



MEMORANDUM

Date: August 20, 2010

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator 

Re: Election Integrity and Early Tabulation of Early Ballots

I previously provided the Board with a memorandum regarding early ballot tabulation, which began on Wednesday, August 18, and the attached blog regarding this issue. The blog contains statements, apparently by John Brakey, co-founder of AUDIT AZ, that reads as follows:

"Oro Valley Town Clerk Kathy Cuvelier was shown summary reports on a past Election Day before the polls closed. This activity is in direct violation of state law A.R.S. Sec. 16-621(a), where it states: 'there shall be no preferential counting of ballots for the purpose of projecting the outcome of the election.' Despite this illegal activity, the same people are in charge of the Pima County Elections Division, which is under the direct control of Chuck Huckelberry, who remains the county administrator."

To determine whether these statements were accurate, the matter was discussed in detail with both Oro Valley Town Clerk Kathryn Cuvelier and Pima County Elections Director Brad Nelson. The statements are completely inaccurate as demonstrated by the attached two affidavits: one executed by Ms. Cuvelier and one by Mr. Nelson.

Unfortunately, these types of statements continue attempts to cast doubt on the integrity of the election process, which cannot be condoned.

CHH/mjk

Attachments

c: Chair and Members, Election Integrity Commission
Kathryn Cuvelier, Town Clerk, Town of Oro Valley
Brad Nelson, Elections Director
Dr. John Moffatt, Office of Strategic Technology Planning

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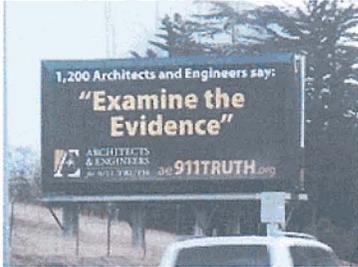
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THE INTERCEPT

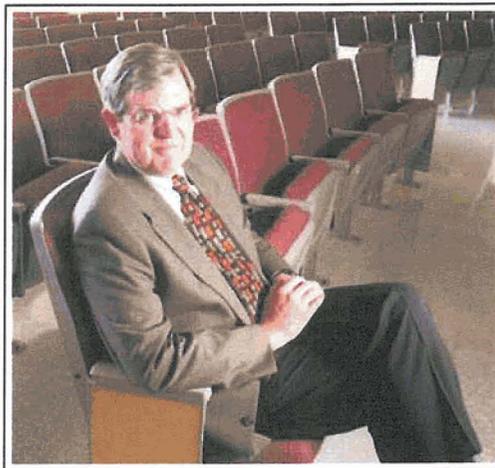
A TUCSON-BASED TRANSMISSION OF DATA THAT OFFERS SUBSTANTIVE CONTRADICTIONS, CHALLENGES AND ENLIGHTENMENT OVER THE CONVENTIONAL DRIVEL BROUGHT FORTH BY MAINSTREAM/CORPORATE MEDIA. SUCCESSFUL TRANSMISSIONS HELP DIFFUSE THE PROPAGANDA OFFERED TO CONSUMERS AS THEIR ONLY CHOICE FOR INFORMATION.

Showing newest posts for query election. [Show older posts](#)

THURSDAY, AUGUST 12, 2010



AUDIT AZ: Say "No" to Early Ballot Counting by Pima County in Upcoming General Election



Background:

Oro Valley Town Clerk Kathy Cuvelier was shown summary reports on a past Election Day before the polls closed. This activity is in direct violation of state law A.R.S. Sec. 16-621 (a), where it states: "there shall be no preferential counting of ballots for

the purpose of projecting the outcome of the election". Despite this illegal activity, the same people are in charge of the Pima County Elections Division, which is under the direct control of Chuck Huckelberry, who remains the county administrator.

AUDIT AZ Released this Statement:

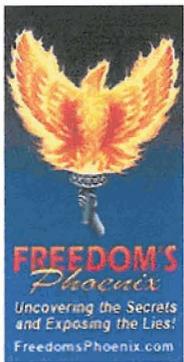
Pima County wants to start counting Early Ballots August 18th! That is 7 days before the election. This a very bad idea. From the litigation and their own records we learned that they have a long tradition of peeking into the "who's winning and losing" by illegally printing the election results report. Of the data before every election from 2004 to 2006 (when we busted them) based on their own system's audit logs. They were doing it before then based on eyewitness testimony in court, but the log system didn't track it back then.

This data is incredibly valuable, both politically and financially. It can be used as a "Zogby poll from hell", far more accurate and detailed than any big-bucks polling system and therefore also very useful if you need to know how much fraud to do before each election.

You can't have peace for the sake of peace. Peace is a consequence of an equitable arrangement.



CRITICAL THINKING



Tell your member of the Pima Board of Supervisors that you reject this plan

PHONY LEFT/RIGHT PARADIGM



Intercept Radio Filler

PEOPLE PARTICIPATE IN MOVEMENTS WHEN THAT PARTICULAR MOVEMENT

(1) meets their concrete and tangible needs,

BLOG ARCHIVE

- ▼ 2010 (322)
 - ▼ August (5)
 - [AUDIT AZ: Say "No" to Early Ballot Counting by Pi...](#)
 - [SUPPORT ON NEW YORK'S 'HIGH SEAS' FOR UPCOMING FLO...](#)
 - [Russian Scientist: Oil is Pouring into the Gulf fr...](#)
 - [Daniel Ellsberg's WikiLeaks Wish List](#)
 - [John Dougherty Speaks in Tucson at Milagro Cohousi...](#)
 - ▶ July (12)
 - ▶ June (112)
 - ▶ May (93)
 - ▶ April (42)
 - ▶ March (26)
 - ▶ February (14)
 - ▶ January (18)
- ▶ 2009 (27)

to facilitate fraud in an agency known for fraud in this area.

Your supervisors are here: <http://www.pima.gov/bos/bos1.html>

Here is the proof. The testimony of Mr. Robbie Evans Pima County Election Integrity Trial Arizona in December 2007

<http://video.google.com/videoplay?docid=3065842076090526996#>

The plaintiff case seeks to illustrate for the judge that the elections division is unworthy of public trust, is marked by maladministration, persistent errors of judgment, and flaws and neglect in their security procedures. The purpose of Robbie Evans testimony is to give the judge specific reasons why the public interest would be better served by public scrutiny of those records that would allow confirmation of the integrity of the election process than by keeping those records confidential. One consistent theme in the testimony is that summary reports, which contain current vote totals, were frequently printed before elections were closed and handled somewhat casually. Another consistent theme was Bryan Crane's practice of taking home computer data backups for the remarkably consistent purpose of protecting the data should the building burn down. This in spite the presence of the fire-proof safe in the computer room.

Speak up, folks Elections matter!

John Brakey, co-founder of AUDIT-AZ (Americans United for Democracy, Integrity, and Transparency in Elections, Arizona) <http://www.audit-az.blogspot.com/>

EDA & AUDIT-AZ's Mission: to restore public ownership and oversight of elections, work to ensure the fundamental right of every American citizen to vote, and to have each vote counted as intended in a secure, transparent, impartial, and independently audited election process.

POSTED BY INTERCEPT AT 10:40 AM 0 COMMENTS 

LABELS: [AUDIT AZ](#), [ELECTION FRAUD](#), [ELECTION INTEGRITY](#), [PIMA ELECTIONS DIVISION](#)

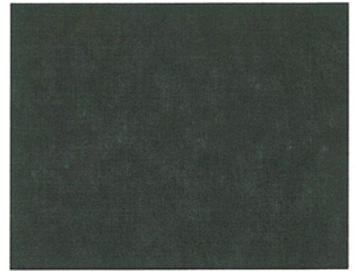
MONDAY, JULY 26, 2010

More Details Emerge About Missing RTA Poll Tapes

- (2) offers individuals real experiences in the movement's outcome
- (3) provides a sense of community,
- (4) makes available ongoing education and skills training and
- (5) shows direct and effective ways for people to take further action.

A loose interpretation of a message sent on Sunday, October 4th, 2009 by the Program on Corporations, Law & Democracy

WAKE UP AMERICAN SLOBS!



A CLEAR NEED

If you understand what is lacking in Tucson's print, television and radio media, please help the Intercept blog, television and radio expand its coverage and provide a voice for issues including election integrity, real health reform, economic justice, immigration reform, 9/11 truth and real resistance to war, racism and oppression. Activities slated to begin this year include: Please keep in mind that the Weekly Intercept is an issues-based organization that does not support any of the existing political parties. Donations to the Weekly Intercept, however, are not tax deductible. Want to donate but still have questions? [Email J.T. Waldron](#)



LINKS



Town Clerk's Office

Kathryn E. Cuvelier, being first duly sworn, upon her oath, deposes and states as follows:

I am the Town Clerk of the Town of Oro Valley, Arizona. Among my duties as Town Clerk, I have the responsibility to oversee the conduct of Elections for the Town.

The May 21, 2002 Oro Valley Municipal Election initiated our first all-mail ballot election. The Town election was tallied by the Pima County Elections Department.

During all-mail elections, it is my practice to personally observe the Logic and Accuracy Test conducted by the Pima County Elections Department to validate the accuracy of the tabulating system.

During all-mail elections, the voted ballots are submitted through the Pima County Recorder's Office for validation and forwarded to the Pima County Elections Department for tabulation. During all-mail elections, it is not my practice to observe the tabulation of the ballots, but to remain at my Town office with candidates waiting for the release of the first election reports at 8:01. During the May 21, 2002 Election, on Election Night, I was in my office, not at the Pima County Elections Department.

I am aware of printed and published statements that I was shown Summary Reports on the May 21, 2002 Election Day, yet in my sworn testimony on November 6, 2007, when asked "*Do you recall whether on one occasion you asked him [Robbie Evans an Elections Department employee] prior to the close of the polls, to print an unofficial tally report known as a summary report?*" My exact response was: "No, because I-I know that you can't release results, you know, prior to close of polls. And the state law, unless that's changed, you have to wait until 8:01 in the evening to release election results."

I was also asked, "*Do you recall on one occasion when Mr. Evans refused to print a tally report for you and you went to Brad Nelson to complain to him that Robbie wouldn't print the report for you?*" my answer was "No, I don't recall that."

I have not received any Summary Reports from the Pima County Elections Department prior to the legally proscribed time of 8:01 p.m. on election night.

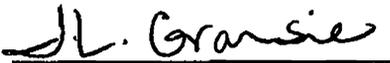
Further Affiant Sayeth Naught.


Kathryn E. Cuvelier, CMC
Oro Valley Town Clerk



State of Arizona
County of Pima

Subscribed and sworn before me this 18th day of August, 2010 by Kathryn E. Cuvelier


Notary Public

My Commission expires: 3-11-2012



ELECTIONS DEPARTMENT

PIMA COUNTY GOVERNMENT

6550 SOUTH COUNTRY CLUB RD. TUCSON, AZ 85756

(520) 351-6830

FAX (520) 351-6870

Brad R. Nelson, being first duly sworn, upon his oath, deposes and states follows:

1. I am the Election Director for Pima County, Arizona. In that capacity, I am responsible for numerous duties of the Pima County Board of Supervisors related to conduct of elections. The statements contained in the affidavit are true of my own knowledge.
2. On May 21, 2002 a Municipal Election was conducted in Pima County, Arizona, in the Town of Oro Valley. The Town election was conducted entirely by All Mail Ballot in accordance with Arizona Revised Statute 16-409.
3. In accordance with Arizona Revised Statute 16-551C, no vote tallies were released prior to 8Pm on election night, May 21, 2002.

Further Affiant Sayeth Naught.

Brad R. Nelson, Director
Pima County Elections



ROMELIA I. ROMERO
Notary Public - Arizona
Pima County
Expires 05/31/2011

Subscribed and sworn before me this 18th day of August, 2010.

Notary Public

My commission Expires 5/31/2011