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MICHIGAN SENATE
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Nov. 16, 2020

Jocelyn Benson
Michigan Secretary of State
430 W. Allegan Street
Lansing, MI 48918

Secretary Benson,

As you are aware, the General Election has generated a great deal of interest and concern among the people of Michigan, with a record number of over 5.4 million Michiganders participating in the electoral process.

Every citizen deserves to have faith in the integrity of the election process and its outcome. It is our responsibility, as elected public servants, to assure the people of Michigan of the processes integrity through complete transparency and the faithful investigation of any allegations of wrongdoing, fraud or abuse.

Unfortunately, a number of serious allegations have been made which cannot and should not be ignored.

First, in Antrim County, an error caused thousands of Michigan ballots that were meant for some candidates to be wrongly counted for their opposing candidates. While this issue was identified and corrected after observers flagged the unlikeliness of the outcome, it is unclear whether this issue replicated itself elsewhere. Antrim is just one of 47 counties in Michigan that used the software system at issue, Dominion Voting Systems, to process their ballots. This is particularly concerning when at least one other secretary of state, specifically in Texas, refused to certify Dominion Voting Systems for use because the examiner could not verify that the system was "safe from fraudulent or unauthorized manipulation." This raises questions over whether there are fundamental flaws in the software itself.

Second, there are allegations that election officials critically mishandled numerous ballots, including:

- counted ineligible ballots;
- counted the same batches of ballots multiple times;
- instructed poll workers to backdate absentee ballots;
- counted late ballots after illicitly pre-dating them;
- used false information to process ballots, such as using incorrect or false birthdays and inserted new names into the QVF and recorded these new voters as having a birthdate of 1/1/1900;

- accepted ballots deposited in drop boxes after the deadline;
- duplicated ballots illegally;
- counted ballots even though the voter's name did not appear in the official voter rolls;
- ordered election workers to not verify voters' signatures on absentee ballots;
- barred poll challengers from observing the transposition and certification of absentee ballots that need to be transposed, including military ballots; and
- coached voters to vote for a particular candidate and party.

Finally, there are allegations of illegal and official intimidation and interference with lawful election challengers and poll watchers. Poll watchers are the cornerstone of our Election Day process to ensure accountability and oversight. Disrupting their access and preventing them from fulfilling their legal right and responsibilities is an infringement on the election process. The allegations include:

- harassment of challengers tolerated or perpetrated by election officials;
- denial of the opportunity to meaningfully observe the processing of ballots;
- arbitrary and unequal treatment of challengers;
- refusal to record challenges to their processes; and
- removal of challengers from the site if they voiced a challenge.

Each of these allegations is backed up by sworn affidavits of over 100 Michigan citizens, real people, willing to face legal consequences to their lives and livelihoods to stand by their assertions.

These claims deserve our full attention and diligent investigation to ensure fairness and transparency in our election process. We must take every possible step to ensure that all Michiganders, and all Americans, have confidence that the state of Michigan conducted this election with integrity and accuracy.

As such, and due directly to these issues, we are requesting that the secretary of state authorize a full, independent audit to be conducted to investigate each of the accusations listed above prior to the certification of any results. This independent audit should aim to achieve completion in a timely manner, certainly before Dec. 8, so that Michigan can fully participate when the electoral college meets on Dec. 14. The chief priority of this audit, however, should be to verify that our election law and processes were correctly administered and identify any illegality that may have taken place.

Because of the successful adoption of Proposal 3 in the midterm elections of 2018, Section 4 of our Michigan Constitution ensures that “every citizen of the United States who is an elector qualified to vote in Michigan” has the right to “have the results of statewide elections audited, in such a manner as prescribed by law, to ensure the accuracy and integrity of elections.” The Michigan Legislature proscribed this process in Public Act 116 of 1954.

Any fraudulently processed votes and unfair obstacles placed in front of legal poll challengers and watchers disenfranchise the lawful votes of every citizen of Michigan, regardless of their political affiliation.

Every legal vote must be counted.

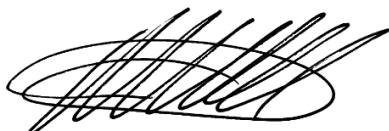
Sincerely,



Aric Nesbitt
State Senator, District 26



Lana Theis
State Senator, District 22



Matt Maddock
State Representative, District 44



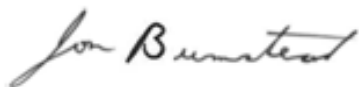
Kim LaSata
State Senator, District 21



Tom Barrett
State Senator, District 24



John Bizon, M.D.
State Senator, District 19



Jon Bumstead
State Senator, District 34



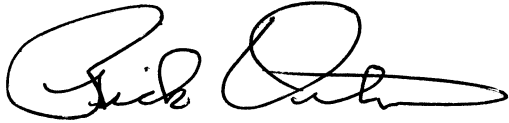
Kevin Daley
State Senator, District 31



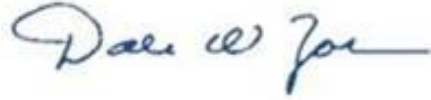
Ken Horn
State Senator, District 32



Michael MacDonald
State Senator, District 10



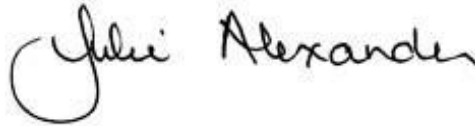
Rick Outman
State Senator, District 33



Dale Zorn
State Senator, District 17



Lynn Afendoulis
State Representative, District 73



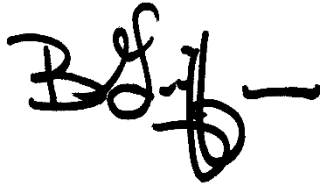
Julie Alexander
State Representative, District 64



Sue Allor
State Representative, District 106



Ann Bollin
State Representative, District 42



Beth Griffin
State Representative, District 66



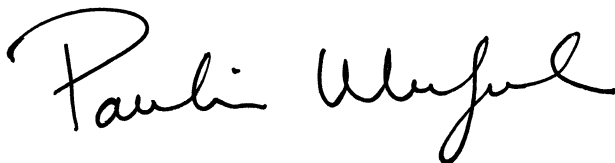
Pamela Hornberger
State Representative, District 32



Bronna Kahle
State Representative, District 57



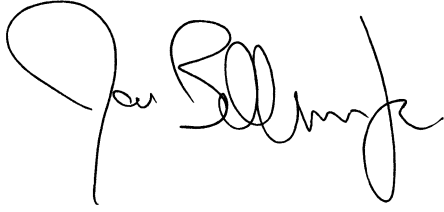
Daire Rendon
State Representative, District 103



Pauline Wendzel
State Representative, District 79



Mary Whiteford
State Representative, District 80



Joe Bellino
State Representative, District 17



Shane Hernandez
State Representative, District 83



Steve Johnson
State Representative, District 72



Eric Leutheuser
State Representative, District 58



Greg Markkanan
State Representative, District 110



Mike Mueller
State Representative, District 51



Gary Eisen
State Representative, District 81



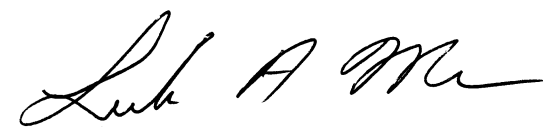
Gary Howell
State Representative, District 82



Beau LaFave
State Representative, District 108



Steve Marino
State Representative, District 24



Luke Meerman
State Representative, District 88



Brad Paquette
State Representative, District 78



John Reilly
State Representative, District 46



Jason Sheppard
State Representative, District 56



Hank Vaupel
State Representative, District 47



Rodney Wakeman
State Representative, District 94



Michael Webber
State Representative, District 45



Jeff Yaroch
State Representative, District 33