THE STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC VIRTUAL MEETING

Phoenix, Arizona
November 19, 2020
9:31 a.m.

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P R O C E E D I N G

CHAIRMAN PATON: So, this is Chairman Galen Paton, ready to call order. It's November 19th. I'm calling this meeting of the Citizens Clean Elections Commission to order. If -- we will take attendance. If -- Commissioner Chan, are you here?

COMMISSIONER CHAN: I'm here. Good morning.

CHAIRMAN PATON: Commissioner Meyer?

COMMISSIONER MEYER: Good morning.

CHAIRMAN PATON: And Commissioner Kimble?

COMMISSIONER KIMBLE: Sorry. And I am here.

CHAIRMAN PATON: Okay. He's here. And I am Commissioner Galen Paton. I am here, as well. So we have a quorum. And Item II: Discussion and possible action on the minutes for the August 27th and October 7th meetings. Any discussion?

(No response.)

CHAIRMAN PATON: If not, I have a motion to approve -- can I have a motion to approve the August --

COMMISSIONER CHAN: Mr. Chairman, in reading the etiquette, I was told to raise my hand to speak, but I don't see the option on here. But can I make a motion to approve the minutes from the August 27th, 2020 and October 7th, 2020 meetings?

CHAIRMAN PATON: Yes. We have -- we have a motion.

Do we have a second?

MS. KARLSON: Mr. Chairman, before we take the vote --

CHAIRMAN PATON: Yes.

MS. KARLSON: -- I noticed that Commissioner Titla has joined us. So, you might want to add him to the roll before --

CHAIRMAN PATON: Okay. Commissioner Titla will second the motion, and we will do a roll call. Commissioner Chan, how do you vote?

COMMISSIONER CHAN: Aye.

CHAIRMAN PATON: Commissioner Meyer?

COMMISSIONER MEYER: Aye.

CHAIRMAN PATON: Commissioner Kimble?

COMMISSIONER KIMBLE: Aye.

CHAIRMAN PATON: And Commissioner Galen Paton votes aye, as well.

Okay. Item III: Discussion and possible action on Executive Director's report.

Mr. Collins?

MR. COLLINS: Thank you, Chairman Paton, and Commissioners. Thanks for -- thank you for being here. It's nice to actually be able to see everybody. With respect to the Executive Director's report, which -- I had it up here -- I just wanted to hit some of the -- some of the highlights. We have had a pretty active -- through the -- through the general election, we had a very active voter education ongoing effort, as you all probably would expect. We had -- we had a lot of media interest in the, you know, mechanics of the election. And because -- you know, because...
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MS. KARLSON: Correct. If the court reporter can read back the approval of the minutes and the vote, I think that will make sure all the bases are covered in terms of open meeting.

MR. COLLINS: Okay. If the court reporter can read back the approval of the minutes and the vote, I think that will make sure all the bases are covered in terms of open meeting.

The motion to approve the minutes, the second and third, and the roll call is necessary. If you can just read the motion to approve the minutes, the second and third, and the roll call is necessary. If you can just read the -- and the vote on that.

If the court reporter is just trying to read back the minutes and the meeting, if you can, please, keep your microphones on mute while this -- while the court reporter finishes reading this, that would be helpful.

MS. ROBERTS: And if it matters, Kara, too, so we actually were not livestreaming on YouTube. There was a glitch, but we do have a recording of it. So, we did get a recording of the -- of all of the action. It just wasn't livestreaming up until now.

MR. COLLINS: Okay. Kara, do you want us to do anything over, or what do you want to do?

MS. ROBERTS: I don't think taking the roll call is necessary. If it matters, Kara, too, so we actually were not livestreaming now. So, it is possible that the court reporter is just trying to read back the approval of the minutes and the meeting, if you can, please, keep your microphones on mute while this -- while the court reporter finishes reading this, that would be helpful.

MR. COLLINS: Thank you. So, as you can see from the report, you know, we highlighted a lot of the ongoing voter education activities we had going on leading up through the general election, really right up through the election day itself. And so, we met -- so, Avery and Gina, particularly, met with a whole variety of different groups in a variety of different settings. So this way, you know, the technological --

MR. COLLINS: Okay. If the court reporter can read back the approval of the minutes and the vote, I think that will make sure all the bases are covered in terms of open meeting.

Is the court reporter able to do that?

MR. COLLINS: We'll find out.

(Read back.)

MS. KARLSON: Excuse me. I don't think that the roll call is necessary. If you can just read the motion to approve the minutes, the second and third, and the vote on that.
to all the people in Arizona. I saw the notices of the executive director for doing a good job in reaching out
commend the Clean Elections commissioners and staff,

COMMISSIONER TITLA: Yeah, I'd just like to
Chairman, Steve Titla.

CHAIRMAN PATON: Thank you.

MR. COLLINS: Thank you.

CHAIRMAN PATON: Any other questions?

Comments?

(No response.)

CHAIRMAN PATON: Okay.

COMMISSIONER CHAN: Mr. Chairman, I'm sorry.

CHAIRMAN PATON: Yeah.

CHAIRMAN PATON: I raised my hand, but I don't know if you saw it. And I was pretty late.

I just want to echo what Commissioner Titla just said, that -- you know, compliment the staff on a -- on a successful election cycle and a job well done, especially under these circumstances with the pandemic in the background. I think, you know, they did a fantastic job under any circumstances, but particularly under these circumstances. And, you know, I just want to recognize that. So, thank you all very much.

1 has any questions for me, Mr. Chairman.

2 CHAIRMAN PATON: Any questions for Tom?

3 (No response.)

4 CHAIRMAN PATON: Actually, I have a question for you. This is Galen Paton, by the way.

5 The number of participating candidates funded for the general was 31.

6 Is that higher or lower than normal?

7 MR. COLLINS: That's a good question. I would have to defer to Mike on that.

8 Mike, do you know?

9 MR. BECKER: Mr. Chairman, Commissioners, good morning. That number is about average over what we've been having over the last couple of election cycles. It's a tad bit higher but not by a whole lot.

10 So, we're pretty happy with it.

11 CHAIRMAN PATON: Okay. Any other questions?

12 COMMISSIONER TITLA: Yeah, this --

13 Chairman, Steve Titla.

14 CHAIRMAN PATON: Yes, Commissioner Titla.

15 COMMISSIONER TITLA: Yeah, I'd just like to commend the Clean Elections commissioners and staff, executive director for doing a good job in reaching out to all the people in Arizona. I saw the notices of the
MS. ROBERTS: Mr. Chairman, Commissioners,
CHAIRMAN PATON: Go ahead.

you don't mind, we'll take it over to Gina.

So, Gina, you know -- and, Mr. Chairman, if
you don't mind, we'll take it over to Gina.

CHAIRMAN PATON: Go ahead.

Mr. Chairman, Commissioners. I just want to, really
quickly, you know, hit some of the highlights. I know
that -- I mean, I know that Gina will take over here.
I just want to overview you of -- I just wanted to say
this by way of introduction. You know, obviously, I
think we all know now that this is probably the most --
the highest turnout -- well, this is the highest
turnout election we've had in, perhaps -- well, in a
very, very long time. And our participation rates were
really -- were really incredibly high.

You know, although we don't have a
certified statewide canvass yet that will finalize the
state election, you know, the counties of the state are
doing their certifications of their canvasses over the
course of the -- between now and next -- I think, 23rd,
which is -- and then a week from that is the statewide
canvass.

So, I'm going to turn it over to Gina and
then I think we'll come back a little bit to talk about
what's going on, if anything, at this point with the --
some of the -- there is some litigation still out there
around this particular election.

So, Gina, you know -- and, Mr. Chairman, if
you don't mind, we'll take it over to Gina.

CHAIRMAN PATON: Go ahead.

MS. ROBERTS: Mr. Chairman, Commissioners,
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09:53:25-09:54:32
1 distancing -- the social distancing guidelines, both
2 with markers where people knew where to stand, but
3 also, in spacing out the secrecy booths, the voting
4 booths and, also, looking for larger facilities, as
5 well, so that they could implement those distancing
6 requirements.
7 And many of our counties this year -- we
8 saw a large increase in the availability of ballot drop
9 boxes. These are secure drop boxes located throughout
10 the county where a voter could drop in their voted
11 ballot, sort of like a mailbox, if you will. So, we
12 saw a lot of those available, and it's just another
13 option for voters and how they can return their ballot.
14 And as far as the education goes for what
15 voters can do, we did educate them on all of these
16 measures that the county took to ensure their safety,
17 but also, for voters, considering your options, whether
18 it's, you know, voting early when there's probably
19 going to be less people at the voting locations,
20 considering ballot by mail and coming prepared, knowing
21 who you're going to vote for. That way you can limit
22 your time in the actual voting location, and to mask up
23 and maintain those physical distancing and all of those
24 CDC guidelines, as well.
25 And we did launch a campaign to recruit

09:54:35-09:55:51
1 poll workers, in participation with the Secretary of
2 State's Office. That way we could ensure that the
3 counties had the staff that they needed for those
4 voting locations. There were some concerns about, you
5 know, when we look at who was high risk in terms of
6 COVID-19 and who our typical poll workers are. We
7 wanted to make sure that the counties had the necessary
8 staff in terms of poll workers. So, we did participate
9 in recruiting poll workers, as well.
10 So, the next topic is the United States
11 Postal System. This proved to require a lot of voter
12 education and a lot of concerns from voters. The
13 United States Postal System, they advised that there
14 should be a minimum of a 15-day roundtrip for both
15 requesting and returning a ballot by mail. So, what
16 does that mean for Arizona voters? Our Arizona
17 statutes allow a voter to make a request for a ballot
18 by mail 11 days before the election. So, if you do the
19 math there, then that does not equate to the full
20 15-day roundtrip to both receive and return their vote
21 of ballot by mail.
22 So, our office -- and, again, in
23 conjunction with the counties and the Secretary of
24 State's Office, we focus highly on educating the voters
25 about, you know, what this means and what their options

09:55:53-09:57:12
1 are. So, making your request as soon as possible to
2 get an early ballot by mail if you're not already on
3 PEVL, how to do that, and voting that ballot as soon as
4 possible and returning it by mail, if that's your plan,
5 but if you don't want to return it by mail, those drop
6 boxes that I mentioned earlier are available. And, of
7 course, all voting locations in your county can -- you
8 can drop your ballot off there, too.
9 So, we, also, had to dispel some myths, as
10 well, such as don't put a stamp on your early ballot
11 return envelop because postage is prepaid. And so,
12 some voters were thinking, well, maybe if I add more
13 stamps, that can speed up the process if I send it back
14 as first-class mail. So, we had to have a discussion
15 about how this mail is processed and actually impacted.
16 If you add a stamp, that can delay the processing time.
17 So, there was a lot of -- a lot of focus on how to vote
18 and what the impact -- potential changes at the United
19 States Postal Service could impact that.
20 So -- and already Arizona is a very strong
21 vote-by-mail state. About 80 percent of our voters
22 already voted by mail. In the primary election, we saw
23 88 percent of the vote was done by early ballots. So,
24 we were taking efforts to, basically, let voters know
25 that we have the system in place. We have the

09:57:15-09:58:30
1 infrastructure in place. We have a long prior history
2 of voting by mail. We are not a state that is just
3 putting this together in the past six months. We --
4 you know, we've got this system very well in place.
5 And so, voters can have confidence in the system.
6 And all of this, also, included how to
7 track your ballot. So, voters can track the status of
8 their early ballot online. Maricopa County has a
9 wonderful text and email alert system, and so we were
10 educating voters on how they can track their ballot
11 themselves so they can have confidence in knowing that
12 their ballot is on their way to them and that it was
13 received back.
14 Another --
15 COMMISSIONER MEYER: I'm sorry, Gina. I
16 have a quick question for you. On that last slide, the
17 80 percent --
18 (Speaker clarification.)
19 COMMISSIONER MEYER: This is Damien Meyer,
20 and my question was on the 80 percent figure of Arizona
21 voters voting by mail.
22 Do we know the breakdown of what percentage
23 of those drop off on election day or after the mail
24 deadline? I'm just curious because that is what
25 creates -- that's what takes longer to count, right, is
1 those folks who drop off their early ballots on
2 election day or the couple days before.
3 Do we know that number?
4 MS. ROBERTS: Chairman, Commissioner Meyer,
5 I don't know that number for this election. I can tell
6 you that that is data that we would love to have and to
7 know, and so we can definitely work with the counties
8 to try to research that a little bit more. Usually the
9 data that is made publicly is the amount of ballots
10 that were not counted, that were rejected because they
11 were received after the deadline. And just in the
12 numbers that we're recording, you know, after election
13 day, the counties still had several hundred thousand --
14 I mean, we -- after election day, I think there were
15 about 600,000 ballots around that time.
16 And, Tom, feel free to correct me on that
17 number, but I think there were around 600,000 ballots
18 that still needed to be tabulated post November 3rd.
19 So, there's definitely quite a bit. And, again, you
20 know, that comes down to, you know, the voter has the
21 right to drop it off up until 7:00 p.m. on election
22 day, but we did take education efforts to let people
23 know to return it as soon as possible because of the
24 impact that that can have.
25 So, in particular, this year the counties

1 were able to begin tabulating 14 days before the
2 election. I believe that ended up being October 20th.
3 And so, we did provide voter education about, hey, you
4 know, counties can begin tabulating today; get your
5 ballot in. You know, the results that are posted on
6 8:00 p.m. on election night, those are all of the early
7 ballots that are counted up until that point. So, we
8 did do a push, along with our election official
9 partners, to encourage people to return their ballot as
10 soon as possible and, in particular, because of the
11 issues that we were seeing and the concerns over the
12 impacts and potential mailing delays with USPS.
13 But that data would be very interesting to
14 have because it, also, can impact the timing of our
15 messaging, as well. So, we will be looking forward to
16 getting that information in the future but -- yeah.
17 COMMISSIONER MEYER: Is there -- and I'm
18 not going to say it's a problem, but it just kind
19 limits efficiency.
20 Is there any discussion on a way to sort of
21 address that issue that makes it a little less --
22 MR. COLLINS: Mr. Chairman, Commissioner
23 Meyer --
24 COMMISSIONER MEYER: If someone is
25 landscaping, if they can turn --

1 tabulation occurred actually really well. The
2 counties, I think, were spot-on in their efforts in
3 getting those ballots counted.
4 There are by law -- by law we can't
5 actually finish tabulating five days after the election
6 because there is a statutory cure period where voters
7 have the right to verify their signature if there's any
8 concerns when the counties are doing the signature
9 verification on early ballots and, also, five days
10 after the election for federal election for conditional
11 provisional ballots where voters need to provide their
12 follow-up I.D.
13 So, you know, when we look at that time
14 period between -- we know we can't start -- or we can't
15 complete tabulation before five days after the election
16 and the counties have, by law, 6 to 20 days after the
17 election to finish tabulating. I think that the
18 counties were in a really good spot with where they
19 landed. And then, also, when that tabulation does
20 complete -- does finish, it's still not ready to be
21 canvassed yet because of all the other post-election
22 activities that need to be taken -- undertaken, such as
23 logic and accuracy testing and the hand counts, all of
24 that -- all of those procedures that are done to verify
25 the tabulated votes.
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<td>1</td>
<td>October 5th, would they be eligible to vote in the general election. And so, the final ruling on that was any voter who was registered by October 15th at 11:59 p.m. would be eligible to vote, but during that time period and the uncertainty of what was happening, both Tom and I participated in a lot of communications both with the media and our office, of course, with voters about this issue. So, that was another issue that came up about the election.</td>
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<td>And moving ahead to ballot by mail security. So, we did talk about the issues at USPS and what that can mean for ballot by mail, but there were a lot of concerns about the overall security, how secure is voting by mail. There were myths that were out there, such as, you know, the counties sent ballots to everybody, and that’s not true. They only go to voters who are registered and have made a request for a ballot. So, vetting has already been done to ensure that it is a registered voter who is receiving that ballot.</td>
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<td>There were concerns about, you know, do early ballots even count; how do I know if the county got my ballot; how do I know if it was counted; can somebody switch my vote; can I trust the postman with my ballot; how do I know that they’re not changing my vote, basically, just a lot of questions about is this a secure process and can I trust it.</td>
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<td>So, our office -- we had really great information on our website. We had a page just about voting by mail in this particular election, what the process is, how USPS is going to impact it, and then we had another page about the security of it, all of the checks and balances that are placed beginning with such as the 90-day notice, where the counties send a notice 90 days before the election to every registered voter that is on the permanent early voting list to confirm that voter still is at that address and that they still do want to get their ballot by mail. We've been doing it since the ‘90s, and while there's concerns not -- at a national level, perhaps with other states that maybe don't have a long-standing history with the vote-by-mail process, you know, we know that voters were, also, hearing concerns at a national level.</td>
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<td>And so, it was really important for us to just highlight that Arizona, in fact, is really long-standing infrastructure on voting by mail. We've advanced when it comes to voting by mail. So, that's some of the education that we undertook.</td>
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<td>And I'll jump forward to ballot tabulation time, which we talked a little bit about already. So, according to statute, the counties do have 6 to 20 days to canvass their election. So, it's important to note that, basically, the process is 14 days before the election, counties can start tabulating all of those early ballots that come in. 8:00 p.m. -- 8:00 p.m. on election night is when the first round of results are released, and those are all of the early ballots that have been tabulated up until that point.</td>
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| 7 | And, then, the remaining time on election night, those are all -- the results that come in are all of the voting locations from election day that are all of those early ballots that are processing all of those early ballots that...
1 were turned in either right before or on election day
2 and the provisional ballots. So, those are the ballots
3 that the counties have to process after election day.
4 As I mentioned, that five-day period both
5 procuring your signature on your early ballot if the
6 counties have any questions when they're verifying your
7 signature, they'll attempt to contact you. And then,
8 if you did not provide sufficient I.D. at the polls,
9 then you need to follow up with them five days, as
10 well, to get your conditional provisional ballot to
11 count. And, then, there's the post-election activities
12 that occur to verify the accuracy of the tabulation.
13 So, that includes those -- there's a logic
14 and accuracy testing that is done in every piece of
15 equipment that is used in the election both before and
16 after the election. There is a hand count that is done
17 in -- in conjunction with the political parties, and
18 that's done on a random sample of the votes. And so,
19 there's just a lot of procedures still after the
20 election that counties need to undertake, all -- that
21 all leads to the integrity and the accuracy of the
22 process.
23 When that is completed, when the county
24 election officials have completed that, then it goes to
25 the County Board of Supervisors to officially adopt the

1 concerns that voters had and the misinformation about
2 this, spread very quickly. And so, we were seeing our
3 office inundated with phone calls and emails about, you
4 know, whether or not their ballot would be counted.
5 And so, we had to do some voter education on the
6 polling place procedures that, yes, those were the
7 official instruments that were -- that were provided to
8 voters and how Maricopa had new equipment and their
9 ballot design and, basically, everything that I just
10 shared.
11 We had to educate voters on that process to
12 calm their concerns about will my ballot count. And,
13 you know, we, also, talked about if for any reason the
14 tabulator cannot read a ballot, what happens then. And
15 that is, it goes to a duplication board where it's
16 adjudicated electronically. So, basically, if the
17 tabulator spits out a ballot, then it goes to a
18 bipartisan duplication board after the election. So --
19 let me clarify.
20 When the voter feeds their ballot at the
21 polling place, then it's counted right then and there.
22 Now, if for some reason the machine is not counting it
23 and the voter -- let's say the voter just says, oh, go
24 ahead and submit it. It goes into a ballot drop box or
25 there's not a tabulator there at the polling place, and

1 answer is absolutely yes.
2 So, Maricopa County did purchase new
3 election equipment this year and through -- after
4 thorough testing and using the manufacturer's
5 recommendation and even changing their ballot design,
6 Sharpies were the recommended writing instrument on
7 election day. And that's very important to
8 distinguish. On election day, Sharpies were the
9 recommended writing instrument, and that's what the
10 counties purchased and provided at the polling place
11 for voters.
12 Now, the reason why is because the ink on
13 the Sharpie dries fastest. And so, when you're voting
14 on election day, when the voter completes their ballot,
15 they then feed it through the tabulator machine
16 directly at the polling place. And so, once that ink
17 is dry, it works better with the tabulation machine.
18 You don't want to run a ballot through the tabulator
19 when the ink is still wet. That can cause some
20 problems. So, that's why the counties chose Sharpies
21 for election day voters. They, also, designed their
22 ballot in such a way that any bleed-through would not
23 impact any other races on the ballot. So, there
24 wouldn't be concerns for over-votes, for example.
25 This -- I will say that these concerns, the

1 results. Once the County Board of Supervisors adopts
2 the canvass, that is forwarded to the Secretary of
3 State's Office, and the Secretary of State aggregates
4 all of the 15 results and they adopt the official
5 canvass. And that is done on the fourth Monday
6 following the general election. So, the official
7 canvass has not occurred yet. That will occur on
8 November 30th.
9 And, basically, all of the information that
10 I just provided there, we had a lot of inquiries from
11 voters about what happened. And so, again, we were
12 able to create some great content for our website to
13 drive people to about what the process is that happens
14 after election day.
15 Sharpies -- let's see -- we're going to
16 start on this one. So, Sharpies. In Maricopa County,
17 voters, on election day, were issued Sharpies at the
18 polling place. This lead to some confusion and
19 misinformation about what is the correct writing
20 instrument that is needed to fill out a ballot. When
21 voters were completing their ballot with the Sharpie,
22 several voters noticed that the ink bled through onto
23 the other side of their ballot and this led to concerns
24 about, well, is that going to impact my vote? Will the
25 machine be able to read my ballot correctly? And the
The State of Arizona Citizens Clean Elections Commission

Public Meeting

Transcript of Proceedings

November 19, 2020

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10:14:29-10:15:39 Page 35

1. So, I've worked elections that long, and it
2. goes back to the county for processing. When they
3. run it through their high-speed tabulator, if the
4. machine kicks it out, then it goes to a bipartisan
5. duplication board, and the duplication board recreates
6. the voter's ballot on to a readable ballot that is then
7. ran through the tabulator back at central count.
8. So, really what I'm getting at is that if
9. you voted on election day, your ballot absolutely
10. counted. Either you fed it through the tabulator and
11. counted it yourself right then and there or it went
12. back to the county to be duplicated or adjudicated.
13. And so, there were a lot of concerns about, well, how
14. do I know for sure if my ballot was counted. So, we
15. had to educate voters on what information is available
16. to them online to verify them themselves.
17. If you voted in early ballot, there's a
18. process for looking at your early ballot and confirming
19. it was verified, the signature was verified and was
20. counted. If you voted on election day, then, as I
21. mentioned, you either fed it through the tabulator and
22. it counted right then and there right in front of you
23. or, if it went back to central count, then it was
24. absolutely counted, but the voter's voting history
25. will, also, be updated. And it will show that the
26. voter did, in fact, vote in the election, and that's

10:17:10-10:18:26 Page 36

1. I mean, I know the average voter doesn't
2. know all this stuff and they're not expected to, but
3. the lack of faith in our system, the fact that suddenly
4. the average voter doesn't trust our system, I think, is
5. indicative of the fact that the leaders of the parties,
6. maybe -- well, maybe not both parties, but -- I mean, I
7. hate to say that, but I can just feel like in the news
8. I'm seeing every day there's a distinct difference, for
9. partisan reasons, it seems -- and I'm just saying what
10. I'm seeing in the news -- that we're seeing, you know,
11. aspersions cast on our election officials, and it's
12. really disturbing to see that.
13. You know, Helen Purcell led that office in
14. Maricopa County for years. She was a professional.
15. She did an excellent job, led the office with
16. integrity. I was devastated when she lost her
17. election, and I'll say that I was nervous when we had a
18. new recorder. I think Adrian Fontes rose to the

10:15:44-10:17:06 Page 37

1. So, I've worked elections that long, and it
2. challenges. I think he's done an excellent job. And I
3. hope the same for this new recorder, but the fact is we
4. have laws on the books. We have procedures in the
5. manual.
6. When people go into -- on election day, for
7. example, even back in 2002 when I worked my first
8. election, you know, if your ballot is -- if power goes
9. down, for example, and the tabulator doesn't work at
10. the election polling place or vote center now, you just
11. put it in the machine and they'll do it at election
12. central. It doesn't mean that your ballot doesn't
13. count. It's just -- there's always a way to ensure
14. that your ballot counts.
15. And the fact that people have no confidence
16. anymore, in a general sense, is disturbing to me. And
17. I do think that, you know, that's a huge factor here
18. because it's not -- it's not the fault of the election
19. officials. The election officials have this covered,
20. you know. So, nothing that Gina is explaining to us is
21. new, aside from the equipment, of course, but the
22. equipment has been around for a long time. I mean,
23. So, I just felt like that needed to be said
24. on the record, you know. None of this is new, and it's

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Chairman Paton: Yes. Go ahead.

Ms. Roberts: Mr. Chairman, Commissioner Chan, if I could add kind of my own thoughts to that, thank you for letting me pipe in here.

So, thank you for letting me pipe in here. If I could add kind of my own thoughts to that, thank you for letting me pipe in here.

Chan, if I could add kind of my own thoughts to that, thank you for letting me pipe in here.

Ms. Roberts: Mr. Chairman, Commissioner Chan, if I could add kind of my own thoughts to that, thank you for letting me pipe in here.

Chairman Paton: Yes. Go ahead.

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Chairman Paton: Yes. Go ahead.

Ms. Roberts: Mr. Chairman, Commissioner Chan, if I could add kind of my own thoughts to that, thank you for letting me pipe in here.
1 tabulators for word.  We do testing on them.
2 So, prior to every election, the
3 equipment -- the election management system is all
4 programmed, and it's unique to that particular
5 election.  And there's testing done both before and
6 after the election both by the counties and the
7 Secretary of State's Office to ensure the accuracy of
8 these tabulation machines.
9 And then, in addition to that, then there's
10 the random sample of the hand counts that are done and,
11 again, all of this is done under the observation and
12 participation with political parties.  And there's live
13 camera feeds that the voters can view, and the voters
14 can, also, serve on a board.  The voters -- voters can
15 serve as poll workers.  Voters can be a part of this
16 process, and it's very transparent.  And all of those
17 mechanisms and those procedures are put in place to
18 ensure that the results are accurate.
19 And so, Arizona's law does allow for an
20 automatic recount, and that's when we meet certain
21 thresholds.  And so, if the official canvass shows that
22 an automatic recount is triggered, then what would
23 happen is the Secretary of State's Office would get a
24 court action to authorize that recount and then the
25 counties would recount that particular -- that

1 particular race.
2 So -- let's see.  Our next slide -- oh, and
3 I did want to share this information before we leave
4 the recount section.  We've had a lot of national
5 election experts, national cyber security experts.
6 We've had national experts on -- mathematicians and
7 code.  All of our experts have, basically, come out and
8 said that this was one of the most secure elections in
9 history and it was done during a pandemic.  And there
10 were statements put out by the Maricopa County Board of
11 Supervisors about the accuracy of Maricopa's tabulation
12 and the efforts that were put in place.
13 So, I just wanted to share that we are
14 hearing from the election officials and the experts
15 that there's no evidence that any tampering was done
16 with the votes and that it was a very secure election
17 this year.
18 And, Tom, if you want to take over the
19 legal updates section.
20 MR. COLLINS: Hopefully.  The -- I just
21 wanted to amplify a bit quick about what Gina just
22 said.  I mean, I don't think we've ever had a year
23 where the questions that we were getting online and on
24 the phone so clearly correlated with an event that was
25 in the news or, otherwise, being discussed.  I, also,
24 10:32:01-10:33:02

10:30:36-10:32:01

1 about changing the results or changing a process. It was about challenging whether the way in which you cast a ballot at a polling place on election day where you get the choice to press the green button to cast the ballot, which if you have an over-vote means that over-vote is not going to get reviewed, is different from the process for mail-in ballots.

8 So, that case was about -- you know, the legal issue in that case was about whether or not it was fair to treat those ballots differently, and there was evidence that some voters did not understand what the results of pressing the green button were or may have been misinformed about it. So, that's what the -- so, that case is more in the nature of a -- if you all recall -- you may not. There was a case involving now Congressman Biggs and Christine Jones when they ran against each other for that seat.

18 What the Jones campaign did, although they ultimately lost the election, before the canvass came in, they wanted to make sure that all of the votes that could be counted were. So, that was their piece of litigation. So, that's really what Trump versus Hobbs was about. When the case turned out it was mathematically impossible for the number to make any difference at all, the case went away.

19 MR. COLLINS: So, you know, it just seems like -- this is -- this only matters to us if it matters.

20 COMMISSIONER MEYER: Well, but the complaint said this affects thousands of votes, I believe, is what the complaint said.

21 MR. COLLINS: Well, I mean, yeah. I mean, information that was held by the county, not by the campaign.

22 COMMISSIONER MEYER: Got you.

23 MR. COLLINS: So, you know, it just seems to me that there's -- I mean, there's -- let me put it this way. As an attorney, I find that there's a distinction between some of these cases in terms of their potential merit and the potential strategy. The Trump versus Hobbs campaign was not about overturning the results of an election in any way. It was about ensuring that all of the votes that could be counted were in before the canvass. That's a different philosophical basis for bringing a lawsuit and a different legal basis.

24 Republican Party v. Fontes is a case that, again, I think, as we understand -- as I understand, it's still pending. It has to do -- so, in statute, when you do the audit hand count that Gina mentioned, in statute you do that by increasing it. However, you know, counties can, also, do a vote center model.

25 So, it's a little bit different. In other words, putting aside the presidential election, the Trump -- the Trump v. Hobbs case is really a more standard, let's make sure all our potential votes are in the hopper before the canvass.

26 Republican Party v. Fontes --

27 COMMISSIONER MEYER: Mr. Chairman?

28 MR. COLLINS: Sorry.

29 COMMISSIONER MEYER: Mr. Chairman, if I could ask a question.

30 MR. COLLINS: I think we have a --

31 COMMISSIONER MEYER: So, Tom, just so I understand, I think that the Trump for President versus Hobbs case, that only dealt with something, like, 180 ballots --

32 MR. COLLINS: That's correct.

33 COMMISSIONER MEYER: -- in the Presidential Election, right?

34 MR. COLLINS: Right.

35 COMMISSIONER MEYER: It was so miniscule that it couldn't affect the outcome. So, that's why it went away, correct?

36 MR. COLLINS: That's right, but the point is that the Trump lawyers said from the beginning, we would like -- this is -- this only matters to us if it matters.

37 COMMISSIONER MEYER: -- in the Presidential Election.

38 MR. COLLINS: I think we have a --

39 COMMISSIONER MEYER: So, Tom, just so I understand, I think that the Trump for President versus Hobbs case, that only dealt with something, like, 180 ballots --

40 MR. COLLINS: That's correct.

41 COMMISSIONER MEYER: Cleveland, right?

42 MR. COLLINS: -- in the hopper before the canvass.

43 COMMISSIONER MEYER: Mr. Chairman, if I --

44 MR. COLLINS: Mr. Chairman?

45 COMMISSIONER MEYER: Mr. Chairman?

46 COMMISSIONER MEYER: -- in the Presidential Election, right?

47 MR. COLLINS: Right.

48 COMMISSIONER MEYER: -- in the Presidential Election.
1. Because the vote center model is not really well
2. articulated in statute, the election procedures manual
3. says, well, if you're doing vote centers, do that
4. sample based on vote centers, not by precinct.
5. So -- now, again, this is a case that, you
6. know, I'm not -- I'm not -- I don't -- I mean, the
7. county position, essentially, is not possible
8. to do. The time -- there's just no time to do this,
9. but what this would amount to do is that you'd have to
10. find a way to back-end a vote into a precinct that
11. would have existed but for the -- but for the vote
12. center and then you would get a bigger percentage
13. selection for the -- for the hand count confirmation.
14. So, you know -- you know, again, I'm not
15. sure that -- I'm not sure that this litigation would
16. have any results, although it doesn't mean anything,
17. although it certainly would delay -- delay the
18. certification. So, I don't know that we have a final
19. ruling on that case.
20. Finally, the Aguileria 2, it really,
21. basically, seems to raise a question of how do I ever
22. know if my ballot has been counted. Well, that's sort
23. of proving a negative. I mean, it's a very -- that
24. case is a little hard for me to track with. In other
25. words, we have a right to anonymous ballots. So, once

1. your ballot is separated from your mail-in envelope or
2. once you cast it, it's just a ballot.
3. So, I'm not sure that I quite understand
4. what the -- what the -- what the relief being sought
5. there is, but nevertheless, you know, as the governor
6. noted yesterday, these are cases that exist. And how
7. they affect anything going forward, I think, is unclear
8. that they will, at all, but nevertheless, you know, all
9. of -- all of -- all election officers in Arizona are
10. all going to say -- and correctly -- until the
11. counties -- the canvasses are complete, the election is
12. not -- the election results are not final.
13. So, that's -- so, that's really the
14. highlights of those cases. I don't anticipate at this
15. point any of them making a significant -- having a
16. significant effect. And I think that the judges -- I
17. sat in on at least the Trump -- or sat in on some of
18. the Trump v. Hobbs case. And, then, reading about the
19. Republican Party v. Fontes case, the judiciary is very
20. aware of the statutory deadlines that are here. So,
21. it's not like this is -- you know, it's not as if these
22. are -- these cases are lingering.
23. I just don't -- I'm just not sure how the
24. relief in some of them could affect anything and how it
25. could -- you know, and how it could make a difference.
CHAIRMAN PATON: Sure. Go ahead.

COMMISSIONER MEYER: I want to agree with you, Commissioner Paton, on what a great job Tom, Gina, and our staff have done in voter education, very -- you know, I just can't commend you enough on that. Thank you. And as far as the confusion and 50 states doing things differently, yes, I agree with that; that does create some confusion, but I, also, want to know if it creates confusion when our public officials and our -- and our elected official actively participate in creating that confusion. And that's something, I think, that we should look at.

CHAIRMAN PATON: Okay. Any other discussion?

COMMISSIONER KIMBLE: Mr. Chairman? This is Commissioner Kimble.

CHAIRMAN PATON: Commissioner Kimble, go ahead.

COMMISSIONER KIMBLE: I just want to echo some of the comments made. It seems like before the election and then since then, this has just been a game of Whac-A-Mole with all kinds of allegations popping up; some of them from inadvertent misunderstandings and some of them not inadvertent. And I am very impressed by how -- as soon as something popped up, there was some of the comments made. It seems like before the election and then since then, this has just been a game of Whac-A-Mole with all kinds of allegations popping up; some of them from inadvertent misunderstandings and some of them not inadvertent. And I am very impressed by how quickly information is out there because it seems like it was just a never-ending example of information that was just popped out of nowhere. And some of it intentionally, as Commissioner Meyer pointed out, but this is a really excellent example of educating voters and striking down suspicions.

CHAIRMAN PATON: Any other questions?

(No response.)

CHAIRMAN PATON: If not, then we're going to go to Item V: Discussion and possible action on 2021 chairperson.

MS. ROBERTS: Actually -- I'm sorry.

Mr. Chairman, I do have a little bit more. May I have permission to proceed before we move to the next agenda item?

CHAIRMAN PATON: Sure.

MS. ROBERTS: Thank you.

CHAIRMAN PATON: Sure. Go ahead.

by how -- as soon as something popped up, there was something on the Clean Elections website explaining it, debunking it, showing how you can check this thing for yourself. And I'm just really impressed by the job that Tom and Gina did on getting the accurate information out there quickly because it seems like it was just a never-ending example of information that popped out of nowhere. And some of it intentionally, as Commissioner Meyer pointed out, but this is a really excellent example of educating voters and striking down suspicions.

CHAIRMAN PATON: Any other questions?

(No response.)

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CHAIRMAN PATON: Sure.

MS. ROBERTS: Thank you.

CHAIRMAN PATON: Sure. Go ahead.
The State of Arizona Citizens Clean Elections Commission
Public Meeting Transcript of Proceedings
November 19, 2020

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10:46:28-10:47:39

1. also, never seen the same amount of traffic on our
2. website post election day as we have now. People are
3. still quite engaged and wanting to have that confidence
4. in the system and learning more about it.
5. And so, I think it's great that the
6. Commission -- you know, a few years ago, if you will
7. recall, the Commission invested in a website redesign,
8. and our website is really the heart of our -- of our
9. voter education and communicating with voters. The
10. traffic on our website, the search that we're
11. receiving, it's all broken records this year and,
12. again, it's meeting the needs of voters.
13. And one thing I'd really like to point out,
14. too, is over here, this pie chart of who's using this
15. site. This is a very well-reflective pie chart, and it
16. shows that we're meeting all of the demographics in the
17. state. We are not just educating Maricopa County.
18. We're reaching the four corners of the state. We're
19. reaching all 15 counties and, you know, things --
20. voting in Maricopa County, in the city of Phoenix is
21. very different from voting in Apache County or Navajo
22. County.
23. And so, we have to be able to communicate
24. to all voters in all their different circumstances and
25. our website is accomplishing that. So, I just wanted

10:49:13-10:50:31

1. several years. So, I would leave it to you to have
2. your -- to have your discussion.
3. COMMISSIONER KIMBLE: Mr. Chairman, this is
5. CHAIRMAN PATON: Yes, Mr. Kimble. Go
6. ahead.
7. COMMISSIONER KIMBLE: I would nominate
8. Commissioner Chan to be chair for Calendar 2021.
9. CHAIRMAN PATON: And so, we have a motion.
10. Do we -- Tom, is this in the form of a
11. motion?
12. MR. COLLINS: I think -- so, I mean, I
13. think that the nomination -- I mean, the nomination to
14. me is practically a motion, but if Mr. Chairman and
15. Commissioner Kimble, if you wouldn't mind moving the --
16. moving that the Commission appoint Commissioner Chan
17. for 2021, just for the record, that might be helpful.
18. COMMISSIONER KIMBLE: Okay. This is
19. Commissioner Kimble again. I move that the Commission
20. choose Commissioner Chan to be chair for Calendar 2021.
21. CHAIRMAN PATON: So, we have a motion.
22. Do we have a second?
23. COMMISSIONER MEYER: Mr. Chairman, this is
24. Commissioner Meyer. I will second that motion.
25. CHAIRMAN PATON: Okay. We have a motion

10:50:32-10:51:23

1. and a second, and we will go through the roll call.
2. Commissioner Meyer?
3. COMMISSIONER CHAN: Don't you guys want
4. to -- you guys don't need me to convince you or
5. anything? I want to say thank you, first of all.
6. CHAIRMAN PATON: Wait until --
7. COMMISSIONER CHAN: Oh, wait. We've got to
8. hear the vote. Okay. Thanks for the nomination,
9. though.
10. CHAIRMAN PATON: Commissioner, how do you
11. vote?
12. COMMISSIONER CHAN: I vote aye.
13. CHAIRMAN PATON: Okay. Commissioner Meyer?
14. COMMISSIONER MEYER: I vote aye.
15. CHAIRMAN PATON: Commissioner Kimble?
17. CHAIRMAN PATON: Commissioner Titla?
18. (No response.)
19. CHAIRMAN PATON: Commissioner Titla?
20. COMMISSIONER CHAN: Commissioner Chan?
21. CHAIRMAN PATON: I mean, you are.
22. COMMISSIONER MEYER: Did he fall off? I
23. don't see him on there.
24. MS. HERRING: Yes. He's no longer on the
25. meeting.
**The State of Arizona**

**Citizens Clean Elections Commission**

**Public Meeting**

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**COMMISSIONER MEYER:** Thank you, Mr. Chairman.

**CHAIRMAN PATON:** Any other -- yes, Commissioner Meyer.

**COMMISSIONER MEYER:** Commissioner Chan, thank you. I’m sure we’re going to be in great hands.

**CHAIRMAN PATON:** I look forward to working with you for another year and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, and, an
Commission to obtain information about the candidates and the voting process. And I did not design these cards. I have no visual skills, or that kind of thing, but I was really excited to see that on the cards because I do think that the Commission's website and all of the stuff that staff and the commissioners do is invaluable.

And I'm not quite sure what the next steps -- I, also, want to say, again, on behalf of the League, how much we appreciate the endless commitment of the commissioners, some of whose terms expired quite a long time ago, to continue to attend meetings and participate. As I think you all know, letters were sent encouraging the governor and the Secretary of State to appoint commissioners. Clearly, with the election and everything else that's gone on, nothing happened there.

I'm not sure if we'll try again, but hopefully -- hopefully, something will happen soon because there is a -- A, there's a limit to everyone's commitment in the public service and, B, it really is time for new commissioners to be appointed; but we continue to monitor and congratulate the staff and the commissioners for all the outstanding work that you do.

So, thank you very much for the opportunity to speak.

CHAIRMAN PATON: Thank you, ma'am. Any other public comment?

(No response.)

CHAIRMAN PATON: If not, I would enter a motion to adjourn.

COMMISSIONER CHAN: Mr. Chairman, I move that we adjourn the meeting.

COMMISSIONER KIMBLE: This is Commissioner Kimble. I second.

CHAIRMAN PATON: Okay. So, we have a motion and a second. We'll do a roll call.

Commissioner Chan?

COMMISSIONER CHAN: Aye.

CHAIRMAN PATON: Commissioner Meyer?

COMMISSIONER MEYER: Aye.

CHAIRMAN PATON: Commissioner Kimble?

COMMISSIONER KIMBLE: Aye.

CHAIRMAN PATON: And, I guess, Commissioner Titla may not be here. And this is Commissioner Paton.

I vote aye, as well.

We are now adjourned. Have a good Thanksgiving everybody.

(Whereupon, the proceedings concluded at 10:58 a.m.)
The State of Arizona Citizens Clean Elections Commission

Public Meeting

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