

EXHIBIT I

Declaration of Richard Baris Regarding the 2022 Midterm Elections
in Maricopa County, Arizona

December 8, 2022

Background

I, Rich Baris, have served as the Director of Big Data Poll for six years and as the chief pollster for The Epoch Times. Our polling, election forecast modeling and analysis have been cited in outlets ranging from Bloomberg to Fox News. I have also served as an expert and voir dire researcher in both state and federal court cases with subject matter ranging from elections to civil rights.

Big Data Poll conducted an exit poll in the state of Arizona from November 1 to November 8, 2022. Participants were recruited using a targeted random sample from the Aristotle National Voter File Database. Beginning on October 24, 2022, invitations were sent to the resulting list of N=155,000 subjecting potential participants to traditional voter screens consisting of questions designed to gauge likelihood to vote and 4-cycle vote history. Participants were instructed to conduct the interview at such time depending on vote method, i.e. after voting by mail, after voting early in-person, dropping off an absentee ballot at a polling location or dropbox, or after voting on Election Day. In total, the sampling size was N=1,299 to include N=813 (62.6%) in Maricopa County.

The following voter file parameter represents the query used to pull a targeted random sample from the National Voter File Database:

State Select State is (Arizona) and (Exclude Deceased AND Exclude Movers) and (((Include Only Records with Mobiles AND (Validated Mobile Number)) AND (Exclude Numbers Ported to Landline)) AND (Mobile Number Code is (1 or 2 or 3 or 4 or 5))) AND (Mobile Confidence Level is (High or Medium High)))))

By design, even unweighted results aimed for representation, though interviews were first conducted with voters who cast absentee ballots early and dropped them off in-person, and with a small share of voters who cast ballots early and in-person. At no time during these interviews did respondents report issues casting ballots.

On the morning of Tuesday, November 8, 2022, approximately 11 minutes after the polls opened on Election Day, a voter and expected exit poll participant made us aware that they were unable to complete the interview due to prolonged wait times resulting in various—and at the time, unclear issues—with printing and recording ballots at a particular precinct. That interview concluded approximately 16 minutes after polls closed.

After relaying this information, we were made aware of fairly widespread issues with “tabulators” on Election Day. and we suggested quickly amending the exit poll questionnaire to include asking whether participants had “any issues or complications when trying to vote in person” and listed various scenarios detailed later in this report.

Summary of Findings

Our findings support the conclusion that issues at polling stations concerning tabulators, toners and other challenges presented to voters who sought to cast a ballot on Election Day disproportionately and negatively impacted voters who intended to cast votes in support of Republican candidates. Further, our findings indicate that conservative estimates of suppressed voters would put the overall result of the Arizona gubernatorial election in doubt.

Those conclusions are based on the following:

1. Registered Republicans represent the majority of votes cast on Election Day.
2. All voters who cast votes on Election Day were significantly more likely to vote straight Republican, regardless of demographics to include party registration.
3. Issues resulting in long wait times and challenges to casting votes were exclusive to Maricopa County, and heavily Republican areas were disproportionately and negatively impacted.
4. These and several other contributing data points support the conclusion with a reasonable degree of mathematical certainty that turnout depression occurred on Election Day, and that a relatively small percentage did put the overall result of the gubernatorial election in question.

Our exit polling indicated that a low of 10 percent to a high of 17 percent of total turnout would consist of Election Day Drop Offs, or “Late Early”. To be clear, that is defined by a voter who physically delivered their mail-in ballot to a polling station on Election Day. While historic, the publicly available figures now indicate that our exit polling is correct, at roughly 13%.

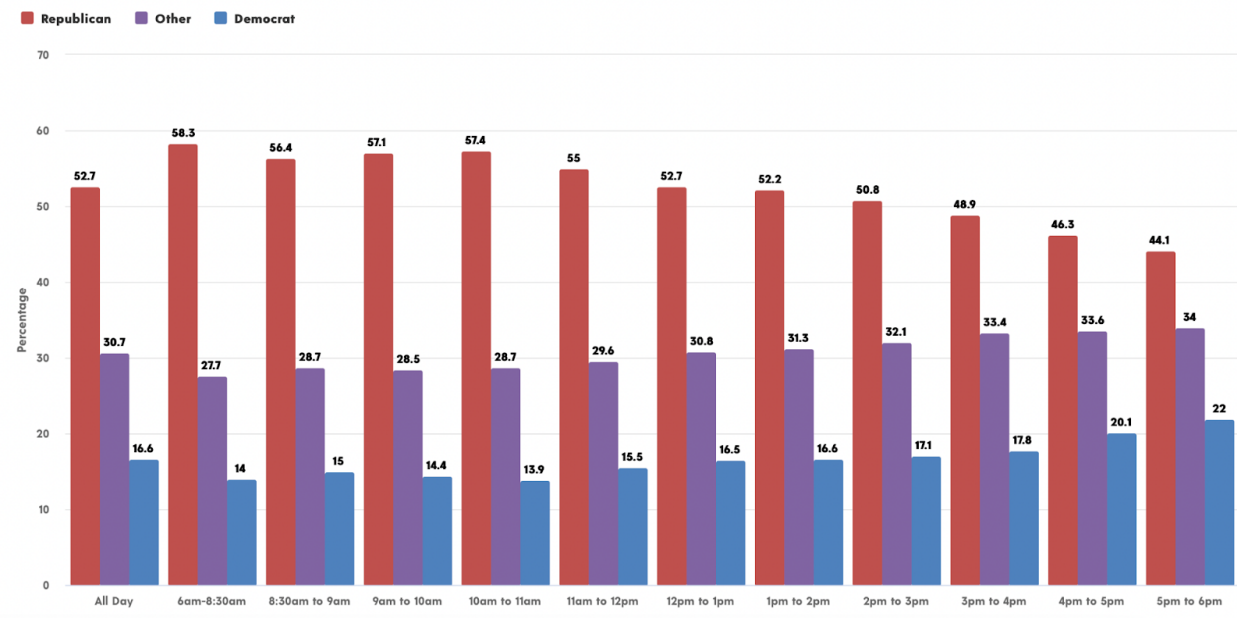
Election Day in-person voting in Maricopa County was also projected to be significantly higher than expected as a percentage of the overall electorate relative to prior elections, approximately 20%. That share is currently at roughly 16% of the actual total vote countywide. Our findings conclusively show that voters in Maricopa County were exclusively impacted and that these voters heavily favored Republican candidates.

I conclude based on standard data analysis that these issues disadvantaged Republican candidates, to have been most prevalent in Republican congressional districts and strongholds.

Republicans Are the Majority on Election Day

Maricopa Election Day Returns Per Hour By Party

Source: Maricopa County Recorder Hourly Updates



While percentages vary throughout the day—which is particularly consequential when considering the impact of likely voter suppression in this case—Republicans are the majority on Election Day. Voter registration by party tracked by the Maricopa County Recorder shows registered Republicans made up 52.7% of total votes cast on Election Day, followed by 30.7% of non-two party voters and only 16.6% of registered Democrats. (A link to the graphic above to view in more detail is provided, [here](#).)

These figures are not in dispute. Political parties employ various “get out the vote” or “GOTV” strategies and Republicans encouraged their voters to vote on Election Day. Long delays and wait times would have unduly burdened two demographics that heavily favored Republican candidates—seniors and working class voters attempting to cast a ballot before the workday.

Voters Who Vote on Election Day Are More Likely to Vote Straight Republican, Regardless of Demographics, to Include Partisan Registration

The impact from the issues that arose on Election Day—which we will further address in more detail in subsequent sections of this analysis—cannot be fully understood or appreciated without understanding voting preference cross tabulated against voting behavior and vote method.

The evidence is clear that voting behavior by vote method strongly impacts vote preference. Voters who cast ballots on Election Day were significantly more likely to support Republican candidates, up and down the ballot, regardless of self-reported party affiliation or even party registration.

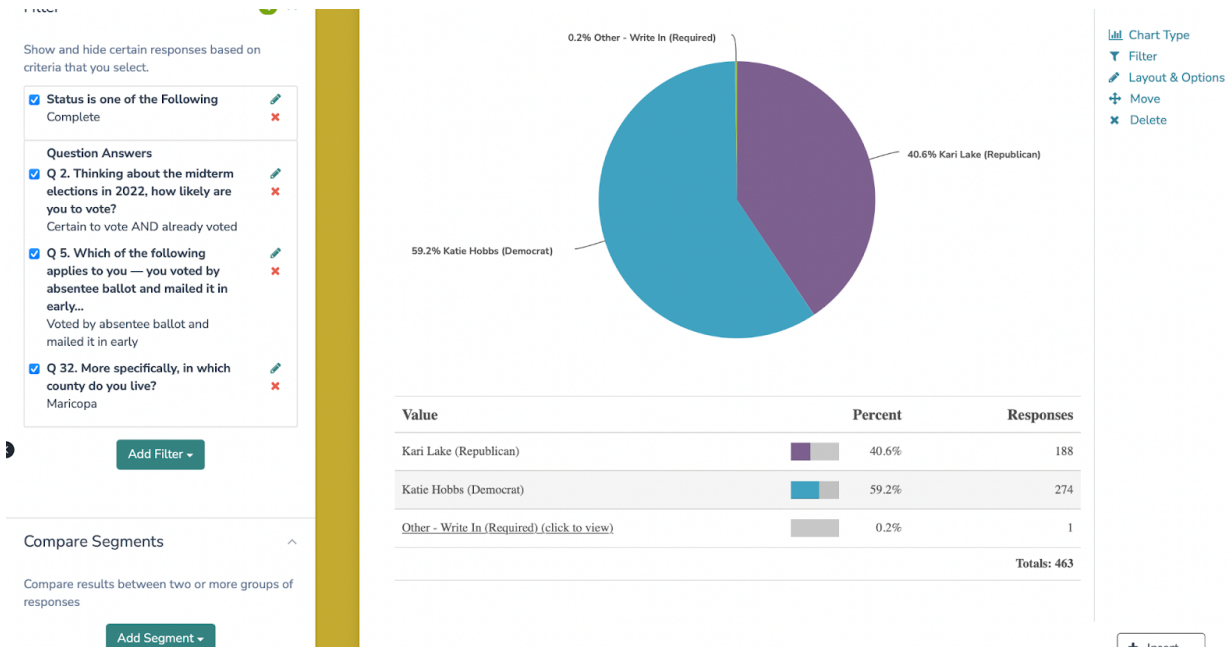
As previously stated, parties each implement different strategies to turn out voters for elections. That being said, it is also true that even voters registered as Democrats and non-two party voters are significantly more likely to support Republican candidates than those who cast their ballots early through vote-by-mail or in-person early vote.

For example, 16.7% of Democrats in Maricopa County who reported voting on Election Day in our exit polling also reported to have voted for Republican Kari Lake. That compares to only 0.6% of Democrats who participated in the exit poll and voted early by absentee ballot. When including Democratic voters who also dropped their ballots off on Election Day that percentage rises to 1.0% flat, but nowhere near the significant crossover reported among Democrats who voted on Election Day.

The same is true of Republicans who cast ballots early by absentee ballot. Slightly less Republicans (13.6%) who cast early mail-in ballots reported crossing over to vote for Katie Hobbs than Democrats who voted on Election Day reported voting for Republican Kari Lake. That compares to only 1.2% of Election Day Republican voters who reported casting ballots for Democrat Katie Hobbs.

The pattern of behavior is extremely noteworthy when looking at the percentage of non-two party voters who voted or may have been suppressed from voting on Election Day. Non-two party voters who voted early by absentee ballot backed Democrat Katie Hobbs 63.4% to 36.0%. However, those non-two party voters who voted in-person or drop-off their mail-in ballots on Election Day backed Republican Kari Lake 65.3% to 31.4%.

The Republican candidate for governor often won more than 70% of the vote cast on Election Day in impacted areas, while losing the total vote by mail by roughly 16 points on the initial county report, or 58% to 42%. That actual vote tabulation has also proven the exit polling to be highly accurate, if anything even more favorable to the Democratic candidate for governor (as seen in the chart below). The exit poll projected the early vote in Maricopa County to favor the Democratic candidate 59.2% to 40.8%.



In Maricopa, Republicans to include the candidate for governor won the Election Day vote by a roughly 20- to 50-point margin, location depending, also a result we very clearly projected. In the more Democratic areas in downtown Phoenix delivered 60/40 margins for the Republican candidate, while Republican strongholds to include areas plagued by voting machine breakdowns met and even exceeded 50-point margins. In several “Box 3” tabulations, Republican candidates exceeded 70% of the vote, to include one in which 75.8% of votes tallied supported the Republican candidate for attorney general.

Self-Reported Issues Casting Ballots on Election Day Were Exclusive to Maricopa

If a voter indicated that they had cast their ballot on Election Day, they were immediately asked a follow-up question that was worded as follows:

Q6. Did you have any issues or complications when trying to vote in person, such as tabulators rejecting the ballot or voting locations running out of ballots?

As a share of each party, 58.6% of those identifying as Republican reported having issues while trying to cast a ballot on Election Day. That compares to just 15.5% of Democrats and another 39.7% of voters who identify as “independent” or some “other” party. Partisan data reported hourly and throughout the day by the Maricopa County Recorder confirms our projected partisan affiliation was extremely accurate, within the sampling error.

Those who indicated there was a problem casting a ballot on Election Day were exclusive to Maricopa County, with responses by congressional districts verifying our findings. The

vote centers—at least 31% as reported by Maricopa County—which account for sampling error and air on the side of caution, the results conclude a figure as little as 2.5% would have altered the outcome of the gubernatorial election.

For instance, a conservative 2.5% addition to the total 1,560,372 votes cast in Maricopa County would increase the Election Day share from 16.1% to 18.6%. That's still less than the projected 1 in 5, or roughly 20%, but results in an additional 39,009 votes. Modeling projected slightly over 300,000 total juxtaposed to 251.6k.

Considering 1) the issues occurred disproportionately in the most loyal Republican strongholds that delivered the gubernatorial candidate in excess of 70% of the vote, and 2) Election Day voters were more likely to vote straight ticket, even such a seemingly insignificant projection would have a significant impact.

If the current 70% vote share held, it would result in 27,306 votes for the Republican gubernatorial candidate, and 11,703 votes for the Democratic candidate, a net gain of 15,603 votes for the Republican candidate, decreasing the overall lead for Katie Hobbs to under 2,000 votes. A 75% margin would result in an additional 29,257 votes for the Republican candidate, erasing the advantage held by the current leader, altogether.

Worth noting, hourly vote totals reported by the Maricopa County Recorder on Election Day showed more than 60,000 votes were cast by 9:45 am local time despite the long wait times, and Republicans requested polls to stay open for an additional three hours on Election Day.

Conclusion

No single data point discussed here is decisive on its own. But considering them in totality makes for a compelling argument. Voters who cast votes on Election Day were significantly more likely to vote straight Republican, thus supporting the higher margin scenario. Issues resulting in long wait times and challenges to casting votes were exclusive to Maricopa County, and they disproportionately and negatively impacted heavily Republican areas. Further, I conclude with a reasonable degree of mathematical certainty that a modest depression in turnout on Election Day would be significant enough to cast doubt on the overall result of the gubernatorial election in Arizona. It is my conclusion that it did alter the outcome of the gubernatorial race.

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



Executed on the 8th day of December, 2022.