

# DECLARATION

STATE OF: Arizona

COUNTY OF: Maricopa

I, Denise Marie, a resident of Gilbert, AZ state the following as my declaration pursuant to 28 U.S.C. §1746. I am an employee of Runbeck Election Services. I have been employed by Runbeck Election Services as a sorter operator since February 2022.

While working at Runbeck on Maricopa County Elections, I witnessed the following:

## **Ballot Chain of Custody Issues**

### **Election Night Ballot Receiving Process Changed**

Prior to Election Day, November 8, 2022, mail-in ballots were delivered in red bins with a chain of custody form from MCTEC noting how many bins and the quantity received. That form is called the "Maricopa County Delivery Receipt." The top of the form was filled out to include the total number of ballot packets including Regular MOB (green envelope), early in-person CTR (white envelope) and out of specification ballots.

On Election Night, instead of receiving the ballots in red bins, the ballots from the drop boxes had been placed in mail trays and loaded onto mail cages. MCTEC did not include the Maricopa County Delivery Receipt forms with any of the Election Day drop box ballot deliveries. There were no chain of custody forms with the ballots and no count of the number of ballots that were delivered.

Again, no paperwork accompanied the ballots from the MCTEC on Election Night. Instead, Runbeck created a document with an estimate of the ballots received that was calculated by counting the number of trays and multiplying by 350 or 400 (estimated number of ballots per tray - this number varied by operator). These estimates were created by Runbeck employees and were recorded on a form called MC INBOUND - RECEIPT OF DELIVERY.

At 6:47am on 11/8, a delivery was made by MTEC that included 33,994 regular MOBs, 7,844 CTRs and 1041 needs packet ballots. Maricopa County provided delivery receipts for this part of the delivery that showed these numbers. There were also an estimated 5,600 ballots that came from the post office. No paperwork included on the post office ballots (see below).

The next delivery from MCTEC came at 7:15pm. While it is not referenced as such on the receipt of delivery form generated by Runbeck, the delivery driver's helper indicated that it came from the post office. I could also tell that it came from the post office because there was non-election mail and blue envelopes mixed in. One of the sorter operators estimated the number of ballots for this delivery to be 1,750.

The next delivery from MCTEC did not come until 10pm. I was told by my lead and other staff members that it was unusual that we did not have multiple deliveries throughout the day or that another delivery had not been made prior to me leaving at 9pm. Several drops were made throughout the night after 10 pm and when I arrived at 6am the next morning, there was a line of cages waiting to be run through the inbound process.

Total count of the ballots received and scanned by Runbeck on Election Day was:

Inbound: 290,735  
Provisionals: 6,978  
Overs: 123  
Under: 3  
Invalid App ID (wrong election envelope): 1,016  
Unreadables: 41  
Counter reissue: 46  
**Total: 298,942**

On 11/9, at approximately 5:30PM, my lead asked me to get a count of all of the ballots received by Runbeck on Election Day. Using the Incoming Scan forms, I manually calculated the total numbers above. When I gave the information to my lead, he mentioned that it was “close” to what Celia (Nabors) of MCTEC had estimated. I believe he either texted or emailed her with the count from his phone.

As described above, prior to Election Day, mail-in ballots from the drop boxes that came from the county were transported in red bins with security seals and brought to Runbeck. The delivery included a 3 part half sheet that had the total count of Mail-in Ballots (MOBs), early in-person (CTR) ballots and out of specification ballots. This form is initialed off by the person who counted them at MCTEC and then initialed off by a Runbeck operator and security upon delivery.

Before the 2022 primary, a change was made to the way the paperwork was done for the red bins. Instead of a form for each bin with its own place to notate the security seal number, it was changed to one form for all the red bins received. Instead of listing the seal numbers, it had a count of the number of bins. For example, it would say “62 bins secured.” Each bin did have a security seal, but the seal numbers were NOT notated on any of the paperwork unless only one bin was received. Therefore, there was no way for Runbeck employees or security to verify the seal numbers.

It also appeared that the bins had been consolidated from the different drop-off locations. Early in person (CTR) ballots were separated from the mail-in ballots (regular MOB) and placed in their own bins. During the primary, the red bins were mostly dropped off in the morning. For the general election they were mostly dropped off in the evening.

### **USPS Post Office - Lack of Inbound Ballot Chain of Custody**

When mail-in ballots are brought from the post office to Runbeck, the postal receipts that are with them are NOT used as part of the chain of custody. Estimates are used instead.

On the Runbeck incoming paperwork, (MC Inbound Receipt of Delivery) an estimate is made of the number USPS (post office inbound) ballots received by counting the number of trays and multiplying by 350 or 400 (the estimated amount per tray) This number varied by operator. Despite the fact that the post office typically

included a postal receipt with the USPS ballots identifying the number of ballots being delivered, the postal receipts were not used. When I questioned why the postal receipts were not used on a smaller election last spring, I was told that they did not use it, it was never correct, and it was usually just thrown out.

I realized that the reason the receipt from the post office was “never correct,” was because they were not adding the ballots brought from MTEC to the ones from the post office – and then reconciling it with the number counted by the sorting machine. When I brought that to my lead’s attention (and showed him how they did balance out), he reiterated that they do not use the receipts, they take too much time to find when it’s a big election and we cannot slow down the process. (To be fair, the receipts are hard to find when there are a lot of cages dropped off).

Not being able to throw away what I considered to be an important part of chain of custody, I did ask the Maricopa driver if they needed the postal receipts. He took them, but my recollection was that he was unsure and needed to check. I started sending them with pickups after that. Sometime later, a group of Maricopa County employees came over for a tour. The postal receipts came up in conversation and one of them mentioned that they didn’t even know that the receipts existed. This is how the change was made to send postal receipts back to Maricopa.

But they still were not used to track the incoming number of ballots from the post office. My lead told me that I could try to use them, however if it slowed things down, he would pull me from the inbound process. I brought the issue up to him several times trying to get the change made as part of our process. The last time I asked him about it, he reiterated that I could try to use them as long as I did not slow down the process, but if I brought the subject up again, he would not have me do the inbound process at all. He did not want me to do something that I wasn’t comfortable with. This last conversation occurred just before we got busy with outbound. I didn’t bring it up again.

### **No Chain of Custody for Runbeck Employee Ballots**

Runbeck employees are allowed to bring in their ballots and give them to the sorting department to be inserted into the batches at Runbeck. Typically, they are run in the next batch of incoming. This is permitted by management. Runbeck employees, are also permitted to bring family members ballots in for insertion into batches. (See attached sample of my family member’s ballot on the sorting feeder just prior to being run through the inbound process during the primary.)

I estimated that I personally saw about 50 ballots given to the sorting department by employees to be inserted into the next inbound batch during the general election. There is no formal tracking of these ballots, nor is there any kind of check that the ballot is for the employee or family member (privacy issues is cited as the reason for not checking). Maricopa County would have no record of these ballots until they are scanned by Runbeck because they were never in possession of Maricopa County. They are simply added to the next incoming ballot batch run. (Note: From what I saw, the ballots were legitimately employee or employee family’s ballots, however I did not see all of them. Allowing this practice to occur, opens the door to potential problems.)

**Maricopa Security Coverage**

To my knowledge, the security provided by Maricopa has limited hours. A security officer provided by Maricopa is on location from I believe 8a-4p. Prior to election day, ballot deliveries were made at about 6:30am in the morning and then often at 6:30pm. The two busiest times for drop offs and I don't recall seeing their security officer on site.

During the primary, the Maricopa Security Guard came down and signed the paperwork. During the general election, Runbeck Security came to sign the paperwork. To my knowledge, there was not a Maricopa Security Guard on duty for night crew.


**No Chain of Custody for Duplicate Ballots**

Throughout the 2022 election cycle for both the primary and general elections, Runbeck printed duplicate ballots. These are duplicates of ballots that had been damaged in some way or the tabulator could not read them. The selections from the voter were filled in and a new, duplicate ballot was printed. To my knowledge, there were at least 9,530 duplicate ballots printed. When these ballots were picked up by Maricopa, there was no paper trail. No delivery/shipping receipt, no chain of custody document, no one signs for them. They are simply handed over to the delivery driver.

During the 2022 primary, I was able to track down one receipt to send with the duplicated ballots. There was no place for a signature and Runbeck did not keep a copy. It came from the shipping department and was generated by the CSM. For next couple of orders, the receipt was not available before pickup and eventually I stopped asking for it.

I declare under penalty of perjury that the foregoing is true and correct.

Signed on the 7th day of December 2022.

Signed by:  \_\_\_\_\_  
Denise Marie