

DECLARATION OF ANN CAPELA

I, Ann K. Capela, under penalty of perjury, declare as follows:

1. I am at least 18 years of age, and I have personal knowledge of the facts as stated in this Declaration.
2. I am a registered voter in the state of Michigan.
3. I was retained by the City of Detroit and paid to serve as an Inspector for Counting Board No. 46 at the TCF Center to process and count absentee ballots for November 3, 2020 general election.
4. Once retained, I was trained for two hours at the TCF Center on the process and recording of votes for the absentee ballots cast in the above elections as well as all duties related to an Ballot Inspector in execution of recording and processing and closing of this Counting Board #46. I was given instructions to study on how to arrive, and what to do. I was told no cell phones or any type of electronic device would be permitted. These same as well as other instructions were provided to all Counting Board Members (CBM) in written format.
5. During training, I trained as Job 1, there were 5 official jobs listed in the instructions (Exhibit #1) which was the first person that would be opening envelopes and also scanning that envelope in to a central computerized system and then verifying ballot number assigned to this voter as well as voter No. assigned to the voter – this was located on the outer envelope. I was instructed to ensure I knew the difference between ‘voter number’ and ‘ballot number’. During the ballot counting process I would need to check the voter No. as well as ballot No. matched on the outer envelope to the scanned record in the Electronic Voter records.

Tuesday, November 3, 2020

6. I arrived at the TCF Center on Tuesday, November 3rd at 5:30 a.m. as specified in my agreement with the City of Detroit.
7. All Counting Board 46 members took an oath to uphold the Constitution.

8. When I arrived on November 3rd all six (6) members of Counting Board 46 signed in to a time sheet to verify we were present. The names and positions of members of Counting Board 46 are as follows: Job Number 1: Ann Capela; Job Number 2: Mildred; Job Number 3: Fannie, Job Number 4: Claudia; Job Number 5: Emily; Job Number 6: Larry. I found it odd that our Counting Board had 6 members because the instructions only included positions for five (5) members. We were instructed that Larry in Job No. 6 would be the only Member that could take the bundled ballots to the ICC, which was the ballot tabulating station. The vote tabulators were separate and apart from Counting Boards and were located in the middle of the TCF center, fare away from Counting Board #46. I noticed the tabulator station for Counting Board 46 was identified as ICC #10.
9. This process was starkly different from my 2 previous experiences at TCF center in 2016 and 2018. I commented to Job 2 (Mildred) how different the process was and that how segmented the process was. Mildred did not know as none of the other Members of CB 46 had never participated in ballot counting they could not compared this process to any other ballot processing.
10. I noticed some other signatures for our Counting Board where other individuals who were not present had signed in. I was told that the day before, Monday, November 2nd there were other individuals who were present in initial processing of ballots and that these members only opened or slit open the envelopes, scanned the envelope and verified that the voter was in the system. I was told they reassembled the envelopes unopened (did not separate the outer and secrecy envelope) and placed them in a tray and then placed them in a storage room overnight in a large metal box which had a lock or a seal and that somewhere these ballots were kept unopened sitting there and that the ballots then were assembled in some sort of an order to be given back to our Counting Board 46.
11. From about 5:30 A.M. until about 10:00 AM in the morning on November 3rd we did nothing. We kept busy chatting and at one point I got up and stated that we should inventory the supply box that each CB was provided. We could not even bring pencils with us because all supplies needed for this process were in the big black cardboard box.
12. I proceeded to take all supplies in this box and lay them out on the table to go through and identify to ensure our Board has the necessary supplies as well as materials were in there according to our written and spoken instructions during training.

13. I was in the process of identifying the inventory when a woman who identified herself as our Lead, came over and firmly asked me what I was doing. I told her that I was simply inventorying the supplies to ensure we had the necessary tools to do our jobs. She took the materials that I laid out on the table very briskly put all the supplies back in the black box. At that point I put my hands up in a manner of surrender and said 'you are the boss and we do as we are told'. I told her I had years of experience of ballot counting but this did not matter to her. She put everything back into the box and closed the box.
14. We sat around. There were no ballots to be counted for at least four hours.
15. When the ballots arrived to begin counting, ballots had already been opened, and we were told, had already been scanned. There was no need to verify ballot No. or voter No. in the Electronic Poll book because of this task was completed on the previous day. Job 1 was completed, I was instructed to move over to sit between Job 2 and Job 3 persons and I was to assist with tearing off the tabs from secrecy ballots, place the tab into a envelope that was taped to the table, take the ballot out of the secrecy envelope, unfold the ballot, not inspect the ballot but rather press and straighten it out and hand them over to Job. 4. Job 4 was to press the ballot again to ensure the ballot would be smoothly put in the ballot counter. Job 5 placed the ballots into bundles of 25 to be placed in set of 200. Larry (who had not Job No. was to take the ballots in a box to the ballot tabulator across the room and wait to hand in the ballots to the two (2) individuals (no names or introductions were given to these two people) and the two people were going to run the ballots through the ballot counter and place the counted ballots back in the metal ballot box which was to be brought back to CB No. 46 at the conclusion of counting ballot process. Each CB was to verify the content of this box full of ballots and seal this box at the conclusion of the process.
16. A woman named Mildred was assigned to Job Number 2 at Counting Board 46. Job Number 2 required the assignee to take out the secrecy envelope out of the outer envelope, to ensure the Ballot No. on the upper tab matched the number on the outer envelope. I as Job 1 would state the name of the voter on the outer envelope and looked to ensure that this name was correct as in the computer. Mildred then separated the two envelopes. She placed the outer envelope in the bin below the table and handed the

secrecy envelope to No. 3. Position No. 3 (Fannie) was to remove the tab from the secrecy envelope, place the tab in the envelope and unfold the ballot.

17. Myself and Fannie removed the ballots from the envelopes and the tabs from the ballots. The tabs were placed in a separate yellow 9x14 inch envelope and the ballots were unfolded and straightened out. We separated in the ballots into piles of twenty-five (25). We handed the piles of twenty-five (25) ballots to Claudia.
18. On several occasions, Claudia asked me "What do I do with these ballots? These are just check marks and will not be read by the machine?"
19. I observed many ballots with blue and green check marks rather than filled in.
20. I do not know if the ballots with check marks were processed.
21. We were told by the section supervisor that those ballots had been approved, certified and we were not to verify or question their validity.
22. We were told not to do anything except tear the tabs off, process, and bundle the ballots into piles of twenty-five (25). Position Number 6, Larry, took them over to be counted by the machine.
23. We processed 600 ballots, according to our section supervisor, Ryan. Ryan told me, at the start of this process, to open up the computer and enter in the general remarks section that Counting Board 46 received 600 processed ballots. I followed his instructions. I do not know how many ballots we actually received.
24. We were told it did not matter if there was an irregularity just to keep processing, because the individuals did all this on the previous day. I gave all the ballots to Claudia, as directed, who straightened the ballots. We were told not to look at the ballots and not to make any judgements regarding their validity. We followed this process for the ballots we received which had already been opened.
25. After processing the ballots (I was told 600 ballots by Ryan, I however cannot verify this count), after processing these ballots, in a few hours, we waited to 7:00 PM doing absolutely nothing. We were told to go get a box lunch. At one point all Members of the CB got up to leave but I told the group I would stay behind to watch our table.
26. Many of the CB Member remarked as to why there was nothing going on. No ballot counting was done all day except for the few hours of a very long 14 hour day. We asked Ryan our Section Supervisor as to what was going on but he said he did not know.

27. We were told to tidy up our tables and to leave everything as is and we could go home.
28. We were instructed that same rules and regulations would apply the next day.
29. We were dismissed at 8:00 PM on November 3, 2020. We only processed ballots on November 3rd. I do not know what happened to those ballots after we processed them.

Wednesday, November 4, 2020

30. On November 4, 2020 I arrived at the TCF Center at approximately 5:30 AM. From the time I arrived to around 10:00 AM, we again sat around, doing nothing. No ballots were forthcoming and no one knew what was going on.
31. Early in the day, each member of Counting Board 46 reviewed the opening tape. This contained approximately six (6) to seven (7) pages of zeros. We each certified that there were zero ballots counted in our machine at the beginning of the day. We all passed that sheet around to say there was zero and we all said "yes there's zero." We all inspected the pages but at this time I don't specifically recall if we signed any documents. I do recall discussing that those "0" pages were to be placed in the Ballot Book and at the end of the vote count all Counting Board Members were to sign that the starting balance was 0 and the ending balance was the same as what we had counted and reconciled with the ballot counting machine.
32. Finally around 10:00 AM they began calling Counting Boards to retrieve the ballots. Ryan, Section Supervisor, asked all of Counting Board Members to be seating and he was going to pick up the ballots to be counted. The ballots were being distributed from a central location table in the middle of the counting floor. I believe Ryan picked up the ballots as the announcer was calling various tables to pick up their ballots.
33. Larry, Position Number 6 used a letter opener to open the outer envelopes. I was then given the outer envelopes to scan and make sure the voter file appeared when the envelope scanned. If the voter file did not populate my instructions were to set the ballot aside as a problem ballot and keep going. I followed those instructions. We placed problem ballots in a bin, our section supervisor, Ryan would review the problem ballots and tell us what to do with them.
34. We went through the process where I had a ballot that was opened for me by Position Number 6, Larry, then I scanned it. If it appeared I pronounced and stated the name of

the absentee voter and I gave the envelope to Position Number 2, Mildred, and Mildred then took secrecy envelope out and called out the ballot No. back to me and confirmed the name in the Electronic Polling book with the name on the outer envelope. If it did not match, which occurred several times, it's hard to remember how many, I had to go in to the computer system and note that the ballot number in the secrecy envelope did not match the ballot number on the outer envelope.

35. There were instances where the voter wasn't in the e-poll book or supplemental poll book. I was given 2 (two) supplemental voters lists. If the name of the voter was not in the E-poll book, I went to the first supplemental list and if not there I went to the 2nd supplemental list. If the voter was not in any of the 3 lists, the ballot was set aside in the "problem ballot" box to be dealt with by Ryan.
36. Because I was Job Number 1, I controlled the computer. I was instructed on several occasions by the section supervisor to turn off the computer monitor because there were poll challengers watching. I was also told to exit out of the program because the poll challengers were watching.
37. Next, Mildred, Position Number 2, handed the inner envelope to Position Number 3 and Position Number 3 took the tab off in the secrecy envelope, put the tab in the 9x14 envelope, took the ballot out and gave it to Position Number 4.
38. Position Number 4 unfolded and straightened the ballot, looked at it and gave it to Position Number 5 who then counted twenty-five (25) ballots in a bunch, bundled them in bundles of fifty (50) and when we reached two-hundred (200) Larry, Position Number 6 walked the ballots over to Counting Machine Number 10 and that machine counted the ballots. The ballots remained there and we were told we would be required to go retrieve them at the end of the night to seal in the ballot boxes.
39. We did this for approximately 150 ballots and we were done at approximately 1:30 P.M.
40. Following this, we began to work on problem ballots. The problem ballots had to be added to the computer system manually. We were instructed to enter the date of birth for all problem ballots as 01/01/1900 in order to override the system. I did this for approximately six (6) problem ballots. I also entered the address as it appeared on the outer envelope. After each problem ballot was manually entered it went through the

processing steps described above and all were eventually brought over to the counting machines.

41. At the end of the counting day on November 4, 2020 – I was asked to print out 3 reports from the electronic poll book: 1 final list of voters cast ballots, remarks associated with each ballot cast that did not match what was on the ballot and the electronic pool book and general remarks section (this was the statement we had 600 ballots processed one day prior to election day).
42. The environment in the TCF Center was hostile on the 2nd day of counting the ballots, on the floor there was mass confusion. I observed a lot of aggressive young people wearing green stickers. They were recording, taking pictures, and a young woman – maybe in her 20s – came near our table and I asked her to leave because she couldn't take pictures and record or use a phone and she says “no we can use our phone if we want to.”
43. The young woman was pretty brisk and very combative and I watched her after that. She would go from table to table and she was signaling to another young man there and they were very aggressive and hostile. They were texting constantly, signaling to someone in the room and walking and milling around. I observed a number of those people. They were all white, generally younger, college-aged individuals wearing green stickers. They were there to agitate.
44. Shortly thereafter I noticed a slew of new people – probably a dozen individuals with very bright yellow sweatshirts that said “defender” and they had yellow hats and they were really aggressive. When we went to get our food they were aggressive. They were talking, texting, walking around and I went over back to one of my co-workers Mildred and I said “Mildred, this is really bad. These are agitators. This is not good. There's something going on.” Mildred agreed. We were both concerned for our personal safety.
45. For the rest of the day after we counted those 150 ballots we did nothing. There were a lot of television crews there and it was chaotic and tense.
46. Later on in the evening I noticed that all my Counting Board members took out their phone, except for Larry. The Counting Board next door all had phones out. Everyone was on their phones. So I said “what happened to the violations or not having phones at the Counting Board table” but it was permitted as the day went on. There was no

enforcement of it. There was definitely information being exchanged with the outside. There was no sequestration.

47. At one point, an African-American woman started getting loud and she accused a white man of photographing her; police came and ejected or arrested that man. I was shocked when other election inspectors and agitators clapped and cheered as this man was removed from the floor.
48. Outside the doors, which had been locked, there were people chanting "Stop the Count." The doors were locked for a very long time.
49. At approximately 8:00 PM, Claudia, Position Number 4 could not go on. She felt ill so she gathered her things and left. She was exhausted. It was our second day working really long shifts.
50. We were paid through 9:00 PM. At that time we were told we could leave and that we would not be paid extra if we stayed overtime to complete the counting of the ballots. I personally confirmed this with Mr. Baxter, the head supervisor. At 9:00 PM, two more members of Counting Board 46 left. Only me, Mildred and Larry remained.
51. Shortly after we looked at our sign in and sign out sheet which we were told we must sign in order to get paid. Our board supervisor, a young woman – I can't remember her name – was telling everyone to sign out at 9:00 P.M. I went to her and I said "I did not sign that. I didn't sign out. I'm not signing until 12 midnight. I was asked to stay until midnight. I'm not going sign a false statement of information because I did not leave at 9:00 P.M." Two other people, including Mildred, said same thing, "We didn't leave at 9:00 P.M. I'm not signing that. I'm leaving at midnight." I witnessed woman sign people out herself.
52. In the following hours we completed a number of functions. I was asked to print out a final report of all the absentee voters from Counting Board 46. I also printed out the remarks, attached them and added the ballots processed to determine how many absentee ballots were recorded in the system. Then we had to manually add all the problem ballots we processed.
53. We also were asked to sign a sheet in triplicate about any write in ballots. The three people who left at 9:00 P.M. were asked to sign a blank sheet in triplicate. They signed

the blank sheet. I recall that this sheet had something to do with write-in ballots and a copy would go to the state, county and board of canvassers.

54. We didn't see any write-in ballots. We were never asked to look at the ballots. We were told that we had processed 600 ballots—however I cannot confirm this as true. Not one time did we note there was a write in ballot. I asked the section supervisor whether we were going to be able to see the write in ballots. He didn't know. Our supervisor said "just sign it on the sheet" and I said "I am not going to sign a blank sheet. You can't ask us to sign a blank sheet. Show us what it is that we are certifying to and I'll be happy to sign it. I want to see the list. I want to see the write in ballots or whatever it is you're asking me to certify." She did not show me anything and she said "Fine. If you don't want to sign a blank sheet or document then you don't have to sign it." So I did not.
55. We then proceeded to close out. There was a large box with all sorts of equipment – pencils, rulers and envelopes in which we were to put our poll book and supplemental voting list.
56. I proceeded to ask the supervisor when we would certify the closing tapes because that was the most important part of the process. We needed to confirm that the ballots counted in the machine matched to the total ballots cast in the computer system. We did not balance the ballots and the count. We never signed the balancing sheet.
57. At one point the supervisor of the section told me that he does not need all of us to sign this or all of us at the Counting Board to sign. This confused me and was contradictory to our training. He said that he could submit everything with two inspectors and himself.
58. When I challenged and asked him about this, he told us we all have to sign it in order to validate the numbers. We never saw the numbers. We didn't balance the numbers and we never saw the printout of the tapes.
59. Around 10:30-11:00 PM I asked the supervisor again "when are we going to get the ballots?" I received no response.
60. From my experience it seemed there was a lot more work to be done as far as closing up at this point, including signing all the paperwork and sealing the ballot boxes.
61. At around 11:30 PM they announced that if we would stay beyond midnight for four (4) more hours we would be paid an additional \$300.

62. By midnight a majority of the inspectors walked out because they could not sustain the physical toll. We had arrived at 5:30 AM the day before. It was not physically possible to have good judgment after being there for so long.
63. I left at 12:00 AM. Larry is the only member of Counting Board 46 who stayed.
64. Every member of our Counting Board was supposed to sign the paper certifying that the ballots processed and counted balanced. Our Counting Board never signed anything. We left and we were not asked to stay and sign.
65. There was at least one Counting Board that I saw, which, at close to midnight was still duplicating ballots.
66. The entire process did not line up with the training or the study materials we received.
67. In the 2016 and 2018 elections I worked as a poll watcher in the TCF Center.
68. There were some differences from 2018 to 2020; the main difference is that each Counting Board in the past had their own counting machine in the middle of the Board. Not this time. We did not control the process. We did not have chain of custody of the ballots and did not know what happened to them after they were taken to the counting machine. We never saw them again.
69. Another key difference is that there were two sets of teams processing and counting the ballots—a team on November 3 and a team on November 4. There was a long break between when the processing ended at 8:00 PM on November 3 and when it picked back up again on November 4. There was no chain of custody from the person who opened the outer envelope to the person who sealed the ballot boxes. The segmented process and lack of transparency denied me the ability to certify exactly how many ballots were processed and counted at Counting Board 46. I do not believe anyone in any other Counting Board could verify this either.
70. Counting Board 46 did not reconcile the final numbers.
71. I have worked in public administrations for over 20 years. I believe the absentee ballot counting process at the TCF Center was designed for a specific outcome.
72. I declare under penalty of perjury, that the foregoing statements are true and correct
73. The supply election box, as well as original instructions has several red ‘seals’ sticker type. We were informed that these seals were to be placed on the various envelopes. Each seal was to be signed. None of the Counting Board Members to my knowledge and

before I left at Midnight signed any of the seals as instructed. There was no completion of the documentation of what we as the CB did with the written poll book.

74. I printed the report from the computer which showed final count, then I was asked to add up the checkmarks on the supplemental voters list 1 and 2. I had manually 72 ballot votes (to my best recollection) to the total voted absentee in CB 46.
75. There was mass confusion and what to do next and waiting time between various instructions from the main election podium conducted by Mr. Baxter.
76. As a CB we never finished the work that needed to make this work completed.
77. The Team Leader of our Section (young lady that I can't recall her name) started to fill out the green seal to seal the ballot box (metal one). I asked her why was she filling out the seal since we have not completed our work. I thought, we the CB Members were to do this job. After all we were the people who counted the ballots.
78. In my years of experience it was the ballot counters who were directly involved in counting NOT the Sec. or Team Supervisors who signed and sealed the ballots and ballot count.
79. I posed the question to the Team Leader how she could sign something that was blank?
80. The same Team Leader filled out the time out sheets for everyone at 9 pm. Myself and Mildred crossed out ours and write in 12 Midnight as our time out.
81. My sense of the process is that we the Ballot Counting Board was only a 'window dressing' of a portion of the ballot count.
82. The process at TCF center was segmented into three (3 days) and each day was segmented by functions between various CB Members. The Counting Board 46 as all other counting Boards at TCF center had no chain of custody for the ballots counted or completed the work with all CB Members present.
83. 2/3 of the CB Members left at 9 pm and the many left at 12 Midnight.
84. I voiced my opinion to Sec. Supervisor Ryan who worked hard to segregate the functions and seem to be running to the center of the floor to receive directions.
85. At every 2 hours or so, Mr. Baxter would call a 'huddle' for all Section Supervisor to give instructions to Sec. Supervisors. It appeared to me that the process was again flying 'by the seat of their pants'.

86. At one point after 9 pm I approached Mr. Baxter and told him I had been at TCF in 2016 and 2018 and I have never seen anything like this process. Mr. Baxter told me this was his first time at TCF center for absentee ballot count.
87. This surprised me as Mr. Baxter was giving directions on the process. It appeared to me that Mr. Baxter was reacting to a unseen 'hand' vs. letting the process take place as naturally as CB Members were trained to do.
88. The process was waiting and waiting with no CB working then we worked for a while, stopped the process for long time, then went home. Came back the next day counted only 150 ballots and then the process broke down completely.
89. We as Counting Board Members never reconciled the number of ballots cast or certified what was in the ballot box to be taken to security.
90. We as Counting Board Members never signed the required sealed to ensure the chain of custody of documents or the accuracy of documents containing the ballot count or number of ballots processed.

DATED this [] day of November 2020.

Ann Capela