

Election Summary Results Report  
2022 General Election  
November 8, 2022

RECOUNT RESULTS

Pinal County

<b>Statistics</b>	TOTAL	Election Day	Early Voting	Provisional
Election Day Precincts Reporting	109 of 109	109	0	109
Precincts Complete	109 of 109	109	0	109
Precincts Partially Reported	0 of 109	0	0	0
Absentee/ Early Precincts Reporting	109 of 109	0	109	0
Registered Voters - Total	282,572			
Ballots Cast - Total	145,987	36,069	109,324	594
Ballots Cast - Blank	2,122	384	1,723	15
Voter Turnout - Total	51.66%			

Election Summary Results Report  
 2022 General Election  
 November 8, 2022

RECOUNT RESULTS

Pinal County

**Attorney General**

Vote For 1

	TOTAL	Election Day	Early Voting	Provisional
REP HAMADEH, ABRAHAM "ABE"	83,116	26,936	55,759	421
DEM MAYES, KRIS	59,068	8,430	50,487	151
Write-In Totals	188	43	145	0

**Superintendent of Public Instruction**

Vote For 1

	TOTAL	Election Day	Early Voting	Provisional
REP HORNE, TOM	83,533	27,008	56,101	424
DEM HOFFMAN, KATHY	58,919	8,367	50,402	150
Write-In Totals	169	43	126	0



**RECOUNT VARIANCE REPORT**  
RECOUNT / GENERAL ELECTION / NOVEMBER 8, 2022

Pursuant to A.R.S. §§ 16-661 through 16-664, Pinal County has completed the reconciliation for the automatic recount of the November 8, 2022 General Election. Below is a summary of the variances found between Pinal County's canvassed returns and recount returns.

**Ballot Variance**

- Election Day Ballots: There was a net variance of 442 ballots that were tabulated in the recount that were not tabulated on election night.
- Early Voting Ballots: There was a net variance of 29 ballots between early ballots tabulated for the General and those tabulated in the recount.
- Provisional Ballots: There was a variance of -24 ballots that were counted in the General as provisional ballots that were inadvertently counted as early ballots in the recount.
- The recount identified 63 ballots with unclear marks that were not subject to adjudication on election night but were duplicated in the recount.

The net of these ballot variances are shown below for the two races subject to the recount.

	<u>General</u>	<u>Recount</u>	<u>Variance</u>
<b>Arizona Attorney General</b>			
Hamadeh, Abraham "Abe"	82,724	83,116	392
Mayes, Kris	58,953	59,068	115
<b>Total Net Variance = 507</b>			
<b>Superintendent of Public Instruction</b>			
Horne, Tom	83,148	83,533	385
Hoffman, Kathy	58,802	58,919	117
<b>Total Net Variance = 502</b>			

---

Geraldine Roll  
Pinal County Elections Director

## MEMORANDUM

**TO:** Kori Lorick  
Elections Director  
Arizona Secretary of State

**FROM:** Geraldine Roll  
Pinal County Elections Director

**DATE:** December 21, 2022

**SUBJECT:** RECOUNT DISCREPANCY REPORT

In response to the mandated recount of the Attorney General and the Superintendent of Public Instruction races, Pinal County has completed its recount and supplements the results submitted to the Secretary of State (SOS) with this discrepancy report. The purpose of this report is to assist in explaining differences in the results for the two races submitted to the SOS in the County's November 21, 2022, canvass and the results of this recount. For ease of explanation, this report breaks out the differences in (1) ballots tallied on election day, and (2) early ballots run prior to and after election (early ballots).

The canvass reported 35,627 election day ballots. Recounted election day ballots total 36,069. The difference is 442 additional ballots tallied on recount. The canvass reported early ballots to be 109,341. Recounted early ballots total 109,324. The difference in early votes tallied in the recount is -17. This is a .3% variance from the canvassed results and reflects 99.7% consistency rate.

Additionally, there was a difference of 38 ballots tallied between the canvassed amount of 632 provisional votes and the recounted 594 provisional ballots. This difference is explained as follows: There were 15 Fed only ballots that were originally part of the initial canvass but not counted in the recount because the AG or Superintendent's race were not included on the Fed only ballots. There were 21 write-ins which were tabulated with the early voting write-ins. These write-ins were inadvertently put into one of the boxes labeled as write-ins in the vault. This was not discovered until we had recounted the provisional ballots and were commencing our reconciliation. We view this as a human error because all involved were under pressure to rapidly process the provisional ballots and failed to take additional steps to ensure they were properly segregated from other

ballots. There is a 2 vote difference which we have not been able to reconcile as of yet.

Turning to the count of early ballots submitted, the difference between the canvassed amount of 109,341 early votes tallied and the recounted early votes tallied of 109,324 is -17. Our reconciliation of this discrepancy revealed there were 38 early Fed only ballots that were not counted in the recount. The difference is the 21 provisional write-ins that were erroneously tabulated in the early voting recount tabulation process.

Next, in analyzing the election day ballots that were recounted, and referring to the third tab in the attached Excel workbook entitled "Recount Results," you will find that upon conducting the recount there are 10 precincts that contained a difference of over 5 votes and several precincts that returned with differences over 50. The vote difference in these 10 precincts is 424. One factor underlying this disparity is that the canvass was filed prior to taking an adequate opportunity to investigate any possible anomalies we could discern from polling place returns.

For example, for several hours on election day some poll pads were not scanning 60/drivers licenses. A software configuration work around was created and synched to the pads to correct the issue. Although poll workers were trained to use the paper poll rosters, poll workers came up with varying ways to handle the issue. Shortly after the election, we were contacted by a voter who explained how his license wouldn't scan on the poll pad and he was given a little piece of paper which he took to the judge's table and was given a ballot. It took a few days to gather information and speak with the polling place inspector to discover that approximately 20 voters in this precinct had not been documented in any fashion such as checking them in or signing the paper roster. If their license would not scan, the marshal would call voter registration who confirmed that they were eligible voters in AVID and had not voted. They were then given a ballot. These voters were never checked in on the poll pads and their voting history was not updated in AVID. Reviewing the materials returned from the polls, it seems likely that this was the experience for possibly a hundred or more voters (an estimate).

After several weeks of investigation, KnowInk and Russ Smith informed us that when we downloaded AVID information to the poll pads we neglected to check the box to include drivers license information. Our solution going forward is to ensure that the poll pads do not leave Elections unless and until they are all checked to ensure they are scanning. We are going to ask that voter registration use a poll pad instead of AVID when checking a voter to foster coordination in getting a voter

checked in. We are going to better train and refine a uniform method for all poll workers to follow for these situations. (This was clearly a human error and processes are being updated to handle this in the future.)

Learning of the poll pad check-in problem, we began to research this concern and started with Precinct 01 which showed a difference between poll pad check-ins and number of votes counted. Unfortunately, before the analysis was completed, the canvass was downloaded and filed. While analyzing this concern, we ultimately decided to open up the locked Precinct 01 ballot box. Upon examination, it appeared to contain more than 422 ballot cards which was indicated as number of cards tabulated on election day. Therefore, we physically hand counted the number of ballot cards in that box. Our hand count revealed 600 ballot cards- not 422. We selected 3 additional precincts with similar disparities (Precinct 26, 109, 15) and physically counted the number of ballots they contained. All 3 had more ballots than were reported on election day.

We have ruled out that additional ballots were somehow added to the locked ballot boxes after they were tabulated on election day and locked in the vault by reviewing video. Since all 4 precincts had been counted on Machine B, there was a concern of a possible machine inconsistency when tabulating on election day. We notified our County Attorney and the vendor, ES&S. ES&S came out, checked the machine and ran ballots through the machine. They were unable to get Machine B to repeat the inconsistencies we experienced on election night. Instead, when batches of ballots were run again by EE&S representatives no errors were evident. (It should also be noted that all three of Pinal County's tabulation machines passed all L&A testing pre-election and post election and for the recount)

After this analysis, we conclude that human error was the cause of our election day miscounts. Machine B was manned by a bipartisan team composed of an individual who had used the machine in previous Pinal elections and was the most experienced of the tabulating team. We reviewed video of this team tabulating the questionable precincts, but could not see where they did not put ballots on the machine to be counted.

There were multiple paper jams that were observed on election day. None of the tabulating teams alerted any election employee about any issues or questions. However, we believe that when a machine jammed or a jam led to an error message, it may not have been interpreted correctly. Thus, we believe this led to ballots the operator thought were counted were not actually counted and needed to

be returned from the output trays to the input tray to be rescanned. Again, human error.

Election night ballots were being tabulated with precinct selection mode on. For that reason, we have ruled out that ballots were mistakenly placed in the wrong pile and tabulated with another precinct. Had that occurred, they would have been out stacked and someone would have noticed. However, no such incident was ever brought to our attention. Likewise we have determined during the recount, which we conducted using precinct selection mode on, as was done during election day tabulation, no ballots were co-mingled with ballots from other precincts.

Finally, 4 of the 10 precincts returning with discrepancy of 5 or more votes were co-located precincts. With precinct selection mode turned on, the machine operator had to select one of the precincts and all ballots were scanned with the precinct not selected being out stacked. These out stacked ballots had to be rescanned or manually sorted through to discern why the machine did not process the ballot. We believe the tabulating team did not properly perform this function resulting in ballots not being scanned. For example, in co-located precinct 68/95, the election day canvass in Precinct 68 was 567 votes. The recount was 640 votes. The election day canvass in Precinct 95 was 417 votes. The recount was 417 votes. It seems clear that a stack of ballots from Precinct 68 was not scanned. Again, human error.

After performing reconciliation of ballots cast, accounting for Fed only and provisional ballots, reviewing multiple hours of video footage, speaking with a number of inspectors and marshals, physically hand counting the number of ballots in a ballot box and reconciling them with the machine results, and consulting with ES&S, we believe our recount to be accurate and the discrepancies between the recount and the canvass were the results of human error. We experienced an error rate of .3% with a consistency rate of 99.7%.

## **SUPPLEMENT- (DECEMBER 29, 2022)**

### **Re: DECEMBER 21, 2022 RECOUNT VARIANCE REPORT MEMO**

The Memorandum sent to the Secretary of State on December 21, 2022, had to be submitted under a deadline. This supplement explains what continued research and investigation produced after that date.

The recount identified 63 ballots that had been processed on Election Day with unclear marks. These ballots were not subject to adjudication on Election Day. On recount and to be consistent with Early Ballot tabulation procedures, these ballots were sent to the top bin of the machines for possible adjudication. These ballots were marked with either a check mark, an "x" or a slash through the chosen candidates. The duplication board discerned that voter intent could be determined, and duplicated these ballots which were then tabulated. The result was that even in precincts where there were no differences in Election Day ballots cast and recount ballots cast, candidates did pick up votes.

We have concluded that when the machines were loaded for Election Day, the sort setting automatically reset to default. The default sort setting does not sort unclear marks. Election staff did not check the sort setting. Ballots with unclear marks were not sorted out for adjudication on Election Day. When the recount election was loaded onto the machines, the sort settings were checked and set to sort unclear marks. Thus, these 63 ballots were sorted out for adjudication during the recount. The failure to properly set the machines on Election Day was due to human error.