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# MEMORANDUM

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Date: August 15, 2014

To: The Honorable Chair 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: **Precinct Ballot Scanners Failure**

Attached please find an August 14, 2014 memorandum from our Elections Director alerting County Administration to the high failure rate of precinct scanners. The majority of these scanners were purchased in 1998, nearly 16 years ago; and we have continued to caution the Board of Supervisors and others they need to be replaced with a more stable system.

Recently, Mr. Bill Beard, a member of the Elections Integrity Commission, appeared before the Board and asked that you spend an additional \$1.8 million to purchase precinct scanners, money that is simply not available. The justification that has been used for this expenditure is that it is a failsafe method to ensure ballots cast at the polls are not altered when tabulated through a central tabulation system. Given the multiple levels of safeguards in place with regard to multiple party observation, chain of custody requirements, and other security measures, ballots cast at the polls are very secure. Assuming all of these failsafe devices are somehow bypassed, the only other test that remains is that the ballots cast at a polling place are, and always have been, segregated for tabulation. If there is a suspected irregularity between the tabulation of the polling location ballots and the central count, the ballots cast at that particular precinct are easily identifiable, segregated and can be subject to a hand count to verify accuracy.

On the Board's agenda of August 18, 2014 is the acquisition of a new central tabulating system. The request for proposals and contract allow for, at a future date, addition of polling place scanners should they be required. At this point in time, there is no logical, security, or common sense reason to add this component acquisition to the current contract. However, the option will exist for a period of time in the future.

It is important to understand the increasing frequency of precinct ballot scanning failures. Such is expected to continue and be problematic in the future; hence, the need to transition to a new and more reliable system of collection and vote tabulation that is now proposed in the central counting system.

CHH/mjk  
Attachment

c: Ellen Wheeler, Assistant County Administrator for Justice and Law  
Brad Nelson, Elections Director



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## MEMORANDUM

### ELECTIONS DEPARTMENT

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August 14, 2014

**To:** C. H. Huckelberry  
County Administrator

**From:** Brad R. Nelson  
Election Director

A handwritten signature in black ink, appearing to read "Brad", is written over the printed name "Brad R. Nelson".

**Subject:** Precinct Ballot Scanners – Failure Rate

In advance of all elections, the staff of the Election Department performs diagnostic and performance tests on all the precinct ballot scanners prior to loading any election parameters on the device. After a successful diagnostic and performance test, the election parameters are loaded onto the device via a memory card. Once the election parameters are loaded on the scanner, test ballots are scanned and test results printed.

As the staff has readied the scanners for the August 26, 2014 primary election we find that we are experiencing a failure rate of approximately 10 percent. These failures are occurring at different times during our preparations. Some fail during the diagnostic/performance test, some fail after loading election parameters, some fail due to a faulty memory card, some fail during the tabulation of test ballots and others fail during the printing of test results.

At the request of the Arizona Secretary of State we provided their office with a scanner for their use in advance of the official logic and accuracy tests for numerous counties in Arizona. That scanner was completely tested prior to it being issued to the State. Nonetheless, the scanner failed as State staff was using the device.

Given the failure rate experienced during the preparations for the coming election and the failure of the fully tested machine at the State, we are expecting scanners to fail on Election Day, perhaps in excess of the ten percent failure rate experienced during our preparations.

It is important to note that a scanner failure does not impact the ability to cast a vote at the polls on Election Day. Poll workers and Election Day trouble shooters are trained to use the emergency bin on the ballot box while the scanner is inoperable. By using the emergency bin no voter is turned away from the polls nor are they told to come back

after the scanner is repaired. The emergency bin is a separate bin that is part of the standard ballot box that is used (when necessary) under the observation of the poll workers and party observers at the polls. Ballots cast in the emergency bin are retrieved and scanned by the poll workers once the scanner is repaired or replaced. If the faulty scanner cannot be repaired or replaced, the ballots in the emergency bin are secured and delivered by two poll workers of opposite political parties to the Election Department office for tabulation that evening.

I will bring this issue to the attention of the Arizona Secretary of State, the Pima County Election Integrity Commission and the Pima County political party chairs as soon as possible.