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HOUSE RESOLUTION NO._____

Rep. _____ offered the following resolution:

A resolution to censure Representative Daire Rendon of the One Hundred Third House District, State of Michigan.

Whereas, The very foundation of a republican form of government is the electoral process. It is a system of continuous revolution, of peaceful transitions of power to leaders entrusted to carry out the will of the people. While the people must rigorously guard against abuse and corruption, an inability to trust in the results of elections undermines this entire process. Those in power must be cautious not to use their power to stay in power, believing they can never lose the support of the American people. That is tyranny, not democracy; and

Whereas, Representative Daire Rendon, of the One Hundred Third District of the Michigan House of Representatives, has actively

worked to undermine this trust and abused her power, in contravention of her constitutional oath of office and her mandate from the people of Michigan. She sought to overturn the 2020 election for United States President, asked local officials in her district to help her break Michigan law in furtherance of her mission to gather evidence that her party's candidate won the 2020 presidential election, and has perpetuated unverified claims of election irregularities; and

Whereas, Representative Rendon disrespected the peaceful, democratic transition of power in the weeks following the November 2020 election. According to *The Detroit News*, on December 14, 2020, Representative Rendon attempted to enter the Michigan Capitol, where the state's 16 presidential electors were meeting to officially cast their ballots for Joe Biden. She is quoted as saying, "Our Republican electors felt that they needed to be seated today, too, due to all the irregularities in the past election." Those 16 Republican electors later signed a false certificate, claiming to be the real electors from the state of Michigan and casting their votes for Donald Trump. Representative Rendon also filed a complaint-in-intervention with several other Michigan legislators in an unsuccessful lawsuit, *Texas v. Pennsylvania*, seeking to overturn President Biden's electoral victory in Michigan and other battleground states; and

Whereas, Representative Rendon undermined trust in the 2020 election and future elections by facilitating inappropriate, unauthorized access to ballot tabulators. On August 5, 2022, the Michigan Department of Attorney General wrote a letter to the Michigan Secretary of State summarizing a conspiracy to gain unauthorized access to ballot tabulators and other election

equipment as part of an unofficial "audit" of the 2020 general election, carried out between January and September of 2021. This letter discusses the actions of a "Representative," which refers to Representative Rendon, as this is the only Representative for whom the Michigan Attorney General sought a Special Prosecuting Attorney in her petition of August 5, 2022; and

Whereas, According to the Chief Deputy Attorney General's letter, Representative Rendon spoke with local government officials on several occasions to encourage them to give tabulators to other individuals. In January or February 2021, Representative Rendon told the Richfield Township Supervisor "she was looking into the tampering of voting machines and wanted him to turn over the township tabulators to 'investigators.'" Two unauthorized individuals acquired a tabulator from this supervisor on March 21, 2021. In mid-March 2021, Representative Rendon told the Lake City Township Clerk "she was conducting an audit of the 2020 General Election and would have an investigator call [the clerk] for assistance." This clerk gave an unauthorized individual a tabulator and a laptop that had served as an electronic pollbook. On March 20, 2021, Representative Rendon told the Roscommon County Clerk that "'representatives' were doing an investigation into election fraud and needed her voting machine." The next day, this clerk gave unauthorized individuals a tabulator and several USB drives and allowed them to copy the Election Reporting Management software from the county computer; and

Whereas, When these clerks grew worried about why their equipment had not been returned yet, Representative Rendon "kept making excuses" and told the Roscommon County Clerk "not to worry about the tabulators, as she was doing the right thing and they had

her back" and "her name would never come up." The voting tabulators and other equipment were returned to the local government officials between April and September of 2021; and

Whereas, When these tabulators were seized in March and April of 2022 pursuant to search warrants, it was discovered that unauthorized individuals had attempted to access their internal components and the seal on one machine was voided. *Reuters* quotes Representative Rendon as stating she "never touched a voting machine," though she does acknowledge she contacted clerks. In order to ensure there is no unfairness to either party and no reason to doubt the accuracy of future election results, *Reuters* reports that Richfield Township had to purchase two new vote tabulators and three memory devices at a cost of $8,763; and

Whereas, As a result of this investigation, the Michigan Attorney General has sought the appointment of a Special Prosecuting Attorney to consider charging Representative Rendon and others with crimes including Conspiracy, MCL 750.157a; Using a Computer System to Commit a Crime, MCL 752.796; Willfully Damaging a Voting Machine, MCL 168.932(b); Malicious Destruction of Property, MCL 750.377a; Fraudulent Access to a Computer or Computer System, MCL 752.795a; and False Pretenses, MCL 750.218; and

Whereas, Representative Rendon's actions in this conspiracy are all in furtherance of her goal to help her party, led by former President Donald Trump, hold onto power. *The Detroit News* states that Representative Rendon "has been one of the most outspoken lawmakers in the state advancing unproven claims of fraud in the November 2020 presidential election." *Reuters* reports that, on June 26, 2021, Representative Rendon claimed to have "evidence reflecting systematic election fraud in Michigan that occurred in

the November 2020 election;" as of May 2022, almost a year later, she had still not provided that evidence to the public. On October 12, 2021, Rendon stated she had evidence from information technology experts that voting machines were accessible, could have been hacked, and had IP addresses for countries outside of the United States, according to *The Detroit News*. To date, no one has proved that fraud was committed in the 2020 election. *The Detroit News* reports that President Biden's victory in Michigan has been upheld in over 200 audits, a series of court rulings, and an investigation by the Republican-led state Senate Oversight Committee; and

Whereas, Unauthorized third-party access to voting machines is a serious threat to the legitimacy of our elections, and as such it is punishable as a serious crime. Under the Michigan Election Law, it is a felony to "obtain undue possession of ... [a] voting machine" or to "aid or abet" in such conduct. This felony is punishable by a fine of up to $1,000, or imprisonment in the state prison for up to 5 years, or both. Representative Rendon repeatedly asked local officials to give voting tabulators to unauthorized individuals, and those officials repeatedly complied with her requests. In doing so, Representative Rendon aided those unauthorized individuals in obtaining undue possession of a voting machine, in violation of Michigan law; and

Whereas, Article IV, Section 16 of the *Constitution of the State of Michigan of 1963* provides, in relevant part:

> Each house, except as otherwise provided in this constitution, shall choose its own officers and determine the rules of its proceedings ... Each house shall be the sole judge of the qualifications, elections and returns of

its members...

; and

Whereas, Article XI, Section 1 of the *Constitution of the State of Michigan of 1963* provides, in relevant part:

All officers, legislative, executive and judicial, before entering upon the duties of their respective offices, shall take and subscribe the following oath or affirmation: I do solemnly swear (or affirm) that I will support the Constitution of the United States and the constitution of this state, and that I will faithfully discharge the duties of the office of ..... according to the best of my ability. No other oath, affirmation, or any religious test shall be required as a qualification for any office or public trust.

; and

Whereas, Article II, Section 4 of the *Constitution of the State of Michigan of 1963* provides, in relevant part:

The legislature shall enact laws ... to preserve the purity of elections, to preserve the secrecy of the ballot, to guard against abuses of the elective franchise.

;and

Whereas, House Rule 74(6) states:

A Member shall conduct himself or herself to justify the confidence placed in him or her by the people and shall, by personal example and admonition to colleagues, maintain the integrity and responsibility of his or her office.

; and

Whereas, House Rule 74(7) states:

A Member shall not engage in any conduct that materially

impairs the ability of the Member to perform the duties of his or her office or substantially impair the public confidence in the House.

; and

Whereas, Representative Rendon has broken the Michigan Election Law and engaged in a pattern of misconduct that has undermined the public's confidence in her, in the House, and in Michigan's electoral process and democratic institutions in violation of her oath of office and the Standing Rules of the House of Representatives; now, therefore, be it

Resolved by the House of Representatives, That Representative Daire Rendon of the One Hundred Third House District is hereby censured; and be it further

Resolved, That copies of this resolution be transmitted to Representative Daire Rendon.