

MEMORANDUM

To: Republican Texas Delegation Colleagues
From: Chip Roy
Date: April 21, 2021
Re: The Realities of Voter Fraud in Texas and Other States

Colleagues:

As you know, the Texas legislature is considering election reform legislation this session. I testified in favor of HB6 in the House, introduced by State Rep. Briscoe Cain. I've also encouraged my friend, State Sen. Bryan Hughes, to continue moving his corresponding legislation in the Senate. Each piece of legislation includes important provisions to protect the votes of Texans in the future, and the legislature must pass these reforms, if slightly modified.

But there is more that could and should be done to secure our state's elections, including ensuring that Texas requires tight identification requirements for all mail in ballots, much like other state legislatures — like Georgia's — have embraced. If we do not require strong identification requirements for the type of voting associated with the most fraud, then it will leave a gaping hole in our system that opens election results up to manipulation and distrust.

As all of this is debated, I thought I would share with you some of the important research my staff has conducted on this issue — some of which I am confident you have seen in recent months. But I hope this may be helpful as you consider state-based election reform and as we continue in Washington to fight against the Democrats' effort to federalize elections, eliminate voter ID, mandate mail-in ballots, and otherwise destroy public confidence in our elections via H.R. 1.

THERE IS FRAUD

Mail-in ballots are the best-known source of voter fraud. Vulnerable populations, such as elderly nursing homes, get taken advantage of by campaign workers through vote buying schemes. The New York Times admitted as much in 2012 in its story, "Error and Fraud at Issue as Absentee Voting Rises."

- "Yet votes cast by mail are less likely to be counted, more likely to be compromised and more likely to be contested than those cast in a voting booth, statistics show. Election officials reject almost 2 percent of ballots cast by mail, double the rate for in-person voting."

Prior to that, the 2005 Carter-Baker Commission on Federal Election Reform found:

- "Absentee ballots remain the largest source of potential voter fraud."
- "Citizens who vote at home, at nursing homes, at the workplace, or in church are more susceptible to pressure, overt and subtle, or to intimidation. Vote buying schemes are far more

difficult to detect when citizens vote by mail.”

Other examples of known fraud:

- In 2016, 83 registered voters in San Pedro, Calif., received absentee ballots at the same small two-bedroom apartment. Prosecutors rarely pursue this type of case.
- 2018 NC congressional race: A Republican operative, L. McCrae Dowless Jr., had allegedly requested more than 1,200 absentee ballots on voters’ behalf and then collected the ballots from voters’ homes when they were mailed out.
- In 2017 an investigation of a Dallas City Council election found some 700 fraudulent mail-in ballots signed by the same witness using a fake name.
- 1997 Miami mayoral election that resulted in 36 arrests for absentee-ballot fraud. The election had to be rerun, and the result was reversed.

And now that so many states switched to unprecedented level of these mail-in ballots, **millions of our fellow citizens have lost confidence in the process.** The crisis of confidence this creates poses an existential threat to our republic.

- GA mail-in ballots:
 - 2016 General – 208,620 returned;
 - 2020 General – 1,317,000 returned (530% increase)
- AZ mail-in ballots:
 - 2016 General – 2.4 million requested
 - 2020 General – 3.5 million requested (45% increase)
- PA mail-in ballots
 - 2016 General – 314,985 requested
 - 2020 General – 3.1 million requested (883% increase)

BOTTOM LINE: Regardless of the politically driven talking point that voter fraud does not exist, or that not enough of it exists to justify policies to better secure our elections, the data say otherwise.

THERE IS VOTER FRAUD IN TEXAS:

Last month, Houston Mayor, Sylvester Turner, stunningly tweeted that “We don’t have voter fraud in Texas.” This is the talking point of the Left, Hollywood activists, and Corporate America when discussing election integrity bills such as in Texas and Georgia.

Of course fraud occurred in the 2020 election, and it has been occurring in the state during every election cycle, but it isn’t as bad as states with ramped up mail in ballots.

Since 2005, the Office of Attorney General has successfully prosecuted 534 instances of fraud against 155 individuals. The AG’s office has 510 pending offenses against 43 individuals, and 234 active investigations.

At least 91 election fraud cases in Texas from 2005-2019 resulted in criminal convictions, sentencing to a diversion program, or judicial findings. The crimes include false registration, ineligible voting, illegal

assistance at polls, absentee ballot fraud, buying votes, duplicate voting, ballot petition fraud, and more. For example:

- During the 2014 general election, Avery Ayers ran to challenge Sen. John Cornyn. However, he forged the signatures of voters to qualify to be a candidate on the ballot. Ayers pleaded guilty to a third-degree felony fraud charge in state court and was sentenced to five years in prison.
- Israel Garza, a convicted felon whose rights had not been restored, attempted to vote in a 2010 Texas municipal election even though he was ineligible. He pleaded guilty to attempted illegal voting and was sentenced to a year in prison, two years of probation, and fined \$2,500.
- Benito Aranda Jr., another convicted felon, voted in the 2012 Texas primary election. He was convicted and sentenced to 10 years in prison for voting illegally as a convicted felon but is serving the remainder of his sentence under probation.

More recent cases of fraud in Texas (courtesy of the Texas Public Policy Foundation):

- In Limestone County, Kelly Reagan Brunner, a social worker in a state assisted living center, is being charged with 134 felony counts of purportedly acting as an agent and of election fraud. Brunner submitted voter registration applications for 67 residents without their signature or effective consent.
- In Bandera County, three suspects were indicted last month on charges stemming from the 2018 Medina County Primary Election. They're being accused of illegally harvesting ballots from assisted living centers.
- In Medina County, four people, including an elected justice of the peace, were charged in February with 150 counts of election fraud. The charges include ballot harvesting and illegal voting.
- In Bexar County, a self-described "ballot chaser" was arrested in January and charged with multiple voter fraud felonies. Investigators say she traded gift bags for votes.
- In Gregg County last fall, a county commissioner and three others were charged with 134 felony counts of voter fraud. The Attorney General's Office says they urged ineligible voters to vote by mail, and they filled in a vote for the county commissioner.
- In Harris County, during the 2018 Primary, a video was posted showing a campaign worker for a State Representative candidate. The campaign worker approached elderly in a care facility and filled out their ballots and claimed that she had already done 400. This led to an amateur investigation in Texas Trash Talk.
 - In the end, the author found that 32 of the mail-in ballot applications from different voters had the same handwriting, used the same stamp, and all came from the same precinct (#259). The same handwriting on these ballots went back to 2008.

- The investigator found two other ballot harvesters and found FEC records showing direct payments from Rep. Sheila Jackson Lee, Multiple State Judges, Houston Mayor Turner, a State Senator and Representative to convicted forgers, one of whom was the first person to pick up multiple mail-in ballot applications in 2018.

BOTTOM LINE: Texas has more stringent voter integrity laws than many other states to be sure; yet it still has seen several examples of fraud in recent years. The state was largely able to suppress mail in ballot fraud in 2020 because Texas didn't widely expand mail in and absentee ballots during the pandemic, unlike states such as Wisconsin and Pennsylvania. However, more is needed in Texas and every other state to ensure integrity in our elections.

ELECTION REFORM IS NEEDED

Common sense election integrity has been pushed as “voter suppression” when in reality, basic election laws and necessary reforms are simply “fraud suppression.” Former Rep. Beto O'Rourke is a great example of someone that calls any standard for election security “voter suppression.” He called HB 6 “a voter suppression bill pending in the Texas legislature.”

Texas House Bill 6:

Rep. Briscoe Cain's bill, House Bill 6 cracks down on paid mail-ballot harvesting operations. It expands the state's organized election fraud laws to prohibit accepting or paying compensation for vote harvesting services and enhances criminal penalties imposed on vote traffickers.

HB 6 also includes provisions that would:

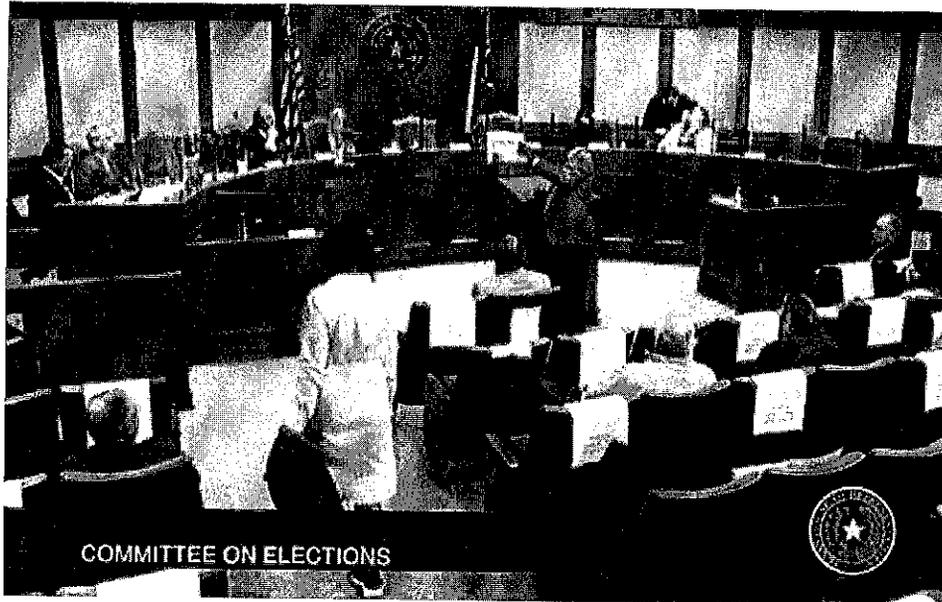
- Protect voters from intimidation by unsolicited assistants, a practice known as “voter ambush”
- Clarify the right of poll watchers to be “near enough to see and hear” election officials' activities
- Prohibit public officials from distributing unsolicited mail-ballot applications
- Specify who can be inside a polling place or ballot-processing location
- Require expedited court action in election fraud cases
- Strengthen penalties for several election-related offenses, including making election fraud offenses a second-degree felony

Nothing in the bill would “suppress” someone's ability to vote, however it would suppress someone's ability to commit fraud in an election.

That hasn't stopped corporate American or political operatives from lying to Texans about the bill in order to serve their narrative though. However, not all have taken to the absurdity of the “voter suppression” narrative.

Texas House Hearing on House Bill 6 & Black Community Leaders' Testimony of Election Fraud

Watch the powerful testimonies regarding election fraud in Houston from Gerry Wayne Monroe, Aubrey Taylor, and Demetria Smith for the Committee on Elections by clicking [here](#) or on the below image.



Gerry Wayne Monroe

- Mr. Moore was a candidate who lost for Houston ISD Board.
- He testifies that he witnessed ballot harvesters take \$22,000 in pay.
- He affirms that ballot harvesters were soliciting nursing homes.
- He testified that a poll location had spare IDs available for voters if they did not have one.
- Quote: *"My community is suffering because they are kingmakers and they cheated in the last election."*

Aubrey Taylor

- Mr. Taylor is a nonpartisan publisher for voting guides. He affirmed some of the claims in the *Texas Trash Talk* investigation.
- He claims there is a massive ballot harvesting operation with individuals collecting 400 ballots each in one day. He says that there is a 'dream team' that go to nursing homes with blanks on the ballot that later get filled out by harvesters.
- Mr. Taylor also mentions Gloria Palmer, who is a convicted forger and ballot harvester highlighted in *Texas Trash Talk*. He says this evidence has been submitted to the Attorney General and Secretary of State.
- Quote: *"Hear me: Elections are being stolen in Harris County. And if something is not done right now, I guarantee you, get ready to lose the state."*

Demetria Smith

- She says that we need whistleblowers and poll watchers.
- She said that this bill is not Jim Crow—there are no poll taxes, no property requirements, no grandfathering in.
- Quote: “[Democrats] are going after my ancestors... you are making a mockery of my suffrage and you use it to your advantage for your own agenda so you can keep your own seat. It’s not about the people.”

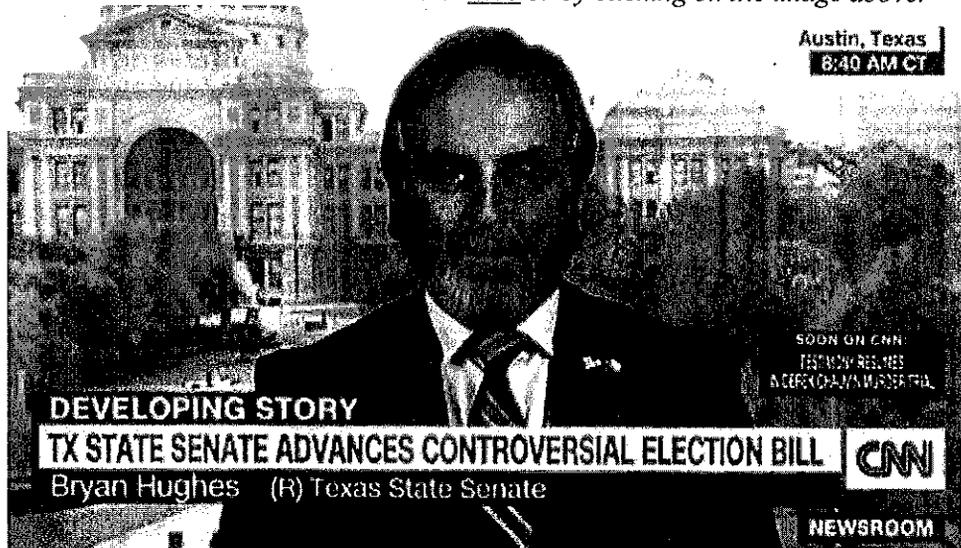
Texas Senate Bill 7:

The Senate has also taken up similar legislation with Senate Bill 7, introduced by Sen. Bryan Hughes. The bill would:

- Strengthen poll watcher protection
- Require counties with 1 million or more residents to distribute polling locations based on eligible voters, not voter turnout
- Brings about transparency by utilizing technology throughout the electoral process
- Requires a voter verifiable paper trail
- Limits the most common fraudulent practices and opportunities for fraudulent practices
- Provides better and more timely evidence in investigations into alleged voter fraud

Once again, nothing in this bill “suppresses the vote” but that didn’t stop American Airlines and Southwest from publicly condemning the bill whilst sitting happy on the **\$4.1 billion** and **\$2.3 billion** in taxpayer funding they received from the CARES Act.

Watch Senate Bill 7’s author, Sen. Bryan Hughes share why this bill is necessary to protect elections in Texas. Click to watch his interview [here](#) or by clicking on the image above.



PROPOSED ELECTION REFORMS DO NOT GO FAR ENOUGH

Despite the foul cries of the woke mob, Republicans should remember that any fraud is too much fraud and more needs to be done to secure our elections, but Republicans should be cautious to embrace any bill

as the gold standard, because as the landscape is today... no state has the laws on the books to ensure secure elections.

Even, HB 6 in Texas does not include a signature matching requirement or enhanced voting ID laws.

Take Georgia as another example. The below bill set corporate America off – the MLB even went so far as to move their All-Star Game out of Atlanta.

Georgia: SB 202

- Added new identification requirements – replaces the signature match system with ID requirements for absentee ballot. Voters must use their driver's license, State ID, voter card, or last four digits of their SSN to verify their identity.
- Third-party absentee ballot applications must be more clearly labeled, and state and local governments are not be allowed to send unsolicited applications.
- Moved the request deadline from 180 days to 11 weeks for absentee ballots (GA saw 1.3 million mail in ballots)

These proposals are common sense. 11 weeks to request a mail in ballot is still too long, but 25 weeks to do so is absurd and ripe for abuse. There is no good reason for unsolicited applications; these rightfully undermine public confidence in our election because they unnecessarily create opportunities for error and fraud. Despite what Americans hear from corporate overlords, the bill expands many flexibilities that still leave room for voter fraud and actually makes it EASIER to vote in elections.

- Earlier law required three weeks of in-person early voting Monday through Friday, plus one Saturday, during "normal business hours". SB 202 added an extra Saturday, makes both Sundays optional for counties, and standardizes hours from 9 a.m. to 5 p.m. or as long as 7 a.m. to 7 p.m.
- Allows officials to process absentee ballots sooner, requires them to count ballots nonstop once the polls close and allow flexibility with voting equipment for smaller, lower-turnout races.
- Poll workers could serve in neighboring counties, after the pandemic saw a shortage of trained workers.
- Precincts with more than 2,000 voters that have lines longer than an hour at three different points throughout the day have to add more machines, add more staff or split up the poll.
- Requires all counties to have at least one drop box, and allows voters to use the drop boxes during early voting hours and inside early voting locations.

BOTTOM LINE: This bill includes many provisions that will help secure Georgia's election, but the bill is still far from the requirements needed to ensure there is no fraud in elections.

CONCLUSION:

Voter fraud is real and failure of the states to better secure future elections will only serve to undermine public confidence in the ballot box, which is a cornerstone of representative government. At the very least, every state in the union should adopt limited absentee ballot use with same day voting requirements and no-excuse ID requirements that allow no room for fraudulent voting.

Until every state begins to make reforms such as the ones described above, there will always be a fight against fraud in our elections and America's election outcomes will be plagued with integrity concerns.