

Concerns Expressed by Candidates for County Office

Candidates for County Office or persons associated with campaigns expressed concerns to me, County Supervisor Cavanaugh, about vote percentages in various races. These included Assessor, Supervisor 1, Supervisor 4, Supervisor 5, County Attorney, and Sheriff where I was a candidate.

The common observation was that each time the vote totals were updated each race demonstrated the exact same percentage splits between the candidates. This is possible, but to have it occur more than a couple races in a county is rare, to have it occur in six races among 13 candidates is statistically 'impossible.' The anomalies only occur in County, not state races, yet the same voters filled out the ballots.

There is always some variation between the % percentage of votes candidates capture in terms of both EARLY v POLL, and the percentages between them, and the other candidates as charts will show later in this report. A candidate has more time to advertise to poll voters which may make the captured percentage of those voters higher for his race. If a candidate spends all of their money before early ballots go out, they may show a higher capture percentage in early, and lower in poll. A candidate may send out a mail piece attacking their opponent causing variations in early returns, impacting only those who had not yet sent their ballot in.

Because of the strange percentages found in the races we began conducting mathematical and statistical analysis on the polling place return.

Qualifications of Persons Conducting Mathematical and Statistical Analysis

Anna Cavanaugh holds a bachelor's degree in Accounting and has more than 30 years experience in the field. Kevin Cavanaugh holds two bachelor's degrees, one in Accounting, and another in Public Affairs, and has more than two decades of combined business and government experience, and served as a police detective. Joshua Franklin has years of government and business experience, and holds a Black Belt in Six Sigma where he received his training in Statistical Analysis. Jisan Nuren is field-educated in Statistical analysis and use of statistical software.

Initial Measurements and Examinations, How the Team Zeroed in on Problems

We had a few pieces of evidence to start. A recording exists of a discussion about hush-money payments being made to an employee inside elections and we have turned that over to outside law enforcement. The recording was a clear red flag that something was going wrong inside the Elections Department.

We first compared the various races inside and outside the County to determine if a low % percentage difference between EARLY and POLL votes captured by a candidate was normal, and if present how often it happened, and what triggered it.

The initial analysis showed that the low differential was present in other races such as State Representative in which a voter could select two candidates, and there were often only two candidates available. The other instance showing a higher propensity for the anomaly is in races with very low vote totals, or a race with a large number of candidates. For these reasons we decided the most suitable comparators would be races having more than 500 votes and having two or more candidates. We did include a few single-candidate races as an illustration of normal deviation for chart analysis.

Anecdotal Observations that Supported the Theory that Problems Were Present

Precinct 56 in Apache Junction is situated in the northwestern corner of the County. Superstition Boulevard is a main east-west road on the south side of the precinct which becomes University Drive on the west side of the precinct in Maricopa County. The northern boundary is Brown Road, another major road. Traveling west on either road will take a person to LOOP – 202 and further into Maricopa County.

Why is this important? Voters in the precinct are more likely to work, shop, and travel west into Maricopa County than practically any other precinct in the county. For this reason I have always used Precinct 56 as a ‘control group’ for statistical purposes. In 2018 I ran for Justice of The Peace in the Apache Junction District and did not advertise in Precinct 56 in order to measure the effectiveness of the rest of the advertising in the district. My vote totals for 56 in that election were around 35%.

In the 2024 Primary election, I again did not advertise in that precinct and received 58.8% of the vote. Brad Miller for County Attorney received 65.3% of the vote and I called his team to ask about advertising in the precinct who said they did not do intensive advertising. Storm Cox for Assessor did no advertising there and received 22% of the vote.

Based on the above observations we first conducted studies based on advertising to determine if advertising had an inverse relationship to results.

2024 Advertising Campaign – Brief Overview

Advertising impacts people's actions. It is used to market everyday products and impact the outcomes in elections. Various forms of advertising are used in election campaigns including mail, hand-delivery of messaging, social media, telephone, text messaging, television and radio.

There are methods of advertising that can be tracked to a specific voter, such as telephone calls and postcards sent through the mail. Advertising methods like social media are much harder to track by individual voter, the same is true of radio and television.

In the 2024 Primary election cycle I tracked advertisements to each voter household with extraordinary detail by precinct, as I have done in the past. The 'depth' of the advertising is rated 1 through 4, and in years past corresponded directly with the number of votes received. In the 2024 campaign the results seemed to have little correlation to advertising, except in 3 of the 4 precincts I won in Apache Junction. The fourth, Number 56, I won at 58.8% with zero correlation to advertising.

The results of the impact of advertising by precinct and voter was inexplicable causing the analysis to move past advertising comparisons and into the results of the election – the numbers and percentages, and data drops.

Secretary of State Mentions Pinal County Primary Election Problem on Talk Radio

"Everything around the state went well except in Pinal County, they had some infrastructure issues." - Adrian Fontes from radio interview 7/31/2024, morning.

Secretary of State Adrian Fontes made this statement on a morning radio talk show, but no message had been relayed to County Supervisors about a problem. Joshua Franklin called the Elections Department who had no knowledge of what Secretary of State Fontes commented upon.

We were unable to determine what the Secretary of State was referring to, nor what impact it had on Pinal County Elections, if any. Whatever the problem was, it was important enough to relay to Fontes, and important enough for him to mention on the radio.

Report of Obvious Errors in the 2024 Primary Election

Kevin Cavanaugh – Pinal County Supervisor District 1

August 10, 2024

August 1st, 2024 – Examination of First Election Data Dump.

Each contest was entered into a box, and an additional box for the date of each data dump comparing the most recent to the previous dump. This methodology makes it simple for any person to go back to a particular race and verify our work.

Data was extracted from the “BOX CHARTS” to use in the statistical and graphical analyses.

The first data release included only EARLY ballots as no POLL ballots had yet been counted. The graphs of returns showed very flat percentages among the six concerning races.

The boxes below show **NORMAL**, expected, differences between two candidates in a competitive race in Pinal County. You can see on the right, the percentage differences between the EARLY and POLL vote totals start out for each candidate above 6.36% and progress over the first three drops, with a total of around 5% difference. This ‘normal’ distribution continued over the several data releases in Pinal County, finally resulting in each having a difference of just under 4% between EARLY and POLL. (The complete data sets are available for anyone who requests).

2024 Pinal County	7/31/2024	11:18 AM		1
REP State Senator LD7	7/31/24 - 11:18 AM	Early Voting	Election Day	Provisional
Cook David	46.92%	40.71%		6.20%
Rogers Wendy	52.70%	59.08%		6.37%
Write In	0.38%	0.21%		0.17%

2024 Pinal County	7/31/2024	5:24 PM		2
REP State Senator LD7	7/31/24 - 5:24 PM	Early Voting	Election Day	Provisional
Cook David	46.92%	41.04%		5.88%
Rogers Wendy	52.70%	56.59%		5.88%
Write In	0.38%	0.38%		0.00%

2024 Pinal County	8/1/2024	2:05 PM		3
REP State Senator LD7	8/01/24 - 2:05 PM	Early Voting	Election Day	Provisional
Cook David	46.92%	42.07%		4.84%
Rogers Wendy	52.70%	57.63%		4.93%
Write In	0.38%	0.30%		0.08%

The next example shows all the data for the entire races by date for the same race.

2024 Pinal County	0	1	2	3	4	5	6
REP State Senator LD7	7/30/24 - 1:24 AM	7/31/24 - 11:18 AM	7/31/24 - 5:24 PM	8/01/24 - 2:05 PM	8/01/24 - 7:13 PM	8/05/24 - 10:46 AM	8/06/24 - 5:34 PM
Cook David	#DIV/0!	6.20%	5.88%	4.84%	4.57%	3.48%	3.48%
Rogers Wendy	#DIV/0!	6.37%	5.88%	4.93%	4.66%	3.52%	3.52%
Write In	#DIV/0!	0.17%	0.00%	0.08%	0.09%	0.04%	0.04%

In this example, the percentage difference between Cook’s EARLY and POLL votes was 6.2%

Variation in Ratios Explanation:

If there are two candidates for a race and 8 voters, there’s a good chance that each candidate will receive 4 votes each from the very small pool of voters. With EARLY and POLL voting, a portion of the voters will be in each. For illustration purposes 4 in each in Early and Poll. If each candidate captures 2 EARLY and 2 POLL, both will have 50% of their voters coming from EARLY, and 50% from POLL, 2 each. The difference between Candidate A’s Early (50%) and Poll (50%) is zero. If Candidate A received 3 votes in EARLY, and 1 votes in POLL, he would have received 75% of the EARLY votes available, and 25% of the available POLL votes. The DIFFERENCE between Candidate A’s EARLY and POLL votes in this instance would be 25%. **We are measuring RATIOS, not VOTES.** If Candidate A has 75% of

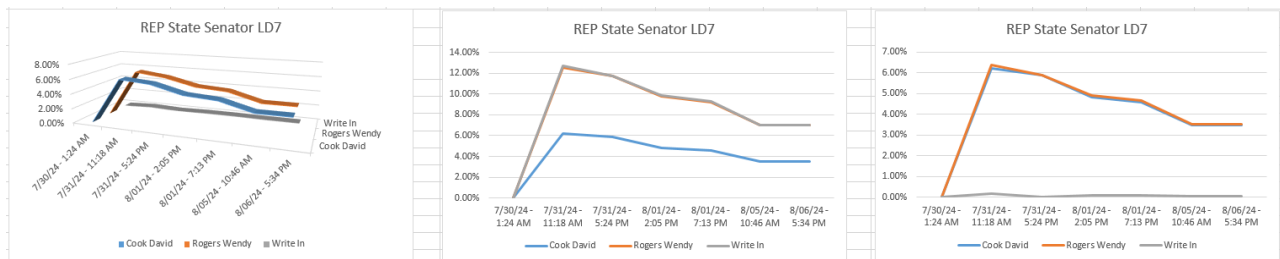
Report of Obvious Errors in the 2024 Primary Election Kevin Cavanaugh – Pinal County Supervisor District 1

August 10, 2024

the EARLY votes, Candidate B will have 25% of the EARLY votes. In this Illustration Candidate B would receive 75% of the POLL votes, and Candidate A received 25% of the poll votes. Their ratios should be opposite. The total of the ratios of lower ratio candidate(s) and the write- in should equal the % candidate with the highest ratio.

In the illustrations below you will see that the first data dump on 7/30/24 at 1:24 A.M. has 0% ratio difference. This is because only EARLY votes were counted, no POLL votes were present to measure the ratios between EARLY and POLL until the second drop the same day at 11:18 A.M. Because there was a large amount of votes, the likelihood of a bigger difference in the RATIO of captured EARLY v POLL for an individual candidate is illustrated in the first drop.

Subsequent drops with fewer votes in each result in a naturally lower ratio between a candidate's EARLY and POLL as described in the 4-vote example on the previous page.



The data fed into each of the graphs above in the COOK / ROGERS race is the same, but presented in three different style graphs for easier comprehension. (You will find larger versions of the graphics in the MS Excel Workbook "Comparison Counts 2024 8.10.24 1250 HRS".) To view the small graphs on this page more easily, press CTRL and then use the scroll on your mouse to increase magnification.

The LEFT 3-D view shows each candidate having a similar % of difference at the first drop, 6.2% and 6.37% respectively. The same data is represented in the middle graph, but the lines are 'stacked' and the total % difference in each drop added to the next race to show visually the change (in separation) between the candidates. It is normal that the % becomes less for each candidate over time. This results in a downward tilt and flattens because fewer votes are being counted, so less variation in the line will occur.

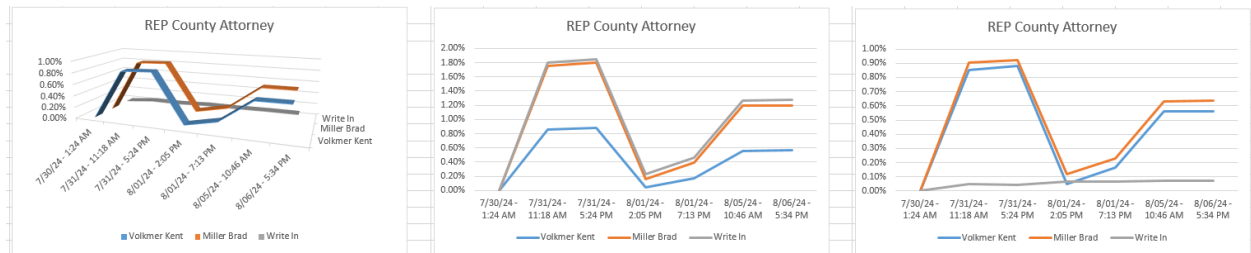
The third graph above is just like the middle one, but instead of each data line adding to each other like a row of bricks, the 'bricks' are lined up at eye level one behind another with variations peeking out. In the COOK / ROGERS race, the ordinary variation in EARLY / POLL is present. There was only a fraction of a percent write-ins so it is at the bottom of the third chart and a tiny bit above ROGERS in the middle chart because of that small difference.

Report of Obvious Errors in the 2024 Primary Election

Kevin Cavanaugh – Pinal County Supervisor District 1

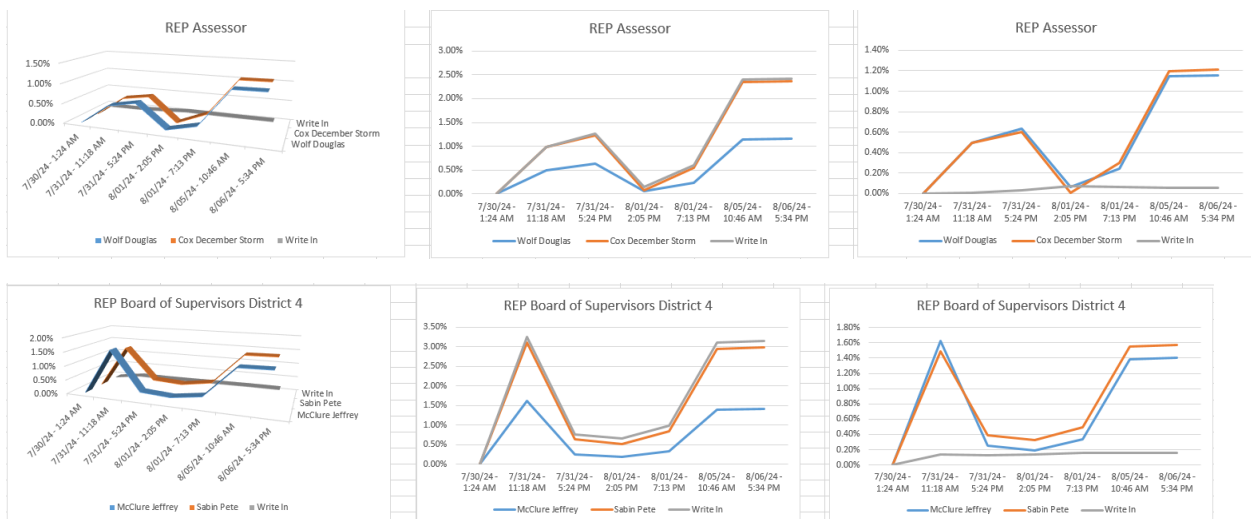
August 10, 2024

Notice in each presentation of Cook v. Rogers above that the right-hand tail goes down slightly or remains flat, which is true of most 'NORMAL' distributions. Now look at the Pinal County Attorney's Race for comparison; It is the 'Smoking Gun' of data manipulation.



The Pinal County Attorney race above is very 'abnormal.' The graph on the FAR RIGHT shows neither candidate has more than 1% difference between EARLY and POLL voters for the entire race. Additionally the right tail on the data tips up slightly, it normally trends downward or straight. This was a competitive race with more than \$100,000 in expenditures between the two candidates which would naturally produce significant variability, but there was almost none.

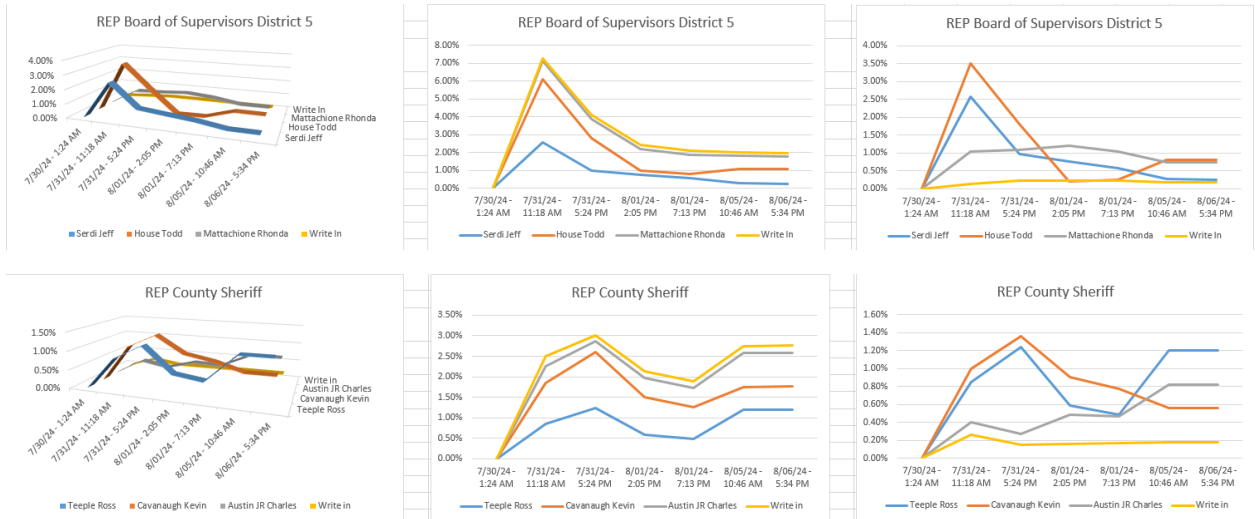
The Pinal County Attorney vote drop on 8/1/24 at 2:05PM shows less than 1/10 of 1% difference between the percentages of EARLY and POLL voters. There was almost no variation which is what caused the dip in what should be a 'normal' bell-curve skewed style distribution. However, it wasn't just the County Attorney race where this occurred. The same dip occurred in the Assessor, BOS Dist 4, BOS Dist 5, and Sheriff races.



Report of Obvious Errors in the 2024 Primary Election

Kevin Cavanaugh – Pinal County Supervisor District 1

August 10, 2024

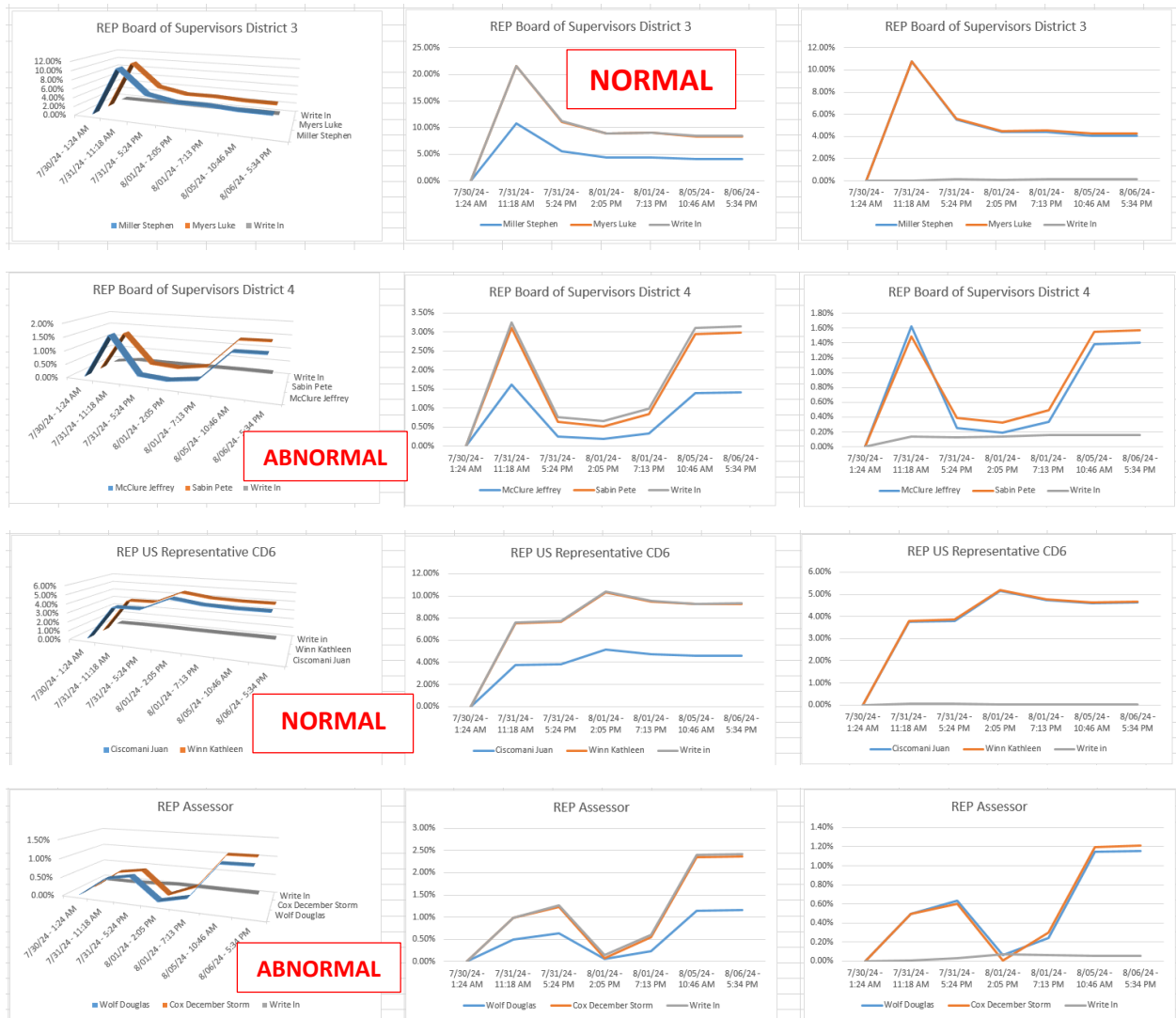


Report of Obvious Errors in the 2024 Primary Election

Kevin Cavanaugh – Pinal County Supervisor District 1

August 10, 2024

COMPARATIVE GRAPHS SHOWING NORMAL AND ABNORMAL DISTRIBUTIONS OF % DIFF



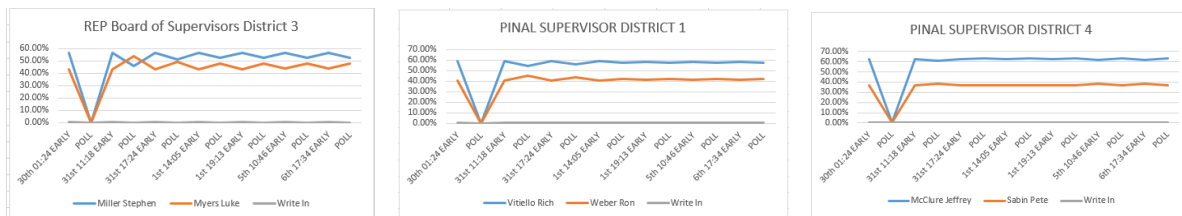
Notice the trend on the 1st of August between the 2:05PM and 7:13PM. You can see the data lines change direction. Remember, this does not represent votes, rather the change in % percentage between EARLY and POLL votes captured. The percentages again start to increase in the middle of the day on 08/1/24. This appears to be the day I called the Elections Director and asked him to put both spare computers having the ES & S software, and the spare tabulator, in view of the cameras. (*We have records of all contacts with date and time*)

Normal distributions show a differentials between around 4 and 10%, the **Abnormal** distributions have a very low differential, from 0% to 1.6% in the examples shown. No differential

August 10, 2024

means that voters all over the county would be voting in the exact same percentages, it isn't possible.

The differential in % of votes captured in EARLY compared to POLL can be represented graphically. Shown immediately below are races with clear, and normal, percentages of VOTES between EARLY and POLL drops. Of particular note is the Board of Supervisors District 3 race showing the normal variances compared with other Supervisor races. The reason for the V shape on the first day is that no POLL voters were included in the first data drop, they had not been counted. Unlike the previous graphs, these are not differentials, these are percentages of vote totals between EARLY and POLL. A wavy line is normal, straight is not.



Above on the left you see Myers in red. He consistently did better with POLL voters than Miller, who eventually won. He did better with POLL voters than MILLER who was stronger in EARLY. Myers did REALLY well with the first drop of poll voters, peaking at just around 55%, and receiving nearly 50% during the rest of the drops and the low 40% range as the 'late early' ballots make their way to the Elections Office. The wavy form is consistent normal in races having enough votes to show changes with each release.

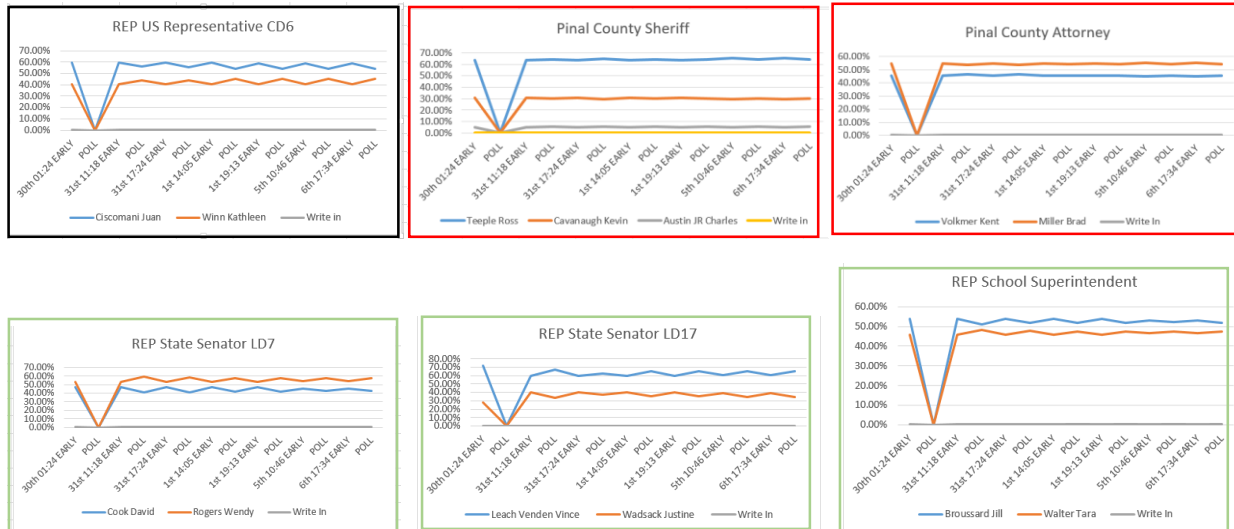
The far right graph tells a different story. From day one, very little changed in District 4. Each candidate got nearly the exact same percentage of voters, EARLY and POLL. District 4 is geographically large with populations having different interests. Tiny differences can be found, but only after August 1st when I asked to move the computers and extra tabulator in front of the cameras. Simliar to the graphs on page 6, more normal tendencies started to appear but it was too late, they couldn't put the genie back in the bottle. Around 81.6% of the votes had been counted by the first drop that occurred on August 1st at 2:05PM. The middle graph for District 1 is inconclusive in this graph form.

Report of Obvious Errors in the 2024 Primary Election

Kevin Cavanaugh – Pinal County Supervisor District 1

August 10, 2024

Additional comparisons are shown below.



What causes a flat line in one race but not another? One clear explanation is data manipulation. Allocating a given percentage of votes to one candidate, and the opposite percentage to another. The evidence of cheating in the Pinal County Primary election of 2024 is present. But how did they do it? The vote tabulator are monitored on camera 24/7, the computer is visible in the tabulation room with its wires brightly colored so that anyone watching on the security cameras can see if anything happens. The exact answers will be determined by further law enforcement investigations.

It is important to note that Pinal County had two extra computers with complete elections software and an extra tabulator out of sight of the cameras, and outside visibility poll workers. Additional information concerning the mechanics of the cheating will be delivered to investigators. It is important not to reveal every piece of evidence up-front, as it may jeopardize criminal investigations.

Our hypothesis was that data had been manipulated and some candidates reduced by a given percentage while another was increased. The result would be almost no variability in the difference in ratios of EARLY v POLL captured, mostly flat graphic representation of votes captured, lacking the sawy-tooth distribution, and having the same roller-coaster bell-curve rather than a normal shaped distribution.

The race between David Cook and Wendy Rogers looked normal. It is also known that the post-election hand count audits include only State and Federal races, so it would be unlikely that data for these types of races would be manipulated. For these reasons we chose COOK v. ROGERS as our sample to run a comparison.

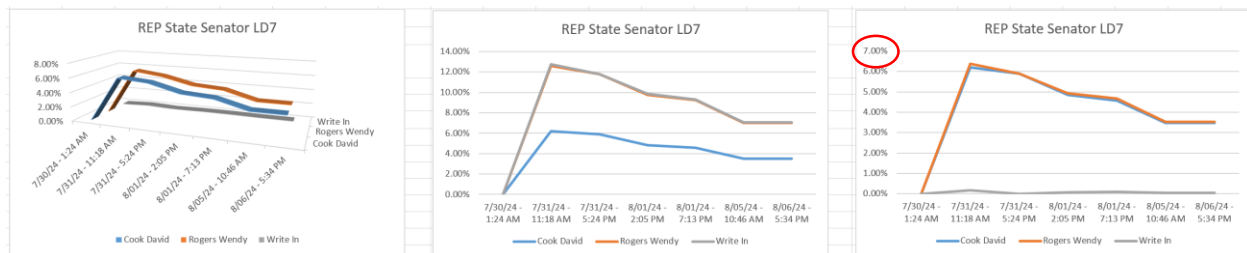
Report of Obvious Errors in the 2024 Primary Election

Kevin Cavanaugh – Pinal County Supervisor District 1

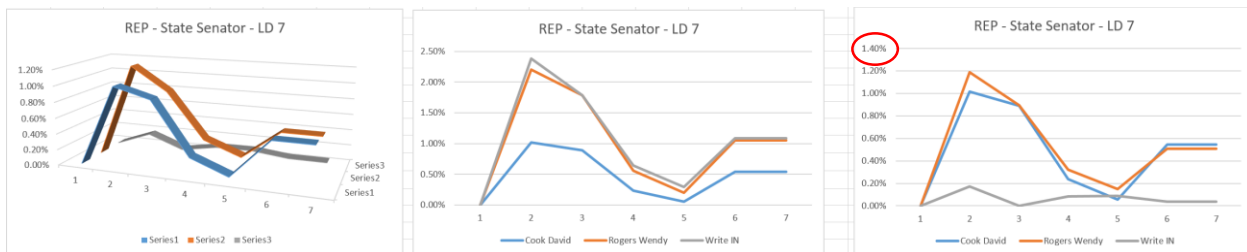
August 10, 2024

When analyzing the data in suspect races, anomalies in the data left clues, much like a mathematical fingerprint. The details of these will be turned over to law enforcement investigators and not expounded upon in this analysis as to avoid jeopardizing investigations.

However, we were able to replicate the process found in the data and apply it to the COOK v. ROGERS race. The graphical representations are shown below with the legitimate results shown on top, and the manipulated race shown below. You can see the variations in the lower examples match the odd tendencies of the County races in question.



Below is the Republican LD 7 race with ratios applied to manipulate the data similar to those in questioned races. This is the graphical representation, and evidence, of data manipulation. It's the 'Flying Purple Rhinoceros' that doesn't exist in real life.



Pinal County Had Extra Computers, Off Camera, with the Full Elections Software Suite and an 850 Model Tabulator.

Earlier this year our office received a copy of a Purchase Order dated December 19th, 2023 for two Dell laptops equipped with the software from ES&S to run the tabulators (EVS 6.3.0.0).¹ I noticed that these computers were WI-FI enabled, which was concerning.

When I asked the County Recorder at a BOS meeting in March why we had a purchase order for two additional laptops from ES&S. Lewis did not answer my question and Chairman Goodman

¹ EVS 6.3.0.0 Key Benefits Summary:

https://s3.amazonaws.com/dl.ncsbe.gov/Voting_Systems_Docs/ESS/ESS_Voting_System_6.3.0.0/EVS5240%20to%20EVS6300.pdf

closed questioning on the topic. In the next monthly update I asked the same question and the Recorder said the computers were for “Spanish translation only.” An E S & S worker said the computers are able to operate with the 850 and 950 tabulators. However, these were not the computers purchased to go with our new 950 tabulators in the new elections building. The staff also stated that Spanish Language is only a small part of the software that is capable of translating into more than 100 languages, and a module is available for each language at an additional price.

A second conversation took place with ES&S in July of 2024. I called ES&S again and spoke with “*”HENRY who said that the software on the laptops, and the software to operate the 850’s and 950’s were identical and the USB stick can be taken from one tabulator to another to obtain vote data. “As long as they are FAT 32 formatted, they will work” he said.

On or about July 24, 2024, local resident Jon Orton met with the Recorder and asked the why Elections needed two computers for Spanish translation, she said that one of them was a spare. At this same meeting Orton asked about the return of the old tabulators and the Recorder told him all but one of the old tabulators was returned. The Recorder said that they were considering using it to add capacity for the General Election of 2024.

It is important to note that Pinal County recently built a \$32 Million elections building equipped with four new Model 950 High-Speed tabulators from ES & S. Each of the units can run a great number of ballots per minute and the combined capacity is very high. In fact, under ideal circumstances Pinal may be able to count an entire general election of prepared ballots in a couple of days. Whatever the calculation – the machines are very fast and ordered in sufficient quantity to handle a general election.

At the same meeting Jon Orton asked about the early release of vote count data that had occurred a few days earlier. A man named BOOTS HAWKS had emailed many people saying he had received information from STATE REPRESENTATIVE TERESA MARTINEZ that two of their favored candidates were behind and more action was needed by volunteers to gain votes. The Deputy County Attorneys present said that because no specific names were mentioned, no crime occurred. However, the attorneys had not interviewed anyone or gathered any evidence.

JON ORTON provided me with a copy of an audio recording made while speaking with the County Recorder, two Deputy County Attorneys, and the Sheriff Deputies.

Because it would be unlawful to have released votes prior to the close of polls on July 30th, 2024, I called BOOTS HAWKS and asked him to forward the text he received containing the release of the data. HAWKS said he would wait for a court order.

If data existed from a partial vote count, it could have not come by any other way but a mechanism inside the ELECTIONS office, or any office where vote counts would ordinarily be

stored. The email does not reference polling or any other data, and HAWKS did not describe polling data as the source.

After we discovered from JON ORTON that the old tabulator was not in the counting room with the new tabulators, nor were the laptop(s) to operate it visible, Supervisor Cavanaugh asked the Elections Director Matthew to place these computers and the old tabulator in front of the cameras. During that phone call the Elections Director agreed to, but never did. The tabulator and laptops remain out of the public view for the remainder of the election.

The screen shot below shows four new tabulators in camera view, as well as a computer with all connections clearly color-coded for easy identification on the cameras. This is done to give the public trust that all computers and tabulators are within public view so they cannot be tampered with, or used out of sight of the public.



Whistle Blower from Inside the Elections Office Contacts Supervisor Cavanaugh via Email.

A person who claimed to be from inside the Elections Office began to send Supervisor Cavanaugh emails in late December of 2023. The person described various problems inside the elections office, including apparent lack of security for ballots. The emails were made available to the public.

As a County Supervisor, Cavanaugh was compelled to report the issue of the expenditure to Kent Volkmer, County Attorney. Volkmer came out with a statement and said no wrongdoing occurred, but he had not contacted or identified the Whistle Blower. The person making the

complaints said he was afraid for his job, and Cavanaugh's staff encouraged him to make in-person contact rather than communicating via email, but he never did.

In late June or early July, a candidate for office of Assessor named December Cox met with me, Supervisor Cavanaugh. Cox came to my home because what he had to say couldn't be said over the telephone. Cox reported to me he had met an employee from inside the Elections Office who said he was being paid "hush money" and "knew it wasn't right."

I asked Cox if he asked specifically what the hush money was for, and Cox said that he didn't want to know and told the person not to tell him. A recording was made of this conversation.

On August 6th I emailed the Chairman of The Board of Supervisors Mike Goodman and County Attorney Kent Volkmer concerning the problems we have found. Volkmer and I had a phone conversation in which he stated that had also observed the returns with little or no variation in the overall percentage of votes between he and candidate Miller. He said that because my communications had only been to he and the chairman, we could keep this confidential and have an Executive Session discussion. I told him that I had already shared my concerns and the email with a news reporter who had also expressed curiosity over the Apache Junction results. *(In Apache Junction I, Cavanaugh, won 4 out of 5 precincts for Sheriff, but no different advertising was applied there compared with other areas of the County)*

In my conversations with Jen Fifield of VOTEBEAT I described to her the initial observation that 6 races in Pinal County had no variation among 13 candidates, and this had not happened in Pinal County before with similar circumstances. I provided a copy of one spreadsheet, but other more in-depth analysis had not yet been completed. On July 8th a news story appeared about problems with the Primary Election of 2024. Volkmer told the paper he could find no evidence of any nefarious activities when speaking with employees of the Elections Department. Volkmer was in Washington D.C. at the time he spoke with members of the Elections Department. I asked Volkmer via email* if he had spoken with the person who was allegedly receiving 'hush money' as I had already provided this information to Volkmer.


Volkmer got back with me and said that he could hire outside counsel and have that avenue examined. By this time I had messaged the Attorney General's Office, Coolidge Police Department, and FBI with the preliminary evidence of cheating. The Coolidge Police Department also contacted the FBI, speaking with a managing agent who relayed the information and asked a subordinate agent to contact me about the issues of an alleged criminal nature surrounding the Pinal County 2024 Primary Election. An FBI agent has been assigned and reached out to Chief Grizzle over the weekend.

Report of Obvious Errors in the 2024 Primary Election
Kevin Cavanaugh – Pinal County Supervisor District 1

August 10, 2024

I have sent emails to Kent Volkmer asking that evidence be preserved* and that the computers no longer needed inside the Elections Office be placed in an evidence locker with an outside law enforcement agency, and necessary computers be replaced with stock from Pinal County's I.T. Department. In the series of emails to Volkmer, I recommended the egg be 'unscrambled' and he replied that he had spent the last two hours on the phone trying to figure out what to do.


Volkmer's emails and statements demonstrate his own doubt as to the validity of the vote totals.

 **Kevin Cavanaugh** <kevin.cavanaugh@pinal.gov> Tue, Aug 6, 10:02 AM (3 days ago) ☆ ↶ ⋮
to Kent ▼
Kent:

It's better that the corrections are made now, if there are errors. It's easier to forgive mistakes if they are not concealed, even bad ones. Let's figure out how to unscramble the egg - if there's an egg.

KC

Kevin Cavanaugh
Pinal County Supervisor, District 1
Coolidge District Office Tel. 520-866-7568

 **Kent Volkmer** Tue, Aug 6, 10:38 AM (3 days ago) ☆ ↶ ⋮
to me ▼
Supervisor,

You have my word, I am working on viable, lawful options. I have not put the phone down in 2 hours in an effort to explore what we can do. Regardless of the outcome, the ONLY thing that matters is that the accurate results are determined and reported.

Thanks,

Kent
...

August 10, 2024

Illegal Early Release of Election Results in the 2024 Regular Primary

Around ten days prior to Election Day, (before the July 30th poll voting day,) a local Republican political activist sent out an email, claiming that he had received a message that “two of the candidates we’re supporting are behind.” ARS 16-551 clearly states that “Partial or complete tallies of the early election board shall not be released or divulged before all precincts have reported or one hour after the closing of the polls on election day, whichever occurs first.”

The Recorder was asked by a constituent about the contents of the email and was assured “we don’t see any of that.” How then would someone know, and be able to tell that two candidates among a list attached to the email were behind? **This was not only cheating, but possibly a crime.** When asked for the original message referenced in the email, the political activist said that he would not hand it over unless he was ordered by a court to do so, but agreed to preserve the potential evidence. A Public Records Request was submitted for the text message sent from State Representative Teresa Martinez to the activist and she said she would have the Arizona House public information office process the request.

The copy of the text of the email is shown on the following page. The topics include differences between Republican and Democrat turnout as well as the two primary candidates who are behind in their respective races.

From: Boots Hawks [REDACTED]@protonmail.com>
Date: Tue, Jul 23, 2024, 5:56 PM
Subject: Extremely Urgent!
To: Boots Hawks [REDACTED]@gmail.com>

Friends this is Extremely Urgent!

I just received an alarming message from Teresa that relayed some disturbing numbers to me. So far, we’ve only had 5,487 Republican voters in LD16 vote, The Dems have had 5,272. She doesn’t know who but two of the candidates we’re supporting are behind. If you haven’t already done so? We need each one of you to head to the recorder’s office and drop off your ballot in person at the official ballot box, or visit the recorder’s office first thing in the morning and vote early. I cannot be any clearer... this is Urgent Friends!

All the work we’ve done together, the meetings, the candidates speaking, the rallies, the BBQ’s bringing many of you closer to candidates than you have ever been. We need you right now like never before. Get out and vote in person or get your ballot into your local drop box. If you’re going to vote in person, I would advise you to go to your polling place as early as possible. Also let’s get your friends and conservative neighbors to vote, offer them a ride to the polling place.

See the attached list of endorsed candidates** the local candidates we endorsed are Donna McBride for Mayor, City Council vote for Brent BeDillon, Patrick Dugan and April Wright. Please vote for all the candidates we’ve endorsed.

Please help us get those in office that will work for us, We the people!

Boots

Plans to audit an insufficient number of precincts

Late on Friday, August 2nd, 2024 our office discovered that the elections department

Plans to audit an insufficient number of precincts

Late on Friday, August 2nd, 2024 our office discovered that the elections department **planned to only audit two precincts instead of the required three precincts.** According to ARS 16-602 and the Arizona Division Two Court of Appeals decision, in ARIZONA ALLIANCE FOR RETIRED AMERICANS, INC., ET AL. V. ANN ENGLISH, ET AL. (case No. 2 CA-CV 2022-0136) at least two precincts must be hand-count audited, and a partial precinct cannot be audited. If two percent of precincts is greater than two whole precincts, three must be audited.

The paragraph below from the court decision is included for your convenience:

“¶8 The County argues that because §16-602(B)(1) states that an initial hand-count audit must include “[a]t least two percent of the precincts in that county, or two precincts, whichever is greater,” the statute’s plain language gives the County discretion to audit a larger number of precincts—up to and including the entire jurisdiction—in the first instance (second emphasis added). The AARA disagrees, and during oral argument maintained that §16-602(B)(1)’s “at least two percent” language merely provides for a circumstance in which two percent of a county’s precincts is more than two precincts, but less than a whole number of precincts. For example, the AARA argues, a county with 175 precincts would be required, in an initial hand audit, to count two percent or two precincts, whichever is greater. See §16-602(B)(1). Two percent of 175 precincts is 3.5 precincts. Because 3.5 is the greater number, but half a precinct cannot be audited in accordance with statutory procedures, the county would be required to hand-audit four precincts (2.29%) to comply with the “at least two percent” requirement, as three precincts would only equate to 1.71% of the total. The AARA’s interpretation is correct.”²

In Pinal County’s situation, that example would look like this:

Two percent of [109] precincts is [2.18] precincts. Because [2.18] is the greater number, but [a partial] precinct cannot be audited in accordance with statutory procedures, the county would be required to hand-audit [three] precincts [2.75%] to comply with the “at least two percent” requirement, as [two] precincts would only equate to [1.83%] of the total.

In short, any County with more than 100 precincts would need to audit more than two precincts. When presented with this explanation, the Election Department tried to offer a

² <https://law.justia.com/cases/arizona/court-of-appeals-division-two-published/2023/2-ca-cv-2022-0136.html>

Report of Obvious Errors in the 2024 Primary Election

Kevin Cavanaugh – Pinal County Supervisor District 1

August 10, 2024

differing view of the situation so as to only hand-audit two precincts. Supervisor Cavanaugh went to the Elections building with information showing that three precincts would need to be audited and staff initially said that only two would be audited as “that is the precedent.” Thankfully, County Attorney Kent Volkmer read and understood the Court of Appeals’ ruling and instructed staff to appropriately audit three precincts.

Why is this information about the hand-count-audit important in light of the current issue? The Elections staff not only failed to follow the law, when confronted with the law they were going to continue on their own course until County Attorney Kent Volkmer said they must audit three precincts as the law and courts have determined.

Descriptions of Methodolgy.

Persons examining the issues made BOX CHARTS in MS Excel for various races which will be distributed. This is an easy reference for persons reviewing the data to see how calculations were made and normal ratios of EARLY v. POLL results.

JP DISTRICT 6	PINAL	2018	PRIMARY	REP
CONTESTANT	EARLY	POLL	PROVSNL	CANDIDATE TOTAL
CAVANAUGH, KEVIN	2049	751	83	2883
COLEMAN, DOUG	2166	666	65	2897
WALP, GLENN	1433	401	39	1873
				0
WRITE-IN	19	10	0	29
COLUMN TOTALS >>	5667	1828	187	7682
CAVANAUGH, KEVIN	36.2%	41.1%	44.4%	4.93%
COLEMAN, DOUG	38.2%	36.4%	34.8%	1.79%
WALP, GLENN	25.3%	21.9%	20.9%	3.35%
0	0.0%	0.0%	0.0%	
WRITE-IN	0.3%	0.5%	0.0%	0.21%

SHERIFF	PINAL	2016	PRIMARY	REP
CONTESTANT	EARLY	POLL	PROVSNL	CANDIDATE TOTAL
STEVE HENRY	8082	2305	191	10578
MARK LAMB	12948	4358	417	17723
WRITE-IN	137	46	5	188
COLUMN TOTALS >>	21167	6709	613	28489
STEVE HENRY	38.2%	34.4%	31.2%	3.83%
MARK LAMB	61.2%	65.0%	68.0%	3.79%
WRITE-IN	0.6%	0.7%	0.8%	0.04%

SUPERVISOR 4	PINAL	2024	PRIMARY	REP
CONTESTANT	EARLY	POLL	PROVSNL	CANDIDATE TOTAL
McClure Jeffrey	4192	1592		5784
Sabin Pete	2470	927		3397
WRITE-IN	25	13		38
COLUMN TOTALS >>	6687	2532		9219
McClure Jeffrey	62.7%	62.9%		0.19%
Sabin Pete	36.9%	36.6%		0.33%
WRITE-IN	0.4%	0.5%		0.14%

SHERIFF	PINAL	2024	PRIMARY	REP
CONTESTANT	EARLY	POLL	PROVSNL	CANDIDATE TOTAL
Teeple Ross	17870	7436		25306
Cavanaugh Kevin	8725	3492		12217
Austin JR Charles	1445	652		2097
WRITE-IN	113	28		141
COLUMN TOTALS >>	28153	11608		39761
Teeple Ross	63.5%	64.1%		0.58%
Cavanaugh Kevin	31.0%	30.1%		0.91%
Austin JR Charles	5.1%	5.6%		0.48%
WRITE-IN	0.4%	0.2%		0.16%

Report of Obvious Errors in the 2024 Primary Election
Kevin Cavanaugh – Pinal County Supervisor District 1

August 10, 2024

ATTORNEY	PINAL	2024	PRIMARY	REP
CONTESTANT	EARLY	POLL	PROVSNL	CANDIDATE TOTAL
Volkmer Kent	12276	4895		17171
Miller Brad	14746	5861		20607
WRITE-IN	42	24		66
COLUMN TOTALS >>	27064	10780		37844
Volkmer Kent	45.4%	45.4%		0.05%
Miller Brad	54.5%	54.4%		0.12%
WRITE-IN	0.2%	0.2%		0.07%

ASSESSOR	PINAL	2024	PRIMARY	REP
CONTESTANT	EARLY	POLL	PROVSNL	CANDIDATE TOTAL
Wolf Douglas	19145	7551		26696
Cox December Storm	7423	2930		10353
WRITE-IN	55	29		84
COLUMN TOTALS >>	26623	10510		37133
Wolf Douglas	71.9%	71.8%		0.07%
Cox December Storm	27.9%	27.9%		0.00%
WRITE-IN	0.2%	0.3%		0.07%

SCHOOL SUPER.	PINAL	2024	PRIMARY	REP
CONTESTANT	EARLY	POLL	PROVSNL	CANDIDATE TOTAL
JILL BROUSSARD	14064	5386		19450
TARA WALTER	11927	4927		16854
WRITE-IN	79	53		132
COLUMN TOTALS >>	26070	10366		36436
JILL BROUSSARD	53.9%	52.0%		1.99%
TARA WALTER	45.7%	47.5%		1.78%
WRITE-IN	0.3%	0.5%		0.21%

County Supervisor Dist 2	PINAL	2020	PRIMARY	REP
CONTESTANT	EARLY	POLL	PROVSNL	CANDIDATE TOTAL
Goodman, Mike	4810	1242	35	6087
Gray, Chuck	3666	754	10	4430
WRITE-IN	13	7		20
COLUMN TOTALS >>	8489	2003	45	10537
Goodman, Mike	56.7%	62.0%	77.8%	5.35%
Gray, Chuck	43.2%	37.6%	22.2%	5.54%
WRITE-IN	0.2%	0.3%		0.20%

County Supervisor Dist 2	PINAL	2020	PRIMARY	REP
CONTESTANT	EARLY	POLL	PROVSNL	CANDIDATE TOTAL
Goodman, Mike	4810	1242	35	6087
Gray, Chuck	3666	754	10	4430
WRITE-IN	13	7		20
COLUMN TOTALS >>	8489	2003	45	10537
Goodman, Mike	56.7%	62.0%	77.8%	5.35%
Gray, Chuck	43.2%	37.6%	22.2%	5.54%
WRITE-IN	0.2%	0.3%		0.20%

County Supervisor Dist 5	PINAL	2020	PRIMARY	REP
CONTESTANT	EARLY	POLL	PROVSNL	CANDIDATE TOTAL
House, Todd	2961	782	10	3753
Malton, David	818	169	4	991
Serdy, Jeff	3987	1138	24	5149
WRITE-IN	18	1		19
COLUMN TOTALS >>	7784	2090	38	9912
House, Todd	38.0%	37.4%	26.3%	0.62%
Malton, David	10.5%	8.1%	10.5%	2.42%
Serdy, Jeff	51.2%	54.4%	63.2%	3.23%
WRITE-IN	0.2%	0.0%		0.18%

County Assessor	PINAL	2020	PRIMARY	REP
CONTESTANT	EARLY	POLL	PROVSNL	CANDIDATE TOTAL
Cruz, Michael "Mike"	10571	3088	48	13707
Wolf, Douglas	20080	4341	84	24505
WRITE-IN	43	15		58
COLUMN TOTALS >>	30694	7444	132	38270
Cruz, Michael "Mike"	34.4%	41.5%	36.4%	7.04%
Wolf, Douglas	65.4%	58.3%	63.6%	7.10%
WRITE-IN	0.1%	0.2%		0.06%

County Supervisor Dist 1	PINAL	2020	PRIMARY	DEM
CONTESTANT	EARLY	POLL	PROVSNL	CANDIDATE TOTAL
Leos, Ruben	1719	305	5	2029
Rios, Pete	2516	358	14	2888
WRITE-IN	6	3		9
COLUMN TOTALS >>	4241	666	19	4926
Leos, Ruben	40.5%	45.8%	26.3%	5.26%
Rios, Pete	59.3%	53.8%	73.7%	5.57%
WRITE-IN	0.1%	0.5%		0.31%

Report of Obvious Errors in the 2024 Primary Election
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August 10, 2024

ATTORNEY	PINAL	2024	PRIMARY	REP		ASSESSOR	PINAL	2024	PRIMARY	REP
CONTESTANT	EARLY	POLL	PROVSNL	CANDIDATE TOTAL		CONTESTANT	EARLY	POLL	PROVSNL	CANDIDATE TOTAL
Volkmer Kent	12276	4895		17171		Wolf Douglas	19145	7551		26696
Miller Brad	14746	5861		20607		Cox December Storm	7423	2930		10353
WRITE-IN	42	24		66		WRITE-IN	55	29		84
COLUMN TOTALS >>	27064	10780		37844		COLUMN TOTALS >>	26623	10510		37133
Volkmer Kent	45.4%	45.4%		0.05%		Wolf Douglas	71.9%	71.8%		0.07%
Miller Brad	54.5%	54.4%		0.12%		Cox December Storm	27.9%	27.9%		0.00%
WRITE-IN	0.2%	0.2%		0.07%		WRITE-IN	0.2%	0.3%		0.07%

SUPERVISOR 1	PINAL	2024	PRIMARY	REP
CONTESTANT	EARLY	POLL	PROVSNL	CANDIDATE TOTAL
Vitiello Rich	2388	1069		3457
Weber Ron	1661	781		2442
WRITE-IN	10	11		21
COLUMN TOTALS >>	4059	1861		5920
Vitiello Rich	58.8%	57.4%		1.39%
Weber Ron	40.9%	42.0%		1.05%
WRITE-IN	0.2%	0.6%		0.34%