Twitter Thread by Elise Logan



Elise Logan
@Elise_Logan

Buckle up. This is going to be a long one. Counting votes, knowing presidential outcomes, and general electoral fraud, a thread. ■

I had to post this in my class today, and since I wrote it and did the article links already, here you go.

TL;DR: it's not new, it's not illegal, it's perfectly normal, it's not fraud to count them, mail-in voting isn't prone to fraud.

First: The idea that not knowing who the winner is on election night is somehow new or different is patently, absolutely false. Obviously, prior to the advent of modern communication, people didn't know who the president was on election night.

They generally didn't know until after the electoral college met in December. They MIGHT know how their state electoral college votes were being cast, but the idea that they knew what the other states were doing is entirely wrong.

Even with the advent of modern communications, the only way presidential election results have been known on election night is if there is a clear and obvious win in the electoral college - votes still left to count (and we'll get to that) are fewer than the margin of victory

so even if all the uncounted votes went for the candidate that was behind, it wouldn't make up the difference. In more modern times, media will "call" a state for a candidate without this information based on how states have voted in the past.

This isn't a reliable indicator of how they will vote in a specific election, so early calls are dodgy at best. PLEASE NOTE: these have never been OFFICIAL election results. They are PROJECTIONS based on known information.

Election results are generally not certified for quite a while after the election, and only then are they official (Delaware is earliest, Nov 5 being certification date this year). https://t.co/cs1v5NELgd

So when you see a state called early, it's best to be suspicious - which is exactly where we are with Arizona and Georgia being called early and then media having to walk it back.

Another note on this: it makes for GREAT ratings, so don't think for a minute they don't know that you're glued to coverage to see what's happening.

Second: The not knowing thing is common even in modern times. We didn't know the outcome of the Bush/Gore 2000 election until December, for example. The idea that this is somehow new or different is ridiculous. https://t.co/lOcuwDh2Ql

Third: Actual vote counting. What is going on is a normal, common, usual, and legitimate/legal counting of votes.

Election laws vary from state to state, but many states have election laws that read that ballots POSTMARKED by end of election day and received within X days (example: within 10 days of the election in AK, 5 days in MS, 3 days in VA)

You can see how there is NO WAY to have all votes officially counted on election day when these rules are in place. You can see all the absentee/mail in rules at the National Conference of State Legislatures site). https://t.co/5iui2xWx7G

All states allow for counting of official, legal ballots past midnight on election night if ballots are not yet counted. And, particularly for people like overseas military, the only option for voting is absentee, so the laws allow for the counting of those votes specifically.

Thus, the exhortation to stop counting votes after election night is actually in violation of state laws. The Pennsylvania case is a bit weird because there is an additional court order in place regarding counting the votes.

The law is that ballots must be received by election day, but a court order overrode in the face of issues with the USPS and delivery of ballots, creating a 3 day return gap. In this case, any ballot postmarked by election day and received within 3 days of the election is valid.

This went to the Supreme Court, who turned it back without comment (common, since Constitutionally, elections are a state matter, not federal), but is likely to be revisited with Trump's suit. https://t.co/AGwt0vNMAe

HOWEVER, PA actually accounted for this possibility and is counting any ballots received AFTER election day in a separate count so that if those ballots are challenged, it won't foul the election.

It isn't clear how many of the ballots currently being counted in Pennsylvania were received after election day, but it is very clear that many of the ones being counted at least through yesterday were actually received on or before election day.

The Pennsylvania state legislature (R controlled) blocked a move to let the election boards begin counting early receipt mail-in ballots prior to election day, so there was no way those ballots would have been counted by midnight on election day. https://t.co/A1H1v2vDPK

You should EXPECT to see PA go back to the Supreme Court for this issue. Similarly, I fully expect this Court to throw out late arriving ballots, so PA sequestering those ballots is a good move, as not doing so would cause a real issue.

Four: Mail in/absentee voting is not particularly prone to _voter_ fraud.

First, a clarification. Election fraud comes in a two main varieties - voter fraud (fraud committed by individual voters - the idea that a voter votes for their dead grandma or votes in multiple locations) and...

process fraud (fraud that alters the voting process - fake ballot drop off locations, deliberate failure to deliver ballots, padding election results/ballot stuffing, deliberately misrecording vote totals - these are things that aren't generally accomplished by a regular voter,

but rather with organizations or poll workers, electronic system tampering). From the standpoint of voter fraud, it's virtually impossible to do successfully with current systems and double checks. https://t.co/J3nWdGi3NL

Additional article on that: https://t.co/0IsuLzRQtY

This is the whole reason you're seeing ballots in Georgia and Nevada and Arizona that need to be "cured" - they tripped some warning and now the election boards need to make sure they aren't fraudulent.

The more likely electoral fraud is at the systemic level - either via mail fraud (generally by (a) not delivering the ballots to the requesters in the first place or (b) not delivering the completed ballots to the election offices to be counted

and this is where that whole mess with DeJoy and the federal courts is right now. I'm going to link a few articles on this, as there's a good bit of confusion, and more sources are better. The Vox article here is really thorough. https://t.co/dM41IZLCSf

More on DeJoy and whatnot. https://t.co/zhFVWdjZLt

More: https://t.co/jjcVU7sEHB

The other path to mail-in process fraud is via election workers/poll workers. This is precisely why states like PA have a system where reps from BOTH parties have to inspect each ballot and agree on what that ballot indicates - to limit this possibility at counting.

So, to sum up - you shouldn't expect to know the winner the night of the election, the process is robust and reasonable, and you should give the process a chance to play out. Voter fraud is unlikely - but it seems that the current administration is trying for process fraud.

Which, btw, is EXACTLY why the framers put control of elections in the hands of the states - to limit the ability of the feds to impact local, state, and federal election apparatus.

The End.

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