

Working Together for New Jersey - Election Integrity -

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Policy Statement

Bringing Election Integrity to New Jersey

This Policy Statement presents recommendations on how we can restore integrity and public confidence to New Jersey's election procedures, laws and process. The *Working Together for New Jersey Election Integrity* coalition developed this policy statement after years of research and study. The WTNJ Election Integrity Coalition urges immediate revision of existing laws, policies and procedures related to the conduct of elections in New Jersey.

The existing "policy" of the Legislature and Executive branch is to avoid verification of U.S. Citizenship – the core qualification to vote. Present state laws and policies even allow a person who has NEVER been a New Jersey resident to be registered and to vote. No individual or office is held accountable for the implementation and adherence to all aspects of the conduct of elections in New Jersey (no single point of accountability). There is no ongoing overall audit of "the system," as there would be in banking or a corporation – both of which involve access to "private" personal information of thousands of customers. There are no consistent and thorough reconciliation procedures. County audit provisions are casual, inconsistent and inadequate. Reliance upon computerized and electronic systems blocks open and public examination of software, systems and operations leading to public distrust. Use of such systems exposes all data and tabulation and reporting to endless points of potential outside manipulation. New Jersey relies too heavily on vendors to test their own software and equipment, manage procedures, generate reports and claim "Proprietary Secrecy." If citizens cannot observe, understand and trust the process and rules and if the "electronics" are not audited and publicly examined regularly and in a transparent fashion, which they are not, then our processes are too complex and subject to manipulation, and few aspects of the conduct of our elections can be validated independently.

Note: Any reference herein to existing computerized or electronic systems is solely to address flaws within those systems; our overall recommendation is to remove these systems entirely and replace them with paper ballots, locally and publicly tabulated on Election Night, with all records retained for subsequent audit(s).

Nothing in our recommendations should prejudice an election toward any political party or candidate – the recommendations are intended to produce a level, observable, truthful, audit-able election procedure that protects the vote of every legally-qualified voter.

Who We Are - *WTNJ - Election Integrity is a nonpartisan coalition of citizens. We are concerned about the integrity of the election process, voter rolls, systems, laws, procedures, and administrative structures which work together to conduct and tabulate elections in New Jersey. Our election system should be as simple, transparent and independently audit-able as possible while providing equal and verifiable protection to every legally qualified voter.*

1. Verification of U.S. Citizenship

We believe that every legally qualified U.S. Citizen should have the right to vote. The Constitutions of the United States and New Jersey authorize only citizens of the United States and New Jersey to vote. The ability to choose our elected representatives is one of the foremost privileges of citizenship. But for many decades, New Jersey and many other states have *not* intentionally verified the Citizenship of each person registered or casting a vote. Each person seeking to vote should be required to demonstrate Citizenship at the polls or in advance of any election, so their voter registration can be updated to document Citizenship - and so that the vote of those who are legally qualified is not diluted by those who are not legally eligible.

2. Voter ID

To protect the value of the vote for every legally qualified voter, especially with the current open borders, we have an obligation to verify the legal qualification of each voter. Citizenship verification is the most basic element, but verification that the voter is qualified to vote is also necessary. The historic “signature verification” process is not workable or accurate. **We do not advocate for biometrics.** But the same photo ID that is required to fly should be required to vote. Arguments that voter ID is discriminatory are false, as we require photo ID to buy cigarettes, airplane tickets, antihistamines, prescription drugs and to drive a car or boat. The only reason to oppose voter identification is to open opportunity for fraud. Present e-poll-books used to check in voters can scan driver licenses (but this does not verify citizenship).

3. Paper Ballots & Local Tabulation of Votes open to Public Observers

In NJ and elsewhere, there is strong evidence of systemic problems, excessive secrecy in electronic voting systems and no public inspection or independent audit of the equipment or software. Our county, state and federal governments have enabled vendor contracts with manufacturers and systems which prevent access to any full, independent, annual forensic audit. Simply put, NO ONE can testify to what goes on within these systems, and more importantly, what is done with the voting results “upstream”. “Fixing” the hundreds of issues and concerns is nearly impossible. The solution is to return to a simple, manual, verifiable paper ballot process to save money, regain public trust, and enable audits of the process... as so many other nations now do.

We believe the initial counting of votes should be done manually, **under public and video observation**, at the voting district level, immediately following the close of the polls on Election Day, and that those unofficial tabulations should then immediately be publicly posted. Again - the problem is that the electronic components and connections of “machines” such as tabulators cannot be examined by auditors to prove that no manipulation of counts takes place. (Think of the car maker which programmed their auto electronics, during testing, to “report” satisfactory emissions, but programmed the computer to

bypass controls under normal driving situations -- fraud. The same can be done with any machine, tabulator, voting machine or other system - and the public can NOT audit any of it. Neither can elections officials, given current contract standards.)

Conducting an immediate district-by-district reconciliation and manual count of paper ballots and then immediately posting results would make subsequent manipulation of votes obvious and much more difficult. It would also provide results more quickly, and provide greater assurance to voters that their vote was counted as they intended. New Jersey's structure is perfect for this: each voting district, by law, is to represent between 250 and 750 voters. It doesn't take long to tabulate 750 votes. This change would eliminate the different rules (and systems) that can be in operation in different counties. This change would save millions of dollars in equipment, servicing and "upgrades."

4. A Fresh Start

Our state and federal legislatures have made what should be a straight-forward and understandable process overwhelmingly complex and convoluted. Our elections officials and staff are overwhelmed by conflicting, confusing laws and rules that often change. Current federal laws require keeping names on the voter rolls for up to 5 years *after evidence exists that a voter has moved*. Governors have abused emergency powers to completely change election systems to vote-by-mail. All of this decays public confidence in the most basic civic activity of the people: their vote. We should delete and replace the entire voter registration system, and start fresh with every prospective voter being required to prove their eligibility to vote.

5. Absentee & "Mail-in Ballots"

The use of absentee and mail-in ballots should be restricted to *Specific Requests* by voters, *unique to each election*, bearing an original ink signature, and should not be widespread or automatic. Vote-by-mail is the least secure method of voting. There are legitimate needs for military members stationed away from home, the disabled, those on work assignments out of town, etc., to have the ability to "absentee" vote. We should revert to the old system where voters must specifically request and sign for each such a mail-in ballot, separately, for each election. Use of "absentee ballots" should not be routine for the vast majority of voters. The opportunities for coercion, fraud, misuse and external influence are too great.

6. End Acceptance of Ballots After the Polls Close

New Jersey **allows receipt of ballots days AFTER the close of the polls**. New Jersey recently changed the law to accept ballots passing through the (unsecure) post office up to 48 hours AFTER the close of polls – **with NO POSTMARK required!** The Post Office has changed its procedures so that a "postmark" bears no relationship to the date they received mail. To prevent election manipulation from "ballots received after election day," rules should be changed to count **only** those ballots *received* by the close of polls on Election Day (before anyone knows vote counts), with no exceptions. Like having to board a plane before it takes off (a "deadline"), requiring the Election Day cutoff deadline is not unreasonable for anyone.

7. End “Early Counting”

Present law allows mail-in ballots and ballots deposited in drop-boxes to be counted BEFORE election day. These early counts get wide distribution (regardless of “rules”) - and by showing trends, can lead to questionable or illegal actions to boost votes for candidates whose count is low. Out of fairness and to avoid ballot manipulation, *no results should be counted or posted* before ALL votes are counted and posted. Besides, we recommend elimination of mail-in ballots entirely.

8. Voter Registration

Every person wishing to vote should be required to document their qualification and citizenship (because we cannot trust the existing registration lists). New registrants should be required to register at least 30 days in advance of any election, to allow time for accurate processing and verification of their qualification and voter registration data.

“Same day registration” and other forms of last-minute registration make it impossible for election officials to verify voter eligibility or to accurately process registration information. This significantly increases the potential for fraud.

9. The States and Counties Should Control All Voter Registration Systems & Data

At present, the State Voter Registration database is maintained, programmed, stored and manipulated out of state by a commercial vendor. It is subject - out of view - to all sorts of external access and influence. The law should require the State to operate and maintain its voter registration database within New Jersey, and officials should be assigned, by name and title, and made legally and criminally liable for any manipulation of the system - we need to hold people accountable. It should be illegal to allow an offsite software company to manage and retain control over ANY voter registration or voting information. It should be illegal for local election officials to not understand every aspect of the systems they use, or to defer to vendors to answer public requests for information. Similarly, no funding should be accepted from outsiders who can influence decisions or operation of the State’s systems.

10. Observation & Transparency

The right-to-vote, and the need for the public to be able to independently validate that election procedures are properly followed, require that registered voters have the right at all times to observe all election procedures. Presently, New Jersey severely restricts observation of election procedures. We believe ANY registered voter should have the right to observe (this should not be restricted to candidate or political party appointees). This absolute right to observe should extend to the right to audit (below), and laws should be changed to prohibit any contract which prohibits, prevents or obscures analysis and audit of the schema, firmware, software, data instructions and storage systems, and interconnections and external access to elections databases, voting machines, tabulation machines, optical scanners and any and all other equipment or mechanisms used in the collection, storage, maintenance or operation of elections data. But **our recommendation**, noted above, is for paper ballots and local manual tabulation at the close of polls. If a system cannot be independently audited, it cannot be trusted.

11. Reconciliation

At each point where a physical or electronic “record” is created in the voting process, there should be a corresponding, publicly-observable, reconciliation procedure to identify errors, gaps, or malfunctions – just as is done within all banking systems. Examples would be to reconcile voter sign-ins to sign-in reports; to printed or cast ballots; to cast vote records; to machine memory cards, to votes recorded at the county central election management system (EMS). No results should be transmitted to any higher authority if the reconciliations show flaws, and no election should be Certified until discrepancies are disclosed and explained.

Election tabulation reports transmitted by the counties to the Secretary of State or other official agencies should be reconciled to the counts reported as received by the Secretary of State’s office, and should be reconciled to any tabulations received at higher levels of responsibility (such as for federal office holder positions).

12. Ability to Forensically Audit, using “bank standards” of review

Only those contracts, procedures and voting methods which allow public observation and full independent forensic audit examination should be allowed. Use of electronic voting and tabulation machines should be immediately stopped, in part because government contracts with manufacturers preclude (under the excuse of being proprietary) inspection of most of the mechanics, firmware, software, programming, and monitoring of the use of any equipment interconnections (wired, wireless, optical or by any other means). Every activity and computer action related to voter registration, qualification, voter rolls, the conduct of voting, vote tabulation, conveyance of results and all other aspects of voting should have the means, approved by Certified Public Accountants and Auditors, for each action to be audited and verified before and after use. Every procedure and action should be subject to public audit. Every document, transmission and recorded/memory item should be securely retained for audit for at least 24 months following any election, and specific individuals should be assigned by name with responsibility to assure this security, and be subject to personal criminal charges for failure to protect the security of these items.

13. Drop Boxes

We believe drop boxes should be strictly limited to the internal lobbies of public government buildings, in well lit areas with nearby parking, and allowed only when under operational 24-hour video and audio surveillance which the public can both view in real time and easily download. Surveillance equipment should be monitored and recorded, available as open public records upon request, and any interruption of surveillance should result in immediate (within 15 minutes of interruption) closure of the lobby and drop box involved. Specific individuals should be assigned, given authority, and held legally accountable to insure that these systems are operational during any election period.

14. Duration of “an Election”; Early Voting

The purpose of conducting elections on a single “election day” was and is to reduce opportunities for abuse of the election process. We favor eliminating early or “advance” voting, except by absentee ballots as described above, or in person only voting at the office of each county clerk.

15. Ballot Harvesting

“Ballot Harvesting” is a term used to describe various election policies, rules and laws which allow political parties to go person-to-person to voters, especially AFTER the close of polls, to solicit or collect additional votes. Often, such policies invite intimidation tactics or manipulation of the elderly and infirm, as well as voters who are not well informed. Often, illegal payments are involved. Ballot Harvesting should not be allowed.

16. The Issue of “Phantom Voters”

Various federal laws, court opinions, and state policies currently require that the name of a registered voter remain on the voter rolls for up to 5 years after indications exist that the person has moved. Such rules only exist to invite mischief in voting. Every election official in New Jersey fully knows about these rules; most object to them but must follow the law. The laws should be changed to allow for immediate removal of a voter’s name from the registration books once a formal verification process provides evidence of death, a move, or other disqualification. There is NO reason for such names to remain on the voter rolls after a death, move or disqualification is verified. Notice of the removal should be sent to the last known address.

As above, provision should be made so that any legally qualified citizen voter can re-register easily and quickly, at least 30 days in advance of the election, by providing evidence of Citizenship, current residency, and meeting all legal qualifications to vote. This change would end the issue of “Phantom Votes” - a vote cast in the name of a “voter” who has not voted recently and likely no longer lives at the listed residence.

ADDITIONAL RESOURCES

Subsequent to the original publication of our Policy Recommendations in 2024, the national Election Integrity Network has produced a “Model Election Laws Handbook,” available on the internet at: <https://www.modelectionlaws.org/the-handbook>. None of our policy recommendations conflict with the recommended model election laws.

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