



Invited Testimony

JoAnn Fleming, Executive Director

Statement for the Public Record

Smith County Commissioners Court

February 7, 2023

2020 Smith County General Election Audit Findings

## Former Smith County Commissioner Fleming greets Court, introduces audit team present

In your information packets from our audit team, there are slides and documentation that detail the nearly year-long effort invested in this audit and the diligence expended to develop **fact and evidence-based results and recommendations**. We are prepared to present our findings this morning. Should you require more information, we can provide this at a later date. It is our intention to host and present a full public presentation the evening of February 13, 2023.

**To summarize, there were serious problems with records management and chain of custody controls on virtually every aspect of the 2020 General Election processes:** provisional ballots, military/overseas ballots, limited ballots. Logs were missing, yielding incomplete and inaccurate records management. The record boxes were an embarrassment. **Smith County's slogan is "Striving for Excellence." This was NOT excellent!**

In spite of those obstacles, the team was able to reconcile against the official reported results by taking the county's voter list and adjusting for privacy, limited, and accepted provisional ballots. **But that was just the recorded votes.**

A much deeper analysis in the Absentee voters was conducted. Ultimately, the Team was able to compare Absentee Voters against actual physical ballots. **The results were shocking.** The county had 584 more absentee voters than absentee ballots counted. **Stated clearly: There were 584 disenfranchised absentee voters. That should anger everyone in this room.**

The team focused on Absentee voters because there were paper records to audit. ***The same problems existed with In-Person voters, but the machine records were not available or auditable. Who knows the magnitude of those problems?***

**There are solutions.** In addition to our commitment to continued work with Ms. Allcon, Grassroots America is working with a state-wide team and state legislators on election integrity. **Smith County is not alone.** We will keep you alerted to legislation and **we encourage you to advocate for hand-marked paper ballots and procedures that ensure accuracy, transparency, and accountability.**

**We commend Smith County Elections Administrator Michelle Allcon for the remarkable job she has done thus far to make her office accountable, transparent, and compliant with the rule of law. We also thank former County Judge and current CD 1 Congressman Nathaniel Moran for his eagerness to get to the facts. We look forward to working with the Court on an audit of the 2022 Smith County General Election.**

