

Texas for America First

Election Integrity Manual



This manual is a work in progress, and will be updated whenever new or additional information is available. If you have any comments, suggestions, or corrections, please send those to Maria Miller director@tx.foramericafirst.com

September 2022. This manual was developed and published by Texans for America First, with resources provided by the American Project. Every effort has been made to ensure the accuracy of the information provided in this manual, but given the variance in procedures by locality, and many recent legal and procedural changes, errors and omissions are inevitable; therefore, only the Code of Texas, official procedures drafted, debated and passed by the Texas State Legislature are authoritative.

Table of Contents

INTRODUCTION	5
OPERATION EAGLES WINGS	7
1 ADVOCACY FOR ELECTION REFORM IN TEXAS	9
1.1 COMMONSENSE ELECTION REFORMS	9
1.2 TAKING ACTION	10
2 SERVING AS A POLL WORKER	11
1.1 WHY SERVE AS A POLL WORKER?	11
2.1 APPOINTMENT OF ELECTION OFFICERS	12
2.2 DUTIES AND REQUIREMENTS FOR POLL WORKERS	12
2.3 PROCESS FOR APPLICATION	13
2.4 GREAT FOR STUDENTS!	13
2.5 PROMOTING INTEGRITY AS AN ELECTION OFFICER	14
2.6 ELECTION OFFICER REPORT FORM	15
2.7 REPORTING IRREGULARITIES AND MALFEASANCE	15
2.7.1 TXFET Election Incident Report Form	17
3 MONITORING ELECTIONS	19
3.1 INTRODUCTION	19
3.2 PRE-ELECTION OBSERVATION	20
3.2.1 Registrar Survey	20
3.3 OBSERVING LOGIC & ACCURACY TESTING FOR VOTING MACHINE SCANNERS	31
3.4 ELECTRONIC POLLBOOK (EPB) LOGIC AND ACCURACY TESTING	33
3.5 OTHER POSSIBILITIES FOR PRE-ELECTION OBSERVATION	34
3.5.1 County Political Party Chairs - Pre-Election Report	35
4 ELECTION SEASON OBSERVATION	36
4.1 WHAT IS ELECTION SEASON?	36
4.2 CONCERNS WITH MAIL-IN ABSENTEE VOTING	36
4.3 MONITORING IN-PERSON EARLY VOTING	37
4.3.1 Daily Election Season Observer Form	38
5 OBSERVING THE VOTING AND COUNTING PROCESSES ON ELECTION DAY	38
5.1 RIGHTS AND DUTIES OF POLL WATCHERS	38
5.2 BEFORE YOU GO	40
5.3 BEFORE OPENING	40
5.4 VOTING PROCESS	40
5.5 CHECKING VOTER ID	41
5.6 CLOSING THE POLL AND THE COUNTING PROCESS	42
5.7 POLL WATCHER REPORT FORMS	42
5.7.1 Texas Poll Watcher Report Form	43
5.7.2 Texas Poll Watcher Incident Report Form	45
5.8 OBSERVING BALLOT BY MAIL (BBM) COUNTING PROCESS	47
5.8.1 Texas Ballot Board Report Form	47

6	VOTER REGISTRATION AUDITS.....	49
6.1	INTRODUCTION	49
6.2	TYPES OF AUDITS.....	49
6.2.1	<i>General Voter Registration Audit</i>	49
6.2.2	<i>Targeted Audit</i>	50
6.2.3	<i>IT-Based Audit</i>	50
6.3	SAMPLING.....	51
6.4	CONDUCTING A VOTER REGISTRATION AUDIT	51
6.4.1	<i>Process Map</i>	51
6.4.2	<i>General Voter Registration Audit</i>	52
6.4.3	<i>Targeted Voter Registration Audit</i>	52

Introduction

Everything is bigger in Texas, including our election integrity problems. Our elections are a mess. What began as a mix of ill-defined, non-transparent, inefficient, and constantly changing processes, was made much worse by ill-advised changes in procedures in response to the COVID pandemic.

Our specific concerns include a lack of transparency in processes and procedures; a perception of bias in election administration; incredibly inaccurate voting lists; the lack of effective voter ID; intimidation and fraud through mail-in voting and ballot harvesting; doubt in the accuracy and security of machine-based voting; and the influence of dark money in campaigns and election processes.

After the 2020 elections, some counties were unable to document a credible chain of custody for critical election documents, and there were large discrepancies in precinct data between the number of voters and number of ballots counted. Poll watchers were prevented from effectively observing processes; and Texas was one of the states cited in the *2000 Mules* as having organized ballot harvesting rings.

Fundamental reforms in law and procedures are required to restore lasting public confidence in the integrity of Texas elections, but these reforms will take time. Unfortunately, we don't have much time, as our next election season begins October 24th, 2022. In the near term, we believe that the most important action we can take to strengthen the integrity of our elections, and confidence in the democratic legitimacy of our elected representatives, is to increase transparency in electoral processes. Your participation is essential to achieving this goal.

This guide aims to provide you, a citizen, with the knowledge and tools needed to help ensure a free and fair election process for all of Texas's voters. In the guide you will find information on election reform advocacy, becoming an officer of election, and monitoring election processes; all activities aimed at increasing transparency in the elections, and public ownership of that process.

The American republic was founded on the principle and promise of self-government; a promise that began in 1776 with the drafting of the Declaration of Independence. This declaration of a union of colonies eventually led to a union of states, and became a beacon to Texans, which had been an independent country since 1836, until Texas voted to become the 28th state on December 29th, 1835.

Now that promise is threatened by a loss of faith in the integrity of the very process that enables self-government, and the republic that so many struggled and fought and died to establish, is at risk.

Once again, Texas stands at the pivot of history. Texans led the way in October of 1835 at Gonzales and in the Spring of 1836 at the Alamo. Now, once again, we are called to lead; to

secure again the right to self-government for ourselves and our families and our fellow citizens. If we are to save our republic, it must begin here, now, with this election, and build across the country in 2022 and 2024. As has always been, success will require sacrifice and hard work, but with your help, and the guiding hand of God, it is not too late to restore our republic.

Maria Miller
State Director
Texans for America First

Operation Eagles Wings

Texans for Election Transparency and Texas for America First are part of a national initiative called “Operation Eagles Wings” supported by the America Project (TAP), and through the voluntary contributions of individuals committed to the restoration and strengthening of constitutional democracy in America. OEW grew out of the program developed for the 2021 state and local elections in Virginia, creating a template for issue advocacy and election integrity programming which became nationally known as the “Virginia Model”.

Virginians for America First (VFAF) launched on 09 March 2021 with the intent to elect an America First majority in the Virginia House of Delegates. Bishop Leon Benjamin, initially supported by Americans for Limited Government (ALG), led the efforts as the founder of Virginians for America First. His courageous stand on America First principles resonated with Virginians of all races and social standing. He was instrumental in bringing unity, building coalitions, and reaching into communities not normally engaged.

Once VFAF launched there was great response with hundreds of sign-ups within hours. This came as a surprise. The *overwhelming* interest of those sign-ups was *election integrity* (EI). It became obvious we must include an EI program component to satisfy the interests of our volunteers.

While I was a political appointee during the Trump Administration at the US Agency for International Development, I had worked with Tim Meisburger, who was appointed to USAID by President Trump in 2017 as a director of USAID’s Center for Democracy, Human Rights, and Governance (DRG).

Tim is an expert in EI, with 30-years experience around the globe working to ensure free and fair elections in third world and developing democracies; so I contacted him, and asked for his help in developing an EI program based on accepted international standards. Tim joined VFAF/ALG and developed the EI program. He generated a manual for election observation specific to Virginia based on recognized international standards.

The EI program in conjunction with the America First voter education component became the complete “Virginia Model.” Parts of this model are being shared in states across the nation by others, but only TAP is providing the model in total.

In the summer of 2021 TAP learned of VFAF’s project in Virginia, and began supporting it financially as the major contributor. TAP recognized early on that this project was making an impact in Virginia, and that what had been effective in Virginia in 2021 could serve as a model for programs in battleground states in 2022.

The EI component of OEW consists of four major parts:

- Voter education of America First issues concentrating on low-propensity voters. These are voters who are generally not politically engaged but want America First principles in our government.
- Training of poll workers/poll watchers with an in-depth program on election observation, reporting, and the rights of citizens to have free and fair elections.
- Direct citizen observation and review of processes and procedures pertaining to the maintenance of and handling of voter rolls. This is primarily achieved by communicating directly with election officials in each municipality.
- Real time evaluation of absentee ballot processing during election season (up to three weeks of early voting in Texas). This part of the program will need to be adjusted to correspond with state specific statutes.

The voter education component of the OEW conducts campaigns to inform voters who have historically had little access to information on the America First movement about how America First policies can increase their freedom and improve their lives. Increased turnout by new America First voters, particularly in minority communities, was a very important part of the victory in Virginia. We learned through our targeted voter education efforts, and canvassing, that addressing issues that directly affected voters and their families made the difference in turning out minorities to support candidates who embraced America First principles.

Following its successes in Virginia, TAP developed the “Operation Eagles Wings” program to share its approaches with like-minded organizations across the country, and to implement the Virginia Model Template in nine critical states: Florida, Georgia, Virginia, Pennsylvania, Georgia, Wisconsin, Arizona, Texas, and Illinois.

2021 in Virginia was a message sent to every America First Patriot that with dedicated hard work, focus, and a united effort “We the People” can save the Republic for future generations. 2022 offers us the opportunity to repeat a Virginia type victory all around the nation. Join us by going to www.americaproject.com to volunteer for, and donate to this effort.

Mark Lloyd
Director
Operation Eagles Wings

1 Advocacy for Election Reform in Texas

To restore confidence in the integrity of Texas's elections will require fundamental reform of election laws and procedures to increase the transparency and security of the entire process. Volunteers should be advocates in their communities and across the state for these simple, common-sense reforms.

1.1 Commonsense Election Reforms

Demand clean voter rolls; Bloated and inaccurate voter rolls facilitate all forms of vote fraud. Require the Texas Secretary of State to conduct a comprehensive voter list audit using internationally accepted standards and practices, and then address the weaknesses in our voter registration process identified through the audit.

Allow effective observation of all election processes; Transparency is the key to creating voter confidence in the integrity and legitimacy of elections, and to facilitate transparency, allowing effective election observation is a norm in established democracies around the world. In 2020 numerous incidents were reported in Texas and across the country of observers being prevented from effectively monitoring election processes. Effective observation is an internationally recognized standard for free and fair elections. To enable transparency and increase public confidence in the integrity of elections, the Governor, State Legislature, Secretary of State, and state and local election officials must respect international norms and standards, and make all election processes open to effective observation by both partisan and nonpartisan observers.

End most early and mail-in voting; Supposedly to make it easier to vote, our election day has expanded to election month, but election professionals agree that early voting, mail-in voting and ballot harvesting all facilitate voter intimidation, impersonation, the inability to audit results and other forms of fraud. To protect Texas's elections and restore confidence in their integrity, we must demand that lawmakers return to a single election day. Rather than extending the voting period or using unsecured mail-in ballot procedures to increase participation, at the expense of election integrity, they may make election day a mandated holiday with absentee voting limited to those with a genuine and provable need.

Require ID and proof of citizenship to vote; Almost every democracy and republic in the world requires photo ID and proof of citizenship to vote. Confidence that only qualified voters can vote is so important to the concept of self-governance that the US has spent hundreds of millions of dollars (at least, probably billions), helping other countries with voter registration and voter ID. Many countries in Africa and Asia already use biometrics to confirm voter ID. The assertion that Texas is incapable of providing its citizens voter ID, when developing countries from Bangladesh to Zambia accomplish this easily, only serves to fuel perceptions that these lies aim to facilitate cheating. Texans deserve confidence that only qualified citizens are voting, and that they are only voting once.

Demand manual rather than machine-based voting and counting processes; Voting and counting machines are inherently non-transparent, prone to malfunction, and are viewed by many computer experts (and by senior politicians of both parties) as highly susceptible to rigging, fraud and abuse. Machine processes cannot be effectively observed and certified by election

officials, observers, or ordinary citizens, and as such they have no place in Texas’s elections. Federal Law requires an auditable paper trail for auditable results. To restore confidence in the integrity of elections, Texas must revert to a simple, transparent, and manual polling and counting processes.

Ban “dark money” private funding of election processes; Dark money from outside the state continues to pollute Texas elections. In 2020 Mark Zuckerberg gave \$1,678,523 in Tarrant County, \$264,000 in Williamson County, \$283,000 in Hays County and for “election administration”, fueling suspicion of vote-buying, bribery and undue influence. Under Texas law, elections should be free of all undue influence, so volunteers and voters must demand that the State Legislature and governor prohibit such external funding in future.

Expose “foreign” funding for campaigns from outside the affected constituency; No country in the world allows foreign funding in their election campaigns, because in a republic only the citizens who will be represented should have influence on who is elected. The same principle should apply across constituencies in the US. For example, it is incredibly unfair and undemocratic for Silicon Valley to influence any races in Texas. If it is not possible to prohibit these undemocratic practices, “foreign” funding of Texas elections must be monitored and exposed, to ensure voters know who is trying to unfairly influence our representatives.

End impunity for election crimes; There exists in Texas a culture of lawlessness and impunity from prosecution for cases of election fraud and illegal practice. Clear violations must be investigated or adjudicated by law enforcement agencies, courts and state officials; with those convicted punished to the full extent of the law.

**Texas Commonsense
Election Reforms**

- *Demand clean voter rolls*
- *Allow effective observation of all election processes*
- *End most early and mail-in voting*
- *Require photo ID and proof of citizenship to vote*
- *Use manual rather than machine-based voting and counting processes*
- *Expose “foreign” funding for campaigns from outside the affected constituency*
- *Ban “dark money” private funding of election processes*
- *End impunity for election crimes*

1.2 Taking Action

In 2022, our objective is to elect candidates committed to making commonsense election reforms that will ensure that all voters’ voices are heard, and make it easy to vote and hard to cheat. To achieve this objective will require a concerted effort across the state, and PFAF volunteers have a key role to play.

First, publicize Common Sense Election Reforms items by preparing posters and/or leaflets to distribute in your precincts. Our office will prepare some examples and templates you can use, but feel free to also use your own creativity, and share your creations across the network.

Print the *Common Sense Election Reform Pledge* (in the box at the end of this section), and ask all of your local candidates to sign the pledge. If any will sign, you can use that as a lever to

pressure the others, as the coalition will endorse any candidate that signs the pledge. Please let us know who does sign, and who does not.

Write op-eds and letters to the editor for local papers or social media, or get interviewed on local radio. Explain the reforms and endorse the candidates who signed the pledge, and question the fitness of those who have refused to do so.

Enjoy the fine weather, and hold a rally/barbeque/party for election reform. Invite local leaders, candidates, and press. Hang out with like-minded folks, eating burnt meat and drinking beer. And please let us know about anything you do, so we can share your ideas and activities across the state!

Commonsense Election Reform Pledge

I recognize that democracy in Texas is dependent on free and fair elections, and if elected, I promise to support legislation that will:

- *Demand clean voter rolls*
- *Allow effective observation of all election processes*
- *End most early and mail-in voting*
- *Require photo ID and proof of citizenship to vote*
- *Use manual rather than machine-based voting and counting processes*
- *Expose “foreign” funding for campaigns from outside the affected constituency*
- *Ban “dark money” private funding of election processes*
- *End impunity for election crimes*

Signed _____

Candidate for _____

2 Serving as a Poll Worker

1.1 Why Serve as a Poll Worker?

Election cheating and fraud simply cannot occur without collusion from election officials, so our number one priority role for those interested in promoting election integrity is to get involved and serve as an election officer. The timeline for recruitment for the 2022 elections is tight and it should be a year-round effort, but there will also be additional opportunities in the spring of 2023 for the 2023 elections.

Although both parties have the right to recommend elections officers for every precinct, in the past Republicans have been less likely to do this, and consequently there are many precincts without Republican officers. Likewise, in some heavily Republican districts there are too few Democrat officers. When this occurs, one of the essential checks and balances built into the system is missing, and this contributes directly to many voters' lack of confidence in the integrity of the election process.

2.1 Appointment of Election Officers

Election officers are appointed by county parties or the county's election department prior to each election cycle. For Early Voting periods, a Clerk is appointed per party, and for Election Day, a Judge per party. For example, in a precinct with three officers, two will be from one party and one from the other. Officers should be appointed from lists of nominations filed by the political parties, but if needed, the electoral board may appoint additional officers who do not represent any political party. Both of these positions are responsible for recruiting their own staff. Some counties use head Clerks and Judges, some use co-Clerks and co-Judges. Each officer should be a qualified voter of the precinct, or county, but in any case, must be a qualified voter of the State of Texas.

If the county is part of the Countywide Polling Place Program, then anyone from any precinct can serve at any polling location, as voters are also allowed to vote anywhere in the county as opposed to voting in precinct.

If the county uses Head Judges and Clerks, the Head position is chosen by the party who took the precinct in the previous gubernatorial race. For example, if one precinct voted for a Democrat in the previous gubernatorial election, then that precinct polling place will be headed up by a Democrat Head Judge with the Alternate Judge being a Republican.

It is important to remember here that most locations are staffed by Democrats due simply to poor participation on behalf of Republicans. If local party units do not nominate enough officers, their positions will be filled by the other party or by temporary employees hired by the county elections department.

For Primary Elections, counties may choose to do either a Joint or a Split Primary, Joint Primaries are manned by both parties and ballots from both parties are added to the same ballot box. Split primaries are where each of the parties man their own ballots and poll books, machines.

Training for Judges is generally required, but is often weak and insufficient, resulting in judges who are unable to operate the machines without county technical assistance. Training for Clerks and other staff is not mandatory and not enforced, and is only occasionally strongly encouraged.

2.2 Duties and Requirements for Poll Workers

Clerk Job Duties:

- Assist Judge with setting up the vote center
- Complete voter check-ins

- Assisting voters with election equipment
- Assist voters with curbside voting
- Assist Judge with closing the vote center

Judge Job Duties:

- Hire election clerks and coordinate work activities
- Attend training
- Pick up supplies from assigned Regional Site
- Set up of vote center
- Oversee Election Day activities
- Assist voters with exceptions to standard voting procedures
- Complete required paperwork
- Close the vote center
- Return supplies and voted ballots to the assigned regional site

Requirements for Appointment:

- 18 years of age or older and registered to vote in county where you will work
- Able to speak, read and write English fluently (fluent as well in Spanish or Vietnamese for bilingual clerks)
- Able to attend a required training class

Not eligible for appointment if:

- An elected official or an employee of an elected official;
- A candidate for a public office in an election held on the same day;
- An employee or relative of an opposed candidate;
- A campaign treasurer or assistant treasurer of a candidate in the election;
- A campaign manager of a candidate in the election;
- Convicted of an election-related offense

Pay Rate

Pay varies from county to county, but is typically between \$100 and \$200 per day. To determine the pay rate in your county, visit the website of your [county election administrator](#).

2.3 Process for application

There are several avenues to becoming an election officer, but the preferred is that you apply through your local unit chair. In that way we can ensure that we have true political balance on each precinct team. To find your local unit chair, please visit https://texasgop.org/county_chairs/ or <https://texasdemocrats.org/our-party/county-parties/>. To ensure consideration, you may also want to apply through your county election administrator, whose contact details can be found [here](#).

2.4 Great for Students!

Serving as a poll worker is a great opportunity for regular and home-schooled high school students to learn about civics and the process of democracy, while also earning some spending money! A student who is at least 16 years of age and is enrolled in a public, private high school homeschooled, has the consent of the principal (or parent/legal guardian in charge of education

in home school), and has written authorization from the student's parent or guardian, may serve as an election clerk.

This program is designed to provide students with a greater awareness of the electoral process and the rights and responsibilities of voters. The students will assist their local election officials by filling positions at polling places on Election Day and working under the direction of the polling place presiding judge. As well as being paid, students may be eligible for community service hours. Responsibilities and pay are the same as those for a regular clerk. To apply to be a student poll worker, please contact your [county election administrator](#).

2.5 Promoting Integrity as an Election Officer

As an election officer, nominated by your party, you have a legal and moral duty to administer elections that are free and fair for all voters. Although it is unlikely, in the performance of your duties you may witness other officials engaging in practices not consistent with law or regulations. These can be irregularities (i.e. failure to follow law or procedure due to ignorance), or malfeasance (intended to undermine the integrity of the vote).

In some cases, it may be difficult to determine whether an incident is an irregularity or malfeasance, but in every case, election officers should attempt to rectify the situation. That may be as simple as informing the officer(s) of the correct procedure (with reference to official documentation), or contacting senior election officials (County or City Registrar, or your party representative on the local Board of Elections). In cases of potentially criminal conduct, refer to the specific guidance below.

TXFET encourages all Election Officers to fill in and submit a *Poll Worker Report* after the election. The form is printed below, and available online [here](#). This information (but not your name) will be combined with information from other poll workers in a public report, and used to evaluate the election process and make recommendations for improving future elections.

2.6 Election Officer Report Form		
Instructions: fill out the form and send to TXFET, or use the online form here . If you need additional space for any question, use the back of the form, or attach additional sheets, as needed.		
Name:		Precinct:
Date Submitted:		County/City:
	Before the election	
1	Did you receive training before election day?	Yes ___ No ___ N/A ___
2	Was your training provided in person or online?	In person ___ Online ___
	On election day	
3	Did you receive all required equipment for the polling process?	Yes ___ No ___ N/A ___
4	If not, what was missing?	
5	Were poll watchers present during preparations to open?	Rep ___ Dem ___
6	Were poll watchers present throughout the day?	Rep ___ Dem ___
7	Were poll watchers present during the closing process?	Rep ___ Dem ___
8	Where poll workers representing both the Republican and Democratic parties present for all sensitive operations?	Yes ___ No ___
9	If no, which party had poll workers present for all sensitive operations?	Rep ___ Dem ___ N/A ___
10	Did any non-partisan observers visit your precinct?	Yes ___ No ___ N/A ___
11	Did any media or press visit your precinct?	Yes ___ No ___ N/A ___
12	Was your precinct overcrowded or normal?	Over ___ Normal ___
13	Did you witness any irregularities or malfeasance during the process? (if yes, please fill in and submit an incident report form)	Yes ___ No ___ N/A ___
14	Please grade the overall <u>efficiency</u> of the polling at your precinct on the scale A-excellent, B-above average, C-average, D-below average, E-failing. If D or E, please provide details on the back.	_____
15	Please grade the overall <u>integrity</u> of the polling at your precinct on the scale A-excellent, B-above average, C-average, D-below average, E-failing. If D or E, please provide details on the back.	_____
	Thank you!	

2.7 Reporting Irregularities and Malfeasance

Irregularities are procedural errors that may be caused by a lack of knowledge or a lack of critical materials. Minor irregularities may not affect the integrity of the process, but are indicators of poor training or election management. Some irregularities *can* impact the integrity of the process (such as positioning polling booths so that poll watchers or other voters can see a voter marking a ballot; or preventing poll watchers from effectively observing the election process), and if these are done intentionally, would be considered malfeasance.

We generally think of malfeasance as an intentional effort to undermine the integrity of the election process; that is defined as a crime in the [Texas Constitution](#). Examples of criminal malfeasance include:

- Knowingly falsifying registration applications. [Texas Election Code 13.007](#).
- Knowingly allowing unqualified people to vote or refusing to permit a qualified voter to

- vote, or refusing to count the vote of a qualified voter. [Texas Election Code 63.012](#).
- Counterfeiting ballots [Texas Election Code 64.011, 64.012](#).
- Tampering with registration or voting equipment with the intent to influence the election outcome [Texas Election Code 276.019](#).
- Aiding or abetting absentee ballot fraud [Texas Election Code 86.0051](#).
- Conspiracy against the rights of citizens to vote [Texas Election Code 276.010, 276.012](#).
- False statements made to enable election fraud [Texas Election Code Chapter 276](#).

If you witness serious malfeasance or what you think may be criminal behavior in the election process, you may submit an election complaint to the Texas Secretary of State (SoS) through an online form at: <http://www.sos.state.tx.us/elections/forms/complaintform-sos.pdf>. The Secretary of State will refer complaints alleging criminal offenses to the Office of the Attorney General for investigation, and where appropriate, prosecution.

Alternatively, or in addition to a complaint filed with the SoS, you can report election crime to your local sheriff's office, and/or submit an [TXFET Incident Report Form](#). This form has been designed by legal professionals to ensure sufficient information is collected to form the basis of a legal declaration or affidavit that can be used in any needed follow up. TXFET's legal team will review all incident reports, and follow up with legal action, if warranted. A print version of the Incident Report Form is attached below.

If you are employed by Texas as an election official, and worry that reporting malfeasance might affect your employment status or personal life, you should know about the protections afforded by [Texas's Whistleblower Law](#). Like most states, Texas has had whistleblower laws for some time which prohibits employers from taking any retaliatory action against the employee, including firing, acts of discipline, making threats, discrimination, or any other retaliatory action that goes to the employee's compensation, terms, conditions, privileges or work location.

<i>2.7.1 TXFET Election Incident Report Form</i>		
<i>Instructions: Please fill in the form as completely as possible as soon as possible after (or during) the incident. Take the time to collect names and contact details of other witnesses. If you collect electronic evidence (picture, video or audio recording), make a copy of the file and submit with your report, but retain the original on your phone or other electronic device. Submit the completed form as soon as possible to: TXFET Access the online form here.</i>		
REPORTER INFORMATION		
Reported by:	Phone:	
Position (voter, poll worker, poll watcher, etc.):	Email:	
DESCRIPTION OF THE INCIDENT		
Date of incident:	Time of incident:	Were the police notified: Yes / No
Location of incident:		
Description of the incident: (What happened, how it happened, etc. Be as specific as possible. Continue on back if needed and attach additional sheets if necessary)		
Is there electronic evidence of the incident? Yes___ No___	Is the evidence in your possession? Yes___ No___	What type of evidence is it? Phone photo__ video__ audio__ CCTV___ Other_____
Did you witness the incident? Yes___ No___	If no, list the person who reported the incident to you below, along with details of any other witnesses. Attach additional sheets if needed.	
WITNESSES		
Name of Witness:	Phone:	
Role of Witness:	Email:	
Name of Witness:	Phone:	
Role of Witness:	Email:	
Name of Witness:	Phone:	
Role of Witness:	Email:	
Name of Witness:	Phone:	
Role of Witness:	Email:	

PARTIES INVOLVED IN INCIDENT	
Name:	Phone:
Role:	Email:
Name:	Phone:
Role:	Email:
Name:	Phone:
Role:	Email:
ADDITIONAL INFORMATION	

3 Monitoring Elections

3.1 Introduction

To help ensure a free and fair election for all voters, volunteer observers will monitor election processes and procedures throughout the election cycle. Observers can deter malfeasance and cheating, or by detecting and formally documenting such malfeasance, can deny legitimacy to fraudulent elections and provide evidence for lawsuits and other post-election court cases. By increasing the transparency of the election, observers can enhance public confidence in the integrity of the election process.

Observation will be conducted in phases, beginning with *Pre-Election Observation*. During the pre-election phase observers will look at the voter list, election administration, the legal framework and procedures for elections, and the broader election environment. Pre-election observation seeks to confirm the process, or to highlight potential problems or concerns so that they can be addressed prior to the election. Internationally, pre-election observers are usually referred to as Long-Term Election Observers or LTOs. LTOs often play an important role in recruiting, training and managing the larger number of volunteers needed for election observation.

Pre-election observers are non-partisan. In contrast to partisan observers, they do not represent a specific party. Instead, they represent all voters, and their primary objective is ensuring a free and fair process for all voters, regardless of outcome. Non-partisan observers are normal in other democracies, but still relatively rare in the US, where we have primarily relied on partisan observers.

Although it is late for the 2022 elections, we anticipate significantly expanding the non-partisan observation element for 2023 and future elections. Non-partisan observation provides any voter, regardless of party, the possibility to support free and fair elections; allowing participation by independent voters (who currently have no role in election integrity and are a plurality of voters), and by neutral groups (like church groups) that want to support a fair process, but don't want to affiliate with a particular party.

Election Season Observation – Election observation (poll watching) used to be largely confined to election day, but with long periods of advance voting (up to three weeks in Texas), and all the opportunities that creates for malfeasance and fraud, we have to develop new approaches to strengthening transparency and deterrence. The primary innovations of this approach are deployment of poll watchers during early voting, and the expectation that pollwatchers will file regular reports throughout the election season.

Under current Texas law, only partisan observers (called poll watchers or observers) have the right to observe all aspects of the polling process, so support for observation during the election season (October 24th-November 8th) will primarily be focused on the provision of training and/or materials for party-endorsed poll watchers. Coordinators will also work with local units to ensure that enough volunteer poll watchers are recruited and trained.

Election season poll watchers will monitor and report on early in-person voting, online reporting and absentee voting, at registrar offices and satellite election offices. Daily reports will be aggregated and synthesized by TXFET, and form the basis for regular press releases, op-eds, and other outreach efforts. Poll watchers will also have access to a legal hotline for reports on incidents that might require an immediate legal response. The primary objective of the election season observation is early identification of issues and concerns to improve the quality and integrity of the election while it is in process.

Observing Election Day and the Counting Process – Although the actual election day in Texas is not as important as it used to be, because of the long election season, it will still require more poll watchers and other election personnel than any other day. Pollwatchers will be recruited and trained by party units, and county and municipal Coordinators and teams. The objective is to detect and deter malfeasance through complete coverage of and reporting from all precincts in the state.

Poll watchers may work in shifts organized before election day. They will arrive before the precinct opens to observe the setup of the polling location and machines, and will watch the polling process throughout the day, then the counting process after the poll. Each poll watcher (or team) will have a checklist and report form to facilitate monitoring of their locations, and the collection of data that can be used to validate or delegitimize the election process at the precinct level after the election. In addition, poll watchers will have access to the legal hotline to report irregularities or malfeasance as they happen.

Post-Election Audits and Reports – After the election, we will continue to monitor any post-election audits or court cases. Pre-election, election season and election day reports will be synthesized, and used to develop a comprehensive narrative report on the integrity of the entire election process, with recommendations for needed reforms in advance of the 2022 national elections.

3.2 Pre-Election Observation

We will recruit, train and manage the initial LTO teams. Each team will be made up of 3-4 volunteers, and will be responsible for implementing activities in several counties and/or municipalities during the first phase of observation. Teams will establish and maintain good relations with election officials, and other relevant government and security officials, in their area of operations (AOR). These teams will also facilitate the recruitment and training of additional observers. As the network is built out, we hope to identify coordinators and team members for every county and city in the state. To learn more about how you can volunteer for this effort, please visit txfet.us.

3.2.1 Registrar Survey

Each County in Texas will assign Voter Registrations to one of three positions: County Tax Assessor, County Clerk or Election Administrator ([Texas Election Code 12.001](#)). An initial registrar survey should be conducted in each city and county. LTO teams should request a meeting with each Tax Assessor, County Clerk or Election Administrator in their Area of Operations. A sample request letter is included below. The letter should be sent by email, and immediately followed up by a phone call. Contact details for each Tax Assessor, County Clerk or

Election Administrator in the State of Texas can be found here:

<https://www.sos.state.tx.us/elections/voter/tac.shtml>

<https://www.sos.state.tx.us/elections/voter/cclerks.shtml>

<https://www.sos.state.tx.us/elections/voter/county.shtml>

Use the sample letter as a guide for the call, explaining who you are and who you represent, and that you are election observers interested in learning more about the election process in the relevant county.

Ideally, all interviews should be conducted within a week of the initial call, so request an early date. If they try to put it off, note that you have a deadline for reporting, and that it would be a shame if they were not represented in the state report. During the interview, be respectful, non-confrontational, and non-partisan. Express our common objective of excellent elections that are accepted by all as fair and credible.

Prior to conducting the interview, you will be provided with an online video briefing on the questionnaire by staff. The questionnaire is attached at the end of this section. During the interview, please record responses directly on the form, using additional pages if required. After completing the questionnaire, you may want to ask additional questions specific to your AOR, but don't take up too much time. Make arrangements with the Registrar to follow up by email or phone to collect any information that wasn't available during your visit. Thank the registrar for his/her time, and note that you look forward to remaining in touch throughout the election cycle.

After leaving the office, please photograph your forms, and email them to TXFET@protonmail.com. As soon as possible, please enter the information from the form into the electronic form on the TXFET.us website. Staff will also schedule a video debrief for your team so that you can provide feedback on the survey implementation, suggestions for improvements and/or additional follow up questions, and share experiences and lessons-learned with other teams.

Tips for getting an appointment with a registrar for the survey

Get ready

- *Confirm with the State LTO Coordinator (Maria Miller) that the county is available*
- *Gather information for your county: registrar name, title, phone number, email, physical address*
- *Start a page in a notebook for each registrar office that you plan to visit*
- *Let your team know that you are hoping to get some appointments and that you will need immediate feedback to confirm their availability.*

Remember

- *Be confident, polite, and friendly.*
- *It's absolutely our right to ask questions, but we don't want to be confrontational.*
- *We want to establish a relationship, and don't want to burn any bridges*

Contact the registrar

- *Preferable to call - they can't avoid you as easily, and you can keep it informal and friendly*
- *Email is a good way to follow up to let confirm the appointment Introduce yourself*
- *Explain that you are working with TXFAF on a statewide initiative to visit every registrar.*
- *"We are a non-partisan group looking to educate citizens about our election process"*
- *"We want to show people some of the behind-the-scenes aspects and help them gain confidence in our election process"*
- *So far we've met with about 5 (this number will be growing obviously). Definitely mention if you have met with another registrar nearby*

Ask for the interview

- *“We have developed a survey with about 25 questions”*
- *“I think it should take about an hour at the most”*
- *“How about tomorrow or later this week” Document the call*
- *Record the date and time you called*
- *Who you spoke to, when/if you need to call back*

Tips provided by Johanna Carrington, Lancaster County, VA

Tips for an Office Visit

- *Prepare before arrival*
- *Questions printed*
- *Roles assigned*
- *Equipment ready*
- *Enter*
- *Wait your turn*
- *Introduce yourself*
- *Ask to see the registrar*
- *Record the names and positions of the people with whom you speak*
- *Calmly ask the questions and collect the responses*
- *If they refuse to provide documentation, inform them you will return in a few days to give them time to collect the documents, and thank them for their time*
- *If they do provide documentation, thank them for the help*
- *If they provide service, write a thank you note and mail it that day*
- *Report to the organizers the results of the visit*
- *Return to the organizers any and all documentation collected*

Tips provided by Diana Shores, Lynchburg, VA

Sample Meeting Request Letter

*From: Texas for Election Transparency
Concerned County Citizen Volunteers
Txfet@proton.me*

*To: (name of Election Official)
xxxxx County Elections
xxxxxx@(email address)*

Subject:Request for meeting
(Date)

Dear xxxxxx County Election Administrator.

Texas For Election Transparency on behalf of concerned county citizens is a group dedicated to transparent and credible election processes. We are a non-partisan group engaging eligible first-time voters, students, and other concerned citizens in learning more about the process in hopes they will continue to be part of our elections either as poll workers, poll watchers, or volunteers.

As part of our civic engagement work, we are conducting a survey of county election administrators, county clerks and/or tax assessor collectors across the state of Texas and would like to request an IN-PERSON meeting with you to conduct a survey, and to introduce the volunteers participating in this election transparency project. These meetings will facilitate greater learning for our network, allowing them to act as a sort of “ambassador” to other groups regarding your local county elections operations. This is meant to be a positive experience, with positive outcomes, for both citizens and local election administrator offices.

Our findings will be shared publicly in hopes that it will increase transparency and public confidence in election processes, and to provide the public with the information needed to accurately evaluate the integrity of current processes and procedures. Results of our questionnaire interview will be uploaded within 48-72 hours to **TXFET.US**.

Due to the fortified firewalls installed on most Texas county websites, to protect against cyber-attacks, you may have to search our website by typing in the URL address: **libertyshepherd.com/elections/cgi-bin/home.php?state=TX** (not on a county computer).

The interactive map on the landing page displays counties that have already participated in our survey, in gray highlight.

Click on one of those counties and a drop-down box will appear. Click on the "interview" tab (then choose from audio, form, survey).

You will be able to view how other county elections officials participated in this questionnaire.

We anticipate the meeting in total will last about 30-45 minutes. You may call me at the number listed below to schedule a meeting with volunteers from your area or reply to the email posted on the header of this letter.

Sincerely,

Xxxxx xxxxx
Volunteer Coordinator
Texas for Election Transparency
(xxx) xxx-xxxx

TEXAS SURVEY OF COUNTY ELECTIONS ADMINISTRATOR		
County:	County Seat:	Cong. District: State
Senate District:	State House District	
Date of interview: Elections Administrator / County Election Official:		
How many precincts are in your county? Number of Registered voters in your county?		
Percentage of registered voters who voted in the last 2020 election Percentage of registered voters who voted in the 2018 elections _		
<i>Before the interview</i> – Record the time and date of your call and e-mail, and if the meeting is not set immediately, the time and date of their response.		

<p>a. Time and date of initial call and e-mail: b. Time and date of response: c. Did the Registrar refuse to meet with you? Yes No d. If yes, provide the reason given for not meeting with you:</p>	
<p><i>The interview – Thank the Registrar for agreeing to meet with you. State that the purpose is to provide voters with accurate information about the election process in their county / State. Emphasize how important you think his/her role is in the ensuring that everyone in the county sees the election here are free, fair and legitimate.</i></p>	
<p>First, we have a few general questions:</p>	
<p>1.</p>	<p>What is your biggest concern about the upcoming elections?</p>
<p>2.</p>	<p>Any other major concerns? Yes: No: Don't Know: No answer / Refused to answer:</p>
<p>3.</p>	<p>Do you feel like you have the resources, equipment, personnel, and training needed to run an effective election in November?</p>
<p>4.</p>	<p>If no, what is missing? What resources so you need?</p>

5.	Each county has a County Election BOARD (not Commission). Who serves on your county election board? What are their duties/responsibilities?
6.	How many people work in the County Election’s Department (EA Office)? Who supervises their work?
7.	<p>Is the County Election COMMISSION (not Board) engaged in election work year-round, or mostly near elections?</p> <p>Year Round: Mostly near elections: Don’t Know: No answer / Refused to answer:</p> <p style="padding-left: 40px;">a. How often does it meet? b. How is the public notified of its meetings?</p>
Thank you. Now a few questions on the management of voter rolls	
8.	<p>When was the last time the voter rolls were scrubbed or cleansed of voters who no longer live at their address of record, or deceased voters? <i>(Enter date, time, and the number of days since the last audit)</i> Date: Number of days since the last audit?</p>
9.	<p>The Health Department / coroner/ funeral home / or Bureau of Vital Statistics can send a list of deceased people to your office every month so they can be removed from the voter rolls. Do you use this information to update your voter rolls and is the list public and available upon request?</p> <hr/> <hr/> <hr/>


	If no, how often do you receive a list of deceased people and from whom?
10.	When was the last time the County Clerk or District Clerk submitted a list of individuals who declined to serve on jury duty on the basis of being a non-citizen?
11.	Does your office have access to the National Change of Address (USPS) List? How often do you utilize it to update your voter rolls? (Record date of access of this list or any other relevant list)
12.	Are you confident that the voter rolls in your county are accurate and up to date? Yes: No: Don't Know: No answer / Refused to answer:

	If no, what is/are your main concerns(s) about the list?
13.	How many households in your county have more than 7 individual registered voters living at the same address? Number (If unknown, ask the Election Administrator to forward information to you ASAP)
14.	Volunteer Deputy Registrars are permitted to accept voter registration applications. Concerning this: a. Is there a log of these Volunteer Deputy Registrars? b. Is there a log of the voter registration applications submitted by VDR's?
Moving on, concerns were raised across the country about the accuracy and integrity of voting machines in the 2020 elections.	

15.	<p>1. Does your county use electronic poll books, if so, when was the last time the software was updated, and have you had problems with your electronic poll books?</p> <p>2. Does your county use pre-printed paper ballots or electronic voting systems or both?</p> <p>a. What problems have you experienced with your electronic voting systems?</p>
16.	<p>Who tests the electronic voting system in this county? Name of company and contact phone number</p> <hr/> <p>Can you please explain the process to me?</p>
17.	<p>Who normally attends or witnesses this electronic voting system testing?</p> <p>Party Representatives: Candidates or Candidate Representatives: The media: No answer / Refused to answer:</p> <hr/> <p>How many other times are the electronic voting machines exposed to any other outside parties?</p>
18.	<p>Are your electronic voting systems ever connected to the internet? Yes: No: Don't Know: No answer / refused:</p>
19 a.	<p>Does your county have storage areas for electronic voting systems with any of the following; electronic surveillance, keypad locks or e-locks, and are they connected to an outside monitoring source? If implemented, have you experienced any problems?</p>
19 b.	<p>The polling places require voting systems to be stored in secured and protected areas prior to, and right after, use. How is this implemented? Who ensures this is done according to the law?</p>

	a. How are the climate control requirements monitored and audited at the variety of polling locations found through the county?
20.	Have you ever received any funding or in-kind contributions for training, staff, voter education, or equipment, or any other purpose from outside the State of Texas? Yes; No: Don't Know: No answer / refused:
21.	Since 2020, voting component malfunctions must be reported. Have there been reports of malfunctions in this county? If so, how many and how were they handled?
Many changes in election procedures were introduced in response to the COVID19 pandemic, and some people have argued that these changes weakened the integrity of our state's election process. **If Not Applicable, write N/A in the space provided for the answer	
22.	There is a lot of concern in Texas and in states across the country about the security and integrity of the ballot drop boxes. Does your county use ballot drop boxes? If so, what are the chain of custody procedures for ballot drop boxes? *If Not Applicable, write N/A in this space
23 a.	Do your ballot drop boxes have video monitoring at all times? Yes: No: Don't know: No answer / Refused to answer: *If Not Applicable, write N/A in this space
23 b.	Who is responsible for reviewing the video, and were party observers/representatives present during the review?
24 .	Person responsible: *If Not Applicable, write N/A in this space

25.	<p>Would you provide training and support, or designate us to provide training and support, for an election day poll watcher training program in accordance with Texas law?</p> <p>Yes: N</p> <p>o:</p> <p>Don't Know:</p> <p>No answer / Refused to answer:</p>
26.	<p>What information do you provide to election judges and election clerks regarding rights and responsibilities of poll watchers? Is it also available on-line to the public?</p> <p>Yes: N</p> <p>o:</p> <p>Don't Know:</p> <p>No answer / Refused to answer:</p>
27.	<p>If no, are you aware there is a poll watchers guide on the Texas Secretary of State's website?</p>
<p>We may have a few additional questions related specifically to recent legislation passed by the Texas Legislature and signed into law by the Governor. As you know, the Governor signed into law "The Election Integrity Act (SB1); We would like to get your honest opinion about this legislation. Additionally, this includes questions on how this new law will affect your county in the upcoming November elections.</p>	
28.	<p>Are you familiar with this legislation?</p> <p>Yes:</p> <p>No:</p>
29.	<p>Do you believe the reforms made will improve election integrity in your county?</p> <p>Yes:</p> <p>No:</p>
30.	<p>Regarding the reforms addressed in the new law, has your office been able to implement them?</p> <p>Yes: No:</p>
31.	<p>What do you like/dislike about the new legislation?</p>
32.	<p>Have you identified any areas of confusion or unclear directions or conflicts in the new law? If so, what are they?</p>

33.	Do you believe the early voting period is just right, not enough or too long? Just Right: Not Enough: Too long:
34.	Prior to the new law, how many drop boxes did you have in your county? *If Not Applicable, write N/A in this space
35.	Under the new law, how many ballot drop boxes will you be allowed? *If Not Applicable, write N/A in this space
36.	Under the new law, how do you plan on monitoring the ballot drop boxes? Where will they be located? *If Not Applicable, write N/A in this space
37.	How will you ensure only one ballot at a time can be inserted into a ballot drop box and that there will be no ‘repeat’ visits (or mules) to the drop boxes?
	Thank you. The survey is complete now. We appreciate your participation in our survey. We look forward to maintaining communication with your office as we prepare for the 2022 mid-term elections and beyond.
<p>The Question Below is For Survey Team: Please characterize your interaction with the County Elections Administrator. (Circle all that apply) Write in Any additional comments about your interaction and experience with the Election Administrator.</p>	
38.	<p style="text-align: center;"> <input type="checkbox"/> Helpful <input type="checkbox"/> Polite <input type="checkbox"/> Defensive <input type="checkbox"/> Unhelpful <input type="checkbox"/> Antagonistic </p>
<p>To the survey team: Thank you for all your time and efforts to ensure a free and fair election this November in Texas. Please submit your completed survey form as soon as possible to Maria Miller.</p>	

3.3 Observing Logic & Accuracy Testing for Voting Machine Scanners

Logic and Accuracy (L&A) testing is the process by which voting equipment is configured, tested, certified for accuracy, and secured with seals prior to an election. This pre-election testing is conducted at the county level when the voting system is first acquired, and again before each election as outlined in [Texas Election Code 129](#). Its primary purpose is to ensure that the software has been set up properly to accurately count the specific ballots for that election.

L&A testing proves the ballot and proves that the system is properly adding votes to each candidate in the same quantity as the votes cast. L&A testing increases the confidence that the system correctly attributes each vote to the candidates and that the tally will be conducted correctly each time the system has a ballot scanned through it.

The county's General Custodian of Election Records conducts the testing by appointing a bi-partisan Testing Board to witness and participate in the public testing, beginning no later than 48hrs prior to the next election. [Texas Election Code 129.023](#) states, in part: The general custodian of election records shall adopt procedures for testing that:

- (1) direct the testing board to cast votes;
 - (2) verify that each contest position, as well as each precinct and ballot style, on the ballot can be voted and is accurately counted;
 - (3) include overvotes and undervotes for each race, if applicable to the system being tested;
 - (4) include write-in votes, when applicable to the election;
 - (5) include provisional votes, if applicable to the system being tested;
 - (6) calculate the expected results from the test ballots;
 - (7) ensure that each voting machine has any public counter reset to zero and presented to the testing board for verification before testing;
 - (8) require that, for each feature of the system that allows disabled voters to cast a ballot, at least one vote be cast and verified by a two-person testing board team using that feature; and
 - (9) require that, when all votes are cast, the general custodian of election records and the testing board observe the tabulation of all ballots and compare the actual results to the expected results.
- (c-1) A test conducted under this section must also require the general custodian of election records to demonstrate, using a representative sample of voting system equipment, that the source code of the equipment has not been altered. (***ALSO KNOWN AS A HASH CODE***)
- (d) A test is successful if the actual results are identical to the expected results.

The L&A test ideally encompasses the entire set of possible ballots, types, styles, precincts, and vote opportunities in the universe of possibilities. These ballots are the Test Deck. Each combination of vote opportunities should ideally be tested, selected for Undervote and Overvote.

If ballots are created on a Ballot Marking Device (BMD), they will be called Printed Vote Records (PVRs), originally marketed for use by Disabled voters per the Americans with Disabilities Act (ADA), those ballots should also be in the Test Deck, all combinations. Ballots representative of By-Mail Absentee should be included, because they are FOLDED, so these too

should be part of the Test Deck. Ballots should be like election day, and prepared the way the county would prepare ballots for Live Voting.

It is essential for counties using true ballots (hand-marked), that the Test Deck ballots be hand marked as on election day, rather than arriving from a vendor preprinted. This is because image programming exists which can place an unseen pattern that a scanner can read into a pixel array and enable a different function to occur.

L&A testing happens after the ballot styles are prepared and approved. Preparing the ballots for election day occurs after the candidates and the associated districts for which they are running are set. In counties using hand-marked ballots, they use the vendor ballot template to place the candidates on the ballots next to the appropriate oval.

In counties using a hybrid system (BMDs) and PVRs, the results are marked by workers on BMDs following a predetermined schedule. The election ballot template is prepared by the vendor for the black orientation marks to be placed on each ballot corner. Mail-In ballots will be prepared with unique barcodes to prevent double scanning. Depending on the voting equipment used, the barcodes may also be needed for the scanner to geometrically calculate the location of the oval filled next to the candidate's name, and count that filled in oval as a vote.

Ballots by Mail (BBMs) are prepared on-demand as BBM applications are accepted by the county as outlined in [Texas Election Code 86.001](#).

The preparation and testing of voting equipment is to be open to members of the public to observe; however, members of the public shall not in any manner interfere with the preparation and testing. Notice of the L&A testing comes to the party chairs from the general custodian of elections records, who can then ask for observers to be present, and is also posted online in advance. A test plan process should be provided to the observers upon arrival. Local election integrity teams can work with the general custodian of election records and the Testing Board to improve testing practices.

It is advised to find software programmers/engineers to observe and make notes on areas for improvement and to ask questions. Pay careful attention to protocols for thumb drives, vDrives, open ports, hash codes, whether a security seal is placed on the vDrive compartment after testing and that the serial number of the machine is logged alongside the security seal number for each machine. Also note whether the machine sets for each precinct are kept in individual locked cages, and **note the time, date and time zone each machine is set to.**

The local election integrity group/party should ask for the serial numbers and security seal numbers for every machine L&A tested and approved for the election, to include backup machines. During the election, observers should look to see the security seal number without touching the machine, or ask a Chief to get the number, and note that the numbers match those provided after L&A. **If they do not match, then someone has opened the scanner compartment improperly and you should file an [Incident Report Form](#).**

Important L&A process questions to ask include:

- What is the role of the Election Administrator with respect to equipment security?
- Who are the individuals on the test teams? Are they from the machine vendor? The Election Assistance Commission (EAC) recommends that the vendor not be on the test teams.
- Who prepares the test script?
- Who is programming the election?
- Who is conducting the pre-election testing? It should not be the same person who programmed the election.
- Who is proofing the test? It should not be the programmer or the person who conducted the test.
- Are L&A pre-marked test deck ballots or hand-marked ballots used for the test?
- Digital Ballot Image Storage, is there a setting done during L&A testing activating Image Captures?
- Would you authorize an independent group to create their own testing plan and administer their test kit with volunteers or election staff without providing the expected results to the General Custodian or Testing Board until post L&A test?

Locality L&A testing for each machine used in an election can be time consuming. Sometimes they also must load new software, after the firmware is installed by the vendor. If a locality must load new software and test for 100 precincts, it can take a week, with 4 to 5 full time staff running the L&A. For this reason, the time it takes to run a larger number of ballots for testing is increased. Request hash codes for each upgrade, both pre and post-election.

Texas Code requires localities to certify to ELECT that they have performed L&A testing and certification on all voting systems and EPBs. This is public information that can be FOIA'd.

References:

- Election/ Advisory Code: <https://statutes.capitol.texas.gov/Docs/EL/htm/EL.129.htm#B>
- EAC recommendations: https://www.eac.gov/sites/default/files/eac_assets/1/6/Chapter_6_Pre-Election_and_Parallel_Testing.pdf

3.4 Electronic Pollbook (EPB) Logic and Accuracy Testing

The Logic and Accuracy testing of the Electronic Pollbooks (EPB) must confirm that the voting equipment provides accurate and secure voting records as defined as outlined in the [Texas Secretary of State's Electronic Poll Book Functional Testing Matrix](#).

Specifically, the logic and accuracy testing must do the following:

1. The logic and accuracy testing must confirm that the appropriate election-specific data files were downloaded to the electronic pollbook, and are set to the correct type of election being held in that jurisdiction.
2. The logic and accuracy testing must confirm that the electronic poll books for each election are able to denote whether a voter has voted by mail, in person, is suspended.

3. The logic and accuracy testing must show that all precincts will provide the correct ballot styles to voters in the precincts.

3.5 Other Possibilities for Pre-Election Observation

Your county election board has public meetings about election issues, and you should send observers to those to ask questions, and report on issues discussed. These meetings may also be a good time to raise specific concerns you have with the transparency or integrity of the election process.

A sample report format for such a meeting is included below:

1. Name of county/city
2. Did the county/city hold a meeting this month? If no, end report. If yes,
3. Agenda of meeting (this is often included in the meeting notice)
4. Decisions of the meeting
5. Any other issues

At the state level, TXFET leadership may conduct similar interviews with relevant officials from the Secretary of State's Election Department.

To gain a deeper understanding of the pre-election environment, you may wish to conduct interviews with political party chairs in your county. These interviews may be conducted in person or by phone. A sample questionnaire is provided below.

<i>3.5.1 County Political Party Chairs - Pre-Election Report</i>	
County:	Name of County Chair interviewed:
Name of Observer:	Political Party Affiliation: Republican ___ Democrat ___ Libertarian ___ Other _____
Instructions: Please fill in the form and submit on _____ to Txfet@proton.me	
1	What is your greatest concern about the upcoming election?
2	Did the Elections Office post the location and hours of operation for in-person early voting at his office and any satellite voting centers by _____? Yes ___ No ___
3	Are you concerned that countywide polling places may have been cited for partisan reasons (i.e., to advantage one political party)? Yes ___ No ___ If yes, please provide details:
4	Have you been able to recruit and train enough poll watchers to cover election day and early voting? If not, what are the particular constraints you face in training and recruitment?
5	Do you have enough poll observers to ensure a visit at closing to each location for every day of the election season? Yes ___ No ___
6	Have you been able to meet in person or online with the poll observers to provide appointment letters, any needed training or materials, and to develop an observation plan for in-person voting and absentee/mail-in ballot counting? Yes ___ No ___
7	Have you discussed with your County Chair a notification protocol for absentee/mail-in ballot counting so that you can send a poll observer to watch every time it occurs? Yes ___ No ___
8	How many days advance notice will your Elections Office provide notice of intent to count absentee/mail-in votes? _____
7	Are you satisfied with the notification protocol? Yes ___ No ___
9	Have you reviewed the absentee/mail-in voter application list and application forms at your Countys' Elections office? Yes ___ No ___ If yes, were there any anomalies you think should be followed up on? Yes ___ No ___ If yes, please describe those (attach additional sheets or an Incident Report Form, if needed):
10	What additional support (if any) do you need from TXFET?

4 Election Season Observation

4.1 What is Election Season?

Elections in the United States used to take place on one day, as required by the Constitution, with very limited exceptions for absentee voting. Over the last decade, and especially since the creation of the COVID virus, early and absentee voting has expanded dramatically, so that now 44 states and the District of Columbia have no requirement for absentee voting, for an average period of 22 days. We have defined this period of legal voting before election day as the *election season*. In Texas, election season is up to 3 weeks long. Early voting begins October 24th and from that date any registered voter in Texas can vote absentee by mail, or by visiting an advance voting site.

Unfortunately, expanding the election from one day to up to 3 weeks decreases the transparency and credibility of its election process. Throughout the election season, the chain of custody and chain of observation are regularly broken for long periods, reducing the transparency needed to reassure voters that the process is fair and accurate. Extending the election period also places an unsustainable physical and financial burden on overworked election officials, and the party representatives tasked with ensuring the integrity and legitimacy of the election process.

This imperfect system falls far short of accepted norms and standards for transparent and credible elections, and will require fundamental legal and procedural reforms to ever meet or exceed those standards. Until these reforms can be made, the only means to enhance transparency and public confidence in the integrity of the process will be through increased public scrutiny of every stage of the process to the extent possible.

Election season observation may be conducted by poll watchers authorized and coordinated by county or city party chairs, and in some cases by independent observers. The TXFET program seeks to increase election season observation by providing training and materials for poll watchers and observers.

4.2 Concerns with Mail-In Absentee Voting

One of the reasons absentee voting has previously been limited is because it is inherently insecure. Absentee voting enables cheating through ghost voters, political pressure and intimidation, vote buying and selling, and other forms of fraud. When it was limited primarily to soldiers and diplomats on duty for the US government, plus very limited exceptions for individuals with provable need, the risks were deemed acceptable. With the introduction of widespread and often universal (as in Virginia) postal voting, these gaps in security can be easily exploited to alter election outcomes.

Because postal voting occurs in private, malpractice is difficult to monitor and control. A spouse or relative in an abusive relationship, or workers on a farm or in a factory, or the elderly and patients confined in a care facility, may be forced to apply for an absentee ballot, and then be forced to vote the ballot for a particular candidate or party, all out of sight of monitors or law enforcement officials. Postal voting also enables vote buying.

Controlling abuse in the home is difficult, but some deterrence can be expected from public education on the right to vote in secret and to vote your conscience; with a contact number or hotline provided to report abuse. For large farms, factories, businesses, and especially care homes; observers should visit (or recruit a patriot insider) and ask the following questions:

1. Has anyone asked or required or offered to help you apply for an absentee ballot?
2. Has anyone offered to help you fill in an absentee ballot?
3. Has anyone tried to force you, or pay you, to vote a particular way?

Answers to these questions will help you determine if there is a possibility that organized vote fraud is occurring in the location.

Regrettably, homes for the elderly and those requiring cognitive care are particular targets for vote thieves, so it may be important to recruit patriot insiders in these institutions who can monitor and record the activities of people offering to “help” with applications or voting. The best deterrent for this form of theft, which is a felony, is to ensure the thieves know we are watching, and know they will go to prison if caught. If possible, post leaflets in care homes that alert residents to potential abuse, and provide hotlines for reporting criminal acts.

If concerning issues are discovered, please document these by filling in and submitting an [incident report form](#).

4.3 Monitoring In-Person Early Voting

Early voting locations are often set up without regard to precincts in the county. Hours of operation are at the discretion of the county elections board, and may include weekends and nights. You can find the hours of operation and early voting locations for your county on your county’s website, in the elections department.

Poll watchers can monitor the process at early voting locations as they would at a polling station on election day. If it is not possible to have poll watchers continuously at all early voting locations, then visits can be conducted at any time during hours of operation, and when possible, please vary the times of your visits. Please use the monitoring forms provided in the section below for election day poll watchers, and if concerning issues are discovered, please document these by filling in and submitting an [incident report form](#).

When you arrive at the office, introduce yourself to the staff, explaining your purpose. If you are refused entrance, or not allowed to witness any process (except marking a ballot), include that in your report. For example, if you are visiting an office, but when you arrive are told you cannot enter for any reason (no space, not authorized, closed early, etc.), please submit an incident report with the date, time, place, and reason given.

<i>4.3.1 Daily Election Season Observer Form (Submit by email to Txfet@proton.me)</i>	
County/City: _Date: _Time: Closing__ Midday Opening	
Observer(s): __Location: RO __ or SO: _____	
At the Registrar’s Office or a Satellite Election Office	
1	Were you allowed to observe all processes at the office? Yes _____No ____ If no, please provide details (use additional sheets or the incident form, if needed):
2	How many people voted in-person today? __
3	How many of those voted using the statement or address process? _
4	How many provisional ballots were provided today? _____
5	Were two officers of election from different parties present at the office? Yes____No ____
6	Were the absentee ballots received during the day counted, or stored securely? Counted _____Stored securely _____

5 Observing the Voting and Counting Processes on Election Day

5.1 Rights and Duties of Poll Watchers

Requirements to become a poll watcher:

- Be a registered voter in the district of the election (school board, city council, county commissioner, etc.) and be a registered voter of the county for state or other countywide elections
- NOT be a candidate for public office in an election held on the day the watcher seeks to serve
- NOT hold an elective public office
- NOT be an employee of an election judge or clerk serving at the same polling place
- NOT have been convicted of an offense in connection with conduct directly attributable to an election
- NOT be related (spouses, siblings, grandparents, and grandchildren) to an election judge or clerk serving at that polling place. A watcher may be related to the candidate the watcher is representing

Poll watchers must complete a training program prior to appointment. The training is available online at any time, without a requirement for prior registration, and after completing the training the poll watcher will be awarded a certificate of completion. When observing election processes, the poll watcher must present a certificate of completion and a certificate of appointment to the presiding judge of the polling place, early voting ballot board (EVBB), signature verification committee (SVC), or central counting station (CCS).

The poll watcher training can be accessed on the SOS's website through the Texas Election Training Portal available on www.VoteTexas.gov and on the SOS's main website, www.sos.texas.gov. Upon entering the portal, the poll watcher will click the tab "Sign up for the Course here!" and select Poll Watcher training from the drop-down menu. The poll watcher will be required to set up an online account by providing their name and email address, and create a username and password. After creating their account, the poll watcher will be able to complete the training.

Upon completion, the poll watcher will be emailed link that can be used to access their certificate of completion. Poll watchers should print their certificate of completion. They may want to print multiple copies of this certificate as they will be required to surrender a copy of the certificate of completion along with their certificate of appointment to the presiding judge at the location at which they want to serve as a poll watcher.

Oath for Poll Watchers – Before accepting a watcher, an election officer shall require the watcher to take the following oath: "I swear (or affirm) that I will not disrupt the voting process or harass voters in the discharge of my duties." (Sec. 33.051(h)). This oath has been added to the certificate of appointment that the poll watcher presents and signs in the presence of the presiding judge.

Rights of Poll Watchers – A poll watcher is entitled to sit or stand near enough to see and hear the election officers conducting the observed activity, and may not be denied free movement where election activity is occurring within the location at which the watcher is serving. It is an offense if a person serving in an official capacity takes any action to obstruct the view of a poll watcher or distance the poll watcher from the activity or procedure to be observed in a manner that would make observation not reasonably effective. A poll watcher's appointing authority who believes that the poll watcher was unlawfully prevented or obstructed from the performance of the watcher's duties may seek: (1) injunctive relief under Section 273.081, including temporary relief; (2) a writ of mandamus under Section 161.009 or Section 273.061; and (3) any other remedy available under law. (Sec. 33.063).

A poll watcher duly accepted for service at a polling location is entitled to follow the transfer of election materials from the polling place to the regional tabulating center, central counting station, or other location designated to process election materials.

A poll watcher at a polling place may begin service at any time after the presiding judge arrives at the polling place on election day and may remain at the polling place until the presiding judge and the clerks complete their duties there. A poll watcher that serves for more than five continuous hours may serve at the polling place during the hours the watcher chooses, except that if the watcher is present at the polling place when ballots are counted, the watcher may not leave until the counting is complete. If a poll watcher leaves the polling area temporarily to use a cell phone or other wireless device, this temporary absence does not affect their 5 hours of continuous service.

The statute on poll watchers can be accessed [here](#), and the Secretary of State's Poll Watcher's Guide can be accessed [here](#).

5.2 Before you Go

Before election day, please read through the observation guidelines. Prepare a lunch or dinner, if needed, and you might like a thermos of coffee or tea. Make sure you have the contact details for your coordinator, and your ID card, appointment form, State Certificate, and an email address or phone number for the registrar responsible for your polling place. Fully-charge your phone, and don't forget a pencil or pen, and your manual and checklist (some may have those on their phone).

5.3 Before Opening

If you will be in a precinct all day, or have the first observation shift, you should plan to arrive at your assigned precinct by 6:30 am, half an hour before opening, so you can observe preparations. On entering a precinct, show your ID card and designation letter to the chief election officer. During your time in the precinct be calm and respectful, and NEVER SPEAK TO VOTERS. If you have questions or concerns, address those to the Head Clerk or Judge.

Between 5:00 and 6:30 the polling staff will arrive at the polling location and begin setting up the station. If any party representatives (poll watchers) are present, the Head Clerk or Judge will require that observers prove their identity and appointment status. The Head Clerk or Judge will then lead the staff in the Oath of Election, then will sign and have the staff sign the Oath of Election form. The staff will check to ensure all required materials are present, then arrange tables, chairs and machines, set up the electronic or paper poll book, and post required signs.

After setting up the polling place, with any poll watchers present in attendance, the election officers will confirm the seals on the voting machines are unbroken, and that the numbers on the seals match those in the log, then will open the machines to confirm there are no ballots in the main storage area and the emergency storage area.

The Chief will then confirm the public count and print a zero tape report for each machine. The reports should list all candidates for the election, with vote totals of zero. The Chief and Assistant Chief election officer must sign the zero tape to certify the poll opening count. You should be able to confirm that all candidates who should be on the ballot are listed on the zero tape, and that the totals for each candidate are zero; and if they are not, challenge that, and file an incident report.

The Head Clerk or Judge will confirm that the number of ballots on hand equals the number provided by the County Elections Office.

At 7:00 the Head Clerk or Judge will announce the polls are open, and allow voters waiting outside into the precinct.

5.4 Voting Process

When a voter arrives, they will say their name and present their ID, and the pollbook officer will find their name in the Pollbook. If the person's voter registration record is not listed in the poll book, they can check the supplemental poll book pages (if any). If the voter is found in the poll book, the voter will then sign the poll book, and an election officer will hand the voter a paper

ballot, or blank Printed Vote Record (PVR), and direct them to the next available voting machine. After marking their ballot, the voter will insert it into the scanner, confirm it has been accepted, and then leave the polling location.

Observer Note: For elections to be transparent and credible, poll watchers must be able to effectively observe all election processes, and record their observations. If you are prevented from or hindered in observing any process (except a voter in the process of marking a ballot) at any time during the polling or counting, that is a serious offence, and should be challenged. If the challenge does not result in immediate relief, record the circumstance on an incident report form, and submit that immediately.

One of the security measures of Texas's election process is hiring of polling staff from each major party, but sometimes that is not possible. Ask the Chief Election Officer if they were able to hire team members representing each major party.

If you are working in shifts, you may want to use a printed checklist, as then this checklist can be passed on to poll watchers on later shifts, with the last poll watchers transcribing responses from the paper form, and submitting one form only for the polling location. Check with your coordinator for practice in your county.

5.5 Checking Voter ID

Texas has seven items that can meet the voter ID requirement, but in practice the requirement is meaningless, as someone lacking one of the approved forms of ID listed below, merely has to sign an affidavit and will be allowed to cast a provisional ballot which will be vetted later at the central counting station by the county registrar and/or ballot board.

- Texas Driver License issued by the Texas Department of Public Safety (DPS)
- Texas Election Identification Certificate issued by DPS
- Texas Personal Identification Card issued by DPS
- Texas Handgun License issued by DPS
- United States Military Identification Card containing your photograph
- United States Citizenship Certificate containing your photograph
- United States Passport (book or card)

If the voter does not possess and cannot reasonably obtain one of these IDs, they can fill out a declaration at the polls describing a reasonable impediment to obtaining it, and show a copy or original of one of the following supporting forms of ID:

- A government document that shows your name and an address, including your voter registration certificate;
- Current utility bill;
- Bank statement;
- Government check;
- Paycheck; or
- A certified domestic (from a U.S. state or territory) birth certificate or
- a document confirming birth admissible in a court of law which establishes your identity (which may include a foreign birth document).

Provisional Ballot – There are three types of provisional ballots that can be cast on election day: not-registered provisional; no-ID provisional; mail-in voter provisional; and other provisional. A log by type of any provisional votes cast will be maintained throughout the day, and poll watchers should record the totals of each type in the report. Pay particular attention to voters who are required to vote a provisional ballot because someone has already voted in their name, as this is evidence of fraud.

5.6 Closing the Poll and the Counting Process

At 6:45 the Chief will announce that the polls will be closing in fifteen minutes. At 7:00 the Chief will announce the polls are closed, and prevent anyone else from joining a line, but anyone in line at closing will be allowed to vote.

When all waiting voters have cast their ballots, the team will then close the machines and print results reports. Poll watchers should be able to view and record the tabulation reports, and may want to photograph them. The Chief or a designated officer will then call the registrar and report unofficial results and the number of provisional votes cast by type. Any poll watchers or media present during the counting process are not permitted to leave until the counting is complete.

Poll watchers should confirm the results on the tape and then record those results on their report form, along with the total number of provisional votes cast by type. If you are not allowed to collect the results, immediately submit an incident report. The results from your polling location will be aggregated with those from other locations to verify the official results.

Poll watchers may then follow the records and machines to any Rally Station/ Rally Site, and from there to Central Count. At Central Count, a Precinct Cumulative Report will be produced once all polling locations have delivered their records to Central Count. Please do not leave without a copy of the Unofficial Precinct Cumulative Report. When this process is over, your observation is complete. Please fill in the observation form, if you have not already, and add the results, then submit immediately.

Thank you for your dedication to free and fair elections in Texas!

5.7 Poll Watcher Report Forms

During your observation you can use a cell phone or tablet to review and complete your checklist, but if you are working shifts, you may also want to take a paper copy of the forms and guide, so that you can pass the form to a subsequent poll watch, with the understanding that the last shift will fill in and submit just one electronic form for the precinct (check with your coordinator for practice in your county). A paper form may also be useful as a backup, in case your phone gives out.

We prefer that you submit your report, and any incident reports, using your phone, tablet or laptop, as that saves us time; but if that is not possible for any reason, please do not hesitate to fill in and submit the paper forms, as it is most important that we get your information in any format. Print versions of the Poll Watcher Report Form and Incident Report Form are included below. The online Poll Watcher Report form is available [here](#), and the online Incident Report Form [here](#).

5.7.1 Texas Poll Watcher Report Form						
Precinct:			Name:			
Address:			Phone No:			
City/			Email:			
County:			Arrival:		Departure:	
Representing: Democratic party ___ Republican Party ___ Non-partisan or other observer ___						
Instructions						
<i>Read the questions carefully. Please make a check in the appropriate box. If you cannot answer the question, or it is not relevant, leave it blank. If clarification is required, briefly explain in the comment section of the form. If at any time you are prevented from observing any process, please challenge this to the judge, and if the challenge is not resolved, immediately file an incident report.</i>						
	Before Opening				Yes	No
1	Were you allowed to observe the set-up of the precinct before opening? (if no, file an incident report)					
2	Are all polling team members and required materials present?					
3	Are there poll workers from both major parties on the polling team?					
4	Did the poll workers swear an oath to conduct fair elections prior to opening?					
5	Did the polling staff confirm the seals on the machines were unbroken, and that the numbers on the seals matched the numbers in the log?					
6	Did the poll workers open the tabulators and show you that the main and emergency boxes were empty, before resealing the machines?					
7	Was a zero tape printed and shown to poll watchers?					
8	Were you able to confirm the zero tape listed all candidates, and showed no votes?					
9	Did the precinct open on time (7:00 AM)?					
	The Polling Process				Yes	No
10	Were you able to see each voter's name in the poll book?					
11	Was each voter's name called out so it could be heard by all poll watchers?					
12	Were any provisional votes cast? (if yes, provide number and relevant details in the data section below)					
13	Did any voters complain that someone had already voted in their name? (if yes, provide number and relevant details in the data and comment sections)					
14	Did any voters vote using only an Affidavit of Residence ? (if yes, provide number and relevant details in the data and comment sections)					
15	Could voters mark and cast their ballots in secret, without anyone seeing how they voted? (if no, give details in the comment section)					
16	Were there any problems with the voting machines? (if so, provide details in the comment section)					
17	Were poll watchers present from both major parties?					
	Closing the Poll and the Counting Process				Yes	No
18	Did the polling place close at 7:00 PM?					
19	Were voters in the line at closing time allowed to vote?					
20	Were there any ballots in the emergency (auxiliary) ballot storage area of the tabulator? (if yes, question Chief, and provide explanation in comment section, or file incident report)					
21	Was a results report run on the scanner?					
22	Were you allowed to copy the results tape from the scanner? (if no, file an incident report).					
23	Were you allowed to observe all aspects of the polling and counting process? (If no, file an incident report)					
24	Record the total number of voters from Poll Book		Record the total number of ballots cast from scanner			
25	Did the total number of votes cast from the tabulator report equal the total number of voters checked off in the Poll Book? (If no, provide details in the comment section, or file an incident report).					
26	Record total provisional ballots by type:	not-registered	no-ID	other		
27	Record the total number of voters that complained that someone had already voted in their name					
28	Record the total number of voters that voted using only an ID Confirmation Statement					

5.7.2 Texas Poll Watcher Incident Report Form		
<p><i>Instructions: Please fill in the form as completely as possible as soon as possible after (or during) the incident. Take the time to collect names and contact details of other witnesses. If you collect electronic evidence (picture, video or audio recording), make a copy of the file and submit with your report, but retain the original on your phone or other electronic device. Submit the completed form as soon as possible to: TXFET</i></p>		
REPORTER INFORMATION		
Reported by:	Phone:	
Position (voter, election inspector, poll watcher, etc.):	Email:	
DESCRIPTION OF THE INCIDENT		
Date of incident:	Time of incident:	Were the police notified: Yes / No
Location of incident:		
<p>Description of the incident: (What happened, how it happened, etc. Be as specific as possible. Continue on back if needed and attach additional sheets if necessary)</p>		
Is there electronic evidence of the incident? Yes___ No___	What type of evidence is it? Phone photo__ video__ audio__	
Is the evidence in your possession? Yes___ No___	CCTV___ Other_____	
Did you witness the incident? Yes___ No___	If no, list the person who reported the incident to you below, along with details of any other witnesses. Attach additional sheets if needed.	
WITNESSES		
Name of Witness:	Phone:	
Role of Witness:	Email:	
Name of Witness:	Phone:	
Role of Witness:	Email:	
Name of Witness:	Phone:	
Role of Witness:	Email:	
Name of Witness:	Phone:	
Role of Witness:	Email:	

PARTIES INVOLVED IN INCIDENT	
Name:	Phone:
Role:	Email:
Name:	Phone:
Role:	Email:
Name:	Phone:
Role:	Email:
ADDITIONAL INFORMATION	

5.8 Observing Ballot by Mail (BBM) Counting Process

Absentee votes delivered by mail will be tabulated on Election Day, all day. Texas Law allows the County Ballot Board to convene once prior to Election Day to begin tabulating BBMs, but can only do this for one day. The county must post the chosen date to begin pre-election BBM tabulation on the county’s elections website at least 72hrs prior to the single day, pre-election tabulation. After this day, the county must wait until election day to begin final BBM tabulation.

Absentee ballots will be processed by the officers of election prior to the closing of the polls, but no ballot count totals can be transmitted outside of the central absentee voter precinct until after the closing of the polls. Mail-In Ballots may be received up to six days after Election Day per [Texas Election Code 101.057](#).

Please observe and document all Commercial Off The Shelf Components (COTS) used to tabulate or otherwise process BBMs. Please record the make, model and serial number of these components and inquire about whether any of them are or can be connected to the internet. To maintain secrecy, the use of cellphones or other communication devices is prohibited until the closing of the polls.

As soon as the polls are closed in the county or city, if the counting is complete, the officers of election at the central absentee voter precinct will report unofficial results to the media, observers, and candidates.

The online Texas Ballot Board Report form is available [here](#).

5.8.1 Texas Ballot Board Report Form			
CA Precinct:		Name:	
Address:		Phone No:	
City/		Email:	
County:		Arrival:	Departure:
Representing: Democratic party ___ Republican Party ___ Non-partisan or other observer ___			
Instructions			
<i>Read the questions carefully. Please make a check in the appropriate box. If you cannot answer the question, or it is not relevant, leave it blank. If clarification is required, briefly explain in the comment section of the form. If at any time you are prevented from observing any process, please challenge this to the judge, and if the challenge is not resolved, immediately file an incident report.</i>			
	Before Opening	Yes	No
1	Were you allowed to observe the set-up of the Ballot Board tabulation process? (if no, file an incident report)		
2	Are all polling team members and required materials present?		
3	Are there poll workers from both major parties on the polling team?		
4	Did the poll workers swear an oath to conduct fair elections prior to opening?		
5	Did the polling staff confirm the seals on the machines were unbroken, and that the numbers on the seals matched the numbers in the log?		
6	Did the poll workers open the tabulators and show you that the main and emergency boxes were empty, before resealing the machines?		
7	Was a zero tape printed and shown to poll watchers?		
8	Were you able to confirm the zero tape listed all candidates, and showed no votes?		
9	Did the Election Department post the date for pre-election BBM tabulation at least 72hrs prior to convening?		

6 Voter Registration Audits

6.1 Introduction

An accurate and complete voter roll is the foundation of secure and credible elections. Although relatively uncommon in the U.S., voter registration audits are a common tool used in other democracies by legislators, election administrators, election observers, and other stakeholders to assess the overall accuracy of a voter register, and to provide the information needed for effective reforms. Voter registration audits can also provide evidence of some forms of election malpractice.

A typical audit will include an initial assessment of the registration process as defined in law and regulation; an IT-based audit of the register (if appropriate); and random sample-based surveys of voters to assess the accuracy of the register. The scope and focus of the surveys can be general, or targeted at specific aspects of the register, depending on the priorities of the sponsor.

Voter registration audits are of particular interest to civil society-based election integrity organizations because, unlike other types of election audits, they can be conducted without the participation of local government or election officials.

6.2 Types of Audits

6.2.1 General Voter Registration Audit

The survey portion of a comprehensive voter registration audit may include two different tests, referred to as *list-to-people* and *people-to-list*. Whether one or both tests are included in an audit would be determined by priorities and available resources.

The *list-to-people* test involves surveying a random sample of voters drawn from the voter list to determine the accuracy of the list, including the percentage of moved or deceased voters on the list. The *list-to-people* test can also reveal fraud, if voter history is included in the survey. For example, if the surveyor finds a voter has moved or died or never lived at the address, that shows error in the list; but if the same voter is listed as having cast a ballot in an election after they moved or died, that shows fraud.

The *people-to-list* test measures the proportion of eligible citizens listed on the list (comprehensiveness). For example, if you survey a random sample of 1000 citizens who would be eligible to vote, and confirm 780 are on the voter list, you have a registration rate of 78%. If you know the total number of citizens in an area who meet the age and residence requirements to vote from the census, and calculate 78% of that total, then that number should equal (within the margin of error) the total number of registered voters on the voter list.

Typically, the number of voters on the list will be greater than the number calculated from the census, because the list still includes some voters who have moved or died. The percentage over your calculated number will be the magnitude of error or bloat in the list. A well-maintained list might be just a few percent off, while a poorly maintained list could contain 50 or 100% more names than actual voters. This is important, as a bloated list can be used to facilitate fraud, and also skews turnout percentages. A general voter registration audit with a *list-to-people* test, or

both a *list-to-people* and a *people-to-list* test, would be most appropriate when the priority is to drive reform of the voter registration process.

6.2.2 Targeted Audit

A targeted audit is primarily focused on just one aspect of the voter list, or one period in time. A targeted audit would normally be based on the voter list, so would be a *list-to-people* test.

An example of a targeted audit was conducted in Virginia in 2021. The election commission reported weekly the names of people who had returned absentee ballots during Virginia's 45-day voting season, and after the first week an election integrity organization ran that list through commercial software to identify suspect addresses, then drew a sample from that list and sent surveyors to confirm that the submitted ballots came from qualified voters. They found that at least 5.7% of absentee ballots submitted during the first week of polling came from addresses where the voter was unknown, or was known but had moved well before the election.

A targeted audit can be conducted at any time using this method, not just during the advance voting period or for absentee ballots. A voter list with voter history is processed through commercial software that identifies a likely mismatch between the voter's listed name and address, and their actual address. A sample from the processed list is then surveyed, and the percentage confirmed as bad addresses during the election period in question can then be applied to the whole list to yield a minimum number of fraudulent votes (this is a minimum number because the commercial software may not catch all bad addresses, and because fraud may have occurred in other ways).

A targeted audit might be most appropriate when the priority is to prove that this type of fraud occurred in a previous election. This type of audit would be less effective at driving reform of registration processes than a general VRA.

6.2.3 IT-Based Audit

An IT audit might be an examination of the machines and processes used for voter registration, or could be a machine-run analysis or test based on available data. The list screening process for bad addresses described above is one type of IT-based audit. IT audits can be easier and cheaper to conduct, because they don't require fieldwork, but are less accurate and therefore less credible than more intensive audits; making them most useful when an overview is needed, or as part of a more in-depth audit.

Types of IT Based Audits

- Comparison of voter registry with obituaries.
- Comparison of voter history across states to detect double voting or double registrations.
- Compare the voter registry with census data.
- Compare voter history with post-election registry to identify registrants who voted and then were purged from the list.
- Compare voter registry with USPS Database of known Residential and Commercial addresses.

6.3 Sampling

Surveys or canvassing without a sampling frame can reveal the existence of errors or fraud, but not their prevalence, and consequently such surveys have less impact in driving reform than sample-based surveys. While it is slightly more difficult to survey using a robust sampling methodology, doing so will allow accurate characterization of the area being surveyed, so it is well worth the extra effort.

If it is too difficult to do a random sample of a whole state, Texas being an example of an exceptionally large state, you can use a multistage random sampling methodology. For example, a random sample of counties, then a random sample of precincts, then a random sample of voters. It's actually a bit more complicated than that, but the science is well-known, and accessible, as it is used by polling firms all the time.

Another option is to limit the size of the survey area. If the auditing organization is strong in only some parts of the state, several counties can be selected as sampling areas. For example; if you do three counties across the state, you can accurately (authoritatively) characterize the situation in each of those counties, compare and contrast results across those counties, and hypothesize about the causes of similarities and differences. This is enough for a good report and may be enough to spur reform, or further investigation.

While a limited but rigorous and representative audit is more useful than no audit, or an unrepresentative audit, a comprehensive audit is preferred if possible. A comprehensive audit provides the most possible useful data; but can also be a tool for the organization to build out and strengthen their network across the state.

6.4 Conducting a Voter Registration Audit

6.4.1 Process Map

- a. Decide what type of audit you want to do. Consider your priorities (voter list reform or revealing previous malpractice). Also consider what types of data are available.
- b. Decide the area you will audit (state-wide or counties/municipalities).
- c. Acquire relevant data.
- d. Draft the questionnaire. Most of this should be off-the-shelf, with minor changes based on priorities and local conditions. While drafting the questionnaire, also do an outline of the report. This will help ensure your questionnaire captures the information you need for your report.
- e. Draw the sample.
- f. Test the questionnaire
- g. Build questionnaire app/ form for ipad or cellphone (primarily off-the-shelf)
- h. Recruit and train enumerators/canvassers.
- i. Field work and data collection.
- j. Analysis and report.
- k. Develop recommendations.
- l. Present report (press, radio, TV, election commission, executive and legislative branches, and judicial branch/law enforcement if significant violations have been found).

6.4.2 *General Voter Registration Audit*

Sample – Either households or individual voters. If households, could any registered voter be the respondent or do we need something like a kish grid? Timing? How do we manage “no one home” or “voter not home”? We will likely just have to over-sample, and record limitations in the methodology to create a proper template for the future.

Draft Questionnaire

- a. Does the address exist? Y/N if Y, go to next field, if N, record and end
- b. Did someone respond to the knock? Y/N if Y, go to next field, if N, record and end
- c. Can I speak to X? If home, wait. If not home, ask any inhabitant
- d. Did you, or anyone else present now, live here during the fall of 2020? (if no, end)
- e. I’m checking the accuracy of the voter roll, which lists the following people as registered voters at this address (show list). Can you tell me if they lived here during the fall of 2020?
Responses: Don’t recognize
Yes, lived here
Used to live here, but moved before period in question
Died
- f. I don’t want to know who you voted for, but can you tell me, did you vote in 2020?

This questionnaire should yield percent of voters on the list who have moved or died or are unknown at the address (error in the list), and (if we have voter history) the percent of fraudulent votes cast in the missing voters’ names.

6.4.3 *Targeted Voter Registration Audit*

The exact shape of a targeted audit would depend on specific local priorities, but one similar to that done in Virginia could be conducted by screening the relevant voter register to identify voters that likely did not live at the listed address, but were shown as having voted in the last election. This set would be potential fraudulent votes. A representative sample of these addresses would then be canvassed to verify information and collect affidavits.

For example, in the 2021 Virginia statewide elections, the IT-based audit suggested 7.5% of absentee ballots submitted in the first week of polling came from suspect addresses, and that was further refined to 5.7% through canvassing. This formed the floor for fraudulent votes, as the initial screen likely missed some people that moved or died, as it incorrectly identified some who had not moved. If fraud occurred throughout the polling period at a similar rate, it would have totaled about 19,000 fraudulent votes. This methodology can/ should be duplicated nationwide.

END