

## GUEST COLUMN

# Mitch Henck: The Recount

*December 11, 2016*

"No Russian hack yet?" My question to Wisconsin Elections Commission Spokesman Reid Magney Thursday afternoon regarding the recount. "There is no Russian hack," he said, and added, "We never expected significant changes. There is no evidence the machines were attacked. There is no evidence of significant problems."

We've been down this road in the recent past. In 2011 the State Supreme Court race between David Prosser and Joanne Kloppenburg generated 1,498,880 votes election night. After the statewide recount, it was 1,500,113. Prosser picked up 371 votes and Kloppenburg gained 683. Prosser still won by 7,004 votes.

Magney says the 14,000 votes not counted election night in Brookfield is a separate issue. In the end, the net difference was small.

In the Trump/Clinton race this time, 82 percent of the votes had been recounted by Wednesday night. Hillary Clinton had picked up a net gain of 62 votes at that point.

In Dane County, 12 absentee ballots in Monona and 23 absentee ballots in Fitchburg were left in their certificated envelopes unopened on election night. Whoops!

In Adams County, nine absentee ballot envelopes were disqualified because they were missing witness addresses, resulting in Trump losing five votes and Clinton losing four. In Manitowoc County, there were 24 additional votes for Clinton that hadn't been counted in the town of Centerville, and 25 votes for Trump in the town of Kossuth that had been counted twice. And there was more, but nothing to change the race. And nothing is expected to alter Trump's victory by the time the recount must conclude by 8:00 pm Monday night, December 12th.

There is a broader national question about the Electoral College and whether Hillary Clinton should be president based on her 2.5 million vote win in the popular vote nationwide. The founders didn't want it that way. That's why. They wanted a Republic, not a Democracy. During the Pledge of Allegiance, we say "and to the Republic for which it stands". We don't say, "And to the Democracy for which it stands."

Hillary did win the country by 2.5 million popular votes, but she won in California by 3.4 million. And she won in New York alone by 1.5 million. Getting rid of the Electoral College would give those two states more clout than Wisconsin, Michigan, Ohio and Michigan combined. The way it is now, all 55 of California's electoral votes are expected to go to Hillary because she did win the popular vote there.

The founders set up a check against mob rule by giving us the Electoral College. And what's more, the electors themselves could still break from Trump when the Electoral College votes on December 19. It is the final check on the check. So far, a handful have said they will break away but 37 would have to flee before Trump would fall below the necessary 270 electoral votes to be certified the winner.

If that happened, the House of Representatives would pick the president. Who are they going to choose, Paul Ryan? Chances are the Trumpster would still get the nod and the Senate would likely still choose Pence.

Back to the country ... out of more than 3,000 counties nationwide, Trump won more than 2,600. If the founders wanted the most populated states to have unchecked power against the less populated states, why does Rhode Island get the same number of U.S. senators as California? 'Oh Mitch, that's different. Isn't the principle the same?'

The way the presidential selection is laid out, the candidates don't travel to Rhode Island or Wyoming as it is, but they do go to Iowa. At least Trump came to Wisconsin. If the polls had been different, maybe Hillary would have come here too. A straight popular vote contest would mean the candidates would spend a whole lot of time in New York, California and Texas, all states that were ignored in the race for 270 electoral votes.

In the end, the Founding Fathers were smart guys. 'But, Mitch what about counting slaves as 3/5ths of a person?' That's why the Founding Fathers created The Bill of Rights. That 3/5ths of a person provision put in to give Southern states more representation in the Congress was null and void after Section 2 of the 14th Amendment. Bye, bye 3/5ths of a person.

Do we really want to amend the Constitution to give California and New York more power to pick our president? They already have Hollywood and Broadway. That's enough!

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