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THE STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF VIRTUAL PUBLIC MEETING

Phoenix, Arizona

May 19, 2022

9:29 a.m.

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1 VIRTUAL PUBLIC MEETING BEFORE THE CITIZENS
2 CLEAN ELECTIONS COMMISSION convened at 9:29 a.m. on May
3 19, 2022, at the State of Arizona, Clean Elections
4 Commission, 1616 West Adams, Conference Room, Phoenix,
5 Arizona, in the presence of the following Board
6 Members:
7 Mr. Mark Kimble, Acting Chairperson
8 Ms. Amy Chan
9 Mr. Galen Paton
10 OTHERS PRESENT:
11 Thomas M. Collins, Executive Director
12 Paula Thomas, Executive Officer
13 Mike Becker, Policy Director
14 Gina Roberts, Voter Education Director
15 Avery Xola, Voter Education Specialist
16 Julian Arndt, Executive Support Specialist
17 Kara Karlson, Assistant Attorney General
18 Kyle Cummings, Assistant Attorney General
19 Ken Matta, Former SOS Chief Election Security
20 Officer
21 Cathy Herring, Staff
22 Rivko Knox, Member of the Public
23
24
25

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1 ACTING CHAIRMAN KIMBLE: Chairman Meyer is
2 unable to make the meeting today, so I've been asked to
3 chair this meeting.
4 Agenda Item I is the call to order. It is
5 9:30 a.m. on May 19th, 2022. I call this meeting of
6 the Citizens Clean Elections Commission to order.
7 I would like to ask audience members to
8 please keep their microphones on mute.
9 And with that, we will take attendance.
10 Commissioners, please identify yourselves for the
11 record.
12 COMMISSIONER CHAN: I'm Amy Chan.
13 COMMISSIONER PATON: Galen Paton.
14 ACTING CHAIRMAN KIMBLE: And I am Mark
15 Kimble. We do have a quorum present.
16 Item II, discussion and possible action on
17 minutes for the March 24th, '22 meeting. We all got
18 those -- those minutes with our material. Is there any
19 discussion about the minutes?
20 COMMISSIONER CHAN: I move that we adopt the
21 minutes as written.
22 ACTING CHAIRMAN KIMBLE: Thank you. And that
23 motion was made by Commissioner Chan.
24 Is there a second?
25 COMMISSIONER PATON: Second, Galen Paton.

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1 ACTING CHAIRMAN KIMBLE: Thank you. I will
2 call the roll on approval of the minutes.
3 Commissioner Chan.
4 COMMISSIONER CHAN: I vote aye.
5 ACTING CHAIRMAN KIMBLE: Commissioner Paton.
6 COMMISSIONER PATON: Aye.
7 ACTING CHAIRMAN KIMBLE: And I'm Mark Kimble
8 and I vote aye too.
9 Item III, discussion and possible action on
10 the Executive Director's Report.
11 Tom.
12 MR. COLLINS: Thank you, Mr. Chairman,
13 Commissioners. You can see it's been a little while
14 since we met, so there's -- there was quite a bit of
15 activity we had that we wanted to report on.
16 I first want to -- you know, as we did in the
17 report, I want to highlight the fact that Avery Xola,
18 (unintelligible) now our voter education manager, was
19 accepted into the Flinn-Brown Fellows program. And as
20 the report details, that's a highly selective
21 fellowship program that -- where Avery will be able to
22 meet with and -- and be engaged in professional
23 development with a bunch of -- with a lot of different
24 aspects of state government and experts in that area,
25 which we think -- and we have been lucky and -- well,

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1 no -- I've been lucky and I think that we've
2 benefited -- obviously, the Commission and State have
3 benefited from the fact that we've had a number of
4 employees who have been selected for this program over
5 the -- over the past several years, including Gina.
6 Anyway, so I think that's a real benefit
7 to -- to the Commission and -- and to making sure that
8 our voter education program continues to be tied
9 together with, you know, information and expertise on
10 the variety of issues with which we deal. So it's a
11 great thing for Avery, but also really a great thing
12 for the entire Clean Elections family, and so we're
13 super, super happy about that.
14 You know, as you can see and -- you know,
15 everyone, particularly Gina and Avery and Alec and
16 Julian, Mike, and Paula, have been working on the Voter
17 Education Guide. It will be arriving in mailboxes
18 starting June 24th. Our goal -- you know, our
19 statutory obligation is to get it out the door before
20 early voting starts. And we're, you know, pleased with
21 the participation; we have 35 statewide candidates, 197
22 legislative candidates. And, you know, and it's
23 important to note that this year is redistricting. So,
24 you know, for many folks this will be their
25 introduction to what district they're in.

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1 So I think that this is a -- you know, it's
 2 an important tool for voters both in terms of the
 3 information contained about how to access their ability
 4 to vote and the statements from the candidates, which
 5 are unintermediated, you know, there's not a -- not a
 6 -- it's not an ad. I mean, it's whatever the candidate
 7 wants to say, but it has their name on it, it's what
 8 they submitted, and I think that's important.
 9 But I think also important, the fact that we
 10 continue to mail it, in addition to the other ways it's
 11 delivered. It ensures that, you know, there's a --
 12 there's essentially a baseline amount of information
 13 that every voter in the state receives about their
 14 ability to participate in elections.
 15 Our primary election debates, likewise, are
 16 under way. That's been, you know, occupying a lot of
 17 peoples' -- a lot of everyone's time. We have -- our
 18 legislative debates are being live streamed on YouTube.
 19 Last night -- I was talking before the
 20 meeting to Cathy, who -- Cathy Herring, who is our --
 21 who's coordinating this meeting, but she also
 22 coordinates -- helps, you know, do the technical end of
 23 our debates. And she and Mike were at our LD 12 debate
 24 online last night, and the questions were coming in
 25 very quickly. We got -- I mean, we were getting --

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1 Cathy told me we were getting two questions a minute
 2 throughout the exercise. It's a competitive primary
 3 because there are something like five Democratic
 4 candidates vying for two slots on the -- two
 5 nominations for the House. So it's a -- I got to tune
 6 in to a little bit of it. It's just an example of the
 7 fact that the efforts we're trying to undertake to
 8 engage voters into the dialogue with candidates, you
 9 know, are -- you know, we can see that happening in
 10 action.
 11 We're also working with, you know, Arizona
 12 PBS on the -- on the statewide and -- statewide. And
 13 we have been working a little bit -- you know, we're
 14 certainly branded into their congressional debates,
 15 which was a new thing this year, which we're pleased
 16 about.
 17 We are -- I also want to highlight, we are --
 18 we will be in Flagstaff next month working with, as
 19 part of our ongoing -- over the course of the last, I
 20 don't know, I would say at least the last eight years
 21 we've done ongoing work with voters in the Navajo
 22 Nation and in the -- that -- the northeast part of the
 23 state, so we're pleased to continue that partnership.
 24 You can see, again, that we have a lot of
 25 voter education and outreach activities going on. I

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1 wanted to highlight and would urge you, if you have
 2 time, to take a look at our survey and tools related to
 3 the survey. I hope -- my plan is to next month have
 4 our -- Mike Noble, who is our surveyor -- or, pollster,
 5 for lack of a better way to word it -- I hate to use
 6 that word -- talk to us a little about -- more about
 7 where voters are and what they want to hear about. But
 8 that data is online, and we have -- Alec developed a --
 9 and Gina developed a hub where voters can go, go
 10 through the data about what voters are saying.
 11 We also have recorded and put on our website
 12 interviews with subject matter experts -- so, you know,
 13 Sarah Porter from the Kyl Center for Water; Beth
 14 Falone, who some of you may know, who's a well
 15 respected expert on state budget; Tom Betlach, who many
 16 of you may know was the long-time head of the State
 17 Medicaid program under Governor -- Governor Brewer and
 18 Governor Hull and then he worked for the first -- for
 19 Governor Ducey's first term -- all on their subject
 20 area, you know, water, budget, you know, healthcare.
 21 So, you know, we've gotten some good press exposure on
 22 that.
 23 And I think the goal here is to try to take,
 24 you know, the survey, which tells us a lot about where
 25 voters -- what voters want to hear from candidates --

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1 the idea here was, how do we use data to make sure that
 2 our voter education program, you know, continues to
 3 inform voters on the issues and bring voters into the
 4 process, you know, because there's a -- you know, and
 5 so we think that that's been a successful campaign.
 6 COMMISSIONER CHAN: Tom. Mr. Chairman, Tom.
 7 MR. COLLINS: Yes.
 8 COMMISSIONER CHAN: I just wanted to ask a
 9 quick question about the survey. Are the results
 10 available yet and where can we find them?
 11 MR. COLLINS: Oh, yes. Yes, they're on our
 12 website. They are on the website. I can send you the
 13 link --
 14 COMMISSIONER CHAN: Okay.
 15 MR. COLLINS: -- to the -- to the -- it's
 16 basically our survey hub has our data and then we also
 17 were able to partner, through Gina and Alec, with the
 18 Center for the Future of Arizona, which --
 19 COMMISSIONER CHAN: Great.
 20 MR. COLLINS: -- is a nonpartisan kind of
 21 think tank. I think they're affiliated with ASU. I'm
 22 always never -- I can never remember quite if they're
 23 -- I think that's right.
 24 Obviously, if I'm missing anything,
 25 Mr. Chairman, Commissioner Chan -- Gina, if there's

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1 other things you want to highlight there, I'm --
2 obviously, I would defer to you.
3 ACTING CHAIRMAN KIMBLE: Well, let me just
4 say, Tom, in relation to Commissioner Chan's question,
5 I looked at that survey. It's very impressive. It's
6 broken down by political party. It's broken down by
7 geographic areas of the state. It's very interesting
8 to see the different issues that people in different
9 areas of the state are focused on. Obviously,
10 different political parties, we know that they're
11 focused on different -- different spots, but it's a
12 very impressive survey.
13 MR. COLLINS: Thank you, Mr. Chairman. Yeah,
14 we're -- we're happy about that.
15 ACTING CHAIRMAN KIMBLE: Tom, I'm sorry. Did
16 you -- were you done?
17 MR. COLLINS: No. Oh, I just wanted --
18 unless anyone has anything else on that topic, I was
19 just going to really quick hit some of the legal
20 things. So I want to make sure that -- more for
21 awareness.
22 Obviously, you know, we have a couple of
23 cases out there that we're involved in. But then, you
24 know, in the last, you know, sort of 45, 50 days since
25 we met, there's a lot -- a number of different

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1 election-related lawsuits that have come along or been
2 filed. You know, first, there continues to be
3 litigation over the Senate ballot review. There's been
4 -- and then there's -- there's sort of maybe not quite
5 litigation, but, you know, the Attorney General issued
6 this interim report based on the ballot review and
7 then -- and the County, you know, Maricopa County
8 specifically, issued a response to that.
9 I can -- I was -- I mean, I think those are
10 worth perusing. I think that from a participation and
11 confidence in government perspective, which is what the
12 Act -- Clean Elections Act talks about, you know, this
13 is -- we're in some territory where it's -- it's not
14 clear that -- it's just not clear that this is going to
15 wind up. And I think that -- and I think that that's
16 -- you know, that's been a point of concern over the
17 course of the last couple of years.
18 And I just -- I think it's just important to
19 keep our eye on that as we continue to try to, you
20 know, fulfill our role in being conscious of voter
21 concerns and respectful of voters, but also clear that,
22 you know, we have confidence in the election
23 administration -- election administration in this
24 state. You know, I think that that's a really
25 important role for us to play going forward, because we

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1 have a unique, ongoing, institutional aspect to your
2 roles as Commissioners specifically that is outside of
3 the election cycle, right. So I think it's really
4 important that -- that we continue to keep our eye on
5 those things.
6 You can see there, one quick note, there's
7 the case Arizona Republican Party v. Hobbs. That was a
8 special action we discussed -- that we did discuss in
9 March that essentially seeks to bar vote by mail in the
10 state. Since I wrote the Executive Director's Report,
11 the Republican party has now sued -- taken that suit,
12 which was denied by the State Supreme Court, they have
13 now filed essentially that same suit in Mohave County
14 and brought in, instead of the State of Arizona, which
15 is who they -- who they sued in addition to the
16 Secretary of State's Office, they've brought -- they've
17 tried -- they've sued all 15 County Recorders and the
18 Secretary of State's Office.
19 Why Mohave County? You know, if you're
20 interested, I mean, the idea here is pretty obvious,
21 that the plaintiffs in the case think that there is
22 somehow a better judicial opportunity for them there.
23 It's a little weird, quite honestly. I practice
24 election law in the state, as have -- you know, and
25 worked in those areas, as have most of the staff and

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1 obviously Commissioner Chan. This is not -- this sort
2 of idea that you can shop around to different counties
3 for Superior Court judges is not something that's
4 real -- you just don't see that here.
5 This is, again, a -- this is a -- sort of a
6 different approach, for lack of a better way of putting
7 it, that -- you know, again, it tends to say that
8 there's some kind of a different approach to the law in
9 different counties. And in my experience, I've been an
10 attorney for going on 20 years now, and that's just not
11 -- that's not been the tradition in Arizona, so --
12 Meanwhile, you know, you've got a number of
13 Federal Court actions with both Democratic and
14 Republican groups. There's a Republican case to try to
15 stop the use of electronic counting machines. There's
16 a Democratic case, 2492, which was the -- which is the
17 renewed effort to sort of restore, by some people's
18 (unintelligible), the proof of citizenship requirements
19 of Prop 200 and some other aspects to voter
20 registration regarding, you know, residency and those
21 kinds of things. And those suits are pending.
22 And then finally, I did want to -- I did want
23 to mention, because I think it's important, although
24 it's not really an issue in Arizona, that the Supreme
25 Court in a 6- -- U.S. Supreme Court in a 6-3 decision

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1 rejected this -- a law, part of the McCain-Feingold
2 Act, that says that people could not sort of loan
3 themselves campaign money as a candidate, and if they
4 wanted to recover that money they had a limited amount
5 and a limited time frame in which to do it. That is
6 now unconstitutional.

7 As a practical matter, you know, I don't
8 believe that in Arizona there's a similar restriction.
9 And, in fact, you've seen in the past we have had
10 candidates who've made personal loans, have been able
11 to go back and obtain, you know, under the contribution
12 limit, obviously, contributions, but -- so -- but, it's
13 sort of a sign of the overall deregulatory aspect of
14 that.

15 Finally -- well, just real quick, Gina was a
16 facilitator, which we're thrilled about, with the
17 Secretary of State's tabletop exercise on election
18 security. We'll hear a little bit more, obviously,
19 about election security in a few minutes, but I
20 think -- I think it's an important -- important to
21 highlight that -- that work that she's doing and the
22 fact that, you know, she continues to be recognized
23 by -- you know, by the election community for her --
24 you know, for her knowledge and skills.

25 You know, we have two complaints that we're

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1 still -- that are still pending. I really don't have
2 an update that I can provide at this point on those. I
3 couldn't -- I can't provide a detailed update because
4 of some of the ex parte and due process issues that are
5 involved in the case law, but suffice it to say, I
6 think we can say we are working on them and making
7 progress.

8 You know, I also want to highlight, and
9 you'll see in the Executive Director's Report,
10 obviously, Mike put together and has implemented with
11 Paula our single-party-dominant districts. Those are
12 if you're -- for candidates who are running for the
13 legislature who are running clean. They can allocate a
14 portion, basically the difference between their primary
15 and general allocation, to the primary in a
16 one-party-dominant district.

17 So -- and then we'll talk a little bit more
18 about legislation in the next item, just to be clear.
19 But obviously, you know, Mike and Julian have continued
20 to track legislation.

21 And Paula has -- I know we took it off this,
22 but we are moving forward with the move, and so Paula
23 has had a -- her plate full with the combination of
24 voter education, logistics, and -- and making sure that
25 we're getting candidates funded. So it's been a --

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1 it's been a very busy -- certainly we did cancel last
2 month's meeting, but not for lack of work on the part
3 of the staff, who continued to be busy and, I think,
4 effective on a day-to-day basis.

5 So I apologize if I've gone on too long, but
6 that concludes the ED report, Mr. Chairman, if you have
7 any questions.

8 ACTING CHAIRMAN KIMBLE: Thank you, Tom.
9 Very busy period.

10 I wanted to just take a minute to join you in
11 congratulating Avery. That's quite an accomplishment.
12 To be a Flinn Foundation Fellow reflects obviously very
13 well on Avery and also on -- on the Commission.

14 Are there any other discussion or questions
15 from Commission Members on Tom's report?

16 COMMISSIONER PATON: Yes, Mr. Chairman.

17 ACTING CHAIRMAN KIMBLE: Commissioner Paton.

18 COMMISSIONER PATON: Couple of things. First
19 of all, I saw an advertisement for Clean Elections on
20 my Facebook and it was -- it was very, very good. It
21 talked about this guy being in a maze and trying to
22 find his way through the election conundrum, and he
23 found Clean Elections and it brightened his day. And I
24 thought that was a really good advertisement,
25 especially with all the -- everything going on about

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1 elections.

2 And then secondly, Tom, can you explain
3 basically what's going on about this move? Is it
4 permanent and is it around the corner or what?

5 MR. COLLINS: Mr. Chairman, Commissioner
6 Paton, yes. So it is -- it is -- it is basically
7 around the corner. One of the -- one of the priorities
8 of Governor Ducey over the course of his administration
9 has been to work to bring state agencies back to the
10 State -- State mall, you know, so the area down around
11 the Capitol, and then to, you know, deal with
12 essentially some of the deferred maintenance and other
13 aspects of the plant of the Capitol.

14 So, for example, our building, I want to say,
15 was built in the '50s, maybe the '60s. It has a
16 dumbwaiter in it, just to give you a sense of like, you
17 know, this era. There are ashtrays in the bathroom,
18 you know, which -- so, you know, so -- and it floods,
19 right. I mean, we've literally had -- you know, our
20 server, especially when our server was much more
21 integral, before the Cloud, you know, would get knocked
22 out by rainstorms. The public records area of the Land
23 Department which is there, which is really the big
24 tenant in our building, you know, would get flooded.
25 You know, it's just --

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1 So I think I'm going to -- it's one of these
2 things where I can't remember if it's DEQ or DOA. I
3 think it's DOA, right, Mike, that we're moving to
4 building-wise? DOA or DEQ? I can't remember.
5 ACTING CHAIRMAN KIMBLE: Mike.
6 MR. COLLINS: Anyway, we're moving -- oh, I'm
7 sorry.
8 MR. BECKER: I'll have Paula give you more
9 information on that. She's got all the details on the
10 exact location. But, yeah, Tom, is right, our building
11 currently is in bad shape and we need to leave.
12 MR. COLLINS: So anyway, so long story short,
13 Commissioner -- Chairman Kimble, Commissioner Paton, it
14 is a permanent move. We'll be in a smaller space,
15 combined with the Pharmacy Board. We'll still have a
16 hearing room that we share. I think that the State --
17 and Paula, if you want to jump in here, obviously, I
18 think that's -- or, Commissioner Paton, if you want
19 more detail.
20 The goal ultimately is to end up with, you
21 know, a smaller footprint for State employees and
22 allow, you know, the redevelopment of the mall area.
23 And so, for example, the Governor's Office has made
24 clear, through the Department of Administration, that
25 work from home and that kind of flexibility is

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1 something that's here to stay. There's some cost
2 savings there. And again -- and so we'll have a little
3 different format, a little different layout, a little
4 bit more modernized in terms of, you know, whether or
5 not everybody has an office. It will be more of a --
6 we'll have more work spaces and fixed offices and that
7 kind of thing.
8 MS. THOMAS: Yeah, I'll just chime in,
9 Commissioners. Chairman, Commissioners, as Tom and
10 Mike mentioned, the State is in the process of
11 condensing space. There are actually several agencies
12 that now permanently work from home, so they don't even
13 have an office space. Ours will be more on the
14 premises of an interactive workspace.
15 But another thing with the buildings, I
16 believe they're going to get demoed. They're very old.
17 All agencies in our building are relocating, and I
18 think -- I think all of us, Land Department, Pharmacy
19 Board, and Clean Elections, will be in the same
20 building.
21 The plus for us is we're going to have better
22 security. We've not had the best security in our
23 building. There's been a lot of occurrences that
24 happened. The building is just very, very old, so
25 we're excited to be in a little bit more modernized

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1 building with better security. I think the space is
2 going to work great.
3 We are condensing down space substantially.
4 Having shared, you know, our public meeting rooms with
5 both -- with both agencies is going to be a plus for us
6 too. We'll have more technology. As technology
7 continues to evolve, we'll be a little bit better with
8 what we can do. But overall, there's a lot of pluses
9 for the agency being able to relocate. Especially the
10 security is a plus for us, as we're just kind of an
11 open fish right there, right across from where
12 everything kind of happens. So that's it.
13 ACTING CHAIRMAN KIMBLE: Thank you, Paula.
14 Any other discussion or questions from the
15 Commissioners?
16 (No response.)
17 ACTING CHAIRMAN KIMBLE: Okay. Thanks, Tom.
18 Item IV --
19 MR. COLLINS: Thank you.
20 ACTING CHAIRMAN KIMBLE: -- discussion and
21 possible --
22 I'm sorry. Was someone wanting to say
23 something?
24 MR. COLLINS: No. I just said thank you.
25 I'm sorry. I apologize.

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1 ACTING CHAIRMAN KIMBLE: No, that's okay.
2 Item IV, discussion and possible action on
3 legislative bills on the topics of elections, voting,
4 administration, campaign finance.
5 To start off this discussion, it's worth
6 noting that today is the 130th day of the legislative
7 session. The Senate is adjourned until Monday. The
8 last time all of us got together the legislature was in
9 its 74th day of session.
10 Staff, I think, has a brief update on where
11 we are, especially on election bills. And then if
12 anyone -- any Commissioners have any questions, we'll
13 go to those.
14 Tom.
15 MR. COLLINS: Thank you, Mr. Chairman,
16 Commissioners. We -- we wanted to highlight --
17 specifically Julian and Mike and I wanted to -- and
18 Avery wanted to highlight the couple of bills that have
19 passed just as sort of like there have been
20 significant, you know, election bills passed. The big
21 one, obviously, we talked about is 2492. Another one
22 that's on the -- that will be on the ballot is a revamp
23 of the voter ID provisions of what was passed in 2004
24 as Prop 200. So those have -- those have already
25 passed.

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1 There's also a bill that's passed that
 2 tweaks, I think appropriately, the amount -- the due
 3 date for campaign finance reports to put it on a
 4 fixed -- on a fixed Monday instead of -- instead of
 5 like the 15th, where it sort of rolls inconsistently to
 6 the next Monday when it falls on a weekend.
 7 You know, so there are -- you know, so that
 8 was the goal of the report, to try to highlight some of
 9 those at the front end of the -- of the report, which
 10 is attached to the Executive Director's Report.
 11 I think -- and I was going to ask,
 12 Mr. Chairman, if I may. I think there's been some
 13 action just in the last couple of days on a couple of
 14 bills that have -- that have now gone to the Governor
 15 at least. I'm not sure -- I don't think they've been
 16 signed. So Julian, if -- Mr. Chairman, if you don't
 17 mind, if we could ask Julian to kind of update us on
 18 what's happened just in the last couple of days.
 19 ACTING CHAIRMAN KIMBLE: Sure.
 20 Julian.
 21 MR. ARNDT: Yeah, Chairman, Commissioners.
 22 So of course there hasn't been any action for a month,
 23 and then two days before the meeting they like to get
 24 it all in, so that's nice of them.
 25 Anyway, there were seven bills put up. Three

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1 of them did not pass, but there were four that passed
 2 and should be going to the Governor. One was SB1170,
 3 which essentially prescribes that the Arizona Game and
 4 Fish Department can help people with voter
 5 registration. I think 99 percent -- don't quote me on
 6 it, but I think 99 percent of people register through
 7 the DMV, so I don't think this is going to be any sort
 8 of major change.
 9 You have SB1329, which requires, you know, if
 10 practicable, that the County post how many election
 11 bills they receive at their voting location -- or, how
 12 many ballots they receive so that -- and then they post
 13 it online so people can go on there and kind of look,
 14 how many each location received and how many were
 15 counted there. So it provides a little bit more
 16 transparency in that respect.
 17 And you have SB1477, which essentially is
 18 codifying that the Superior Court transmit to the
 19 Secretary of State every month the list of convicted
 20 felons so they can be removed from the voter roles.
 21 And then SB1008 modifies the criteria that
 22 triggers a recount. So before it was basically a tenth
 23 of a percent, and now it's going to be a half percent.
 24 Just for example, that would have caused a recount in a
 25 couple of the statewide and county races the last year

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1 and the presidential election. But most of those
 2 passed -- or, all of them passed with pretty bipartisan
 3 support.
 4 So if you have any questions, I can try and
 5 answer them, but that's my summary. Thank you.
 6 ACTING CHAIRMAN KIMBLE: Any questions from
 7 the Commissioners?
 8 (No response.)
 9 ACTING CHAIRMAN KIMBLE: Thank you, Julian.
 10 Anything else, Tom, on this topic?
 11 MR. COLLINS: The one -- Mr. Chairman, yes.
 12 The one other bill I wanted to highlight is there's a
 13 bill -- there's a bill called 2289 and it is the
 14 bill -- it is the bill that -- and we talked about it
 15 before. This is the bill that, amongst other things,
 16 bans election tabulation equipment and requires only
 17 precinct voting and requires hand counts of elections
 18 in 24 hours after the election ends.
 19 It is -- and we've -- and we've talked about
 20 this, and I've been pretty blunt with you all about it.
 21 It doesn't -- putting aside all the ideological stuff
 22 associated with the bill, it's impractical on a level
 23 of -- it's just impractical. It will take -- I mean,
 24 we saw in the Senate ballot review that it took them
 25 months to count two elections. I mean, it's not -- and

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1 our ballot -- with the ballot styles among the
 2 counties, the different cities, and all those things,
 3 it's --
 4 But the reason I highlighted it is because,
 5 you know, there is a view on -- particularly on those
 6 who are very active among the -- on rallying the --
 7 maybe the more, you know, extreme folks on what they
 8 now -- what people are calling election integrity, or
 9 what some people call election integrity, to try to tie
 10 that bill or perhaps other bills to the budget. And
 11 I'm not sure that that will itself, you know, have any
 12 -- any -- I'm not sure if that will, you know, work.
 13 But the reality is that the margins in the
 14 legislature, the partisan basis, are very -- are one
 15 vote in each house. And so any bill, especially a bill
 16 like that, is impossible, right. It's a bill that
 17 there's simply no way to make it work, right. There's
 18 just -- it's not -- it's not real legislation. I mean,
 19 it's just not. I mean, you know --
 20 You know, to the extent that these things get
 21 tied together, you know, it starts to really -- I mean,
 22 you know, as we get closer to the end of the fiscal
 23 year, you know, it's just -- it's a -- it's a matter to
 24 keep our eyes on. I also think that that particular
 25 bill and bills in its style, again, go to --

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1 You know, again -- you know, we have not been
2 down at the legislature on this stuff. I think the
3 County Association and Jen Marsden have done a
4 remarkable job throughout this session of being able to
5 communicate with legislators about the key practical
6 problems with some of this legislation.
7 I think the issue, though, however, that we
8 have to keep our eye on is, you know, when or if this
9 sort of legitimacy -- or, delegitimate --
10 delegitimizing rhetoric around some of these bills, you
11 know, how we continue to address that. Again, as I
12 said earlier, I mean, it's important to be respectful
13 of voters and to be respectful of voters' time,
14 respectful of voters' information, and then try to
15 communicate with voters about, you know, where things
16 are.
17 So I worry less about communicating with
18 folks who are convinced, incorrectly, in my view,
19 obviously, and some in bad faith, that elections are
20 rigged in some kind of way. That's not the group we
21 need to -- we need to communicate with.
22 The group we need to communicate with is the
23 voters who hear that from people who they trust, even
24 if those are not sources we might find trustworthy, and
25 make sure that we have -- continue, all of us -- in the

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1 Commission this is an ongoing -- I mean, obviously
2 many, many other people are involved in the process
3 here, but we have a role to make sure that there's a
4 place where they can find information that can -- that
5 can bring them along to understand that these kinds of
6 bills are simply, you know, not -- not feasible in any
7 kind of practical way. So just wanted to highlight
8 that one in particular.
9 I think that, you know, we'll see -- you
10 know, I mean, one of the things -- to kind of tie
11 things together here and I think to help lead into our
12 next agenda item, one of the things that one of the
13 reporters who we talked to for the survey noted was
14 there's not -- for all the talk about elections at the
15 legislature, in our survey this spring, election
16 administration was not a top three or a top five issue.
17 Yes, there were -- there is a perceptible uptick among
18 Republican voters in interest in those issues, that is
19 -- the survey does register that, but it's not -- it's
20 not a top-of-mind issue. And so -- you know, so it's
21 sort of like -- for most voters, at least from what we
22 can see.
23 So it's important to kind of like -- you
24 know, it's just important to try to keep together some
25 kind of consistency around, you know, how we bring

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1 folks into the process in a way that's not, you know,
2 politicized. I think we have -- you know, but offers
3 them a reflection back of what's really going on.
4 That's part of the reason why the survey makes sense.
5 You know, it's telling us, look, this election fever is
6 not -- it's not widespread, but, on the other hand, you
7 know, it's persistent. And so I just want to make sure
8 that everybody sort of understands where -- you know,
9 where that may be, because I think over time there's a
10 value to having a nonpartisan institution that can, you
11 know, be effective on these kind of issues over time.
12 So that was my last spiel. I apologize if
13 that went on too long, but I wanted to make sure that
14 we tied those together.
15 ACTING CHAIRMAN KIMBLE: Tom, could I just
16 clarify that you're saying this bill that would require
17 hand count of ballots to be completed within 24 hours
18 is, at this point, dead, but could be resurrected as a
19 bargaining chip in the budget negotiations?
20 MR. COLLINS: Well, I think there's --
21 Mr. Chairman, yes. I mean, I think -- here is the
22 issue is that there are a couple of Republican
23 legislators who have made clear -- and Julian noted
24 there are some bills that failed this week, and there
25 have been some bills that have failed throughout the

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1 process, because there are some -- a couple of
2 Republican legislators who have sort of held the line
3 on this election administration issue, and that's been
4 good.
5 The issue on the budget becomes that if --
6 you'd still need to get 16 of 31. So what -- so if you
7 dig in on something that's basically impossible, right,
8 like this 2289 bill, which is simply impossible to
9 implement, you may not get that chip, but there -- but
10 it does create a -- kind of an approach to leverage, if
11 you will, right. Digging in on something that simply
12 cannot happen and saying, I must have it in order to
13 vote for the budget, in this narrow of a partisan
14 threshold can, I think, have a ripple effect.
15 So, for example, one of the bills the County
16 has -- the Counties have -- and we've actually sent
17 some -- because we have a little stake in this through
18 Pinal County and we were asked by the Pinal County
19 Recorder to speak about is, you know, how the State --
20 how the legislature has contemplated eliminating drop
21 boxes and eliminating -- and drive-up voting, right.
22 So there's a bill out there, I think it's 2238, that
23 would do that. That bill is hung up right now because
24 there are a couple of Republican lawmakers who have
25 said they think that it's not -- the bill, as written,

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1 is not practical. You know, we -- you know, and we're
2 very happy with that. And, like I said, we've been
3 very -- we are very pleased with the County
4 Association's efforts to lobby on that.
5 The more you dig in on something that's sort
6 of over here, right, the question is, how much does
7 that start to pull on stuff that, you know, that's not
8 quite that, but certainly would have an adverse impact
9 on, you know, on issues that specifically Republican
10 County Recorders in Pinal County, in Yavapai County
11 believe would have a negative impact on voters.
12 ACTING CHAIRMAN KIMBLE: So not to prolong
13 this a whole long -- a whole long time, but -- so today
14 is the 130th day of what's supposed to be a 100-day
15 legislative session. Is there any way to forecast or
16 do you have a good guess as to when we're going to get
17 down to some serious budget negotiations and bargaining
18 and things like that? Are we a week away from it, are
19 we a month away from it, or who knows?
20 MR. COLLINS: I don't know. I know that,
21 you know, we've -- you know, we've surveyed folks as
22 best we -- Mr. Chairman, I should say, we've surveyed
23 folks as best we can. I think that -- I think the last
24 we had been able to gather, there's really no -- no
25 sense of that. But then the legislature, I think, has

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1 taken time -- increasingly taken time off during this
2 session and sort of, you know, slowed things down
3 considerably. I think that, based on everything we
4 know right now, it would not be surprising to get to
5 June 30th before there's a -- before there's a budget.
6 I mean, I think the one thing that we --
7 people that have been around, and certainly Mike and,
8 you know, and I can guarantee you, Mr. Chairman, and
9 Commissioner Paton and Commissioner Chan all knows as
10 well, the thought would be, you know, we're in a
11 redistricting year, and you have to go campaign. And
12 there are some restrictions on fundraising during that
13 process and there's time impacts, all that other kind
14 of stuff, those -- all those incentives say, get this
15 done. But there is -- there's not a whole lot of
16 evidence --
17 I mean, the last -- I think within -- I can't
18 remember -- I think it was in April, you know, the
19 last -- the last thing that happened on the budget is
20 that the House put forward -- the House budget
21 chairwoman put forward a bill that would have, you
22 know, gotten them -- you know, sort of started the
23 process of getting some funding mechanism in place
24 before July 1st. And a bipartisan group, not people
25 who agree with one another, but people who are

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1 Republicans and people who are Democrats, scrapped it.
2 And there was -- so as far as in public, you know,
3 there's just been no -- there's no -- nothing that
4 we've been able to perceive in public that suggests
5 there's movement there.
6 ACTING CHAIRMAN KIMBLE: Okay. Okay. Thank
7 you.
8 COMMISSIONER PATON: Chairman.
9 ACTING CHAIRMAN KIMBLE: Mr. -- Commissioner
10 Paton.
11 COMMISSIONER PATON: Yes. I might add that
12 they're allowing them to work from home, the
13 legislators, so they're not stuck in Phoenix if they
14 don't live in Phoenix. And usually that's something
15 to -- motivation for them to be finished. But if -- I
16 read where there's a couple of them, haven't even been
17 to the legislature all year, so that's -- you know,
18 that's less -- less pressure on them to finish it.
19 ACTING CHAIRMAN KIMBLE: Good point,
20 Commissioner.
21 Commissioner Chan, any comments on this
22 topic?
23 COMMISSIONER CHAN: No. I didn't realize
24 they were allowing legislators to work from home. I
25 thought they weren't, which was part of the issue. I

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1 think those two legislators have a newborn baby at home
2 and they were -- they had asked to be allowed to attend
3 virtually. And I thought that was not a choice that
4 was given to legislators this year and that was part of
5 the issue. I don't know if anybody else knows more
6 about that than I do, but...
7 ACTING CHAIRMAN KIMBLE: Anyone else want to
8 comment on that, Tom?
9 MR. COLLINS: Mr. Chairman, Commissioners, I
10 don't -- I don't know -- I don't pretend to know all
11 the details. I think that -- I think that whether it's
12 by virtue of work from home or virtue of the fact that
13 they're getting -- that they're taking big chunks of
14 time off, I think that the point stands that if you --
15 if you don't -- if you have things that allow you to
16 not be in Phoenix, that those -- but still be in
17 session, whatever those things are, I think that the
18 point that there's less pressure on you to get done --
19 I mean, that's -- you know, I mean, I think that's -- I
20 think that point -- I think that point is well taken.
21 MR. ARNDT: I can comment, Chairman,
22 Commissioners. I believe --
23 ACTING CHAIRMAN KIMBLE: Julian.
24 MR. ARNDT: Yeah, I believe Amy's correct.
25 Those two, Representative and Senator, did kind of get

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1 an exemption for that. And they can vote virtually,
2 but they have to be in their office.
3 ACTING CHAIRMAN KIMBLE: Okay. Thanks.
4 Anything else on this topic?
5 (No response.)
6 ACTING CHAIRMAN KIMBLE: Thank you.
7 Item V, presentation on election security and
8 recognition and appreciation to Ken Matta, former
9 Secretary of State Chief Election Security Officer.
10 Ken Matta served for 20 years with the
11 Arizona Secretary of State's Office, most recently as
12 Chief of Election Security. He recently left for a
13 private sector role. In his role he was responsible
14 for critical election security matters ranging from
15 logic and accuracy testing for election equipment
16 statewide to developing best practices for election
17 security.
18 Ken is a State-certified election officer,
19 served as a liaison between the Counties and the
20 Secretary of State, and served as Chairman of the
21 Arizona Vote Count Verification Committee. He has also
22 worked closely with federal and local partners, such as
23 the Arizona Counter Terrorism Information Center and
24 the Arizona Cyber Security Task Force.
25 We invited Ken to discuss election security

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1 with us and for the public. We also want to take an
2 opportunity to recognize him for his important
3 contributions to Arizona elections. So, thank you,
4 Ken, for your extraordinary service.
5 Gina, did you want to say a few words?
6 MS. ROBERTS: Sure. Thank you, Mr. Chairman,
7 Commissioners.
8 Ken, thank you for being here today. As it
9 was noted by Chairman Kimble, obviously you have a very
10 long career in serving Arizona voters. I really can't
11 even begin to find the words to express the impact that
12 you have had on Arizona elections. Most recently I
13 know that you've been heavily involved both within the
14 Senate audit that occurred, you were there on the
15 ground every day. You are -- just, you know, so the
16 public knows, Ken Matta is absolutely the most
17 knowledgeable person in the state of Arizona about
18 election security, about election equipment, and
19 you've, again, had a long history in serving Arizona
20 voters well, so I want to thank you for being here
21 today.
22 And then I'm not sure if I should -- you
23 know, I know Chairman Kimble announced that we'd like
24 to also recognize and honor your service to the state.
25 We do have a plaque available for you. I have a

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1 picture of it that I can send you. So next time we see
2 each other in person, I will deliver that to you. But
3 it is in recognition of your service to the state of
4 Arizona and to Arizona voters and to your contributions
5 to ensuring that Arizona elections are safe and secure
6 and accurate. So we thank you for your service and we
7 look forward to your presentation right now.
8 ACTING CHAIRMAN KIMBLE: Thank you, Gina.
9 Ken, I'll turn the floor over to you for
10 whatever you'd like to say.
11 MR. MATTA: Thank you, Chairman Kimble and
12 Commissioners and Gina. Wow, those were really nice
13 words.
14 I'm really honored to be here today. I'm
15 still going to try to stay relevant in election
16 security as much as I can. I'm going to go ahead and
17 share -- I've got a couple slides that will help me get
18 through it a little bit. There we go. I'm hoping you
19 can see that.
20 Okay. So here is what I'd like to talk about
21 real quick, just three major sections here. I would
22 just like to talk about the good work that the good
23 people are doing in election security across our state.
24 I would like to look at some of the current things
25 we're doing, some of the current security initiatives,

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1 and what we do to secure elections, and then talk about
2 the future challenges we have coming up.
3 So we have a great community built in
4 Arizona. We've been -- several administrations of the
5 Secretary of State's Office has been working on
6 creating -- you know, breaking down silos and getting
7 this whole community to work together. And, you know,
8 you've got to remember that over hundreds of years in
9 this country many thousands of people have been working
10 together to secure elections. This is not a new
11 science. And what I'm talking about here is the
12 players that are in it today.
13 On the County scene we have election
14 directors and their staff, recorders and their staff,
15 IT and information security professionals,
16 communications leads -- communications become such an
17 important part of what we do in protecting elections --
18 law enforcement at the County and local level, and
19 recently the board of supervisors. We've been really
20 inviting them into the process because, you know, they
21 hold a lot of the power and the purse strings in the
22 counties, and it's good to have them on our side and so
23 that they understand how elections actually work.
24 At the state level we have the Secretary of
25 State's Office, the Clean Elections Commission of

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1 course, the fine work you guys do, Department of
2 Homeland Security, DEMA and the National Guard helping,
3 you know, protect us, and ACTIC, the Arizona Counter
4 Terrorism Information Center, which we use as a central
5 hub of reporting for election security in Arizona.
6 On the federal level, CISA has really stood
7 up in the last few years and really just been super
8 involved at helping to protect elections across the
9 country. The FBI, doing just great -- great work,
10 great things with us. You know, we have an elections
11 crime coordinator right now for our area, a specific
12 FBI agent that's assigned to help us with elections and
13 election security. The Election Infrastructure
14 Information Sharing and Analysis Center, it's a
15 mouthful, we call it EI-ISAC, which is a federal agency
16 set up just to share best practices, to share current
17 threats, to just move information laterally across the
18 country in the election space to help us secure
19 elections. And, of course, the Election Assistance
20 Commission.
21 As well, we lean on other states and other
22 jurisdictions. You know, like I said, this community,
23 it's a big thing. This doesn't just apply to Arizona.
24 Arizona is a part of a larger federal community. And
25 we have a lot of meetings, we have a lot of

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1 organizations that help us with that to share those
2 best practices, current information.
3 Academia, you know, we've got from Harvard,
4 Stanford, you know, countless other ones helping us in
5 the science of elections. Our vendors, our partners in
6 security, everybody is -- you know, security is a
7 priority with them. And the private sector as well,
8 you know, companies like Microsoft, Facebook, all --
9 just a countless number of vendors that are offering
10 services to help secure elections.
11 In Arizona, let's just talk a little bit
12 about some of the things going on, we have monthly
13 statewide election security meetings where we build
14 that community and we start sharing information and
15 work on common problems that we have together.
16 Spun off from that, in the last few years we
17 have a monthly election security tech talk where sort
18 of the nerds, you know, the IT folks, the technical
19 people, can get together and talk about things that are
20 really too technical for the statewide election
21 security meetings. I want to say, in those statewide
22 election security meetings it's sort of an executive
23 meeting and we have election directors, recorders,
24 information technology, communications people all
25 meeting together with our federal partners and other

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1 ones just sharing information.
2 We also have a statewide comms talk spun off
3 where the communications community gets together and
4 it's sort of a roundtable discussion and we can take on
5 problems that we face as a community together and share
6 best practices.
7 We have policy development projects that
8 these aforementioned groups can take on. Sometimes
9 we'll spin off work groups to accomplish a security
10 objective that we have, and we do it together, we do it
11 as a community, and we do it with consensus.
12 We have statewide tabletop exercises where we
13 practice for the worst election you could ever imagine.
14 You know, we look at horrible, horrible scenarios that
15 could happen in elections and we start working on how
16 we deal with those things ahead of time, before they
17 happen. As well, technical tabletop exercises for the
18 IT side. We will be rolling out county-specific
19 tabletop exercises. I keep saying "we." But hopefully
20 we'll see county specific tabletop exercises being
21 offered from the State. Communication workshops and
22 tabletop exercises also on the radar.
23 Resource sharing. We found out, you know,
24 across the state there's large counties with resources
25 and mature security programs, there's also smaller

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1 counties that have less resources, and so we found out
2 that the larger counties are willing to share their
3 people and their experience to the smaller counties.
4 So if a smaller county needs help implementing a
5 security feature or program or if they need help doing
6 a security assessment, that the larger counties are
7 willing to share their people, actually put boots on
8 the ground, get them over to the smaller counties to
9 help them. It's -- it's actually a great discovery and
10 it's a model that I've been sharing on the federal
11 level and I hope it kind of gets picked up everywhere.
12 We're doing information and advisory
13 dissemination, like our federal partners always tell us
14 when something is going on nationally that we need to
15 be aware of. A lot of threats don't just happen in one
16 small place, but are widespread. So our federal
17 security partners keep an eye on that for us.
18 As well as free services and security
19 products, we like to keep our eyes on that, because
20 free stuff, well, we can afford that and it's always
21 good to have.
22 I'm going to talk a little bit about election
23 security itself. This is my definition of what an
24 election is from a security standpoint. An election is
25 when people of different parties work together to

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1 tabulate votes in a controlled environment using rules
2 that were specifically designed to prevent fraud that
3 they agree to in advance. And again, this speaks to
4 those hundreds of years in this country that we've been
5 doing elections. And since there was a ballot box to
6 stuff, you know, people have been thinking about ways
7 to thwart fraud and have fair elections.
8 A lot of what we've designed, a lot of those
9 rules we put in place end up being technology
10 independent. It doesn't matter if we're pulling levers
11 or had punch cards or the current equipment we have
12 today. Many of the rules and procedures in place in
13 election security are layers of security on top of our
14 technical layers, and we'll talk a little bit about --
15 more about that in a minute.
16 We have certain public communication
17 strategies. This is what we try to push, at the state
18 level, out. We want unified messaging. The worst
19 thing that would happen -- if there was an election
20 incident and the press goes to a County and says, hey,
21 what happened here, and then they tell them something.
22 And then they go to, say, the Secretary of State's
23 Office and say, what happened in that county, and we
24 don't know because we haven't talked. So we really
25 want to make sure that we're sharing information about

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1 what's really happening so we can -- we can share the
2 same messaging, consistent messaging.
3 We're trying to really build our
4 communication skill sets. We've had a lot of help from
5 Clean Elections on that. Gina is, you know, probably
6 the leading expert in the state about getting out
7 correct information to the voters about what's really
8 going on, what's really happening in elections.
9 We like to amplify each other's messaging.
10 It's been clear to us that the elections community
11 doesn't have the same size megaphone that conspiracy
12 theorists or election deniers have right now, and so
13 we're trying to fix that. We're trying to see what we
14 can do to reinforce and support each other's messaging.
15 You know, we're making sure that we never
16 throw another election-having jurisdiction under the
17 bus. That's just simple and straightforward. Even if
18 they're in another state, there's no reason for one
19 elections department to be talking trash about another
20 election department somewhere.
21 And having a plan, having a communication
22 response plan.
23 Our nonpublic communication strategies, it's
24 really important that we -- and this is about election
25 incidents. If there's problems at a polling place,

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1 physical problems, if there's a cyber incident, if
2 there's threats against elections, we want to get this
3 information up the chain to investigative and law
4 enforcement partners, federal intelligence agencies,
5 because what we're seeing may be part of a larger
6 pattern, as I was alluding to before. So it's
7 important, you know, that we -- we get this up the
8 chain, and they can disperse that information across.
9 And they may even be able to stop election security
10 issues before they happen in other states if we all
11 share that information. So it's part of our
12 responsibility as part of the larger election security
13 community to get that information out there. Also,
14 getting that information that I was just talking about
15 from them to us.
16 It's important that the Secretary of State
17 and law enforcement have realtime information about
18 what's going on on election day, on times leading up to
19 elections, actually, at all times, so that we can
20 prepare responses.
21 In Arizona we use ACTIC, the Arizona Counter
22 Terrorism Information Center, as an information hub for
23 our nonpublic communications. So ACTIC is an
24 organization, and it has representatives from almost
25 every law enforcement agency in Arizona, as well as our

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1 federal intelligence agencies. They all have seats
2 there. They ingest tons of information from all sorts
3 of sources and from all over the country and they
4 analyze that and decide who needs to know about it.
5 So they -- we inform them -- our community
6 informs them of any election incidents that are
7 happening. If there's, you know, an incursion into a
8 polling place or if there's somebody with a gun at a
9 polling place, if there's a cyber incident somewhere,
10 it all gets reported to them and they can disperse that
11 to the people who need to know it.
12 This is what it looks like in a diagram. You
13 really don't need to memorize this, because it's pretty
14 much exactly what I described. We'll just skip past
15 that.
16 There's four areas -- main areas of election
17 security. There's physical security. And this is not
18 just how we physically like protect our machines and
19 our equipment; you know, that is part of it, but as
20 well it's taken on a new meaning lately, and we'll talk
21 about that more.
22 There's cyber security, procedural security,
23 and those are those many layers and many rules, many
24 policies that we've created over the years to help
25 secure elections. And objective information security,

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1 that's kind of my term, but what that means is public
2 information security.
3 In physical security we have to protect our
4 voters, our staff, our equipment, and our facilities.
5 This has taken on a new urgency since the 2020
6 election. Before that, we were -- did not have to
7 prepare ourselves as much. I mean, we -- on our radar
8 wasn't things like violent protests or, you know, armed
9 incursions possibly into our tabulation centers or our
10 vote headquarters. We weren't expecting, you know, the
11 amount of threats that we've received since the 2020
12 election. So, you know, we are concerned about
13 shootings at the polls. We have counties now that are
14 offering deescalation training and active shooter
15 training to the poll workers. This is new. So we've
16 had to really -- we've had a paradigm shift around
17 physical security since the 2020 election.
18 CISA really lends us a hand with physical
19 security. They come out and do physical security
20 assessments on our facilities. They offer that active
21 shooter training. They offer lots of ideas to us to
22 help us improve our physical security posture. And so,
23 like I said, these are all -- we have a lot of new
24 challenges since 2020.
25 Here are some of the statute around physical

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1 security requirements. I'm just going to run over
2 this, because I want us to all understand the scope and
3 magnitude of -- of the rules in place that help us keep
4 elections secure.
5 So all of our equipment has to be serial
6 numbered and inventoried, stored in a locked, secure
7 location.
8 We can only access it if we're authorized to
9 do so, and that is called the privilege -- the
10 principle of least privileged access. We see that all
11 the time. Least privileged access just means that only
12 people that really need to get at something have the
13 permission to get at it.
14 Our equipment is sealed and logged after we
15 program it. If we move it around, there has to be two
16 people there. Ballots have to be inventoried when we
17 get them and before we distribute them. They have to
18 be available according to least privileged access. We
19 have to store them in a secured location, and access to
20 that location has to be logged. Again, witnessed by
21 two people when we move them around. And even the
22 blank stock for our ballot-on-demand printers, those
23 are the ballots that we print at the polling place for
24 the voters as they need them, even that blank stuff
25 must be audited and accounted for so it doesn't get in

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1 the wrong hands.
2 In cyber security I want to point out that
3 there's two types of systems. There's our election
4 systems, these are the systems that actually count
5 votes and control our elections. These systems in
6 Arizona are air-gapped, they've been air-gapped for
7 many years, meaning that they're not connected to any
8 other network, including the Internet, including our
9 office networks that are connected to the Internet.
10 They're stand-alone systems. So if you -- if you're
11 thinking that somewhere, you know, there's a person out
12 there tapping his keys in another country hacking our
13 voting systems, our actual election systems, the
14 probability of that is almost zero. It's highly
15 improbable.
16 We also have election office networks, which,
17 like most networks, are connected to the Internet. And
18 we do things on there like check our e-mail and surf
19 the web, you know, dangerous activities, you know, from
20 a pure security standpoint, and these systems are more
21 likely to have a security problem. But just know that
22 if one of our office networks was to get breached, they
23 wouldn't be able to change a vote. Again, keep in
24 mind, the systems that count our votes are not attached
25 to any network.

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1 I think it's an important distinction. I
2 always make that distinction. Because we may see, you
3 know, a press release that there was, you know, this
4 election -- this county election office was breached.
5 And it's important to think, you know, wait, was that
6 their election system or was that just their office
7 network, because there's a big difference.
8 We are getting a ton of federal help through
9 CISA, other agencies, to help us, you know, cyber
10 protect our office networks. But let me say that in
11 today's new time, with the prevalence of mis, dis, and
12 mal information, with the physical threats that we're
13 facing, cyber attacks are the least feasible way that
14 somebody could attack an election at this point, in my
15 opinion.
16 Here are some of the laws around cyber
17 security. I'm just going to buzz through them. You
18 know, the voting system must be password protected,
19 cannot be connected to the Internet. The election
20 management system, which is the election system, must
21 be installed on a system with nothing else on it, and
22 especially no remote access software is called out in
23 statute. We cannot transmit our election results
24 electronically from the polling place to our election
25 headquarters. We check that the exact software and

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1 firmware versions that we're using are identical to
2 approved versions before we use them.
3 The removable storage. Sometimes when it
4 comes time for us to move information in and out of
5 these air-gapped systems what we'll do is we'll use
6 what we call sneakernet and we'll use like a USB thumb
7 drive and we'll move information from one system to our
8 election management systems, and these are just rules
9 around that kind of storage.
10 It has to be purchased or received from a
11 reliable source. The Secretary of State's Office has
12 been providing those in the last election. They have
13 to be physically secured, like most other election
14 equipment.
15 Oh, I actually didn't remove this next one.
16 I'm going to talk about that a little later. Keep in
17 mind, it's not a requirement right now.
18 We can only use them once. We can -- we have
19 to scan them for malicious software. We have to
20 encrypt them if we're going to physically move them
21 across space and time.
22 Here is some stuff around electronic
23 pollbooks and ballot-on-demand printers. Only
24 connected to secure networks. Keep in mind, these
25 technologies -- we don't vote on these technologies.

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1 They're sort of vote-adjacent technology. We have to
2 use encryption, industry standard encryption when they
3 communicate. They have to be patched and updated as
4 recommended by the vendor. Again, no unnecessary
5 software on these devices. We look at the data files
6 that are on them, like the voter data files, and we vet
7 them against their actual sources.
8 And this is an interesting one: We only use
9 vendor-supplied cables for this type of equipment.
10 This rule came about when we started seeing like USB
11 cables available online that actually came with malware
12 built into them. So the rule is that we can only use
13 vendor-supplied cables for these types of equipment.
14 And procedural security, these are the many
15 rules that create these layers of security. I just
16 want to mention, Title 16, you guys have probably all
17 seen it, it's a thick book. Gina probably has one on
18 her desk. Show us, Gina. There are just hundreds and
19 possibly thousands of procedures and rules that add
20 layers of security, and this is what I wish the public
21 knew about. I wish the public understood that -- you
22 know, and you hear about 20,000 ballots --
23 There it is. There's Title 16.
24 -- 20,000 ballots from China inserted into
25 the process. You know, people that really know

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1 elections on the inside just know how ridiculous that
2 is. It just can't happen because of all of these
3 audit, subaudit, chain of custody rules that we have in
4 place to control elections.
5 There's just too much to list. I pulled out
6 a few pages of them, and I'm just going to buzz through
7 them. Just, you know, if somebody is watching from the
8 public realm, I just hope you understand the extent
9 that this has been thought out and preplanned for.
10 You know, ballot return envelopes are
11 tamper-evident. Ballots are mailed out nonforwardable.
12 Only one ballot can be returned per voter. There are
13 two-party retrievers of ballots from drop boxes,
14 meaning, you know, that there's two people going out
15 there to get them. It's not just one person.
16 In Arizona a voter must show ID at the polls.
17 Voting equipment has to be approved by the State and
18 approved by federal agencies. We logic and accuracy
19 test, in other words, we test to make sure these
20 machines work and the programs have not been
21 compromised, before and after each election.
22 Candidates cannot be poll workers.
23 Election boards, the people that decide voter
24 intent and the people that duplicate ballots, are
25 bipartisan. There's always -- we're using this buddy

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1 system through our whole election process to create a
2 self-policing environment.
3 Voted and unvoted ballots are sealed at the
4 polls after voting. We check the number of votes cast
5 on the equipment at the polls and we check that against
6 the number of people that sign in at the polls to make
7 sure they match. And that's just an example of one of
8 many of these small auditing procedures we have in
9 there to ensure the integrity of the votes actually
10 collected at the polls are what's represented in our
11 final numbers.
12 Only election officers can train poll
13 workers. We run zero reports on the equipment and
14 verify them when we first open the polls. We run
15 results reports when closing the polls so we have a
16 record of what that poll collected in votes, a hard
17 copy record that we can always go back and audit.
18 Our ballots and that blank stock is inventoried at the
19 polls.
20 So there's just so much. It just goes on and
21 on. And, you know, that's a -- the idea of layers of
22 security is that even if you can circumvent one
23 security protocol, one security fortification, that
24 there is another and another and another that can stop
25 you from performing any nefarious act.

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1 So real quick about public information
2 security -- a little bit more about it, actually. We
3 touched on it a second. You know, in this country
4 voters have sort of turned away from trusted sources of
5 information. Right now it appears to me that a certain
6 amount of the population is willing to take their
7 information from -- about election security and about
8 whether the 2020 election was secure from politicians
9 and political pundits, but not from those thousands of
10 people that have been working to secure elections
11 across the country, not from the professionals that do
12 this every day, and so we're making an effort to point
13 the public back to trusted sources of information.
14 In Arizona that's Clean Elections, that's the
15 Secretary of State's Office, our county recorders, our
16 county election offices. These are the people that
17 actually perform elections. These are the people who
18 actually know how elections work. And I encourage
19 anybody listening, if you have -- if you have questions
20 about elections and election security, reach out to
21 these people and they're more than happy to help you
22 understand how elections work.
23 We've found out that prebunking is better
24 than debunking. You know, a lot of -- we've seen just
25 so much MDM. I'm going to say MDM. That's

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1 misinformation, disinformation, and malinformation.
2 We've just seen so much of it. And, you know, putting
3 out the truth afterwards doesn't have the same effect
4 as educating the public beforehand. So when they hear
5 this misinformation they can say, oh, that's -- that's
6 not really happening.
7 We're working with our peers to amplify
8 messaging; I covered that a little bit before.
9 Trying to improve our relationships with
10 media, trying to bring media into our processes more,
11 let them get a look at it, let them understand it so
12 they can do more accurate reporting.
13 You know, again, I was saying we don't really
14 have the megaphone that a lot of purveyors of
15 misinformation have, so we're looking for allies, we're
16 looking for influencers to help carry the message about
17 election reality.
18 And then get out public information. You
19 know, we've been doing tremendous work all across the
20 country about helping to educate the public about how
21 elections actually work.
22 In the future -- here is my -- here is my
23 peer into the future, get out my crystal ball here.
24 But what we're experiencing right now is a loss of
25 election talent. I just, you know, I read -- I read a

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1 tweet today about another friend and co-worker, just
2 excellent election knowledge, I mean, this person is
3 just amazing, just leaving the industry as well.
4 Right now it's a hard time to be in
5 elections. It's -- we experience threats and hatred.
6 You know, we receive the nastiest phone calls and
7 e-mails. You know, the job was not really a glamorous
8 and praised job in the first place. It doesn't pay
9 well. And nobody in the election community signed up
10 to be abused in the way that we've been being abused
11 since the 2020 election.
12 As a result, it's attrition. We're losing
13 our talent and they're going to the private sector,
14 they're just getting out of elections. This is going
15 to create a vacancy in our industry that is going to --
16 it's going to be hard to replace that loss of
17 knowledge. But as well, if we think that -- according
18 to the recent polls, between 30 to 40 percent of the
19 American public believes the 2020 election was stolen.
20 That means, statistically speaking, many of the jobs in
21 elections that those vacancies create are going to end
22 up being filled by election deniers and election
23 conspiracy theorists.
24 The easiest way they could penetrate into the
25 election process would be through like political

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1 observers. Secondly, through the -- as being poll
2 workers. It's a pretty easy point of entry into the
3 process. They could be replacing election staff in our
4 election offices. And they could be holding the
5 highest election office in the land, the Secretary of
6 State's Office position.
7 We could see election deniers and conspiracy
8 theorists, and that is people that hold a more
9 politically active ideology, that are pursuing
10 political ambitions other than -- and not democratic,
11 not furthering, you know, the democratic mission into
12 our process. Insider threat is the thing I'm most
13 concerned about coming up in future elections.
14 As well, like I was talking about before,
15 violence. You know, we're -- when we've got to a time
16 where we're having to teach active shooter training to
17 our poll workers, it's a scary time. We don't know
18 what's coming up. I feel we've been very fortunate so
19 far, and I hope we continue to keep up that winning --
20 that lucky streak that we've got.
21 One of the largest threats we face is the
22 loss of -- the permanent loss of faith of our voters.
23 I think about countries, other than our own, who just
24 have begun to accept that their elections are rigged
25 and the state of those countries, and we don't want to

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1 be there. You know, I want to see our faith restored
2 to our voters. There is absolutely no good reason why
3 a single voter should be questioning the integrity of
4 our elections at this point. They've been bombarded
5 with mis, dis, and mal information about the state of
6 elections is the only reason they're doubting it.
7 I'm here to say, you know, our elections are
8 good. You know, like I said, this is not a new
9 science. If -- we've thought about this. Whole
10 communities of people that are good Americans, you
11 know, they're our -- our fellow Americans, our
12 neighbors, our family members, they're election workers
13 and they have high ideals, they have integrity. And
14 the fact that we're doubting this community right now
15 is shameful, and I hope it doesn't continue.
16 So I hope that wasn't too doom and gloomy. I
17 do have -- oh, look at this, I had slides on that
18 stuff. Okay. But I do have faith, you know. This is
19 America and it's a great country. The next generation
20 also, you know, as I speak to young people about this,
21 they seem to have a clear view of what's really going
22 on. They seem to be able to see the demarcation
23 between political messaging and professional messaging
24 and they seem more willing to listen to trusted
25 sources. So around the corner I hope -- I hope this

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1 resolves itself, I certainly do. And that's what I've
2 got for you guys, and I thank you for your attention.
3 ACTING CHAIRMAN KIMBLE: Thanks, Ken. It
4 seems grossly inadequate to just say thank you to you
5 for your decades of service to this state, to our
6 community, to elections. And you have so much valuable
7 information here. I know that we'll find some way to
8 put this on our website so that those who weren't
9 watching it now will be able to look at it in the
10 future and see how complex the whole topic of election
11 security is.
12 I've been a poll worker for, I don't know, a
13 dozen elections or so, and I can say I knew some of it
14 from working at the polls, but there's so much in there
15 that you said that I had no idea about.
16 I particularly appreciate your definition of
17 an election. I thought that really crystallized the
18 challenges that are faced. And when it comes down to
19 it, it's really pretty simple: We want an election
20 that is fair and that everyone can agree is fair and
21 secure.
22 So thank you for your presentation. Thanks
23 for your years of service to the state.
24 Do any of my colleagues, Commissioners, have
25 any comments or questions?

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1 COMMISSIONER CHAN: I'd like to make a
2 comment, Mr. Chairman.
3 ACTING CHAIRMAN KIMBLE: Commissioner Chan.
4 COMMISSIONER CHAN: I was lucky enough to get
5 to work with Ken for the, gosh, four years that I
6 worked at the Secretary of State's Office and then
7 briefly when I just returned before he decided to leave
8 us, and I just -- like you said, Mr. Chairman, thank
9 you seems like it's not enough. But, Ken, you have
10 always been such an amazing professional and just such
11 a hard worker and I -- it's really wonderful to see how
12 it's paid off for you, even if it's a loss for the
13 State.
14 And I'm just very relieved that you're at
15 least staying in the business as a resource for
16 everyone. It's been really nice to be able to see that
17 you're able to communicate to the public and educate
18 them on your own, as an individual, in addition to the
19 work you've done for the State and the work that you're
20 going to continue to do at Runbeck, so thank you so
21 much.
22 And, Mr. Chairman, I was happy to hear you
23 say that you've been a poll worker for so long. I
24 would encourage everyone who believes in elections and
25 how they're run to become a poll worker. It's not

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1 volunteer. I mean, you do get paid. It's not like a
2 ton of money. But I think it's something that's
3 worthwhile to both become educated in how our elections
4 work, as well as, you know, play a very important role
5 on election day. We do have most of our voters using
6 vote by mail, and so our election day work is not as
7 extensive as it could be, but we still need people to
8 be in place to put the poll up, take the poll down --
9 the polling places down, and deliver ballots to
10 election central on election night. So it couldn't be
11 more important now. It's always been important, but it
12 couldn't be more important than it is today. So I
13 would really encourage everyone who's on this meeting
14 today to consider doing that.
15 And I just, again, thank you, Ken, for your
16 service, and really happy that you didn't retire
17 completely.
18 ACTING CHAIRMAN KIMBLE: Thank you,
19 Commissioner.
20 Any other comments or questions,
21 Commissioner Paton?
22 COMMISSIONER PATON: Yes, a couple things. I
23 wonder if you couldn't do a primer for the
24 legislature, you know, a little workshop for them,
25 since they want to be all verbose about elections. And

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1 maybe we could get a copy of this little presentation
2 to PBS or -- I mean, it sounds like that we could get
3 this information out in the public to where -- like you
4 said, they have -- they have their ways of getting
5 messages out to poor losers, basically. And it's just
6 a shame that -- somehow we should be able to get it out
7 to somebody anyway, some public thing.
8 I think many in the public, maybe they grew
9 up at a different time. My dad lived in Jim Wells
10 County in Texas in 1948, Box 13. And some of these
11 old-timers, they remember dead people voting in Chicago
12 and whatever and they don't realize that things have
13 changed. There's all kinds of security involved.
14 So anyway, that's my input. Thank you for
15 all you've done and continue to do.
16 ACTING CHAIRMAN KIMBLE: Thank you,
17 Commissioner Paton.
18 Any other comments?
19 (No response.)
20 ACTING CHAIRMAN KIMBLE: Thanks again, Ken.
21 We appreciate your time.
22 MR. MATTA: Well, thank you, Mr. Chairman,
23 and the entire Commission. I really appreciate you.
24 ACTING CHAIRMAN KIMBLE: Thanks again.
25 MR. MATTA: I've also got to say, I really

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1 appreciate the work you do.
2 ACTING CHAIRMAN KIMBLE: Well, I think we
3 have an outstanding staff, and we couldn't do what we
4 do without them. Thank you.
5 Okay. We're going to move on to Item VI,
6 public comment. This is the time for consideration of
7 comments and suggestions from the public. Action taken
8 as a result of public comment will be limited to
9 directing staff to study the matter or rescheduling the
10 matter for further consideration and decision at a
11 later date or responding to criticism.
12 Does any member of the public wish to make
13 comments?
14 Rivko.
15 MS. KNOX: Good morning, Chairman and Members
16 of the Commission and staff. Although I was not
17 physically present the last two meetings, I have
18 observed them. I saw them online. And I do report
19 to -- write up reports to a number of people who are in
20 the League, I'm not an official League observer, but a
21 lot of people in the League who are very concerned
22 about this issue.
23 I really wanted to especially thank the
24 Commission. The last three meetings where you had
25 election professionals, the county recorders, and this

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1 morning with Mr. Matta have been absolutely
2 outstanding.
3 And I know one of the things that I've been
4 telling people that I learned from one of the
5 presentations, I can't remember which one, was how
6 important it is for the small counties to have the
7 resources to be able to attract and retain people who
8 are knowledgeable about election security, things that
9 are very technical. And with small budgets, even if
10 they hire an expert, how do you keep them from going to
11 the private sector, because you can't match the pay?
12 And I think that's an element that needs to be
13 stressed.
14 I'm just wondering if those interviews might
15 be made available. I mean, I know anybody can watch a
16 Commission meeting online; but with all due respect,
17 they are, you know, an hour and a half or two hours.
18 But I wondered if those interviews might be posted as a
19 way to get more people to observe them, then same thing
20 with Mr. Matta's presentation today.
21 And then I have only one other comment for
22 Mr. Matta's presentation, which was absolutely
23 outstanding. There are so many acronyms. And I am not
24 in the election community, even though I've been a poll
25 worker for years and as a League member, you know, we

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1 study elections and so on. But I would hope that the
2 presentation, if it's available online, would ensure
3 that there is like a list of acronyms, because there
4 are pages you showed, Mr. Matta, with initials only.
5 And I kept writing madly, and I didn't get them all.
6 But tremendous information that I hope you share much
7 more widely with the public.
8 And again, thank you all, both the
9 Commissioners and the staff, for just continuing to do
10 what you do. Your work is more and more important
11 every time. And I appreciate everything that you do as
12 just a voter and citizen, and thank you. Have a good
13 day and...
14 ACTING CHAIRMAN KIMBLE: Thank you, Ms. Knox.
15 Tom, is there anything you'd like to say
16 about how these presentations can be accessed after the
17 fact? Are they archived on our website?
18 MR. COLLINS: Yes. So I think I can -- I
19 think I can, especially because the presentation itself
20 is on the agenda. The presentations are on our
21 website. I hope to -- within a reasonable amount of
22 time I think we can pull them together in some kind of
23 package that plays them.
24 The presentations -- Rivko is right, and the
25 goal of having these presentations is to be able to

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1 have a public record available, and Commissioner Paton
 2 is right, to folks that can come and get -- you know,
 3 who want to drill down on some of these issues like Ken
 4 was discussing, you know, to make that available and to
 5 piece it out in a way that -- you know, that is more
 6 accessible.
 7 I think, you know, the core here -- and just
 8 to -- again, I think this is just all -- if you look at
 9 this agenda and what we've discussed today, the goal
 10 here is to, you know, establish a bank of resources
 11 that is not partisan, that doesn't turn over with an
 12 election, that is not driven by the election calendar
 13 of politicians, but the election calendar of voters,
 14 you know.
 15 Because, you know, if you listen to what Ken
 16 is saying about public information, the public
 17 information sphere is very tenuous right now. And it's
 18 quite clear that election officials, of which we all
 19 are one, whether or not we realize it or not, are in a
 20 process of trying to determine what is the best way to
 21 move forward. We've seen privately funded efforts.
 22 We've seen publicly funded efforts. We have -- as Ken
 23 mentioned, the Secretary of State has a communications
 24 group that meets. So one of the things that we can
 25 offer that is unique really, I think, in the whole


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1 country at this point is a -- is a nonpartisan resource
 2 bank for this information that's optimized -- I mean,
 3 like everybody -- and we all hear this from folks, our
 4 website is great. Alec has done a wonderful job of
 5 keeping our web content best in the state. You know,
 6 this is a model for how you start to have real,
 7 tangible, nonpartisan information for voters to ensure
 8 that we can have a bulwark against this misinformation
 9 and disinformation problem.
 10 ACTING CHAIRMAN KIMBLE: Okay.
 11 MR. COLLINS: That's a very long answer.
 12 ACTING CHAIRMAN KIMBLE: No. No. Thank you,
 13 Tom.
 14 Let me also add that anyone watching this can
 15 send comments to the Commission by mail or e-mail at
 16 ccec@azcleanelections.gov.
 17 At this time, I would entertain a motion to
 18 adjourn.
 19 COMMISSIONER CHAN: I move that --
 20 Mr. Chairman, I move we adjourn.
 21 ACTING CHAIRMAN KIMBLE: Thank you,
 22 Commissioner Chan.
 23 Is there a second?
 24 COMMISSIONER PATON: I second. This is Galen
 25 Paton.

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1 ACTING CHAIRMAN KIMBLE: Thank you,
 2 Commissioner Paton.
 3 I'll do a roll call on our motion to adjourn.
 4 Commissioner Chan.
 5 COMMISSIONER CHAN: I vote aye.
 6 ACTING CHAIRMAN KIMBLE: Commissioner Paton.
 7 COMMISSIONER PATON: Aye.
 8 ACTING CHAIRMAN KIMBLE: The Chair also votes
 9 aye.
 10 We are adjourned. Thank you very much.
 11 (The meeting concluded at 11:03 a.m.)
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1 STATE OF ARIZONA)
 2 COUNTY OF MARICOPA) ss.
 3
 4 BE IT KNOWN that the foregoing deposition was
 5 taken by me pursuant to stipulation of counsel; that I
 6 was then and there a Certified Reporter of the State of
 7 Arizona, and by virtue thereof authorized to administer
 8 an oath; that the witness before testifying was duly
 9 sworn by me to testify to the whole truth; that the
 10 transcript was submitted for review and signature; that
 11 the questions propounded by counsel and the answers of
 12 the witness thereto were taken down by me in shorthand
 13 and thereafter transcribed into typewriting under my
 14 direction; that the foregoing pages are a full, true,
 15 and accurate transcript of all proceedings and
 16 testimony had and adduced upon the taking of said
 17 deposition, all to the best of my skill and ability.
 18
 19 I FURTHER CERTIFY that I am in no way related
 20 to nor employed by any of the parties hereto nor am I
 21 in any way interested in the outcome hereof.
 22
 23 DATED at Tempe, Arizona, this 23rd day of
 24 May, 2022.
 25

 Kathryn A. Blackwelder, RPR
 Certified Reporter #50666

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