



From: Justin Riches <JRiches@azleg.gov>
Date: Thursday, December 17, 2020 at 12:45 PM
To: AO Records <records@americanoversight.org>
Cc: Jim Drake <JDrake@azleg.gov>, Ashley Mclver <ashleymciver@azleg.gov>
Subject: Public Records Request -- 2/2

EXTERNAL SENDER

Dear Mr. Evers,
Pursuant to your public records request, please find the attached responsive records.
Best regards,
Justin Riches
Public Records Counsel
Arizona House of Representatives



November 13, 2020

VIA EMAIL

Representative Kelly Townsend
Arizona State Capitol Complex
1700 W. Washington St., Rm. 111
Phoenix, AZ 85007
KTownsend@azleg.gov

Re: Public Records Request

Dear Representative Townsend:

Pursuant to the Arizona Public Records Law, A.R.S. §§ 39-121 et seq., American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office promptly produce the following records:

All text message chains/conversations or message chains/conversations on messaging applications similar in form to text messages (such as Signal, WhatsApp, Facebook Messenger, Twitter DMs, etc.) sent or received by Representative Kelly Townsend or Chief of Staff KayRee Kubat (or anyone serving as Chief of Staff to Representative Townsend) containing any of the following key terms:

Key Terms:

- | | |
|----------------|---------------|
| a. Sharpie | f. Recount |
| b. Sharpies | g. Fraud |
| c. Sharpiegate | h. Override |
| d. Trump | i. Invalidate |
| e. Audit | |

Please provide all responsive records from October 26, 2020, through the date the search is conducted.

Statement of Noncommercial Purpose

This request is made for noncommercial purposes. American Oversight seeks the records requested to inform the public of Representative Townsend's communications concerning allegations of voter disenfranchisement during the 2020 presidential election and efforts to undermine Arizona's official vote tabulation. Voting rights, election integrity, and related litigation are of significant public interest both in Arizona

and nationwide.¹ Records with the potential to shed light on this matter would contribute significantly to public understanding of government operations.

Because American Oversight is a 501(c)(3) nonprofit, this request is not in American Oversight's financial interest and is not made for a commercial purpose. American Oversight's mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.²

Because this request is made for noncommercial purposes, American Oversight requests that any fees charged in connection with processing this request be limited to copying and postage charges, if applicable.³ Please notify American Oversight of any anticipated fees or costs in excess of \$100 prior to incurring such costs or fees.

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics.
- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.
- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in

¹ See, e.g., *Arizona Election Updates: Trump Team Suing County Over Voting Asks to Seal Evidence*, Ariz. Republic (updated Nov. 10, 2020, 5:06 PM MT), <https://www.azcentral.com/story/news/politics/elections/2020/11/10/arizona-election-live-updates-2020-presidential-election/6229930002/>.

² American Oversight currently has approximately 15,600 page likes on Facebook and 106,100 followers on Twitter. American Oversight, FACEBOOK, <https://www.facebook.com/weareoversight/> (last visited Nov. 10, 2020); American Oversight (@weareoversight), TWITTER, <https://twitter.com/weareoversight> (last visited Nov. 10, 2020).

³ A.R.S. § 39-121.01(D)(1); see also *Hanania v. City of Tucson*, 128 Ariz. 135, 624 P.2d 332 (Ct. App. 1980). Furthermore, because this request is for noncommercial purposes, additional fees provided for under A.R.S. § 39-121.03(A) are not applicable and should not be assessed.

files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages.

- If any records are withheld in full or in part, pursuant to A.R.S. § 39-121.01(D)(2), please provide an index of records or categories of records that have been withheld and the reasons the records or categories of records have been withheld.
- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.
- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

Conclusion

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not

understand any part of this request, please contact Christine Monahan at records@americanoversight.org or (202) 869-5244.

Sincerely,

A handwritten signature in black ink, appearing to read "Austin R. Evers", with a long horizontal flourish extending to the left.

Austin R. Evers
Executive Director
American Oversight

Justin Riches

From: Kelly Townsend
Sent: Thursday, November 5, 2020 11:37 AM
To: Andrew Wilder; Andrew Wilder; Kelly Townsend
Cc: KayRee Kubat
Subject: Re: MEDIA REQUEST -- FW: Interview with Kelly Townsend

It says that number has been disconnected.

Sent from Yahoo Mail on Android

On Thu, Nov 5, 2020 at 11:12 AM, Andrew Wilder
<AWilder@azleg.gov> wrote:

Rep. Townsend,

Good morning -- I am forwarding to you an interview request from a reporter with channel 3/5, please see below. Her number has a 602 prefix, not 603. If I can be of assistance, please let me know. Thank you.

Sincerely,
Andrew

-----Original Message-----

From: Brittni Thomason <Brittni.Thomason@azfamily.com>
Sent: Thursday, November 5, 2020 11:02 AM
To: Andrew Wilder <AWilder@azleg.gov>
Subject: Interview with Kelly Townsend

I saw Kelly Townsend is looking into voters forced to use Sharpies. Would she be available for an interview today?

Brittni Thomason
603-763-7933
3TV CBS5

Sent from my iPhone

This electronic message, including any attachments, may contain proprietary, confidential or privileged information for the sole use of the intended recipient(s). You are hereby notified that any unauthorized disclosure, copying, distribution, or use of this message is prohibited. If you have received this message in error, please immediately notify the sender by reply e-mail and delete it.

Justin Riches

From: Kelly Townsend
Sent: Friday, November 6, 2020 12:13 PM
To: Scott Jarrett (sjarrett@risc.maricopa.gov)
Cc: Kelly Townsend
Subject: Mandatory Sharpie Use

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Good afternoon Scott,

Senator Elect Townsend asked me to reach out to you to find out who ordered the mandatory use of sharpies for in-person voting.

Thank you,

KayRee Kubat *on behalf of Senator Elect Kelly Townsend*
Administrative Assistant to
Senator Elect Kelly Townsend, LD16
Chair of Elections Committee
Arizona House of Representatives
1700 W. Washington St. Phoenix, AZ 85007
602-926-4467
Ktownsend@azleg.gov

Justin Riches

From: KayRee Kubat
Sent: Sunday, November 8, 2020 12:56 PM
To: Kelly Townsend
Subject: Trump campaign files new election-related lawsuit in Arizona | TheHill

Follow Up Flag: Follow up
Flag Status: Flagged

Trump campaign files new election-related lawsuit in Arizona | TheHill

<https://thehill.com/homenews/campaign/524983-trump-campaign-files-new-election-related-lawsuit-in-arizona>

Respectfully,

KayRee Kubat
Administrative Assistant to
Senator Elect Kelly Townsend, LD16
Chair of Elections Committee
Arizona House of Representatives
1700 W. Washington St. Phoenix, AZ 85007
602-926-3536
kkubat@azleg.gov

Justin Riches

From: KayRee Kubat
Sent: Monday, November 9, 2020 2:17 PM
To: Kelly Townsend; kellyjtownsend
Subject: FW: Request from TIME Magazine

Follow Up Flag: Follow up
Flag Status: Flagged

From Rep. Boyer... please see email from TIME Magazine Reporter

From: Paul Boyer <PBoyer@azleg.gov>
Sent: Monday, November 9, 2020 2:02 PM
To: KayRee Kubat <KKubat@azleg.gov>
Subject: FW: Request from TIME Magazine

Hi!
Senator Boyer thought Senator Elect Townsend would be interested in this.
Have a great day!

Sincerely,

Tracey

Executive Assistant to

Senator Paul Boyer

Arizona State Senate - District 20
1700 W. Washington Street
Phoenix AZ 85007
602-926-4173
pboyer@azleg.gov

From: Madeleine Carlisle <madeleine.carlisle@time.com>
Sent: Monday, November 9, 2020 10:33 AM
To: Paul Boyer <PBoyer@azleg.gov>
Subject: Request from TIME Magazine

Hello Rep. Boyer,

My name is Madeleine Carlisle and I'm a reporter with TIME Magazine. I'm reaching out because on Thursday Donald Trump Jr. retweeted conservative commentator Mark Levin, who said, "REMINDER TO THE REPUBLICAN STATE LEGISLATURES, YOU HAVE THE FINAL SAY OVER THE CHOOSING OF ELECTORS." South Carolina Senator Lindsey Graham has also suggested he supports this tactic, saying on Fox News that "everything should be on the table."

I'm reaching out because it's my understanding that you are a Republican member of the Arizona House of Representatives. Would you consider pursuing this path, and nominating electors who support President Trump, even if the popular vote in the state goes to Joe Biden? Feel free to call me at 973-896-2801. My deadline is the end of the day.

Thanks so much,
Madeleine

Madeleine Carlisle

Reporter

TIME

o: (212) 522-9986

c:

@maddiecarlisle2

Justin Riches

From: Kelly Townsend
Sent: Tuesday, November 10, 2020 12:43 PM
To: JOSEPH NOONAN; Kelly Townsend; Sandy Noonan
Subject: RE: Possible Voting Fraud

Hello Joseph,

Thank you for your email. We apologize for the delay in response as we've been receiving a very high volume of election-related emails.

Senator Elect Kelly Townsend is committed to secure and fair elections. It was for that reason that she insisted on passing legislation to establish the Election Integrity Unit within the Arizona Attorney General's Office in 2019. This new unit was designed to provide critical oversight and resources to strengthen the security and legal integrity of Arizona's elections. More information can be found here: <https://azag.gov/criminal/eiu>

She will continue to monitor the process and act to exercise our legislative and oversight authority to maintain the integrity of Arizona's elections, whenever needed.

Here are some important resources and information regarding this election and your vote.

If you are concerned about your vote being counted, here is some information and steps you can take to ensure your vote was counted.

Maricopa County:

When you go to the Maricopa County Recorder's <https://recorder.maricopa.gov/beballotready/> page to check the status of your ballot, you will see one of these options.

Early Voters:

Action needed:

Status says "Received" - Ballot is in a cure status (Some sort of processing)
Status says "Mailed" - ballot never filled out and returned
call hotline 602-506-1511 by Tuesday, Nov 10th, 2020

No Action Needed:

Status says "Sent to tabulating for counting" - Your ballot was counted
Status says "Your ballot was signature verified and counted."

If you voted in person on Election Day:

It will say "You voted on Election Day. Your ballot was counted." (no action needed)

If you spoiled your ballot and didn't correct it, it will say "not voted." call hotline 602-506-1511 by Tuesday, Nov 10th, 2020

All Counties Early/Mail-in Ballot Status: <https://my.arizona.vote/AbsenteeTracker.aspx>

Pima County: <https://www.recorder.pima.gov/VoterStats/BallotInfo>

Secretary of State Voter Page: <https://www.arizona.vote/>

You can view live updates in all race results in Arizona elections via this link:
<https://results.arizona.vote/#/featured/18/0>

Remaining Ballots to Count: <https://www.arizona.vote/ballot-progress.html>

If you have an election related complaint with the EIU, you can send it here.
<https://azag.gov/complaints/election>

If you'd like to file a notarized grievance with the Secretary of State, use this form:
https://azsos.gov/sites/default/files/hava_grievance_form.pdf

Respectfully,
KayRee Kubat *on behalf of Senator Elect Kelly Townsend*
Administrative Assistant to
Senator Elect Kelly Townsend, LD16
Chair of Elections Committee
Arizona House of Representatives
1700 W. Washington St. Phoenix, AZ 85007
602-926-4467
ktownsend@azleg.gov



From: JOSEPH NOONAN
Sent: Monday, November 9, 2020 8:56 AM
To: Kelly Townsend <ktownsend@azleg.gov>; Sandy Noonan
Subject: Possible Voting Fraud

Justin Riches

From: Kelly Townsend
Sent: Tuesday, November 10, 2020 12:45 PM
To: Jessica Barton
Subject: RE: SHARPIES

Hello Jessica,

Thank you for your email. We apologize for the delay in response as we've been receiving a very high volume of election-related emails.

Senator Elect Kelly Townsend is committed to secure and fair elections. It was for that reason that she insisted on passing legislation to establish the Election Integrity Unit within the Arizona Attorney General's Office in 2019. This new unit was designed to provide critical oversight and resources to strengthen the security and legal integrity of Arizona's elections. More information can be found here: <https://azag.gov/criminal/eiu>

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Respectfully,
KayRee Kubat *on behalf of Senator Elect Kelly Townsend*
Administrative Assistant to
Senator Elect Kelly Townsend, LD16
Chair of Elections Committee
Arizona House of Representatives
1700 W. Washington St. Phoenix, AZ 85007
602-926-4467
ktownsend@azleg.gov



From: Jessica Barton
Sent: Saturday, November 7, 2020 9:45 PM
To: Kelly Townsend <ktownsend@azleg.gov>
Subject: SHARPIES

Hello Kelly,
I walked into vote in person on Election Day. I voted at 5:50 pm at this location.

Shadow Rock Congregational Church
12861 N 8TH AVE
Phoenix, AZ 85029

I entered the double doors and there was no line. Two ladies greeted me and I had my early mail in ballot in my hand in the envelope all Filled out. I waited and one of the ladies said "go ahead and drop that in that box."

I said no I want to scan it to make sure it's counted correctly. The other lady next to her said yeah that's fine. But then the First Lady said "NO" very loudly. "She can't scan her mail in ballot." Then the nicer lady said: "yes she can" then the First Lady said "no. They are different."

I asked her why and the old lady (first lady that spoke up and was the first one to Greet me) didn't really say except for that the machine wouldn't except it.

So I proceeded to walk through the taped line toward the computer and an old man walked me through the steps to enter in my info And verify my ID.

He Ofcourse saw all my personal

Information right there on the computer. None of it was confidential. Even the fact that I was a republican. They handed me a ballot then firmly said "now take a sharpie from This Table and pick a spot. Then they chuckled and said "We've got lots of them Here" their was handfuls of sharpies in 2 bowls and behind them on tables in coffe cups. They were everywhere.

So I did not thinking anything of it. At that time I was just annoyed that I had to fill out my ballot all over again. I finished filling it out then walked it over to enter it into The scanner. Then another old guy standing there said ok Feed it in here and then I did to make sure it went in. There were no beeps or sounds and the ballot wasn't rejected. Then he said "ok! Your done. It's in."

And then I said thank you and walked out.

Regards,

Jessica Barton

Justin Riches

From: Kelly Townsend
Sent: Tuesday, November 10, 2020 1:29 PM
To: katie poltash
Subject: RE: Sharpie

Hello Katie,

Thank you for your email. We apologize for the delay in response as we've been receiving a very high volume of election-related emails.

If you sent your details about issues with being forced to use a Sharpie, we passed this along to the AG's EIU Department and the Law Firm working on this case in support of this suit filed Saturday.

<https://www.breitbart.com/politics/2020/11/07/rump-files-lawsuit-alleging-arizona-wrongly-rejected-election-day-ballots/>

Voting is a precious and vital right for all Americans, and it must always be protected.

Senator Elect Kelly Townsend is committed to secure and fair elections. It was for that reason that she insisted on passing legislation to establish the Election Integrity Unit within the Arizona Attorney General's Office in 2019. This new unit was designed to provide critical oversight and resources to strengthen the security and legal integrity of Arizona's elections. More information can be found here: <https://azag.gov/criminal/eiu>

She will continue to monitor the process and act to exercise the legislative oversight and authority to maintain the integrity of Arizona's elections.

Here are some important resources and information regarding this election and your vote.

~~If you are concerned about your vote being counted~~ here is some information and steps you can take to ensure your vote was counted.

Maricopa County:

When you go to the Maricopa County Recorder's <https://recorder.maricopa.gov/beballotready/> page to check the status of your ballot, you will see one of these options.

Early Voters:

Action needed:

Status says "Received" - Ballot is in a cure status (Some sort of processing)

Status says "Mailed" - ballot never filled out and returned

call hotline 602-506-1511 by Tuesday, Nov 10th, 2020

No Action Needed:

Status says "Sent to tabulating for counting" - Your ballot was counted

Status says "Your ballot was signature verified and counted."

If you voted in person on Election Day:

It will say "You voted on Election Day. Your ballot was counted." (no action needed)

If you spoiled your ballot and didn't correct it, it will say "not voted." call hotline 602-506-1511 by Tuesday, Nov 10th, 2020

Additional Voter Resources:

All Counties Early/Mail-in Ballot Status: <https://my.arizona.vote/AbsenteeTracker.aspx>

Pima County: <https://www.recorder.pima.gov/VoterStats/BallotInfo>

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If you'd like to file a notarized grievance with the Secretary of State, use this form:
https://azsos.gov/sites/default/files/hava_grievance_form.pdf

Respectfully,
KayRee Kubat *on behalf of Senator Elect Kelly Townsend*
Administrative Assistant to
Senator Elect Kelly Townsend, LD16
Chair of Elections Committee
Arizona House of Representatives
1700 W. Washington St. Phoenix, AZ 85007
602-926-4467
ktownsend@azleg.gov



From: katie poltash
Sent: Thursday, November 5, 2020 11:35 AM
To: Kelly Townsend <ktownsend@azleg.gov>
Cc: katie poltash
Subject: Sharpie

Hello,

I am an Arizona resident and voted at the Glendale Community College-North location on Happy Valley Rd. I voted the date of the election and was provided with a sharpie. I had asked a poll worker why we were using sharpies as they would bleed through the paper. She stated that it was because they switched to the "bubble" version ballot and it was required. Mine did in fact bleed through the paper as I suspected. Below is my information:

Katharine Jean Poltash

DOB:

Phone:

Voting Date: 11/03/20

Voting Location:

Glendale Community College-North

5727 W. Happy Valley Rd.

Phoenix, AZ 85083

Please let me know if you need any further information from me, I would be more than happy to help in any way I can!

Best regards,

Katharine Poltash

Justin Riches

From: Kelly Townsend
Sent: Tuesday, November 10, 2020 1:40 PM
To: Tonia A Tunnell (ttunnell@risc.maricopa.gov)
Cc: Kelly Townsend
Subject: Fwd: Sharpie

Hi Tonia, I'm sure you're inundated right now. I'm hoping you can help me answer this question?

Thank you,

KayRee Kubat on behalf of Senator Elect Kelly Townsend
Administrative Assistant to
Senator Elect Kelly Townsend, LD16
Chair of Elections Committee
Arizona House of Representatives
1700 W. Washington St. Phoenix, AZ 85007
602-926-4467
Ktownsend@azleg.gov

From: Sara Weitzner <sara@pacificaretail.com>
Sent: Tuesday, November 10, 2020 1:36:26 PM
To: Kelly Townsend <ktownsend@azleg.gov>
Subject: RE: Sharpie

I'm being shown on the website that I am not registered to vote. How did I get a mail in ballot with my name on it for the last 8 years at my home if I'm not registered? My mail in ballot was spoiled so I voted in person on election day at 5pm. Location of the pole was the Thunderbird Adventist Academy. The poll worker took my ballot and put it into the machine for me and pressed a button. I got a red light and a loud noise, then was told all is good, give them back their sharpie, and be on my way.

Not Registered

We could not find a Maricopa County voter registration record with the information you provided, please register or update your information at [ServiceArizona.com](https://www.ServiceArizona.com) or call 602-506-1511 for more information.

[Register to Vote](#)

Sara Weitzner
Pacifica Retail
2801 E. Camelback, Suite 450
Phoenix, AZ 85016
Office: 602-266-0012
Fax 602-266-0271

From: Kelly Townsend <ktownsend@azleg.gov>
Sent: Tuesday, November 10, 2020 1:13 PM
To: Sara Weitzner <sara@pacificaretail.com>
Subject: RE: Sharpie
Importance: High

Hello Sara,

Thank you for your email. We apologize for the delay in response as we've been receiving a very high volume of election-related emails.

Voting is a precious and vital right for all Americans, and it must always be protected.

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Arizona House of Representatives
1700 W. Washington St. Phoenix, AZ 85007
602-926-4467
ktownsend@azleg.gov



From: Sara Weitzner <sara@pacificaretail.com>
Sent: Thursday, November 5, 2020 7:45 AM
To: Kelly Townsend <ktownsend@azleg.gov>
Subject: Sharpie

My name is Sara Weitzner and I was told to use a sharpie at the polling station located at Thunderbird Adventist Academy at 710 E Sutton Dr., Scottsdale. I had my own pen and they handed me the sharpie and was told to use the sharpie and not my personal pen. I will sign an affidavit attesting this.

Sara Weitzner

Justin Riches

From: Kelly Townsend
Sent: Tuesday, November 10, 2020 2:28 PM
To: Sara Weitzner
Subject: RE: Sharpie

Hi Sara, I am being advised that if your status says: "**Not Registered**" double check the information you've entered, often this means you may have input the wrong info in the form, such as address number or last four of SS#. Let me know if it still isn't working once you try that.

Respectfully,

KayRee Kubat *on behalf of Senator Elect Kelly Townsend*
Administrative Assistant to
Senator Elect Kelly Townsend, LD16
Chair of Elections Committee
Arizona House of Representatives
1700 W. Washington St. Phoenix, AZ 85007
602-926-4467
ktownsend@azleg.gov



From: Sara Weitzner <sara@pacificaretail.com>
Sent: Tuesday, November 10, 2020 1:36 PM
To: Kelly Townsend <ktownsend@azleg.gov>
Subject: RE: Sharpie

I'm being shown on the website that I am not registered to vote. How did I get a mail in ballot with my name on it for the last 8 years at my home if I'm not registered? My mail in ballot was spoiled so I voted in person on election day at 5pm. Location of the pole was the Thunderbird Adventist Academy. The poll worker took my ballot and put it into the machine for me and pressed a button. I got a red light and a loud noise, then was told all is good, give them back their sharpie, and be on my way.

Not Registered

We could not find a Maricopa County voter registration record with the information you provided, please register or update your information at ServiceArizona.com or call 602-506-1511 for more information.

[Register to Vote](#)

Sara Weitzner
Pacifica Retail

AMERICAN
OVERSIGHT

AZ-REP-20-2743-A-000017

2801 E. Camelback, Suite 450
Phoenix, AZ 85016
Office: 602-266-0012
Fax 602-266-0271

From: Kelly Townsend <ktownsend@azleg.gov>
Sent: Tuesday, November 10, 2020 1:13 PM
To: Sara Weitzner <sara@pacificaretail.com>
Subject: RE: Sharpie
Importance: High

Hello Sara,

Thank you for your email. We apologize for the delay in response as we've been receiving a very high volume of election-related emails.

Voting is a precious and vital right for all Americans, and it must always be protected.

Senator Elect Kelly Townsend is committed to secure and fair elections. It was for that reason that she insisted on passing legislation to establish the Election Integrity Unit within the Arizona Attorney General's Office in 2019. This new unit was designed to provide critical oversight and resources to strengthen the security and legal integrity of Arizona's elections. More information can be found here: <https://azag.gov/criminal/eiu>

She will continue to monitor the process and act to exercise the legislative oversight and authority to maintain the integrity of Arizona's elections.

Here are some important resources and information regarding this election and your vote.

If you are concerned about your vote being counted here is some information and steps you can take to ensure your vote was counted.

Maricopa County:

When you go to the Maricopa County Recorder's <https://recorder.maricopa.gov/beballotready/> page to check the status of your ballot, you will see one of these options.

Early Voters:

Action needed:

Status says "Received" - Ballot is in a cure status (Some sort of processing)

Status says "Mailed" - ballot never filled out and returned
call hotline 602-506-1511 by Tuesday, Nov 10th, 2020

No Action Needed:

Status says "Sent to tabulating for counting" - Your ballot was counted

Status says "Your ballot was signature verified and counted."

If you voted in person on Election Day:

It will say "You voted on Election Day. Your ballot was counted." (no action needed)

If you spoiled your ballot and didn't correct it, it will say "not voted." call hotline 602-506-1511 by Tuesday, Nov 10th, 2020

Additional Voter Resources:

All Counties Early/Mail-in Ballot Status: <https://my.arizona.vote/AbsenteeTracker.aspx>

Pima County: <https://www.recorder.pima.gov/VoterStats/BallotInfo>

Secretary of State Voter Page: <https://www.arizona.vote/>

You can view live updates in all race results in Arizona elections via this link:
<https://results.arizona.vote/#/featured/18/0>

Remaining Ballots to Count: <https://www.arizona.vote/ballot-progress.html>

If you have an election related complaint with the EIU, you can send it here.
<https://azag.gov/complaints/election>

If you'd like to file a notarized grievance with the Secretary of State, use this form:
https://azsos.gov/sites/default/files/hava_grievance_form.pdf

Respectfully,
KayRee Kubat *on behalf of Senator Elect Kelly Townsend*
Administrative Assistant to
Senator Elect Kelly Townsend, LD16
Chair of Elections Committee
Arizona House of Representatives
1700 W. Washington St. Phoenix, AZ 85007
602-926-4467
ktownsend@azleg.gov



From: Sara Weitzner <sara@pacificaretail.com>
Sent: Thursday, November 5, 2020 7:45 AM
To: Kelly Townsend <ktownsend@azleg.gov>
Subject: Sharpie

My name is Sara Weitzner and I was told to use a sharpie at the polling station located at Thunderbird Adventist Academy at 710 E Sutton Dr., Scottsdale. I had my own pen and they handed me the sharpie and was told to use the sharpie and not my personal pen. I will sign an affidavit attesting this.

Sara Weitzner

Justin Riches

From: Kelly Townsend
Sent: Tuesday, November 10, 2020 2:53 PM
To: Morgan Perry; Kelly Townsend
Cc: Jeff Caldwell
Subject: RE: Sharpie

Importance: High

Hello Morgan,

Thank you for your email. We apologize for the delay in response as we've been receiving a very high volume of election-related emails.

If you sent your details about issues with being forced to use a Sharpie, we passed this along to the AG's EIU Department and the Law Firm working on this case in support of this suit filed Saturday.

<https://www.breitbart.com/politics/2020/11/07/rump-files-lawsuit-alleging-arizona-wrongly-rejected-election-day-ballots/>

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Senator Elect Kelly Townsend is committed to secure and fair elections. It was for that reason that she insisted on passing legislation to establish the Election Integrity Unit within the Arizona Attorney General's Office in 2019. This new unit was designed to provide critical oversight and resources to strengthen the security and legal integrity of Arizona's elections. More information can be found here: <https://azag.gov/criminal/eiu>

She will continue to monitor the process and act to exercise the legislative oversight and authority to maintain the integrity of Arizona's elections.

Here are some important resources and information regarding this election and your vote.

~~If you are concerned about your vote being counted~~ here is some information and steps you can take to ensure your vote was counted.

Maricopa County:

When you go to the Maricopa County Recorder's <https://recorder.maricopa.gov/beballotready/> page to check the status of your ballot, you will see one of these options.

If Status says: **"Not Registered"** Check Information you've entered, often this means you may have input the wrong info in the form.

Early Voters:

Action needed:

Status says "Received" - Ballot is in a cure status (Some sort of processing)

Status says "Mailed" - ballot never filled out and returned
call hotline 602-506-1511 by Tuesday, Nov 10th, 2020

No Action Needed:

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Additional Voter Resources:

Secretary of State Voter Page: <https://www.arizona.vote/>

SOS sub-page All Counties Early/Mail-in Ballot Status: <https://my.arizona.vote/AbsenteeTracker.aspx>

SOS sub-page All Counties Remaining Ballots to Count: <https://www.arizona.vote/ballot-progress.html>

Pima County Voter/Ballot Status: <https://www.recorder.pima.gov/VoterStats/BallotInfo>

ELECTION RESULTS:

Arizona Election Results <https://results.arizona.vote/#/featured/18/0>

Maricopa County Election Results <https://recorder.maricopa.gov/electionresults/general2020.aspx#tabs=0>

COMPLAINTS or SUSPECTED FRAUD:

If you have an election/fraud related complaint with the AG's EIU, you can send it here.
<https://azag.gov/complaints/election>

If you'd like to file a notarized grievance with the Secretary of State, use this form:
https://azsos.gov/sites/default/files/hava_grievance_form.pdf

We recommend filing a suspected fraud case with BOTH Attorney General's Election Integrity Unit AND the Secretary of State's office.

Respectfully,

KayRee Kubat *on behalf of Senator Elect Kelly Townsend*
Administrative Assistant to
Senator Elect Kelly Townsend, LD16
Chair of Elections Committee
Arizona House of Representatives
1700 W. Washington St. Phoenix, AZ 85007
602-926-4467
ktownsend@azleg.gov



From: Morgan Perry
Sent: Thursday, November 5, 2020 9:30 AM
To: Kelly Townsend <ktownsend@azleg.gov>
Cc: Jeff Caldwell <jeff@hamiltonformayor.com>
Subject: Sharpie

Rep. Townsend,

I have been a volunteer for several weeks for Merissa Hamilton for Phoenix Mayor. On election day, I was at the First Southern Baptist Church voting location at 16033 N 32ND ST, PHOENIX 85032 staying outside the 75-ft perimeter handing out Merissa's materials to incoming voters from approximately 6 AM through 1:20 PM. Sometime around 11 AM to noon, I struck up a conversation with an incoming voter who asked me several questions about Merissa and initiatives, etc., identifying herself to me voluntarily as a Republican. After talking with her, she went in to vote and I went and sat next to a poll "watcher" named Stephanie outside the polling location. When the voter came out, she saw me and again struck up conversation, this time asking me about her experience in the polling location being supplied with and instructed to use a Sharpie by polling officials, then complaining about it when she turned the ballot over and the sharpie had bled through. She said she was assured by the polling officials that use of the Sharpie was fine and that the bleed through would not matter. She reluctantly completed the reverse side of her ballot but indicated to me and the "watcher" upon exiting the polling location that she had complained about the Sharpie to the polling officials. Stephanie, the "watcher" also indicated she made a report about the incident to her organization.

Please don't hesitate to contact me for more information.

Morgan

Morgan Perry, MS, MBA
CEO, Stratus
www.stratusaero.us



Justin Riches

From: Kelly Townsend
Sent: Tuesday, November 10, 2020 3:16 PM
To: John Gimenez
Subject: RE: Sharpie (Potential Whistleblower)

Hello John,

Thank you for your email.
There is no attachment.
Could you please send the images you were referring to?

Thank you,

Kelly J. Townsend
Chair – Elections Committee
Senator Elect, Legislative District 16
Arizona House of Representatives
602.926.4467
ktownsend@azleg.gov

From: John Gimenez
Sent: Thursday, November 5, 2020 6:55 PM
To: Kelly Townsend <ktownsend@azleg.gov>
Subject: Sharpie (Potential Whistleblower)

Rep. Townsend,

First, I would like to applaud your courageous decision to stand up against the Newell Brands corporation based in Atlanta, GA. I'm not sure if you're aware, but this is the parent company of Sharpie. I have it on solid information, the sharpies used in AZ and other states were designed as "GOP Erasers" (please see image attached). The image is a leak from a Newell Brands marketing meeting that took place earlier this year. This company also makes the ink used on ballots across the country, including AZ and GA. This is important information because they know what ink is good vs bad (think night time vs smoky black). This company recently hired Francis David Torres (FDT) as a lead researcher, who also happens to be a close Biden confidant. I don't want to draw any conclusions yet; I leave that up to you. Please let me know if you would like to learn more.

Sincerely,

BHO (Please use this name when referring to this story in the public)

Justin Riches

From: KayRee Kubat
Sent: Thursday, November 12, 2020 10:18 AM
To: Kelly Townsend
Subject: RE: press inquiry

Yes, right away.

From: Kelly Townsend <ktownsend@azleg.gov>
Sent: Thursday, November 12, 2020 10:18 AM
To: KayRee Kubat <KKubat@azleg.gov>
Subject: Fw: press inquiry

Can you set this up?

From: Bowen Xiao <bowen.xiao@epochtimes.nyc>
Sent: Thursday, November 12, 2020 9:50 AM
To: Kelly Townsend <ktownsend@azleg.gov>
Subject: press inquiry

Dear Kelly,

Hope all is well -- I'm a reporter with The Epoch Times. (<https://twitter.com/BowenXiao>)
I am in Arizona currently writing about the election and saw your
tweet: <https://twitter.com/KellyTownsend11/status/1326711277880664064>

I was hoping we could have a phone interview about this? And any other concerns you have on the vote in AZ? Let me know, thanks!

Some of my prev articles on AZ:
https://www.theepochtimes.com/arizona-congresswoman-says-trump-should-not-concede_3574269.html
https://www.theepochtimes.com/arizonians-rally-outside-state-capitol-over-integrity-of-voting-counts_3570059.html

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Bowen Xiao
Reporter

New York 212-239-2808
M
E bowen.xiao@epochtimes.nyc
www.theepochtimes.com [@epochtimes](https://twitter.com/BowenXiao)

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Justin Riches

From: RestrictedRepublic <RestrictedRepublic@protonmail.com>
Sent: Thursday, November 12, 2020 3:01 PM
To: Kelly Townsend
Subject: Re: FW: auto reply email - please approve or change

Thank you!

God Speed and God Bless,

Lisa & Justus

Sent with [ProtonMail](#) Secure Email.

----- Original Message -----

On Thursday, November 12, 2020 2:11 PM, Kelly Townsend <ktownsend@azleg.gov> wrote:

Here is the autoresponse we are working on with the links included to the Elections Integrity Unit at the AG office.

Thank you,

Kelly J. Townsend

Chair – Elections Committee

Member, Legislative District 16

Arizona House of Representatives

602.926.4467

ktownsend@azleg.gov

From: KayRee Kubat <KKubat@azleg.gov>
Sent: Thursday, November 12, 2020 2:08 PM
To: Kelly Townsend <ktownsend@azleg.gov>
Subject: auto reply email - please approve or change

Thank you for your email. I wholeheartedly believe that voting is a precious and vital right for all Americans, and it MUST ALWAYS be protected.

Please be assured that I am 100% committed to secure and fair elections in Arizona. It was for that reason that I insisted on passing legislation to establish the Election Integrity Unit within the Arizona Attorney General's Office in 2019. This new unit was designed to provide critical oversight and resources to strengthen the security and legal integrity of Arizona's elections. More information can be found here: <https://azag.gov/criminal/eiu>

I will continue to monitor the process and act to exercise the legislative oversight and authority to maintain the integrity of Arizona's elections.

If you have an election/fraud related complaint with the AG's EIU, you can send it here.

<https://azag.gov/complaints/election>

If you'd like to file a notarized grievance with the Secretary of State, use this form:

https://azsos.gov/sites/default/files/hava_grievance_form.pdf

I recommend filing a **suspected fraud** case with **BOTH** Attorney General's Election Integrity Unit **AND** the Secretary of State's office.

Thank you,

Senator Elect Kelly Townsend, LD16
Chair of Elections Committee
Arizona House of Representatives
1700 W. Washington St. Phoenix, AZ 85007
602-926-4467



ktownsend@azleg.gov

Justin Riches

From: Kelly Townsend
Sent: Thursday, November 12, 2020 4:55 PM
To: Kelly Townsend
Subject: FW: FOR IMMEDIATE RELEASE

FOR IMMEDIATE RELEASE

Senator-Elect Kelly Townsend calls for a recount and forensic audit of the 2020 General election.
November 12, 2020
Phoenix, AZ

The effect of the 2020 Arizona General election on voter confidence is extremely concerning, and it is of utmost importance that we act to restore the integrity of our election process. Below, please find a list of events that have occurred in our state that undermine that confidence which will erode the foundation of our democracy. The Secretary of State has already denied the Senate President's application for an independent vote count, and yet we continue to have uncertainty in the process. I will leave the fraud accusations to the courts, however I implore her to allow an independent review of the ballots at the very least, an official audit at better, or a complete hand recount at best.

Occurrences that have led to the complete collapse of voter confidence in the 2020 general election include, but are not limited to, the following:

- The conflict of interest surrounding Dominion Voting Systems used in Arizona election equipment has created irreversible doubt in election integrity.
 - Bloomberg reported in 2019 that Nancy Pelosi's former Chief of Staff sat on the board of directors of the lobbying firm, Brownstein Farber Hyatt & Schreck of which Nadeam Elshami, Pelosi's former chief of staff, is one of the lobbyists on the account.
 - <https://about.bgov.com/news/voting-machine-firms-add-lobbyists-amid-election-hacker-concerns/>
 - The voting systems companies are privately owned and not subject to oversight. In an April 2019 Guardian article, a bipartisan concern surfaced about the current system of voting. One quote from the article states, "But the incident was a giant red flag as to the potential vulnerabilities of American democracy – especially as many states have outsourced vote-counting to the private sector. After all, the purchase happened while Russian agents were mounting multiple disinformation and cybersecurity campaigns to interfere with America's 2016 general election."
 - <https://www.theguardian.com/us-news/2019/apr/22/us-voting-machine-private-companies-voter-registration>
- Dominion Voting Systems experienced irregularities in other states, causing concern regarding the security and reliability in the systems. Arizona is currently using this software in Maricopa County, and these irregularities in other states draw the reliability of the system into question here, thereby undermining voter confidence.
- The Maricopa County Recorder published in the 2020 primary that it was acceptable to cross out an incorrect vote and mark in a different vote. By statute, this is a spoiled ballot and should not be counted. The public does not have trust in the accuracy of the reported votes. Additionally, due to the mishandling of many aspects of the election, the public does not have the confidence that poll workers did not cross out their vote and write in a different candidate and it was later misappropriated in ballot adjudication.
- The Secretary of State is using the elections procedure manual to calculate the recount of the ballots, when she should use the precinct-level number, as per A.R.S. 16-602. The elections procedure manual is not supreme over the statutes, and her disregarding this fact creates doubt in the rest of the election process being secure.
- Reports of poll workers pushing the green button and overriding rejected ballots on behalf of the voter.
 - By doing so, whatever caused the rejected ballot would nullify that particular race and not tabulate the vote. In the LD28 Senate race for example, the votes were close enough to create a distrust that a person's vote would count and impact a close race.
- No written or electronic receipt that a ballot was cast for day of voters, creating confusion as to whether a ballot was cast, thereby disenfranchising voters.

- The Maricopa County Director of Day of Voting Scott Jarrett communicated that the website was now updated to reflect receipt of ballots being cast when in fact it was only to verify that the voter had checked and was reflected in the poll books. This was untrue, deceptive and misleading to the voter and gave a false sense of security to the status of their ballot. Now that the accurate information has come out and been corrected, the voter is further confused and disenfranchised in the election process here in Arizona.
 - Additionally, the communication happened late of Friday, November 6, 2020. The deadline to contact the hotline in the event their ballot was not received was Tuesday, November 10th. This was insufficient time for day-of voters to be advised and react to correct their ballot.
- Many voters reported to my office that they did not have their ballot fed into a machine but rather were told to just put it into a box, where the tabulator machines would count in central processing. I was told that these boxes were made of wood or cardboard (depending on location) and were not secure. The voter has no way of knowing if their ballot was securely tabulated.
- Confusion surrounding whether or not a sharpie was appropriate to use on a ballot.
 - The difference between the counties, instructions to not use a sharpie, and prior election warnings against sharpies created unnecessary confusion and distrust in the process
 - The poll workers did not have statutory authority to force the use of sharpies, nor did the Director of Day of Elections have the authority to order it. This led to further distrust in the process.
 - Voters reported being forced to use specific machines in an empty polling center, with several other unused machines available. This fueled the distrust in the process due to the actions of these poll workers.
- The current difference of votes in the 2020 General Election for United States President is 11,390 votes. Currently, there are 36,473 persons registered to vote in Arizona who are unable to establish citizenship. The registration process is such that a person could fabricate a name and when that name is not found in the MVD system, they are then added to the Federal only voter rolls. This lack of security leads to a major distrust in the voting system in Arizona. In this instance, the number of Federal only voters far exceeds the difference in votes in the presidential election. This high number could be the difference that sways the outcome of an election. This, in and of itself is enough to collapse voter confidence.
- A three-year-old tweet, not isolated as the only example, of the now Arizona Secretary of State's Twitter account cast Trump supporters as Neo-Nazis. This partisan rhetoric eroded any hope that the Secretary of State could approach Arizona's elections in a non-partisan, non-biased manner. <https://twitter.com/katiehobbs/status/897591847014473729>
- The Maricopa County Republican Committee Chairperson, Rae Chornenky, failed to present at the Pre-Logic and Accuracy certification on October 6th. Considering the issues of Dominion Voting Systems, this unfortunate misstep has removed any confidence many voters had left in the election process. This was not the position of the Republican party to not be present, and the party did not condone her inaction. Nevertheless, this instance has further increased voter doubt due to a problematic voting system put in place in Arizona.
- Several reports came in on election day that voter centers had ran out of ink, which caused unnecessary wait times for voters who may not have been able to stay and complete their vote. The fact that this happened in the first place erodes voter confidence that such incompetence did not bleed into other areas of the voting process.
- The unfortunate use of the word "cancelled" as an indicator as to whether or not a ballot was counted created mass confusion and distrust in the system. Cancelled meant the former early ballot sent, however many other members of the public informed me they were not on the Permanent Early Voter List and their status went from accepted to cancelled. There was no explanation and the voter was left outraged and confused.

Due to these irregularities, I am asking that we have a full recount of the ballot, to include a forensic audit to ensure the 2020 General election successfully counted every legal vote and rejected every illegal vote.

###

Thank you,

Senator-Elect Kelly J. Townsend
 Chair – Elections Committee
 Member, Legislative District 16
 Arizona House of Representatives

602.926.4467
ktownsend@azleg.gov

Justin Riches

From: - Capitol Media Services <capmedia@hotmail.com>
Sent: Thursday, November 12, 2020 5:13 PM
To: Kelly Townsend
Subject: Re: FOR IMMEDIATE RELEASE

all very nice. but what actual power do you have to make it happen? otherwise it's just a bunch of charges.

and even if the legislature does something in january when it returns, what difference does that make?

-- howie

From: Kelly Townsend <ktownsend@azleg.gov>
Sent: Thursday, November 12, 2020 4:54 PM
To: Kelly Townsend <ktownsend@azleg.gov>
Subject: FW: FOR IMMEDIATE RELEASE

FOR IMMEDIATE RELEASE

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November 12, 2020
Phoenix, AZ

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###

Thank you,

Senator-Elect Kelly J. Townsend
Chair – Elections Committee
Member, Legislative District 16
Arizona House of Representatives
602.926.4467
ktownsend@azleg.gov

Justin Riches

From: kellyjtownsend
Sent: Friday, November 13, 2020 8:11 PM
To: yherrell yvette herrell; Kelly Townsend; citizenamend
Subject: Re: To Senator-Elect Kelly Townsend - from Stu MacPhail

Thanks! Crazy times.

Sent from Yahoo Mail on Android

On Fri, Nov 13, 2020 at 8:02 PM, yvette herrell
<yherrell wrote:

Way to go Kelly! I can't believe AZ didn't deliver for President Trump.

Thank you!

Yvette Herrell
cell

On Friday, November 13, 2020, 04:10:25 PM MST, <citizenamend wrote:

Kelly...

Thank you for your leadership on this issue (see article below).

Stu MacPhail
State Legislators' Article V Caucus

From The Epoch Times

ELECTION INTEGRITY

Arizona State Rep Calls for Audit and Recount of Vote

BY BOWEN XIAO

November 13, 2020

PHOENIX—Arizona state Rep. Kelly Townsend said there should “absolutely” be an audit and an accurate recount as soon as possible in the state, adding that voter confidence for many has been damaged.

The Epoch Times will not declare a winner of the election until all results are certified and any legal challenges are resolved.

The Trump campaign has filed a lawsuit in Arizona over alleged rejected votes in Maricopa County, the largest county in Arizona. The campaign stated that some in-person votes were disregarded because of improper guidance from poll workers.

An Arizona Superior Court Judge has ruled to keep evidence provided by the Trump campaign unsealed in the lawsuit, while agreeing to redact any identifying information.

The Republican Party of Arizona has also launched a lawsuit seeking a hand count of votes by precinct, as opposed to by voting center, arguing that this could yield a more accurate sampling of vote tallies. The lawsuit seeks to enforce a hand count by precinct, arguing that this is required by state statute.

Trump's campaign early on predicted that the president would win the state and its 11 Electoral College votes.

On Thursday morning, Trump himself pressed for an audit of Arizona's vote tallies.

"From 200,000 votes to less than 10,000 votes," Trump wrote on Twitter in reference to a local news outlet that shows Democrat presidential candidate Joe Biden's lead in the state slowly dwindling. "If we can audit the total votes cast, we will easily win Arizona also!"

It's not just in Arizona where concerns over the integrity of the election have popped up.

"In other states it looks very similar," Townsend said. "It's suspiciously similar. Everywhere you turn there are things that are collapsing voter confidence."