



THIRD WAY

THE PLOT TO STEAL THE PRESIDENCY





What is the Danger?

Sure, you've read some articles about the danger to our democracy...

Bart Gellman (*The Atlantic*): “Our two-party system has only one party left that is willing to lose an election. The other is willing to win at the cost of breaking things that a democracy cannot live without.”

Anne Applebaum (Author of *Twilight of Democracy*): “[A] political movement...which seeks to undermine the U.S. electoral system...which supports the illegal efforts of Trump to regain power...this is an autocratic phenomenon.”

Robert Kagan (*The Washington Post*): “We are already in a constitutional crisis. The destruction of democracy might not come until November 2024, but critical steps in that direction are happening now.”

And you've probably noticed that experts are pretty worried...





What is the Danger?

But YOU are not worried enough. Not nearly enough.



Jocelyn Benson (MI Secretary of State):
“*This is a five-alarm fire.* If leaders and citizens aren’t taking this as the most important issue of our time and acting accordingly, then we may not be able to ensure democracy prevails again in 2024.”

She’s right. Small-d democrats should be much more alarmed about this enormous threat to our republic. Because today’s danger isn’t like what we faced last time...



What is the Danger?

This isn't Rudy Giuliani and his clown car full of "lawyers" holding a press conference at Four Seasons Landscaping...

It's not Lin Wood spouting nonsense...



It's not Sidney Powell threatening to "release the Kraken"...





What is the Danger?

This time, the threat is coming from the core of the Republican Party.

It is a systematic, sophisticated, and serious plot to execute a coup.

Their plan? To steal the 2024 presidential election – and it is well underway.

Their plot has five distinct parts...





The Republican Plot to Steal the Presidency

1. Suppressing the Vote
2. Installing Big Lie Vote Counters
3. Threatening Election Officials
4. Seizing Legislative Control
5. Sabotaging the Electoral College



1. Suppressing the Vote

Much of what the GOP is plotting is new. But it starts with something all too familiar: restrictions on who can vote and how they do it...

In 2021, 19 states passed 33 new laws imposing restrictions on voting:

- ✓ Limits on Early Voting
- ✓ Limits/Abolition of Vote by Mail
- ✓ Limits to Polling Places/Drop Boxes
- ✓ Improper Voter Roll Purges

But the bills passed in 2021 were just the beginning. There are more than 245 other such bills awaiting action in 20 states.



Suppressing the Vote

Vote suppression is unethical and often racist, but it is, sadly, well-trod ground.

By contrast, the main part of the GOP plot enters a new and more dangerous realm: *vote theft*. And even if the crucial – but currently stalled – federal voting rights bills were enacted, they'd do very little to stop the steal.



George Packer (*The Atlantic*): “The supreme danger now is not about drop boxes or mail-ballot applications windows. The danger is that the express will of the American people could be overthrown.”



2. Installing Big Lie Vote Counters

It starts with installing Big Lie Republicans in positions of power over elections. And that means purging the apostates.

Gellman: “Since the 2020 election, Trump’s acolytes have set about methodically identifying patches of resistance and pulling them out by the roots.”

Kagan: “Those recalcitrant Republican state officials who effectively saved the country from calamity by refusing to falsely declare fraud or to ‘find’ more votes from Trump are being systematically removed or hounded from office.”

This GOP purge of the apostates is focused on the statewide officials in presidential battlegrounds, such as...



Installing Big Lie Vote Counters



GEORGIA

Apostate: Sec. of State Brad Raffensperger (R), who refused to “find” extra votes for Trump.

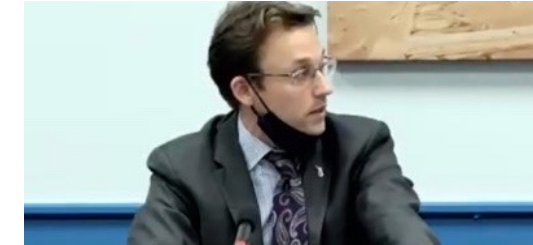
Big Liar: Raffensperger’s Trump-endorsed primary opponent Rep. Jody Hice, who claims Trump won GA.



ARIZONA

Apostate: Gov. Doug Ducey (R), who certified the 2020 vote.

Big Liar: Kari Lake, a Trump-sponsored candidate for governor, says she would not have certified and believes the 2020 AZ vote was stolen.



MICHIGAN

Apostate: Aaron Van Langevelde, a GOP official who certified Biden’s win and was hounded off the Board of State Canvassers.

Big Liar: Kristina Karamo, a candidate for secretary of state who claims Trump won MI.

This purge is also happening in PA, WI, and elsewhere.



Installing Big Lie Vote Counters

The purge has serious implications. Imagine if a Big Liar like Jody Hice had been at the other end of Trump's infamous call to the GA Sec. of State.

Trump: "I think it's pretty clear that we won... I just want to find 11,780 votes, which is one more than we have because we won the state."

Raffensperger: "We don't agree that you have won."

Hice to CNN: "I believe if there was a fair election, it would be a different outcome. Absolutely."





Installing Big Lie Vote Counters

The Trump forces also are running candidates in 2022 to replace Democrats in the key battleground state offices...

***The Washington Post* counted the Big Liars running for statewide offices that are involved in elections. They found at least 163.**

“The list includes 69 candidates for governor in 30 states, as well as 55 candidates for the U.S. Senate, 13 candidates for state attorney general and 18 candidates for secretary of state in places where that person is the state’s top election official.”



Installing Big Lie Vote Counters

This could have grave consequences.

Michigan Attorney General Dana Nessel (D):

“There is no question that if I am replaced by Matthew DePerno, democracy falls in Michigan. Not maybe. Not possibly. Certainly. He has made it clear not only that he supports the ‘Big Lie’ — he’s one of the originators of the ‘Big Lie.’”

But it’s not just statewide officials...





Installing Big Lie Vote Counters

At the local level, Trump supporters are flooding into precincts to run the actual processes of voting and counting.

This is being driven by right-wing media personalities with enormous audiences. For example, *Steve Bannon has used his popular podcast (downloaded more than 100 million times since 2019) to urge his listeners to serve as vote-counters at the local level.*

Charlie Kirk's group, Turning Point Action, called this precinct strategy "the forefront of our mission."





Installing Big Lie Vote Counters

It's working frighteningly well.

In September 2021, Pro Publica surveyed key battleground areas.

In just the 65 counties they studied, they found that 8,500 new Republican precinct officers had signed up to work the polls.





Installing Big Lie Vote Counters

And Donald Trump is loving it.

Trump (January 2022): “We have to be a lot sharper the next time when it comes to counting the vote. *There's a famous saying that sometimes the vote counter is more important than the candidate.* And we can't let that ever happen again. They have to get a lot tougher and smarter.”

(That “famous saying” is from Joseph Stalin.)



9:14 AM · Jan 15, 2022 · Twitter for iPhone

**So, they'll try to put their own people in position to rig the outcome.
But if they don't get their way, it's on to Part 3...**



3. Threatening Election Officials

...THREATS. Those come in three types: partisan, legal, and violent.

Partisan Threats: The Big Lie Republicans are recruiting “an army” of partisan poll watchers to intimidate voters and pressure poll workers.

This used to be illegal for the GOP, but in 2018 Trump’s Justice Department gave it the green light. Taking advantage of that in the 2021 Virginia elections, Republican poll watchers “inundated” early voting sites and “harassed and hindered” election officials.



Threatening Election Officials

Legal Threats: Big Lie Republicans also have threatened officials with serious criminal penalties for minor mistakes, as a report from Protect Democracy and others recently found.

For example, this Wisconsin sheriff is ***seeking felony charges against state election commissioners for technical guidance they gave to clerks in 2020*** about pandemic voting procedures. The Republican state Senate majority leader endorsed the sheriff's move.





Threatening Election Officials

Violent Threats: The final step is physical coercion. Some are broad intimations of violence, like this from Rep. Madison Cawthorn: “If our election systems continue to be rigged and...stolen, then it’s going to lead to one place – and it’s bloodshed.”



Others, are specific. Infamously, militia members in Michigan plotted to kidnap Gov. Whitmer. But some of the local law enforcement response made it even more sinister. MI Sheriff Dar Leaf, after standing on stage at a Trumpist rally with the accused, said that the militia might have been trying to “arrest” the governor, meaning they are innocent of wrongdoing.

Threats of violence against statewide officials are bad enough, but...



Threatening Election Officials

...much of this venom is directed at local administrators, who have no security.

The Brennan Center found “one in three elections officials report feeling unsafe because of their job.” This “*represents a mortal danger to American democracy, which cannot survive without public servants who can freely and fairly run our elections.*”





Threatening Election Officials

And it's not just the lunatic fringe. It's 31 million people.



PRRI survey (November 2021): 12 percent of Americans – and 30 percent of GOPers – believe both that the election had been stolen from Trump and that “true American patriots may have to resort to violence in order to save our country.” That means ***about 31 million American adults might believe that violence is justified*** if their candidate is not sworn into office.

But if replacing or intimidating election officials isn't enough, the state legislatures are getting into the act. That brings us to Part 4 of the plot...



4. Seizing Legislative Control

State legislatures are taking over the power to run elections.

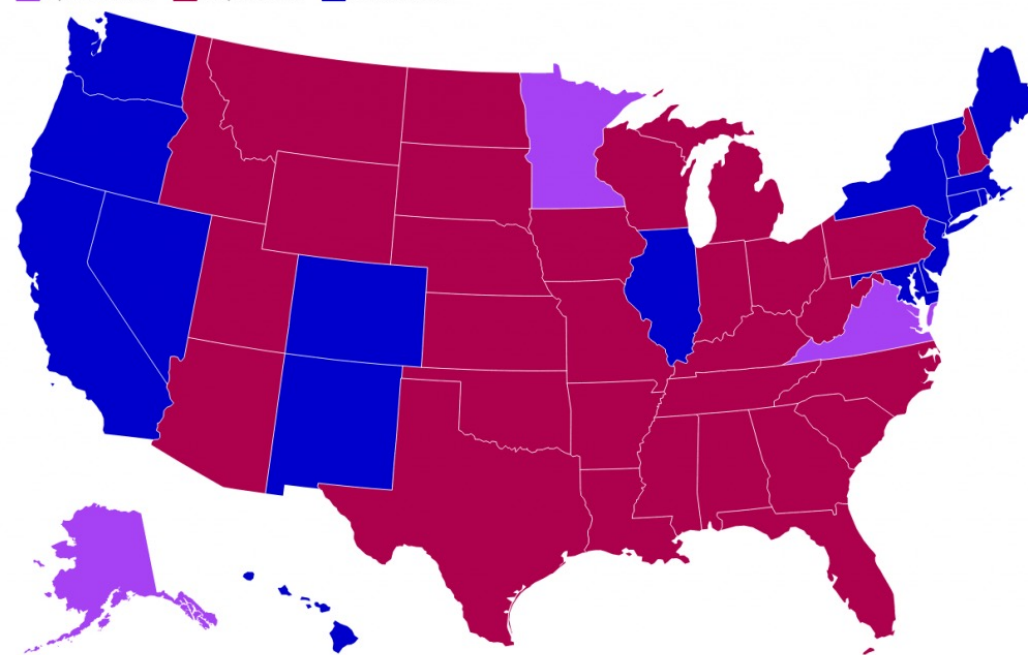
In at least 14 states, GOP legislators already have enacted new laws to take power over elections away from career officials and give it to the legislature or its designees...

And ominously, Republicans control **both** state legislative chambers in every presidential battleground:

AZ, FL, GA, MI, NC, NH, PA, and WI.

Party control of state legislatures

Split Control Republican Democratic



This map reflects the results of the 2021 general elections.

BALLOTEDIA



Seizing Legislative Control



“Never in the country’s modern history has a major party sought to turn the administration of elections into an explicitly partisan act.” (AP)

For example, in Georgia, the GOP-run legislature gave *itself* the power to “overrule and take control of voting tallies in any jurisdiction and...final say on disqualifying voters and declaring ballots null and void.” Notably, they’ve started with Fulton County (Atlanta).

Even scarier than legislative control over elections is the prospect of GOP legislators tossing out the results and replacing the voters’ choice with their own...



Seizing Legislative Control

While doing such a thing would be corrupt, it might be successful. The Constitution gives legislatures real power over federal elections.



Article I (Congress): The “Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof.”*

Article II (Presidential Electors): Each state shall appoint presidential electors “in such Manner as the Legislature thereof may direct.”

*Congress has real power here, too, which it should be using. Art. I, Sec. 4 continues: “but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.”



Seizing Legislative Control

And today's Supreme Court might allow the legislatures the legal latitude to discard the will of the voters on election law technicalities.

The so-called “Independent State Legislature Doctrine” would prohibit *any* deviation from the election rules passed by a state legislature. In recent decisions, including one in 2021, Justices Alito, Gorsuch, Kavanaugh, and Thomas “signaled support” for this doctrine, and Justice Barrett has not yet weighed in on this question.





Seizing Legislative Control

This legal doctrine is ahistorical and bonkers. Yet it might allow legislators to appoint their own electors.



They could claim their power was usurped: “Even if there was not good reason to believe that...officials meaningfully deviated from the intent of the legislature in running a presidential election, state legislatures could still choose to convene and send an alternative slate of electors based upon this supposed technicality.”

Or they could deem the election to be invalid.

They could throw out the “failed vote”: Under the Presidential Election Day Act of 1845, the legislature can appoint electors itself if the voters of the state “failed to make a choice.” Doing so on Big Lie grounds would be a gross distortion of the intent of this never-invoked provision, but that kind of thing does not stop Trumpian GOPers.



Seizing Legislative Control

Such preposterous claims of legislative power trumping the will of the voters has come to be embraced by right-wing leaders.

Leonard Leo (Federalist Society Chair): “History confirms state legislatures’ plenary authority over federal elections.”

Rep. Steve Scalise (No. 2 House R): “There were a few states that did not follow state laws. That’s really the dispute.”

Donald Trump: “The legislatures of the states did not approve all the things that were done for those elections. And under the Constitution...they have to do that.”



So, if a legislature doesn't like the outcome of the vote, they could try to appoint their own slate of electors to send to Congress. Then, all eyes turn to Washington for Part 5 of the plot...



5. Sabotaging the Electoral College

On January 6, 2025, the Big Lie Republicans could try to achieve what the insurrectionist mob and their allies in Congress failed to on 1/6/21: Deem the losing Republican candidate the victor.

Trouble with the ECA: While the intended outcome is the same, this wouldn't look like Trump's attempts in 2021 to push Mike Pence to use powers the VP doesn't have. (Besides, the VP presiding will be Kamala Harris.)

Rather, the GOP shenanigans would involve the delivery and counting of Electoral Votes under the Electoral Count Act (ECA), a badly written and confusing 19th century law.





Sabotaging the Electoral College



If they have congressional majorities, the Big Liars will have a variety of options for subverting the EC and stealing the presidency.

They could scrap the electoral votes they don't like.

Under the ECA, Congress can reject EVs that it deems not to have been “lawfully certified,” even if it is the sole slate of electors from that state.

As an election protection company CEO Chris Truax notes, under this provision, “Congress is free to reject any state’s electoral votes for any reason at all. All that is required is the votes in Congress and the political will to act.”



Sabotaging the Electoral College



Another option: If multiple slates arrive from a given state, they could simply choose the slate they like better. If a state with a Democratic governor sends two slates of electors – one reflecting the real outcome of the vote and the other from the GOP legislature – Congress could vote to accept the bogus slate (from the legislature).



Sabotaging the Electoral College

Lastly, they could simply discard the votes of the states with multiple slates of electors and toss the decision to the House. If neither candidate has a majority of EVs (at least 270), the House chooses the winner. That vote is by delegation, meaning both California and Wyoming get one vote each.

Even with Democrats currently in the majority, the GOP controls more delegations. That's unlikely to change for the better in 2022 or 2024. So, the Republican candidate would win the delegation vote and become president.

One of these scenarios is the fail-safe in their plot.





The Republican Plot to Steal the Presidency

MAGA leaders like Bannon are trumpeting precisely what they're doing, at every level: local, state, and federal.



“We're taking over all the elections.”

That is tantamount to executing a coup. And the plot is well underway.



The Republican Plot to Steal the Presidency

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If it succeeds – if the Rs install an illegitimate president in January 2025 – our democracy will die.

We cannot give way to despair or indifference. There is much we can do to stop the coup. But we must have a response that is immediate, aggressive, and to scale.



How Do We Stop the Coup?

Run a parallel presidential campaign.

Model: For the first time in US history, a party must mount two parallel presidential campaigns: one to win the election, and the other to prevent its theft.

Scope: Democrats will spend at least \$1B on the campaign to reelect President Biden. They and other pro-democracy actors must also mount a campaign of similar size, scope, and seriousness to stop the coup plotters.

Leadership: The political job of the President and the Biden-Harris team is to win re-election. For the parallel campaign, we need the most influential democratic voices in politics (of both parties) to come together. That includes former Presidents and First Ladies, congressional leadership, party chairs, top state officials, former office-holders, etc.

Team: As with a traditional presidential campaign, it will take tens of thousands of Americans – volunteers, lawyers, business leaders, donors, activists, and strategists – to offer their time, commitment, and resources to this effort.

The substantive areas for the campaign should include...



The Parallel Campaign



Four core elements:

- **Coup Protection:** Enacting federal vote suppression/theft laws.
- **Electoral Firewall:** Beating seditious Republicans.
- **Poll Defenders:** Shoring up non-partisan election administration.
- **Democracy Army:** Supporting legal, elections, and grassroots efforts.



Coup Protection: Passing Federal Legislation

There are bills in Congress aimed at two big things:
vote suppression and vote theft.

Vote Suppression: *The Freedom to Vote Act* and the *John Lewis Voting Rights Advancement Act* are aimed at Part 1 of the GOP plot. They create national standards for elections, target gerrymandering, and address racial discrimination in elections by restoring the key provisions of the Voting Rights Act.

Those bills are stalled in the Senate by a GOP filibuster.

Vote Theft: Congress can't address all the issues in the other 4/5 of the GOP plot. It can't stop the purge of responsible elections administrators, for example. But it can shore up some of the weak spots in the law around the Electoral College count. But it's unclear whether there will be enough Republican votes.

To be clear: even if the vote suppression bills fail to move, properly structured ECA fixes would be helpful. But that would only be a piece of the response.



Electoral Firewall: Beating Seditious GOPers

Next, we must beat their candidates in key state and local elections in 2022.

Governors: There are tough 2022 races in almost every presidential battleground state, including those in which Democrats currently hold the seat: MI, PA, and WI. The Republican nominees will all be Big Lie Trump supporters.

Secretaries of State: In the states in which this is an elected position, Big Liars are likely to win GOP primaries. That makes those states vital for Democrats to keep (MI) or pick up (AZ, GA, and NV).

State Legislative Chambers: Breaking the GOP monopoly on swing states by winning back a legislative chamber could provide important democracy protection. Some R-held chambers are closely divided and could flip in 2022: AZ (both chambers), GA (both), MI (House), and PA (both).



Electoral Firewall: Beating Seditious GOPers

Most of the democracy protection candidates are running at the state and local level. But of course, we can't take our eye off federal races.

Congress: Given that House Republicans have almost entirely capitulated to Trump's Big Lie, we **MUST** ensure that Democrats control the House on 1/6/25 to prevent the theft of the presidency in Congress. That means Democrats must either hang on to the majority in 2022 or keep the balance close enough to get it back in 2024. (The new House is sworn in three days before the EC votes are counted.)

The White House: Ultimately, in addition to ensuring they can't ***steal*** the election, we must make sure they don't ***win*** it. We must beat their 2024 ticket by enough votes to erase any serious doubt about the outcome. Many organizations, including ours, will be standing up massive efforts to achieve this goal starting after the midterms.



Poll Defenders: Shoring Up Election Administration

In addition to winning elections in key races, we must do all we can to find and defend nonpartisan election workers.

- We must match or exceed the Big Liars in their effort to recruit poll workers.
- We must provide them with physical protection (from law enforcement and others) if they are threatened or harassed.
- We must offer legal representation if they are threatened with criminal or civil sanction.





Democracy Army: Deploying to the Front Lines

Finally, we must mobilize people and resources to support those protecting democracy on the front lines against the coup plotters. That includes:

Legal/Litigation: We must have lawyers ready to sue to stop the unconstitutional abrogation of voting rights and attempts by partisans to grab power from nonpartisan elections officials.

Democracy Promotion/Clean Elections: We need organizations with trained advocates on the front lines of the fight to prevent political actors at every level from rigging the administration of elections.

Grassroots Activation: We need protestors, door knockers, and poll watchers at the same or larger scale as that of the Trumpian right.

The organizations doing this work need more money, talent, people, social media presence, and attention. A LOT MORE. Because...



What is the Danger?

The threat to our democracy is enormous:

- A major political party is now controlled by anti-democratic forces.
- They are intent on stealing the next presidential election.
- They have a plan, and they are executing it.

We can stop it:

- The parallel presidential campaign will have the size and scale to fight them in the courts and statehouses, at the polls, and in public opinion.
- ***But we are starting from behind.***
- All sectors of society must be united, organized, and devoted to the fight.



THIRD WAY

THE PLOT TO STEAL THE PRESIDENCY

