

# The RTA Election of 2006: A Detailed Analysis

Investigation by John Brakey, final documentation by Jim March

1/5/2009 8:47 AM Revised

## Introduction and Executive Overview

The Regional Transportation Authority election of 2006 has been the subject of much controversy. Based on our interviews with eyewitnesses and John Brakey's painstaking analysis of the RTA data file set as a result of the public records suit, we can now pinpoint specific problems that taken together form a set of pointers to fraud of some sort.

This analysis will very clearly indicate what is known fact (*and the source of each in italics following each stated fact*) and then we'll show what those facts point to both individually and when assembled into a whole.

Both of the authors of this document believe that it was the intent of people within the elections office that the RTA election win. We believe that the precinct optical scan memory cards were tampered with, **incompetently**, and then a lot of "scrambling" happened afterwards (mainly database tampering) to clean up problems caused by the previous tampering. Note that it's very possible that the RTA ballot measures actually won, however the Pima County elections department doesn't seem to have left that to anything as unpredictable as a clean vote.

*Important:* in many cases we track not what happened, but what didn't happen as compared to normal elections. We have Pima County election audit logs going back to the year 2000 and are well positioned to do such comparisons.

We are also tracking "badges of fraud" as attorney Bill Risner put it. Most of the elements of this report showings actions of the Pima elections office and staff are not indicative of fraud taken on their own (although a couple are)...but once assembled into a full picture the indications are beyond merely troubling.

We'll handle the reporting of these matters as a timeline, but first some background info.

## Background (Facts Pre-dating The RTA Election)

1) In 1996 Pima County was in transition to the voting systems we use today. At that time the new vendor was "Global Election Systems", now bought and renamed "Diebold Election Systems". At first the county used dual systems, with the Global/Diebold gear controlling the mail-in vote tally and the older punchcard system still handling the precinct vote. The county wanted a merged result; Global staff showed new elections tech Bryan Crane how to manipulate a Global/Diebold database through the "back door": use Microsoft Access to manipulate any element of the data you want. Problem is, working with the data in MS-Access isn't an approved process for a very good reason: MS-Access bypasses all of the normal audit log and security access controls. MS-Access is thus a "burglary tool for elections" and anyone working with the data in MS-Access would learn that in about ten minutes.

2) In January of 2003 author Bev Harris found a publicly-accessible website owned by Diebold and used for internal data transfers. It allowed anonymous, unsecure access. She downloaded 40,000 files including manuals, working program code, sample and actual data files and (partial) source code. By July 2003 she published a report on the level of insecurity of the Diebold central tabulator database including how it could be tampered with in MS-Access. Thus for the first time the public learned what

people like Bryan Crane had known for seven years. See also:  
<http://www.scoop.co.nz/stories/HL0307/S00065.htm>

3) In early 2005, Black Box Voting<sup>1</sup> examined Diebold voting systems broadly similar to the Pima County installation at the invitation of the Leon County Florida elections supervisor Ion Sancho. BBV<sup>2</sup> brought in Finnish computer security professional Harri Hursti to help with the evaluation, and the results were published on HBO as the 2006 documentary “Hacking Democracy”.

The core BBV/Hursti findings (published on the 4<sup>th</sup> of July, 2005) were that the memory cards used in a Diebold optical scan precinct terminal form an “electronic ballot box” that can be tampered with either before or after election day. In other words, it can be either “pre-stuffed” before election day **or** altered after election day. That report is online at: <http://www.blackboxvoting.org/BBVreport.pdf>

In the report (on page 6) Hursti showed that a commercially available card reader still existed for retail sale for the archaic memory card format Diebold used, down to the manufacturer, model and a picture.

This device was able to connect the Diebold-supplied memory card to a standard PC, and give that computer read/write access to the card. The data on the card created by and managed by Diebold software had no encryption and could be easily edited. Page 16 shows one obvious edit; more dangerous changes to vote totals are extensively demonstrated in the report and filmed for HBO.

Pages 11 through 13 of the BBV/Hursti report show screenshots of the editing process for the data. The right-hand narrower section (white background) in this particular editor is the ASCII rendition, with the same thing in hexadecimal on the left (gray background). If you study the data format in the ASCII section, you'll see that what's going on is only somewhat obvious. Names of candidates are clearly visible (the report redacts the last names of students from the test election studied). Page 28 (appendix D) shows another layout of the same sort of stuff – yet again, what's going on is “sorta readable” but it's also scrambled in interesting ways. The “scrambled parts” matter to the computer – it's formatting and layout data, so it can't be ignored. It has to be properly replicated. Hursti succeeded but compared him to Bryan Crane is a bit like comparing Vincent Van Gogh to a housepainter...both lay paint down but they're hardly in the same class<sup>3</sup>.

Editing this is “messy”, or more precisely, it's easy to screw up. The main reason we suspect Crane might have tried this is that he had Hursti's detailed notes to follow<sup>4</sup>.

*Our “theory of the crime” (supported by a lot of evidence) is that Bryan Crane or some programmer they hired on the side tampered with memory cards incompetently. Either a large subset of the cards failed, or possibly all the ones they tampered with as targeted by James Barry's reports.*

---

<sup>1</sup> A nationally known non-profit organization gathering and disseminating information on electronic voting issues. This group was founded by Bev Harris, still the Executive Director.

<sup>3</sup> Co-author of this report Jim March has observed Crane at the keyboard and has viewed a duplicate of Crane's monitor as he works in GEMS. I can attest that Crane is “hesitant” as he uses the program. I have far less experience with the Diebold GEMS application and I am far more confident in my use of it than Crane is. Put simply, Crane isn't a “natural born geek” of any sort. He's a wounded infantryman who has painfully trained himself to be functional in his new profession. He's exactly the sort who might seriously blow up a hack attempt. Hursti on the other hand is a better programmer than 3/4ths of Microsoft combined, even with half a dozen beers in him.

In August of 2005, the Pima County elections office bought a “crops scanner”, allegedly to determine the accuracy of the BBV/Hursti reporting.

This device existed in the Pima elections office with NO tracking or access controls from August 2005 through early 2007 when the Pima Democratic Party and their supporters caught wind of it in public records searches.

*Source: depositions records and court statements made by Bryan Crane and others in 2007. The lack of access controls was admitted in depositions in the public records lawsuit.*

4) Per deposition testimony in the public records case, two lower-level employees stated that it was normal for Bryan Crane to take copies of the election data files home as a form of “off-site backup”. Normally “off-site backup” is a good thing – but not when it's election data that could be tampered with. This “process” continued after the office acquired a fireproof safe.

### **Suspicious Actions Pre-Election-Day RTA (5/16/06)**

5) Prior to the election, the county paid \$75,000 to consultant (and former Pima County employee) James Barry. Barry's job was to study the four prior (failed) transportation bond measures and figure out on a precinct detail basis where they went wrong and where they needed to focus their efforts. Notably Barry was paid additional consulting money (\$13,000) by the RTA campaign. This effort would have told the campaign where to direct their efforts, but it would have also provided a blueprint for hacking the vote: anyone tampering with results would have known what areas needed it AND what would still look plausible. Link to James Barry testimony in court: <http://video.google.com/videoplay?docid=1282511168148207359>

6) In February of 2006, preparations for the RTA election began (as documented in the audit logs). At the same time, access to the central tabulator facility was limited to four people per Richard Harding and Isabella Araiza, employees at that period. The four people were Bryan Crane, Mary Martinson, Tomas Kalesinskas and Brad Nelson. Crane's fingerprints are on every suspicious activity in that department. Martinson was involved in a romantic relationship with department manager Brad Nelson and it's otherwise puzzling why she was on the list as she's not very technical. Kalesinskas was in the US on a work permit green card and was at risk of being shipped back to Lithuania at Brad Nelson's whim.

7) At 7:03am on 5/9/06, the elections department performed an "official logic and accuracy test" (also known as an "L&A"). Because this was a non-partisan race and local race, there was no oversight allowed by the Pima elections office from the Secretary of State's office or the county's political parties. Even though the county attorney deputy county attorney Chris Straud said differently in court. We could maybe provide a link? xxx

8) Scanning the mail-in vote stack began the morning of 5/10 at 8:38am. 13,618 votes were scanned that day, ending at 12:27pm. As usual, system operator Bryan Crane made a backup of the day's activity. There was a main data file that was used continuously through the process, and then at various times (such as the end of a day's work) he would make a "backup snapshot" with a phrase in the filename stating what it was: in this case the phrase "early day 1" meant this was a capture of the activity of the first day of scanning "early" (mail-in) votes. No additional election work is logged. What he did the rest of the day is unknown, but he had plenty of time to alter the working copy of the main election (either later at his personal workstation or at home) and we suspect he did so based on

what the election audit logs show he did the next day.

On the morning of 5/11/06 at 9:55am, Crane logs in and 31 seconds later begins the day by backing up the data yet again (which is not part of Crane pattern of doing backups even though in court he states it is) to the same "early day 1" filename as the previous afternoon, overwriting the previous day's backup. To do so he would have had to override warnings against destroying the previous version of the backup. He then prints the only two illegal copies of the "summary report" of what bond measures and candidates are winning and losing the election. The two printouts are timestamped at 9:56am and at 10:06am, 10 minutes apart, so this wasn't a case of printing two at once. For these to be "accidental" as the elections office has at times portrayed them, there would have been too many separate "slips of the finger". **We see this clearly as a way to verify that changes were made to the database or to prove to parties unknown that the changes were successful. Without checking the original paper ballots there is no way to prove differently.**

It was and is illegal to print that data until one hour after polls close at 8:00pm. First problem is that this data forms the basis of a "Zogby poll from hell" showing the likely outcome of the races: a real Zogby poll would show far fewer "respondents" (likely around 900 max) and they would be voter's predictions of how they would vote rather than a record of their real votes.

Second: because this illegal reporting followed the data overwrite; what this looks like is an attempt to confirm that data tampering occurred successfully. In other words, one scenario has Crane taking the database home with him or to another computer in the office on CD or network wiring<sup>5</sup>, altering it in MS-Access and copying it back in prior to 9:55am as an MDB file deleting the existing one. That would leave a discrepancy between the hacked data in the "working file" and the previous night's backup of good data, easily "solved" by destroying the backup data via overwriting it.

THIRD: Crane lied about this later in court. Under questioning, he claimed that the overwrite was an accident and that it was normal to do his backups first thing in the morning. In stark contrast, audit logs in our possession going back to 2000 show NO backups made in the morning ever, except for this one case. See also Crane's testimony:

<http://video.google.com/videoplay?docid=7304338799617243809>

Any backup is meant to protect work you've already done. In this case, when a crew of up to eight or more has worked for hours on a pile of mail-in votes stacked higher than somebody's bellybutton, one would make a backup right away. Overnight, anything can happen...up to and including a Molotov Cocktail through the window.

9) On election night, an observer from the Democratic Party (Prof. Ted Downing, at that time a state legislator) arrived around 5:30pm to observe central tabulator operations. He spotted Crane working in the "glassed-off room" containing the central tabulator working from a manual right by his workstation. He called Donna Branch-Gilby chair of Pima County Democratic party and her husband

---

<sup>5</sup> At a meeting in Brad Nelson's office the following week, the elections staff were confronted with various peculiarities. We looked through the glass window into the central tabulator room and noted a network cable running under a closed door to the next room. We were told that was for a printer and asked permission to confirm no other computer was connected to that wire; this request was refused by Brad Nelson. Later deposition testimony in the public records suit confirmed that the central tabulator could print to the printer in Bryan Crane's office, strongly suggesting Crane's office computer (also able to print to that printer) was cross-wired to the central tabulator computer. Jim March was brought to Tucson for that meeting for the first time; also present were John Brakey, Bill Risner and Pima Democratic Party chair Donna Branch-Gilby.

Bob Gilby who photographed the manual with a good digital camera. They were able to ID it as a Microsoft Access manual. Ted talked to John Brakey, Brakey gave Ted Jim March's phone number (then in Seattle WA) that night and March told Prof. Downing to ask Brad Nelson to make a backup snapshot of the election data to date and give it to the sheriff's office for safekeeping.

Not only did Nelson refuse, but Crane did NOT do his usual election nightly backup of any sort, nor did he backup for the next three days, completely contrary to his practice on previous days (save for the one data over-write of 5/11) and contrary to their working policy in all other elections<sup>6</sup>.

We think the “scramble to reconcile a messed up election” had already begun, and the spotting of the Access manual spooked them into deliberately not leaving a record of alterations over the next three days – putting the conduct of elections at risk.

### **ACTIONS BY BRYAN CRANE FROM ELECTION NIGHT FORWARD, AS TRACKED IN THE OFFICIAL AUDIT LOGS**

10) As shown at point 9 above, Prof. Ted Downing, Donna Branch-Gilby and Bob Gilby were visibly watching what the elections staff were doing and were complaining about what was going on. They also asked that a “snapshot” of activity at that moment be taken.

Crane had already made one snapshot backup of the state of the election that day, at 4:26pm. That was when the department finished scanning the mail-in ballots that had arrived by that time. Downing and Gilby asked for another snapshot somewhere between 8:00pm and 9:00pm and this was refused by Nelson.

At the end of the processing of votes on 5/16 (actually 3:16am the morning of the 17<sup>th</sup>) the department closed down for the night – **without making a final daily backup.**

This was contrary to how the department behaved in every other election we can track except the 2000 general. There are other similarities between the 2000 general and the RTA race we will explore. In that 2000 case backups stop at 5:18pm on election day (Nov. 7th) the audit log shows an entry: “11/08/00 15:45:43 User admin: Changed ReportingSet (19): 19 Board District 3” - after this change to that “race name” there's no backups made or logged activity for eight days. Board District 3 is the race of Sharon Bronson Vs Barney Brenner - Bronson won by only 1,401 out of 53,798 ballots.

In every other election, a final backup was made containing the phrase “election night” or a similar term.

**The elections office didn't make another backup that we can track in the RTA audit logs for the next three days – not until Friday the 19<sup>th</sup> at 5:01pm.** This type of gap is shared only by the 2000 General election.

This is beyond merely unusual.

IF no backups were really made, then the department put the entire conduct of the election at risk. A huge number of precinct votes were processed on election night into the following morning, and additional mail-in and provisional votes trickled in throughout the week. A system crash, power surge or fire would have put the entire election at risk.

It's more likely that no backups were made that we can track in audit logs – in other words, copies of files were made with the Diebold application closed down, via the operating system where the copy process isn't tracked by any log at the operating system (Windows 2000) or application (Diebold's GEMS) levels.

We know from the logs that such an operating-system-level copy was created on the 20<sup>th</sup>, because we get a new filename appear (and get used) that isn't logged as having been created by GEMS in it's own log. So Crane clearly knew how to do an operating-system-level copy, and knew that no audit log trace of such a copy would be created.

If such copies were made between the 16<sup>th</sup> and 19<sup>th</sup> as we believe likely, they were sometime thereafter copied off of the system and erased from the central tabulator. When a full backup of the GEMS system's data files was made under court order circa April 2007, those files were and remain missing.

Somebody at the elections office didn't want any evidence left of three days worth of alterations to the main election data files and had taken a similar position in 2000. **We think this is significant.**

11) We can tell from the audit logs election night (5/16) that a lot of precincts were not uploaded until past 8:30pm – at least 118 and as many as 149 (out of 368). It seems likely these weren't uploaded from the precinct by modem but rather were hand-carried into the central headquarters or a substation for upload there due to a phone connection failure in some cases - but not all. Now these may not be system failures, some may be just problems with (or non-existence of) the precinct phone lines. This still makes it worth looking at end-of-day polltapes to make sure that signed polltapes were produced first and check them to the totals in the database.

Note that the logs for the 2004 general election (featuring a far more complex ballot and about same number of precincts - 2004 had 358, 2006 RTA 368) and precincts not closing until after 8:00 PM due to long lines had about 19 modem transmission failures or late uploads per it's log. The RTA modem or line failure rate appears to be incredibly high.

12) During the RTA election cycle, 93 precincts worth of memory cards were uploaded at least twice – in other words, something was “wrong” with the first upload and it had to be repeated. One was reloaded as much as six times - precinct 324<sup>7</sup>.

In contrast, the 2004 general election **only** had five memory card uploads required and others were similarly low **and none took ballots counted as negative votes.**

We're getting our data from the raw election files as provided in the public records suit. We looked at the data files from the 19<sup>th</sup> and 20<sup>th</sup> in MS-Access, in the “counterbatch” table.

There are two separate questions regarding these re-uploads: what caused them, and were they political in nature or technical?

---

<sup>7</sup> It may be coincidence, but precinct 324 was where John Brakey had serious problems in the 2004 general election. As precinct cluster captain John saw various odd pollworker activities that could subvert the vote and complained; pollworkers threatened him with bodily harm and screamed various charming admonishments such as “Liberal scum” and the puzzling terms “demon” and “pagan”.

Let's start with the “political”.

Out of 368 machines, 23 were assigned to precincts in Oro Valley where voters were also voting on the town council races. Of the 23, one had zero votes – this was expected as it was set up as a “placeholder” for legal reasons. So we have 22 Oro Valley precincts.

All 22 precincts were among those with memory cards re-loaded. **However, none of these reloads were done until after midnight and our 3 observers were gone.** (5/17/06 12:35am was the first one and 5 were done on the early morning election night. The other 17 were all done on the 20<sup>th</sup> starting at 9:37am and the last at 11:07am.)

This indicates that something political was going on, not technical. The distribution of failures is just too “non-random”.

Worse, in the various precincts reloaded we sometimes see the vote counts go up (plausible as more votes are “found” as happens in sloppy elections departments) but in almost as many the vote counts go DOWN. The numbers aren't huge, up to half a dozen votes at a time, but the Oro Valley race was close enough that handfuls of votes mattered. But again: it wasn't just Oro Valley affected. Outside Oro Valley, the only races on the ballot involved the RTA and some hospital bonds involving a lot less money than the RTA.

To discard votes, the paperwork is complex. Something called a “snag board”<sup>8</sup> has to be convened and the paperwork tracked in detail (per ARS, Bill Risner fills in code number later xxx). We don't think that paperwork was ever done as the agency never admitted to having “tuned” votes to this detail. ONLY the public records win revealed all this.

A few of the changes occur on election night after 11:00pm and the following early AM (same work session). The aforementioned observers Downing and Gilby had left by then as activity had started “winding down” as Prof. Downing put it (questioned for this report). It now seems likely Nelson, Crane and company waited until foreign eyeballs were gone. Re-uploads continued right through (and peaking on) the 20<sup>th</sup>.

It's also worth noting that despite the problems, no complaint was made to Diebold about the high failure rates. *We think this was because the memory card problems were self-inflicted by the Pima elections department.*

What was happening? As we see the possibilities:

- a) Since the Oro Valley town council race was nail-biter close on election night, the elections department wanted to make sure the automatic recount would go perfectly, so they “fine tuned” the data for the Oro Valley races. But that doesn't explain the rest of the precincts, leaving us with...
- b) The agency was hacking votes by taking memory cards that had come in from the field, modifying them with the cropscanner and re-uploading them. In this scenario, if signed polltapes exist and are legitimate from the pollworkers, they may not match all of the official

results. The high rate of Oro Valley manipulation (100%) is explained by the mandatory recount: they HAD to make sure that recount came out right whether they had tampered with it or not, otherwise somebody official might look more closely at the RTA...OR:

c) The agency hacked memory cards pre-election, possibly all 368, and screwed up enough of them that they had a high as hell failure rate because card tampering isn't easy (see item 3 earlier for a discussion of the difficulty of memory card alteration with a CropScanner). Yet again, Oro Valley had to come out right to save their bacon. In this case it's not so easy to predict what the polltapes might show, but we would have to suspect some polltapes were altered after the fact or won't match up at all.

We are torn between “b” and “c”. Both make sense<sup>9</sup>.

We think it would be very revealing to find the alleged polltapes for the re-upload cases, especially those we can document as having lost ballots, and show those polltapes or scans/pictures of same to the actual pollworkers and ask if the signatures are authentic. If they're not, and the polltapes can be documented as fake, then the game really starts to unravel.

13) Number of undervotes dropped (which is legally impossible).

We're going to show just one example of several.

Looking at “Bond Question 1” (the RTA itself), on 5/17 at 3:15am we can refer to the web-snapshot published on the Pima elections website purporting to show the final totals from the “election night work session” ending in the wee hours of the 17<sup>th</sup>. We see 854 undervotes (what the report calls “times blank voted”) for bond question one.

Looking at the database snapshot from the 19<sup>th</sup> taken at 5:01pm, we can run a report from it and get the same number of undervotes for that race.

But when we pull up the data file from the 20<sup>th</sup> and run its report, we see 852 undervotes, dropping by two. This is the same 852 figure that's on the Pima county elections website as this is written. This may not sound like much, but it's damned difficult to explain. Today we might say that a human eyeball caught a mark that a machine didn't, but in May 2006 human eye reading of ballots was illegal.

Ballot measure 2 (also connected to the RTA) showed a drop of only one. Bond question 3 (related to the hospital) went up by one; small increases in votes are what we'd expect as starkly opposed to drops.

To make the totals come out right in the end, they had to commit unnatural acts with the totals.

14) Ballot counts going backwards (“The Tweak”)

By taking the snapshots of the state of the election we do have from the 19<sup>th</sup> and 20<sup>th</sup>, in specific precincts we see ballot counts dropping. In this short chart we'll show the precincts affected and how

---

<sup>9</sup> We see no evidence “jumping out at us” that the elections department tried to hack the Oro Valley races. It's possible of course, but...it makes a lot more sense that small levels of fine-tuning the Oro Valley data was applied purely to make a messy election come out “perfect” for the recount. The nail-biter-close town council race and its auto-recount likely gave the people who hacked the RTA an Excedrin[tm] headache.

many ballots each one lost from the 19<sup>th</sup> to the 20<sup>th</sup>. (Double precincts at a given machine are listed with a slash between them.)

ULTimeDT	Ballots on the 16th	ULTimeDT	Label Precinct	Ballots on 20th	Ballots Added or Removed	
5/16/06 9:13 PM	150	5/20/06 7:47 AM	25	154	4	
5/16/06 8:14 PM	147	5/20/06 7:50 AM	101	160	13	
5/16/06 7:22 PM	249	5/20/06 7:52 AM	249	255	6	
5/16/06 9:16 PM	208	5/20/06 7:58 AM	366	224	16	
5/16/06 7:15 PM	399	5/20/06 8:18 AM	016	408	9	
5/16/06 11:05 PM	166	5/20/06 9:37 AM	013	166	0	OV
5/16/06 7:15 PM	252	5/20/06 9:40 AM	012	252	0	OV
5/16/06 7:17 PM	250	5/20/06 9:42 AM	029	250	0	OV
5/16/06 11:04 PM	195	5/20/06 9:43 AM	200	195	0	OV
5/16/06 7:19 PM	188	5/20/06 9:55 AM	360	188	0	OV
5/16/06 11:02 PM	235	5/20/06 10:01 AM	346	236	1	OV
5/16/06 10:50 PM	252	5/20/06 10:12 AM	365	252	0	OV
5/16/06 10:48 PM	317	5/20/06 10:18 AM	370	316	-1 removed	OV
5/16/06 7:18 PM	616	5/20/06 10:29 AM	260/266	610	-6 removed	OV
5/16/06 11:02 PM	186	5/20/06 10:31 AM	381	201	15	OV
5/16/06 10:53 PM	249	5/20/06 10:34 AM	373	248	-1 removed	OV
5/16/06 7:14 PM	369	5/20/06 10:51 AM	384	367	-2 removed	OV
5/16/06 10:49 PM	498	5/20/06 10:54 AM	385	497	-1 removed	OV
5/16/06 7:24 PM	158	5/20/06 11:04 AM	387	158	0	OV
5/16/06 7:26 PM	148	5/20/06 11:05 AM	402	148	0	OV
5/16/06 10:52 PM	184	5/20/06 11:06 AM	386	183	-1 removed	OV
5/16/06 7:17 PM	435	5/20/06 11:07 AM	359	443	8	OV
5/16/06 7:13 PM	173	5/20/06 4:54 PM	313	186	13	
	<b>6,024</b>			<b>6097</b>	73	

Eight precincts from Oro Valley show a total of zero ballots added but a memory card re-upload done this late in the game (between 19th and 20th.) However, you have to have something to measure against; because we only have the databases of the 19<sup>th</sup> and 20<sup>th</sup> we can only see the tweak done on the 20th, if we had a database from election night we believe it would show much more.

On Election night after our 3 observers left these 5 Oro Valley precincts were reloaded but we have nothing to measure against do to no backup. A total of 68 precincts were reloaded for the 2<sup>nd</sup> time that night and early morning till 3:15am on 17<sup>th</sup>.

ULTimeDT	Ballots on the 16th	ULTimeDT	Label Precinct	Ballots on 17th	Ballots Added or Removed	
5/16/2006	?	5/17/06 12:35 AM	280	210	?	OV
5/16/2006	?	5/17/06 1:31 AM	361	168	?	OV
5/16/2006	?	5/17/06 1:38 AM	341	366	?	OV
5/16/2006	?	5/17/06 1:51 AM	406	206	?	OV
5/16/2006	?	5/17/06 3:09 AM	310	346	?	OV
				1,296		

**So what made the Oro Valley ballots so important that they had to reload every precinct?**

The simple answer is, if the Oro Valley recount<sup>10</sup> had failed it could have thrown a bad light on the RTA count which they couldn't have let happen. Basically, what we are saying is the Oro Valley count could have happened up to three times as Nelson and his crew counted them internally and unofficially pre-official-count. This is a pattern that we also see and fear in the hand counts audits that started in September of 2006 from legislation we passed.

As a note on all of this John Brakey witnessed the Oro Valley recount on May 31st and he was quite surprised to find that ballots close to the end of the count were missing after Nelson ran a summary report. Several boxes of ballots then came in from the back room from someone's office; the ballots that we counted up to that time were all in the tabulation room. It makes we theorize now that the Oro Valley ballots may have been also run through (for the 2<sup>nd</sup> time) on a precinct optical scanner unofficially by Nelson and company prior to the official recount...that's why the ballots were boxed rather than coming out of sealed ballot bags. Even bigger, is that all the ballots that we can track as turning up as negative ballot totals when memory cards were re-uploaded are from the 22 Oro Valley memory cards<sup>11</sup>. It strongly suggests that they recounted all the precinct ballots covering Oro Valley, likely in the back offices on precinct scanners as Bill Risner asked them to do in court later! Add to this that also on the 20<sup>th</sup> the database was forked and the Oro Valley recount database was prepared and then the RTA data for the recount was complete deleted. This only allowed the Oro Valley races to be officially re-counted.

After checking the Oro Valley recount database (OV 3B Pima) from May 31<sup>st</sup> I can see they were missing 1 ballot. Also I can see how many ballots came in from the back room which was 1,115 ballots. **What were the ballots doing in the back room?**

From May 20 <sup>th</sup> Results		
TOWN OF ORO VALLEY COUNCIL (70)		
Number of Precincts	Total	
Precincts Reporting	23	100.0 %
Vote For	3	
Times Counted	7928/23454	33.8 %
Total Votes	19534	
Times Blank Voted	817	
Times Over Voted	9	
Number Of Under Votes	1772	
CARTER, K C	3472	17.77%
KUNISCH, AL	3445	17.64%
ABBOTT, PAULA	3430	17.56%
COX, DON	3427	17.54%
PASTRYK, KATHY	3009	15.40%
CULVER, CONNY	2751	14.08%

From May 31 <sup>st</sup> Recount Results		
TOWN OF ORO VALLEY COUNCIL (70)		
	Polling	
Number of Precincts	23	
Precincts Reporting	23	100.0 %
Vote For	3	
Times Counted	7927/23454	33.8 %
Total Votes	19531	
Times Blank Voted	817	
Times Over Voted	9	
Number Of Under Votes	1772	
CARTER, K C	3471	17.77%
KUNISCH, AL	3444	17.63%
ABBOTT, PAULA	3430	17.56%
COX, DON	3426	17.54%
PASTRYK, KATHY	3009	15.41%
CULVER, CONNY	2751	14.09%

When Brad Nelson went to court before the recount he knew the results of the OV races because he finished his own recount on the 20<sup>th</sup>. **This was illegal!!!**

**Question?** When did Bill Risner put the Election Department know that he was representing Paula Abbott?

<sup>11</sup> We can track best those memory cards re-uploaded between the backup snapshots of the 19<sup>th</sup> and 20<sup>th</sup>. The lack of a backup snapshot for the end of election night harms our ability to track re-uploads prior to the 19<sup>th</sup>.

**They knew that if the Oro Valley recount failed it could possibly trigger an RTA recount.**

=====

**This is NOT a complete list! More to come**

We know that 68 of the 93 total reloads of precincts memory cards happened before the snapshot of the 19<sup>th</sup> at 5:01pm but without any prior snapshots available to compare with, we don't know the exact drop per precinct, because we nothing to compare to. We know that changes happened but not the details.

We also know of more precincts in which the net total of ballots was unchanged despite a reload of the memory card. This does NOT mean the outcome wasn't tampered with – we're tracking ballots as there is better reporting on those, but what really matters is votes. If the memory card reload results in the same number of votes being taken away from the “no” and added to the “yes”, we'll see that as no change in the number of ballots.

The reload itself is still very troubling when there's such a shockingly high number of them.

15) 236 Ballots Unexplainable.

From tab “Brakey Audit” row 50 column Q.

This is the area where John's spreadsheet shows ballots being dropped with no apparent paperwork – a felony. It's likely NOT the main “hack” but rather an attempt to fine-tune numbers and cover up something much worse underlying all of this. To get the whole story we need to look at the various types of paperwork (poll tapes, snag board paperwork and best of all THE BALLOTS) and getting access to the “hidden backups” Crane likely made at the operating system level from the 16<sup>th</sup> through the 18<sup>th</sup>.

16 Comical sidenote. The L&A test deck had all four bond measures winning on a 60%/40% split. There were 5,442 ballots in the test deck. Final official results on bond one were 60.05% to 39.95%, bond two was 57.64% to 42.36%. It looks as if the L&A test was done as a “wish list” for the final numbers they were going to cook up. Yeah, it could be coincidence but...there's so MANY coincidences in this mess that we had to note this bizarre ending.

17) the iBeta Report.

18) How easy it is to Tweak