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# MEMORANDUM

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Date: January 10, 2008

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

From: C.H. Huckelberry  
County Administrator

A handwritten signature in black ink, appearing to be "CHH", is written over the printed name "C.H. Huckelberry".

Re: Turnover of Election Databases to the Democrat Party

At the Board of Supervisors meeting of January 8, 2008, the Board voted to turn over to the Democratic Party, the final as well as sequential databases of the RTA election, occurring on May 16, 2006, as well as the primary and general final and sequential databases of the Primary and General Elections of 2006. This information is contained on a hard drive placed in the possession of the Clerk of the Court for purposes of security in preparation for the trial. These files need to be downloaded from this hard drive, which remains in the possession of the Court. This can only occur with permission of the Court. The County Attorney will request that the Court allow access to the hard drive for the limited purpose of downloading the released material. Dr. John Moffatt has made arrangements to have this material downloaded and verified in the presence of the Democrat, Republican, Green and Libertarian parties at a mutual time and place, hopefully this Friday.

I understand that today there has been a great deal of discussion and consternation raised by certain individuals, beginning with a phone call to Dr. Moffatt's personal residence at 6:30 this morning, regarding the release of this information. The draft stipulation for the release from attorney Bill Risner was provided to Chief Civil Deputy County Attorney Christopher Straub at 11:40 a.m. today. An agreeable stipulation will be addressed to the Court to release the hard drive and information directed.

The Board's motion in releasing this information is quite clear. I have attached it for your review. Please review the last page, which indicates the general agreement for release to all parties in their presence, and in a manner acceptable, with Dr. Moffatt working with the various parties, providing the information as quickly and correctly as possible, and that the goal would be Friday. However, the final analysis, as stated by Supervisor Bronson, "I think we'll leave that to Mr. Moffatt. Yes."

I am also attaching an e-mail notification to the parties sent this morning, notifying them of the pending release of this information. Dr. Moffatt has finalized the release procedures. The technical release procedures are attached to this memorandum. I am hopeful that the information can be successfully turned over by the close of business on Friday, January 11, 2008.

The Honorable Chairman and Members, Pima County Board of Supervisors  
**Turnover of Election Databases to the Democrat Party**  
January 10, 2008  
Page 2

I also understand in a conversation between counsel for both the County and Democrat Party, that the Democrat Party will continue this litigation primarily to modify the existing court order and to obtain a new trial. For this reason, the County Attorney will schedule this matter for discussion in an executive session on Tuesday, January 15, 2008.

CHH/jj

**Attachments**

c: Lori Godoshian, Clerk of the Board  
Dr. John Moffatt, Office of Strategic Technology Planning  
Christopher Straub, Chief Civil Deputy County Attorney  
Brad Nelson, Manager, Division of Elections

BOARD OF SUPERVISORS' MEETING  
JANUARY 8, 2008

EXECUTIVE SESSION

- B. Pursuant to A.R.S. §38-431.03(A)(3) and (4), for legal advice and direction regarding authorization to appeal Judge Michael Miller's recent decision in Democratic Party of Pima County v. Pima County Board of Supervisors, Pima County Superior Court Cause No. C20072073.

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CODE:

RE Richard Elías, Chairman  
RV Ramón Valadez, Vice Chair  
SB Sharon Bronson, Member  
AD Ann Day, Member  
RC Ray Carroll, Member  
LG Lori Godoshian, Clerk

STAFF:

CH Chuck Huckelberry, County Administrator  
CS Chris Straub, Chief Civil Deputy County Attorney  
JM John Moffatt

ATTENDING PUBLIC:

JD John Denker  
Mar Jim March

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RE Mr. Huckelberry, you wanted to say some words, why don't you give us a little bit of chatter here for a minute.

CH Mr. Chairman, members of the Board; as you recall I've actually produced a report to you dated I think October the 17th that discusses the various issues related to elections and some process improvements that we can continue to make. We have made a number of those in the 2006 election and proposed some others. We have actually then put that report on the web page and asked for public review and comment. We received a number of comments in that process and we've actually held four public meetings around the community and actually taking court reporter testimony at those meetings. There are probably some very good suggestions not only in the written comments that we've received but also the materials that we received from those public meetings. I will be synthesizing all of that information and data and providing a final report to the Board and obviously we don't want to rush this too much because we still want to get the input that's out there, and give people additional time to comment even pending what the Board may do in this litigation. What my view is that we

can leave that public comment period open, the report is still on the website until perhaps the end of this month. In the meantime I will be synthesizing the information we have received already, prepare a final report for the Board some time in February and that will then look at how we go forward with regard to election security databases, the information. In fact I think the affidavits that we haven't seen yet from experts in the country regarding the databases and their release we really want to get those and talk to those experts and get their opinions with regard to this matter also. It's very complex and very difficult and so I think going forward with regard to the litigation, that's really your decision today but just understand that we're continuing our processes to look at ways in which to improve the integrity and security of elections and we will be making written reports to you, probably in February for your review and action on how we continue to conduct our future elections and implement those security measures that continue to evolve over time. Obviously we're in the middle of the Presidential Preference Election now and so our individuals in our Elections Division really have to also continue with the daily routines that demand their attention while we're doing this at the same time so I think that's really how we're going to continue to go forward on this matter and I assume that it would be appropriate to leave that public comment period open until the end of this month and then synthesize all of the information, make recommendations additionally to the Board at another public meeting, obviously which everyone is invited to provide their input once again.

RE And I certainly appreciate all the people who have shown up here and though I have limited those speakers to five this morning, I would ask you all to please participate in that extended comment period that we have, submit your written comments please, we want to hear from you, I think we need to hear from you. Supervisor Bronson.

SB Mr. Chairman, I'm going to move at this time that we vacate the appeal and that we instruct staff to comply with Judge Michael Moore's orders.

RE Second. Okay, we have a motion and a second on the floor, discussion?

RC Mr. Chairman

SB Mr. Chairman.

RE Supervisor Bronson.

SB I do this with some trepidation because I truly do feel that there's still some real security issues associated with the release of those tapes and I would also comment that as much as the Help America Vote Act does provide access for the handicapped I think there is some real unintended consequences and one of those is that it almost becomes a hackers full employment act. There is no touch screen system out there that is hacker proof and that's unfortunate, but I think we need to move on. I think we do need election reform, I think we, in doing that, we

also need to assure that we've got the security that we need to make sure that every vote is counted and counted correctly so I thank you all for being here today and I think Supervisor Carroll has something to say.

RC Yes. Mr. Chairman?

RE Supervisor Carroll.

RC Mr. Chairman, I wasn't part of any discussion at the break but you are going to limit the speakers to five, is that the Chair's prerogative?

RE That's correct.

RC Sir, in your motion is just to give the primary and the general from the 2006 election?

SB It's to comply with the judge's orders.

RE It's to comply with Judge Miller's orders.

RC To comply with the judge's order, okay. Well over and above, if you are in for a dime you are in for a dollar. I'd like to hear from those 35 other speakers that signed up. I've got nothing to do on my schedule on Tuesday's except for today I do want to check the New Hampshire results so if we can be done let's say seven o'clock their time, I'd be happy. I'd certainly like to, if it is the Chair's prerogative, if there is no real possibility of offending the Chair overrule that decision and ask that the 35 other speakers be heard today and if that's not going to be possible *I'd also like to make a friendly amendment to the motion on the floor that we also go over and above the judge's ruling and release the RTA data that all these people want.*

RC It's the right thing to do and that's my friendly amendment if the maker of the motion will accept we'll take the call to vote.

SB No, not at this point in time. I think that there are some legal impediments at this time and statutory issues. I think that that's where we all eventually want to be but I think those have to be resolved before we can do that.

RE And I think that that's a decision ultimately that we can make upon receiving Mr. Huckelberry's report in February, I think that that would be a more appropriate time to consider that and we would be very willing to consider it then.

RC Mr. Chairman.

RE What I would ask is that those folks that support the motion that is currently on the floor I would ask you all to stand up. (One individual stood up) Okay, very good.

- RC Those who support the friendly amendment please stand up to release the RTA (majority of audience stood up). There's an answer.
- RE Let's have roll call.
- RC Do you accept the friendly amendment?
- SB No.
- RC No you do not.
- SB Due to statutory impediments I think that's where we want to go but I don't think we can get there today. I think the first step is complying with the judge's orders. We have to have the judge's permission, the judge has to release the records, we can't.
- RE Just a moment, I need the room to come to order please.
- RC Mr. Chairman, I would suggest again that we let the 35 other speakers speak this morning so we can get the input of what is statutory from some of the experts in the room, we know we have lawyers and we could also hear from our own County Attorney.
- RE I was going to say that, let's hear from counsel please. Counsel?
- CS (Chris Straub, Chief Civil Deputy County Attorney) Mr. Chairman, is there a question before me?
- SB It's after a year so I thought you had indicated that we had some impediments to the release of the RTA records at this point.
- CS Okay, Mr. Chairman, members of the Board; it was the Board's choice not to go into executive session. There's a reason for executive session and that is that we have an attorney/client privilege and I can give you that advice frankly. If I were to give you advice with respect to this it's with the acknowledgment that you are all waiving any attorney/client privileges that you have with respect to this item.
- RE Understood.
- CS The point is, is that procedurally the case right now is that it is not finished in Superior Court. Mr. Risner has requested a motion and has actually moved for a new trial at this point and what is strictly before the Board, the posture came about as this: the judge issued his order, he issued the release of only two (2) of hundreds of computer files with respect to this. We filed the notice of appeal and

the reason we did so is so that it would preserve the Board's options. Otherwise the order, because he signed the minute entry is operative immediately and would require us to disclose those records. The Board is free of course to decide what it wishes to do with respect to the appeal but in the meantime, Mr. Risner apparently not satisfied with the release of the two has filed a motion for a new trial. It may be prudent for the Board, certainly we can comply with the judge's order but we still have to deal with the motion for new trial. With respect to these other issues it certainly prudent for the Board to decide if it wants to deal with these issues, to come back at a later date. The agenda that we have before us is a relatively limited agenda item, it's to appeal or not to appeal. I'm quite liberal with respect to the interpretation of the Open Meeting Law that things can come fairly underneath those but I think when you are starting to go beyond what the current judge has ordered and what our current context is that it becomes more problematic.

RE Understood.

CH Mr. Chairman?

RE Mr. Huckelberry please.

CH Mr. Chairman, I think what we've said ultimately and what my discussion has been with the County Attorney is that the final answer on the RTA will not be made or basically they will continue to be concerns with regard to the RTA Election until it is actually recounted, until those paper ballots, regardless of whether we look at, you know, what computer files and who looks at what computer files the trust of the public will only be restored on the RTA until the actual paper ballots are recounted. That requires a court order or it requires a change in statutory law and so until you have a court order or until you have a statutory law it's really inappropriate to pursue the RTA discussion unless Mr. Risner and the Democratic Party pursue that and I think we would be happy to sign and in some of the discussions we've had with the County Attorney is to get those ballots recounted but I believe it's almost impossible for us to do that.

RE Understood. Roll call please.

LG	Supervisor Bronson	Aye
	Supervisor Carroll	I vote no and I request once more that these other speakers are heard today.
	Supervisor Day	Aye
	Supervisor Valadez	Aye
	Chairman Elías	Aye

RE Motion passes 4-1. As I said I think this is an ongoing discussion that is going to continue with the Democratic Party and with all the parties involved so that we can get a better grip on things. I don't think that we're saying today that we are

not going to release any other information but I think we have some legal impediments and I look forward to continuing this discussion in the future because I think we can all get ourselves on the same page. We're going to take another break so we can clear the room, thank you.

RECESS  
RECONVENE

RC Don't clear the room, just stay seated.

RE If I could get the room to come to order please. I would just comment that as the Chair here, if you are willing to stay and you have some time we will be willing to hear your comments at call to the audience.  
(Audience member being unruly)

RE Mr. Brakey, please have a seat you are out of order. Mr. Brakey, please have a seat you are out of order. Mr. Brakey, please have a seat.

RC Mr. Chairman, if I could be recognized I think Mr. Brakey has a point. You know a lot of these people weren't able to make the Elections Division meetings that occurred, most of them happened during business hours and I know I went to one and it wasn't quite as attended as this event today. Isn't it possible to just reopen what you all just voted on and have the hearing part continued so we can hear from these 35 people then? Because it could be awhile if we have to hear the entire agenda because you have some other items on the agenda that could take awhile in themselves. Can we just move to reopen? I know I can't reconsider because I wasn't on the prevailing side but can't we reopen this discussion so these 35 people can get back to work? I notice that some have already had to leave because of job requirements.

RE I would appreciate it if everybody could please be patient with us and stick around and please submit your comments to us during that Call to the Audience period. Mr. Brakey you are out of order again, I'm going to ask you one more time. We cannot turn this into a carnival. Mr. Brakey, please you are out of order.

RE Okay, okay, okay. Calm down, calm down everybody. Rather than have this turn into a carnival please have a seat sir. Please have a seat, let me finish speaking. Please have a seat. Could you please have a seat for a second? Have a seat, just calm down sir, please. All right, just to show you that I'm a good-hearted person I'm going to go ahead and hear the speakers. We'll call the Call to the Audience now and we will hear you, okay? It's not going to change the effect of today's meeting but out of respect for you I'm going to do that, not because Mr. Brakey is yelling and screaming and turning this meeting into what is really an improper affair but I will be very willing to hear you all, okay? Mr. Brakey, please sit down or I'm going to have you removed. That's the third time

I've asked you, if it happens again I'm going to ask that you please be removed and I really do not want to do that, I've been very patient this far, I've accommodated you and I'm still having you yell at me. Could you please have a seat? Thank you John.

All right, so what I'm going to do is move to Call to the Audience, I'm going to hear these folks, okay?

RC Second.

RE That's not a motion Ray. (Chairman Elías calls the speakers forward)

RC Mr. Chairman, although we've entered call to the audience I wonder if I couldn't ask a question to the County Attorney regarding this item that we are discussing. Mr. Chairman?

RE Go ahead.

RC May I ask the County Attorney a question?

RE Yes.

RC I understand that the County Attorney has done his best and in law school they teach you to be over zealous in defense of your client, to do everything in advance of what you hope your client could use in defense or in prosecution. The protocol at this point, we've had many people from all districts, all districts have been represented and I beg on their behalf because they have begged us to release the data, all the databases on the RTA Election as well as what you've released per judge's orders. What would be the impediment to that Mr. County Attorney? I'm not on the prevailing side but would we have to suspend the rules and reconsider to include the RTA database in today's motion?

CS Mr. Chairman, Mr. Carroll; at this point we are call to the audience. If you want to ask that question, I mean I would be happy to answer that question but at this point it would be improper for me to answer the question.

(Public unruly at this point yelling for the question to be answered)

RE Hey, hey, come on you guys.

RC I believe what we would have to do is have someone from the prevailing side of the motion made by Supervisor Bronson which I put a friendly amendment toward but it didn't get accepted so I was not on the prevailing side of that motion to reconsider Supervisor Bronson's motion and then include, just so even I can ask a question if the hearing reopens to the County Attorney to make sure that what we understand as a room what the impediment would be to releasing the

RTA data instead of waiting for a February report to come out, instead of clearing the room, instead of relieving any more worries for this Board or this room, where do we go? And I would just implore that and I beg on behalf of all those that have spoken in their begging for this Board to reconsider Supervisor Bronson's motion, reopen the hearing and then hear from those people whose speaker cards were lost and are now back in a regular hearing. Otherwise we just proceed here and our call to the audience mode and I even can't get an answer from the County Attorney on something that's pivotal to the reason you are all here and thank you.

RE *I want to make a motion to reconsider.*

AD *I'll give you a second because I want some discussion.* I'm very uncomfortable with sitting here and listening to all of you, which I don't disagree with anything all of you have said and I don't think any of us here do, but I would like the chance to ask some questions as well and explain to you what I've been told which I'm looking out for all of Pima County and the State and I feel like I'm sitting up here fighting the Secretary of State's battle when it's really her problem but I'd like to hear more so I second your motion.

RC I believe per Robert's Rules we vote to suspend the rules and reconsider?

RE No.

RC Then let's just reconsider.

RE That's totally incorrect Mr. Carroll.

RC Let's vote on the motion to reconsider then.

RE Just a moment, I'm still the Chairman, calm down. Let's call the question, roll call.

LG	Supervisor Bronson	Aye
	Supervisor Carroll	Aye
	Supervisor Day	Aye
	Supervisor Valadez	Aye
	Chairman Elías	Aye

RE All right, we're going to take a break, we've been at it for a long time and everybody needs to calm down, all right?

RECESS  
RECONVENE

RE We just passed a motion to reconsider this item and *I'm going to go ahead and make a motion at this point. My motion is going to be that again we not appeal Judge Miller's decision and that we release the information from the RTA Election.*

RC *Second.*

RE I'm not through.

AD You are talking databases?

RE That's correct, databases. *And that we work with the legislature and the County Attorney's Office to find a way to go ahead and recount the votes from the RTA Election as well.*

SB Why don't we separate that, do the one motion first and then go to the second. When you say release the RTA database you are talking about?

RE Just the final database.

SB Just the final?

RV Mr. Chairman, I believe as the technical guy on the Board I believe that what we really need to do for the RTA is a series and release the court ordered 2006 Primary and General as directed by Judge Miller.

RE And I'll accept that.

SB And vacate the appeal.

RE I'll accept that, vacate the appeal but I do think that we need to move towards that issue of recounting the RTA as well. If we can't do it in this motion, and I understand that because we're somewhat limited by the item that's on the agenda and I'd also ask that Mr. Huckelberry place an agenda item for next week on our agenda to take a look at putting together a commission to take a look at Elections and what's been going on so that everybody has another venue quite separate from the Board of Supervisors to hear that information but again, that's not part of my motion.

SB *I'll second your first motion.*

RE All right, very good. So that motion *is to vacate the appeal and release the series of.....*

SB Vacate the appeal, to comply with the court order and then release the series of RTA databases.

RE We have a second on the floor. If you want to come up here and ask a question you can come up here sir and give me your name and address for the record and fill out a green card when you are finished. Please come forward.

JD I'm John Denker; 8939 E. Harbridge Drive and I've already filled out a card and I'd like to speak later but very briefly on this very narrow thing, technicalities are important. You said "release the series for the RTA." I would ask that you clarify the motion as necessary so it's a series regarding the 2006 Primary and General also, please consider this so it's not vague on the record.

RE I'm saying that we vacate the appeal to Judge Miller's decision and that we release the information that Judge Miller asked us to release.

JD Yes, that's exactly my point. If you read the judge's ruling very carefully he said to release the final database.

RV Mr. Chairman, if I may.

RE Supervisor Valadez please.

RV The whole point of the discussion on the RTA was to release the entire series.

JD And I'm agreeing with that and I'm pointing out that the same discussion can be had with respect to the 2006 Primary and General also so in the same spirit. As far as I can tell it's the unanimous consensus on the Board is the spirit of this, I'm just suggesting that we clarify the wording to better capture the spirit so we're talking about series for the RTA, series for the Primary and series for the General, I'm just clarifying the wording.

RC Mr. Chairman?

RE Supervisor Carroll.

RC Is there a date certain when this data will be released? Can we have a date certain like before five o'clock today?

RE Mr. Huckelberry.

CH Mr. Chairman, that's a technical issue about how many databases have to be assembled. My guess is certainly within the week, it's a matter of what the Board's motions are and what databases we will need to provide.

RC So in the motion you would request that we have a date certain in the motion that's been presented by the Chair and seconded by me and then amended obviously, but that you would like a date certain?

CH Mr. Chairman?

RE Mr. Huckelberry.

CH We would release them as soon as possible.

RE I'd ask that that information be released before the end of the month, okay? That gives us until the 31st to get that information out. I think that's fair. Mr. March, I'm going to ask you to come forward. Name and address for the record.

Mar My name is Jim March, my address is 5947 S. Placita Picacho el Diablo; Tucson. I'm the technical consultant to the Democratic Party so maybe I can clarify a few issues here. It's an undisputed fact at this point that there's no safety or security difference possible between releasing the final database from a given election series and releasing all of the files for a given election series. They all contain the same information that your attorney's have presented to be security related. The information from the beginning of the election cycle to the end is supposed to contain this exact same high security tables, okay? Now it's childishly easy to change them so by seeing the entire series we can do a proper audit and make sure that the pieces that are not supposed to change have not in fact changed so we need to analyze any given race, whether it's '06 Primary, General or RTA. We need the series from the very beginning to the very end. As the parties technical consultant I have put together a program design for an analysis tool that will automated compare all of the time slices of an election from the beginning of the cycle to the end, it will take us a few weeks to get that developed but when we have it we will be able to plug in one entire election and see what's changed from beginning to end automated, we have to be able to do that for any given election. Now the next person you need to ask this question of is not anyone lined up to speak, it's Mr. John Moffatt over here. Ask him: is there a possible security difference between releasing one election file for an election and releasing the entire set for the same election.

RE Mr. Moffatt, why don't you give us an answer to that question please.

JM (John Moffatt) The programming part that Jim is talking about should stay exactly the same throughout the entire election. That was one of our processes also Jim, and I have been talking about developing a process going forward also to extract specific files and those should stay the same. The thing that changes in the database is the vote count.

Mar So there's no security difference possible between just the final database and the entire set of databases for the election, there's no difference possible in security?

JM For one election that's correct.

Mar For one election, okay.

JM Let me point out, one of the concerns that we had in the long run and the reason that I objected to the horizontal, the release of up to 1,400 databases is that you wind up with a comparison across a long period of time and you can see and predict some of the codes and the way the election is set up making it a little bit easier to hack. But when you've got one election, I agree with Jim, the election is set up and the parameters should stay exactly the same throughout.

Mar There's a difference of opinion as to whether or not it's safe to release multiple elections worth of data, okay? I believe it is safe, Mr. Moffatt believes it isn't, it's a difference of opinion, that's fine but there is no difference of opinion as far as multiple files for a given election and that's what I was hoping you'd really understand.

RE Thank you Mr. March.

RC Mr. Chairman, Mr. March; to release the series from the beginning to the end of the cycle in your expertise, how long should that take to gather and release that information?

Mar Oh good, glad you asked. Listen, all the data is sitting on a hard disk owned by the Pima County Democratic Party in the courts vaults 75 yards from here. So in other words the data was all archived and stuck on a hard disk I believe it was in April 2007, right? Okay, we archived the stuff to a pair of hard disks, one disk is owned by the County, one owned by the Democratic Party, we put them in a cop car, I was in the passenger seat of the cop car we drive it down to the vault and we put it there so all we have to do now is take that computer out of the vault and just copy the RTA '06 General and Primary stuff. By the way there is one more set of files that are on that disk that are not in dispute as to whether or not they are public record, there's a set of complete directory listings of the servers, text files that happen to be on there that we want access to as well and Mr. Moffatt will tell you, those files are understood to be public record and you've already given us a copy of the same material from December 2006, we want to look for any changes between those so there are text files involved and then there's the complete set of files from RTA General and '06 Primary. Copying those from disk to disk over in the courts basement will take all of 10 or 15 minutes.

JM We should be able to do it quickly, the issue is identifying all the...I hate to get into all the technicalities here but when we're talking about this we've got a lot of files both in backup format so we've got to go through the directories and find them in all those areas.

Mar Yeah, but they are sorted pretty good.

RC Mr. Chairman, Mr. Moffatt has answered, how long Mr. Moffatt would it be? Could you have these files to be released, the series from beginning to the end of the cycle for the RTA, the Primary and the General by Friday so we could see them by next week's meeting when we're going to reconvene here on a Tuesday. I'm not trying to overrule the Chair here, I'm just wondering if it's technology why let it wait and continue to let this fester? This is an issue that I'm trying to just get through.

JM And we can do this very quickly.

RC Friday.

JM I don't want to get into the situation where we give them a directory and this has happened where we give them the whole directory and they go through it and they find some file that we didn't turn over and then we're accused of withholding something. Well do it together, we will sit down as a team, I'd like to get the other parties involved also.

Mar Absolutely. I know the Libertarian Party is interested in being there too.

RE Thank you very much, I appreciate it. Okay, so *I'm going to ask as a part of my motion Mr. Moffatt to work together with folks from the parties to make sure that we get this information to them as quickly and correctly as possible and that we include all the series from '06 Primary and '06 General if the second of my motion will agree.* Ms. Bronson?

RC Well I seconded the motion.

RE I didn't finish making my motion when you seconded it actually. I'd like to hear from the person who followed procedure.

RC Is that Friday, that's my question?

SB I think we'll leave that to Mr. Moffatt. Yes.

RE Okay, roll call.

LG	Supervisor Bronson	Aye
	Supervisor Carroll	Aye
	Supervisor Day	Aye
	Supervisor Valadez	Aye
	Chairman Elías	Aye

RE Motion carries unanimously.

## Chuck Huckelberry

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**From:** Brad Nelson  
**Sent:** Thursday, January 10, 2008 9:49 AM  
**To:** Judi White; Vince Rabago; Dave Stewart; David Euchner  
**Cc:** 'Pat & Victoria Kilburn'; Benny White; Pat Pecoraro; Mickey Duniho; Chris Straub; Thomas Denker; John Moffatt; Chuck Huckelberry  
**Subject:** release of 2006 election database info

Ladies and Gentlemen – Earlier this week the Pima County Board of Supervisors met and approved the release of the databases for the 2006 RTA, Primary and General elections. The Board directed that all of the political parties have the opportunity to receive copies of the noted databases. Pima County is presently making the necessary arrangements for that to occur as soon as possible. I'll be in touch periodically as details develop.

Regards,

Brad R. Nelson, Director  
Pima County Elections  
520.351.6830

## **Process to turn over GEMs database files to the parties**

**1/9/08**

The files to be provided are as follows:

- All RTA Election files – 051506 in file name
- All 2006 Primary Election files 091206 in file name
- All 2006 General Election files 110706 in file name
- Text file depicting Directory Structure of the Primary Server
- Text file depicting Directory Structure of the Secondary Server
- Hash totals for all files produced as a part of this process
- Passwords for files

Media upon which files will be provided: CD-ROM

Steps to be followed prior to and during the process:

1. Obtain permission for access to the files from the Court
2. Schedule the time and place for the process to occur.
3. Notify Parties of session to create and produce the files.
4. Identify County IT Help Desk laptop with SHA-1 Hash routine loaded

### **The following steps must be completed under Party Observation**

5. Obtain sequestered hard drive from Clerk of the Court
6. Sheriff's Deputy will transport the sequestered hard drive to location for file transfer
7. Connect drive to IT laptop
8. Create a Folder on the laptop to hold files to be transferred
9. Search the sequestered drive for files with 051506 contained in the file title (RTA Election).
10. Copy each 051506 file from the sequestered hard drive to the transfer folder.
11. Run the Hash Code routine on each file, noting the resulting code and placing the result into a document stored in the transfer folder.
12. Search the sequestered drive for files with 091206 contained in the file title (Primary Election)
13. Copy each 091206 file from the sequestered hard drive to the transfer folder.
14. Run the Hash Code routine on each file, noting the resulting code and placing the result into a document stored in the transfer folder.
15. Search the sequestered drive for files with 110706 contained in the file title (General Election)
16. Copy each 110706 file from the sequestered hard drive to the transfer folder.
17. Run the Hash Code routine on each file, noting the resulting code and placing the result into a document stored in the transfer folder.
18. Copy the Directory Structure text file for the Primary Server from the sequestered disk to the transfer area
19. Run the Hash Code routine on the primary directory text file, noting the resulting code and placing the result into a document stored in the transfer folder.
20. Copy the Directory Structure text file for the Secondary Server from the sequestered disk to the transfer area.
21. Run the Hash Code routine on the secondary directory text file, noting the resulting code and placing the result into a document stored in the transfer folder.

## **Process to turn over RTA, Primary 2006 and General 2006 GEMs database files to the political parties: Continued**

22. Run the Hash Code routine on the file containing the hash codes and place that result into another file in the transfer area.
23. Copy the contents of the Transfer Folder to a CD-ROM for each party (total of 4) and two for Pima County – Label accordingly
24. Print a directory listing for each CD
25. Attach directory listing of the CD to transmittal document and have recipient sign as received.
26. Provide CD-ROM to recipients
27. Eject the sequestered drive
28. Delete Transfer Folder from the laptop
29. Return sequestered drive to the Clerk of the Court.
30. Return Laptop to IT Department.

### **Ground Rules for this process:**

1. Maximum of 3 observers per party
2. No video cameras
3. No recorders of the proceeding