

OPENING STATEMENT
to the
HOUSE COMMITTEE ON
OVERSIGHT AND REFORM

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Auditing elections is not a threat to our democratic republic. Anything we can do to make sure our elections are transparent, trackable, and publicly verified only strengthens our country. Elections are how we, the people, give our “consent of the governed” as stated in the Declaration of Independence. And every citizen deserves to know they are treated equally under the law, as guaranteed in the Constitution. Every lawful vote must be counted accurately, and not cancelled out by unlawful ones.

Even the election system used by Maricopa County (Dominion) points out in their marketing materials that the 4th of four steps in an election is to “Audit the Election”. They even trademark that module, saying “This ballot-level audit trail allows election officials and other stakeholders to review not only the ballot images, but also the tabulator’s interpretation of each ballot”. And why does each ballot matter?

In 2020, Arizona had the closest contest for President in our State’s history. To use numbers we can easily relate to, if Arizona was a thousand people, we had 80%, or 800, people vote. The official results were President Biden 397, President Trump 395. Yes, a TWO out of eight hundred vote margin, or 3/10ths of one percent. You’ll also notice that those two numbers don’t add up to 800. That’s because on one percent of the ballots (8 out of 800) the machines didn’t record ANY vote in the Presidential race. In the actual election it was almost 34,000 ballots out of 3.4 million statewide. Maybe that’s what those voters intended. Or maybe some voters circled their ovals or checked next to the oval not getting any mark inside the oval. In either case, no vote was counted by the election management system, and those undervotes would not have been sent to adjudication teams to determine voter intent. This fact alone warrants auditing an election that was this close by reviewing each ballot.

Which is exactly what we did in the audit. We reviewed each of the almost 2.1 million ballots, and despite months of warnings from the County, our Secretary of State, election experts and most of the media that the auditor’s procedures were imprecise and unreliable, the most significant finding of the audit is that the hand count of the physical ballots very closely matches the County’s official results in the President and US Senate races. That finding is frustrating to many who expected the audit to prove a different election result. But as Arizona Senate

President Karen Fann stated numerous times, the audit has never been about trying to overturn the 2020 election. It is about verifying that Arizona laws and election procedures were followed, and identifying how our laws can be improved and better enforced going forward to maximize integrity in our elections.

To that end, we did find several areas where election laws and procedures were or may have been violated. These include:

- Missing or unmatched signatures on ballot envelope affidavits
- Missing serial numbers matching duplicate ballots to their originals
- Common usernames and passwords used to login to the election management system
- Insufficient security protocols and procedures
- Deleted files and “churned” logs from the data delivered to the Senate
- Voter registration anomalies

Some of these are findings, and some are observations or questions, to which the County says they have answers and explanations. We welcome those answers. One of the most disturbing aspects of the audit was the County’s lack of cooperation, especially their unwillingness to answer questions once the audit began. Not many people like to have their work checked, but audits are much better with the cooperation of the auditee.

The audit report has been forwarded by the Senate to our state Attorney General, whose Election Integrity Unit will work with the County to find those answers and accountability. Election integrity is so important, we must find ways to work amongst different levels and branches of government to achieve it.

No election, or election audit, can be conducted perfectly, as they are administered by imperfect human beings. I believe the majority of the election officials throughout our state are honorable, well-intentioned people trying to do the best job they can. I believe the same about the audit.

We shouldn’t fear auditing elections. We should embrace and welcome it.