



**Maricopa County Arizona**  
Helen Purcell, County Recorder  
Karen Osborne, Elections Director

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March 20, 2007

Madam Chairman and members of the Committee on House Administration:

We are fortunate that today we all have a common purpose. Whether you are an Election Official responsible for conducting and tabulating an election, a political observer overseeing the process, an elected official whose name appears on the ballot, or all of us as voters ourselves, we all are working for the same end: that the outcome of the election is an accurate reflection of the will and intent of the people. A hand audit, by definition, is conducted to ensure that the tabulation equipment being used is correctly calculating the vote cast.

Maricopa County has 1.5 million registered voters, 1142 voting precincts, and half our voters vote by mail-in early ballots. At the polling place we have optical scan equipment which the vast majority of our voters utilize. We supplement that system with touch screen voting machines with printers for individuals who need them in order to vote independently, this equated to less than 300 votes out of the almost half million cast at the polls in last November's General Election.

That election saw the implementation of a statutory hand audit requirement of 2% of the precinct-cast ballots and 1% of early ballots. In Maricopa County that translated into 24 precincts, 6 precincts from each of the 4 selected races, and 4,800 early ballots. Both the physical paper ballots as well as the paper record of the votes cast on the touch screens are included; but Provisional ballots, Conditional Provisional Ballots (those awaiting the voter to return with ID), and Write-In Ballots are not. The political parties are required to each provide 72 individuals to conduct the audit thus providing them another involvement opportunity in the oversight of the process.

In the 10 days following a General Election Maricopa County has well over 100 workers processing Provisional Ballots. Working from 6 am to 12 midnight we are able to ensure that a voter who has cast their ballot provisionally in their new home precinct or with a new, married name has their registration updated and their vote processed rather than discredited due to a lack of their updating of registration information; provisional ballots in the traditional sense are less than 1% of what are labeled "provisional" in Arizona. At the same time we were orchestrating the 144 individuals from the public who were participating in the hand audit.

The audit had many challenges. There were only 5 precincts which had ballots cast by voters on the touch screen machines. Statute requires that the process follow the Secretary of State's Procedures Manual which directs the audit boards to count the ballots in lots of 25. Although that seems reasonable, in application many of the boards had to be re-directed to count in 10s due to human errors in counting. If a count did not match a second count was done with a stacking method. The expansion of the audit is only done if the variance is greater than the difference between votes count, divided by the electronic count. We did not encounter any audited precincts which exceeded this variance. This acknowledgement of the human condition is imperative in maintaining the intended purpose of machine tabulation oversight.

The inclusion of Provisional Ballots, which by virtue of this same proposed legislation are not able to be preserved in a manner that makes them possible to be associated with a voter and thus have their tabulation status noted—designating a provisional ballot that was counted versus one that was not— would easily account for variation in totals. Additionally, the specificity outlined on which Early Ballots are to be audited would create dramatic ramifications on the local level. In Maricopa County we process and tabulate Early Ballots in the random mixed batches as they are returned yet the results are reported back to the precinct level. The physical ballots remain in their mixed batches. To sort them would mean handling the ballots numerous additional times and diminish the inherent security that the random order retention affords.

After only one hand audit the state legislature has already seen amendment language to address some of these challenges. Some of the issues can be resolved with simple modification of the Procedures Manual, while others will require legislative changes. The ability to administer the audit in a manner that will function on the local jurisdictional level, and to implement swift changes in response to the unique environments within which we all live, is an integral characteristic of the success of such an exercise.

Respectfully submitted,

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