

WELLSBORO OFFICE
5 MAIN STREET
WELLSBORO, PA 16901
570-724-5231 • FAX: 570-723-5119

BROOKVILLE OFFICE
73 SOUTH WHITE STREET, SUITE 5
BROOKVILLE, PA 15825
MAIN OFFICE PHONE NUMBER: 814-646-7272
FAX: 814-646-7275

HARRISBURG OFFICE
SENATE BOX 203025
HARRISBURG, PA 17120
717-787-7084

EMAIL: cdush@pasen.gov
WEB: www.senatorcrisdushpa.com
FACEBOOK: [facebook.com/SenatorCrisDushPA](https://www.facebook.com/SenatorCrisDushPA)



Senate of Pennsylvania
25TH DISTRICT
SENATOR CRIS DUSH

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May 10, 2022

Acting Secretary Chapman
302 North Office Building, 401 North Street
Harrisburg, PA 17120

Dear Acting Secretary Chapman,

It has come to my attention that you have asked Lehigh County District Attorney Jim Martin to not put detectives near ballot drop boxes.

Since you are in the mood to make such requests, I make one of my own: Please instruct all counties to discontinue the use of ballot drop boxes immediately and to permit those who have already submitted their ballots by such means to stop by election offices before May 17th or to go to their polling precincts to verify they are “qualified electors” (the only people legally permitted to participate in elections in PA).

The reason for this is simple. The chain of custody for any ballot submitted in such fashion is unverifiable if such actions are not taken and thus any election which does not take those steps cannot qualify to be certified.

Ballots are evidence. They are evidence of a qualified elector’s selection for whom they wish to represent them. It is why this state has historically required some sort of recognition of the voter by the election officials at the precincts before allowing one to sign the first chain of custody (the poll book) and obtaining a ballot. The qualified elector is observed to take the ballot, fill it out and bring it to a ballot box which is sealed with a tamper resistant and numbered seal. That sealed ballot box was signed for by the precinct’s judge of elections with notation of the seal identifier on the chain of custody for the box and is to remain sealed until it is returned. The seal is examined to ensure it is the correct one and was not subjected to tampering. Once that is verified the Judge of Elections releases the box to the county election officials. The chain of custody remains for opening the box, control of the ballots through the count and straight through until they are sealed into the final storage box and the chain of custody form gets what is usually the final signature with the new seal number recorded.

What the Department of State and the Pennsylvania Supreme Court did beginning of September 2020 was eliminate the chain of custody before the qualified elector could even be verified. I can say this with certainty due to the number of people who have sworn affidavits which indicate they never applied for, nor received, nor utilized a mail in ballot when one had been recorded for them. It is also evident from the video and counting evidence which shows clearly that more ballots had been placed into ballot boxes than there were people who had brought them to the ballot drop boxes.

These facts cannot be disputed without purposeful suspension of one's ability to process the obvious.

You have a sworn duty to follow the law. Mail-in ballot drop boxes have never been authorized by the legislature and the reason for that is becoming more blatantly obvious as more video and hand counting of "ballots" dropped at these locations are examined.

In *Sharpless v. Mayor*, 21 Pa. 147 (1853), Mr. Chief Justice Black observed, "The Constitution has given us a list of the things which the Legislature may not do. If we extend that list, we alter the instrument, we become ourselves the aggressors, and violate both the letter and spirit of the organic law as grossly as the Legislature possibly could. If we can add to the reserved rights of the people, we can take them away; if we can mend, we can mar; if we can remove the landmarks which we find established, we can obliterate them; if we can change the constitution in any particular, there is nothing but our own will to prevent us from demolishing it entirely."

Sincerely,

A handwritten signature in black ink, appearing to read "Cris Dush". The signature is fluid and cursive, with a large initial "C" and "D".

Senator Cris Dush
25th Senatorial District

CC PA Supreme Court