

What if Alaska's 2020 Election was Hacked?

## **Description**





Anybody who has ever been scammed online should be concerned about our last state election, but it appears our public officials in Juneau are not likely to do much about it before the first half of this Legislative session is over in a month or two. Juneau swamp reporter for the *Anchorage Daily News*, **James Brooks** reports that change in Alaska election laws are driven by national politics, but that is not true. Alaskans know something is fishy. [1]

Flawed elections lead to strong man chaos in Third World Countries. We should be concerned about it. Some Alaskans have taken steps to document the problems and have been dismissed as conspiracy theorists.

So let's let the skeptics make their case here and now.

### **Overview of Election Results**

Not long after Alaska certified its election results and published those numbers online, I downloaded the files and quickly scanned through them myself looking for anomalies as already being reported in the six key states that swung the 2020 election, explained Mike Armour, in an email to this writer. Intuitively I knew the numbers didn't add up but the single text file that the State published containing all 441 districts vote tallies made it difficult to see exactly what was going on. With the aid of an associate, Troy W. Swanson, who has expertise in large scale data manipulation in a few hours we managed to sort out the data into a coherent Excel file format and confirm my earlier suspicions.

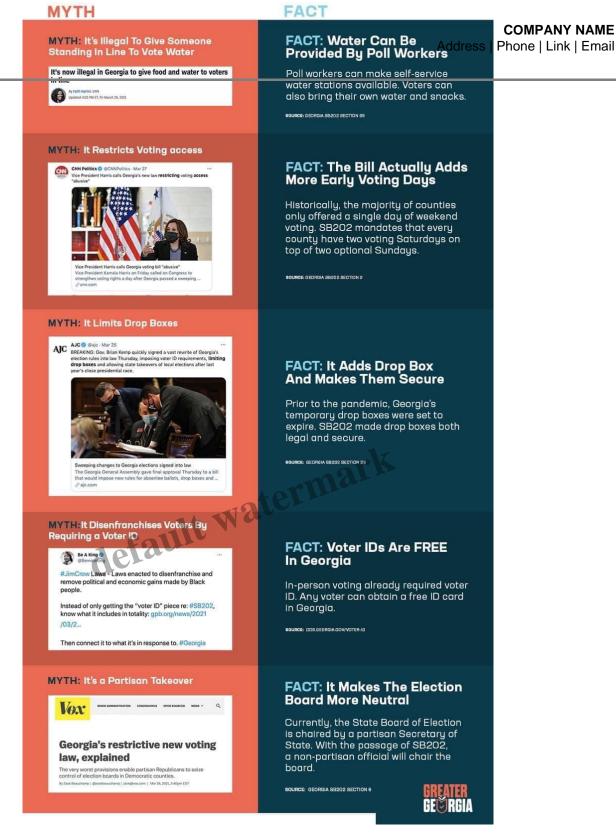
This writer has downloaded *Division of Elections* results and reviewed them myself for every Alaska election since 1978. It is a way to see how certain communities think and try to understand how some people are elected to public office. I believe the voters deserve exactly who they elect, *if the election is fair*.

All Alaska election results are available at the *Alaska Division of Elections* website. [2]

Armour continued: What became glaringly obvious was that Alaska had more votes cast than people to cast them and almost without exception each district reported a surplus vote tally over 100%. In a small number of districts those percentage figures rose to anywhere from 115% to in one case over 300%. Throwing in a formula that would calculate an average for all 441 districts we determined that Alaska experienced an Average of 107% over vote statewide. These figures were later confirmed by an independent analysis that placed Alaska at the top of the nation in "Over Votes" with 108%.

## But what can Lt. Gov. Kevin Meyers do about it?

Eight different ideas—two from Gov. Mike Dunleavy's Administration, three from legislative Democrats and three from legislative Republicans—are percolating in the state capital, according to Brooks' ADN piece. His story goes on to let one house Democrat, Rep. Jonathan Kreiss-Thompson of Sitka opine on the equivalent of Shakespeare's play Much Ado About Nothing. Then, in his vacuum of objectivity, Brooks compares the Alaska situation to something he calls controversial in Georgia.



## ADN as usual wants us to do it the way they do it Outside. I subscribe to ADN strictly for entertainment.

An overview of introduced bills related to Alaska election is in the References. [3] Further details can be found at akleg.gov.

This is the first half of the 32<sup>nd</sup> Alaska Legislature. 160 House bills have been introduced and 117 Senate bills. We have all seen how the circus has been conducted to date with a majority of Republicans elected by voters but a minority of Democrats able to seduce two Republicans to assure more of what we have all come to expect from Juneau.

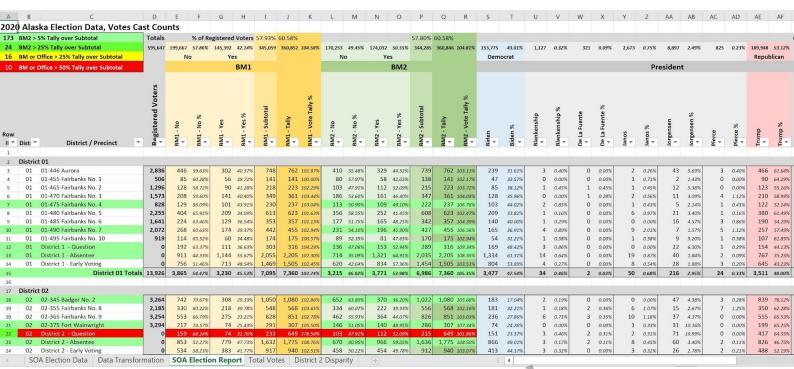
But the Scam May be Bigger than this: What are the possibilities of Electronic Voting Manipulation? If you have ever lost any money from someone who convinced you to contribute to something online, you know how helpless you feel when that person disappears into the ether. Once the money transfers the former "friend" is gone and you don't want to accept that you have done something so stupid. Perhaps that is the reason our elected officials have not taken meaningful steps to deal with the election calamity we have experienced—they are in denial.

I was one of the Alaskans who received the pathetic letter from our Lt. Governor declaring that the voter database was hacked. [4]

The mere fact that any person with physical access or remote access via the Internet can alter vote counts should scare the hell out of everyone, continues Armour. To compound the problem there are NO security features built into the system to prevent this type of action, and NO encryption techniques or restricted access methods employed to prevent them from altering or deleting the log files that would normally capture this kind of illegal activity.

# In the 2020 election an initiative to change the primary election system passed. Could *The Jungle Primary* with *Ranked Choice Voting* lead to one-party rule?

Dominion software uses fractionalized vote counts, whereby vote tallies are stored as fractions rather than whole numbers, explains Armour. Fractionalized vote counts enable use of a feature known as Ranked Choice Voting or RVC. Anyone can set the weighted percentage that a vote receives; for instance a single vote for a particular candidate can be assigned a 1.25 value while that candidate's opponent is assigned 0.75. The number of votes reported will remain true, but the count will favor a chosen candidate over their opponent bywhatever margin is pre-selected. The operator's manual describes this as a "predetermined outcome" that allows manipulators to "pick the winner."



2020 Alaska Election results are color-coded on Excel spreadsheets, to show over vote numbers for all 441 Alaska precincts, in research done by Armour and Swanson.

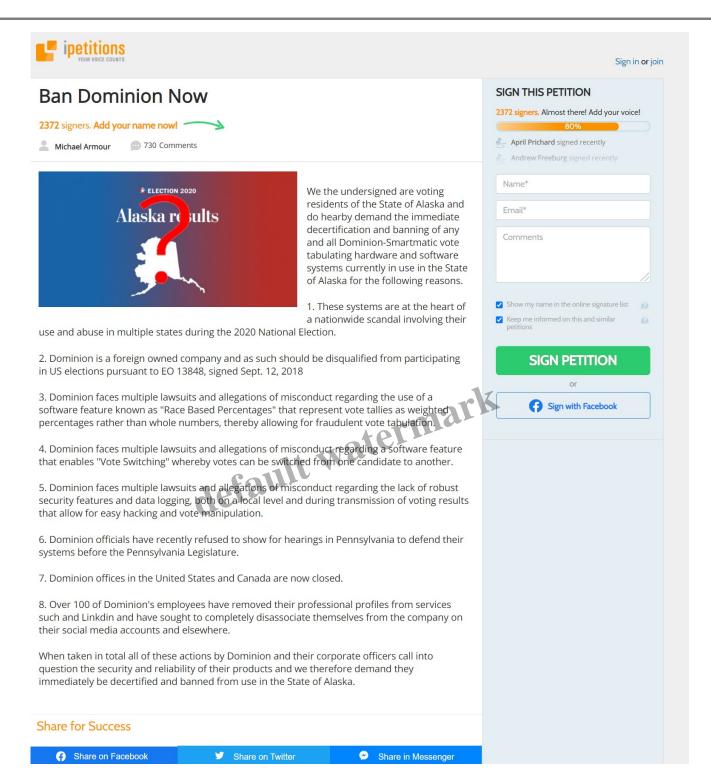
But there is more to the problem, according to Armour: The entire adjudication process within the system is designed to allow an individual to alter or delete a single ballot or a group of ballots as they see fit. There is no auditing feature contained within the adjudication function to



In the meantime Armour has put information gleaned from Division of Elections data out there for Alaskans to consider. He believes the computer system used to count Alaska votes is flawed and has been for a while. He has set up a petition for Alaskans who also think something should be done.

The intended purpose of my petition was to have the state decertify Dominion Voting System based on the deficiencies of its nonexistent security systems, its lack of any real auditing functions and the ease with which it can be hacked by any interested third party, explains Armour. Not one of the proposed bills in either the House or Senate addresses these issues, and so far as I can tell none of them provide a solution to a major problem that we know exists within the election infrastructure. At best some of those bills criminalize an already illegal act and will do nothing to stop a criminal from committing that act. At worst some of those bills will only enable even more voter fraud with more mail in ballots and even preregistering underage teens. Alaska has enough problems with bloated voter rolls and the solution is to make it even worse?





https://www.ipetitions.com/petition/ban-dominion-now

I wrote and published online back in Nov. of 2020 demanding that Alaska decertifies and ban Dominion Voting Systems from use in Alaska and listed the reasons why those steps should be taken, Armour explained. Not one of the several letters I wrote to the Lt. Gov. or the Director of the Division of Elections, explaining the petition or the facts surrounding its claims, ever elicited a single response from any government official. To the best of my knowledge every fact I listed in that document as reasons for decertification still holds true today and has never been refuted or disproven. Given what we knew immediately following the election Alaska should have never certified its results without performing a complete forensic analysis to determine if in fact anything untoward happened in our election.

Gov. Dunleavy has proposed legislation to allow Alaskans to challenge election irregularities for investigation by the Alaska Attorney General. But as the elected officials in Juneau are now preparing their itineraries for return to their districts this is probably out of their reach before they go home.

With elections coming up in 2022 maybe they will remember before then.

### **References:**

- [1] *Anchorage Daily News*, James Brooks, "Proposals emerge to change Alaska's election laws," April 3, 2021 https://www.adn.com/politics/alaska-legislature/2021/04/03/alaska-lawmakers-are-considering-a-range-of-proposals-to-change-the-states-elections-laws/
- [2] Division of Elections Primary, General and Statewide Special Election Results

https://www.elections.alaska.gov/doc/info/ElectionResults.php

- [3] Current bills dealing with Alaska Elections pending in the Legislature.
- **HB 23**-Raucher, McCabe, Vance—Short Title: BALLOT CUSTODY/TAMPER; VOTING; VOTER REG; "An Act relating to elections and voter registration; relating to ballot custody, retention, 2 and destruction; prohibiting possession of another voter's ballot; requiring signature 3 verification; establishing an election offense hotline; and providing for an effective 4 date." Introduced 02/18/21. It has been referred to four committees. Status: In State Affairs, then Judiciary, Finance.
- **HB 39**—Hopkins—Short title: VOTER PREREGISTRATION FOR MINORS; "An Act relating to voter preregistration for minors at least 16 years of age." Introduced 01/08/21. Referred to three committees. Status: In State Affairs, then Judiciary.
- **HB 96**—HOUSE RULES BY REQUEST OF THE GOVERNOR—Short Title: ELECTIONS; VOTING; BALLOT REQS; "An Act relating to elections; and providing for an effective date." Introduced 02/18/21. Status: In State Affairs, then Judiciary and Finance.

HB 138—Kreiss-Tomkins—Short Title: VOTING BY MAIL; "An Act relating to elections; requiring a risk-limiting audit of selected election results; requiring state elections and local elections conducted by the state to be conducted by mail; requiring certain vote-by-mail ballots and election materials to be provided in certain written languages other than English; establishing an online ballot tracking and registration verification system; establishing vote centers, ballot drop boxes, and ballot tabulation centers; eliminating the use of precincts, polling places, absentee ballots, and questioned ballots in certain elections; establishing new elections offenses; and providing for an effective date."

Introduced03/17/21. Status: In State Affairs then Judiciary and Finance.

SB 39—Shower—Short Title: BALLOT CUSTODY/TAMPERING; VOTER REG; MAIL; "An Act relating to elections; relating to voter registration; relating to ballots and a system of tracking and accounting for ballots; establishing an election offense hotline; designating as a class A misdemeanor the collection of ballots from other voters; designating as a class C felony the intentional opening or tampering with a sealed ballot, certificate, or package of ballots without authorization from the director of the division of elections; and providing for an effective date."

Introduced 01/25/21 with hearing scheduled April 8, Thursday 3:30 p.m. at Butrovich 205 or by Teleconference. Then to Judiciary.

SB 43—Hughes—Short Title: ELECTIONS, VOTING, CAMPAIGN FINANCE; "An Act relating to campaign finance and initiatives; relating to elections and voting; and relating to unlawful interference with voting." Introduced 01/15/21 and referred to two committies State Affairs and Judiciary. It was heard in State Affairs on 02/22/21 where Sen. Holland and Sen. Shower voted for it and Sen. Reinbold voted No Recommendation. This bill was referred to Judiciary and Finance by Sen. President Mich

**SB 82**—Senate Rules by Request of the Governor—Short Title: ELECTIONS; ELECTION INVESTIGATIONS; Described in part: "Sec. 15.56.140. Civil enforcement of election laws. (a) A person may file with the division a written complaint alleging that a violation of an election law or rule adopted under this title has occurred, the factual basis for the allegation, and any related evidence. A complaint filed under this section must be filed within 30 days after the election at which a violation of an election law or rule is alleged to have

occurred or within 30 days after the date of the violation of an election law or rule is 10 alleged to have occurred, whichever is later. Introduced 02/12/21 and referred to Judiciary, State Affairs, and Finance Committees."

For Fiscal Note Analysis of this bill go to References.

SB 82 - Fiscal Note 1

1100.121.011

STATE OF ALASKA 2021 LEGISLATIVE SESSION

#### Analysis

This bill creates a new section, AS 15.56.140, authorizing the attorney general to conduct a civil investigation into allegations of election misconduct. Under this new statute, the attorney general may investigate allegations of a violation of an election law other than a violation of AS 15.13, which is regulated by the Alaska Public Offices Commission. An allegation may be submitted to the Division of Elections (division) by a member of the public, identified by the director of the division, or identified by the attorney general. Complaints submitted to the division may be forwarded to the attorney general for investigation.

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In conducting an investigation, the attorney general may issue subpoenas to compel witness testimony and produce documents or other evidence. The attorney general also has the authority to hold hearings and administer oaths, require interrogatories, and examine and make copies of documentary evidence. The attorney general is required to communicate the results of an investigation to the division and may submit a report of the investigation to the division. The records of an investigation are not subject to a public records request and remains confidential unless it is submitted to a court as part of a civil action or used by the division as a basis for action.

If the attorney general determines that there has been, is, or will be a violation of an election law or regulation, the attorney general may bring a civil action to compel compliance with the law. The attorney general may also petition for, and the court may award the state, a civil penalty of up to \$25,000 per violation. The court may also award the state the actual attorney fees and costs, including the costs of investigation, to the extent they are reasonable. Finally, the attorney general and the division are authorized to adopt regulations to implement this section.

Should this bill become law, the department anticipates that the new workload would require the addition of one fulltime investigator and one full-time attorney in Juneau.

**SB 83**—Senate Rules by Request of the Governor—Short Title: ELECTIONS; VOTING; BALLOT REQS; "An Act relating to elections; and providing for an effective date." Provides for security of information and procedures for qualified voters. Introduced 02/12/21, this bill is currently in State Affairs Committee and next goes to Finance.

SB 83 Fiscal Note analysis: "This bill includes permissive provisions that would allow the division to conduct elections in a way that ensures confidence and integrity in the election process and its results. The bill allows for increased post-election audits, by-mail voting in communities under 750, and stronger requirements for absentee ballot voter certificates. Additionally, it requires the division to determine the costs of recounts in regulation instead of statute. Passage of this legislation will have no financial impact on the division."



Lieutenant Governor Kevin Mey

#### SB 83 - Sponsor Statement

This bill would provide additional tools for the division of elections to further the people's trust in elections and the voting process. The integrity of our elections is of utmost importance—we cannot have a functioning democracy without it. This bill would not create an overhaul of our existing elections system but rather bolster what already works.

First, the division of elections is currently hamstrung when it comes to conducting audits on the tabulation machines used to count votes. The statute only permits a hand count verification to be done on one randomly drawn precinct in each district, and only if the hand count comes back with a significant deviation in the voting results can further hand counts occur. This bill would provide flexibility to the director of the division of elections to conduct further hand counts. Being able to audit more precincts to ensure confidence in the results would improve election integrity.

Second, current law does not clearly outline what a voter must include on an absentee ballot envelope to ensure the voter's ballot is counted. This bill would clarify that both a voter signature and voter identifier are required as well as clarify that two voter identifiers are required in order to apply for an absentee ballot. This is how the Division interpreted the law and applied it in the 2020 elections, so this bill codifies the current practice.

Third, the bill would allow the director to set the amount of a deposit required for a recount by regulation. The amounts in statute do not cover the actual costs because they are outdated.

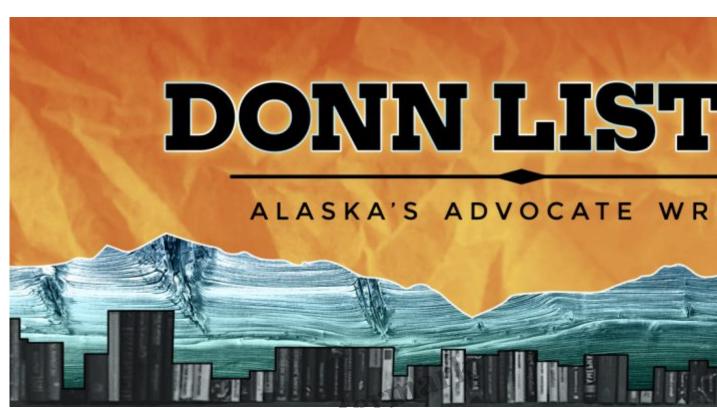
Fourth, the bill would allow any election in a community with a population of less than 750 to be conducted by mail, instead of in-person. There were communities during the pandemic that, for legitimate health and safety reasons, shut down and were not willing to have a polling place operating in the community. Although these were extenuating circumstances, other issues have arisen in the past with some of the smaller communities where finding and staffing a polling place has been difficult. This bill would provide the opportunity for the division of elections to work with communities to determine the best way to ensure every voter can exercise their right to vote.

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[4] Division of Elections Press Release RE: data breach https://ltgov.alaska.gov/newsroom/2020/12/state-of-alaskas-online-voter-registration-system-victim-of-data-exposure/

Previous observations of the 2020 Alaska Election are here: https://donnliston.net/2021/03/alaska-election-questions.html



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Date Created April 6, 2021 Author donn