

Bob Rust and Joe Vichot Interviews Georgia Attorney Garland Favorito 10/10/2024 Transcript

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Attorney Bob Rust 00:00:31:22 00:01:03:06 Greetings to those who are listening to this interview in this podcast. I'm Bob Rust. I am, an attorney who is also, a part of USA[Citizens] network Group, which is dedicated to trying to provide information to the public: Independents, Democrats, Republicans, that is underreported or not reported in the established press, particularly on subjects that are critical to, our country.

Attorney Bob Rust 00:01:03:09 00:01:30:03 And that involves political process as well. And that's what we're going to be talking about today. Our featured speaker is Mr. Garland Favorito. He will, I will be introduced to him in a moment. But also, with us it is a very important person to us here in Lehigh Valley, Pennsylvania. That's Mr. Joe Vichot, who is the chairman of, the Lehigh County Republican Committee.

Attorney Bob Rust 00:01:30:05 00:02:15:04 And on his spare time, he flies to places like you, Johannesburg and Hong Kong as United Airlines pilot with his with an engineering background. What we're going to do is I'm going to ask, Mr. Mr. Favorito to introduce himself, give us a quick a profile of his background and his organization, and then and, to say to him, what he thinks he hopes independents and Republicans, Democrats listening to this will take from the interview this to follow, and, at that point, I will probably starting with, a question he'll, he will go forward.

Attorney Bob Rust 00:02:15:07 00:02:39:11 Once he's done that, then, Joe will step in with any questions that he may have that have not been addressed. And I'll follow up on that. And then we will conclude. So, I'm very, glad and excited to hear what Garland Favorito has to say to us. And with that, I ask you, sir, would you please just give us a little bit about your background?

Attorney Garland Favorito 00:02:39:13 00:03:07:19 Sure, Bob, and thank you for having me. I, Joe, it is good to be with you as well. My background is as an IT guy, and I have spent my

career as a computer programmer systems analysis, and we've done a lot of data administration as well as web, type stuff and things on the internet.

Attorney Garland Favorito 00:03:07:22 00:03:38:01 For a lot of my career, career, which spans, over 40 years. The last part of that I was primarily involved in, online banking systems and, the that was, for over a million and a half, customers, whether it be retail, small business or corporate clients. And the big part of that is cyber protection of their accounts and their identity and their transactions.

Attorney Garland Favorito 00:03:38:03 00:04:11:19 So that kind of ties into the voting system, cyber security world pretty closely. And then I've, as a volunteer in regard to election integrity, I've spent the last, 20 years focusing on, the voting, systems technology and election integrity, procedures and trying to make, elections more, provable, accurate and transparent for the voters of the state of Georgia.

Attorney Garland Favorito 00:04:11:19 00:04:43:06 And that's, volunteer work. And then as a part of that, founded voter G.A., which stands for voters Organized for Trusted Election results. Back in 2006. And that's a nonpartisan organization. We like to believe that we've led the election integrity movement in Georgia for, the last 18 years. So that's kind of a brief summary, Bob, of my about my background and.

Attorney Bob Rust 00:04:43:12 00:05:13:17 Okay, before let me, let me open up with something because I know we really want to reach people and have them open mind to listen to what was going to be said. There are folks that have said that you're a gadfly. You're a conspiracy theorist, and an election denier. What would you say to those folks that open their eyes and their ears as to what's to follow?

Attorney Garland Favorito 00:05:13:19 00:05:38:13 Well, the same persons that are saying that have admitted that we have, gotten, influence we now, and respect from the Georgia General Assembly as well as the state election board, and even the governor to some degree. So, who has been fairly, not really on our side for most of them, for most of this campaign.

Attorney Garland Favorito 00:05:38:13 00:06:08:10 So, I would say that basically, if that's true, then why is it that the General Assembly is listening to us now? Why is the state election board listening to us? Just look at the track record. What we have accomplished, we're now recognized as the leaders, in implementing election integrity procedures since 2020, in order to help protect the 2024 election.

Attorney Garland Favorito 00:06:08:12 00:06:24:23 So, I've heard that from, from years. And, and in fact, there was a recent hit piece that came out, just on CNN, lately, but, that CNN. So,

Attorney Bob Rust 00:06:24:26 00:06:41:18 Yeah, I understand the source and, but I wanted to thank you for that. So what? Why don't you talk to the listeners to what you exactly have done in Georgia and what you have accomplished as it relates to the whole election integrity issue. There?

Attorney Garland Favorito 00:06:41:21 00:07:17:11 Yeah. So, just to give you some background, Robert, just, let's go back and let's talk about what happened in 2020 and how we were victimized. So we were victimized, first of all, from private money for, you know, I think you know, the story, CTCL, Center for Technology Civic Life, which was founded by Mark Zuckerberg of Facebook fame, he's put \$330 million into this organization, which I believe was essentially to buy the 2020 election.

Attorney Garland Favorito 00:07:17:13 00:07:55:25 Michael Gableman's report. It is excellent on this. That's up on our voter GA studies tab. He was the former chief justice of Wisconsin. And he has documented this extremely well. But as of the, that, \$330 million, which, was routed, 45 million that came in to Georgia. And again, before I get into Georgia, the policy director there was David Plouffe, who was a former Obama campaign manager, and he wrote the book, A Citizen's Guide to Beating Donald Trump.

Attorney Garland Favorito 00:07:55:27 00:08:38:29 So this is the alleged, nonpartisan organization that, Mark Zuckerberg established, which I believe was created to buy the 2020 election. So, we got \$45 million of that Zuckerberg money. And then that went to, basically, get out the vote efforts. Partisans get out the voting efforts, and then, the installing, unsecure outdoor drop boxes and then offering free services to counties to control the voting systems and their counties, all of which would have, is interfering in the election.

Attorney Garland Favorito 00:08:39:01 00:09:07:03 So in, in, Georgia for that, \$45 million was spent 94% on counties that Joe Biden won. That's a violation of the equal protection and rights, of all Georgia voters. And it happened in Pennsylvania be the same thing where we have not only the state and both the federal constitutions, but these were also violations of equal protection rights.

Attorney Garland Favorito 00:09:07:06 00:09:40:12 So that's the first way we were victimized. The next way we were victimized was through, ballot trafficking operation, that operated,

most folks have seen the 2000 mules' video. We had the same issue here. That happened in other battleground states where there were people operating. They call them mules operating in the middle of the night, stuffing ballots from midnight to six AM.

Attorney Garland Favorito 00:09:40:15 00:10:04:26 Am. And then sometimes in broad daylight. We had a picture here that was not in 2000 mules. We had a video of a ballot staffer who fanned the ballots in front of his, his face and took a picture, with the camera, obviously, to get paid with them and then stuffed them into a ballot box.

Attorney Garland Favorito 00:10:04:26 00:10:34:06 So, we were victimized in that way. We found all kinds of counterfeit ballots. And when we there was a presidential audit, there were Mail-In ballots that were not folded from being mailed. They were not, written with a writing instrument. They appeared to be ink, toner copy. They were on different paper stocks, and they were voted the same way for dozens of ballots, in a row, all ballot races down.

Attorney Garland Favorito 00:10:34:06 00:11:00:20 So we know that those were counterfeit ballots that came in. So that was that one operation. And then the third operation, we had some significant mail, malfunctions in the voting system and, even to the point of some vote flipping, some failure to count, thousands of votes, and that, impacted the Georgia election as well.

Attorney Garland Favorito 00:11:00:22 00:11:32:07 In in Georgia, we have a, a unique problem in that we have a QR coded voting system that's used statewide. So, the votes are, accumulated out of a QR code that you as a voter cannot read. So, you have no QR code reader, you can't read it because it's proprietary, and you have no way of knowing what the votes were accumulated for your ballot, because what you see in the text is not what is in the QR code.

Attorney Garland Favorito 00:11:32:10 00:11:56:01 Or it may not be at least. So that was another problem. We had the voting system, was found to be in violation of two Georgia statutes by the United States District Court before the election was conducted. That was horrible in that situation, but it was too late to make a change. Once she found that the court found it.

Attorney Garland Favorito 00:11:56:03 00:12:22:07 And then finally, we had the process violations, that you see in the State Farm arena, that video where there appears to be double scanning of ballots, which means that we're double counting the ballots. We have since found that about 3 or 4000 votes were double counted. So that's kind of the litany of problems that we were trying to solve.

Attorney Garland Favorito 00:12:22:09 00:12:52:15 And, in Georgia since 2020, and then I can go into some of the solutions if you would like, there. Okay. I just so what we've worked really hard in the legislature over the last four years. And so, some we've made some major accomplishments, two of the major accomplishments, accomplishments as we, the legislature, have banned all outdoor drop boxes.

Attorney Garland Favorito 00:12:52:17 00:13:20:20 They are just totally unsecure. You know, when we tried to get video surveillance, the video surveillance was destroyed, and the counties wanted thousands of dollars for it, so that all didn't work. So, they have banned all outdoor drop boxes, and now they'll only be a drop box in some early voting locations. And the Droboxes are only available during business hours to put, put, any, balancing.

Attorney Garland Favorito 00:13:20:22 00:13:50:21 So that was a huge improvement. The legislature also banned all direct and indirect money going into counties from private sources. No more Zucker bucks in this election. So those are good things. And they've taken several steps to improve and protect voters against the ballot stuffing operations. Now, all ballots will be conducted on security paper.

Attorney Garland Favorito 00:13:50:23 00:14:18:22 That, is, with visible watermarks. So that security paper cannot be, easily, reproduced. So, that won't be the situation. People copy ballots. We know, for example, that a thousand ballots were copied in Chatham County and duplicated down there for the 2020 election. And I'm sure that's not the only county. So, they've implemented security paper.

Attorney Garland Favorito 00:14:18:27 00:14:51:05 Another interesting feature is that they have required that all records that are received before, election day. I'm sorry. Yeah. Prior to election Day, all ballots that are received prior to elections have to be tabulated by election night. So, they can't just keep on counting ballots for days like they did in 2020, as well as same as here as in Pennsylvania.

Attorney Garland Favorito 00:14:51:08 00:15:23:01 And then have those results change the outcome of the election. So that so that's another, interesting thing that's been done. We they've made ballot, ballots public record now, so that you can help verify the election results. And they've improved the chain of custody of the handling of the absentee ballots. And that was a constituent driven bill that it's really, been, another, help, help to us.

Attorney Garland Favorito 00:15:23:03 00:16:01:29 The legislature has banned the QR code, which is interesting. Yeah. Here in Georgia, that will not be implemented in time for 2024. But

I think I'm glad that because that would have required a patch of the systems, which we did not really want to patch... We want to get rid of them. So that's, that sends a message to all the other states that if this QR code voting is not, adequate for Georgia voters, then why should it be adequate for Pennsylvania voters, for example, even though y'all do not use that statewide?

Attorney Garland Favorito 00:16:02:02 00:16:30:12 That's so those are some of the changes. There's probably more that I am forgetting. We have a whole list. There were 15 provisions, in total, that have been passed by the legislature. And then on top of that, the state election board has put in some additional rules. We have, this QR coded, errors(?) that occurs and that shows that ballots have not been counted.

Attorney Garland Favorito 00:16:30:15 00:16:57:10 I proposed two rules that reconciled the number of ballots cast on the tabulator tape with the number of ballots cast on the scanner, and those were passed. That'll be, they were made into actual rules. And they'll be in effect for the 2024 election. So, if we had this ballot rejection problem, we will be able to catch that.

Attorney Garland Favorito 00:16:57:10 00:17:27:16 And that's the same problem that the Tennessee secretary of State found and chose to remove the same system that we're using here statewide, which is the Dominion Democracy (?) Suite 5.5 system that's already been found to not count properly in Tennessee. And that's been removed up there. So, those are just some of the things that have been, happening here in Georgia to try to improve the 2024 election that I know that was a little bit long.

Attorney Garland Favorito 00:17:27:17 00:17:30:19 There's probably even more, things that have been done.

Attorney Bob Rust 00:17:30:21 00:17:43:23 So all those things were critical items at this point, I think it's appropriate that, Joe, jump in because I know he's been listening, you know, and see what questions he has in light of what you've just said.

Joe Vichot, Chief LCRC 00:17:43:25 00:18:05:06 Yes. Again, thank you, Garland, for coming on and explaining what's going on going on in Georgia. And let's see how we can, the similarities in Pennsylvania. And that's what I like to talk about what you, that I just heard from you and what I'm seeing here in Pennsylvania. Yeah. That's exactly what I was going to ask you.

Joe Vichot, Chief LCRC 00:18:05:06 00:18:52:08 Was a breakdown of the new election reform Act that passed in 2021. So, thank you for doing that. One of the items that you did bring up

was, I wanted to talk about drop boxes, and reconciliation issues, which you did bring up. And so the banning of them being outdoor, we have, in Lehigh County and again, in Pennsylvania, the difference is every county gets to run their election the way they want to do it, as long as it adheres to the basic, election code, the law, the state law that it gives a huge latitude, when it comes to Drop boxes

Joe Vichot, Chief LCRC 00:18:52:10 00:19:17:18 and so many states and counties don't use them at all. And unfortunately, those were Republican counties. So now we're a bit disadvantaged because the Democrats take advantage of Drop boxes. I noticed that in that reformat, that was great. In Fulton County, they had over 38 Drop boxes in 2020, and now they're down to only eight. So that is outstanding.

Joe Vichot, Chief LCRC 00:19:17:21 00:19:37:13 So but that was something that you guys could control, by at the state, at the state level, we don't have that. So, in Lehigh County, it's run by a Democrat. So, they and the election board have three members. We have one, they have two. So, we have Drop boxes and, we have five of them.

Joe Vichot, Chief LCRC 00:19:37:15 00:20:04:12 Four of them are, as you said, indoors only during working hours. And the first one is at the government center and it's a 24 hour drop box, and it's accessible from the outside. The, the box itself is on the inside of the building, but you put it through a slot. And one of the issues we had was the harvesting of the ballots that you just talked about.

Joe Vichot, Chief LCRC 00:20:04:15 00:20:26:28 We actually, in 2021, did an investigation. We reviewed the footage of that Dropbox after the election, unfortunately, of course, because that's when we get the tapes. And sure enough, we found someone who put six in at a time. And he did what you just said. He fanned them out. Make sure you could see all six of them, you know, because he probably was getting paid for it.

Joe Vichot, Chief LCRC 00:20:27:00 00:20:55:10 And, and we brought that up. It did. The district attorney took the case on. He did not press charges, unfortunately. However, it did become a newsworthy event. I did talk in front of the state Senate on that issue, and we had a lawsuit here in Lehigh County. My main thing was either shut down the drop office, or get a monitor, like what you do in Georgia.

Joe Vichot, Chief LCRC 00:20:55:13 00:21:23:04 But neither one of those things happened, unfortunately. So, we did get stricter information on people not to do that. However, it's still being done to some extent. And of course, it's an after issue. It doesn't resolve the problem

before the election to prevent it from happening. And once the election is done, as we found in 2020, it's impossible to do anything about it.

Joe Vichot, Chief LCRC 00:21:23:06 00:21:52:25 Practically. So, especially a presidential election. So, that was one of the things that came out of ours. That I wanted to me wanted to ask you about, how do you, with the fake ballots and the double counting, in Lehigh County? My only issue with Mail-In balloting is, well, one of the main issues for me to put that way is reconciliation, part of it.

Joe Vichot, Chief LCRC 00:21:52:25 00:22:18:27 And you mentioned that two on your election board. Let's have the reconciliation in there now, we I don't feel comfortable with the number of people who returned to Mail in ballot (MIB). So, the number of ballots that actually get scanned into the system and being counted, I don't see that happening. Where did you have, did you have any investigation on that in Georgia?

Joe Vichot, Chief LCRC 00:22:18:29 00:22:34:29 And can you speak more? How can we get our election boards to make sure they certify that that reconciliation between the MIB ballot voter and the mail in ballot being scanned is exact?

Attorney Garland Favorito 00:22:35:02 00:23:06:28 So, Joe, I think that's from what I've heard, that is the maybe the most important problem to solve in Pennsylvania. And. Yeah. So, my understanding is that statewide, when they certified the election in 2020, there were 123,000, something like that, in fact, more, ballots than voters who voted. So that's, huge, huge issue.

Attorney Garland Favorito 00:23:07:00 00:23:35:21 We have pretty good reconciliation. Procedures in Georgia in terms of reconciling the number of voters who voted, to the number of ballots cast. My understanding is that even still today, there is still if you add up all the counties, there's still about 80,000 more. Ballots that were cast in 2020 than voters who voted.

Attorney Garland Favorito 00:23:35:23 00:24:06:10 So I think you're I think you've hit on probably what the one of the greatest concerns that I would have. Yeah. It would even be out of state, in regard to the reconciliation process, because after all, we are running federal elections. So, if Pennsylvania's, election results don't add up and they're not reconciled, that could impact people in Georgia and Texas and other, other areas of the country.

Attorney Garland Favorito 00:24:06:12 00:24:55:16 Because, those extra votes could dilute not only the Pennsylvania voters votes, but it could even end up diluting, votes around the

country in the federal races. So, that's a major problem. And, I, I think the state and the elections Commission need to take some action in terms of, legislation or if not, legislation in some kind of state election, commission rules to address, that kind of problem and ensure that the counties are actually, reconciling their information correctly, their voters who voted in ballots cast.

Attorney Garland Favorito 00:24:55:18 00:25:20:04 Otherwise you have to go down, as you were saying to the individual, election boards and try to convince them that that's what they need to do. They need to make that rule and reconcile, of their own account and not wait for a state law. But it's just common sense that the number of ballots cast should equal the number of voters who voted.

Attorney Garland Favorito 00:25:20:06 00:25:34:24 And that really needs to be done. So, it's hard to argue against that, even at the county level. So, those are, few thoughts that I have about that. I'm and I'm really concerned about it as well.

Joe Vichot, Chief LCRC 00:25:34:26 00:26:01:29 Is it. Okay. So yeah, it's and at the precinct level, it's, it's very straightforward because the law covers the voter who goes to vote at the precinct level. We have a judge of elections there. We have poll workers; we have a minority and a majority of inspectors. And so, at the end of the day, they do reconcile. They print out the results they have to do for the number of voters, the number of ballots that were cast.

Joe Vichot, Chief LCRC 00:26:02:02 00:26:27:10 And they have to sign, you know, a basically an affidavit. I mean that they cheated, and they find out afterwards they're held liable, I mean, criminally liable. I don't see that happening on the Mail-In ballots. Side of it I brought it up at our election board. They were like, well, you know, there's really no rule for that and..., but, and they kind of just were very ambiguous on it.

Joe Vichot, Chief LCRC 00:26:27:12 00:26:26:58:09I haven't gotten any traction on that, but that's something we're definitely going to be looking at going into this election. What piggybacks on that is, into what I wanted to talk about, the 2% audit. You guys do an audit after the election. If we do a sampling, we do 2% of the ballots cast out, and it's supposed to be random, but that should be pretty straightforward.

Joe Vichot, Chief LCRC 00:26:58:12 00:27:23:12 But also, the law dictates that it's either three ways to be done manually, mechanical or electronics with a different machine that counted them the first time. And those are the three choices. Obviously, you don't do mechanical anymore. So, it has to be manual or electronic. But in Pennsylvania I sent this to Bob.

Joe Vichot, Chief LCRC 00:27:23:12 00:27:50:24 I sent this to Bob, I don't know if he got it to you, but we have documentation to report in 2018 that the secretary state says that if you use the, EBS 6201 software, with the DS 200 and DS 450 machines, which we do use in Lehigh County, it says you must do a manual count. For that statistical analysis. What is your definition of manual labor?

Joe Vichot, Chief LCRC 00:27:50:26 00:27:57:14 Before I tell you what I was told, I'd like to know what you think the word manual.

Attorney Garland Favorito 00:27:57:17 00:28:30:07 Well, manual to me means a hand-count of the ballots. And, and the reason that's important. And your kind of already alluded to a Joe, is that you can't use a machine to a particular electronic machine to verify another electronic machine. That's not independent because they could both be run in the same software algorithm that is flipping votes so that it's not,

Attorney Bob Rust 00:28:30:09 00:28:37:27 Let me jump in real quick. What do you mean by that? Well, how does that happen?

Attorney Garland Favorito 00:28:37:29 00:28:42:11 Electronically or electronically flipping votes.

Attorney Bob Rust 00:28:42:11 00:28:52:12 I mean, what is it? I mean, do you actually have experience with that? You're if you're an expert in this area, that's why I jumped in. Sorry.

Attorney Garland Favorito 00:28:52:15 00:29:25:19 Well, no. That's okay. So, we have, for example, this was demonstrated to the court just last week by an expert named Clay Park? sp. He's a voting system tester and cybersecurity expert out of Huntsville, Alabama. And he demonstrated how to flip the votes. He added he had six lines of code to show how easy it is, and he just subtracted votes from one candidate and added it to another.

Attorney Garland Favorito 00:29:25:19 00:29:58:11 You know, this was like the example I used with Joe Biden and Donald Trump. So, he basically only needed six lines of code to do that. We actually had in our audit, an example of which we decided, I put an affidavit of down in a county called weir ?sp a county where the machines, added, 37 votes to, Joe Biden's totals that they took away from Donald Trump's when they conducted the Hand-Count audit.

Attorney Garland Favorito 00:29:58:11 00:30:49:17 It proved that the voting system had, in fact, flipped 37 votes. That's not a lot of votes. But when you do that, percentage wise, it was greater than the margin of victory by which, Joe Biden allegedly won here in Georgia, over Donald Trump. So that's another example of how the audit, has shown that, the, but, I think going back to your point, Joe two and Georgia, we are required to audit for if when I say audit, I mean a full hand-count, one race every two years, which is completely inadequate because it does not prove that the other races were, in fact, accurate, only proves that

Attorney Garland Favorito 00:30:49:17 00:31:21:22 at one race was accurate. So that's a problem. And then the whole risk limit in audit, issue is very time consuming. It's not even it doesn't even work in Georgia because, even though we do it, the inventor of risk limited audits, Doctor Phil Stark ^{sp}, has already explained, to the election officials down here in writing ^{sp} that you can't use his process to meaningfully audit a ballot marking device system.

Attorney Garland Favorito 00:31:21:25 00:31:53:11 So it doesn't really work for any ballot marking device systems because you don't have the original source of the voter intent. Yeah, it's only the machines. What the machine says is that the voters said so. So, they have no original source. So that is another major problem. But then from a practical perspective, it's very time consuming to try to randomly sample ballots and then go and pull a certain one and that it takes an exorbitant amount of time.

Attorney Garland Favorito 00:31:53:11 00:32:16:16 It's just easier to hand-count the race, and then you have a more provable result because in a close race, with risk limiting audit (RLA) you'd have to audit all the ballots anyway. RLA only works for races that are, basically not close, which nobody really cares about those.

Attorney Garland Favorito 00:32:16:18 00:32:35:22 So it's, I don't I think it's the, the, the, the technique is oversold right now. It was a hot topic a few years ago, but I think now that people are applying it, they realize it's not really working for them as what they think it should be.

Joe Vichot, Chief LCRC 00:32:35:24 00:33:02:04 So follow on to that. I mean, like any good business knows that, you know, that you're doing, quality assurance. You have to be statistical sampling for your products. I mean, that's every company that manufactures anything or even a service that can be doing that. Obviously, our government is not a business, and never runs out of a business, you know, and that's one of our major problems. **AGM Comment**--what does Garland think about businesses doing RLAs in regards if they are any more effective than in checking votes? Or is it used like it is in elections knowing you must count all the votes but politically do not.

Joe Vichot, Chief LCRC 00:33:02:06 00:33:32:17 So when you mentioned, what, the statistical sampling, it's not that this this is this is the pushback I get. Is that, well, machines, are more accurate than, than a human and, and making sure that they get the count right. It's not about the accuracy of the count. It's about the legitimacy of the count.

Joe Vichot, Chief LCRC 00:33:32:19 00:33:54:19 Follow me here. I don't care if, if the manual hand count is off by a couple, I mean, maybe the electronic one is off by a couple. Maybe not. Maybe that's perfect based on the algorithm it used to do it. It should be perfect. And the percentage will still be very close. And that's what you're looking at.

Joe Vichot, Chief LCRC 00:33:54:21 00:34:17:15 You're looking at you want to see a small sampling percentage. It should be very, very close. It doesn't have to be 100% exactly the same percentage number as what the machine had for both those candidates. So, if it's if it's false then okay, then it then it meets the definition of. Yeah, it was correct.

Joe Vichot, Chief LCRC 00:34:17:18 00:34:47:22 But that's their argument. They're like oh no. A human can never be as good as a computer. But that's not the point. And yes, it could be if you got 2 or 3 people doing it and they're doing it correctly, but you don't have to be perfect. We saw this in the recount. Even in the recount in 2022, we had a very close race for, for the state Senate, in the US Senate with, the McCormick and, and Doctor Oz.

Joe Vichot, Chief LCRC 00:34:47:24 00:35:11:19 And they did, they did as they did a recount for that one. I think it was that one. It or it was the, I know we might have bet it might have been, Bob, you can only remember the McCormick one. It was that there was another one that we did, you know what that's what it is that was for a, one of our Common Pleas judges.

Joe Vichot, Chief LCRC 00:35:11:24 00:35:34:00 We did a recount for it, and it just happened to be, you know, that's, at the same time. And the count wasn't perfect. The recount was off, but it didn't change anything. So, I'm not worried. Like I say, it's like it's not going to be a perfect recount, but it gives you the percentages to show that.

Joe Vichot, Chief LCRC 00:35:34:00 00:35:46:00 No. Yes. The machines were accurate enough every now requested. And that's what I'm dealing with them when they try to argue. Oh yeah. Humans are. And it's to do.

Attorney Garland Favorito 00:35:46:03 00:36:15:15 Well, let me, I'll tell you a story that you can use for all of these people who claim that a machine recount is more accurate than hand count. So, we had a race down here in 2022. It was a DeKalb County District Two Commission primary. And it was three, actually, it was a three-way race, actually, and it was four for a while.

Attorney Garland Favorito 00:36:15:18 00:36:43:02 But the voting machines declared the winners. And one of the candidates says, wait a minute, I didn't get any votes in the precinct where I live with my family, who voted for me, and they said, there's something I have to be wrong. So, she went to the county election official, and they said, okay, we'll rerun the machine count.

Attorney Garland Favorito 00:36:43:02 00:37:16:11 There's something wrong. They ran the machine count. It produced the same result. So, they said exactly. So, they said, we're going to have to hand count the results because there's something wrong here. And they hand counted the results, and they found out that she was shorted 3000 of her 4000 votes, 75%. They were given to, about 1400 were given to, one of her opponents, and another, 1800 were never counted at all.

Attorney Garland Favorito 00:37:16:14 00:37:48:21 So, that was absolutely amazing. They ended up certifying the Hand-Count as the only true and accurate result of the election. As the machines totally fail. Now, I, I'm not aware of any hand count and the history of elections that had a 75% error, right. So, if anybody is saying that machine you can count better than a hand.

Attorney Garland Favorito 00:37:48:23 00:38:20:15 I'm sorry, that is, rock solid proof that that is a false statement. So, we've got we we've left the world of academics, theory, into reality. And that's the reality of the situation. You have to have a hand count. It's the only provable way and transparent way for voters to know that the correct winners were actually selected, to serve, and office.

Attorney Garland Favorito 00:38:20:17 00:38:25:16 So that's I think that speaks for itself.

Attorney Bob Rust 00:38:25:18 00:38:27:19 Quite a story, like quite a story.

Joe Vichot, Chief LCRC 00:38:27:20 00:38:49:28 And I agree, that's why, and I understand when we're dealing millions and millions that we have machines now, we have computers that can count quicker than we can, but not necessarily more accurately if there's a flaw in the system. And so that's the importance of doing a sampling by hand afterwards. And in order to look for those errors.

Joe Vichot, Chief LCRC 00:38:50:01 00:39:12:22 So hopefully, my, the, the Republican Party in Pennsylvania will understand that as well as our election, boards and, and, you know, follow the true intent of what the audit is all about. So, thank you for your input on what the meaning of manual counting really is. Yeah.

Attorney Bob Rust 00:39:12:25 00:39:37:20 I let me excuse me for jumping in again, but, I think it's important, Garland, to understand that we're going to use this not only with our listeners, but it's Joe's going to use it to, to try to work through our own system in a proper manner to make corrections. And we obviously want you to use it to the extent that it makes sense for, for, to, to help you with what you're doing.

Attorney Bob Rust 00:39:37:23 00:39:43:18 in Georgia, I just add the editorial comment because I think it's important. Joe. Any other questions?

Joe Vichot, Chief LCRC 00:39:43:20 00:40:15:08 The other only other one that just came up in the news. I don't know if you saw this in Michigan. They just charged some election workers for fraud, from the past primaries. Because four people who submitted an absentee ballot, then went in to vote in a precinct, and the people working the polls at that precinct did a great job saying, no, you've already voted according to our, you know, the pad here.

Joe Vichot, Chief LCRC 00:40:15:10 00:40:36:18 And, then they demanded that they still vote. So, they called up the election office and the election office. People allowed said no, let them vote. And it turned out that they had already voted by mail. And now we're going again. And then the election office realized, you know, we're there in the wrong? Sp It's like covering it up.

Joe Vichot, Chief LCRC 00:40:36:20 00:41:03:14 And that's what got them all in trouble. So now there's an allegation, the lawsuit. Well, I mean, I criminal investigation going on against those people working at it, not the precinct there, but the elected office. So, and the only reason why it got caught is because a small-town city clerk noticed that the count was off, not the election board certifiers? sp, you know, and that's our problem.

Joe Vichot, Chief LCRC 00:41:03:14 00:41:31:17 It's like how you know, it's not, it should not come down to just a coincidence that we found. This is ridiculous. That reconciliation, like I talked about before, is the most important part of a secure election. And I do not see, I do not have confidence in that part because of the disconnect between the absentee mail in ballots and going through the polls and voting.

Joe Vichot, Chief LCRC 00:41:31:19 00:41:37:17 So, I hope we can, you know, get some more traction on that. And I appreciate your comments on that.

Attorney Bob Rust 00:41:37:17 00:42:08:00 So, Joe, that's all those questions really been good. And, Garland, thank you for, your response. I think you're shedding some light words been spent, been some darkness, if you will. At least shadows. I've got, some of some questions as it relates to the overall process. Your view, your background is you are formally qualified, you have the credentials.

Attorney Bob Rust 00:42:08:03 00:42:13:15 What's your view of using electronic voting machines?

Attorney Garland Favorito 00:42:13:17 00:42:43:27 The problem is they're not being used, properly, anywhere. And the first thing is, is the transparency, the lack of transparency of them. You know, we are told and it's and are throughout the country, you know, Georgia, Pennsylvania, that we have to believe what an electronic voting system tells us when we have no way to prove that.

Attorney Garland Favorito 00:42:44:00 00:43:09:17 So there are so many flaws there, to begin with. So, first of all would be the complete lack of transparency and the inability to audit enough elections and audit them properly to ever prove that the machines counted correctly. That's one thing. Then another thing is the logic and accuracy testing is a farce.

Attorney Garland Favorito 00:43:09:19 00:43:38:12 In order to test something, you would have to understand and have access to the source code of the program so that you could test all the possible branches that that code might go down. And that's proprietary. The voting systems keep that to themselves. And therefore, you cannot properly test it. And even if you could, the experts are clear.

Attorney Garland Favorito 00:43:38:12 00:44:08:17 Doctor Halderman has explained the same thing we've been saying for 15 or 20 years that the malware can be introduced to count differently during logic and actually testing versus the election. So, the logic and actually testing are easily subverted. So, you can't depend on it because the system can be programed to count differently by day or, by differently by the number of ballots that were, cast.

Attorney Garland Favorito 00:44:08:17 00:44:41:15 And, you know, typically in a test, you're only going to test 1 or 2 ballots per machine. So, that that's a flawed, process logic and actually tested, I think, Doctor Halderman concluded that there is no form of pre-election testing that can prevent malware-based fraud. So that's another issue. Then we have this whole other Pandora's box of security that has been, opened up on, on these machines lately.

Attorney Garland Favorito 00:44:41:18 00:45:19:05 And we found out, for example, this week in the Dominion case that this system has been wide open. The, the Old Dominion systems, according to the experts, I can't or can ?? communicate with one another through a common value and a x509 certificate. So basically, that's another that, you know, a, for example, in Georgia and voting systems, in Pennsylvania, if they happen to have Dominion, those can communicate without the knowledge of the state of Pennsylvania and the state of Georgia.

Attorney Garland Favorito 00:45:19:07 00:45:41:23 And we now know, for example, in the case of Dominion, that it's programed in Serbia. So, Serbian programs, programmers, you know, that's all fine and dandy, but, you know, we want our election system to be programed in America and have the source code, easily available. These systems are set up to be remotely accessed.

Attorney Garland Favorito 00:45:41:23 00:46:20:11 We now know that that have been remotely accessed, both in Penn... omitted... in Michigan and in Georgia, and at a minimum, and the only reason we know that is because we perform some analysis. The other states have prevented any type of analysis on the on the voting systems. But the ones that have been looked at in, Arizona, Georgia, Colorado, Michigan, they all show exactly the same thing that the system is set up to be access to the internet, regardless of what the Chief Executive officer, has told us.

Attorney Garland Favorito 00:46:20:13 00:46:50:17 So I believe that it had we analyzed ES&S, and asked, for example, instead of Dominion, we would have found essentially the same problems. So those are reasons why we really should not be, in my opinion, even using electronic voting systems. Well, we really need to have hand marked paper ballots that are publicly recorded hand-count, they have publicly recorded hand counts of the ballots.

Attorney Garland Favorito 00:46:50:17 00:47:06:09 That way there can be no cheating. And there's no question about who won. Any election. And if we have done that in 2020, I think we'd have been, a heck of a lot better off than we are today.

Attorney Bob Rust 00:47:06:11 00:47:20:10 Okay. So that's a pretty, pretty strong statement. In essence, you're saying do away with Dominion's electronic equipment. Do away with any kind of electronic voting? Make it hand. Hand ballot voting.

Attorney Garland Favorito 00:47:20:12 00:47:33:28 Right, right. And hand marked paper ballots. And as long as you publicly record the hand-count, then they can't cheat. So, that's what we see as the solutions.

Joe Vichot, Chief LCRC 00:47:34:00 00:47:58:13 And that's what we at Lehigh County, we use paper ballots. So, you do you physically. Right, you know, fill in the oval yourselves and then and then those are scanned into the ds 200 at the precinct or the DS 460 or 850 at the central scanning? location. Okay. So, we have that part. We have the paper part done right now.

Joe Vichot, Chief LCRC 00:47:58:17 00:48:29:24 Right. Yeah. But you're like you're saying that the problem could be with obviously the electronic machines doing the scanning and the tabulating. And, and my, my question will be, you know, this. Yeah. The other side is going to say, how are you supposed to count, you know, 8 million ballots in Pennsylvania? And, you know, at 8:00 at night when they come in, you know, and hand count on them what when would you get the results?

Joe Vichot, Chief LCRC 00:48:29:26 00:48:32:11 It would be weeks.

Attorney Garland Favorito 00:48:32:13 00:48:58:19 Well, first of all, the, you know, all throughout the world, people that, you know, various countries, hand-count ballots and they have the election results in, the next day, Maricopa took three weeks and they were using the machines. So, there's some of the counter arguments that you have, but the key is to narrow it down.

Attorney Garland Favorito 00:48:58:22 00:49:26:03 It to the precinct level count. You only have typically, about less than a thousand on an average of ballots per precinct in Georgia. So, if you have a precinct team counting all your election night ballots are counted. You know, within that, that evening. So, that's pretty fast. So, the key is that, you know, you don't stack them all up and try to count eight million.

Attorney Garland Favorito 00:49:26:06 00:49:40:11 You know, you're counting that at each individual precinct. I'm going to likewise. Same thing for the absentee ballots. Those can be counted. And, you know, at the county level, I think Pennsylvania has 60 some counties.

Joe Vichot, Chief LCRC 00:49:40:17 00:49:41:00 67

Attorney Garland Favorito 00:49:41:00 00:49:57:28 That 67 counties. And, so they're all counted, divided up. They're counted, at individual county. Then when you do that, you know, the number gets really, really low and manageable and you can really turn it around in a day.

Attorney Bob Rust 00:49:58:00 00:50:37:00 That's, that's excellent. But listen, this has been fascinating, and you've certainly shown, at least to this person, to me, that you're not a gadfly. You know what you're doing, and you've done your homework, and you've been very helpful. And I'm concerned, though, that we're pulling in, I think we need to close out. It's I know the shows got, a deadline itself, and, but I really hope this video is used not only by us USA network, but also Joe within the Republican system.

Attorney Bob Rust 00:50:37:02 00:51:04:12 And, and it's helpful to you to Garland. Let's try to wrap it up. What do you, believe Garland or hope that those who are listing Democrats, independents, Republicans or what's what, what should they take from what we've just talked about and what can they do in your judgment, whether they be an average citizen or precinct worker?

Attorney Garland Favorito 00:51:04:12 00:51:39:17 What are the first things? Robert, we've we need, elections have to be transparent to the people. The people have to be able to prove that the correct winners were, in fact, announced by the voting machines. So that's, probably I think the single most important takeaway is you can't have election integrity without election transparency. And that is, a big, big takeaway.

Attorney Garland Favorito 00:51:39:19 00:52:04:07 The second, I think a big takeaway is that the voting machines are not secure. And they in a variety of ways that we have talked about this on the, in the, in the, in the, in the, in the show, they're set up to be accessed remotely. The vendors believe that they need to do that to keep up to date, just like you would in your own software.

Attorney Garland Favorito 00:52:04:09 00:52:26:14 At home, they, you know, if you have been running Microsoft and had a problem or whatever software you're running, they might want to access your machine remotely to fix it. I think that's what the voting system vendors actually believe. And that's why they set these systems up to be accessed remotely. And when they do that, that becomes a threat to every voter in America.

Attorney Garland Favorito 00:52:26:14 00:52:55:29 And that's the way they operate. So, the third thing is that election officials throughout the country do not have adequate training or skill

to manage an electronic voting election. They simply don't know how to do that. They don't have a computer background. And they cannot do an adequate job to protect the interests of their voters.

Attorney Garland Favorito 00:52:56:02 00:53:31:18 If they are going to use these voting machines. So those are maybe three big takeaways. And I think in regard to getting involved, I would encourage everyone to get involved. And, you know, their civic duty doesn't end just in voting in order to get these changes made to help, improve elections, you have to be able to work the legislature and, you know, communicate the problems very succinctly to the legislators as well as in your

Attorney Garland Favorito 00:53:31:20 00:53:59:18 County or state election, I'm sorry, state election commission, and then work individually with your county election boards to try to get, in fact, even try to get on the board. You can make an impact by getting on the board. So, and that's not that hard to do. We've had a lot of folks down here in Georgia who are now active on various county election boards around the state, so that's very helpful to us.

Attorney Garland Favorito 00:53:59:21 00:54:22:01 And then, we just kind of grow the advocate pass the word is another thing is to pass the word as you are doing today. We're trying to pass informative. Whether it be a podcast like this or, you know, news articles or whatever to try to educate the legislators, the and the election board members and the state.

Attorney Garland Favorito 00:54:22:04 00:54:45:20 So those are some of the things I think that anyone can do, and we need more and more people doing that. We've had an explosion down here of people who are willing to, you know, take this issue to their legislators and that they're the reason why we have been pretty successful in the last four years at trying to make some changes made.

Attorney Garland Favorito 00:54:45:20 00:55:02:13 It's just, just grassroots activism, at is at its best. So, we're real proud of our volunteers. We've got so many of them. We're working so hard to try to just to try to secure, future elections in Georgia. So, I guess that would be my take.

Attorney Bob Rust 00:55:02:15 00:55:27:25 Yeah. That's that that's excellent. You're in Georgia? I was born in Virginia. I've got a smile. I'm saying that we got a good old southern state that showed some of us up here in the Mid-Atlantic what we ought to do. We've had our problems with apathy within the citizens Group Joe is ...I can't tell you how many hours he's put in to try to get people to come forth in the way that you've talked about.

Attorney Bob Rust 00:55:27:27 00:55:35:21 And I hope that they're going to listen to this tape and understand, hey, you can't just criticize. You got to get in there and do your part.

Attorney Garland Favorito 00:55:35:23 00:56:03:02 That's right. If you can propose a reasonable solution, not just a solution, but something that can be reasonably implemented, then you'll gain credibility with the legislators and the election board members. And they want to see that you can, they can work with you once they know that they can work with you. Then then they are much more open, rather than to come in ranting and raving, just say, here's the problem.

Attorney Garland Favorito 00:56:03:02 00:56:09:01 Have you thought about this? Could we solve it this way? That kind of thing. So, I think that's more effective.

Attorney Bob Rust 00:56:09:03 00:56:32:28 And that brings us full circle to where we started that those who say you're a gadfly, either you're obviously being listened to by the folks at both the election boards statewide, regionally and locally and the state legislature and even the governor, and that's just and obviously what we need to do, Joe's doing it, manly job and try to get that ball rolling here.

Attorney Bob Rust 00:56:33:00 00:56:38:22 And you said at the outset that your organization is nonpartisan. Is that correct?

Attorney Garland Favorito 00:56:38:24 00:57:09:25 Yes. That's right. So, and that's an interesting story in itself, Robert. So, we established back in 2006 it was a nonpartisan, and the thing that got us going, was when they brought out the first all direct recording electronic voting machines, and here they were completely paperless and, they were, I had I had argued back then in 2002 that I believe they were unconstitutional because the voter can't verify their votes.

Attorney Garland Favorito 00:57:09:25 00:57:33:24 The audit, the election officials can't audit them. You can't do a recount for the candidates. It only reprints previous unverifiable results, and there's no paper, so there's no transparency at all. So, 17 years later, in 2019, the US District Court finally agreed with me and said, yes, these are in fact constitutional deficient. And they banned them from future use.

Attorney Garland Favorito 00:57:33:27 00:57:57:01 And that's when we ended up getting the QR coded voting system, which is almost as bad as the old voting system, which, so I, forgot where I was going. Oh, I know I was going with that story. So, when the system was implemented in 2002, many Democrats believe that they were cheated out of the US Senate.

Attorney Garland Favorito 00:57:57:01 00:58:25:03 And governor's gubernatorial race, by a patch that was applied, and, illegally by the voting system vendor. Really the president of the company, and Fulton that DeKalb counties. But there were two massive upsets. One ended in the U.S. Senate race and one of the gubernatorial races that favored Republicans won all the down ballot races, went to Democrats.

Attorney Garland Favorito 00:58:25:03 00:58:52:24 So the Democrats, from that point in time, believe that they were cheated out of that race. I believe that they were right. They were cheated. So, as I we became more involved in the early years, most of our members were Democrats. And also, some, a lot of libertarians, I am in the Constitution Party. So, we're non-partisan. And then the grassroots Republicans joined us because they felt they were being cheated by establishment Republicans.

Attorney Garland Favorito 00:58:52:26 00:58:54:06 And it grew and grew.

Attorney Bob Rust 00:58:54:06 00:58:54:23 But us.

Attorney Garland Favorito 00:58:54:25 00:58:56:11 Were primarily.

Attorney Bob Rust 00:58:56:13 00:59:04:05 So that myself. You know what? You said something I think supported. And you said the grassroots Republicans thought of being cheated by the establishment Republicans.

Attorney Garland Favorito 00:59:04:07 00:59:05:00 That's correct.

Attorney Bob Rust 00:59:05:06 00:59:07:24 You're here correctly. Okay. Go. Please go. Keep going.

Attorney Garland Favorito 00:59:07:26 00:59:38:12 Yeah. And so, they felt they were being cheated in the primaries. The Democrats felt they were being cheated in the election. And that's how I that's how our base? word? and because the libertarians were always with us, to begin with, as well as the Green Party and the, and our party, the Constitution Party. And then that kind of reached a head in 2020, and then suddenly all the Republicans realized that they had been cheated as well, out of the out of not only the presidential race, but in the US Senate race here in Georgia.

Attorney Garland Favorito 00:59:38:14 01:00:03:03 And that became, a, I guess that's when we really had critical mass and we had become pretty effective because now we've got the Republicans, which Georgia is a majority. Republicans sate here as they're now saying, the same thing as the rest of us So, that's helped us be more effective, and down here in the last few years.

Attorney Bob Rust 01:00:03:06 01:00:08:07 Okay. So, before we conclude anything that you'd like to state further to come, but.

Joe Vichot, Chief LCRC 01:00:08:07 01:00:39:11 Just, I just want to think back on what Garland said about getting involved and speaking up and keeping your eyes and ears open. As an average citizen, you're definitely an integral part of our elected system. And you need to speak up when you see something, and you might not know. You don't need to go on a rant and rave like you said, but just give us the information that you saw or heard, and, and we can then follow up on that.

Joe Vichot, Chief LCRC 01:00:39:13 01:01:17:21 And for me, I would ask, anybody that is listening to this podcast is to go, if you have any questions, go to Lehighgop.com and or call our office. 410. We're sorry, I got too many numbers in my head. It's, (610) 435-3322 if you have any issues on election day, or you see something with your Mail-In ballot, you find a mail ballot on the ground that, you know, you see somebody doing something that you don't think is right, let us know.

Joe Vichot, Chief LCRC 01:01:17:21 01:01:41:00 And then we could follow up on these on these issues. And that might be the beginning of something big, but there's lots of ways you can help with this. You could also be a poll worker. You could be a poll viewer. And you can either help at the election or in the election office on Election Day, but you need to contact us and, get, you know, and get out there and help.

Joe Vichot, Chief LCRC 01:01:41:00 01:01:42:11 So, that.

Attorney Bob Rust 01:01:42:12 01:01:44:22 And as Garland says you can even be on the election board.

Joe Vichot, Chief LCRC 01:01:44:24 01:01:49:10 Yeah, that's that's...? words

Attorney Bob Rust 01:01:49:13 01:02:09:06 Well, that's great, you two have had a really good back and forth and, I think it's going to be helpful both here in Pennsylvania and hopefully in Georgia. Garland, thank you so much for your time and...? word? what you're doing as this saying I went to school in Tennessee. So, I'm going to say, as I said, and East Tennessee, keep on keepin on.

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