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Title: The TRUTH About Election Fraud _ Texas AG Ken Paxton at @Heritage50 April 2023

Speaker:

Ken Paxton

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They have asked me today to talk about a very controversial topic. I'm actually going to say these words you're not really supposed to say in American politics anymore; you can get censored, you can be criticized by the media. The words are: *election fraud*. I'm just going to say them out loud because it's happening, not just in my state, but all over the country. I only have a few minutes to talk about it. I could talk about it for a very long time, and I don't think that would be productive, but I can tell, really, one quick story that will sum up the issues that we are struggling with, as it relates to election fraud in my state, and I believe across the country.

In Texas, we have very specific laws about how you could do mail-in ballots. I can talk about voting machines, all kinds of different ways that election fraud occurs, but the one that I know happens very significantly, at least in my state, and I think, across the country, is mail-in ballots. When I was in the Texas House, we passed a photo ID law. It's been very effective because when you have to show up with a photo ID, it works pretty darn well as opposed to showing up with the utility bill. And it's interesting because the argument has been that, that's discriminatory. Now, as we all know, to check into this hotel, you had to show a photo ID. To get here on a plane, you had to show a photo ID. Pretty much everything you do, and no one looks at it as

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discriminatory or illegitimate, except when you vote, for some reason, the argument is, that's discriminatory, even though we all have to provide the same thing.

Well, fortunately in Texas, we passed it and it's been over a decade. It's been very successful. And despite the claims that voter participation would go down, voter participation has gone up, because people trust the system, they're more likely to go vote. It seems very reasonable and it's actually worked very well. It works very well in states that require photo ID. If you do not have that in your state, you have a high risk of voter fraud. So in Texas, they are very specific, and I think this is true in other states. Now I'm not talking about California or Oregon, I'm talking about states that actually care about election integrity, like Utah. We require that you can only mail-in ballot for certain reasons: you have to be disabled, you have to prove that you're out of town, you have to be over 65, or you are in prison but you're not a felon. Those are still pretty broad reasons for voting by mail.

So when you vote by mail – and I want to explain this; some of you might know this, but it's really important to understand this, because the argument is, you guys can't prove fraud. And guess what? The other side, because of the way they do this, it's absolutely correct. Because when you typically mail out a mail-in ballot, you have to request by application. You sign that mail-in ballot, say, *“I need this mail-in ballot because I'm over 65”* or *“I'm going to be out of town”*, and you send that in and they send you a ballot. You stick your ballot into an envelope, you sign that envelope and you send it back in. And they don't have a photo ID, but they can compare signatures. That's what they do. It's called signature verification. It is not ideal. It is not the safest process, but it is something, and it works okay.

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Well, what happened during COVID, and it happened in my state, and I want to tell you that story because I think we were able to stop what other states didn't see or didn't try to stop. We ended up having judges in about 12 different counties, basically ignore our state law and say no, because of COVID, we're not going to follow state law. And by the way, these were all very liberal counties. This was Travis County, which is Austin; Harris County, which is Houston; Bexar County, which is San Antonio. They decided they would just mail out ballots to everyone. Well that means in Harris County, we're talking about close to two and a half million ballots; in Travis County, over a million ballots; in Bexar County, over a million ballots. Donald Trump won our state by 620,000 votes. And so we realized that we had a huge issue. We had 12 lawsuits all in the worst counties, all with judges that were going to rule against us, including the Court of Appeals in each area. And all I could do, was say, wow, what a genius strategy by whoever put this together, whether it was George Soros or somebody else, somebody thought this up because it was too well organized. And it was a drain on our resources because we were having to fight in all of these different counties. And I had to go to my legal team, very good – and by the way, the win wasn't 75% against the federal government; it's more like 80. I just want to correct that.

So I have a very good legal team and I said, look, we cannot lose a single case. We have 12 cases, if we lose one case, they win. I said, it's a genius strategy. We are in liberal courts where we're going to lose. We're in Court of Appeals where we are going to lose. It doesn't matter what the law says. And if we lose, if we can't figure out how to win all of those cases, we're going to lose the state. And so we went after it and we had to maneuver around our Court of Appeals who were trying to hold up. Travis County was trying to hold up until the ballots got mailed out, a decision on the merits of the case. And so if that happened, if the ballots go out, the genie is out

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of the bottle and we lose; game over, Texas legislature very likely turns Democrat. Some of the Supreme Court members, four of them were up, we lose four of the nine, we're in trouble, and very likely Donald Trump loses the election. So I called the president in May and I said, Hey, you need to know this, I don't have time to deal with other states, but very likely, you've got a very good chance of losing Texas by mail-in ballot. He goes, *"there's no way I lose Texas, I won by nine points"*. I said, yes, but if they have a chance to mail out all these ballots. And I said, I've got 12 cases, if I don't win every single one of them, I have a feeling you will lose. If Harris County can send out two and a half million ballots, they will just count ballots until they get to the right number, because when those ballots get mailed out, we don't know who sends them in because there's no signature verification. Anybody can sign those ballots. They can grab as many of them as they want, send them in, claim that they're legitimate, and we can't prove that they're not. And so there's nothing we can do. So you better hope that I win. And I said, the reason I'm calling you is not to tell you about the trouble I have in Texas. The reason I'm calling you is because I'm worried that this is going on in other states, and I can't deal with other states, I can't deal with wherever this is happening, but I'm guessing if it's happening in Texas and it's such a significant strategy that I can plainly see in front of me, it's got to be happening nationwide.

So I went on my business and in the end we fought these people. We had some very creative ways of getting around. We had to try maneuvers we'd never tried before to get to the Texas Supreme Court, because four of them were up, and I was hoping that if we could get to them, they would see that they were in trouble. And so we filed this thing called the mandamus of the local district clerks. Never been tried, that I know of. And we mandamus'd the district clerks in each of those counties – where they were trying to mail out the ballots – directly to the Supreme

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Court saying, Hey, this is an emergency. We also found our way to the Fifth Circuit. And fortunately the court took it. Totally novel way of getting to them. And they ruled in our favor and we won by one. We won all 12 of those lawsuits.

And so what happened? On election day, I'm sitting there watching the election results and for the first time in my life, election counting stopped in numerous states, particularly obviously battleground states. And it was very clear to me. I knew immediately what was going on. It was very clear to me what they were doing: they were figuring out how many real votes they had, just like they would've done in Texas. And they were just going to count as many mail-in ballots, because you don't know where those mail-in ballots came from. There's no way to prove that they came from the person that supposedly signed it. And so when I saw what happened in all of these states, and I'll give you an example, Georgia – if you go back four years prior to that election when Trump won, the margin of victory in Georgia was the same as it was in Texas. Almost exactly same demographics. This time, Trump won by almost 9% in Texas and he lost Georgia by what? Whatever it was, 12,000 votes. How did that happen? Well, guess what? They decided to sign a consent decree that said that they would accept mail-in ballots with no signature verification, mail-in ballots that weren't following state law, and drop boxes. I can tell you what's going to happen when that happens. You're going to lose, because there's no ballot security for those votes.

And so I wish I could say this story was over for me in Texas. We just had our Court of Criminal Appeals, which in our state, we have a bifurcated system where the Texas Supreme Court does civil cases, the Court of Criminal Appeals is the final say, the Supreme Court, so to speak, on criminal matters. And they're all Republican. And by the way, these are members of the court

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that no one knows, even Republicans. And as a setup, I should say that Soros has done a very good job. He has elected his DAs in Austin, which is Travis County. He's done it in Bexar County, which is San Antonio. He's done it in Houston. And the reason I know is I used to work with the DAs in these counties who were Democrats who used to prosecute cases and now suddenly Soros went in and knocked all of them out and put his own people in. So I know that they're not going to prosecute voter fraud. That's what we used to do. We did it from 1951. And by the way, I was not the AG in 1951. I have not been there that long. I mean, I've been there a while. In 1951, the legislature passed a statute.

And by the way, I have four jobs, and one of them is to do such things as are required by law. Well, what things are required by law? The things that the legislature passes. The legislature directed the Attorney General, probably because of political reasons with local DAs not prosecuting voter fraud, to prosecute voter fraud. So we had about 900 cases going at the time. And the Court of Criminal Appeals stepped in a year and a half ago, all Republicans, and said, it's unconstitutional for you to prosecute voter fraud. And they said, and maybe Senator Lee can explain this to me. He said, it's a constitutional violation, it's separation of powers. Because I'm in the executive branch, I do not have the authority to go to court at all. Which by the way, if that's true, no AG in the country be allowed to go to court, it truly is a separation of powers. It was the most bizarre finding after 72 years of precedent.

And so we're trying to get that fixed, but I can tell you if we do not get that fixed, they will accomplish what they were trying to do with mail-in ballots. And so I'm here to tell you Lynn Fitch is amazing. What she did with the Dobbs case, we came in and we wrote the amicus for that. What she did, was, save thousands of lives.

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The representative was talking about transgender issue – important issues. These are all important issues. But if you do not take care of election integrity, we do not in our own states focus on protecting, and this is a strategy that isn't going away for the left, they're going to continue to try to steal elections. And I know it's controversial to say it, and somehow they get to cheat. And I'm telling you, I had 900 cases in Texas and I only have three or four lawyers that can do them. So if we had more lawyers, we'd be doing more prosecutions. Of course that's been ended for now. I'm just telling you, there's lots of voter fraud going on. We have proof of it. And don't let people make you feel stupid for bringing up the obvious. Why can't we, if you're so sure there's no voter fraud, make sure, that you vote with a photo ID, that mail-in ballot is more secure. Why would anybody that cares about fair and free elections in a democracy, actually criticize you for wanting to protect your elections? So God bless you all for being here, and please go back to your states and make sure that this issue is a priority because if we don't do it, we are going to lose this country. God bless you, and thank you.

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