

Dear Mr. Jimmy Boegle,

Below is the evidences you requested.

We do have more, I could provide from multiple depositions and videos (from the court trail) on the 3 subjects you listed.

Thanks for restoring my faith in the Tucson Weekly.

John R Brakey

Jimmy Boegle wrote Wednesday, August 06, 2008

John,

Here's what I need evidence for:

- 1) That Crane bought a cropscanner and had it at the elections office. See page 3
- 2) That Crane was reading the Access manual. See page 4
- 3) The day's scans being overwritten by Crane. See page 5

Cheers,
Jimmy

From: John R Brakey [mailto:AUDITAZ@cox.net]

Sent: Monday, August 04, 2008 11:56 PM

To: Jimmy Boegle

Subject: letter to the editor - I read with dismay your published slam of Mr. Kromko and his alleged lack of sanity.

Dear Mr. Boegle,

I read with dismay your published slam of Mr. Kromko and his alleged lack of sanity.

Mr. Kromko's life's work stands on its own and needs no comment from me. What your opinion piece ignores is the hard evidence surrounding the RTA election of May 2006.

* The Diebold voting machines in use (and still present in Pima) have been reviewed in a comprehensive fashion by the California Secretary of State's office. That top-to-bottom review found extreme deficiencies at every level in the systems we use. They are an open invitation to fraud.

* In June of 2005 Black Box Voting released a report on the security problems in the Diebold optical scan systems also in use in Pima, as tested in Leon County FL. That test was the subject of the HBO documentary "Hacking Democracy". In the Black Box Voting report, a memory card reader/writer device called a "Cropscanner" was used to alter the contents of the electronic ballot boxes used to store votes in Pima. We now know that the Pima elections office (purchase order signed by Bryan Crane) bought a Cropscanner shortly after the BBV report was released, and had this known "burglary tool for elections" floating around the office with no controls or checkout process.

* On the night of the RTA election, the main system operator (Bryan Crane) was seen referring to a book later revealed as an advanced programmer's manual for a product known as "Microsoft Access", a standard database manager that has a documented history as being yet another burglary tool for Diebold elections. It's able to re-write the central tabulator data without need for the system password, without leaving any audit log trace and including the ability to alter the audit log. As an uncertified program, MS-Access has no business being

anywhere near that certified central tabulator station.

* Before the election, Bryan Crane printed reports showing who was winning and losing on a precinct detail level. These could give somebody inside knowledge as to campaign “tuning” and hence an unfair advantage. Printing these was wrong – and according to lower-level staff in the department (in sworn statements during the lawsuit) these documents were frequently printed (as the audit logs show) and were handed out to people outside the elections office – if true, a felony.

* During the election process, data containing an entire day’s worth of scanning was overwritten by, you guessed it Bryan Crane. This eliminated the chain of custody for those ballots. The overwrite appears to be deliberate and was followed immediately by printing the “who’s winning” report twice. Nothing about this tampering or data theft has any indications of being accidental.

* According to yet more sworn statements by elections staff, Bryan Crane took home data files during election processing as part of the “off-site backup plan”...despite the office owning a fireproof safe. This gave Crane the ability to alter data files at his leisure at home.

* Finally, a county employee now claims Crane admitted vote-hacking over beers at a bar. If taken alone, that wouldn’t be very credible. Taken together with everything above and it’s caused AG Goddard to write a letter expressing interest in digging deeper into the case, in a letter to Beth Ford also asking her to preserve the RTA election’s paper ballots.

Upshot: if Kromko is crazy, so are one hell of a lot of other people including a big chunk of your readers. I dare you to do a poll.

John R. Brakey

Co-founder of AUDIT-AZ (Americans United for Democracy, Integrity, and Transparency in Elections, Arizona) & Co-Coordinator Investigations for Election Defense Alliance

http://www.electiondefensealliance.org/about_john_brakey

5947 S Placita Picacho El Diablo

Tucson, AZ 85706

520-578-5678

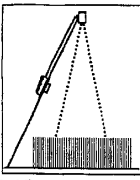
Cell 520-250-2360

John’s AUDITAZ@cox.net

EDA & AUDIT-AZ’s Mission: to restore public ownership and oversight of elections, work to ensure the fundamental right of every American citizen to vote, and to have each vote counted as intended in a secure, transparent, impartial, and independently audited election process.

"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has." Margaret Mead

■ That Crane bought a cropscanner and had it at the elections office.



CROPSCAN, Inc.
 Multispectral Radiometry and Data Acquisition/Control Systems
 1932 Viola Heights Lane NE
 Rochester, MN 55906-6924 USA
 Tel: (507) 285-9230
 Fax: (206) 339-5770
 Email: Cropscan@compuserve.com
 Internet: www.cropscan.com

Fed Emp. id: 45-0391371

To: Pima County Governmental Center
 Department of Elections
 ATTN: Isabel Araiza
 130 W. Congress St. 8th Floor
 Tucson, AZ 85701

SHIP TO: Pima County Governmental Center
 Attn: Bryan Crane (Tel: 52-740-4270)
 Department of Elections
 130 W. Congress St. 8th Floor
 Tucson, AZ 85701

INVOICE 0507182

| Reference Number | Date Shipped | Shipped Via | Col/PP FOB Point | Terms | PO Number | Sales Person | Date |
|------------------|--------------|-------------|------------------|-------|----------------------------------|--------------|-----------|
| | 7/18/2005 | UPS 2nd Day | Rochester, MN | Net30 | None, Order by Email - 7/18/2005 | Del Nantt | 7/18/2005 |

NOTE: Price/Amount in U.S.A Dollars

| Quantity | Part No. | Description | Unit Price | Amount |
|--|----------|--|------------|----------|
| PURCHASE | | | | |
| 1 | MCR | DLC Memory Card Reader/Programmer | \$365.00 | \$365.00 |
| 1 | RS9M9F-5 | RS232 Serial Cable, DLC/MCR to Terminal/PC, DB9 male - DB9 female (5 feet) | \$22.50 | \$22.50 |
| 1 | DLCPS-12 | 12 Volt Power Supply/Charger for DLC or MCR (110VAC U.S.) | \$25.00 | \$25.00 |
| 1 | MCRUM | MCR User's Manual | \$12.50 | \$12.50 |
| 1 | RWCARDSW | Memory Card Read/Write Software - on Diskette | \$75.00 | \$75.00 |
| Invoice Subtotal: | | | | \$500.00 |
| Shipping & Insurance | | | | \$21.71 |
| TOTAL: | | | | \$521.71 |
| Made in United States of America | | | | |
| Terms: C.I.F. (Cost, Insurance, Freight - Prepaid) | | | | |
| Package 1: 11 x 8 x 7 inches | | | | |
| Weight: 2.5 lbs | | | | |

Remit Payment (by bank wire transfer/EFT, U.S.A. dollars) to:
 Bank of the West
 Main at Broadway
 Fargo, North Dakota 58124 U.S.A.
 SWIFT Code: BWSTUS66 ABA Number: 121100782
 CROPSCAN, Inc. Account Number: 926002817

Or Remit Payment (U.S.A. Funds) to:
 CROPSCAN, Inc.
 1932 Viola Heights Lane NE
 Rochester, MN 55906-6924
 USA

In the HBO film called "Hacking Democracy" a device called a Cropscanner, a memory card-reader/programmer, is used to modify the memory card in the Diebold Accu-Vote Precinct-Based Optical Scanner (PBOS), the same vendor and equipment used in Pima County. On July 4th, 2005, Black Box Voting (BBV), an election integrity organization, published the results of this Tallahassee, Leon County, FL voting system test. After the release of the BBV report, there was a spike in Cropscanner sales.

The Pima County Election Department bought a Cropscanner on July 17, 2005, less than two weeks after the report and ten months before the RTA election.

In the opinion of computer security expert Harri Hursti, the Diebold Accu-Vote system is compromised in its very design and architecture. Incorporated into the foundation of the Diebold PBOS 1.94w system used by Pima County is the mother of security holes, and no apparent cure will produce system safety. This design would not be characterized as a house with an unlocked door, but rather, in this author's view, a house with an unlockable revolving door. The complete report is at: www.blackboxvoting.org/BBVreport.pdf

Please watch this video from the HBO movie, *Hacking Democracy*. It has

been re-edited with additional information about Pima County. If you read this article after watching the video, you'll have a good understanding of how we believe the RTA bond election was stolen.

<http://video.google.com/videoplay?docid=8186883351933387074&hl=en>

We learned that Pima County had purchased the "Cropscanner" in a deposition of Bryan Crane. The question was brought up due to the fact that Jim March had learned from Bev Harris (founder of Black Box Voting) that the "Cropscanner vendor told Bev that after the July 4th report a number of election departments had order the devise.

During the RTA election, more than 70 scanners failed at various precincts on Election Day. We believe this may have happened due to tampering with or incorrectly programming memory cards. As Harri Hursti demonstrates in altering these memory cards, a variety of typos and changes can be introduced, but the process is complex and tricky.

Beside vote manipulation, the original use for this device is measuring moisture content in corn.

We learned that Pima County had purchased the "Cropscanner" in a deposition of Bryan Crane. The question was brought up due to the fact that Jim March had learned from Bev Harris (founder of Black Box Voting) that the "Cropscanner vendor told Bev that after the July 4th report a number of election departments had order the devise.

Mark Kimble of the Tucson Citizen wrote an article August 11, 2005, "Kimble: 'Mother of security holes' in state voting system" http://www.tucsoncitizen.com/news/opinion/081105b5_kimble

■ That Crane was reading the Access manual

Dear Mr. Boegle, This is what happened. While inspecting precincts on May 16th, 2006, John Brakey discovered many Diebold precincts optical scanners were failing. Brakey called Representative Ted Downing, Chair of the State Party Election Integrity committee, and asked him to go to the Pima County Election Department. After he arrived, Brakey told Downing to call Jim March in Seattle and describe what he saw in the room. Rep. Downing described a Microsoft Access manual being referenced by election department technician Bryan Crane, a blatant violation of election law. Downing then called Donna Branch-Gilby, at that time the Chair of the Pima County Democratic Party, and asked her to bring a camera. Donna came with her husband, Bob Gilby, and took pictures of the open manual sitting right next to the central tabulator.

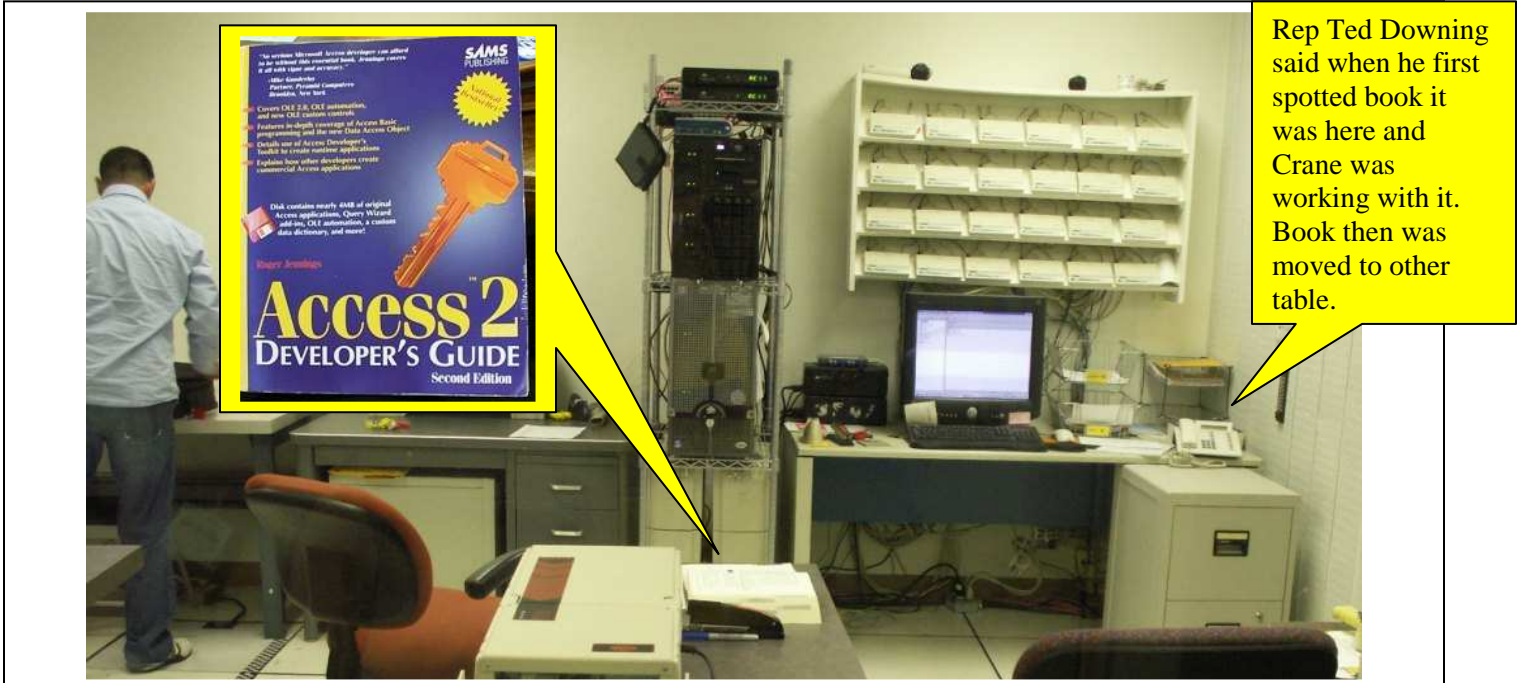
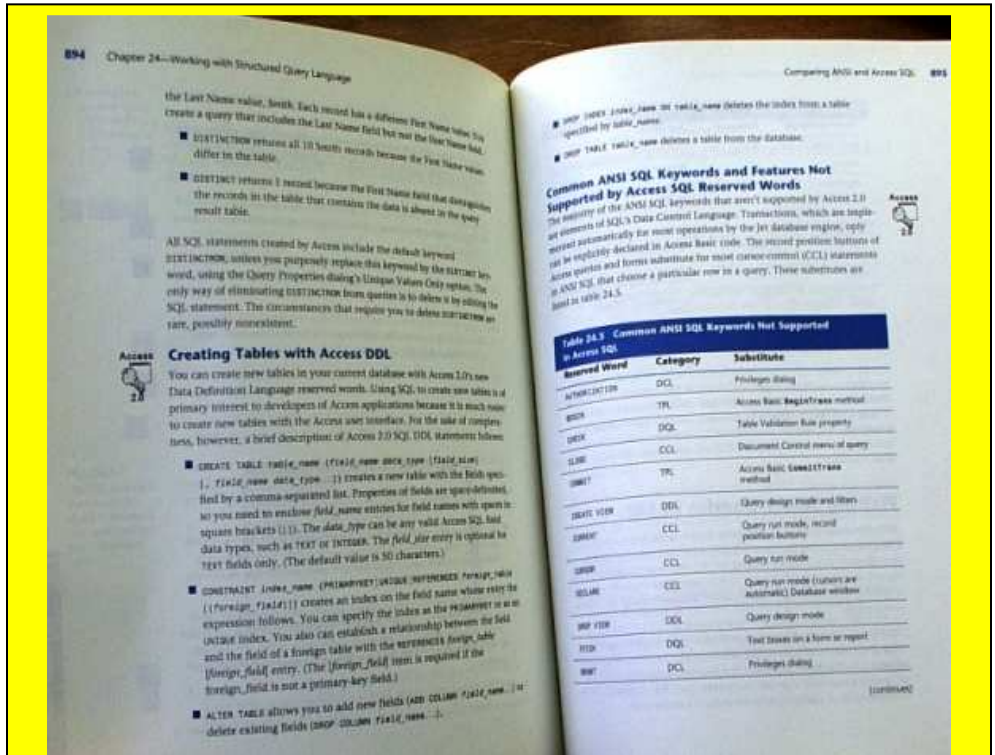
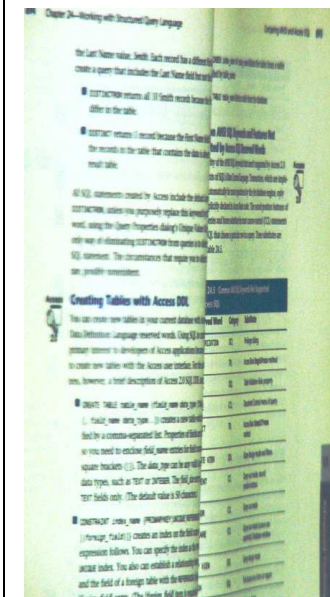


Photo taken of Access manual while it was open on a desk in computer room election night.



This picture is of the same pages of the same manual and was taken several days later by Jim March of BBV at meeting with Brad Nelson of Pima Co Election Department. At meeting was Donna Branch-Gilby, Bill Risner Esq, Jim March and John Brakey.

At that time, Rep. Downing requested of Pima County Elections Director Brad Nelson that an immediate backup “snapshot” of the election data be made and that it be left with the Pima County Sheriff’s Office until the situation was resolved. This request was refused.

Both Ted and Donna were told that they had no oversight rights because it was a nonpartisan election, thus stopping them from discovering if the central tabulator was networked to other computers in the office and if the Microsoft Access program was being used to read the system.

By the time we were able to check the computer almost a year later, the program was gone.

The Diebold Global Election Management System (GEMS) software is built on the Microsoft Access consumer-grade database program. It is illegal by state law for election departments to use software such as Microsoft Access which has not been approved and/or certified by the Secretary of State’s office. This is because the Microsoft Access program can be used to bypass security measures, including the GEMS audit log and the login security, and introduce unauthorized and illegal changes.

Microsoft Access is not legal anywhere near a certified voting system. IT IS A KNOWN ELECTION BURGLARY TOOL, able to subvert all of Diebold’s inadequate-at-best security measures. The same is true of the Sequoia voting system. We did find Microsoft Access in the Maricopa County Election Department, which counts 58% of the vote statewide.

■ The day’s scans being overwritten by Crane.

Mark Kimble documents this in his article about Crane overwriting the database on May 11, 2006: [Kimble: Does the RTA vote really add up? June 7, 2007 ... It is not what you want to hear about the people entrusted with ... www.tucsoncitizen.com/daily/local/53903.php](http://www.tucsoncitizen.com/daily/local/53903.php)

Six days prior to Election Day. Bryan Crane did a backup at 12:27 PM, and then ran the “CARD CAST report,” the correct way to check the tally without revealing election results. *Early votes (mail in ballots) were processed in just under 4 hours and is done running these ballots by 12:27PM. Started running early ballots at 8:39 AM.*

From the Diebold GEMS Audit Log From The May 16, 2006 RTA Election

| | |
|------------------|---|
| 5/10/06 8:21 AM | User admin: Reset election |
| 5/10/06 8:22 AM | User admin: Printing Summary Report (Brakey Note: these two summaries are called Zero reports and are OK) |
| 5/10/06 8:38 AM | User admin: Printing Summary Report (Brakey Note: these two summaries are called Zero reports and are OK) |
| 5/10/06 12:27 PM | User admin: Backed up election to D:\Program Files\GEMS\Backup\pima consolidated 051606 EARLY DAY 1.gbf |
| 5/10/06 12:27 PM | User admin: Previewing Cards Cast Report (the proper way to verify that the 13,618 ballots were counted) |
| 5/10/06 12:28 PM | User admin: Backed up election to D:\Program Files\GEMS\Backup\pima consolidated 051606.gbf |
| 5/10/06 12:28 PM | User admin: Closing GEMS |

In open court, it was shown that Crane was illegally taking home database backups and during the RTA counting, Crane had at least one other computer networked with the central tabulator.

The next morning, 5/11/06, at 9:55 AM, Crane began an unusual procedure that led to the destruction of the original vote tallies and database from the day before, and their replacement with another database of identical name. Crane then illegally printed two copies, ten minutes apart, of the election “SUMMARY report,” a detailed outline of who’s winning and losing. By law, these reports are NOT to be printed until one hour after the polls close on Election Day.

05/11/06 09:56:30 User admin: Backed up election to D:\Program Files\GEMS\Backup\pima consolidated 051606 EARLY DAY 1.gbf (*backs up over EARLY DAY 1.gbf 33 seconds after turning on the Diebold/GEMS. I checked this going back to 2000 and I can not find any other time he did this out of hundreds of times doing backups. Also lied to Judge and said that when he came in he always prep backup first thing for the day counting started. This is not the case. Crane only made backups before going to lunch and just before going home or at the end of running ballots that day. The GEMS AUDIT LOG show all backups even if they were back over or not.*)

05/11/06 09:56:49 User admin: Printing Summary Report *(This reports was printed immediately after the EARLY DAY1.gbf was back over and replaced in order to see if the election results were correctly hacked. And I bet this report was sent to the bosses to show them that he did it correctly.*

05/11/06 10:06:21 User admin: Printing Summary Report *(10 minutes later Crane prints a 2nd illegally report for himself or the bosses.*

To summarize, Crane ran what looked like normal actions on 5/10/06 and made a “snapshot backup” of the file when counting was done for the day. On the morning of 5/11, he WROTE OVER the database from the day before, destroying its integrity. He then printed two copies of the “who's winning and losing” summary report, ten minutes apart.

This pattern of illegally making off with database backups, then overwriting data and printing summary reports is the model for hacking an election. First a false database is created or obtained, then the false data is used to replace existing data, and last, the winning and losing summary reports are printed to confirm that the hack was successful.

Crane later said under oath that morning backups were standard, but a review of the audit logs shows that to be false. He never did them as he stated to Judge Michael Miller in Court. (More on this below)

From the Diebold GEMS Audit Log From The May 16, 2006 RTA Election

| | |
|------------------|--|
| 5/11/06 9:55 AM | User admin: User Login (Note time in the next 5 rows) |
| 5/11/06 9:55 AM | User admin: Open Election: Consolidated Election, May 16, 2006 (pima consolidated 051606) admin Host |
| 5/11/06 9:56 AM | User admin: Backed up election to D:\Program Files\GEMS\Backup\pima consolidated 051606 EARLY DAY1.gbf |
| 5/11/06 9:56 AM | User admin: Printing Summary Report (NOT supposed to be printed until one hour after the polls close) |
| 5/11/06 10:06 AM | User admin: Printing Summary Report (10 minutes later printed a 2nd illegally election Summary report) |
| 5/11/06 12:06 PM | User admin: Previewing Cards Cast Report (proper way to check if ballot are counted correctly) |

In a meeting Attorney Bill Risner, Donna Branch-Gilby, Jim March of Black Box Voting and I had with Director Brad Nelson several days after the RTA election, he was asked if Jim March could enter the election counting room, take pictures, inspect the cables and look around but touch nothing. The reason for this request was that the network-connected printer was not in the count room and we wanted to know if the central tabulator's network was connected to any other PCs. Nelson refused saying, “Ladies and gentlemen, I can't do that, I have a live election going on.” Nelson was referring to the Oro Valley election. We have pictures of the count room from that meeting. The lights were off and no one was in that room. Nelson apparently didn't want us to inspect. Much later in the lawsuit we learned from Robbie Evens of Pima County that the central tabulator station was cross-connected to Bryan Crane's computer at that time.

Nothing in our analysis conflicts with this theory.