



Provisional Ballot Analysis May Reverse Outcome Of Attorney General Race



April 17, 2023



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By Corinne Murdock |

“We have more votes than Kris Mayes. It’s up to the courts to decide to count them.” – Abe Hamadeh

Recent analysis of uncounted provisional ballots in November’s attorney general race make a compelling case that Abe Hamadeh received more legal votes than Kris Mayes.

The 2022 faceoff between Hamadeh and Mayes serves as one of the closest races in Arizona’s history. It’s on par with one other historically significant race that was ultimately overturned, even after both the Maricopa County Superior Court and a Democratic Secretary of State had declared a winner: the 1916 gubernatorial election.

However, the year-long contention of that election had to do with the design of the ballots confusing voters on their vote. This time around, just over 100 years later, the issue concerned voters whose votes were denied to them due to government missteps and failures with election administration.

Last Tuesday, the Mohave County Superior Court granted Hamadeh oral arguments in his motion for a new trial challenging the outcome of his election based on hundreds of allegedly disenfranchised voters. That will occur in about a month, on May 16. Hamadeh shared that they have over 250 affidavits from allegedly disenfranchised voters at present. The vote margin difference is 280.



Abe Hamadeh 

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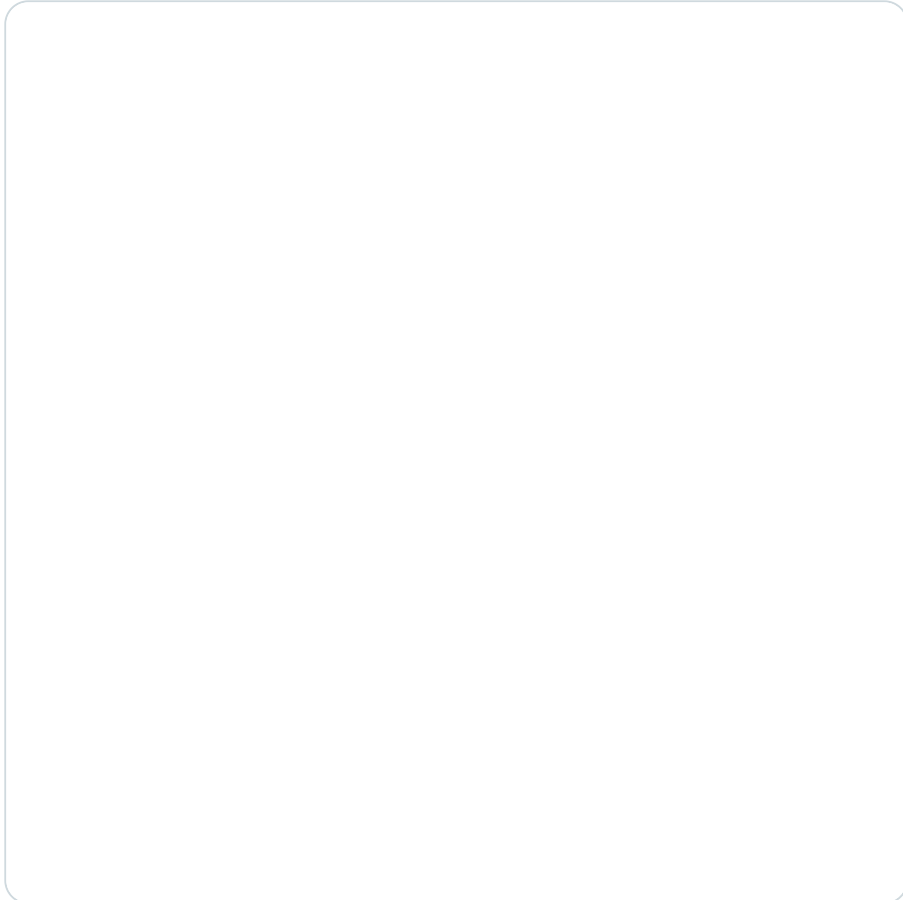


 **BREAKING** 

The Mohave County court has ordered Oral Arguments for our Motion for a New Trial on May 16.

My legal team will expose the government's withholding of evidence that undermined the rule of law.

I am doing everything in my power to seek justice for Arizona.



8:18 PM · Apr 11, 2023



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According to all counties' data, there are roughly 8,000 provisional ballots outstanding. Hamadeh led on day-of voters statewide, winning an average of 70 percent of the votes. Provisional ballots may heavily favor him, due to the additional fact that day-of votes were generally 2 to 1 Republican.

"All data points suggest that it favors Republicans," said Hamadeh.

It appears that, due to the mass tabulator failures, there were less voters but more provisional ballots cast this past election year. Rejection rates of these provisional ballots increased sharply across several counties: Santa Cruz County's rejections increased from one out of the 117 provisional ballots cast to 83 out of the 139 provisional ballots cast. Pima County's rejection rate doubled.

Despite Pinal County having a comparable number of provisional ballots cast in 2020 and 2022, their rejection rate increased from 59 to 63 percent.

Yavapai County more than doubled its rejection of provisional ballots this past election than in 2020 based on non-registration, despite having a significant decline in voter turnout (over 87 percent versus just over 75 percent).

Further data will be published in full as court proceedings continue. Hamadeh shared that his legal team is awaiting some data from several counties, which he said would bolster their case.

"As more data comes in, it's getting worse for the government and looking better for us," said Hamadeh.

Another development that could impact Hamadeh's case is the divorce between Democrats' top election lawyer, Marc Elias, and the Democratic National Committee (DNC).



Elias is engaged in an ongoing federal lawsuit fighting for the voting rights of those voters whose registration was canceled. Elias is fighting for all provisional ballots to be counted – an outcome that would be favorable for Hamadeh’s case, when it was originally intended to be favorable to Democratic interests.

Hamadeh’s legal and analytics teams estimate that over 1,000 voters had their voter registration erroneously canceled due to government system issues. That’s separate from the 8,000 provisional ballots outstanding.

Hamadeh’s team also discovered 750 high-propensity voters whose registrations were wrongly canceled. Of that number, only 176 showed up on Election Day.

“It’s really a screwed up situation,” said Hamadeh. “If you can imagine, the disenfranchisement is even bigger than what we’re arguing.”

Bureaucratic mismanagement resulting in voter registration failures is nothing new, especially for Maricopa County. In 2020, **thousands** of voters were nearly disenfranchised by intergovernmental miscommunication.

Hamadeh dismissed the argument from some outlets that high-propensity voters should’ve taken more steps to ensure they were registered, saying that doesn’t excuse the government’s failure.

“If you’re on PEVL [Permanent Early Voting List] and you expect your ballot to come but it doesn’t, you’re disenfranchised,” said Hamadeh.

Hamadeh referenced one case he called “egregious,” where a father paying his college daughter’s vehicle registration unknowingly had his registration transferred to a different county – all because his daughter was going to college in a different county.

“Without any notice by the way, he never got any notice. And we know he never intended to go to Coconino because he doesn’t have a house there

or anything,” said Hamadeh.

There was also the case of Howard, a visually-impaired disabled veteran whose voter registration was canceled through bureaucratic error, unbeknownst to him, and left him without his voting power in this last election. Hamadeh insisted that Democrats’ refusal to see Howard as the victim in this case was hypocritical.

“The media and Democrats are trying to say this is voter error. But in every single election incident, just two years ago, they were arguing against these voter registration cancellations,” said Hamadeh.




Abe Hamadeh 

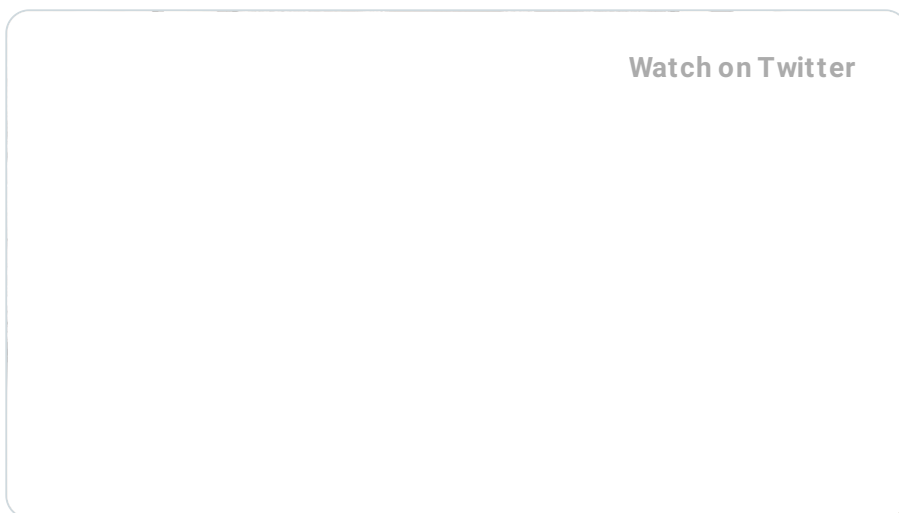
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Meet Howard from Mesa, AZ

He's a combat veteran who has voted in every election. He showed up to vote on November 8 but was given a provisional ballot.

Howard fought for our country and our rights but Maricopa County told him his vote will NOT count. Watch his story 



9:25 AM · Mar 16, 2023



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Then there's the 269 voters who showed up on election day with their mail-in ballot and checked in – but never had their vote counted. Yet, on the county's end, those check-ins reflect votes cast. Of those 269 who dropped off mail-in ballots that weren't counted, 149 were Republicans, 53 were Democrats, and 67 were "other." Hamadeh reported that many of those voters told his team that their votes weren't counted.



With a 280 vote margin between Mayes and Hamadeh, any of these contested provisional or mail-in ballots may result in the first race overturned in nearly a century.

Corinne Murdock is a reporter for AZ Free News. Follow her latest on [Twitter](#), or email tips to corinne@azfreenews.com.

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