

# Federal Election Fraud Investigation Guidelines

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The U.S. Federal Prosecution of Election Laws, Eighth Edition published in December 2017 is the framework establishing the protocol of investigation and prosecution of election fraud cases. It is important to examine this procedure for the public to know how to proceed with filing an election fraud complaint as well as to monitor compliance of said election law. So, let's examine this procedure as per U.S. Federal Prosecution of Election Laws. "Upon receipt of an election fraud allegation, a United States Attorney's Office may, if the Office considers it warranted, request the FBI to conduct a preliminary inquiry in the form of an assessment." "If the results of the preliminary inquiry suggest that further investigation is warranted, the United States Attorney's Office should contact the Public Integrity Section. Specifically, consultation with the Public Integrity Section, and with higher-level Department officials in the event an agreement is not reached, is required for all grand jury and "full" investigations of election fraud. Consultation with the Public Integrity Section is also required prior to filing any complaint or information, or prior to requesting a grand jury to act upon a proposed indictment that charges any of the election fraud offenses discussed in this chapter."

"If the Public Integrity Section agrees that a full-field investigation and/or grand jury investigation of an election fraud allegation is warranted, a communication, in the form of an email confirming this determination, is generally sent by the Assistant United States Attorney. There is usually a discussion at this point whether the United States Attorney's Office is able to make a commitment to prosecute any case that the investigation may generate, and, if not whether the Public Integrity Section will handle the matter either jointly with the United States' Attorney's Office by itself." "The initiation of any grand jury process in the matter, including the issuance of subpoenas for election documentation, requires prior consultation with the Public Integrity Section."

"Election fraud investigations fall into two stages: a preliminary investigation, followed by a grand jury investigation. Preliminary investigations are usually initiated by the United States Attorney's Office or FBI office that received the complaint. Consultation with the Public Integrity Section is required before grand jury and FBI full-field investigations are initiated. FBI participation must be approved by FBI Headquarters."

So, now that we established what the protocol is for election fraud cases, how can we prevent the same debacle of what occurred in 2020 from happening again. We now know what agencies including the specific departments that is involved in investigation and processing election fraud cases as well as prosecuting election fraud cases. Therefore, my recommendations for the incoming Trump administration to ensure election integrity are:

1. Appoint a Director of the Public Integrity Section at the Criminal Division of the U.S. Department of Justice that is committed to election integrity and has the fortitude to stick to the task at hand.

2. Pam Bondi (US Attorney General) and Harmeet Dhillon (Assistant Attorney General) play key roles in this election integrity process. Establish a mandatory line of open communication between Public Integrity Section Director, US Attorney General's Office and FBI Director Kash Patel in order to share intelligence and ensure compliance.

3. Merge the FBI Election Crime Branch with the DOJ Public Integrity Section Election Crime Branch to create Election Task Force with the same mission of investigation, processing and prosecution of election crimes. This will prevent division and the possibility of missing key

cases due to communication problems. This task force will ensure that a pipeline exists from the public to the Federal agencies managing election fraud. With the right people in place, we can avoid another 2020. The results should be that the sum is equal to its parts.

In 2020, the whole was NOT greater than the sum of the parts. In other words, the parts were the numerous election fraud cases that resulted in ineffectual and/or corrupted investigation system.

4. All election fraud cases need to be documented whether on the local or Federal level. The election fraud cases should be enhanced with the format similar to a Detective Division within the Police Department.

Election integrity is at the core of our Republic, so we need the sum to be equal to its parts. To ensure that to happen, the MOST important point is to appoint the right people to the Public Integrity Section and Public Integrity Section Crimes Branch. With Kash Patel and Pam Bondi in place is one component, but the other components is that they employ high integrity and high-quality personnel to fulfil the mission of election integrity. Furthermore, the States Attorney's Offices are key to this process, so those Offices need to be monitored by the U.S. Attorney General to make sure they are in compliance with the procedures highlighted by the U.S. Federal Prosecution of Election Laws.

Strict adherence to the procedures highlighted in this document along with the right people in place along with communication and cooperation within Federal Agencies as well as Citizen Audit Groups, Election Crime Bureau and individuals reporting fraud will give our Country the best chance for election integrity.