



PIMA COUNTY BOARD OF SUPERVISORS
DISTRICT 1
130 WEST CONGRESS STREET, 11TH FLOOR
TUCSON, AZ 85701-1317
(520)724-2738
district1@pima.gov
www.district1.pima.gov

ALLY MILLER
SUPERVISOR

FOR IMMEDIATE RELEASE

Contact: Jeannie Davis, Chief of Staff
(520) 724-2738
Jeannie.davis@pima.gov

Voter Integrity and Transparency Still Lacking in the Sunnyside School District Recall Election

May 14, 2014 – (Pima County, AZ) – Pima County Administrator, Chuck Huckleberry sent out a detailed memorandum citing changes that would be made in response to voter concerns in regards to the Sunnyside Unified School District Recall Election.

Yesterday morning, Supervisor Miller requested a Board of Supervisors emergency meeting to address a flood of voter concerns about the County's handling of this recall election. Specifically, concerns about the County Elections department to block any observers at the 3 ballot replacement and drop off centers as well as the County's decision to begin counting the estimated 5,000 ballots 4 days before election day. The meeting request was not approved or supported by the other Supervisors.

In the (attached) memo, Administrator Huckleberry noted that they will begin ballot tabulation on Election Day but further noted that this change in ballot tabulation would apply only to this election. Mr. Huckleberry further stated that observers would be allowed at 2 of the 3 ballot replacement and drop-off centers, specifically stating that no observers would be permitted at the Apollo Middle School because classes would be in session. The Pima County Recorder is in charge of the rules regarding the observers at these locations.

Two representatives of the accuracy certification board, one from the Republican party and one from the Democratic party, will be permitted in the actual counting center while other observers will be allowed to view the tabulation through a window.

Supervisor Miller, in response to the memo stated, "While I am happy to know the ballots will not begin to be counted until the day of the election, I am deeply concerned for the citizens of the Sunnyside School District that they will not be allowed to have an observer at Apollo Middle School where there are strong ties to those being recalled in this election. I cannot fathom any logical reason why at least 1 observer, provided by the candidates or county election integrity commission, would not be allowed at a location where voters, who may have lost their mail in ballots, can actually cast a vote."

Miller went on to say, "With such a contentious election where 90% of the vote is coming from an underserved Hispanic electorate, one would think you would want to insure voters feel the integrity of their vote has been protected."

Supervisor Ally Miller, elected in November of 2012, is currently serving her first term as a member of the Pima County Board of Supervisors representing District 1. Supervisor Miller holds a B.S. in Business Administration (Finance) from The University of Arizona and a Masters in Business Administration from The University of Arizona Eller School of Management and has been a resident of Pima County for more than 30 years.

####



MEMORANDUM

Date: May 14, 2014

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

From: C.H. Huckelberry
County Administrator

Re: **Vote Tabulations for the Sunnyside Recall Election**

At the May 9, 2014 Election Integrity Commission (EIC) meeting under Call to the Audience, a number of citizens addressed the EIC to request the Sunnyside Unified School District (SUSD) Recall Election ballots not be tabulated until Tuesday, May 20, 2014 - the day of the election.

It should be noted the election official for this recall election is the Superintendent of Schools, and we will closely coordinate with the Superintendent.

When to Count Ballots

Customary practice is that vote tabulation begins based on the receipt of early ballots, before Election Day. The SUSD Recall Election is an all-mail ballot. A number of ballots have been received and signatures verified by the Recorder (as of this date, 3,300 ballots) and these ballots are available for tabulation. However, this recall election is not a typical election where the number of ballots cast approaches several hundred thousand. A fraction of this amount will be received for tabulation. Hence, ballot tabulation can, for this election only, occur on Election Day.

Given the concerns expressed by certain members of the recall committee and others, previously asked the Elections Director to postpone vote tabulation until Election Day, Tuesday, May 20, 2014. The Elections Director is now planning to begin tabulation after 1:00 P.M on May 20, 2014. This new date and time for election tabulation has been posted to the Elections Department's website.

I can unequivocally state that the concern expressed by certain members of the SUSD Recall Committee regarding County knowledge of vote tabulation prior to release of election data is completely inaccurate. Tabulation occurs under observation, and strict rules prohibit such activity.

Other issues raised relate to tabulation observation and observation and ballot replacement at the drop-off centers.

The Honorable Chair and Members, Pima County Board of Supervisors
Re: Vote Tabulations for the Sunnyside Recall Election
May 14, 2014
Page 2

Tabulation Observation

Any member of the public or other interested parties are free to observe the tabulation at the Tabulation Center located at 6550 S. Country Club Road by gaining access to the Public Observation Window, which allows the public and interested observers to observe the ballot tabulation process.

The Accuracy Certification Board, consisting of two members who shall not be of the same political party, are the only observers allowed inside the actual counting center. For this election, the Accuracy Certification Board members are Mr. Benny White for the Republican Party and Ms. Barbara Tellman for the Democratic Party.

I have attached an excerpt from the Arizona Elections Procedures Manual that defines who is permitted in the Counting Room.

Observation and Ballot Replacement and Drop-off Centers

Since this is an all-mail election, there are no polling places. There are locations where ballots can be replaced if they have been lost or spoiled by a registered voter in SUSD. Ballots may also be dropped off at these centers on Election Day. Once dropped off, the ballots are secured in a locked ballot box. This drop-off process is subject to the same security, scrutiny and observation from the drop-off center to the tabulation center.

Since the ballot replacement and drop-off centers are operated by the voter registration function, the rules regarding observers at these locations are made by the Recorder. We have contacted the Recorder and learned observers will be allowed into two of the three locations: the Recorder's downtown office and the Tabulation Center at 6550 S. Country Club Road. The third location is Apollo Middle School, where classes will be in session. The Recorder will be responsible for ensuring the security of this site, which is in a classroom building, and has determined observers cannot be accommodated there.

CHH/mjk

Attachment

c: The Honorable Dr. Linda Arzoumanian, Superintendent of Schools
The Honorable F. Ann Rodriguez, Recorder
Ellen Wheeler, Assistant County Administrator
Brad Nelson, Elections Director

Citation from the State of Arizona Elections Procedures Manual
CHAPTER 11 - CENTRAL COUNTING PLACE

November 2013 Edition

Pages 174-175

Limited Access to Central Counting Place - Observers

The computer operating area shall be in a separate room or in an area of a larger room which is clearly marked as the computer operating area. Only members of the central counting place board and the accuracy certification board may be permitted in the immediate computer operating area. Other observers may be permitted to observe the operations of these boards and the computer, from a designated location, but must not interfere with the conduct of the operations. The "snag" board may enter the computer operating area to resolve any discrepancy.

Except for a County Recorder whose name is not on the ballot and who is carrying out official duties, no public officer serving in an elective office, or any candidate for an elective public office at the election shall be permitted to enter:

- the central counting place,
- any other operational area where ballots are being processed or tallied,
- any area where a board has been convened, or
- any area where decisions about ballots are being made.