



# Election Integrity in Cochise County and Arizona



*“Resolve to Perform What You Ought. Perform Without Fail What You Resolve.”*

*-Benjamin Franklin*

*On leaving the Constitutional Convention, Franklin Was asked what our Founders had Given us. His Reply: “A Constitutional Republic – IF YOU CAN KEEP IT”.*

The Evidence for Removing the Machines and Systemic Vote Manipulation Processes to Establish an Election System EVERY LEGAL Voter Can Trust and Which Guarantees 100% Verifiable Elections & **Government OF, BY, and FOR the People!**

23 FEB 2023



The USA and AZ  
Constitutions,  
Election Integrity Issues of Arizona,  
its Secretary of State/County  
Election Offices and Certification  
Issues of ES&S EVS v 6.0.4.0

# Agenda

#3

- Who am I?
- Bottom Line Up Front
- Constitutional Issues with AZ Law and SOS Practices
- Equipment Certification
- Anatomy of Vote Manipulation
- Summary and Recommendations

# Who am I?

#4

- Daniel LaChance, Citizen, Cochise County, Arizona, USA
- 34 years in the Department of the Army as a Commissioned Officer and Department of the Army Civilian in the US Army Signal Corps. In the US Army, the Signal Corps is the Telecommunications, Information Technology and Network Expert.
  - **As a Commissioned Officer & Department Civilian, I swore an oath to “defend the Constitution against all enemies, foreign and domestic”, it is an oath which I can never relinquish.**
  - **It is that oath which compels me to be here today.**
  - **I analyzed & investigated what the AZ SOS provided and the current laws and rules used in AZ.**

# Bottom Line Up Front

#5

- **The civil rights of ALL Arizona voters are being violated.**
- **There is systemic registration and ballot manipulation built into the AZ election system resulting in wholesale election manipulation.**
- **The SLI certification and Cochise County's use of ESS EVS 6.0.4.0 is irredeemably flawed, making the Arizona General Election of 2022 un-certifiable.**
- **The Electronic Voting System must be dismantled and replaced with the tried, true, and 100% VERIFIABLE paper election system conducted at PRECINCT level.**
- **If there is nothing to hide, why can we not investigate the system, take it apart, look at the open source code, the devices, understand how it works, do 100% hand counts – in a systematic and thoughtful approach/method.**

Very Clearly: This is not about Democrat vs Republican, it is about ensuring we have an honest, clean, fair, reliable, accurate and **100% VERIFIABLE** election system which ensures our country remains a Constitutional Republic of, by, and for the people.

Time: 30 Seconds

Constitutional/Civil Rights Issues  
with  
AZ Law and SOS Practices

# 14<sup>th</sup> Amendment to the US Constitution

The Equal Protection Clause of the US Constitution's [14th Amendment](#) prohibits states from denying any person within its jurisdiction the equal protection of the law. In other words, the laws of a state must treat every Citizen in the same manner any other people in similar conditions and circumstances.

**The Permanent Early Voter List - PEVL**

**ARS 16-168 violates the Equal Protection Clause**

**AZ SOS Unique URL Program violates the Equal Protection Clause**

# The Arizona Constitution is the Supreme Law of Arizona, NOT Suggestions:

- Article 7.1.1 - **“All elections by the people shall be by ballot, or by such other method as may be prescribed by law; Provided, that secrecy in voting shall be preserved.”**
- Article 7.1.2 Section 2. A. No person shall be entitled to vote unless such **person** be a **citizen** of the **United States** of the **age of eighteen** years or over, and **shall have resided** in the state for the period of time preceding such election as prescribed by law The word "citizen" shall include persons of the male and female sex.
- Article 7.11 **“There shall be a general election of representatives in congress, and of state, county, and precinct officers on the first Tuesday after the first Monday in November of the first even numbered year after the year in which Arizona is admitted to statehood and biennially thereafter.”**

# Creating the PEVL—16 years to DESTROY Clean Elections

- Systemic registration and ballot manipulation—
- **16 years of Changing Limited Absentee Voting to Mass Early Voting:**
- 1991, the Legislature allowed voters to request an absentee ballot **for any reason**, making it widely available.
- In 1997, state lawmakers made a simple change in Arizona election law. The word “absentee” was replaced by “early.”
- In 2007, **PIMA County** led the effort to pass the PEVL – an **egregious law** which circumvents many voting safeguards. Previously you must request an early ballot every year – now millions of ballots are automatically mailed out every statewide election
- **The PEVL, now AEVL, together with the 27 days of “early voting”, ARS 16-168, & the AZ SOS Online Voter Registration program egregiously violates our civil rights articulated in the 14<sup>th</sup> Amendment and AZ Constitution Article 7.1, 7.11 as well as ARS 16-206 (also states 1 day of vote)**

- 16-168(j) Creates a “**Vendor Managed**”, Statewide Database at the AZ SOS of ALL voter registrations
  - Name in Full
  - Party Preference
  - Date of registration
  - Residence Address
  - Mailing Address
  - Zip code
  - Telephone #
  - Birth Year and Date
  - Occupation if Given
- **We submit this database is an EGREGIOUS exposure of Personally Identifiable Information (PII) and a violation of AZ Constitutional Right to a SECRET vote.**
- **Cochise County MUST DISCONNECT FROM IT IMMEDIATELY!**
- **Voting History for all elections in prior 4 years**
- **All data relating to early voters, including ballot requests and ballot returns**
- On request from a **county chairman or state chairman**, the county recorder of a county with a **population of more than eight hundred thousand persons shall provide at no cost a daily listing of persons who have returned their early ballots.** The daily listing shall be provided Mondays through Fridays, beginning with the first Monday following the start of early voting and **ending on the Monday (The EVE) before the election. Remember Millions of ballots went out.**
- Only 2 Arizona counties have more than 800,000 populations: **Pima and Maricopa**

# Arizona Revised Statute 16-168 – created 2008 - continued

- We submit ARS 16-168 is an egregious violation of the civil rights of the citizens of Arizona
  - **VIOLATION OF USA Constitution's 14<sup>TH</sup> AMENDMENT EQUAL PROTECTION CLAUSE**  
– Two counties and many people in them get SPECIAL treatment/information the other 13 do not get!
  - **Violation of Article 7, Section 1: All elections by the people shall be by ballot, or by such other method as may be prescribed by law; Provided, that secrecy in voting shall be preserved**
  - **All Counties are required to pay a portion of the expense which allows the SOS to maintain this statewide database.**

# AZ SOS Online Voter Registration Unique URL Program

- <https://azsos.gov/elections/candidates/online-voter-registration-unique-url-program>
- **Key Elements:**
- **Process circumvents County Recorder's Mission for Proper Identification of Persons requesting to be registered to vote**
- Requires PARTISAN groups to register voters, in fact:
  - **“Have a good faith intent and plans to “facilitate” at least 1,000 voter registrations... no TOP END on that”**
  - **Approved organizations may use, distribute, and post their assigned unique URL for voter registration purposes.**
- **The Secretary of State's Office will provide periodic reports** of voter registrations and updates submitted through the organization's assigned URL for **“Voter Outreach”**.



## Online Voter Registration Unique URL Program

The Arizona Secretary of State's Office has developed the Online Voter Registration (OVR) Unique URL Program to encourage organizations conducting large-scale voter registration drives to do so electronically and securely through the ServiceArizona website, rather than relying exclusively on paper forms.

Approved organizations participating in the Program will be assigned a unique URL to use and/or distribute for voter registration purposes and will receive periodic reports of valid voter registrations and updates submitted through their assigned URL.

The goals of the Program are to: (1) increase complete and valid voter registrations submitted through voter registration drives; (2) protect sensitive voter information collected during voter registration drives; and (3) reduce the burden on County Recorders and the Secretary of State's Office of processing paper registration forms from voter registration drives.

### 2022 Program Information

A limited number of unique URLs are available and will be provided to approved organizations selected from among those who apply. Approved organizations must renew their registration on an annual basis.

The deadline to apply for the 2022 Unique URL Program was Tuesday, February 8, 2022. For questions, please contact [JChavez@azsos.gov](mailto:JChavez@azsos.gov). Current awardees are listed below.

### Eligibility Requirements

State-recognized political parties and 501(c)(3) organizations engaged in nonpartisan voter registration activities are eligible to participate in the Unique URL Program.

Additionally, an organization must:

1. Have a good faith intent and plans to facilitate at least 1,000 voter registrations and/or registration updates through the Program by October 11, 2022 – the voter registration deadline for the November 2022 General Election; and
2. Agree to the terms of the Participant Agreement.

### How It Works

#### Step 1: Application Process

- Interested organizations must complete and submit a Program Application by 5:00 PM on Tuesday, February 8, 2022.
- State-recognized political parties may request to participate by contacting [JChavez@azsos.gov](mailto:JChavez@azsos.gov) and need not complete an application.

#### Step 2: Award Notification

1. Have a good faith intent and plans to facilitate at least 1,000 voter registrations and/or registration updates through the Program by October 11, 2022 – the voter registration deadline for the November 2022 General Election; and
2. Agree to the terms of the Participant Agreement.

### How It Works

#### Step 1: Application Process

- Interested organizations must complete and submit a Program Application by 5:00 PM on Tuesday, February 8, 2022.
- State-recognized political parties may request to participate by contacting [JChavez@azsos.gov](mailto:JChavez@azsos.gov) and need not complete an application.

#### Step 2: Award Notification

- The Secretary of State's Office will review and score each application. Approved organizations were notified by February 18, 2022.
- The Participant Agreement must be signed by the approved organization before the Secretary of State's Office will assign a Unique URL.

#### Step 3: Using the Unique URL

- Approved organizations may use, distribute, and post their assigned unique URL for voter registration purposes.
- The Secretary of State's Office will provide periodic reports of valid voter registrations and updates submitted through the organization's assigned URL.
- Data in these reports shall not be used for a commercial purpose and may only be used for voter outreach regarding voter registration or voting in an election.

### Documents

» [Unique URL Participant Agreement](#)

» [Unique URL Registration Application](#)

» [Application Evaluation Metrics](#)

# “Non Partisan” Groups in the 2022 URL Program

On the Live Page at AZ SOS  
You can roll over  
Each to see the Unique  
URL for that Organization  
If you click on it, it will  
Open The live link.

## 2022 Unique URL Recipients

Arizona Center for Disability Law



Arizona Student's Association



Chicanos Por La Causa

Equality Arizona Foundation



Inspire2Vote-Project High Hopes



Mi Familia Vota



One Arizona



Phoenix Indian Center



Rock the Vote



The Civics Center



## Political Party URLs

Arizona Democratic Party



Arizona Libertarian Party

Arizona Republican Party



Time: 20 Seconds

- If “John Q Regular Citizen” goes to ServiceArizona and clicks on the Register to Vote link, this is his/her URL:
  - <https://servicearizona.com/VoterRegistration/selectLanguage>
- “Non Partisan” Group Unique URL Example:
  - The unique URL for Arizona Students Association is:  
<https://servicearizona.com/VoterRegistration/selectLanguage?id=ASA>
  - **Note the id=ASA at URL end! This identifies/connects this voter registration directly to the Arizona Students Association.**
  - **Different handling** and **IMPORTANTLY** recall, the registration info goes back from the SOS to the “non-partisan” group for “voter out-reach”! **WHY? Could it be to conduct Ballot harvesting!**
- **Voter Registration should only be done by the County Recorder within the County where the elector will vote - too many opportunities for ... manipulation... to happen!**

# AZ SOS URL Program is a violation of the US and Arizona Constitutions

- **A GRAVE VIOLATION OF USA Constitution's 14<sup>TH</sup> AMENDMENT EQUAL PROTECTION CLAUSE**
- Violates Article 7, Section 1: right to a Secret Vote.
- May violate Article 7, Section 2: No person shall be entitled to vote ...  
**unless such person be a citizen of the United States of the age of eighteen years or over, and shall have resided in the state for the period of time preceding such election** as prescribed by law...
- **Bottom Line: Registrations in Cochise County must be done by the County Recorder's Office only to ensure ART 7 Section 2 requirements are met by every person requesting registration. No registrations should be added to the Cochise County voter rolls by anyone except the Cochise County Recorder.**

# SLI Equipment Certification


# SLI Certification Document of ESS EVS 6.0.4.0

Provided to  
Cochise County  
by the  
AZ SOS on 21  
November 2022 –  
After The Election.

“This certificate  
Applies only to the  
Specific version and  
Release of the product  
In its evaluated  
configuration.”

Total of 15 PAGES of  
Equipment, Software,  
and other requirements


Time: 40 Seconds



United States Election Assistance Commission

Certificate of Conformance

ES&S EVS 6.0.4.0



The voting system identified on this certificate has been evaluated at an accredited voting system testing laboratory for conformance to the *Voluntary Voting System Guidelines Version 1.0 (VVSG 1.0)*. Components **This certificate applies only to the specific version and release of the product in its evaluated configuration.** The evaluation has been verified by the EAC in accordance with the provisions of the EAC *Voting System Testing and Certification Program Manual* and the conclusions of the testing laboratory in the test report are consistent with the evidence adduced. This certificate is not an endorsement of the product by any agency of the U.S. Government and no warranty of the product is either expressed or implied.


Product Name: EVS

Model or Version: 6.0.4.0

Name of VSTL: SLI Compliance

EAC Certification Number: ESSEVS6040

Date Issued: May 3, 2019



Executive Director

Scope of Certification Attached

# Purposes of Certification of an IT System

#19

**Certification** of a system accomplishes two critical Functions/  
Goals:

- A. Designates the equipment and software configuration which **WILL/MUST be used** by the operator organizations in order to ensure the system functions as certified.
- B. Ensures the system can maintain:
  - **Confidentiality** – can the system protect the information/data from unauthorized disclosure
  - **Availability** – can the system reliably provide the information/data to those who have an authorized need to access and use it.
  - **Integrity** – can the system protect the integrity of information/data from unauthorized additions, modifications, deletions

# Anatomy of a Manipulated Election

- **Mail In Process**
- **Polling Place Process**

# Mail In Process

#21

- Due to PEVL/AEVL millions of ballots are mailed out in Arizona without request, without establishing **Chain of Custody**, and **WITHOUT ID VERIFICATION!**
- We are told the Mail in Process accounted for approximately 80% of the vote in 2022!
- The SLI Certification of ESS EVS 6.0.4.0 specifies the Bic Grip Roller Pen ONLY.
- All Ballots were mailed out with no Certified Marking Device – **making every ballot un-certifiable – by the SLI certification - if marked without it.**
- Lets look at the SLI Certification on Tested Marking Devices...

# BIC Grip Roller Pen

#22

SLI Certification of ESS EVS 6.0.4.0, page 3 of 15  
Provided by AZ SOS on 21 Nov 2022

## Configuration C

- Electionware
- ExpressVote XL

## Mark Definition

ES&S' declared level mark recognition for the DS200, DS450 and DS850 is a mark across the oval that is 0.02" long x 0.03" wide at any direction.

## Tested Marking Devices

Bic Grip Roller Pen



Time: 20 Seconds

# BIC Grip Roller Pen - Marking Devices

#23

- *Why didn't the election office send a Bic Grip Roller Point with each Ballot to ensure the ballots would be completed with the only SLI certified marking device?*
- **Did that result in a higher adjudication rate? More over votes? More under votes? More No votes? Thousands of Changed Votes from one candidate to another?**
- **WHO KNOWS? – WE, as the OWNERS OF THE PROCESS, AREN'T ALLOWED TO VERIFY The Process!**

# Mail In Process, continued...

#24

- Ballots are returned over 27 days – right up to 7 pm on Poll day. **Why?**
  - Signatures are “verified” and ballot separated from envelope – and yet 290k Egregious Signatures Mismatches in Maricopa – **We need to audit Cochise too – Not because we DISTRUST the Recorder – we DISTRUST Criminals Forging and submitting unlawful ballots!**
  - Counting can begin almost immediately, Ballots get counted by tabulators which we have no idea of the software (code) used. The code should be **open source** yet it is a **CLOSELY GUARDED SECRET**. Why? A simple If, Then, Else software routine and a counter can change a lot of votes.
  - Any ballots rejected by tabulator go to Adjudication without the Voter present – envelope was conveniently separated before attempt to count the vote – **a bad idea**. Call voter in - do not **disenfranchise** VOTER by allowing **ANYONE** else to determine his/her intent. **Up to 27 Days to get a voters ballot corrected – or changed.**
  - Tabulators should not be used – they cannot be trusted until/or if code is made open source & it and the hardware are thoroughly reviewed by certified “White Hats” before every election on every machine and every machine is tested with every ballot style for L&A.
  - Any part of mail in process by any component using WIN 7 Operating System is un-certifiable.

# Polling Place Certification Issues and Manipulation Process

“Express Touch” is identified in SOS Provided SLI Certification of ESS EVS 6.0.4.0, Page 4 of 15 to authenticate Voters and Issue Ballots

#27

				Tabulator
ExpressVote XL	1.0.3.0	1.0		Hybrid full-faced paper-based vote capture and selection device and precinct count tabulator
ExpressTouch	1.0.3.0	1.0		DRE
Delkin USB Flash Drive		USB Flash Drive	Bitlocker 32.2MB	BitLocker USB Flash Drive
ExpressVote Rolling Kiosk		1.0	98-00049	Portable Voting Booth
Voting Booth		N/A	98-00051	Stationary Voting Booth
Quad Express Cart		N/A	41404	Portable Voting Booth

Time: 10 Seconds

# SLI Certification of ESS EVS 6.0.4.0 related to Networking, page 14 of 15

Networking	
Wide Area Network – Use of Modems	No
Wide Area Network – Use of Wireless	No
Local Area Network – Use of TCP/IP	No
Local Area Network – Use of Infrared	No

Page 14 of 15

**No use of Any wireless Technologies Allowed!**

Feature/Characteristic	Yes/No	Comment
Local Area Network – Use of Wireless	No	
FIPS 140-2 validated cryptographic module	Yes	
Used as (if applicable):		
Precinct counting device	Yes	DS200, ExpressTouch, ExpressVote HW2.1, ExpressVote XL

# Polling Place Process

#26

- Accounted for approximately 20% of the vote in 2022.
- As we saw, the SLI CERT of ESS EVS 6.0.4.0 REQUIRES Voter Authentication and Ballot Issuance using **Express Touch**. **But EXPRESS POLL was used in Cochise County 2022 Elections violating Certification. SOS EPM Requires Re-Certification of 6.0.4.0 before using new devices.**
- Express Poll violates Certification by employing WIFI LAN and WAN
  - **Express Poll has NO Logic & Accuracy or Penetration Testing required in the EPM for the tablets or the mobile hotspot.**
- Same problem with tabulators and adjudication as MAIL IN Process but also add on WIFI LAN & WAN now in every POLL (because of Express Poll).

# Express Poll Networks violate the SLI Certification

#29

## Ballot Judge Tablets



= Unauthorized, Uncertified

Wireless Local Area Network  
and  
Wide Area Network



=County/State wide  
Servers  
With Voter  
Registration Database

**They say it is not connected to the Internet? Semantics? Is it Actually riding on the Internet in a VPN tunnel – a tunnel accessible to those who have the required password(s) and protocols.**

Mobile Hotspot  
In all Poll Centers

What other Equipment? Express Vote?  
Tabulators? An electronic switch turned on or off...  
**WE HAVE NO WAY OF KNOWING! It must be dismantled!**

Time:  
60 Seconds

# Windows 7

#30

From ES&S EVS v 6.0.4.0 SLI Certification Package provided by AZ SOS on 21 NOV 2022, page 5 of 15:

## COTS Software

Manufacturer	Application	Version
Microsoft Corporation	Server 2008	R2 w/ SP1 (64-bit)
Microsoft Corporation	Windows 7 Professional	SP1 (64-bit)
Microsoft Corporation	Windows 7 Enterprise	SP1 (64-bit)
Microsoft Corporation	WSUS Microsoft Windows Offline Update Utility	11.5
Symantec	Endpoint Protection	14.2.0_MP1 (64-bit)
Symantec	Symantec Endpoint Protection Intelligent Updater (File-Based Protection)	20190122-001-core15sds5i64.exe

Time: 20 Seconds

# Windows 7 Operating System

#31

- ESS EVS 6.0.4.0 was “Certified” by “Accredited” SLI on **3 May 2019**
- Windows 7:
  - Initial Deployment: 22 July 2009 Generally Available 22 Oct 2009
  - Latest Service Pack Update, SP1 6.1.7601.24499 released: 9 Feb 2011 – no other SP ever released thereafter
  - No Longer Supported by Microsoft
- Windows 10 was released on 29 Jul 2015 – More than 7 Years Ago

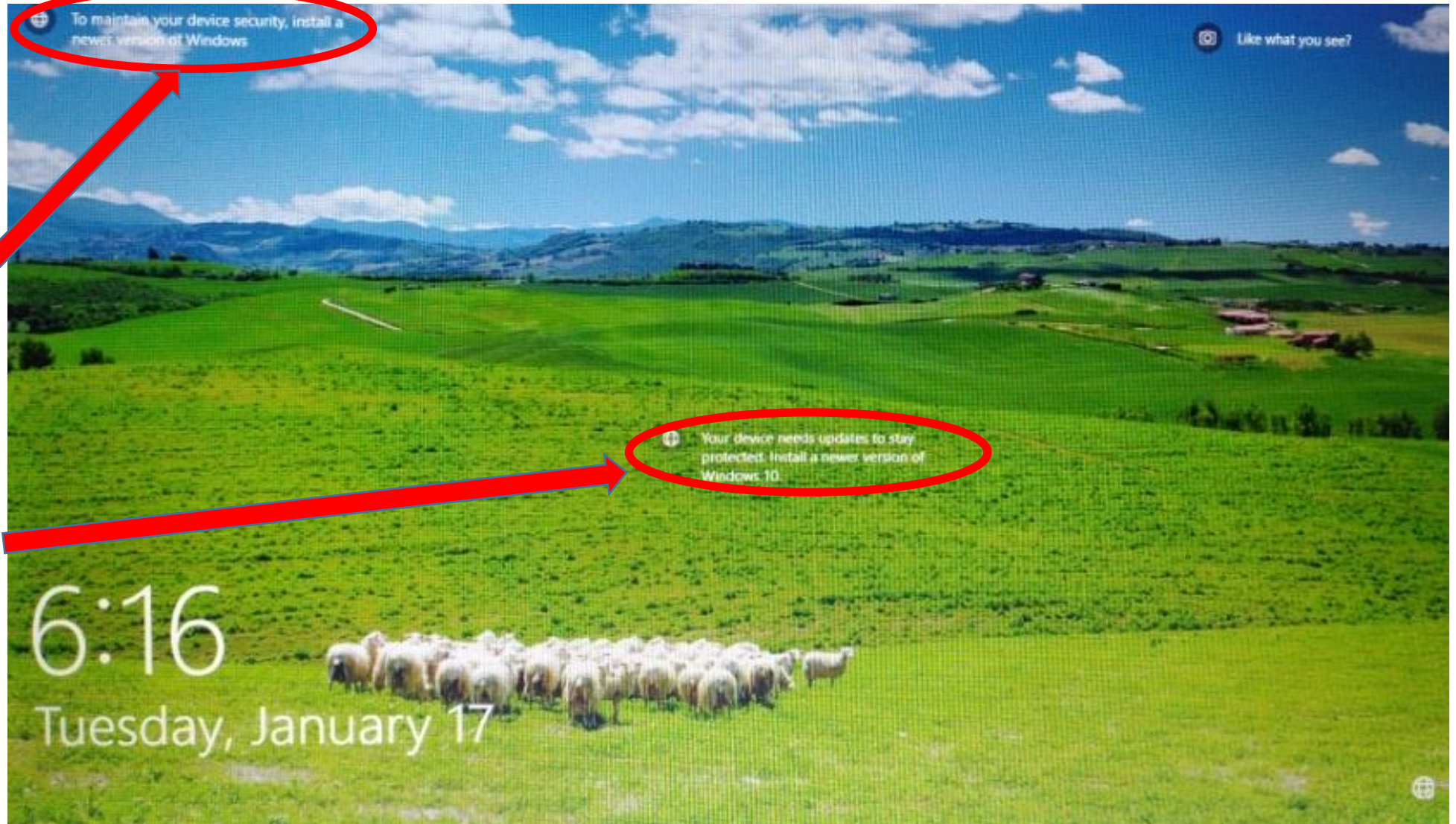
# Windows 7 Operating System, continued...

#32

Why wasn't the ESS EVS 6.0.4.0 migrated to Windows 10 OS before Windows 7 was no longer supported by its maker, Microsoft Corporation?

Conversation in the meeting minutes from the SOS Executive Committee on Equipment Certification dated 15 Aug 2019 between Dr Helm and ESS Employees.

**When Microsoft stopped supporting & maintaining Windows 7, on 14 Jan 2020, the Voting System became un-certifiable due to unmitigated security vulnerabilities affecting all aspects of CAI. And yet, according to the AZ SOS and SLI Certificate, it was still in use for the 2022 Primary and General Elections and will presumably be used in the upcoming Prison election. This is Egregious and it MUST NOT BE USED for another elections, a hand count is the only acceptable process.**



Screen shot On My 2021 Win10 Laptop, Jan 22:

“To maintain Your device Security, install A newer version Of Windows.”

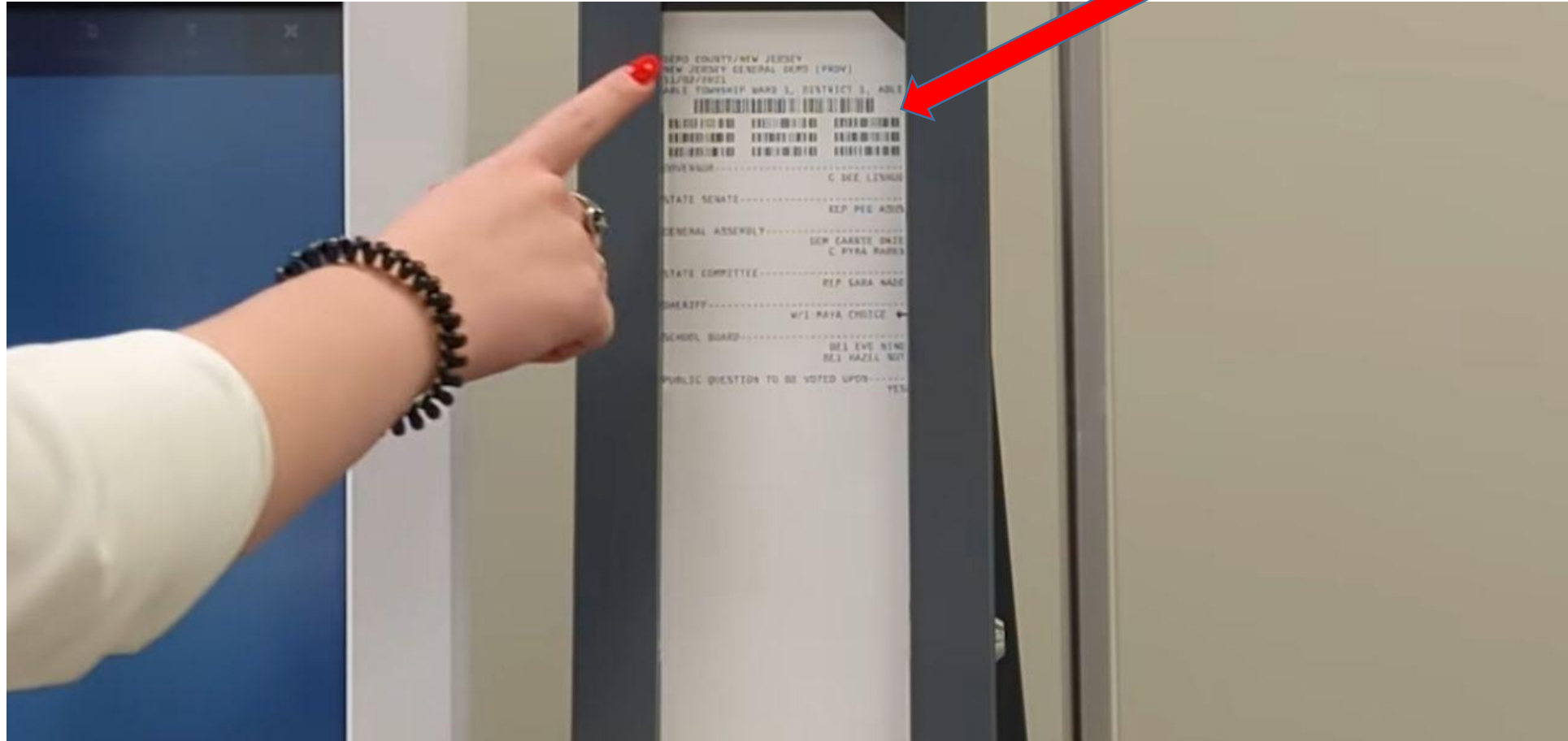
And “Your Device Needs updates To stay protected. Install a newer Version of Windows 10.”

A Tombstone Merchant Explained to me that her Company who sells her Credit Transaction Processing Equipment Requires Windows 10 Professional or higher. I have her affidavit, notarized under penalty of perjury.

Time: 40 Seconds

# ESS Ballot Bar Codes

Bar Codes



Time: 40 Seconds

# Ballot Bar Codes and Timing Codes - Mail & Poll Votes

- **Arkansas Case**
- Express Poll, Express Vote and the Tabulators **MUST BE DISMANTLED!**

# Electronic Adjudication of Ballots

- The current adjudication process delineated in the SOS EPM disenfranchises electors by **permitting others to determine a voters** intent.
- Enables the elector's vote to be changed without his/her knowledge – ARS 16-621(b) does not require any type of contact with the elector (Voter) to determine intent and can make modifications without such contact.
  - **If you don't use the tabulator machines which can fail you don't need adjudication back at the election department office.**
  - **How many mail in ballots were falsely sent to adjudication simply because the voter used an un-certified marking device and/or because a machine could not read the ballot? The former Elections Director admits in the canvass to at least 1172 ballot duplications.**
  - **Any votes adjudicated, or counted, or consolidated on a system using Windows 7 OS Should be invalid because WINDOWS 7 OS is uncertifiable.**



# ESS EVS Mail In Configuration from SLI Certification, Pg 9 of 15

**Confirm Vote with Voter!**

**Keeping a voters envelope intact with**

**The ballot until**

**Counted!**

**Then you don't "guess" or**

**Get to make**

**Determinations**

**about intent!**

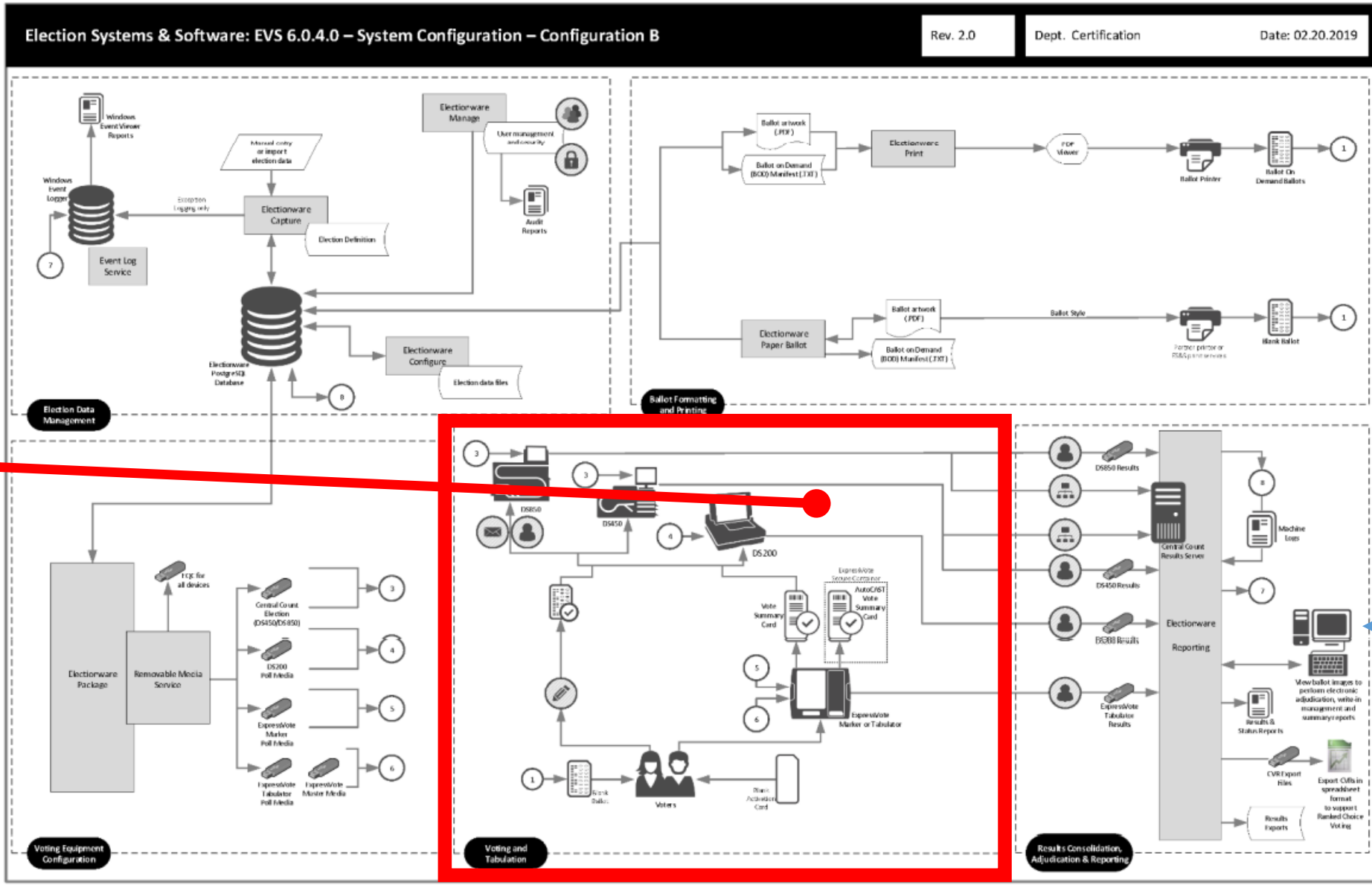
**Adjudication**

**Without the voter**

**Disenfranchises**

**THE VOTER.**

Time: 30 Seconds



**Presently, Ballot Adjudication Done Here – Without the Voter!**

**If you don't use machines, you don't need to adjudicate ballots the machines failed to count.**

# Summary - Recommendations

- **ESS EVS 6.0.4.0 as used by Cochise County Elections Department for the 2022 Primary and General Elections was un-certifiable and as such the election conducted in Cochise County was also un-certifiable.**
- **The current election system must be dismantled, no Express Poll voter authentication or Tabulator ballot counting, and 100% hand counts of all ballots at the precincts, not poll centers, and not at a centralized counting location.**
- **Either totally Re-design Mail in Ballot system or remove it from elections.**
- **100% of all Ballots must be counted by hand, never by machine.**
- **Reorganize the Elections Department as part of the County Recorder to unify the organization to eliminate confusion, chain of custody problems, and fully and finally resolve **ALL** election integrity concerns.**
- **The Adjudication process is actually a voter disenfranchisement process, it must be eliminated. Voters must personally assign their vote.**

# Summary, Recommendations continued...

- **Recommendations for all Future Cochise County Elections:**
  - **Enforce AZ Constitution Article 7, Section 11 to VOTE on one day, the Tuesday after the first Monday in November. Not 27+ days.**
  - **Eliminate SOS URL Program as violations of the Equal Protection Clause, right to a secret vote, and right to vote only for American Citizens**
  - **ARS 16-168 must be eliminated from the statutes (violates AZ Constitution, until it is, the County Recorder must be directed not to provide any updates to anyone concerning who has voted and who hasn't.**
  - **Count Voters Votes instead of disenfranchised "Adjudicated" Votes.**
  - **Create a Citizens Elections Oversight Board to ensure election integrity for all future elections which includes a 100% recount of 100% of the ballots within 30 days of the completion of any election.**

*We Must “Highly Resolve, that this nation under God, shall have a new birth of Freedom and that Government OF the People, BY the People, FOR the People shall not Perish from the Earth!”*

*Who Said it?*

It is a never-ending, on-going fight to protect our Constitutional Republic from those who don't believe our Government Should be one OF, BY, and FOR the PEOPLE!

Back up Slides

# Logic and Accuracy Test

- Logic and Accuracy testing is done to ensure the software and hardware accurately read and record a ballot or reject it pending further evaluation and potential adjudication.
- **The SOS EPM Logic and Accuracy test does not require, of itself or the counties, a test of EVERY tabulator with EVERY ballot type, (including mail in ballots where they are counted) – yet SOS created this poll center architecture, which by its nature, demands that each and every tabulator is tested with each and every ballot type as part of the preparation for an election.**
- To not test every machine does not ensure the entire election system is ready to conduct an election. This is a GRAVE violation of responsibility to ensure the system is fully prepared, functioning and ready to conduct an election.
- We are not aware of a process or record of ExpressPoll L&A or penetration testing. No such testing is outlined in the AZS OS EPM.
- **THE MACHINES MUST GO.**

# Election Integrity Issues in State and County Offices

- Manipulating the State-Wide Voter Database
  - ARS 16-168
  - AZ SOS Online Voter Registration Unique URL Program
- How they did it – one of the ways!
- The Cast Vote Record vs the Paper Ballot

# How They Did It – one of the ways!



November 30, 2022

## Here's How They Did it: Real-time Election Fraud

By Jay Valentine

Database latency -- a geeky term, but that's how they did it!

A policeman pulls over a speeder. The police computer reports that three hours ago a similar vehicle and person held up a liquor store -- so the police are on alert.

No database latency.

County election managers change the zip code of 31,000 voters on September 3. Ballots go out that week. Those 31,000 are undeliverable. Someone collects those valid ballots. On September 15<sup>th</sup>, those addresses are quietly changed back.

National Change of Address Database (NCOA) will not pick up those address changes. They didn't happen because there is no history.

The 31,000 citizens were getting their mail just fine -- except for ballots. Ballot addresses were driven by the county mail-in ballot database -- the one that was

- [https://www.americanthinker.com/articles/2022/11/heres\\_how\\_they\\_did\\_it\\_realtime\\_election\\_fraud.html](https://www.americanthinker.com/articles/2022/11/heres_how_they_did_it_realtime_election_fraud.html)
- This is not conjecture, its not hearsay.
  - Changing Zipcodes before 31k ballots go out and then collecting the ballots
  - Happened in a state which starts with an A and has a Z in it.
- The information described is real data from the 2022 election.
- Among the many nefarious things ExpressPoll (an uncertified system implemented in ESS EVS 6.0.4.0) is capable of, please Recall that ExpressPoll provides real time voter data during election day to State and County Officials:
  - **SOS and County officials KNOW – REAL TIME who has voted and most IMPORTANTLY who HASN'T voted**
  - **So then vote the pre filled 31k ballots based on who hasn't voted and do ballot dumps.**
- **You have that and you have the systemic manipulations of ARS 16-168 to know the exact status of Mail in Ballots all the way up to the eve of the vote.**

# The Cast Vote Record vs the Paper Ballot

- **What is the Cast Vote Record? It is the machine count of the election and it is this count which is used as the official count for determining winners and losers.**
- Why can't the Citizens, who own the election, pay for the equipment and every government employee, See the Cast Vote Record?
- Why can't the Citizens, who own the election, pay for the equipment and every government employee count the paper ballots?

## **BECAUSE:**

- **If you can look at the Cast Vote Record and compare it to 100% of the Paper Mail in and Poll Center ballots, you can determine every changed, deleted, added, modified vote on any ballot and determine actual vote totals from actual voters vs machine count vote totals.**
- **What you cannot do, without full and immediate TRANSPARENCY is know how much manipulation was done with fraudently contrived and submitted ballots.**
- **It's why they wont let us look at even one race! Even 2% of one race! We are the people who own the election, it is ours, if we want to look at 100%, we must be given access.**
- **It's why they brought in a judge from another county to shut down our request to do a hand count.**
- **It's why they forced the BOS to certify the election when the BOS members knew it wasn't certifiable.**

# The Uncertified “ExpressPoll” System in Cochise County

- Because it was not included in the SLI certification of ESS EVS 6.0.4.0 provided by the SOS, it MUST not be used in any AZ General Election, **yet it was used in the 2022 primary and general elections (Poll Worker Affidavit and Poll Worker Training Handbook)**.
- **From SOS EPM Page 81, Subpara C :**
- **“Upgrades or modifications to an existing certified voting system require recertification as a precondition for the upgraded/modified system to be used in Arizona elections.”**

# The Uncertified “Express Poll” System, continued

- Because ExpressPoll uses both LAN and WAN wireless networks via the “MIFI” mobile hotspot, which connects - via the cellular network - each of the tablets to a County/State wide database server it presents a significant security vulnerability while **violating** the SLI certification.
  - **There is no Logic and Accuracy test designated for the ExpressPoll system in the EPM. How does it prevent cross county contamination, ensure only authenticated voters in county can vote and only once?**
  - **What penetration testing is or was done to ensure the devices are not accessible by intruders? Testing by the vendor? By the SOS? By the County?**
  - **Wireless Networks are the most vulnerable networks to hacking.**

# Significant Certification Issues in ESS EVS 6.0.4.0

1. Undocumented Tablet Judge system called **Express Poll** used in Cochise County (**CAI Issues**)
2. The SLI certification of ESS EVS 6.0.4.0 tested and certified only the use of the **Bic Grip Roller Ball Pen** as a marking device (**AI Issues**)
3. Windows 7 Operating System (**CAI Issues**)
4. Electronic Adjudication of Ballots (**CAI Issues**)
5. Ballot Bar Codes and Timing Codes (**AI Issues**)
6. Logic and Accuracy Test (**AI Issues**)



# The Uncertified “ExpressPoll” System in Cochise County

- The SLI Certification of the ESS EVS 6.0.4.0 identifies the ExpressTouch system (page 4 of 15 in Certification Document) to be used by poll workers to determine the legitimacy of each elector(voter) to receive a ballot. If legitimacy/identity is established, the Judge issues a paper ballot design specific to the voters precinct.
- There is no mention of the ExpressPoll system in the Certification document for ESS EVS 6.0.4.0. Only Express Touch. This means the ExpressPoll system was not certified for use.
  - It is not documented in the diagrams nor is it documented in the Hardware or Software configuration. Express Touch is the certified Voter Authentication System (pg 4 of 15 in Certification)
  - The SLI Certification states no use of LAN or WAN networks or networking protocols. (Pg 14)
- Because it was not included in the SLI certification of ESS EVS 6.0.4.0 provided by the SOS, it MUST not be used in any AZ General Election, **yet it was used in the 2022 primary and general elections (Poll Worker Affidavit and Poll Worker Training Handbook).**
- From SOS EPM Page 81, Subpara C :
- **“Upgrades or modifications to an existing certified voting system require recertification as a precondition for the upgraded/modified system to be used in Arizona elections.”**
- A review of the SOS Executive Committee on Equipment Certification meeting minutes from current back to 2019 established that Express Poll was never certified for use with ESS EVS 6.0.4.0 .

# The Uncertified “ExpressPoll” System, continued

- Because ExpressPoll uses both LAN and WAN wireless networks via the “MIFI” mobile hotspot, which connects - via the cellular network - each of the tablets to a County/State wide database server it presents a significant security vulnerability while **violating** the SLI certification.
  - The statewide database (AVID, page 16 of EPM, created in 2008) ExpressPoll connects to and serves all 13 small counties directly, while the two large Counties, Maricopa and Pima have a “Special Interface” (designated in the EPM)! What does this special interface do?
  - **There is no Logic and Accuracy test designated for the ExpressPoll system in the EPM. How does it prevent cross county contamination, ensure only authenticated voters in county can vote and only once?**
  - **What penetration testing is or was done to ensure the devices are not accessible by intruders? Testing by the vendor? By the SOS? By the County?**
  - Who else accessed it? On the LAN? On the WAN? Where are the security event logs?
  - **Wireless Networks are the most vulnerable networks to hacking.** How does it prevent MITM attacks? Insider Attacks? Is a VPN created? Using what hardware and/or software? What wireless security and encryption protocol(s) are being used. We don’t know because SLI did not authorize with 6.0.4.0

# The Uncertified “ExpressPoll” System, continued

- **EXPRESS POLL allows SOS / Counties to KNOW, REAL TIME, WHO HAS VOTED AND THEREFORE WHO HAS NOT VOTED!**
- Violation of Arizona Citizens Civil Rights: **Arizona Constitution 7.1.1 “All elections by the people shall be by ballot, or by such other method as may be prescribed by law; Provided, that secrecy in voting shall be preserved.”**

# The Uncertified “ExpressPoll” System, continued

- According to the SOS’ EPM the statewide voter database is maintained by an unnamed “Vendor” and accessible by all counties and many others who shouldn’t have it (who should not have this PII).
- Pg 162 of EPM: “**Additional data, such as full dates of birth, may be transmitted to e-pollbook vendors to facilitate epollbook functionality** provided the following requirements are met: (i) only data required for e-pollbook functionality shall be transmitted to e-pollbook vendors; (ii) the data shall be transmitted using secure methods, such as encryption or secure website or SFTP; (iii) **the County Recorder or officer in charge of elections shall exercise best efforts to protect the confidentiality of registrant data transferred to vendors, including requiring the vendor to agree to reasonable confidentiality terms**; and (iv) the vendor shall securely dispose of the transmitted data after it is no longer needed for the election at issue.”



# BIC Grip Roller Pen - Marking Devices

- The SLI Certification of ESS EVS 6.0.4.0, on page 3 of 15 states that only the **Bic Grip Roller Pen was tested & and as such is the only authorized marking device** for use in marking paper ballots not at the electronic voting stations.
  - Therefore using any other pen or marking device would invalidate those mail in ballots. Mail in ballots accounted for approximately 80% votes in this election.
  - ***Why didn't the election office send a Bic Grip Roller Point with each Ballot to ensure the ballots would be completed with the only SLI certified marking device?***
  - Why did SLI certify only one marking device: BIC Grip Roller Pen?
  - **Did that result in a higher adjudication rate? More over votes? More under votes? Change Votes?**
  - It is impossible to now go back and determine what each voter used to mark their ballot without contacting every individual voter.

The only method available to confirm the CVR of the mail in vote is a full 100% hand count.

# One Last Thing: AZ Constitution Article 7 Section 11

- Section 11. **“There shall be a general election of representatives in congress, and of state, county, and precinct officers on the first Tuesday after the first Monday in November of the first even numbered year after the year in which Arizona is admitted to statehood and biennially thereafter.”**
- It doesn't say anything about 40+ days of “mail in” voting, and yet:
  - “In 1991, the Legislature allowed Arizona voters to request an absentee ballot for any reason. Before the change in the law, a voter requesting an absentee ballot had to prove they could not make it to the polls on election day.” \* **(Illegitimate change to the AZ Constitution.)**
  - “In 1997, state lawmakers made a simple change in Arizona election law. The word “absentee” was replaced by “early.”\* **(Illegitimate change to the AZ Constitution.)**
  - “In 2007, Pima County Recorder F. Ann Rodriguez led an effort by county recorders to get the Legislature to create the Permanent Early Voting List.”\* **(Illegitimate change to the AZ Constitution.)**
  - “In an interview with Breitbart, Brnovich highlighted a bipartisan report from 2005 authored by the Carter administration former Secretary of State James Baker. The report had warned that absentee ballots are one of the most significant sources of election fraud. Carter had recognized that allowing other people to handle an individual's vote opens up several manipulation possibilities.” \*\*
- **Now we have approximately 40+ days of “voting” ... Not 1 as the AZ Constitution stipulates.**

# One Last Thing: AZ Constitution Article 7 Section 11, continued...

- A voter may request a ballot-by-mail between 93 and 11 days before the election. [A.R.S. § 16-542\(A\), \(E\)](#). A voter may simultaneously request a ballot-by-mail for both a primary and general election as long as the request is made between 93 and 11 days before the primary election. People on the PEVL you need not request a ballot. **Early Mail-in Voting begins 40 days prior to Election Day. Early In-Person begins 27 Days prior to election day.**
- **A ballot-by-mail (with completed affidavit) must be delivered to the County Recorder, the officer in charge of elections, an official ballot drop-off site, or any voting location in the county no later than 7:00 p.m. on Election Day. [A.R.S. §§ 16-547\(C\);16-551\(C\)](#).**
- **Why is this particularly egregious? – Express Poll, ARS 16-168, and BALLOT DUMPS? (25k ballots MYSTERIOUSLY showed up in Maricopa – enough to change the election for Governor and AG)**
- **Ask yourself, is the convenience of mail in ballots worth all the fraud/violations of the Arizona Constitution and your civil rights and abdication of a 100% verifiable election system?**