

Comments of Michael Fletcher to the Montgomery County BOE, June 26, 2023.

First, I would like to congratulate the new and returning members of the Board for their appointments. And I wish all of you a wealth of success in keeping our elections free of corruption and fair to all eligible voters.

The National Voter Registration Act of 1993 notes that it is the duty of the Federal, State and local governments to promote the exercise of the fundamental right to vote. And the State Administrator of Elections' introduction to the State of Maryland plan for implementing the Help America Vote Act of 2002 includes the following statement:

Although HAVA increases responsibility for election administration at the State level in order to establish consistency across localities, the State Board of Elections acknowledges that the local boards of elections are charged with the conduct of elections and are critical to the elections process.

In recent years, there has been a effort by the Federal Government and certain state governments to centralize the voting systems in the United States. These efforts have been characterized as improvements or national security enhancements, but the effect is to diminish the ability of local jurisdictions to manage local elections. Some examples of this effort are discussed in the following paragraphs,

In the name of national security, the federal government is pushing the country towards a centralized election system. An example of this is the ALBERT Sensor System. The ALBERT sensor system is connected to the Maryland SBE's computer system. It collects the traffic flowing on the election network and transmits this data to a non-profit in New York state. It is a "black box" because the states and counties know little about the system. They are given no dashboard to see activity, no reports on what was captured, not even what ALBERT observed. In 2019, election data accumulated by ALBERT was moved to the Amazon cloud service. Our election data now leave a county via the SBE and travel to parts unknown, possibly even overseas. Now, thanks to ALBERT, Amazon has access to our election data.

There are efforts in various states to implement universal mail in voting. I know there are various definitions of what that means. I am talking about mailing ballots to every voter on the voter rolls. This should be resisted because it leads to millions of ballots circulating within the US Postal Service. As you know there has been an effort in recent elections to count ballots instead of voters, so thousands of ballots that do not arrive at a voter's residence for various reasons may be collected and voted. In Maryland, a voter must request a mail in ballot before one is mailed out. This should be retained, and efforts to implement universal mail-In voting should be resisted.

Since the pandemic, there has been push towards implementing centralized polling stations and cancelling voting by precinct. This should be resisted. Precinct voting should be retained.

At the direction of the NVRA, Maryland has implemented a state-wide electronic poll book. This probably was a net improvement over paper poll books and county-by-county voter roll maintenance. However, it is a centralized system that is connected to the internet; therefore, it is potentially subject to hacking. Rather than accepting this risk, it would be better to provide each precinct's poll books with its own copy of the state voter rolls and eliminate any connections to the internet.

Another centralizing factor in our elections is the Electronic Registration Information Center, ERIC, another non-profit that is supposed to assist the states in improving the accuracy of their voter rolls. ERIC compiles voter information from over half of our states; although the number of states participating in ERIC is diminishing as they discover that ERIC is not improving the accuracy of their rolls and is sharing personally identifying voter information with other organizations, such as, "authorized researchers." Recently, I have provided data to the Election Director that shows thousands of discrepancies in Montgomery County's voter rolls that should have been identified by ERIC. These discrepancies are in the exact areas (registrants who have moved or died) that the NVRA requires reasonable effort be taken to remove ineligible registrants from the rolls.

Finally, the SBE itself can be considered a centralizing factor in the elections. I have mentioned centralized poll books. Another issue is certification of the election results. The results of elections in Montgomery County should not be shared outside the county until the results are evaluated to ensure precinct tallies are documented, compiled, and certified. Then they can be transmitted to the SBE for compilation of state-wide results.

One of the strengths of our voting system in the USA is its decentralization. States run their voting systems. Counties conduct elections and certify the results. This makes it very difficult for those who would manipulate elections to affect state-wide or country-wide election results. I hope I have convinced you that this system is being undermined; and I urge you, the Board Members and the Elections Staff, to resist further centralizing control of our election system and even to find ways to roll back some of the actions already implemented that dilute your ability to conduct and certify our elections.