

1 **AMERICA FIRST LEGAL FOUNDATION**

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9 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
10 **IN AND FOR THE COUNTY OF MARICOPA**

11 JUSTIN HEAP, in his official capacity as
12 Maricopa County Recorder;

13 Plaintiff / Counter defendant,

14 v.

15 THOMAS GALVIN, in his official capac-
16 ity as a member of the Maricopa County
17 Board of Supervisors; MARK STEWART,
18 in his official capacity as a member of the
19 Maricopa County Board of Supervisors;
20 KATE BROPHY MCGEE, in her official
21 capacity as a member of the Maricopa
22 County Board of Supervisors; DEBBIE
23 LESKO, in her official capacity as a mem-
24 ber of the Maricopa County Board of Su-
25 pervisors; STEVE GALLARDO, in his of-
26 ficial capacity as a member of the Maricopa
27 County Board of Supervisors;

28 Defendants / Counterclaimants.

AND

RACHEL MITCHELL, in her official
capacity as the Maricopa County Attorney;

Plaintiff,

v.

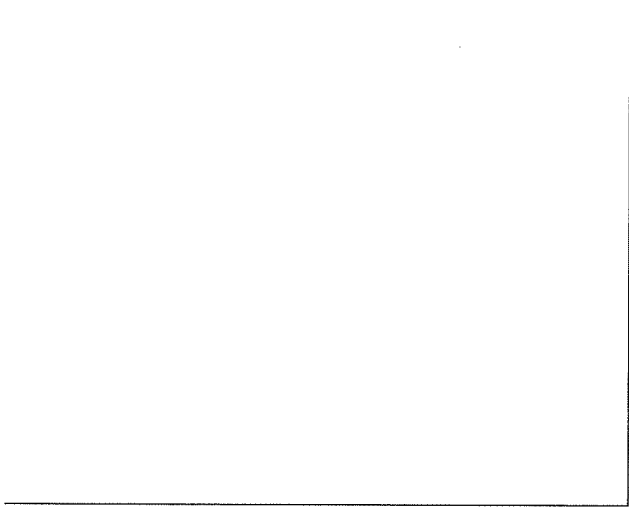
JUSTIN HEAP, in his official capacity as
Maricopa County Recorder;

Defendant.

Case No.
CV2025-020621
(consolidated)

**DECLARATION OF CHIEF DEP-
UTY RECORDER JEFF MASON**

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I, Jeff Mason, declare as follows:

1. I am the Chief Deputy Recorder for the Maricopa County Recorder’s Office (“MCRO”). I am over 18 years of age and competent to testify to the matters set forth herein. I have personal knowledge of the facts stated in this Declaration based on my role and responsibilities at MCRO, my review of the Recorder’s Office financial records, procurement documentation, county property records, and my participation in the events described below.

2. I submit this Declaration to establish the ownership history of two ImageTrac DS 1210 document scanners (serial numbers HT50227 and HT50226) that the Maricopa County Board of Supervisors, through its staff at and the Maricopa County Elections Department, has claimed belong to the Elections Department. As set forth in detail below, those scanners were purchased entirely with Recorder’s Office funds, were at all times designated for and used by the Recorder’s Office Early Voting unit, and have never been transferred to the Elections Department by any lawful means.

I. PROCUREMENT AND PURCHASE OF THE SCANNERS

3. In January 2022, Runbeck Election Services, Inc. provided a cost proposal to the Maricopa County Elections Department for the purchase of two ImageTrac DS 1210 scanners at a total cost of \$116,376, with an additional annual software maintenance and hardware support cost of \$5,253. A true and correct copy of that cost proposal, dated January 7, 2022, is attached hereto as Exhibit 1.

1 4. On January 12, 2022, at a Board of Supervisors Special Meeting, Elections Di-
2 rector Scott Jarrett presented the FY 2023 Elections budget request to the Board. Mr. Jarrett
3 presented the budget for both the Elections Department and the Recorder’s Office as a com-
4 bined request, at the direction of then-Recorder Steven Richer. In that presentation, Mr. Jarrett
5 specifically identified the \$116,376 one-time expenditure for two envelope scanners and ex-
6 plained that the scanners were needed for Early Voting purposes—specifically, to process
7 affidavit envelopes with ballots still inside, including provisional ballots and ballots with bad
8 or missing signatures that cannot be processed through the standard outbound scan process.
9 Attached as Exhibit 2 is a transcript of Mr. Jarrett’s remarks on this subject. His remarks begin
10 at timestamp 02:57:15 of the video of that Board meeting. A video recording of this presenta-
11 tion is available at <https://www.youtube.com/watch?v=ciprTktuVLM>.

12 5. On January 26, 2022, a budget memorandum was submitted to County Chief
13 Financial Officer Cindy Goelz by Scott Jarrett and Rey Valenzuela requesting, among other
14 items, “\$116,375 for Two Envelope Scanners” to allow “in-house scanning of affidavits from
15 Uniform Overseas, Citizen, Absentee Voting Act (UOCAVA) voters, Provisional voters, and
16 Special Elections Boards (SEB) voters.” The memorandum identifies these voters as using
17 “secure alternative methods” to return early ballot affidavits and notes that the scanners would
18 “improve records retention and consistency among different election processes.” A true and
19 correct copy of that budget memorandum is attached hereto as Exhibit 3.

20 6. The scanners were procured following a series of email exchanges in August
21 2022 among Celia Nabor (Assistant Director of Early Voting), Richard Greene (Finance Di-
22 rector, Recorder’s Office), Joseph Rodenback (Procurement), Rey Valenzuela, and Scott Jar-
23 rett. Those emails confirm that: (a) the request originated from the Recorder’s Office Early
24 Voting unit; (b) the long-term plan was to purchase the scanners so the task could be per-
25 formed in-house by the Recorder’s Office; and (c) Runbeck was used on an interim basis for
26 the August 2022 Primary, with the purchased scanners to be available for the November 2022
 General Election. True and correct copies of the relevant email chain from August 15–18,
 2022, are attached hereto as Exhibit 4.

1 7. On January 23, 2023, Runbeck Election Services issued Invoice No. 001558 for
2 two ImageTrac DS 1210 scanners at a total price of \$116,376. A true and correct copy of that
3 invoice is attached hereto as Exhibit 5.

4 8. On January 25, 2023, County Purchase Order No. DO,230000003282-1 was
5 issued. The Purchase Order identifies the ImageTrac DS 1210 scanners as funded by the ELE1
6 budget, Department D210, Unit 2140. Unit 2140 is the Early Voting Services unit. As de-
7 scribed further below, Unit 2140 was at all times under the sole authority of the Recorder's
8 Office. A true and correct copy of Purchase Order No. DO,230000003282-1 is attached
9 hereto as Exhibit 6.

10 9. On February 9, 2023, Electronic Funds Transfer Transaction ID 230000023235
11 transferred \$116,376 to Runbeck Election Services in payment of Invoice No. 001558. The
12 transaction description reads "QTY: 2-ImageTrac DS 2110-INV 001558," and the funds were
13 transferred from Department D210, Unit 2140. A true and correct copy of the ETF transac-
14 tion record is attached hereto as Exhibit 7.

15 **II. THE SCANNERS WERE PURCHASED WITH RECORDER'S OFFICE**
16 **FUNDS**

17 10. Unit 2140—Early Voting Services—is and was at all relevant times the only
18 non-shared Elections Department unit directly under the sole authority of the Recorder's Of-
19 fice. All other units within Department D210 were, at the time of purchase, under joint over-
20 sight by both the Board and the Recorder. Unit 2140 was not. The funds used to purchase the
21 ImageTrac DS 1210 scanners were therefore exclusively Recorder's Office funds.

22 11. The presentation slide that accompanied the FY 2023 capital equipment request
23 confirms this allocation. The request for "2 Envelope Scanners" at \$116,376 appears as a non-
24 recurring capital expenditure item identified for early voting functions performed only by the
25 Recorder's Office. A true and correct copy of the relevant presentation slide is attached hereto
26 as Exhibit 8.

 12. I note that the Purchase Order created by Ms. Ramirez on January 25, 2023
incorrectly classified the object code for the scanners as "8016" (Technology Supplies) rather

1 than “9200” (Capital Equipment). This error in object code classification does not alter the
2 source of the funds or the ownership of the equipment. The unit code (2140) and department
3 code (D210) are correctly identified and confirm that the purchase was made from Early Vot-
4 ing Services funds under the Recorder’s Office.

5 **III. NO TRANSFER OF OWNERSHIP EVER OCCURRED**

6 13. I have reviewed the County’s CGI Advantage financial system records to deter-
7 mine whether ownership of the ImageTrac DS 1210 scanners was ever transferred from the
8 Recorder’s Office to the Elections Department. No such transfer occurred. Specifically, no
9 FA06 (Transfer of Fixed Asset) form and no FA09 (Fixed Asset Internal Sale) form has ever
10 been filed with respect to these scanners.

11 14. Under Maricopa County Policy A2507, Section IV, Paragraph B, all capital asset
12 transactions (including transfers) must be documented and have appropriate supporting doc-
13 umentation attached within the County CGI Advantage financial system. Because no FA06 or
14 FA09 was ever filed, the county’s own records contain nothing that would support a conclu-
15 sion that ownership of the scanners was ever transferred to the Elections Department. The
16 absence of these records means that no transfer—by sale, reassignment, or otherwise—was
17 ever properly executed. In other words, at all times, legal title to the scanners and ownership
18 thereof remained with the MCRO.

19 15. At no time did the Recorder’s Office authorize, consent to, or execute any trans-
20 fer of these scanners to the Elections Department. The scanners remained Recorder’s Office
21 property from the date of purchase through the date of the incident described below.

22 **IV. SCOTT JARRETT’S KNOWLEDGE OF THE SCANNERS’ PURPOSE AND OWNERSHIP**

23 16. Scott Jarrett, as Elections Director, had direct personal knowledge that the Im-
24 ageTrac DS 1210 scanners were purchased for Early Voting Services and that Early Voting
25 was the sole responsibility of the Recorder’s Office. He personally presented the scanner re-
26 quest to the Board of Supervisors at the January 12, 2022 Special Meeting, identifying the
scanners as for Early Voting use. He co-signed the January 26, 2022 budget memorandum to

1 CFO Goelz identifying the scanners as an Early Voting capital expenditure. He was copied on
2 the August 2022 procurement emails confirming that the purchase was being made by the
3 Recorder's Office Early Voting unit.

4 17. Given this knowledge, Mr. Jarrett had the ability, at any point during the March
5 2026 incident described below, to resolve any purported confusion about scanner ownership
6 based on his own personal knowledge. Instead, he chose to request a formal HR investigation.

7 **V. THE MARCH 2026 INCIDENT**

8 18. In early March 2026, MCRO personnel were attempting to locate the two Im-
9 ageTrac DS 1210 scanners purchased by the Recorder's Office in 2023 with intent that the
10 scanners be repurposed to address an early ballot processing challenge that the Board of Su-
11 pervisors had created by denying the Recorder's Office's request to purchase an Agilis machine
12 for the 2026 Primary Election.

13 19. On March 5, Elections Finance Manager Berta Ramirez had independently con-
14 firmed the ownership and serial numbers of the scanners. On March 5, 2026 at 9:56 a.m., Ms.
15 Ramirez emailed Sonia Galloway at Runbeck requesting confirmation of the serial numbers
16 for the two ImageTrac DS 1210 scanners purchased in 2023. At 11:51 a.m. that same day, Ms.
17 Galloway confirmed the serial numbers (HT50227 and HT50226) and provided Invoice No.
18 001558, which shows the purchase from the Early Voting Services unit. Ms. Ramirez had
19 herself created the Purchase Order for these scanners in January 2023 and therefore knew they
20 were paid from Unit 2140 (Early Voting Services, Recorder's Office funds). A true and correct
21 copy of this email exchange is attached hereto as Exhibit 9.

22 **VI. CURRENT STATUS OF THE SCANNERS**

23 20. As of the date of this Declaration, the Recorder's Office does not have posses-
24 sion of either of its ImageTrac DS 1210 scanners identified by Invoice No. 001558, serial
25 numbers HT50227 and HT50226. These scanners were purchased from Early Voting Services
26 Unit 2140 funds, which have always been Recorder's Office funds. No FA06 or FA09 transfer
form has ever been filed. The scanners have never been lawfully transferred to the Elections
Department.

1 21. The Recorder’s Office needs these scanners to address ballot processing chal-
2 lenges ahead of the 2026 Primary Election. Early ballots will begin being mailed on June 24,
3 2026. The continued withholding of this equipment by the Elections Department—after the
4 superior court’s April 16, 2026 ruling restoring the Recorder’s operational authority over Early
5 Voting Services—directly impairs the Recorder’s ability to fulfill his statutory duties to the
6 voters of Maricopa County.

7 22. It is my understanding that the Elections Department has taken possession of
8 the ImageTrac DS 1210 scanners and refuses to relinquish them to the MCRO.

9 23. It is my understanding that Maricopa County Elections Director Scott Jarrett
10 filed a complaint with the County Human Resources Department alleging that the MCRO
11 personnel had attempted to steal the ImageTrac DS 1210 scanners from the Elections De-
12 partment because they had allegedly attempted to relocate one of the MCRO’s ImageTrac DS
13 1210 scanners, which had been stored in the MCTEC pre-tabulation area

14 24. It is my understanding that the Elections Department contacted the Maricopa
15 County Attorney’s Office (“MCAO”) accusing the MCRO of theft for attempting to relocate
16 one of the MCRO’s ImageTrac DS 1210 scanners.

17 25. It is my understanding that the MCAO referred the matter to the Pinal County
18 Sheriff’s Department (“PCSD”) for investigation and that, on June 6, 2026, PCSD Deputies
19 appeared, unannounced, at the home of MCRO IT Director Bryan Colby and informed him
20 that he was under investigation for theft of the scanners and asked him to answer questions
21 about the scanners.

22 I declare under penalty of perjury that the foregoing is true and correct to the best of
23 my knowledge and belief.

24 Executed on June 6, 2026 in Maricopa County, Arizona.

25 

26 Jeff Mason