

True the Vote Leaders Released from Jail, and It's All on Video

By Randy DeSoto
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The Fifth U.S. Circuit Court of Appeals overruled a Texas federal district court judge Monday ordering the release of True the Vote leaders Catherine Engelbrecht and Gregg Phillips from a Houston prison. Last week, U.S. District Judge Kenneth Hoyt ordered that the pair be held for at least a day or “until they fully comply with the Court’s Order,” Hoyt wrote. Engelbrecht and Phillips have refused to tell the court information the judge has ordered them to produce concerning elections software company Konnech, according to the Texas Tribune.

True the Vote claimed information on poll workers was being stored on servers in China and made other allegations against the company and Konnech chief executive Eugene Yu. Konnech sued them saying the claims are false and that the company was defamed, according to The Washington Post. “Yu was later arrested and charged by the Los Angeles district attorney for allegedly storing government data in China, which is in breach of the company’s contract. L.A. officials reportedly received their initial tip regarding Yu from Phillips,” The Post Millennial reported. In their filing for release from prison to the Fifth Circuit, Engelbrecht and Phillips said that Hoyt’s confinement order “represents a clear abuse of discretion and a manifest miscarriage of justice.”

“Petitioners pray that this court enter an order releasing them from the district court’s draconian order of detention for refusing to identify a federal confidential informant in open court whose identity in any event has no bearing on the merits of this defamation case hinging on competing accounts of alleged historical events,” they added. As part of Konnech’s lawsuit, Hoyt ordered Engelbrecht and Phillips to provide the names of several people who gave them information about the company. They have refused to do so.

“Every name I give you gets doxxed and harassed. I know what happened to Mike after his name was released and he’s in hiding,” Engelbrecht said referring to a man named Mike Hasson whose name was divulged, but no other information about him was given, according to the Texas Tribune. She and Phillips said a

second person at a key meeting at which information was shared was a “confidential informant” for the FBI. Neither would give that individual’s name.

“Trust, honesty and respect will always be our highest values, regarding both our work and our lives,” Englebrecht said in a statement last week, according to Law and Crime. “As a result, we will be held in jail until we agree to give up the name of a person we believe was not covered under the terms of the judge’s TRO,” the statement said, referring to a temporary restraining order issued in the lawsuit.

“We ask that you keep us in your prayers. Thank you to those who continue supporting and believing in us and our mission to make elections safe for all parties and for all people,” the statement said. Video circulating on social media showed Engelbrecht and Phillips walking out of the jail.

True the Vote worked with conservative filmmaker Dinesh D’Souza on the documentary “2,000 Mules.” The central premise of “2,000 Mules” is that an illegal ballot harvesting scheme allegedly took place during the 2020 general election in the key swing states of Arizona, Georgia, Pennsylvania, Michigan and Wisconsin. These are all states that former President Donald Trump won in 2016 but flipped to Democratic President Joe Biden in 2020. A “mule” is a term used in the movie for those who were allegedly paid to repeatedly pick up batches of ballots and place them in drop boxes.

True the Vote said it used cellphone geotracking data to identify people who went to 10 or more drop boxes and made five or more visits to non-governmental organizations working on voter turnout during the 2020 election.

Politifact and The Associated Press have contended that geotracking is not a reliable way to determine if these were actually mules delivering ballots illegally.