

ARIZONA ATTORNEY GENERAL'S OFFICE

2020 General Election Investigation

The Criminal Division / Special Investigations Section of the Arizona Attorney General's Office is responsible for investigating criminal allegations related to Election Fraud committed within the State of Arizona. The Special Investigations Section generally receives Election Fraud related complaints from various County Recorder Office's and the Arizona Secretary of State. These government entities administer voter registration and oversee Arizona election activities.

On September 24th 2021 Arizona State Senate concluded the 2020 General Election Forensic Audit of the Maricopa County Election. That same day a letter was sent to Attorney General Mark Brnovich from State Senate President Karen Fann requesting the Attorney General's Office to investigate several critical areas outlined in the forensic audit report completed by Cyber Ninjas Inc.

In October of 2021 additional agents were re-tasked to assist the Election Integrity Unit with the investigation into the critical areas outlined in the Cyber Ninjas Maricopa County Forensic Election Report along with other allegations of election misconduct. From October 2021 to the authoring of this report, no less than 4,680 investigative hours have been expended by Special Agents investigating these election fraud allegations.

This report summarizes critical allegations, investigative actives completed by agents and the findings of each investigation. Below are the critical allegations investigated by the Special Investigation Section of the 2020 General Election:

1. Maricopa County Election Department – Signature Verification Process
2. Maricopa County Election Department – Drop Box collections
3. Maricopa County Election Department – Election Management Server
4. Maricopa County Board of Supervisors – Data not provided for election audit
5. Pima County Election Department – Voter spike prior to 2020 General Election
6. Unknown published flyer – Numerous allegations of election fraud
7. Representative Mark Finchem – 35,000 votes embedded into Pima County

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INVESTIGATIVE SUMMARY

1. Maricopa County Election Department - Signature Verification Process

Special Agents were requested to review the Maricopa County Signature Verification Process which is utilized for Mail-In, Drop-Off and Drop-Box ballots. The Signature Verification Process is used to validate these Early Voter Ballots prior to being sent to the tabulation centers for counting. Agents utilized the following sources during this investigation:

- Signature Verification training materials from Maricopa County Elections Dept.
- Signature Verification training videos by Maricopa County Elections Dept.
- Interviews of Level I Signature Verifiers
- Interview of Mr. Ray Valenzuela, Assistant Elections Director
- Interview of Ms. Celia Nabor, Assistant Director of Early Voting
- Interview of Runbeck Elections Services Inc. personnel
- Review of election data provided by the Maricopa County Elections Department
- Signature Verification training materials provided by the Arizona Secretary of State

Signature Verification Process

All Mail-In and Drop Box ballots are sent to Runbeck Elections Services Inc. where the ballots are scanned into batches. These images are then sent to the Maricopa County Elections Department where the Signature Verification Process begins. All images are first run through the Signature Verification Application where the images are compared to historical reference signatures through an OCR (Optical Character Recognition) system. All images are then categorized into Low or High Confidence groups before they are sent to be visually inspected by Signature Verifiers. All Low Confidence groups contain a yellow bar on the comparison screen and all High Confidence groups contain a white bar on the screen. Ballots are sent in batches of 250 to Signature Verifiers.

Any ballots that are missing a signature or cannot be verified by Level I verification are sent to a Level II / Manager for further review and/or the "Curing Process". The curing process is a verification process in which Maricopa County Elections personnel attempt to contact the registered voter utilizing the voter information on file. If contact is made with the registered voter and the ballot is verified/cured, then the ballot is stamped as verified. The verified/cured ballots are then sent to Runbeck Election Services for rescanning before passing through Signature Verification and forwarded to tabulation. Uncured ballots are later hand scanned at Maricopa County Elections and store separately from tabulated ballots.

According to the Maricopa County Elections Department, 17,126 ballots were sent to the "Curing Process". A total of 15,084 ballots were verified/cured and rescanned without signatures. A total of 2,042 were rejected and never able to be verified/cured (1,455 no signatures & 587 bad signatures).

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Verified and cured ballots are then placed in batches of 10,000 pending a 2% audit. After the 2% audit of 10,000 ballot batch is completed by the Level II / Manager, the batch than can proceed to holding for tabulation/counting.

Staff & Training

From October 7th 2020 to November 7th 2020 the Maricopa County Elections Department employed 29 part-time and 4 full-time Level I Signature Verifiers. Each Level I Signature Verifier received two hours of signature verification training which mirrors recommendations provided by the Arizona Secretary of State's Office. This training included a 41 slide presentation that covered the following topics:

- Handwriting Analysis
- Letterforms
- Broad Characteristics – Evaluating the Entire Signature
- Causes for Inconsistent Signature
- Applying Your Skills
- Matching Practical Exercise
- Early Voter Modules
- EVRT
- Verifying the Voter
- Comparing Signatures
- Quality Assurance
- Signature Observations

Seven part-time and 11 full-time Managers worked in the Signature Verification Process. The Signature Verification managers received eight hours of training courses on signature verification to include the training provided to Level I Signature Verifiers and Standard Work-Signature Verification and Flagging.

According to Ms. Celia Nabor, Assistant Director of Early Voting, all Level I Signature Verifiers and Managers attended Signature Verification Training provided by Associated Forensic Laboratory, LLC. This training was conducted by Ms. Kathleen Annunziata Nicolaides a Forensic Document Examiner. This new training was implemented in June 2020 prior to the General Election.

According to the Maricopa County Elections Department, an additional group of 40 temporary employees were hired from October 30th 2020 to November 6th 2020 to assist with the Signature Verification and ballot Curing.

Statistics

The Maricopa County Elections Department maintained a data tracker used to monitor the performance its signature verification staff. This data was provided to agents and was analyzed to determine the daily verification totals by Signature Verifiers and the average time spent verifying ballot signatures. According to Mr. Ray Valenzuela, Director of Elections, Level I Signature Verifiers should be able to process around 250 signature

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verifications every 30 minutes (7.2 seconds per ballot). The table below breaks down ballots verified daily along with average ballot review times:

Date	Daily Verified	Daily Shift	Verifiers	Ballots per Hr.	Ballot per Sec.
7-Oct-20	2,465	8	33	9	400
8-Oct-20	161	8	33	0.5	
9-Oct-20	5,546	8	33	21	171
12-Oct-20	70,564	8	33	267	13
13-Oct-20	31,472	8	33	119	30
14-Oct-20	84,750	8	33	321	11
15-Oct-20	101,210	8	33	383	9.4
16-Oct-20	131,444	8	33	498	7.2
17-Oct-20	72,766	8	33	275	13
19-Oct-20	144,799	8	33	548	6.6
20-Oct-20	103,417	8	33	391	9.2
21-Oct-20	132,708	8	33	502	7.2
22-Oct-20	52,195	8	33	197	18
23-Oct-20	77,624	8	33	294	12
24-Oct-20	67,871	8	33	257	14
26-Oct-20	75,077	8	33	284	13
27-Oct-20	46,553	8	33	176	20
28-Oct-20	165,404	8	33	627	5.7
29-Oct-20	99,645	8	33	377	10
30-Oct-20	69,411	8	33 (73)	263 (119)	14 (30)
31-Oct-20	63,339	8	33 (73)	240 (113)	15 (32)
1-Nov-20	21,370	8	33 (73)	81 (37)	44 (97)
2-Nov-20	29,797	8	33 (73)	113 (51)	31 (70)
3-Nov-20	46,631	8	33 (73)	177 (80)	20 (45)
4-Nov-20	206,648	8	33 (73)	783 (354)	4.6 (10)
5-Nov-20	4,589	8	33 (73)	17 (8)	211 (450)
6-Nov-20	2,861	8	33 (73)	11 (5)	360 (720)
TOTAL	1,910,317	8	33 (73)	11 (5)	360 (720)

Note: This data is based upon workers completing an eight hour shift. This data does not account for any additional hours worked in excess of eight hour work day.

See Special Investigations Section case number SIS-2021-0482 for further details.

Finding

No improper Election Procedures were discovered during the Signature Verification review.

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2. Maricopa County Election Department – Drop-Box collections

Allegation

Maricopa County Elections Department failed to maintain chain of custody. Properly document ballot retrieval, transport and count of Drop-Off & Drop-Box ballots.

Origin

Complaint filed by Ms. Heather Honey & Mr. Andrew Puli of Verity Vote.

Investigation

Agents reviewed the complaint filed by Verity Vote citing failure to maintain chain of custody after transport/courier teams failed to complete Early Voting Ballot Transport Statements (EVBTs). Agents utilized the following sources during this investigation:

- Interviewed Ms. Heather Honey & Mr. Andrew Puli from Verity Vote
- Reviewed Maricopa County Drop Box Security procedures
- Reviewed Arizona Secretary of State Drop Box procedures
- Met with Maricopa County Legal Counsel Ed Novak and Tim Eckstein
- Reviewed Early Voting Ballot Transport Statements
- Interviewed U.S. Postal Inspector Jason Wick

Agents reviewed Early Voting Ballot Transport Statements obtained by Verity Vote through Public Records Requests. The EVBTs forms showed many missing fields required by Maricopa County Elections Procedures and the Arizona Secretary of State. Out of the 1,895 EVBTs form reviewed, 381 forms had missing fields. Below is a list of missing criteria:

- 16 missing an audit signature
- 19 missing a ballot count
- 12 contained only one signature of the required two courier/transport staff
- 15 were missing the Election Department receiver signature
- 9 were missing both signatures of the two courier/transport staff
- Other EVBTs forms were missing documentation of security seals and lack of the two required seal numbers.

When questions were asked regarding “Count of ballots in transport bin” information missing on several EVBTs forms; officials related that prior to October 21, 2020 the courier teams had access to a ballot counter at the Elections Department and documented the number of ballots by use of the counter. After October 21, 2020 the number of ballots received became too large to utilize the ballot counter and the decision was made to weight trays containing approximately 200 ballots each. The daily ballot counts were then recorded via email each day and no longer documented on the EVBTs forms.

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Maricopa County Elections Procedures and the Arizona Secretary of State Election Procedures state:

"When the secure ballot container is opened by the County Recorder or officer in charge of elections (or designee), the number of ballots inside the container shall be counted and noted on the retrieval form"

Agents learned a total of 31 couriers were used for EVBTS pick up and transport. Seven of the 31 courier's party affiliations were not designated. The known courier parties are as follows:

- 8 Registered Republican
- 8 Registered Democrat
- 7 No designation
- 1 Independent

Maricopa County Elections Procedures and the Arizona Secretary of State Election Procedures state:

"For any election that includes a partisan race, at least two designated ballot retrievers of at least two differing party preferences shall be assigned to retrieve voted ballots from a ballot drop-off location or drop-box"

A total of 56,226 early ballot envelopes were returned to the U.S. Postal Service as undeliverable. According to U.S. Postal Inspector Jason Wick, the undeliverable ballots are scanned into the Address Change Service file. This file is then sent to Runbeck Election Services and Maricopa County Elections. These ballots are immediately voided in the Maricopa County Elections System making the ballot invalid for voting. The voided ballots are then destroyed by the U.S. Postal Service using the BlueEarth Secure Destruction Process.

See Special Investigations Section case number SIS-2022-0077 for further details.

Finding

Election Procedure Violations. Maricopa County elections officials failed to follow Maricopa County Election Department Procedures mandated by Arizona Secretary of State Election Procedures Manual related to Ballot Drop-Off Locations and Drop-Boxes. Both Maricopa County and the State of Arizona have procedures to insure the proper chain of custody documenting ballot movement from Drop-Off Locations to the County Elections Department. The following procedural violations were identified during the investigation:

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- 2019 Election Procedure Manual section 1.7.b – For any election that includes a partisan race, at least two designated ballot retrievers of at least two differing party preferences shall be assigned to retrieve voted ballots from a ballot drop-box location of drop-box.
- 2019 Election Procedure Manual section 1.7.d – Upon arrival at a drop-box location or drop-box, the two designated ballot retrievers shall note, on a retrieval form prescribed by the County Recorder or officer in charge of elections, the location and/or unique identification number of the location or drop-box and the date and time of arrival.
- 2019 Election Procedure Manual section 1.7.e – The time of departure from the drop-off location or drop-box shall be noted on the retrieval form.
- 2019 Election Procedure Manual section 1.7.f – The County Recorder or officer in charge of elections (or designee) shall inspect the secure ballot container for evidence of tampering and shall confirm receipt of the retrieved ballots by signing the retrieval form and indicating the date and time of receipt.
- 2019 Election Procedure Manual section 1.7.h – When the secure ballot container is opened by the County Recorder of officer in charge of elections (or designee), the number of ballots inside the container shall be counted and noted on the retrieval form.

3. Maricopa County Election Department – Election Management System

List of Allegations

- Election Management System Database Purged
- Election Files Deleted
- Corrupt Ballot Images
- Missing Ballot Images
- Failure to Follow Basic Cyber Security Practices
- Subpoenaed Equipment Not Yet Provided
- Anonymous Logins
- Dual Boot System Discovered
- Operating System Logs Not Preserved
- Internet Connections to the EMS

Origination

Cyber Ninja Maricopa County Forensic Election Audit Volume III Section 6
VOTING MACHINE FINDINGS

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Investigative Techniques

Special Agents were requested to review the Maricopa County Election Management System which is utilized for tabulation/scanning of ballots cast in the 2020 General Election in Maricopa County. This System counts all votes cast for different candidates and proposed laws set for voter approval /disapproval. Agents utilized the following sources during this investigation:

- Interview of Steven Richer, Maricopa County Recorder
- Interview of Doug Logan, Owner of Cyber Ninjas
- Interview of Ben Cotton, Owner of CyFIR
- Maricopa County Elections Published Records
- BTC walk-through with Scott Jarrett, Director of Elections for Ballot Tabulation
- Interview of Nate Young, Director of Information Technology
- Interview of Gary Biliotta, Director of Geographical Information Systems
- Interview of Brian Ramirez, Elections Information Technology staff member
- Interview of Bill Gates, Maricopa County Board of Supervisors
- Requested forensic pre-view of Maricopa County Election System

ALLEGATION #1 – Election Management System Database Purged

Cyber Ninjas reported the Election Management System (EMS) database holds all details associated with the 2020 General Election. They further alleged the database was purged, and all election results were cleared by a Results Tally and Reporting Admin on 2/2/21 at 1714 (unknown UTC vs AZ time zones) Cyber Ninjas reports this was the “evening before” the Pro V & V Audit was scheduled to officially start.

Investigation

Agents have conducted interviews with Nate Young, Director of Information Technology and Scott Jarret, Director of Elections for Ballot Tabulation and were able to determine the following:

- Election specific data is archived/backed-up as part of the Elections Department policy.
- 26 Back-ups were created during the 2020 General Election between 10/20/2020 to 11/16/2020.
- The Elections Department transferred the restored ballot images onto a hard drive that was provided to the Arizona State Senate to comply with the Senate Subpoena.
- Per Mr. Young, the server database was required to be clean for the logic and accuracy tests completed by Pro V&V and SLI Compliance on February 1st 2021.

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Finding

Undetermined. Agents are pending a date to review archived data to ensure all election files are present.

ALLEGATION #2 – Election Files Deleted

Cyber Ninjas identified they looked at the “Master File Table (MFT)” of the drives, and identified a large number of files on the EMS Server and HiPro Scanner machines were deleted. These files included ballot images, election related databases, result files, and log files. Cyber Ninjas claimed these files would have aided in review of analysis of the election system.

Investigation

During a walk-through with Mr. Scott Jarrett and further learned from responses made by the County Elections Department, the following information was learned related to election files:

- Central count tabulation stations are comprised of a computer and scanner.
- Data files are shared/transferred over the local network to the EMS server.
- Data files are removed from the tabulation stations when data space (memory) on the computer begins to get full.
- Since these files are not associated to the tabulation files stored on the EMS server, they are not backed-up or archived.
- February 2nd 2021 – Standard archive steps were taken for the EMS server and Tabulation Stations were prepared for a March 2021 election.
- February 2-12 2021 – Pro V&V and SLI conducted audits on election equipment.
- February 11th 2021 - Election staff prepared the EMS server and other equipment for a scheduled audit certification.
- March 3rd 2021 – Elections staff gathered subpoenaed ballot images from archive.
- April 12th 2021 – Election staff prepared EMS server and other election equipment for subpoena delivery.

Finding

Undetermined. Agents are pending a date to review archived data to ensure all election files are present.

ALLEGATION #3 – Corrupt Ballot Images

Cyber Ninjas claimed 263,139 ballot images were unreadable.

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Investigation

During the investigation agents learned that during the Correcting the Record report in January 2022, Maricopa County Elections Officials randomly selected images from the date periods that Ben Cotton from CyFIR claimed were corrupted and were able to open all the images.

Finding

Undetermined. Agents are pending a date to review archived data to ensure all election files are present.

ALLEGATION #4– Missing Ballot Images

Cyber Ninjas claimed the total amount of ballot images is less than the official vote totals.

Investigation

During the investigation agents learned that Maricopa County Elections Officials during the Correcting the Record report in January 2022, reviewed the cloned copies of hard drives that were provided to Cyber Ninjas and located the files that were claimed missing.

Finding

Undetermined. Agents are pending a date to review archived data to ensure all election files are present.

ALLEGATION #5 – Failure to Follow Basic Cyber Security Practices

Cyber Ninjas refers to the Department of Homeland Security's Cybersecurity & Infrastructure Security Agency (CISA) published guidelines. Cyber Ninjas outlines where County Elections should change and offers recommendations they claim are established by CISA.

Investigation

Agents learned from Maricopa County Election Officials and during physical walkthrough that the EMS server along with other election equipment is configured in an air gapped standalone system (no outside connectivity outside of the controlled access room) which does not require the additional Cybersecurity & Infrastructure Security guidelines. The EMS server along with the other election equipment resides inside a controlled access room under 24 hour video monitoring. Further security requirements include a two person rule to enter the room.

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Finding

Unfounded Allegation. Cyber Ninjas presented its opinions on these areas, there has been no indication of malicious or criminal acts performed by Maricopa County Elections Officials. Cyber Ninjas suggests a better practice based on their beliefs, however, Maricopa County Elections was within compliance of state and federal law as it pertains to these areas.

ALLEGATION #6 – Subpoenaed Equipment Not Yet Provided

Cyber Ninjas refers to items they feel should have been provided by MCRO as it relates to the subpoena.

Investigation

During an interview with Mr. Gates from the Maricopa County Board of Supervisors, all data and equipment was provided as requested by the subpoena and that items not subpoenaed were not provided to the State Senate. He further related that sensitive routers and log files were not provided and were part of the settlement agreement. Mr. Gates stated he is not aware of what was provided to Cyber Ninjas by the Senate and that question should be directed to Senate President Fann.

Finding

Unfounded Allegation. According to statements made by Mr. Bill Gates and a letter dated September 17th 2021 by State Senate President Karen Fann to Attorney General Mark Brnovich, all materials were provided to the State Senate by Maricopa County

ALLEGATION #7 – Anonymous Logins

Cyber Ninjas stated there are common functions in Windows which will record login activity to security logs. Logins exhibit known recording sequences within the logs that allow analyst to determine the origination of the requesting function and determine the legitimacy of the logged action.

Investigation

Within the PacketWatch report, there was a section identified specific to these allegations. Per PacketWatch they reviewed logs from 11/18/2020-3/5/2021. During that time frame, they observed 205 Logon Type 3 events, and 5 of them had “anonymous logon” as the account name. PacketWatch indicated they further reviewed the logons and indicated they are normal interaction between Windows-based devices that are connected on the same network where one or more of them have resources shared (shared drives, printers, etc.) to the network. PacketWatch further stated there were no logged events in the proximity of these events to indicate the “anonymous” user was running any “script-based activity.”

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Finding

Undetermined. The allegations by Cyber Ninjas appear to have different activity dates as to that which was reviewed by PacketWatch. Agents have a pending request to review anonymous logins with Elections Officials.

ALLEGATION #8 – Dual Boot System Discovered

Cyber Ninjas analyzed a system labeled Adjudication 2, and revealed the system contained two bootable hard drives. Cyber Ninjas stated neither Pro V&V nor SLI identified this in their report.

Investigation

Agents learned In the Correcting the Record – January 2022 Report, County Elections stated there was a second hard drive on one computer, the drive was not powered on or used at any time while in Maricopa County's possession. This drive did not play a role in any Maricopa County election as it was not plugged into the computer, and therefore not operational. County Elections Officials stated SLI confirmed the presence of this drive on an adjudication station labeled "ADJ-54" During the audit, the drive was photographed, and a forensic clone was created for analysis. SLI determined the drive was not plugged in and was lasted used on 7/31/2019, which was prior to County Elections receiving the items.

Finding

Undetermined. County Elections makes statements about SLI Compliance findings related to dual boot systems, however within the SLI report, there is no mention of this finding. Furthermore, County Elections stated they did not retain copies of photos for this portion of the SLI report but stated they are available by request from SLI. County Elections was unsure if it was the same computer identified by Cyber Ninjas. Based upon the two dates available from Cyber Ninjas and SLI, and the different naming conventions, it is unclear if it is the same computer.

ALLEGATION #9 – Operating System Logs Not Preserved

Cyber Ninjas stated the Windows event logs on EMS server contained windows security event logs. This log was restricted by policy set by County Elections at a file size of approximately 20mb (20,480kb). The logging was set to overwrite once file exceeded size limits.

Investigation

During interviews with County Elections Officials, it was identified that the EMS server could be remotely accessed via the local area network within the air gap system. It was often was remotely accessed from the EMS Admin Station located within the BTC. The Elections Department accessed the server for various reasons below:

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- February 11th 2021 County Elections staff was preparing the EMS server and other election equipment for a scheduled certification.
- March 3rd 2021 – County Elections staff were complying with the Senate subpoena by gathering ballot images from archived equipment to restore the images onto a hard drive.
- April 12th 2021 – County Election staff member Brian Ramirez was working with another co-worker conducting normal functions of their job preparing the EMS server for subpoena delivery. ***This activity relates to the photo presented by Cyber Ninjas alleging the two employees were purposely running scripts to overwrite the operation logs.***

Finding

Undetermined. Agents have a pending request to review log entries with Elections Officials. This review will allow for a better understanding of the logs, and help further identify why there are discrepancies between the logs identified by Cyber Ninjas and the logs notated by PacketWatch and County Elections. Additionally, further questions will be asked regarding what actions were taking place on 2/11/21.

ALLEGATION #10 – Internet Connections to the EMS

Cyber Ninjas stated Maricopa County Board of Supervisors repeatedly stated the network connecting election / voting system is isolated network not connected to internet. An in depth analysis of both allocated and unallocated spaced of EMS sever, EMS workstations, Adjudication Workstations, and other elements of the election system has definitively proved that this is not the case. There were hundreds of connections to public internet sites recovered from unallocated areas of the hard drives.

Investigation

Agents learned in the Correcting the Record – January 2022 Report, County Election Officials explained the REWEB and REGIS systems were web servers that host “recorder.maricopa.gov” and the internet connectivity is legitimate. They do not connect, nor or they a part of the EMS. Additionally, County Election officials provided examples from the Cyber Ninjas claims where the connectivity allegations indicate a failed attempt to connect to the internet.

County Election Officials further provided images of the EMS, showcasing that it is air gapped. County Elections Officials stated it has always been air gapped and was never connected to the internet. This air gap system was also verified by agents during the walk-through of the EMS.

Finding

Unfounded Allegation. Upon review of this section and applicable data known thus far there is no further analysis that can likely be done as it relates to internet connectivity. Of the devices reviewed by Cyber Ninjas, they articulate a need to review the “routers” in order to determine if internet connectivity did in fact occur. Additionally, with a lack of log files, they cannot review further information related to potential internet connections.

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See Special Investigations Section case number SIS-2021-0452 for further details.

4. Maricopa County Board of Supervisors – Data not provided for audit

Allegation

All Legislative Subpoenaed data/materials were not provided by Maricopa County Officials to State Senate

Origination

Cyber Ninjas Maricopa County Forensic Election Audit Report Section 6.5.3
SUBPOENAED EQUIPMENT NOT YET PROVIDED

Investigation

On November 23rd 2021 Mr. Bill Gates of the Maricopa County Board of Supervisors responded to questions sent by Special Agent Geisler. Mr. Gates did not grant agents an interview and would only answer questions pre-submitted in writing. Mr. Gates indicated all data was provided to the State Senate Attorney Kory Langhofer and Senate Liaison Ken Bennett and not to “Auditors”. He confirmed the board received Legislative Subpoenas issued on January 12th 2021 and July 26th 2021. Following a settlement agreement and Judge Thomason’s decision on February 25th 2021, State Senate President Fann confirmed the Board fully complied. After signing the settlement agreement, President Fann sent a letter to Attorney General Brnovich on September 17th 2021 stating:

“Accordingly, the settlement agreement places the County in compliance with applicable state law, including the subpoena, and additional action by your office is not warranted at this time”

Mr. Gates stated that all data was provided as requested by the subpoena and that election archived data was not subpoenaed and not provided to the State Senate. He further related that sensitive routers and log files were not provided and were part of the settlement agreement. Mr. Gates stated he is not aware of what was provided to Cyber Ninjas by the Senate and that question should be directed to Senate President Fann.

See Special Investigations Section case number SIS-2022-0052 for further details.

Finding

Unfounded Allegation. According to statements made by Mr. Bill Gates and a letter dated September 17th 2021 by State Senate President Karen Fann to Attorney General Mark Brnovich, all materials were provided to the State Senate by Maricopa County. Mr.

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Gates confirmed that materials not listed in the subpoena or settlement agreement were not released to the State Senate.

5. Pima County Election Department – Voter spike prior to election

Allegation

Pima County had a 90% voter increase reported in some precincts during the 2020 General Election.

Origination

Unknown

Investigation

Data and/or documents published by the Arizona Secretary of State, Pima County Elections Department and U.S. Census to further investigate this allegation.

According to the United States Census Bureau, the population for Pima County on April 1st 2020 was 1,043,433. 74% or 772,140 persons were of legal voting age.

Below are the voter statistics from the Arizona Secretary of State Official 2020 Canvass for the Pima County:

General Election Data (November 3rd 2020)

638,355 Total Eligible Voters
526,319 Total Ballots Cast
112,036 No Vote Cast
82.45% Voter Turnout

Primary Election Data (August 4th 2020)

584,070 Total Eligible Voters
171,331 Republican
230,325 Democratic
4,243 Libertarian
178,171 Other

On November 18th 2020 Pima County Recorder Ann Rodriguez sent a letter to the Pima County Board of Supervisors detailing the 2020 General Election results. In her letter she addresses that 76.7% (489,623) of the registered voters are on the Permanent Early Voting list. She explained that the ballot return rate was 87.5%, the highest rate they have ever seen. She further documented that of the 526,319 votes cast in Pima County, 87.36% were from early voting and the highest percentage in any general election in

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Pima County since 2008. As part of her letter, Ms. Rodriguez provided many statistics outlining the increase in drop-off ballots vs. walk-in voters and the issues the COVID-19 pandemic created.

See Special Investigation Section case number SIS-2022-0094 for further details.

Finding

Unfounded Allegation. Between August 4th 2020 to November 3rd 2020 the total of registered voters in Pima County increased by 54,285 voters. This 8.5% increase in voter registration validates the contentions of the 2020 General Election. This review did not uncover any potential election fraud associated with the allegation. It should be also noted that the Pima County Attorney's Office investigated 151 incidents reported by the Pima County Recorder's office of potential voter fraud. These investigations determined that most were voter confusion about the electoral process related to mail-in and provisional ballots. These additional ballots were not counted in the final tally of votes.

6. **Unknown published flyer allegations**

ALLEGATION #1

"More ballots were counted/reported by precincts that the number of people who showed up to vote: 1,551 more"

Origination

Cyber Ninja Maricopa County Forensic Election Audit Volume III Section 5.5.5
VOTES COUNTED IN EXCESS OF VOTERS WHO VOTED

Investigation

Data obtained from the Secretary of State Office and Maricopa County Recorder's Office show the total number of registered voters in Maricopa County was 2,595,272 on November 3rd 2020. The total number of ballots cast in Maricopa County was 2,089,563 on November 3rd 2020 with an 80.51% voter turnout. According to the captured totals, 505,619 registered voters did not vote in the 2020 General Election. Cyber Ninjas understanding they did not have all the data required to assert this allegation published the following disclaimer after its allegation:

"NOTE: We've been informed shortly before the release of this report that some of the discrepancies outlined could be due to the protected voter list. This has not been able to be validated at this time, but we thought it was important to disclose this information for accuracy."

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Finding

Unfounded Allegation. Cyber Ninjas asserted an allegation that itself has not provided data to support its allegation. Furthermore they have admitted by publishing a disclaimer of not having access to the protected voter listed.

ALLEGATION #2

“464 ballots with no signature at all were counted by election officials”

Origination

Unknown

Investigation

This information was not part of the Cyber Ninjas Maricopa County Forensic Election Audit Report. Agents were not able to establish the origin of this allegation. Agents reviewed the policy/procedure manuals provided by the Maricopa County Election Department, interviewed multiple Level I Signature Verifiers, interviewed Co-Elections Director Ray Valenzuela and reviewed data requested from the Maricopa County Elections Department.

It was learned that all Mail-In and Drop Box ballots are sent through the Signature Verification Process before they are sent for tabulation/counting. Any ballot that does not contain a signature in the signature box on the ballot envelope fails the verification process and is pulled from the scanned batch. Failed ballots are sent to the “Curing Process” which is a verification process in which County Election personnel attempt to contact the registered voter utilizing the voter information on file. If contact is made with the registered voter and the ballot is verified/cured, than the ballot is stamped as verified and sent back to Runbeck Election Services Inc. for rescanning and placed through the Signature Verification Process again. Signature verifiers will pass the ballot after the “Curing Process” verification is observed on the ballot envelope. The verified/cured ballot is then batched and sent for tabulation/counting.

According to the Maricopa County Recorder's Office, 17,126 ballots were sent to the “Curing Process”. A total of 15,084 ballots were verified/cured and sent back for rescanning without signatures. A total of 2,042 were rejected and never able to be verified/cured.

See Special Investigations Section case number SIS-2021-0482 for further details.

Finding

Unfounded Allegation. All Mail-In and Drop Box ballots are scanned upon arrival. Ballots without a signature are sent to the Curing Process. After the Curing Process; ballots are rescanned, passed in Signature Verification Process and sent to tabulation/counting without signatures. Ballots unable to be verified during the Curing Process are later hand scanned at the Elections Department, separated and not sent to tabulation/counting.

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ALLEGATION #3

"17,126 voters fraudulently mailed two or more ballots discovered by auditor Dr. Shiva"

Origination

Dr. Shiva audit report findings.

Investigation

Agents were able to determine that Dr. Shiva's reporting of two or more ballots was directly related to the Signature Verification Process and was the result of ballots verified during the "Curing Process". After the ballot is verified/cured, than the ballot is stamped as verified and rescanned at Maricopa County Elections before it is sent to tabulation. Signature verifiers will pass the ballot after the "Curing Process" verification is observed on the ballot envelope. The verified/cured ballot is then batched and sent for tabulation/counting. All Uncured ballots are hand scanned at the Elections Department, separated and not sent to tabulation.

According to the Maricopa County Election Department, 17,126 ballots were sent to the "Curing Process". A total of 15,084 ballots were verified/cured and rescanned without signatures. A total of 2,042 were rejected and never able to be verified/cured.

See Special Investigations Section case number SIS-2021-0482 for further details.

Finding

Unfounded Allegation. All Mail-In and Drop Box ballots are scanned upon arrival. Ballots without a signature are sent to the Curing Process. After the Curing Process, ballots are rescanned creating duplicate images of the ballot. All verified/cured ballots are then sent to tabulation/counting. Ballots unable to be verified during the Curing Process are hand scanned at the Elections Department, separated and not sent to tabulation/counting. The rescan process for all ballots sent to the Curing Process accounts for the duplicate images observed by Dr. Shiva.

ALLEGATION #4

"Cyber Ninjas found 2,431 ballots duplicated an extra time by staff, during the course of procedural duplication of damaged ballots"

Origination

Unknown

Investigation

This numeric (2,431) duplicate ballot allegation was not asserted by the Cyber Ninjas Maricopa County Forensic Election Audit Report. Agents were not able to establish the origin of this allegation. It should be noted that the Cyber Ninjas Maricopa County

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Forensic Election Audit Report Volume III discussed this issue in two separate sections. See below:

Section 4 – TALLEY RESULTS

"The audit included a full hand-recount of all 2.1 million ballots from the 2020 General Election. During this process all original ballots were counted, as well as those ballots returned from duplication. Ballots that were duplicated included various categories of ballots that were not able to be run through the voting machines, such as damaged ballots or Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) ballots."

Section 5.7.3 – COMINGLED DAMAGED AND ORIGINAL BALLOTS

"The 2019 Election Procedure Manual requires that all original damaged ballots sent to duplication be placed in an envelope or container labeled "Ballots that have been duplicated." The County delivered boxes of ballots that were comingled and incorrectly identified. Batches identified on the manifest as original ballots were, in fact, machine duplicated ballots. The auditors could not rely on the County's description of ballot boxes or batches identified on the manifest. Hours of careful examination were required to unravel the inaccurate documents provided to ensure that votes were not counted twice."

Finding

Unfounded Allegation. This information was not a part of any known publication or Cyber Ninja Report and therefore cannot be corroborated. Agents conducted searches of numerous documents and internet postings without success.

ALLEGATION #5

"23,344 voters illegally voted via mail-in ballot even though they moved away before the October 5th cut-off"

Origination

Cyber Ninja Maricopa County Forensic Election Audit Volume III Section 5.3.1
MAIL-IN BALLOTS FORM PRIOR ADDRESS

Investigation

Agents were provided Cyber Ninja Maricopa County Forensic Election Audit Report Appendixes B1, B2 and B3 which contained the information supporting the allegation. Agents utilized several law enforcement databases to include; Arizona Driver License Records, Arizona Motor Vehicle Records, Arizona Secretary of State Voter Portal, Maricopa County Accessor's Office and TL0xp which is commercially reliable database with comprehensive data analytics. Each sampled voter required the use of multiple databases to verify the sampled voter's data. If the voter could not be verified utilizing the multiple databases, then voters were contacted in-person or by telephone by the agent.

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All random sample voters were researched and/or contacted. It should be noted that some voters required additional follow-up to determine they received their ballot.

It should be noted that Cyber Ninjas placed the following disclaimers in section 5.3.1 acknowledging errors with their results and legal reasons voters obtained their ballots. See below:

NOTE: While high quality commercial database sources were utilized to assemble these findings, some error is expected within these results. To further validate these findings, it is recommended that canvassing be conducted.

NOTE: A full list of the Voter IDs affected can be found in esB1-B3 There are potential ways that a voter could receive their ballot which in some cases would not violate the law. Additional investigation by the Attorney General is recommended for any conclusive determination.

See Special Investigations Section case numbers SIS-2021-0458, SIS-2021-0468 and SIS-2021-0469 for further details.

Finding

Unfounded Allegation. Cyber Ninjas utilized unreliable commercial and free databases to produce the data published in section 5.3.1 of the Maricopa County Forensic Election Audit report. This data was determined to be unreliable after agents utilized multiple law enforcement and commercially reliable database to research and verify sampled voter information.

ALLEGATION #6

“2,382 voters who had moved out of Maricopa County showed up and voted in person.”

Origination

Cyber Ninja Maricopa County Forensic Election Audit Volume III Section 5.5.3
IN-PERSON VOTERS WHO HAD MOVED OUT OF MARICOPA COUNTY

Investigation

Agents were provided Cyber Ninja Maricopa County Forensic Election Audit Report Appendix G1 & G2 which contained the information supporting the allegation. Agents utilized several law enforcement databases to include; Arizona Driver License Records, Arizona Motor Vehicle Records, Arizona Secretary of State Voter Portal, Maricopa County Accessor's Office and TLOxp which is commercially reliable database with comprehensive data analytics. Each sampled voter required the use of multiple databases to verify the sampled voter's data. Sampled voter were discovered to still reside at the current address of record or still reside within Maricopa County. Voters who have moved and not update their address are still permitted to vote a provisional ballot under Arizona State law.

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See Special Investigations Section case number SIS-2022-0096 for further details.

Finding

Unfounded Allegation. Cyber Ninjas utilized unreliable commercial and free databases to produce the data published in section 5.5.3 of the Maricopa County Forensic Election Audit report. Cyber Ninjas utilized inaccurate/unreliable commercial databases to formulate this allegation. The moved of out county voter data required the use of several reliable databases to crosscheck suspected data to confirm or deny its accuracy.

ALLEGATION #7

“282 dead people voted by mail”

Origination

Cyber Ninjas Maricopa County Forensic Election Audit Volume III Section 5.6.6 DECEASED VOTERS

Investigation

The Special Investigations Section was provided Cyber Ninja Maricopa County Forensic Election Audit Report Appendix N1 which contained the information supporting the allegation. Agents utilized several law enforcement databases to include:

- Arizona Driver License Records
- Arizona Motor Vehicle Records
- Arizona Secretary of State Voter Portal
- Maricopa County Accessor's Office
- TLOxp which is commercially reliable database with comprehensive data analytics.

Each alleged deceased voter was researched requiring the use of multiple databases to verify the voter's data. If the voter could not be verified as deceased utilizing the multiple databases, then voters were contacted in-person or by telephone by the agent. Out of the 282 alleged deceased voters, all but one voter was identified as deceased. Agents learned that this identified deceased voter was not counted and the deceased voters spouse submitted her ballot with the word “Deceased” written across the front of the ballot.

See Special Investigations Section case number SIS-2021-0453 for further details.

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Finding

Unfounded Allegation. Agents researched and verified all the alleged deceased voters identified in the Cyber Ninja Maricopa County Forensic Election Report Appendix N1. It was determined that all voters but one was identified as living during the 2020 General Election. The one identified deceased voter was determined not counted after the voters spouse submitted the ballot with the word “Deceased” written across the front. Cyber Ninjas utilized inaccurate/unreliable commercial databases to formula this allegation. The deceased voter data required the use of several reliable databases to crosscheck suspected data to confirm or deny its accuracy.

ALLEGATION #8

“86,391 ballots from voters who have no record of existing. Not only do they not live in Maricopa County, there is no Social Security Number or record of their existence anywhere”

Origination

Cyber Ninja Maricopa County Forensic Election Audit Volume III Section 5.7.9
NO RECORD OF VOTERS IN COMMERCIAL DATABASE

Investigation

Agents identified during the investigation of other allegations asserted by the Cyber Ninjas Maricopa County Forensic Election Report that unreliable databases were used to conduct searches related to Arizona registered voters. Agents conducting searches for other allegations addressed in this report were required to utilize several databases to obtain the required information for each individual search.

For example: **Verification of a valid voter record** – a law enforcement investigator only provided a name an address would be required to utilize three databases to obtain the required information to verify the voter record.

1. The investigator would first utilize TLQxp to identify all subjects with the same name living at a given address. This search would provide the investigator a Full Name, Date of Birth, Address History and Social Security Number.
2. The investigator then could cross reference/verify this information in the Arizona Driver's License database and obtain the Arizona Driver's License number utilized for the voter record.

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3. The first two databases provide the investigator with all the required information needed to access the Secretary of State Voter Registration database allowing the investigator to confirm all the voter registration information.

Finding

Unfounded Allegation. It is believed Cyber Ninjas utilized inaccurate/unreliable commercial databases to formulate this allegation. As demonstrated in other allegations investigate by the Special Investigations Section, the non-existence of records for voters is attributed to lack of investigative resources and use of inaccurate/unreliable databases used by Cyber Ninjas.

7. **Email sent to State Representative Mark Finchem**

Allegation

Meeting held by Pima County Democrats (Voter Fraud Planning meeting) 35,000 votes were embedded into Pima County election system.

Origination

Emails sent to Arizona State Representative Mark Finchem on November 10 & 12 2020 from brianwatson70002@gmail.com.

Investigation

This allegation email was sent to the Attorney General's Office on October 19th 2021. Agents learned that the email used to send Senator Finchem the voter fraud allegation was deactivated shortly after sending the emails. Below is a portion of the allegation sent to Representative Finchem:

"There were approximately 35,000 fraud votes added to each democrat candidate's vote totals. Candidates impacted include county, state and federal election candidates. Through the utilization of the automated ballot count machines in Pima County Elections, my understanding is that 35,000 was embedded into each democrat candidate's total votes."

Due to the inactive email account, agents utilized reliable law enforcement databases to narrow the potential persons associated with ownership of the email address. The investigation identified two individuals to be potentially associated with the email address. Each of the identified individuals were contacted in person and/or telephone and asked if they ever used or were associated with the email address brianwatson70002@gmail.com. Both individuals denied association with the email address.

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See Special Investigations Section case number SIS-2022-0009 for further details.

Finding

Unfounded Allegation. Both identified individuals denied ownership of the email account and did not provide any information related to Election Fraud to Special Agents.

This investigative summary is submitted on behave of the Criminal Division / Special Investigations Section.

Respectfully,

 3-8-2022

Keith Thomas #395

Assistant Chief Special Agent

Criminal Division / Special Investigations Section

