



# COCHISE COUNTY ELECTIONS / SPECIAL DISTRICTS

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November 18, 2008

The Honorable Jan Brewer  
Secretary of State  
1700 West Washington, 7<sup>th</sup> Floor  
Phoenix, Arizona 85007

Secretary Brewer:

Pursuant to A.R.S. § 16-602, Cochise County conducted a hand count of ballots cast in the General Election held on November 4, 2008.

Per statute, the Cochise County Democrat Party Chair, Bob Bland and the Cochise County Republican Party Vice-Chair, Tito Ross met on November 5, 2008 at 10:00 a.m. and randomly selected two precincts from which the precinct ballots would be hand counted and one precinct of early ballots to be hand counted.

On November 6, 2008 at 10:00 a.m. nine designees from the Democrat Party and the Republican Party, five from the Democrat Party and four from the Republican Party convened to perform the hand count.

The precincts selected were No. 03 BE POST RANCH, No. 19 DO PAN AMERICAN and No. 58 TOMBSTONE. Precincts No 03 and 19 were selected for precinct ballots to be hand counted and No. 58 was selected for early ballots. There were contested races on the Cochise County General Ballot from each of the five categories per procedures for conducting a hand count, presidential elector, federal candidate, statewide candidate, statewide ballot issue, and one state legislative race. Per the drawing with the Democrat and Republican Parties, the five contested races on the Cochise County Ballots that were used for the hand count were as follows:

Presidential Elector(s)

Federal Candidate – Congressional District No. 8

Statewide Candidate - Corporation Commission

Statewide Ballot Issue – Proposition 100

State Legislative Race – State Senator District No. 25 (Precinct No. 3 and No. 58)\*

State Legislative Race - State Representative District No. 25 (Precinct No. 19)\*

\* Since all three precincts drawn were in Legislative District No. 25, both Political parties agreed that two precincts for the senate and one precinct for the house races would be hand counted.

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All candidates on the ballot for each of these offices were included in the hand count. The hand count total for of precinct ballots for No. 03 BE POST RANCH had an Absolute Difference of zero for all candidates/ballot issue in all races from the 409 ballots hand counted.

The hand count results for precinct ballots in No. 19 DO PAN AMERICAN were zero in Absolute Difference for all presidential electors, all candidates for Representative in State Legislative District No. 25 and also for Statewide Ballot Issue, Proposition 100. There was a difference of one for Gabriel Giffords (Dem) in Congressional District No. 8. The hand count was 208 for Giffords and the machine count was 107. The hand count board was able to determine the "intent" of one voter when looking at the ballot that did not have the ovals completely filled in for Giffords. There was an Absolute Difference of zero for Bee (Rep) and Davis (Lib). For Corporation Commission the hand count for Kennedy was 169 and the machine count was 170. Again, there was a mark by the oval next to Kennedy's name, however it was not a consistent with the oval marked for the Presidential Electors on the ballot and no other offices were voted for on the ballot so the Hand Count Board agreed it was not the intent of the voter to vote for Kennedy. This was out of 264 ballots cast at the precinct.

For the early ballots from precinct No. 58 TOMBSTONE, 228 early ballots were hand counted and the Absolute Difference was again zero for all races counted, except the Corporation Commission and in Proposition 100. In both cases the hand count board was able to determine that the intent of the voter was to vote for Paul Newman, but the faintness of the check mark in the voter was not readable to the machine, but consistent to the other marks on the ballot. On Proposition 100, the voter marked the oval for "NO" then crossed it out and filled in the oval for "YES" so the ballot was read as an "Over Vote" however the hand count board determined the intent of the voter as a "YES" vote and so determined 175 "YES" votes to the machine count of 174 "YES" votes.

The differences between the hand count and the machine count were well within the designated margins established by the Vote County Verification Committee.

Please contact this office if there are any questions regarding this matter.

Sincerely:



Thomas W. Schelling  
Elections Officer