), [Affiant 32](#), [Affiant 34](#), [Affiant 36](#), [Affiant 43](#), [Affiant 48](#), [Affiant 49](#).

Potential scope - Up to 50% of all 566,000 ballots cast at the TCF Center.

- c. Problem - **Unauthorized, Illegal Ballots Counted**: Eyewitness testimony, (which are the “leads” that an investigative team must follow-up on), stated that illegal ballots were being counted, even those with security codes that did not match.

Again, **The November 2020 Election in Michigan** Senate Oversight Committee Report only covers these four Senators opinion as to the strict adherence, or lack thereof, to the signature validation process. It does not cover the other validation processes that are lawfully in place.

Again a full forensic audit could prove that the law was or was not followed.

Evidence: Affidavits of [Affiant 1](#), [Affiant 2](#), [Affiant 4](#), [Affiant 6](#), [Affiant 11](#), [Affiant 18](#), [Affiant 25](#), [Affiant 29](#), [Affiant 30](#), [Affiant 31](#), [Affiant 33](#), [Affiant 37](#), [Affiant 38](#), [Affiant 41](#), [Affiant 42](#), [Affiant 46](#), [Affiant 47](#).

Potential scope: Uncertain, but potentially 10% of all ballots cast.

- d. Problem - **Late Night Ballot Dumps**: The 3:30 am (November 4, 2020) Ballot Dump that occurred long after the 8 pm (November 3, 2020) election deadline included open boxes that had no chain of custody records.

**The November 2020 Election in Michigan** Senate Oversight Committee Report did not indicate where these late-night ballots came from, if drop box transfer logs were available, whether these ballots went through the signature comparison process or whether the ballots were excused from this requirement as they were a result of same-day registration, whether they were checked against the Qualified Voter Files, etc. And again, eyewitness testimony should be investigated in any or all of these circumstances.

Evidence: Affidavits of [Affiant 15](#), [Affiant 46](#), [Affiant 51](#), [Affiant 54](#).

Potential scope: 600-1,000 per box, or 30,000– 50,000 for the 3:30 am ballot dump alone.

- e. Problem - **Fraudulent Voters Added to the Polls**: Fraudulent entry of names into Electronic Poll Book.

Again, eyewitness testimony, (which are the “leads” that an investigative team **must** follow-up on), stated that voters were added to the poll list/book, and questions exist as the lawfulness of those ballots.

A full forensic audit could confirm or dispute the legality of these votes.

Evidence: Supported by affidavit attached to the Patrick Colbeck article *Election Fraud Evidence Primer*, Section 168.735. Affidavits of [Affiant 5](#), [Affiant 14](#), [Affiant 20](#), [Affiant 21](#), [Affiant 22](#), [Affiant 23](#), [Affiant 26](#), [Affiant 27](#), [Affiant 28](#), [Affiant 35](#), [Affiant 45](#), [Affiant 48](#), [Affiant 51](#), [Affiant 52](#), [Affiant 53](#), [Affiant 55](#), [Affiant 56](#).

Scope: Unknown, but likely at least 5,000.

**2. Repeated Suspicious Ballot Dumps.** The sudden influx of ballots dropped off at 3 am, 4:30 am and 5 am on the morning of November 4, 2020, with suspicious characteristics, including two massive electronic vote injections, one at 3:50 am and another at 6:31 am, with 90%+ of those injected votes for Biden.

The late night ballot dumps as indicated in Key Finding 1 Chain of Custody, Paragraph c (above), along with the statistical anomalies stated below, as well as the multiple sworn and notarized eyewitness affidavits, certainly merit a more in-depth investigation and a full forensic audit could prove or disprove those issues.

Evidence: Affidavits of [Affiant 15](#), [Affiant 46](#), [Affiant 51](#), [Affiant 54](#).

Scope: Approximately 250,000 votes.

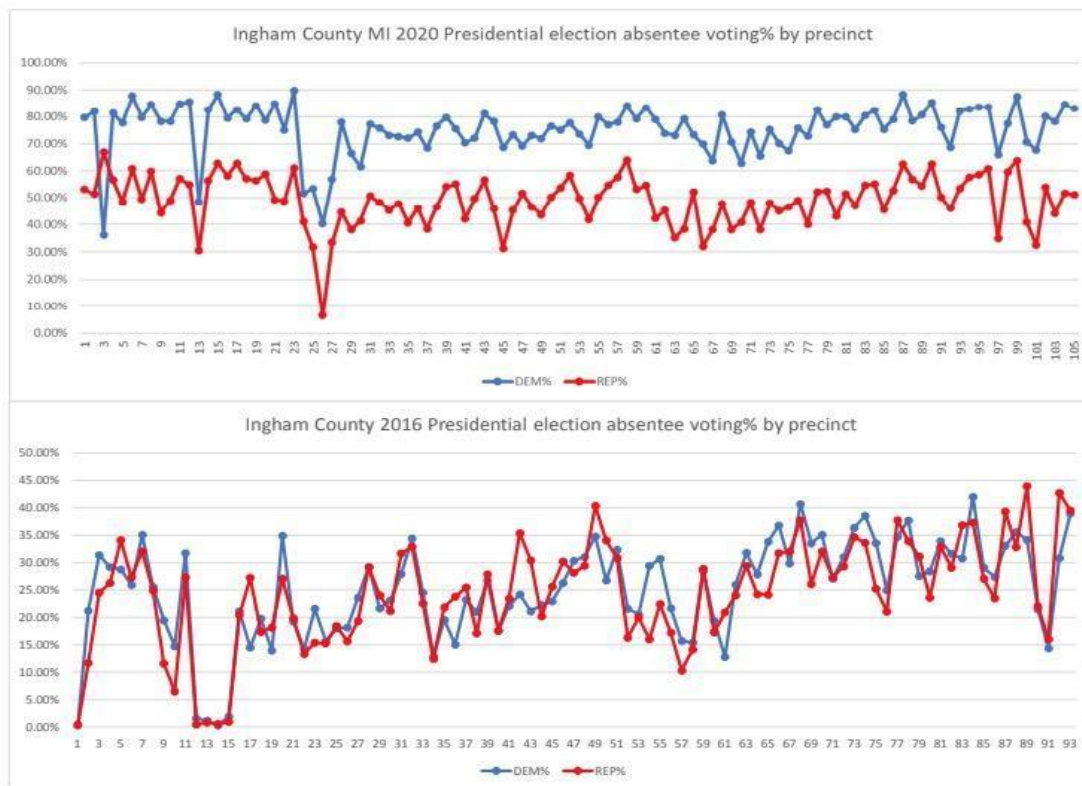
**3. Statistical Anomalies.** The votes for Biden in Ingham and Macomb counties track, almost exactly, the Trump votes as a percentage. This needs to be analyzed and, if it is statistically improbable that the Biden votes would track the Trump votes so closely, this indicates a compelling suspicion of manipulation.

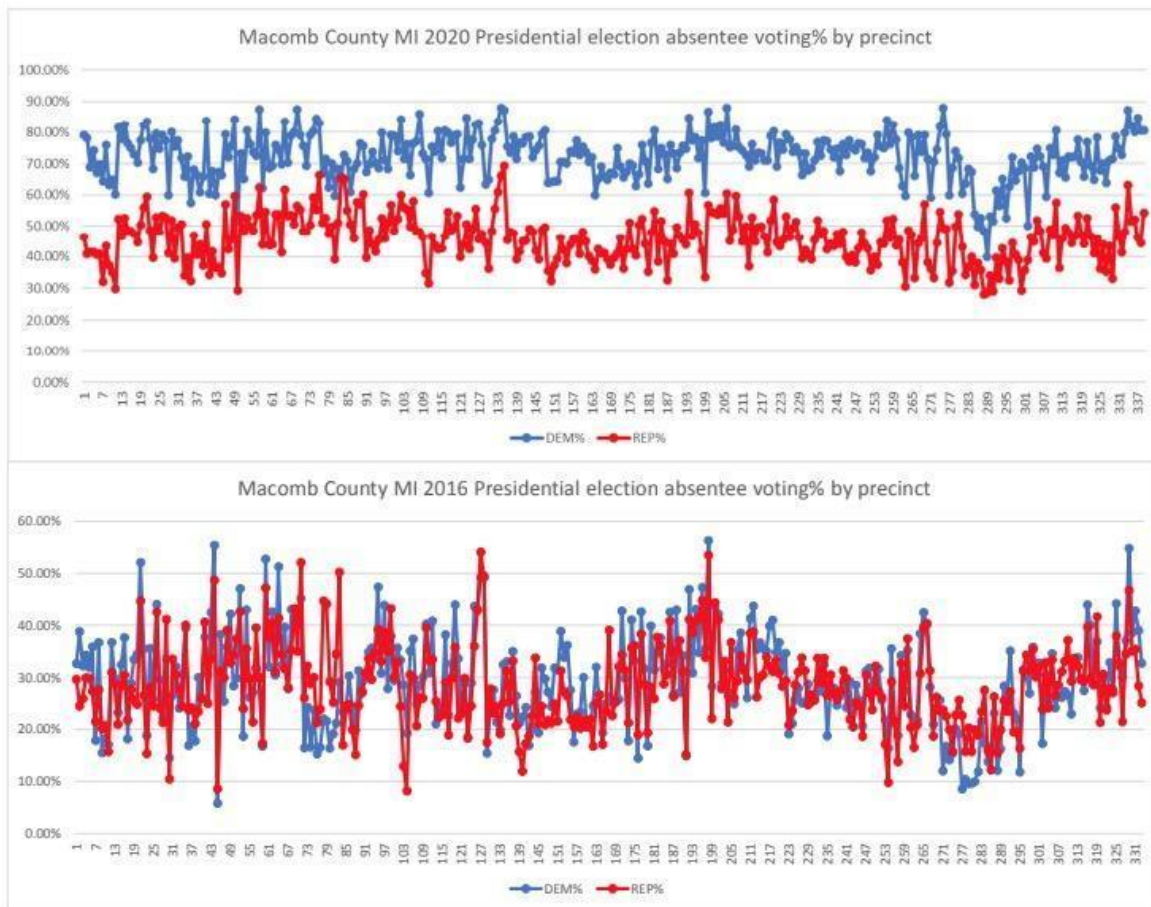


Biden absentee voting is correlated with Trump absentee voting. In key Michigan counties, there is a proportionate relationship between the two candidates. Meaning that, among absentees, Biden received an almost steady 30% higher vote total in each and every precinct.

These two independent variables should be unrelated, yet were consistently related in the 2020 Election, particularly in Ingham and Macomb counties.

There are two counties shown below, Ingham and Macomb counties. The top line graph is from 2020, and the bottom from 2016, for comparison. Even though it might be reasonable that Biden/Blue is higher in 2020, it is entirely unnatural that the proportion that he received, across all precincts, was generally the same percentage higher among absentee voters.





Evidence: As [documented by Tom Davis](#), in [report form](#).

#### 4. Court case requiring further action

We cannot go beyond the issue of law enforcement and courts of competent jurisdiction without pointing to Case #20-216-MM Genetski v Benson decided in the Michigan Court of Claims:

[Genetski v. Benson, No. 20-216-MM in The Court of Claims For The State of Michigan | PDF | Mootness | Complaint \(scribd.com\)](#)

In Case #20-216-MM Genetski v Benson, Judge Christopher Murray ruled that Jocelyn Benson violated the Michigan Administrative Procedures Act regarding the all-important signature verification processes that are a part of Michigan’s election laws, which are in place to ensure that one legal person casts one legal vote and only one legal vote is counted.

We must point out that (coincidentally, or not) Christopher Murray was appointed to the MI Court of Claims in 2018 – which was the same year that Gretchen Whitmer took the governorship, Dana Nessel took the attorney general position, and Jocelyn Benson became Michigan’s Secretary of State.

This case decision was all over the news:

<https://dailycaller.com/2021/03/17/michigan-court-claims-christopher-murray-jocelyn-benson-violated-administrative-procedure-act-absentee-ballot/>

<https://www.detroitnews.com/story/news/politics/2021/03/15/judge-rules-secretary-state-bensons-ballot-signature-verification-guidance-invalid/4699927001/>

In fact, Michigan State House Representative Matt Hall (R-Dist 63) issued the following Press Release on March 9, 2021, stating that **Benson Overstepped Her Authority Crafting Signature Verification Standards** (linked herein):

<https://gophouse.org/posts/rep-hall-benson-overstepped-authority-crafting-signature-verification-standards>

Questions:

- Where are the indictments or the criminal penalties against Jocelyn Benson for violating the MI Administrative Procedures Act?
- Where is the injunctive relief for the millions of legitimate Michigan citizens who faithfully cast their vote in the November 3, 2020, election and whose votes were potentially violated by this lack of signature verification for potentially hundreds of thousands of other ballots that were still counted?
- Where is Senator McBroom's citation in **The November 2020 Election in Michigan** report of his own party's House Representative Matt Hall's concern and promise that *“(He) will continue working in the Legislature to ensure people have trust in Michigan's elections going forward(?)”*

## Conclusions

Regardless of the emotions, sentiments, or motivations of Senator McBroom and the Michigan State Senate Government Oversight Committee, the previous sections of this report give clear and compelling examples of “genuine issues” that should warrant that a majority of the members of the Michigan Senate and the Michigan House demand a full forensic audit of the entire State of Michigan's election results of November 3, 2020.

The full forensic audit should not be a simple sampling or recount. Instead, it must examine whether the election was conducted properly according to state laws and procedures with enough scrutiny as to serve as evidence in a court of law. It would include, for example, voter rolls, ballot, signatures, machines (all steps, logs, hardware and software), procedures, chain of custody, etc.

As the Executive Summary of the Michigan State Senate Government Oversight Committee's own report states, more than 59% of voters no longer trust the election process. We suspect that

that number has only grown and will continue to grow as more and more data-driven, fact-based evidence seeps into the American voters' minds and hearts.

What possible reason could any legislator give, in light of what the preceding Key Findings show, to not call for a full forensic audit of the November 2020 Michigan election when such a large number of citizens do not fully trust how their elected officials have been chosen?

By Senator McBroom's own statement above, he should support an immediate and full forensic audit, and we respectfully demand that he make that recommendation to the full Senate without delay.