#### **ARIZONA**

BRENNAN CENTER FOR JUSTICE TWENTY YEARS





at New York University School of Law



## HOW TO BECOME A POLL WORKER

PROTECTING THE RIGHT TO VOTE



**Arizona**Poll Worker Toolkit

# **Disclaimer** This guide provides basic information and should be used as a reference only. It is not a substitute for legal advice, and it does not purport to provide a complete recitation of the relevant local, state or federal laws. The law changes frequently. The information provided may not be current and may not apply to your specific set of facts or circumstances. If you require legal advice, please consult your attorney.

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Under Law & Association of Pro Bono Counsel

#### **Table of Contents**

I.	Introduction	2
II.	Overview of Arizona's Election System	2
III	.Description of Roles	3
	a. Qualifications	3
	b. Categories of Poll Workers / Responsibilities and Duties	4
	c. Party Affiliation	7
	d. Term of Office	7
	e. Compensation	8
IV	. Application Process	9
	a. How to Apply	9
	b. Deadlines for Filing	9
V.	After Applying	11
	a. Following Up	11
	b. Overcoming Objections	11
VI	. Training Resources	13
VI	I. High-Priority Arizona Issues	14
	a. Options for Voters Without Proper ID	14
	b. Voters Who Have Moved	15
	c. Voters Who Are Not on the Rolls	15
	d. Voters Who Are Out of Precinct	16
	e. Voters Who Have Inactive Status	16
	f. Voters Who Have Changed Their Name	16
	g. Voters Who Have Received an Early Ballot	16
	h. Right to Voting Assistance	17
	i. Every Voter Standing in the Line by 7:00 PM Must Be Permitted to Vote	17
	j. Polling Place Accessibility	17
	k. Voter Mistakes on Ballots	18
	l. Voting Machine Breakdowns	18
	m. Campaigning at the Polling Place	19
	n. Voter Intimidation and Disruption	19
	o. Student Voters	20
	p. Recent or Potential Changes in Election Law to Consider	21
	q. Covid-19 Concerns	21
VI	II. Re a Proactive Poll Worker	22

#### I. Introduction

Thank you for your interest in becoming a poll worker in Arizona. By coming this far, it's clear that you cherish the principle of "one person, one vote" — a bedrock of our democracy. At the Brennan Center for Justice at New York University School of Law (BC) and the Lawyers' Committee for Civil Rights Under Law (LCCR), we also cherish that principle. Therefore, we work every day to preserve and protect the right to vote for every eligible citizen. Poll workers are an essential part of the voting process. Informed and engaged poll workers contribute to that process, benefit their communities, and help ensure the right to vote is not unduly impeded. Indeed, a lack of qualified poll workers (different from poll watchers) has been a serious impediment to voter access. When states face difficulties attracting and hiring qualified poll workers, polling places are often understaffed or mismanaged, resulting in long lines, the spreading of misinformation, and even incidents of bias and intimidation. Additionally, poll workers are often the only election officials with whom voters interact, so they play an important role in how voters experience and think about the voting process.

To address these issues, we have teamed up with the Association of Pro Bono Counsel (APBCo) to create state-specific guides to encourage qualified candidates to become poll workers who know the relevant laws and processes, how to assist and troubleshoot effectively, and how to help voters have a positive experience on Election Day.

This toolkit for Arizona provides an overview of the process for becoming a poll worker. We hope it is useful to you as both a technical and practical guide, including pointers that we have gleaned from experience. It is NOT a substitute for training materials provided by the state, county or local government. Instead, it is meant to equip qualified people like you with the information you need to become a poll worker and enjoy the important job of serving your fellow voters well. We hope this guide encourages you to join the movement and make a difference!

We would like to thank WilmerHale for its invaluable contribution to the research and preparation of this guide. Without our pro bono volunteers, this guide would not be possible.

#### II. Overview of Arizona's Election System

Arizona has a decentralized election system, with the local county board of supervisors generally responsible for election preparation and the appointment of the election board, which is in charge of conducting the election at each precinct.<sup>1</sup> Arizona has 15 counties and 91 incorporated cities and towns.<sup>2</sup>

During an election, counties pay people to work at the polls.<sup>3</sup> There are four positions established by Arizona law for working at polling sites: inspector, marshal, judge, and clerk. According to the Arizona Election Procedures Manual, these four positions "are known collectively as the 'election board' for a particular polling location." In this guide, we will use the term "poll workers" to generally describe members of the election board. These poll workers have a significant impact on the voting experience of Arizonans.

Although there are only 15 counties in Arizona, each county has multiple voting precincts.<sup>5</sup> Maricopa County alone has 748 precincts.<sup>6</sup> Some of the issues that have occurred in Arizona's polling places on Election Day include:

- Voter intimidation, which resulted in a lawsuit being filed during the 2016 election.<sup>7</sup>
- Long waits before voters could cast a ballot. The 2016 elections had wait times of more than five hours in certain locations, which caused election results to be called before some voters could cast their votes.<sup>8</sup>
- Claims of insufficient ballots at polling sites and individuals being given incorrect ballots during primary elections.<sup>9</sup>

The importance of the poll worker's role cannot be overstated. This job is vital to the voting process and essential to the well-being of our democracy. This toolkit will present you with an easy guide on how to become a poll worker in Arizona:

- Part III provides you with the roles and duties of poll workers on Election Day. In addition, it details the qualifications needed to become a poll worker.
- Part IV conveys information on the application and appointment process.
- Part V will help you understand the process after you file your application.
- Part VI details poll worker training resources.
- Part VII discusses some of the specific issues that affect poll workers in Arizona.
- Part VIII contains a list of tips on how to be a proactive poll worker.

#### **III.** Description of Roles

While the state of Arizona establishes specific rules and requirements for holding poll worker positions, much of the administration of the poll worker process is handled at the county level. <sup>10</sup> For more information, please contact your county or precinct.

Local contact information can be found on the Arizona Secretary of State's website at https://azsos.gov/county-election-info.

Arizona law requires the appointment of one inspector, one marshal, two judges, and as many clerks as needed, except where noted otherwise. <sup>11</sup> In smaller precincts with a population of less than 300 people, the board of supervisors need only appoint one inspector and two judges. <sup>12</sup>

#### a. Qualifications

To become a poll worker, you need to be a qualified and registered voter of the state of Arizona, unless you are a student poll worker.<sup>13</sup>

To become a registered voter, you must:14

- o Be a citizen of the United States;
- Be 18 years of age or older before the next general election;
- Be an Arizona resident for 29 days before the election:
- Be able to write your name or make your mark, unless prevented by physical disability;
- Not have been convicted of treason or a felony, unless restored to civil rights; AND
- o Not have been declared an "incapacitated person." <sup>15</sup>

In addition to being a registered Arizona voter, you also need to meet the following criteria to become a poll worker:

#### To Be an Arizona Poll Worker: You must: ☐ Be a qualified and registered Arizona voter or qualify as a student worker ☐ Attend a required training for select positions ☐ Have a political party affiliation for select duties □ Take an Oath of Office You must not: □ Be an elected United States, state, county, or precinct officer ☐ Be a candidate or a family member of a candidate

not enough people available in the precinct to be appointed to each election board role. 16

O You should be a registered voter in the precinct where you are a poll worker. The board of supervisors may solicit voters registered in another precinct if there are

- O You cannot be a federal, state, county or precinct official; a candidate for any office on the ballot; or the spouse, child, or parent of a candidate.<sup>17</sup>
- If you would like to be an inspector, marshal, or judge, you cannot have changed your political party affiliation or no party preference affiliation since the last general election.<sup>18</sup>
- Inspectors and judges are required to attend a training conducted by the board of supervisors not more than 45 days before the election. Once the training is completed, the inspectors and judges will receive a certificate of qualification.<sup>19</sup>
  - ✓ Marshals and clerks may also need to attend the training, depending on the requirements of their county.<sup>20</sup>
- You will need to take an oath to faithfully perform the duties imposed by law.<sup>21</sup>

#### A student under the age of 18 can also help at the polling place on Election Day.

To qualify as a student poll worker, you must:<sup>22</sup>

- ✓ Be a minor who is at least 16 years-old at the time of the election;
- ✓ Be a United States citizen at the time of the election;
- ✓ Be supervised by an adult trained as an elections officer;
- ✓ Receive training provided by the officer in charge of elections; AND
- ✓ Have written permission from your parent or guardian.

If a student misses school due to service as a student poll worker on Election Day, school districts and charter schools cannot count that absence against mandatory school attendance requirements.<sup>23</sup>

Local counties may have more specific requirements for student poll workers, so please check with your county officials if you plan to apply.

 For example, Maricopa County requires a student to submit an application that includes school permission and documentation that establishes both identity and employability.<sup>24</sup>
 Student poll workers in Maricopa County must also attend a mandatory training class.<sup>25</sup>

#### **b.** Categories of Poll Workers / Responsibilities and Duties

Arizona requires poll workers to be appointed in each county to serve as either inspector, judge, marshal or clerk. <sup>26</sup> This section describes the general duties for each category.

• According to the Arizona Election Procedures Manual, the term "poll worker" includes all the roles and functions described in detail in the following list:

#### **Inspector**

The board of supervisors appoints one inspector for each precinct.<sup>27</sup> The inspector acts as the chairman of the election board.<sup>28</sup> The other poll workers are also generally appointed by the board of supervisors, but the inspector may appoint judges, clerks, and a marshal in certain circumstances.<sup>29</sup> The inspector exercises authority over all election-related activities at the voting location, including assigning duties to other poll workers, acting as a single point of contact to provide assistance on Election Day, and implementing measures to reduce voter wait time.<sup>30</sup>

#### **Judge**

The board of supervisors appoints two Judges for each election precinct.<sup>31</sup> Judges oversee the actual voting process, including issuing ballots, assisting voters with marking ballots and using voting equipment, and completing affidavits for provisional ballots.<sup>32</sup>

#### Marshal

The board of supervisors appoints one election marshal.<sup>33</sup> The marshal's primary duties are to preserve order at the polls and ensure that there are no violations of election laws.<sup>34</sup> The marshal's duty of preserving order at the polls includes but is not limited to: ensuring there is no electioneering within 75 feet of the polling location; announcing the opening and closing of the polls; and monitoring the parking lot for security and parking availability.<sup>35</sup> The marshal also periodically measures the length of waiting times at the polling place. If the waiting time is 30 minutes or more, the marshal informs the officer in charge of elections and requests additional voting machines, voting booths, and poll workers, as appropriate.<sup>36</sup> The marshal may also perform the duties of any other election board member on a relief basis.<sup>37</sup>

#### Clerk

The board of supervisors appoints as many clerks as it deems necessary.<sup>38</sup> A clerk's primary responsibility is checking in voters, which includes maintaining the signature roster or electronic pollbook (ePollbook) and checking for proof of identification.<sup>39</sup>

Specific duties may be assigned for each specific role by county:

• Maricopa County provides the specific duties of the four primary poll workers in the chart below, as well as two additional kinds of clerks: a line management clerk and a voter registration clerk:

#### **POLL WORKER TEAM**

**Inspector:** This position is the team leader. The Inspector is in charge of delegating tasks to other Poll Workers, administering the Oath of Office, and providing assistance to voters. Assistance will include, but is not limited to, verifying voters' ID and assisting voters in using the Accessible Voting Device. Additionally, the Inspector is responsible for ensuring all policies and procedures are followed and each and every voter is able to cast their ballot in private.

Judges (2 per voting location): Judges are the back up for the Inspector. Therefore, they will aid in the same responsibilities as the Inspector such as verifying voters' ID and assisting voters with check-In, accessible voting device, and curbside voting. They are also responsible for monitoring the Envelope Drop Off Box.

**Line Management Clerk:** The function of the Line Management Clerk is to monitor and report voter wait time. They will walk the line throughout the day, directing voters with early ballots out of the line to the Envelope Drop Off Box. Additionally, they will direct voters who have difficulty standing to the front of the line. Since only registered Democrats are eligible to vote in the 2020 Presidential Preference Election, the Line Management Clerk may need to engage in conversations with voters who are not eligible to vote in the PPE.

**Voter Registration Clerk:** The primary role of the vote registration Clerk is to update voter name and address change in real time using the SiteBook. In addition, they will assist the Judge and Inspector in checking identification as needed.

**Marshal:** The Marshal is tasked with keeping order in the voting location. This includes but is not limited to maintaining proper signage, assisting voters who have difficulty standing to the front of the line, assisting with curbside voting, monitoring the Precinct-based Tabulator, and announcing the opening and closing of the polls.

**Clerk:** The Clerk is responsible for ensuring that the Affidavit Printer is properly stocked with paper and affidavit envelopes. If at a vote center, the Clerk is responsible for loading the Ballot on Demand Printer. They are also responsible for selecting the correct ballot based on the printed Control Slip and handing it to the correct voter. For provisional voting, they will ensure the Provisional Receipt, envelope, and ballot have the correct BOD codes and that the voter signs the affidavit envelope.

Figure 1: Maricopa County Poll Worker Team<sup>40</sup>

Some counties have different subcategories of clerks who perform various roles on Election Day:

- For example, Pima County designates additional clerks as follows:
  - ① **ID clerk:** Locates each voter's name in the register and compares the voter's identification to the information in the register.<sup>41</sup>
  - Poll list clerk: Enters the name and other pertinent information for everyone who casts a regular ballot in the poll list.<sup>42</sup>
  - Special situations clerk: Assists voters who are not listed in the register or who do not have accepted identification, assists with provisional ballots, and assists voters who wish to turn in early ballots at the polling place.<sup>43</sup>

#### **c.** Party Affiliation

When an election is ordered, Arizona law has specific requirements regarding the party affiliation of its poll workers.

- To be considered for appointment as an inspector, marshal or judge, you cannot have changed your political party or party preference affiliation since the last preceding general election.<sup>44</sup>
- If the inspector, marshal, and judges are members of the two political parties with the most votes at the last general election, the positions must be divided equally between those two parties. 45
- There must be an equal number of inspectors from each of the two political parties in every county. 46
- The marshal and inspector for a precinct need to be from opposing political parties. 47
- There are no party affiliation requirements for clerks. 48

In a non-partisan election, there is no need to consider the political party of the inspectors, marshals, and judges.<sup>49</sup>

#### **d.** Term of Office

Arizona law does not specifically state how long someone's appointment as a poll worker should last. However, the law does state that the local board of supervisors must make poll worker appointments not less than 20 days before each general and primary election.<sup>50</sup> As a result, it is understood that your appointment as a poll worker expires when the election is over.<sup>51</sup>

#### **e.** Compensation

Compensation is fixed by the county board of supervisors, but a poll worker cannot be paid less than 30 dollars per day.<sup>52</sup> Below are some examples of current compensation in several counties:

- Pinal County pays inspectors \$250 (which includes \$50 for class attendance), while judges, clerks and marshals are paid \$200 (including \$50 for class attendance). <sup>53</sup>
- In Coconino County, all poll workers are paid \$90 for working on Election Day, \$20 for attending the training session, and \$10 for a one-hour pre-setup meeting.<sup>54</sup>

#### IV. Application Process

#### a. How to Apply

#### **Appointment Process**

Each position for poll worker is filled through appointment. The board of supervisors appoints the poll workers from a list of precinct voters submitted by party chairmen at least 90 days before the election.<sup>55</sup>

#### **Applications**

Counties have their own online applications to become a poll worker. These applications range from a formal application to filing a request by email. Links to examples of county applications include:

#### **Ounty:**

• <a href="https://www.gilacountyaz.gov/government/elections/docs/Poll\_Worker\_Request\_Form2.pdf">https://www.gilacountyaz.gov/government/elections/docs/Poll\_Worker\_Request\_Form2.pdf</a>

#### **Maricopa County:**

• <a href="https://recorder.maricopa.gov/elections/electionboardworker.aspx">https://recorder.maricopa.gov/elections/electionboardworker.aspx</a>

#### **Pima County:**

• https://webcms.pima.gov/cms/One.aspx?portalId=169&pageId=266355

Contact information for county election officials can also be found on the Secretary of State's website, here: <a href="https://azsos.gov/elections/voting-election/contact-information-county-election-officials">https://azsos.gov/elections/voting-election/contact-information-county-election-officials</a>.

#### **b.** <u>Deadlines for Filing</u>

In most precincts, the board of supervisors appoints poll workers not less than 20 days before the general or primary election. <sup>56</sup> If there is no qualified person to serve as inspector in a precinct, the inspector can be chosen from a list of names provided by the county party chairman of the two largest political parties. <sup>57</sup>

In addition, for a nonpartisan election, the governing board holding the election has to appoint a minimum of three poll workers (one inspector and two judges) for each polling place not less than 20 days before the election. <sup>58</sup>

It's always a good idea to submit your application more than 20 days before the election, so you can be sure that your application is considered.

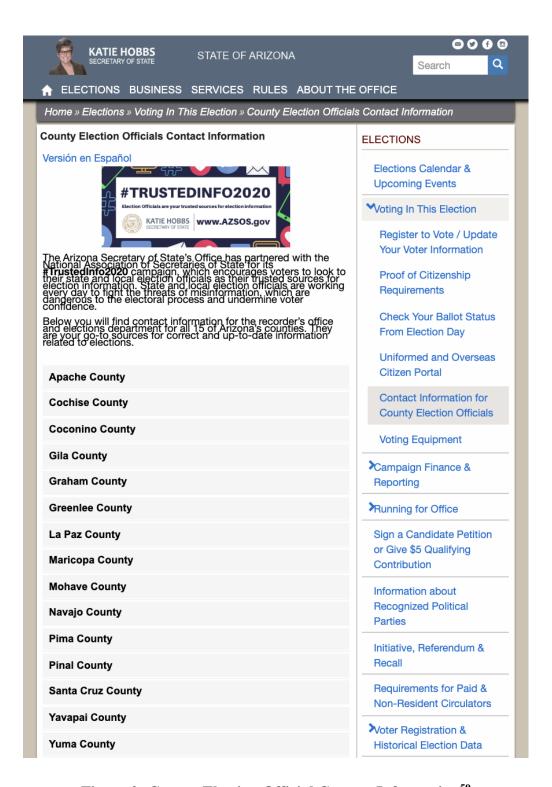


Figure 2: County Election Official Contact Information<sup>59</sup>

#### V. After Applying

#### **a.** Following Up

You can make sure that your application is received by your local county board of elections by sending it by certified mail with receipt of delivery, or by delivering it in person.

If you submitted your application online, you can contact your local county election officials to confirm that they received it.

To find contact information for your local election department, visit
 https://azsos.gov/elections/voting-election/contact-information-county-election-officials.

 You can contact your local election officials with any follow-up questions you might have about your application.

#### **b.** Overcoming Objections

Arizona Election Law does not provide any procedure for filing an objection to the appointment of a poll worker. However, the law does state that nothing prevents the board of supervisors or governing body from removing or refusing to reappoint an election member for cause.<sup>60</sup>

#### TIPS

- To ensure that your application is considered, you should take the time to provide all information requested in the application, including your party affiliation if asked.
- Make sure you are registered to vote before you file your application. You may register to vote either in person or mail with the county recorder's office where you reside. 61
- If you have an Arizona driver's license and/or an Arizona non-operating ID card issued by the Motor Vehicle Division (MVD), you may register to vote through Service Arizona EZ Voter Registration at <a href="https://servicearizona.com/VoterRegistration/register?execution=e1s1">https://servicearizona.com/VoterRegistration/register?execution=e1s1</a>.

### ServiceArizona 🏻 🏎

#### Voter Registration

Upcoming Election Dates	Voter Registration Deadline
August 4, 2020	July 6, 2020
November 3, 2020	October 5, 2020

Voter Registration Applications must be completed 29 days prior to an election in order to be "registered to vote in that election."

#### Use this online voter registration process to:

- · Register to vote for the first time
- · Update your address, political party preference, permanent early voting status or any other information on your voter registration record
- To check the status of your voter registration, click here
- · To find your polling place, click here

#### Voter registration is a quick and simple process:

#### (Cambie a Español)

- · Verify voter registration eligibility
- · Enter personal information
- · Confirm or update address information
- · Enter voter registration information
- · Print or Email voter registration receipt
- · Provide feedback

To register to vote or make changes to an existing voter registration, please complete the brief application that follows.



Have questions? Check out our Info Page.

Figure 2: Website to Check If You Are a Registered Voter<sup>62</sup>

#### VI. Training Resources

Not more than 45 days before an election, the board of supervisors will conduct a class instructing poll workers on the voting system to be used and the election laws applicable to the upcoming election.<sup>63</sup> Inspectors and judges are required to receive this training in order to serve in an election.<sup>64</sup>

The board of supervisors can also approve an alternate method of instruction and testing for poll workers, which may include at least eight classroom hours of instruction and must include a written examination on election law and election procedures. <sup>65</sup> A poll worker who successfully completes these requirements can be certified as a premium board worker and will not be required to take any additional training classes for at least 30 months. <sup>66</sup>

Below are examples of training manuals for poll workers:

#### **Maricopa County**

✓ <a href="https://recorder.maricopa.gov/pollworkermaterials/Election%20Day%20Training%20Manual.pdf">https://recorder.maricopa.gov/pollworkermaterials/Election%20Day%20Training%20Manual.pdf</a>

#### **Pima County**

- ✓ *Inspectors*:
  - https://webcms.pima.gov/UserFiles/Servers/Server\_6/File/Government/elections/ Election%20Results%20and%20Information/2020%20Inspectors%20WEB%20E dition%20PRI.pdf
- ✓ Judges:
  - $\frac{https://webcms.pima.gov/UserFiles/Servers/Server\_6/File/Government/elections/}{Election\%20Results\%20and\%20Information/2020\%20Judges\%20WEB\%20Edition\%20PRI.pdf}$
- ✓ Marshals and clerks: <a href="https://webcms.pima.gov/UserFiles/Servers/Server-6/File/Government/elections/pdfs/Poll%20Workers/Clerks%20and%20Marshals%20Handbook.pdf">https://webcms.pima.gov/UserFiles/Servers/Server-6/File/Government/elections/pdfs/Poll%20Workers/Clerks%20and%20Marshals%20Handbook.pdf</a>

#### **Pinal County**

✓ <a href="https://www.pinalcountyaz.gov/elections/Documents/Poll%20Worker%20Resources/2020%20Primary%20Election%20Poll%20Worker%20Manual.pdf">https://www.pinalcountyaz.gov/elections/Documents/Poll%20Worker%20Resources/2020%20Primary%20Election%20Poll%20Worker%20Manual.pdf</a>

#### VII. High-Priority Arizona Issues

#### a. Options for Voters Without Proper ID

Voters are required to present identification on Election Day.<sup>67</sup> Acceptable forms of identification include:<sup>68</sup>

- List 1—Photo ID with the voter's name and address that reasonably matches the name and address in the signature roster or e-pollbook:
  - Valid Arizona driver license
  - o Valid Arizona non-operating identification license
  - o Tribal enrollment card or other tribal identification
  - o Valid United States federal, state, or local government-issued identification
- List 2—Non-photo ID with the voter's name and address: (These may be presented in electronic format, including on a smart phone or tablet)
  - O Utility bill dated within 90 days of the election
  - o Bank or credit union statement dated within 90 days of the election
  - Valid Arizona vehicle registration
  - Valid Indian or Native American census card
  - o Property tax statement for the voter's residence
  - O Valid tribal enrollment card or other tribal identification
  - Valid Arizona vehicle insurance card
  - Valid Recorder's Certificate
  - o Any mailing marked "Official Election Material," including a valid Arizona voter registration card
  - o Any valid United States federal, state, or local government-issued identification
- List 3—Acceptable hybrid forms of ID, including:
  - O A valid photo identification from List 1 with an address that does not reasonably match the voter's address in the signature roster or e-pollbook, accompanied by a document from List 2 with an address that does reasonably match the voter's address in the signature roster or e-pollbook
  - o A valid U.S. Passport or passport card, accompanied by a document from List 2
  - o A valid U.S. Military identification, accompanied by a document from List 2

Identification is deemed valid unless it can be determined on its face that it has expired.<sup>69</sup>

#### **Vote by Provisional Ballot:**

If the address on a voter's identification does not reasonably match their address in the signature roster or e-pollbook, the voter may vote by provisional ballot. To vote by provisional ballot, the voter must sign their name on a separate signature roster page, and, together with a poll worker, fill out the provisional ballot envelop. The voter must then vote the provisional ballot in the voting booth and place the voted ballot inside the provisional ballot envelope. The sealed envelope must then be placed in the provisional ballot box. The voter must be provided with a

receipt or number that allows them to electronically verify the status of their provisional ballot. All voters must have the option of voting a provisional ballot on an accessible voting device.<sup>70</sup>

#### **Vote by Conditional Provisional Ballot:**

If a voter does not provide valid proof of identity, they may still vote by conditional provisional ballot. The process for submitting a conditional provisional ballot is similar to a provisional ballot, except:<sup>71</sup>

- The poll worker must also indicate on the ballot envelope that the voter did not provide acceptable identification
- The sealed envelope must be deposited in the conditional provisional ballot box
- The poll worker must provide a receipt that informs the voter:
  - O That they must provide proof of identity to the County Recorder by 5:00 pm on the 5<sup>th</sup> business day following a general election or the 3<sup>rd</sup> business day following a non-general election; and
  - o How and where they may provide the required identification.

#### **b.** Voters Who Have Moved<sup>72</sup>

#### Within the County:

If a voter moved to a new address within the *same* county but did not update their address with the County Recorder before the election, the voter may vote by provisional ballot; however, **they must do so at their new polling place** in order for the vote to count. At the new polling place, the voter will be able to update their address via the provisional ballot envelope.

If a voter moved to a new address in a jurisdiction that utilizes vote centers, they can vote by provisional ballot at any vote center within the jurisdiction. If the election board has real-time access to voter registration records, the voter can update their address on site by filling out a new voter registration form or address update form.

Voters have the right to vote provisional ballot at their old polling place; however, a poll worker must inform them that their vote will **not** count if cast at that location.

#### To a New County:

Voters who have moved to a *different* county more than 29 days before election day must update their voter registration in order to vote. They may **not** cast a provisional ballot at the polling place that corresponds with their new address. However, voters who have moved to a different county within 29 days of election day remain registered and must vote in their **former** county.<sup>73</sup>

#### **c.** Voters Who Are Not on the Rolls<sup>74</sup>

A voter whose name does not appear on the signature roster must be issued a **provisional ballot** if the voter:

 Presents identification that includes their name and residential address that is within the precinct (in counties that conduct assigned polling place elections); or • Signs an affirmation stating that they are registered and eligible to vote in the jurisdiction.

A voter who presents a County Recorder certificate showing that they are entitled to vote at the voting location, may vote by **regular ballot**. They must also sign the signature roster if they are in a jurisdiction that uses a paper roster.

#### **d.** <u>Voters Who Are Out of Precinct<sup>75</sup></u>

If a voter attempts to vote in the wrong precinct, a poll worker should direct them to the correct polling location or, if applicable, to a vote center. The voter can also vote by provisional ballot. In February 2020, a federal District Court struct down an Arizona law that required provisional ballots cast at the wrong precinct to be discarded. However, the Ninth Circuit stayed the decision, allowing Arizona's Attorney General to file a petition of certiorari to the Supreme Court. The Attorney General's petition will be considered by the Supreme Court in the fall of 2020, so please contact your local election officials for the latest guidance on provisional ballots cast at the wrong precinct.

The same procedure should be followed for out-of-precinct voters whose registration records show they are in "inactive status." <sup>79</sup>

#### **e.** Voters Who Have Inactive Status<sup>80</sup>

Voters who appear to be in "inactive status" must still be issued **regular ballots** as long as they affirm that they continue to reside at the address on the signature roster or e-pollbook. After the election, the County Recorder must update the voter's registration record to "active status."

#### f. Voters Who Have Changed Their Name<sup>81</sup>

If a voter's new name does not appear in the signature roster or e-pollbook, the voter must be issued a **provisional ballot** or **conditional provisional ballot**. The clerk should write the voter's new name and former name on the provisional ballot envelope so that County Recorder can update the voter's name in the registration database after the election. If the election board has real-time access to voter registration records, they may also update the voter's name on site, once the voter completes a new registration or address update form.

#### **g.** Voters Who Have Received an Early Ballot<sup>82</sup>

A voter who has received an early ballot-by-mail must be allowed to vote by **provisional ballot** on election day if they either (1) affirm that they have not and will not vote by mail; or (2) surrender the ballot-by-mail to the inspector.

Voters may also complete their ballot-by-mail on election day in a voting location privacy booth. They can then deposit their ballot-by-mail, sealed in the signed affidavit envelope, at the voting location's early ballot drop-off container. If a voter does this, they should not sign in at the voting location.

#### **h.** Right to Voting Assistance<sup>83</sup>

Voters may be accompanied and assisted by a person of their choice during any part of the voting process. Anyone may assist a voter at their request, except for the voter's employer or union representative, or a candidate appearing on the ballot.

If a voter requests assistance from the election board, two board members from different political parties should:

- Jointly accompany the voter into the voting booth or to the accessible voting equipment;
- Audibly read the candidate's names for each office, including party designations and the number to elect;
- Audibly read the relevant information pertaining to any ballot measures;
- Ask the voter what candidates and issues the voter desires to vote for;
- If requested, instruct the voter how to operate any accessible voting equipment, including what to expect for the recorded instructions and what keys to use to move forward or go back on the screen.

No one assisting a voter may attempt to influence their choice of candidates or issues or make recommendations or suggestions. When assisting voters, poll workers should also speak only as loudly as necessary to assist the voter, and should protect their privacy as much as possible.

#### **i.** Every Voter Standing in the Line by 7:00 PM Must Be Permitted to Vote<sup>84</sup>

Everyone who is physically in line when the polls close at 7:00 pm must be allowed to vote. Voters who arrive after 7:00 pm may not vote. The marshal must ensure this by, for example, standing in line behind the last person to arrive by 7:00 pm and telling those who arrive later that the polls are closed.

#### j. Polling Place Accessibility

Voting locations must comply with the Americans with Disabilities Act (ADA) Standards for Accessible Design<sup>85</sup>, as well as with state requirements. These requirements include seating, rest stops, adequate lighting, and stair specifications. Voting locations must also have at least one accessible voting booth and voting device, and at least one magnifying instrument. Paper and pencil must be made available for voters with hearing disabilities. In statewide elections, each county must also have at least one large print version of the publicity pamphlet for each polling place, vote center, and early voting site.

Curbside voting may also be provided to senior citizens or voters with disabilities as a reasonable accommodation or when the county officer in charge of elections determines that a voting location is inaccessible, that no accessible sites are available, and that no temporary measures can make it accessible. If curbside voting is offered, the following guidelines must be met:

• A sign shall be posted at or near the entrance to the voting location or the accessible parking spaces: (1) stating that curbside voting is available at that location; (2) notifying voters that they can relay a message through a companion or other nearby person to the

- election board that the voter wishes to vote; and (3) providing a telephone number or other means to call to request curbside voting assistance or for additional information.
- The election official, using the precinct register or e-pollbook, shall: (1) verify the registration status of the senior or voter with a disability; (2) verify the voter's identification; and (3) notify the inspector.
- The inspector shall direct the two election board workers (with different political party affiliations) to: (i) proceed to the curbside with an appropriate ballot (and if needed, a provisional ballot affidavit); (ii) permit the voter to privately vote their ballot after having signed the signature roster, electronic signature pad, or curbside voter affidavit form; and (iii) place the voted ballot in a secrecy sleeve.
- The election board workers shall then return to the voting area and present the ballot to the inspector, who shall deposit the ballot in the tabulation unit or ballot box.

#### k. Voter Mistakes on Ballots

If a voter makes a mistake on their ballot, they must present it to the election judge, concealing any votes they have made. Either the voter or the judge must mark the ballot as spoiled, and the judge must give the voter another ballot. Voters are allowed to use no more than three ballots. <sup>86</sup>

If a voter has clearly indicated their intent to vote on a particular race or ballot measure, but their ballot is damaged or defective and cannot be read by a tabulation machine, a ballot duplication board must create and count a duplicate ballot. Generally, only absentee ballots, early ballots, and ballots cast at voting locations without a tabulation machine will need to be duplicated at central counting facilities. Voters who are voting in-person at a location with a tabulation machine should be able to feed their ballots directly into the tabulation machine and correct unreadable ballots or ballots read as over-voted or blank on-site.<sup>87</sup>

#### **L.** <u>Voting Machine Breakdowns</u><sup>88</sup>

The officer in charge of elections must develop a written contingency plan that outlines how to ensure continuity in voting if election operations are significantly disrupted on election day. The plan may include:

- Sending voters to an alternative voting location,
- Extending voting hours, or
- Temporarily closing a voting location until the problem has been resolved.

The contingency plan must also include a strategy for tabulating ballots in case of central count equipment failure. If a county experiences a complete loss of its central count equipment or use of its central counting place, it may transport ballots across county lines. However, a county must exhaust all possible options before transporting ballots across state lines.

The officer in charge of elections must file the contingency plan with the Secretary of State at least 10 days before the election and brief all key staff members on it before election day. The officer in charge of elections must also notify the Secretary of State and recognized political parties if they invoke a tabulation contingency plan.

#### **m.** Campaigning at the Polling Place<sup>89</sup>

Electioneering is prohibited within 75 feet of a voting location. It is also prohibited beyond 75 feet if it is audible from inside the voting location, or if a County Recorder or other officer in charge of elections grants an emergency designation to the voting location. The 75-foot limit is measured from the main outside entrance of the voting location. The marshal must enforce the electioneering ban on Election Day, and in exceptional circumstances, law enforcement may be called to assist.

Arizona election law defines electioneering as knowingly, intentionally, and verbally expressing support for, or opposition to, a candidate or ballot measure on the ballot in that election, or a political party with one or more candidates who appear on the ballot in that election, in order to induce or compel another person to vote in a particular manner or to refrain from voting.<sup>91</sup>

The electioneering ban applies to everyone, including members of the election board, other election officials, political party observers, and any voter within 75 feet of the voting site. While voters and their assistants may wear clothing with political messages, election board members, other election officials, and political party observers may **not** wear, carry, or display any materials that identify or express support or opposition for a political party, political organization, or a candidate or ballot measure appearing on the ballot.

#### **n.** Voter Intimidation and Disruption

#### **Voter Intimidation**<sup>92</sup>

Voter intimidation includes threatening, harassing, intimidating, or coercing voters (or conspiring with others to do so) inside or outside the 75-foot limit at a voting location. Intimidating conduct may also include:

- Aggressive behavior, such as raising one's voice or taunting a voter or poll worker;
- Using threatening, insulting, or offensive language to a voter or poll worker;
- Blocking the entrance to a voting location;
- Disrupting voting lines;
- Intentionally disseminating false or misleading information at a voting location, such as
  flyers or communications that misstate the date of the election, hours of operation for
  voting locations, addresses for voting locations, or similar efforts intended to
  disenfranchise voters;
- Directly confronting or questioning voters in a harassing or intimidating manner;
- Asking voters for "documentation" or other questions that only poll workers should perform;
- Raising repeated frivolous voter challenges to poll workers without any good faith basis, or raising voter challenges solely based on race, ethnicity, national origin, language, religion or disability; or
- Posting signs or communicating messages about penalties for "voter fraud" in a harassing or intimidating manner.

Poll workers must prevent and remedy voter intimidation. The officer in charge of elections should publicize and/or implement the following guidelines, as applicable:

- The inspector must use the marshal to preserve order and remove disruptive persons from the voting location. The inspector and/or marshal should decide whether to contact law enforcement. Any higher-level decisions should be raised through the officer in charge of elections.
- If someone witnesses problems at a voting location, they should inform the inspector or marshal and allow them to resolve the issue. People should not attempt to "enforce" the law themselves.
- Private citizens may not bring weapons into a polling place or within the 75-foot limit, even if they are licensed to carry such weapons.

#### Photography Ban<sup>93</sup>

No photography or video recording is permitted within the 75-foot limit at a voting location. <sup>94</sup> There is no exception for members of the media.

#### **Access Restrictions**<sup>95</sup>

Only authorized persons are allowed within the 75-foot limit at a voting location. These people include:

- Members of the election board
- Election officials
- Voters (including minor children accompanying the voter)
- A person selected by the voter to assist them voting
- Authorized political party observers
- U.S. Department of Justice or other authorized federal government observers

The following people may **not** be present within the 75-foot limit:

- Members of the media
- Researchers
- People conducting exit polls
- Political party or campaign representatives without authorized political party observer status seeking "tear sheets." 96

#### **o.** Student Voters

Arizona election law defines a "resident" as an individual who has an actual physical presence in the state or political subdivision, combined with an intent to remain there. A temporary absence does not terminate residency if the person intends to return following their absence. An individual may only have one residence. <sup>97</sup>

Students attending school in Arizona may choose to register at their campus address, as long as they will have lived there for at least 29 days before the election. Students from Arizona attending school in another state may also choose to remain registered at their permanent or home address. However, students may only be registered and vote in one location.

Some student IDs may also be used as acceptable voter identification at the polls. IDs issued by public colleges, universities, or other public educational institutions in Arizona are considered "government-issued" IDs, and should be accepted by poll workers as long as they contain the voter's photo, name, and address that reasonably matches the name and address in the signature roster or e-pollbook. Student photo IDs from public colleges or universities that do not include the student's address can still be used to prove identity in combination with another document that bears the student's address, such as a bank statement or utility bill. <sup>100</sup>

#### **p.** Recent or Potential Changes in Election Law to Consider

#### **New Secretary of State**

Arizona elected Katie Hobbs as the new Secretary of State in November 2018. Hobbs previously served as the Arizona Senate Minority Leader. Hobbs has listed election security and building relationships with election leaders across the state as some of her priorities ahead of the 2020 elections. Local Property of State in November 2018. Hobbs previously served as the Arizona Senate Minority Leader. Hobbs has listed election security and building relationships with election leaders across the state as some of her priorities ahead of the 2020 elections.

#### Challenges to Ballot Harvesting and Out-of-Precinct Voting Laws<sup>103</sup>

Arizona recently passed ballot harvesting and out-of-precinct voting laws that are being challenged in a currently-ongoing case. These laws (1) prohibit anyone but a family member or caregiver from returning early ballots for another person, and (2) require ballots cast in the wrong precinct to be discarded. In early 2020, a federal appeals court struck down these laws in a case called *DNC v. Hobbs*. <sup>104</sup> However, the same court stayed its ruling after Arizona Attorney General Mark Brnovich asked the U.S. Supreme Court to hear the case. <sup>105</sup> This stay will be in effect until the court decides whether or not to hear the case. For the time being, the ballot harvesting and out-of-precinct laws are still in effect. Please contact your local election officials for the most updated guidance on the status of the laws.

#### **Voting Restoration for People Convicted of a Felony**

In 2019, Arizona enacted a law that allows people with one felony conviction to have their voting rights automatically restored before they pay off certain types of legal financial obligations. They are, however, still required to pay restitution. <sup>106</sup>

#### **New Primary Election Date**

Arizona moved its primary election date to the first Tuesday in August (August 4, 2020), which is three weeks earlier than in past election cycles. The new voter registration deadline to vote in the primary will be July 6, and early ballots will be mailed out July 8. <sup>107</sup>

#### **New Statewide Voter Registration Database**

In November 2019, 13 of Arizona's 15 counties transitioned to the Access Voter Information Database (AVID) voter registration system. Maricopa and Pima Counties continue to have their own voter registration systems; however, they did send data to AVID to make sure voter records

are accurate statewide. Through AVID, voters will be able to look up their voting history and make sure their registration status is accurate. 108

#### **q.** COVID-19 Concerns

In response to the COVID-19 pandemic, Governor Doug Doucey issued an Executive Order on July 22 providing additional support to Secretary of State Katie Hobbs in identifying additional polling sites and securing sufficient PPE to protect in-person voting during the primary and general elections. Additionally, Arizona allows no excuse vote by mail, available for all voters, which voters can access online or by calling their local County Recorder's office. The spread of COVID-19 means that information and election practices are changing rapidly. You should contact your local election administrator to verify all information in this guide before relying on information contained herein.

#### VIII. Be a Proactive Poll Worker<sup>111</sup>

A good poll worker is proactive and focused on the voter's experience. You should be sensitive to voters' needs and treat every voter like a valued guest. When in doubt, err on the side of protecting the voters' right to vote. If you are prepared, respectful, positive, attentive, and courteous, voters will come away satisfied

and more eager to return for the next election.

#### Be Prepared

Preparation is key to ensure Election Day runs smoothly at your polling place. One of the most common voter complaints on Election Day is the long line at the polling place. You can significantly reduce this hassle through organization, anticipating issues, and quickly resolving problems as they arise. For example, a poll worker can be prepared by:

- Regularly checking the supplies (like ballots or pens) to prevent a shortage that would halt the voting process;
- Ensuring that entryways are not blocked;
- Researching available resources in advance;
- Having a cheat sheet with answers to frequently asked questions and references you can contact immediately for help; AND
- Having alternatives at hand (what alternative IDs are valid, etc.)

#### Be Respectful

Be respectful to every voter. Treat all voters with courtesy, regardless of differences in political affiliation, race, gender, age, ethnicity, or religion. All voters have the right to vote without feeling uncomfortable or discouraged.



**Be Attentive** 

**Be Courteous** 

\*\*\*\*\*

#### **Be Positive**

The voter's experience, whether good or bad, is marked by your attitude. Work to de-escalate tension if there is confrontation or frustration. If you are supportive and solution-oriented, the voters will have a positive impression of the voting process.

#### **Be Attentive**

As is the case with any customer service, be attentive and responsive. If a voter seems confused, ask if he or she needs help. Be inquisitive, but not disruptive, to make sure voters who want assistance can get it quickly. But be mindful of cues that a voter may want some space.

#### **Be Courteous**

When the voters enter, offer a warm greeting, make eye contact, introduce yourself, and let them know you are there to help. Welcome voters by name, if you know them. By making the voters feel valued, they will have a positive impression of the election process and will be more likely to return.

<sup>&</sup>lt;sup>1</sup> ARIZ. REV. STAT. §§ 16-404, 16-405, 16-531(A), 16-570 (2020).

<sup>&</sup>lt;sup>2</sup> Arizona State and Local Government Information, ARIZ. ST. U. LIBR., https://libguides.asu.edu/salad/cities (last visited June 22, 2020).

<sup>&</sup>lt;sup>3</sup> ARIZ. REV. STAT. § 16-536.

<sup>&</sup>lt;sup>4</sup> ARIZONA SEC'Y OF STATE'S OFFICE, 2019 ELECTIONS PROCEDURES MANUAL 133, https://azsos.gov/sites/default/files/2019 ELECTIONS PROCEDURES MANUAL APPROVED.pdf (citing ARIZ. REV. STAT. § 16-531(G)).

<sup>&</sup>lt;sup>5</sup> Id. at 128; see also Voter/District Boundaries Map Viewer, PINAL COUNTY, https://www.pinalcountyaz.gov/bos/Pages/VoterMapViewer.aspx (last visited June 22, 2020).

<sup>&</sup>lt;sup>6</sup> Maricopa County Elections Department, https://recorder.maricopa.gov/elections/ (last visited June 22, 2020).

<sup>&</sup>lt;sup>7</sup> Emma Green, The Disturbing Details of Trump's Alleged Voter-Intimidation Efforts, ATLANTIC (Nov. 1, 2016), https://www.theatlantic.com/politics/archive/2016/11/poll-monitoring-voter-intimidation-lawsuits/506078/.

<sup>&</sup>lt;sup>8</sup> Complaint ¶ 1, Huerena v. Reagan, No. CV2016-007890 (Ariz. Sup. Ct. June 2, 2016), https://lawyerscommittee.org/wp-content/uploads/2016/06/Maricopa-County-Complaint\_060216.pdf; Anne Ryman et al, Arizona Primary: Maricopa County Had One Polling Site for Every 21,000 Voters, ARIZ. REPUBLIC (Mar. 22, 2016), https://www.azcentral.com/story/news/politics/elections/2016/03/22/live-arizona-primary-coveragepresidential-preference-election/82096726/.

<sup>&</sup>lt;sup>9</sup> Voters Given Wrong Ballots in Arizona Primary, Poll Worker Says, PBS NEWSHOUR (Apr. 25, 2016), https://www.pbs.org/newshour/politics/voters-given-wrong-ballots-in-arizona-primary-poll-worker-says. <sup>10</sup> See Ariz. Rev. Stat. § 16-531(A) (2020).

<sup>&</sup>lt;sup>11</sup> *Id*.

<sup>&</sup>lt;sup>12</sup> Id. § 16-531(B).

<sup>&</sup>lt;sup>13</sup> *Id.* § 16-531; *see also* ARIZONA SECRETARY OF STATE'S OFFICE, *supra* note 4, at 133.

<sup>&</sup>lt;sup>15</sup> Under Arizona law, an "incapacitated person" means "any person who is impaired by reason of mental illness, mental deficiency, mental disorder, physical illness or disability, chronic use of drugs, chronic intoxication or other cause, except minority, to the extent that he lacks sufficient understanding or capacity to make or communicate responsible decisions concerning his person." Id. § 14-5101.

<sup>&</sup>lt;sup>16</sup> *Id.* § 16-531(A).

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<sup>17</sup> Id. § 16-531(D); ARIZONA SECRETARY OF STATE'S OFFICE, supra note 4, at 133. However, if you hold the office
of precinct committeeman or are a candidate for that office, you may still be qualified to be a poll worker. § 16-
531(D).
<sup>18</sup> ARIZ. REV. STAT. § 16-531(A).
<sup>19</sup> Id. § 16-532(A); 2019 ELECTIONS PROCEDURES MANUAL, supra note 4, at 136.
<sup>20</sup> ARIZ. REV. STAT. § 16-532(A); 2019 ELECTIONS PROCEDURES MANUAL, supra note 4, at 136.
<sup>21</sup> ARIZ. REV. STAT. § 16-534(C).
<sup>22</sup> Id. § 16-531(F).
<sup>23</sup> Id. § 16-531(H).
<sup>24</sup> Teen Board Worker Information, MARICOPA COUNTY RECORDER
https://recorder.maricopa.gov/elections/teenboardworker.aspx (last visited June 25, 2020). For a list of documents
that are sufficient to establish a student's identity and employability, see Step-Up brochure (2016) at 3,
https://recorder.maricopa.gov/pdf/stepup brochure.pdf (last visited June 25, 2020).
<sup>25</sup> Teen Board Worker Information, supra note 23.
<sup>26</sup> ARIZ. REV. STAT. § 16-531(A); see also 2019 ELECTION PROCEDURES MANUAL, supra note 4, at 132–34.
<sup>27</sup> ARIZ. REV. STAT. § 16-531(A).
<sup>28</sup> Id. § 16-534(A).
<sup>29</sup> Id.
<sup>30</sup> 2019 ELECTIONS PROCEDURES MANUAL, supra note 4, at 134-35.
<sup>31</sup> ARIZ. REV. STAT. § 16-531(A).
<sup>32</sup> 2019 ELECTIONS PROCEDURES MANUAL, supra note 4, at 135-36.
<sup>33</sup> ARIZ. REV. STAT. § 16-535(A).
<sup>34</sup> Id. § 16-535(B).
<sup>35</sup> See 2019 ELECTIONS PROCEDURES MANUAL, supra note 4, at 135.
<sup>36</sup> ARIZ. REV. STAT. § 16-535(B).
<sup>37</sup> Id.
Id.§ 16-531(A).
<sup>39</sup> See 2019 ELECTIONS PROCEDURES MANUAL, supra note 4, at 134.
<sup>40</sup> MARICOPA CTY. ELECTIONS DEP'T, PRESIDENTIAL PREFERENCE ELECTION: ELECTION DAY POLL WORKER
Training 14 (2020).
https://recorder.maricopa.gov/pollworkermaterials/Election%20Day%20Training%20Manual.pdf.
<sup>41</sup> See Pima Cty, Elections, Clerks & Marshalls Web Handbook 20–27 (2018).
https://webcms.pima.gov/UserFiles/Servers/Server 6/File/Government/elections/pdfs/Poll%20Workers/Clerks%20a
nd%20Marshals%20Handbook.pdf.
<sup>42</sup> See id. at 29–33.
<sup>43</sup> Id. at 34–35.
<sup>44</sup> ARIZ. REV. STAT. § 16-531(A) (2020).
<sup>45</sup> Id.
<sup>46</sup> Id.
<sup>47</sup> Id.
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- <sup>48</sup> See id.
- <sup>49</sup> *Id*.§ 16-531(C).
- <sup>50</sup> *Id.* § 16-531(A).
- <sup>51</sup> See U.S. Election Assistance Comm'n, State-by-State Compendium: Election Worker Laws & STATUTES 11 (3d ed. 2016), https://www.eac.gov/assets/1/28/Compendium.2016.pdf.
- <sup>52</sup> Ariz. Rev. Stat. § 16-536.
- <sup>53</sup> PINAL CTY. ELECTIONS DEP'T, INSTRUCTION MANUAL FOR PRECINCT POLL WORKERS: 2020 PRIMARY ELECTION

https://www.pinalcountyaz.gov/elections/Documents/Poll%20Worker%20Resources/2020%20Primary%20Election %20Poll%20Worker%20Manual.pdf.

<sup>54</sup> COCONINO COUNTY, ELECTION BOARD WORKER BROCHURE, available at:

http://www.coconino.az.gov/DocumentCenter/View/14279/EBW-Brochure-2017?bidId= (last visited June 26, 2020).

- <sup>55</sup> ARIZ. REV. STAT. § 16-531(A).
- <sup>56</sup> *Id*.

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<sup>57</sup> Id.
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https://azsos.gov/elections/voting-election/register-vote-or-update-your-current-voter-information (last visited June 26, 2020).

- <sup>62</sup> Voter Registration, SERVICE ARIZONA, https://servicearizona.com/webapp/evoter/register?execution=e1s1 (last visited June 26, 2020).
- <sup>63</sup> ARIZ. REV. STAT. § 16-532(A).
- <sup>64</sup> *Id*.
- <sup>65</sup> *Id.* § 16-532(D).
- <sup>66</sup> *Id*.
- <sup>67</sup> *Id.* § 16-579(A). Note, the same requirements for proving identity now also apply during in-person early voting, including at an on-site early voting location, emergency vote center, or through personal early ballot delivery by a special election board.
- <sup>68</sup> 2019 ELECTIONS PROCEDURES MANUAL, *supra* note 4, at 182.
- <sup>69</sup> *Id*; see also ARIZ. REV. STAT. § 16-579(A)(1)(a).
- <sup>70</sup> 2019 ELECTIONS PROCEDURES MANUAL, *supra* note 4, at 182, 188.
- <sup>71</sup> ARIZ. REV. STAT. § 16-579(A)(2); 2019 ELECTIONS PROCEDURES MANUAL, *supra* note 4, at 189.
- <sup>72</sup> 2019 ELECTIONS PROCEDURES MANUAL, *supra* note 4, at 187.
- <sup>73</sup> *Id.* at 30–31.
- <sup>74</sup> *Id.* at 186; *see also* ARIZ. REV. STAT. § 16-584(B).
- <sup>75</sup> 2019 ELECTIONS PROCEDURES MANUAL, *supra* note 4, at 187-88; *see also* ARIZ. REV. STAT. § 16-584(A).
- <sup>76</sup> See Democratic Nat'l Comm. v. Hobbs, 948 F.3d 989 (9th Cir. 2020) (en banc); Bob Christie & Jacques Billeaud, Appeals Court Throws Out Arizona Ballot Harvesting Law, AP (Jan. 28, 2020),

https://apnews.com/d6b75b7a1c2da695d756cb4e864cd2b8; Michael Wines, *Voting Will Be Easier in a Key State for the Presidential Race*, N.Y. TIMES (Jan. 28, 2020), https://www.nytimes.com/2020/01/28/us/arizona-voting-law-ruling.html.

- <sup>77</sup> Dem. Nat'l Comm. v. Hobbs, No. 18-15845, D.C. No. 2:16-cv-01065-DLR (D. Ariz. 2020)
- <sup>78</sup> Brnovich v. Democratic National Committee, SCOTUSBLOG, <a href="https://www.scotusblog.com/case-files/cases/brnovich-v-democratic-national-committee/">https://www.scotusblog.com/case-files/cases/brnovich-v-democratic-national-committee/</a> (last visited July 26, 2020).
- <sup>79</sup> 2019 Elections Procedures Manual, *supra* note 4, at 186–87.
- <sup>80</sup> *Id*.
- <sup>81</sup> *Id*. at 187.
- 82 Id. at 186.
- 83 *Id.* at 184-85.
- <sup>84</sup> Id. at 191–92; see also ARIZ. REV. STAT. § 16-565(C) (2020).
- <sup>85</sup> The ADA Checklist for Polling Places is available here: https://www.ada.gov/votingchecklist.htm.
- <sup>86</sup> 2019 ELECTIONS PROCEDURES MANUAL, *supra* note 4, at 175.
- 87 Arizona State Senate Research, Fact Sheet for S.B. 1135 (Jan. 21, 2020),

http://azleg.gov/legtext/54leg/2R/summary/S.1135JUD.pdf; *see also* 2019 ELECTIONS PROCEDURES MANUAL, *supra* note 4, at 201–02.

- <sup>88</sup> 2019 ELECTIONS PROCEDURES MANUAL, *supra* note 4, at 98-100.
- <sup>89</sup> *Id.* at 178-79; ARIZ. REV. STAT. § 16-515(A).
- <sup>90</sup> ARIZ. REV. STAT. § 16-411(I).
- <sup>91</sup> *Id.* § 16-515(I).
- <sup>92</sup> 2019 ELECTIONS PROCEDURES MANUAL, *supra* note 4, at 180-81.
- 93 Id. at 179.
- 94 ARIZ. REV. STAT. § 16-515(G).
- 95 2019 ELECTIONS PROCEDURES MANUAL, *supra* note 4, at 179-80.
- <sup>96</sup> Tear sheets are copies of the poll list where voters are entered in the order of voting, which are utilized by political parties to identify which persons have and have not voted at a particular voting location. If a county utilizes tear sheets, only authorized political party observers are authorized to acquire the tear sheets. *Id.* at 180.

<sup>&</sup>lt;sup>58</sup> *Id.* § 16-531(C).

<sup>&</sup>lt;sup>59</sup> County Election Officials Contact Information, ARIZ. SECRETARY OF STATE, <a href="https://azsos.gov/elections/voting-election/contact-information-county-election-officials">https://azsos.gov/elections/voting-election/contact-information-county-election-officials</a> (last visited June 26, 2020).

<sup>&</sup>lt;sup>60</sup> ARIZ. REV. STAT. § 16-531(I).

<sup>61</sup> Register to Vote or Update Your Current Voter Information, ARIZ. SECRETARY OF STATE,

<sup>102</sup> Arizona Secretary of State Katie Hobbs on priorities ahead of 2020, ARIZONA PUBLIC MEDIA (Aug. 23, 2019), https://www.azpm.org/s/69363-secretary-of-state-katie-hobbs-on-priorities-ahead-of-2020/.

<sup>103</sup> See Democratic Nat'l Comm. v. Hobbs, No. 18-15845, 2020 U.S. App. LEXIS 2470 (9th Cir. Jan. 27, 2020); Associated Press, Appeals Court Throws Out Arizona Ballot Harvesting Law, N.Y. TIMES (Jan. 28, 2020), https://www.nytimes.com/aponline/2020/01/28/us/ap-us-ballot-harvesting-arizona-5th-ld-writethru.html; Michael Wines, Voting Will Be Easier in a Key State for the Presidential Race, N.Y. TIMES (Jan. 28, 2020), https://www.nytimes.com/2020/01/28/us/arizona-voting-law-ruling.html.

<sup>104</sup> Christie & Billeaud, *supra* note 77; *see also* Democratic Nat'l Comm. v. Hobbs, 948 F.3d 989 (9th Cir. 2020) (en banc).

<sup>105</sup> Andrew Oxford, *Arizona's Ban on Ballot Harvesting Will Remain in Place for Now*, ARIZONA REPUBLIC (Feb. 11, 2020), https://www.azcentral.com/story/news/politics/elections/2020/02/11/arizona-ballot-harvesting-ban-remain-place-now/4726177002/; *see also* Democratic Nat'l Comm. v. Hobbs, 2020 U.S. App. LEXIS 16286 (9th Cir. May 21, 2020), https://www.azmirror.com/wp-content/uploads/2020/02/DNC-v-Hobbs-stay-9thC.pdf; Petition for a Writ of Certiorari, Brnovich v. Democratic Nat'l Comm., No. 19-1257 (U.S. filed Apr. 27, 2020), https://www.supremecourt.gov/DocketPDF/19/19-1257/142431/20200427105601341\_Brnovich% 20Petition.pdf. <sup>106</sup> *Voting Rights Roundup 2019*, Brennan Center for Justice (Jul. 10, 2019),

https://www.brennancenter.org/our-work/research-reports/voting-laws-roundup-2019.

<sup>107</sup> Arizona moves primary election to early August starting in 2020, KTAR NEWS (May 23, 2019), https://ktar.com/story/2585709/arizona-moves-primary-election-to-early-august-starting-in-2020/.

<sup>108</sup> Shawndrea Thomas, *New voter registration database coming to Arizona*, KGUN TUCSON (Oct. 24, 2019), https://www.kgun9.com/onyourside/new-voter-registration-database-coming-to-arizona.

<sup>109</sup> News Release, Office of the Governor Doug Doucey, Governor Ducey Issues Executive Order Improving Voter Safety, Staffing (July 22, 2020), <a href="https://azgovernor.gov/governor/news/2020/07/governor-ducey-issues-executive-order-improving-voting-safety-staffing">https://azgovernor.gov/governor/news/2020/07/governor-ducey-issues-executive-order-improving-voting-safety-staffing</a> (last visited July 23, 2020).

<sup>110</sup> Popular Ouestions, KATIE HOBBS, SECRETARY OF STATE, https://azsos.gov/elections (last visited July 23, 2020).

<sup>&</sup>lt;sup>97</sup> ARIZ. REV. STAT. § 16-101(B).

<sup>&</sup>lt;sup>98</sup> *Id.* § 16-120(A).

<sup>&</sup>lt;sup>99</sup> *Voting Guide: Arizona*, CAMPUS VOTE PROJECT, https://www.campusvoteproject.org/stateguides/Arizona (last visited June 26, 2020).

<sup>&</sup>lt;sup>100</sup> Ben Giles, *Election officials, advocates push to use college IDs for voting*, ARIZONA CAPITOL TIMES (Sept. 2, 2019), https://azcapitoltimes.com/news/2019/09/02/election-officials-advocates-push-to-use-college-ids-for-voting/. <sup>101</sup> *About the Secretary*, ARIZ. SECRETARY OF STATE, https://azsos.gov/about-office/about-secretary (last visited June 26, 2020).

<sup>&</sup>lt;sup>111</sup> We credit BOARD OF ELECTIONS IN THE CITY OF NEW YORK, POLL WORKER'S MANUAL 9-11 (2012) for many of the tips included here. Special thanks to Sharon Dolente, ACLU of Michigan, for her insight and direction on this section.