

Election Integrity Legislative Push

Action Alert! Arizona Senate Is Caving To The Corrupt Maricopa County Board of Supervisors Putting the Entire Maricopa County Election Audit At Risk!

Please share the link to this document to everyone in email and social media: AZ Ground Troops Update

Call to Action!

We ask the Senate to exercise their full authority as confirmed by the court to do the following four things to ensure a thorough and valid forensic audit:

- 1. Issue a new subpoena explicitly demanding that Maricopa County Tabulation and Election Center (MCTEC) gives full access of all election data and its facilities to the AZ Senate and the auditors to do a top down forensic audit.
- 2. Issue a new subpoena requiring in-place auditing, preventing the transportation of election data to any location other than MCTEC.

Suggested subpoena language for a Senate subpoena:

Recorder Stephen Richer is to turn the entire MCTEC operation over to the Senate, including its physical and electronic access, until auditors have finished a full forensic audit of the entire center. Normal operations not interfering with the audit may continue but under direction of the Senate.

3. Obtain a court order to **protect all of Arizona's irregular ballots** as required by statute. All irregular ballots. All 15 Counties. It is currently not protected by a court order, which is the only way to protect irregular ballots under ARS 16-624 (B).

Irregular ballots: Senators, please petition the AZ courts for an injunction against destruction of the irregular ballots, which may take place as early as May 2nd, 2021. All counties of Arizona are to be included in the injunction. Only the courts have the authority to preserve the irregular ballots, under statute ARS 16.624 (B).

4. Clarify the Statement of Work (SOW) to ensure 100% high resolution paper scanning of **all** ballots, envelopes, faxes for an exhaustive forensic computerized analysis with KinematicAnalysis.

Call, email, social media, write postal letters, fax: (Letters or fax now because their servers are hurting!)

Arizona State Senate

Capitol Complex Senate President Karen Fann & [Look up your Senator or write all 30:)] 1700 West Washington Phoenix, AZ 85007-2890

Email addresses below after "Brief History"

Summary:

- January 13, 2021 the Arizona Senate issued a subpoena for election data to be delivered to the senate for audit
- February 25, 2021 Judge issued a ruling in favor of the AZ Senate.
- In error, the Senate subpoena did not specify the location of the audit, only a general delivery to the Senate at the capitol.
- After winning their case, the Senate requested permission from the Maricopa County Board of Supervisors (MCBOS) to hold the audit at the Maricopa County Tabulation and Election Center (MCTEC). MCBOS refused.
- April 1, 2021, the MCBOS held an Emergency Meeting deciding to comply with the Senate subpoenas but still deny the use of MCTEC.
- In his case ruling, the Honorable Judge Thomason already recognized the plenary, or broad constitutional power of the AZ Senate to "oversee elections" and "investigate and examine election reform matters." The Senate has the power of oversight over MCBOS and MCTEC for a full forensic audit of all, top down.
- By moving the audit, the risk goes way up and the quality goes way down!
- Running down the clock. All "Irregular Ballots" may be destroyed as early as May 2, 2021 if the Senate doesn't act fast! Per, ARS 16-624 (B), "Irregular ballots shall be preserved for six months after the election and the packages containing them may be opened and the contents examined only upon an order of court. At the expiration of such time, the ballots may be disposed of at the discretion of the officer or board having charge of them." The Senate must act now to safeguard irregular ballots for all Arizona. None are currently under any protection. Maricopa irregular ballots are said to be under protection of the Senate subpoena, but they are not, according to statute 16-624 (B).

Brief History:

The Senate, as confirmed by Judge Thomason's ruling, has full power over the Maricopa County Board of Supervisors on all election matters. However, The Maricopa County Board of Supervisors (MCBoS), which is a subordinate of the AZ Senate, has resisted every effort to perform a forensic audit on ballots and equipment to date.

Of greater concern is the fact that the AZ Senate has failed to require their subordinates to give physical access to the Maricopa County Tabulation and Election Center (MCTEC) for a full forensic audit. In this context, MCTEC is the crime scene for the alleged fraud of the 2020 election. Any investigation must begin at the scene and access must be completely turned over to the investigators/auditors.

The AZ Senate had failed to exercise its constitutional authority as affirmed by Judge Thomason, thus failed to discharge its obligation to the residents of the State of Arizona in the matters of ensuring fair elections. Therefore, the following questions need to be asked:

- 1. Why did the AZ Senate fail to require that the audit be conducted at MCTEC, which is the crime scene of the alleged 2020 election fraud?
- 2. What evidence would be destroyed in the move?
- 3. What evidence will be left behind and be excluded from the audit?
- 4. Will moving disturb and invalidate certification of sensitive equipment, invalidating the audit?

We need answers to the above questions. Our constitutional rights and our freedom are at stake.

We demand that the AZ Senate exercise their full legislative authority and duty as confirmed by the court to do these four things to ensure a thorough forensic audit:

- 1. Obtain full control of the MCTEC for in place auditing.
- 2. Full Senate control of the center to turn over to the auditors. MCTEC should not do anything else in elections until the audit is satisfactorily done.
- 3. Court order to protect all of AZ's irregular ballots.
- 4. Clarify to us that the audit includes 100% hi-res paper scanning of all ballots, envelopes, faxes for a forensic computerized analysis with KinematicAnalysis. All (100%) of paper artifacts (envelopes, faxes, ballots)!

Q & A:

Why must the AZ Senate take control of MCTEC and allow the auditors to do all that is required to verify whether the 2020 election was legally conducted, and that every legal vote was counted without interference?

While it is the duty of every elected official to ensure a legal and accurate election for every candidate and citizen of Arizona, the Senate has plenary authority over elections and is currently in the pole position on this audit.

The MCTEC is the scene of the crime for the alleged fraudulent election of 2020. It must be locked down and taken over by the Senate for a full forensic audit. The Senate is granted plenary power by the Arizona Constitution to oversee elections. While the Senate has delegated powers to their subordinates, the Senate has oversight over them. Auditing is an oversight function. Subpoena is the legal means by which the Senate may assert its power under the Constitution. Therefore, a Senate subpoena to demand control of MCTEC for a full forensic audit is entirely warranted and sensible.

Why is in-place auditing at MCTEC critically important?

MTEC must be secured until the investigation is completed, otherwise evidence can potentially be lost, damaged, or contaminated, thus invalidating results.

For every election in Maricopa County, the MCTEC is where all signatures are verified, early ballots are processed, and ballots are tabulated. This is also where all the 2020 ballots are currently being stored. As a result, it's important the audit be conducted at the MCTEC in order for everything to be examined in context. The whole building! If they're moved, damage can occur, such as out-of-calibration on sensitive equipment, loss of forensic data on equipment left behind that may have interacted electronically with the voting machines. If the goal for the audit is to find all problems that had occurred in the 2020 election and to fix them, the audit must occur in place at MCTEC.

Why are all the paper artifacts, including all the irregular ballots, critically important? Without the all paper artifacts, including the irregular ballots, the audit would not detect all the evidence of fraud and prove the authenticity of every legal vote. By statute ARS 16-624 (B), irregular ballots may be destroyed as early as May 3rd, 2021. There is no clear definition of irregular ballots in any election manual or in the statute itself. The best unwritten working definition from some counties for irregular ballots is that they are ballots with valid write-in candidates. Due to the lack of a clear definition for irregular ballots, election officials may categorize some ballots as irregular at will. Senator Kelly Townsend quoted data from the Secretary of State, that there are over 100K ballots that are adjudicated and not counted. Are these the irregular ballots? Additionally, there are over 230K adjudicated ballots in addition to the 100K. These are likely not irregular ballots, but are they? Senator Fann

insisted that ALL ballots will be included in the audit. Even if that is true, what will happen to the irregular ballots in the remaining Arizona counties? Lack of clarity leaves a lot of room for any election officials to legally dispose of an unknown number of ballots by labeling them as irregular. *They can legally do so by May 3rd.* The only way to protect irregular ballots is through a court order. This is the law! The Senate must request a court order for the irregular ballots

for all of Arizona.

What is Kinematic Artifacts Detection (KAD)? Ballots are scanned in at high resolution to detect and store for analysis all the markings made on paper as it traveled through time. All ballots are then analyzed via an artificial intelligence computer algorithm to detect authenticity. KAD can be said to prove authenticity rather than detect fraud, though it must do both as they are both sides of the same coin.

In the past, cost and time dictated the necessity of fractional audits. Today, with massive fraud caused by mail-in ballots and computerized vote insertions, old-school fractional audit is rendered meaningless. It is akin to Barney Fife policing internet crimes.

Kinematic Artifacts Detection would find these fake ballots and do so efficiently in terms of both time and cost:

- One person filling out many ballots
- Mail-in ballots that were never mailed
- Alignment marks on ballots for scanner are printed differently depending on party, sending ballots to automatic adjudication where a sleight of hand can change the vote
- Detect the origin of the paper stock
- Detect votes marked by a printer and not handwritten
- Illegally scanned ballots (one batch rescanned many times to boost votes)

Videos explaining KAD:

Jovan Hutton Pulitzer Testimony @ GA Senate Judiciary Committee (rumble.com)

<u>Arizona Forensic Audit - 100% Paper Ballots, Machines. Fly Jovan Hutton Pulitzer to Arizona! - YouTube</u> Kinematic Artifacts Detection 11 minutes video

https://rumble.com/vcajr9-jovan-hutton-pulitzer-georgia-senate-hearing-testimony-123020.html

Why is KAD needed in this 2020 election fraud detection audit?

The KAD algorithm is trained to detect voting scams. The full universe of ballots are required for the algorithm to work. Old school fractional audits will not yield acceptable results or no result at all to prove authenticity. In the past, cost and time dictated the necessity of fractional audits. Not so today. Due to new technologies and methods, precision and speed do go

together at a much more affordable cost than old school fractional audits. *Today, with massive fraud caused by mail-in ballots and computerized vote insertions, old-school fractional audit is rendered meaningless. It is akin to Barney Fife policing internet crimes.*

KAD can be said to prove authenticity rather than detect fraud, though it must do both as they are both sides of the same coin.

KAD has the ability to identify illegal ballots such as:

- One person filling out many ballots
- Mail-in ballots that were never mailed
- Alignment marks on ballots for scanner are printed differently depending on party, sending ballots to automatic adjudication where a sleight of hand can change the vote
- Identify the origin of the paper stock
- Detect printer marked votes
- Illegally scanned ballots

If it is agreed that KAD is necessary to insure a valid audit, then what is the issue?

On March 31, 2021, the Senate inked an agreement with a top notch forensic auditing firm, Cyber Ninjas. A Statement of Work (SOW) was leaked and is attached below. It detailed many areas of auditing, but there is no mention of **KAD** being used as a tool to detect fraud.

Jovan Hutton Pulitzer first proposed this at a Georgia Senate Election Integrity hearing in November 2020. This work is entirely missing from the Statement of Work dated March 31, 2021. The Senate has yet to confirm that this proposed work is being carried out. Because machines and their log files may be compromised through the internet and daily log files being overwritten, vital forensic data may be corrupted already. Additionally the two sham audits by the MCBOS done earlier this year may have tampered with vital evidence. We have some expectation that the audit team is very capable and will uncover and trace electronic tampering to the source. But that is a big ask given the time elapsed and the access of those machines by contractors on a regular basis. Who's got an office at MCTEC and who spent big on Dominion Voting Systems? https://t.me/theprofessorsrecord/164

The paper ballots may be the only evidence remaining. We cannot assume that **KAD** will be used in this audit. **We must demand that the use of KAD is explicitly stated in the SOW.**

Slideshow summary: https://t.me/ArizonaRedRoots/535

Please read the two Senate subpoenas and Judge Thomason's ruling to see clearly that the Senate has full authority to take control of the entire Maricopa County Tabulation and Election Center for the purpose of legislative oversight over all election matters.

Senate subpoena dated December 15, 2020: 488299714-Forensic-Audit-Subpoena.pdf

Senate subpoena dated January 13, 2020: AZ Senate Election Subpoena Jan13.2021.pdf

Honorable Timothy J. Thomason ruling dated February 25, 2021: <u>maricopa-county-v-fann-superior-court-ruling-2-26-21 (2).pdf</u>

Senate and Cyber Ninjas Statement of Work dated March 31, 2021: cyber-ninjas-sow-executed-33121.pdf

While not intended as legal advice, attorney Susan Dee walks through Judge Thomason's ruling to address this issue: https://t.me/LegalBriefwithSusanDee/19 40 minutes audio explainer addressing the following questions:

- Does the AZ Senate have the authority under the constitution to issue a subpoena and obtain full control of the Maricopa Center Tabulation & Election Center (MCTEC)?
- Can the Senate do it immediately so the auditors may do a full forensic audit of the entire center from top to bottom?

Short answer: According to Judge Thomason, reaffirming the Constitution, yes the Senate has subpoena and enforcement power. This means the Senate can immediately resolve all open issues, upon issuance of a subpoena.

Please reach out to the Senate and hold them accountable!

We will need to hold other elected officials accountable as well. There will be further calls to action for the Recorder and Treasurer. Please focus on the Senate for now because they are in the pole position. Contacts for them are on the following pages. Snail mail also please (important for Senators to hold your letter!). Registered mail will have greater impact! Thank you!

CONTACT INFORMATION

Arizona State Senate

Capitol Complex
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Highest Priority Senators on Audit Committee:

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 $[\]leftarrow$ - For other senators and representatives please click on link to the left

Additional Important Republican Senators:

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*67 + your phone to mask your caller ID (your choice)

Email for AZ Senators & Representatives:

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Telegram Channels

Add "chat" to the end of each channel to get to its free form chat room, if it is set up. There will be more to come but please start with these on Telegram and you will see people post things from other channels. If you like them you can join them.

AZ Communities

- https://t.me/PatriotNewsUSAChat landing page chat room for Social Media Refugees
- https://t.me/ArizonaRedRoots
- https://t.me/azinformer

General

- https://t.me/gatewaypunditofficial
- https://t.me/epochtimes
- https://t.me/Jack Posobiec
- https://t.me/TheGreatResetTimes
- https://t.me/fdrlst
- https://t.me/NewsmaxTV
- https://t.me/realDailyWire
- https://t.me/TheBlazeTV
- https://t.me/OANNTV
- https://t.me/Daily Caller
- https://t.me/TPUSA
- https://t.me/Prager U
- https://t.me/WideAngleBrendon

Important Influencers & Patriots

- https://t.me/linwoodspeakstruth
- https://t.me/JovanHuttonPulitzer
- https://t.me/theprofessorsrecordchat and https://t.me/theprofessorsrecord
- https://t.me/markland2022 & https://t.me/markland2022chat
- https://t.me/GarrettMZiegler & https://t.me/garrettmichaelz
- https://t.me/PatrickMByrne
- https://t.me/bobbypiton
- https://t.me/MichaelJLindell
- https://t.me/DineshJDSouza
- https://t.me/realBenShapiro
- https://t.me/SidneyPowell
- https://t.me/TrumpJr
- https://t.me/RyanAFournier
- https://t.me/StevenCrowder
- https://t.me/genflynnchannel (Fan page posting of Flynn materials)

Health

- https://t.me/DrTenpenny
- https://t.me/AmericasFrontlineDoctors

Websites

- We The People AZ Alliance
- It Smells Funny
- Power Of The Memes
- Election Crisis
- Look Ahead America
- Arizona Legislature Request to Speak Made Easy | EZAZ.org Civic Action Made Easy

Archive of past postings:

 $\underline{https://docs.google.com/document/d/1LUPDDFUPj4KigfJ11U4jonOetc6DXiBTyGdDGE1q-CU/edit?usp=sharing}$