Audit The Vote PA
2022 General Election
Unverified MB Report

2022-10-31

https://AuditTheVotePA.com

Background

Audit The Vote PA (ATVPA) reviewed existing available public data in light of the conflicting messaging coming from Pennsylvania's Department of State (DOS) around the numbers of unverified mail ballots and how these ballots are to be handled.

ATVPA reviewed both the Frank Ryan and Verity Vote reports, which indicated that between 240,000 and 255,000 mail ballots were sent to people whose provided identification did not match what was on record.

Since these reports were released, the DOS released further messaging attempting to discredit these numbers, such as the following graphic shared on their social channels. The DOS also put out a report discrediting the reports put out by the PA legislature and Verity Vote.

Myth ⓥⓢ Fact

Myth ❌

Pennsylvania sent out 240,000 "unverified" ballots.

Fact ✅

There are not 240,000+ "unverified ballots."

Pennsylvania law requires that mail ballot voters verify their identification within 6 days after the election.

As of today, only 7,600 voters have yet to do so.

Any mail ballot from a voter whose identification is not verified by the sixth day after the election cannot be counted.

★ ★ ★ vote.pa.gov 🗳 ★ ★ ★

A graphic that the PA DOS created and put out on their social channels to try and "correct misinformation about 'unverified ballots'" as stated in their posts.
https://archive.ph/uZHXh

Methodology

ATVPA has access to the weekday snapshots of the 2022 general election mail ballot list made available daily by the PA DOS. This data is public data and can be requested by any resident of Pennsylvania, Campaign, or Party. Within the data itself contains many fields that line up with the fields that exist in the PA Full Voter Export (FVE) and can be matched with a registration using the same IDNumber field available in both data sets.

For the purposes of this report, ATVPA has performed its analysis against the mail ballot snapshots without pulling in any FVE snapshots. ATVPA used the 10/28/2022 mail ballot snapshot for the majority of this report and the 09/02/2022 mail ballot snapshot, which is the first that was made available this general election cycle, for a portion of the analysis.

Pennsylvania has several types of MailApplicationCodes that are used to relay to both the counties and the public what type of voter is requesting what type of ballot. For this report, there are two MailApplicationTypes that indicate the applicant's identity has not been verified, "**OLMAILNV**" and "**OLREGNV**".

OLMAILV represents a *verified* mail ballot application that was submitted online. **OLMAILNV** represents an *unverified* mail ballot application that was submitted online.

OLREGV is a designation used for *verified* civilian absentee ballot applications that were submitted online. **OLREGNV** is the designation used for *unverified* civilian absentee ballot applications that were submitted online.

For this report, ATVPA filtered all records in the 10/28/2022 mail ballot snapshot to just those that the DOS has indicated are using the "OLMAILNV" or "OLREGNV" MailApplicationType.

Further, ATVPA filtered out all applicants that were not sent a ballot by filtering on the BallotSentDate column to ensure that only those that show a date are included in the report, unless otherwise stated.
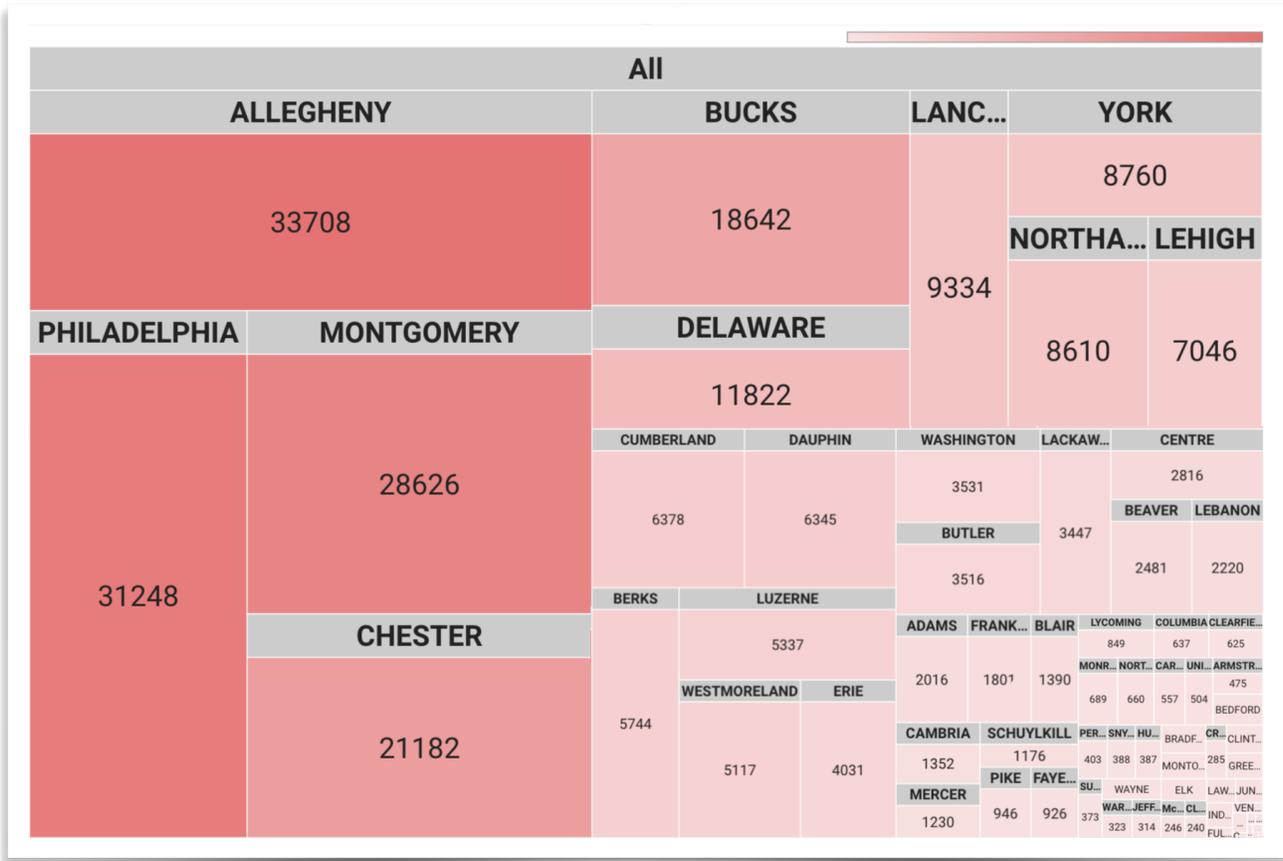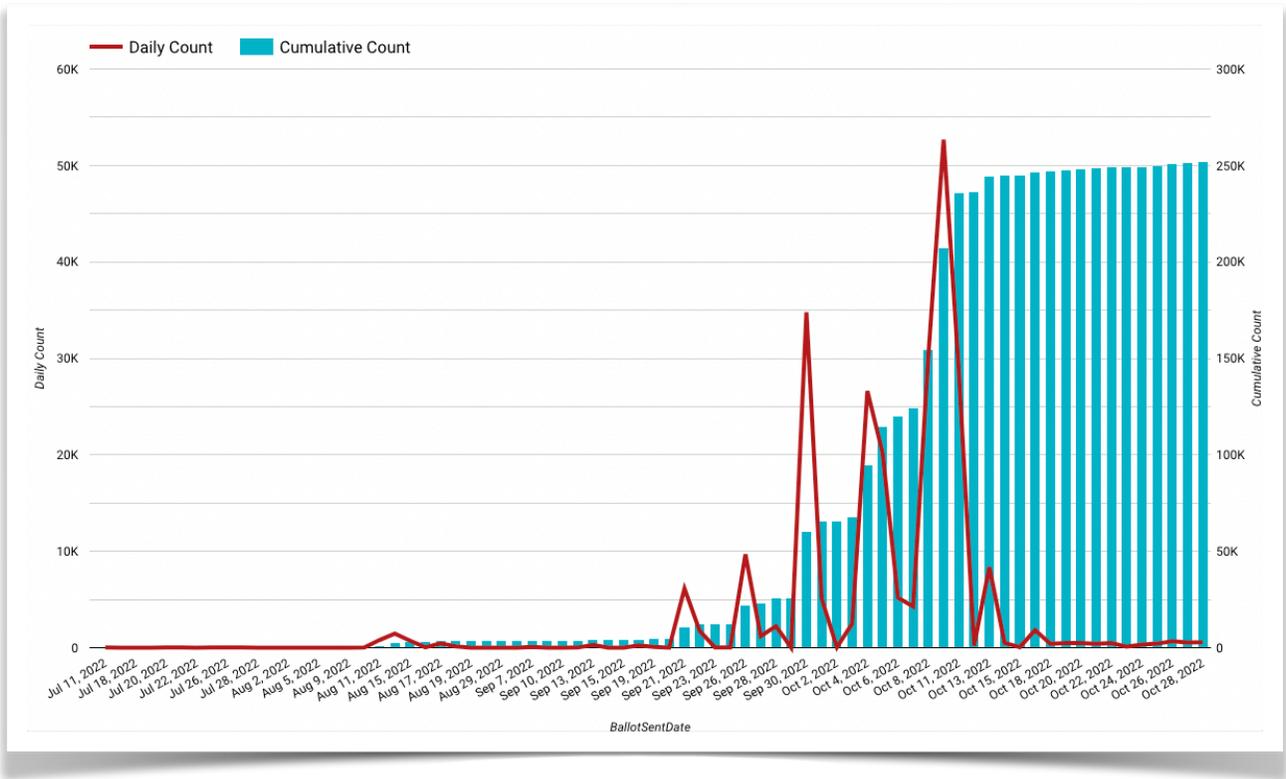
Findings

Total Unverified PA Mail Ballots

As of the 10/28/2022 Pennsylvania Mail Ballot Snapshot provided by the PA DOS, Audit The Vote PA (ATVPA) has identified **251,815** mail ballots that were sent out to individuals whose identity is recorded as not verified. These numbers fall in line with the numbers presented by the PA Legislature and Verity Vote.

Allegheny County has more of these ballots in circulation than any other county, with 33,708 ballots being sent out to individuals whose identity has not been verified. Allegheny is followed by Philadelphia (31,248), Montgomery (28,626), Chester (21,182), Bucks (18,642), Delaware (11,822), Lancaster (9334) and York (8760) Counties.

A visual representation of the unverified ballots by county

It appears that the bulk of these ballots were sent out between September 21st and October 13th, with more having been sent since then. Given the time between the Legislative report and this report, it appears as though the original report's stated 240k identified unverified mail ballots falls in line with the historical data plotted graphically in the following chart.

The number of unverified ballots sent out by day shown in red, and shown cumulatively in blue

Findings

Verified Ballots

Audit The Vote PA wanted to determine whether these totals were representative of the current state of the applicant's verification process, given the PA DOS issued a report on 10/27/2022 where they asserted that only 7,600 applications still needed to be verified.

> "After the verification process occurs, only those voters whose identification could not be verified will be required to submit valid ID before the sixth day after the election. Currently, that number of voters stands at approximately 7,600."

ATVPA compared the first mail ballot snapshot made available to the public by the DOS (09/02/2022) against the snapshot used in this report (10/28/2022) to look for applicants that originally had an unverified MailApplicationType in the 09/02 snapshot but had a verified MailApplicationType in the 10/28 snapshot.

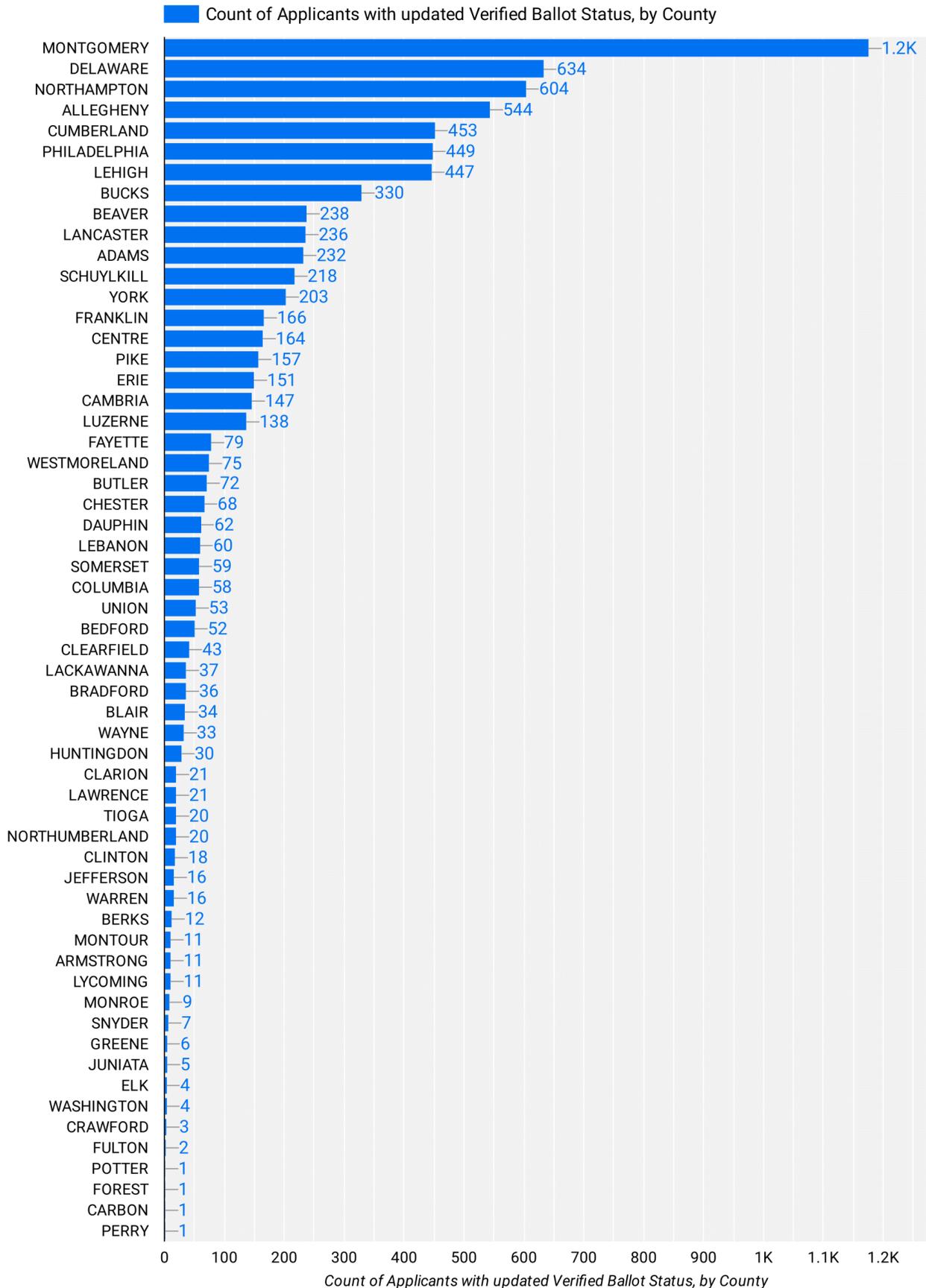The 09/02/2022 mail ballot snapshot shows a total of 259,561 unverified applications.

ATVPA then sought to detect any applicants by IDNumber whose 09/02 MailApplicationType was unverified at the time, but changed to a verified status by the 10/28/2022 rolls. Doing so yields 7854 such changes across 58 counties, of which 7759 show as having been sent a ballot.

```
SELECT COUNT(*) FROM MB20221028
WHERE MailApplicationType NOT IN ("OLMAILNV", "OLREGNV")
AND IDNumber IN (
  SELECT IDNumber FROM MB20220902
  WHERE MailApplicationType IN ("OLMAILNV", "OLREGNV")
)
```

The SQL query used to calculate the 7854 updates

The results of this exercise appear to indicate that the Pennsylvania DOS incorrectly stated the total number of outstanding unverified ballots. In fact, it is ATVPA's suspicion that the PA DOS misattributed the number of verified applications to those that still required verification given how close their number (7600) is to these results (7759).

Given that all 67 counties in Pennsylvania have outstanding unverified ballots and only 58 show any updated records in the 10/28/2022 snapshot, ATVPA has concerns as to whether all counties are aware of the verification requirements or the process to update their record within the system.

Count of Applicants with updated Verified Ballot Status, by County

County	Count
MONTGOMERY	1.2K
DELAWARE	634
NORTHAMPTON	604
ALLEGHENY	544
CUMBERLAND	453
PHILADELPHIA	449
LEHIGH	447
BUCKS	330
BEAVER	238
LANCASTER	236
ADAMS	232
SCHUYLKILL	218
YORK	203
FRANKLIN	166
CENTRE	164
PIKE	157
ERIE	151
CAMBRIA	147
LUZERNE	138
FAYETTE	79
WESTMORELAND	75
BUTLER	72
CHESTER	68
DAUPHIN	62
LEBANON	60
SOMERSET	59
COLUMBIA	58
UNION	53
BEDFORD	52
CLEARFIELD	43
LACKAWANNA	37
BRADFORD	36
BLAIR	34
WAYNE	33
HUNTINGDON	30
CLARION	21
LAWRENCE	21
TIOGA	20
NORTHUMBERLAND	20
CLINTON	18
JEFFERSON	16
WARREN	16
BERKS	12
MONTOUR	11
ARMSTRONG	11
LYCOMING	11
MONROE	9
SNYDER	7
GREENE	6
JUNIATA	5
ELK	4
WASHINGTON	4
CRAWFORD	3
FULTON	2
POTTER	1
FOREST	1
CARBON	1
PERRY	1

Count of Applicants with updated Verified Ballot Status, by County

Conclusion

Given the data presented above, it is Audit The Vote PA's conclusion that the numbers provided by the PA Legislature and Verity Vote are indeed accurate counts, and that the Pennsylvania Department of State's messaging referenced incorrect numbers and their messaging around this verification process has been contradictory .

The significance of the report presented by Frank Ryan on behalf of the PA Legislature in addition to the longer report put out by Verity Vote, is not the sheer number of such unverified ballots, but rather the conflicting guidance issued by the PA DOS. The guidance issued by the DOS creates ambiguity around how counties must handle the legally required verification process. Several counties appear to be unaware of the verification requirement.

Verity Vote <u>correctly documented comments</u> made by Deputy Secretary Jonathan Marks during a 09/14/2022 PA State Government Committee hearing. Marks is on record having said:

> "I want to make sure we're clear about the distinction between the two processes. Voter registration, there is no federal requirement or state requirement that those numbers match or that every voter has to have one of those two numbers. With mail-in balloting, it is a requirement. **If when you apply, your PennDOT ID cannot be verified or your last four of SSN cannot be verified, the county can still issue the ballot**, but the ballot doesn't count unless the voter provides a valid form of ID – either a PennDOT ID or the last four of SSN that can be verified or one of the other forms of identification provided for in the statute."

Verity Vote also correctly documented that <u>the directive sent out by the PA DOS on 09/26/2022</u> contradicts Deputy Secretary Jonathan Marks' official comments. The DOS directive states:

> "The Pennsylvania Election Code describes processes that a qualified voter follows to apply for, receive, complete, and timely return an absentee or mail-in ballot to their county board of election. These processes include multiple secure methods used by the voter's county board of election to verify that the qualified voter's absentee or mail-in application is complete and that the statutory requirements are satisfied. These include voter identification verification confirmed by either a valid driver's license number, the last four digits of the voter's social security number or other valid photo identification, and unique information on the application including the voter's residence and date of birth.
>
> **Before sending the ballot to the applicant**, the county board of elections confirms the qualifications of the applicant by verifying the proof of identification and comparing the information provided on the application with the information contained in the voter record. If the county is satisfied that the applicant is qualified, the application must be approved."

As shown above, the DOS described two conflicting sets of guidance prior to the Legislative report which directly contradict one another. The ambiguity created here caused confusion amongst Pennsylvania's 67 counties as to whether verification needed to occur before sending the ballot or before counting the ballot.

The Verity Vote report documents additional statements that would indicate counties are not handling the identity verification requirement uniformly. Their report reinforces their claim by quoting testimony from various legislative sessions that indicate some counties did not perform any verification, as they were unaware the requirement was being pushed onto the counties. This appears to be backed by the data in the verified ballot analysis above, as several counties

show no updates to their unverified ballots while 58 counties have updated their records to reflect those ballots that have been properly verified.

Verity Vote aptly summarized the situation that has been allowed to incubate with the following overview,

> This is an enormous task that the DoS has chosen to delegate to the county election offices for which the DoS has provided inaccurate guidance. This policy jeopardizes the counties' ability to verify the ID of these nearly quarter million individuals and creates a situation where counties have to go after this missing information to comply with the law, all while trying to carry out their other election responsibilities.

It is ATVPA's conclusion that the numbers presented are accurate as of 10/28/2022 and the DOS' own numbers do not match their own data. If there is some data the PA DOS is keeping that validates their numbers, ATVPA would request that they make that data available or update the publicly available records where this data is required to be maintained.

The often conflicting guidance issued by the PA DOS has created confusion amongst the counties and their constituents, and has identified that Pennsylvania's 67 counties to not have a shared perception of the verification requirement falling solely on their staff to perform.

The continued denials and misrepresentations of the information put out by the DOS is creating an atmosphere that breeds confusion and allows for laws to be unknowingly broken by counties during the upcoming midterm election.