

Arizona
Democratic Party

**Election
Integrity
Manual
for
County Chairs**

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Arizona Democratic Party

Election Integrity Manual for County Chairs

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1. Introduction to Election Systems

a. *Components of the elections process*

An election is a surprisingly complex process involving many different components, each of which can have an effect on the final outcome. Each step in the process is a potential source for errors that affect who can vote, what's on the ballot, and how ballots are counted. These components include voter registration, ballot design, processing of early mail-in ballots, voter ID check and other paperwork at the polls, casting of votes on voting machines, collecting and tabulating all vote counts from many different machines, and producing reports.

The political parties can play an important role in making sure that these various processes are performed properly. To do so, it is necessary to understand each of these processes and how they affect the integrity of elections.

i. **Voter Registration**

In Arizona, as in most states, citizens are required to register specifically to vote. The registration involves telling the voter registrar the citizen's address so that the registrar can assign the voter to a particular precinct for voting. Sometimes different precincts have different candidates, so this assignment to a precinct is intended to ensure that the voter votes in the correct races, and no others.

If a voter moves, he/she must inform the voter registrar so that the voter can be assigned to a new precinct.

In Arizona, citizens must prove their citizenship by showing a birth certificate, a passport, naturalization papers, or some form of Indian tribe membership documentation. Since October 1, 1996, a new resident of Arizona applying for a driver's license or picture ID card who presents the MVD with citizenship proof need not prove citizenship again to the voter registrar, so voter registration can be on-line at the registrar's web site. Otherwise registration must be in person, with the citizenship proof.

Other requirements are that the citizen must have lived in the county at least 29 days before the election – so voter registration for each election is cut off 29 days before the election; must be at least 18 years old on the day of the next general election; must have no felony or treason convictions on the record (unless restored to civil rights); and must not have been labeled by a court as an incapacitated person. [ARS 14-5101]

ii. Voter ID

All voters at the polls must positively identify themselves using either an approved picture ID or two approved non-picture IDs. All approved IDs must include the voter's address, and it must match the address on the registration rolls. Otherwise the voter may only complete a provisional ballot, and must confirm address and ID with the registrar within a few days.

Voters who use the mail-in ballots or who vote early at early voting sites are not required to show an ID. Their ballots are verified by their signature on the envelope in which they place their ballot.

iii. Casting the ballot

At the polls, a voter will be given a ballot and will be directed to a small portable desk for marking the ballot. After the ballot is marked, the voter inserts the ballot into the scanner. To preserve confidentiality, a voter may use a privacy sleeve that prevents anyone from seeing the ballot as it is going into the scanner.

Early ballots are generally mailed in, although the voter has the option of casting the early ballot at one of the early voting sites.

At either the polls or at an early voting site, a voter may opt to cast a ballot using a touch-screen voting machine. Although these machines were purchased and are provided primarily for handicapped voters, any voter may use a touch-screen voting machine.

iv. Counting the vote

Votes cast on Election Day at the precincts are counted as they are scanned, and the total for the precinct is sent by telephone modem to the central count facility at the end of the day. Votes cast on a touch-screen voting machine are counted internally by the machine, and the results are fed into the central count computer after Election Day. The paper ballots are sent in a secure container to the central count facility and are retained for six months (non-federal election), or two years (federal election). Precinct-cast ballots from two percent of the precincts in each county are selected for a hand-count audit immediately after the election, to confirm the integrity of the machine count.

Early ballots are usually mailed in, and the registrar confirms the identity of the voter by matching the signature on the envelope with the signature on file. Then the ballot is removed from the envelope and checked to see if it is machine readable. Wrinkled or improperly marked ballots may be duplicated by a duplication board and the duplicate sent to the scanner in place of the original ballot. Early ballots are scanned at the central count location, usually before Election Day. Votes cast on touch-screen voting machines at early voting sites are counted as they are cast, and the totals are fed into the central count computer after Election Day. Late-arriving early ballots, early ballots turned in at

the polls, and provisional ballots are scanned centrally during the week following Election Day. Four percent of the estimated early ballots, selected in random batches, are set aside for possible hand-count auditing immediately after the election. One percent of the actual early ballots are selected for the hand-count audit.

If the hand-count audits agree with the machine counts, the machine count will become the official result. If hand counts do not agree with the machine counts, additional precincts will be selected for hand counts, in stages up to all the precincts in the county. If the hand counts are expanded to the entire county, the hand counts will become the official result.

b. Party roles and election integrity structure

The two major political parties are tasked in Arizona law with overseeing elections. All election teams (Precinct Boards, Early Boards, Duplication Boards, Write-in Boards, etc.) are required to have at least one Republican and one Democrat, and the teams overall are supposed to be evenly divided between the political parties. In fact, the County party chairs are authorized to name the election workers that the county will hire, if they do so at least 90 days before an election.

In addition to election workers, who are actually employed by the county elections department and are paid nominal amounts for their work, political parties and candidates are entitled to assign observers to watch any and all parts of the elections process.

The involvement of the political parties is considered fundamental to assuring the integrity of the election. There is no other oversight during an election.

c. Risk Assessment

There are many ways to fraudulently affect the outcome of an election. Some of the methods can change votes on a small scale, some on a large scale. Some methods are easily discovered and foiled, some are difficult to find. Some methods are legal and some are illegal. In making decisions about assigning party volunteers to the various tasks associated with an election, you will want to assess the risk of problems in different areas. You probably cannot oversee every aspect of the election in as much detail and specificity as you would like, so you need to be able to choose where to assign your integrity volunteers in the most effective manner.

Specific problems that might affect the integrity of an election are discussed in the next chapter, and discussions of specific actions you might take to assure election integrity are contained in the remaining chapters.

2. Breaches of Election Integrity

The goal of election integrity is to make the election results honestly reflect the intent of the majority of the voters. There are many ways in which the integrity of an election may be compromised. Some of these are simply human or machine error and some are intentional fraudulent actions. Because intent is often hard to prove, you must work to keep errors to a minimum regardless of their cause.

a. *Bureaucratic problems*

i. Inadequate physical security

The security of ballots, voting machines, and election records are all important to the integrity of an election. If a close election requires close scrutiny of the ballots or election records, it is important that they have been stored in a secure manner so that there is no question about their integrity. Unfortunately, many elections departments are rather lackadaisical about their physical security, failing to keep important documents and gear locked up, failing to lock the counting facility, and failing to control access to documents, machines, and facilities.

ii. Inadequate bookkeeping

Elections processes are designed to have many cross-checks both to prevent errors and to catch errors when they do occur. If election workers do not fill out all the forms, or copy information from one form to another when the forms should have been filled out independently, or if the elections department loses documents, then the cross-checks may not work effectively.

For example, when voters sign in at the precinct, they are supposed to sign on the next available line, leaving no blank lines. In one precinct, it was found that precinct workers were telling people to leave a blank line, or were telling people to sign the provisional register instead of the voter register. The paperwork was so bad that it was difficult to tell what had actually happened. Our suspicions are that the precinct workers were engaged in fraud.

Similarly, political parties need to keep good records of their volunteer assignments and the volunteers need to keep adequate records of their observation activities so that problems can be identified and so that the follow-up can be effective. For example, in a recent election the lack of contemporaneously recorded times on observer logs caused a problem when we tried to match the observer logs with election computer logs.

iii. Inadequately trained poll workers

Conducting an election is complicated, and the election workers at the polls need to know how to handle all the different situations that occur. Poorly trained poll workers make many mistakes, causing votes to be lost and voters to be made unhappy with the process. Especially in the election integrity area, poll workers need to know how to handle voter identity problems.

iv. Lack of transparency

At the same time that we are demanding election security to prevent fraudulent alteration of the election results, we are also asking for as much election transparency as is practical. By this we mean that observers should be able to see for themselves that everything is being done on the up and up. There should be no secret activities. A good example of this is the operation of the election computer that counts the votes. The software that controls the vote counting process is declared proprietary by the voting machine company, and no one is allowed to examine it closely to confirm that it does what it is supposed to do and does not allow any fraudulent activity to take place.

Although the lack of transparency does not in itself cause the election results to be fraudulent, it does raise questions in voters' and observers' minds. The effectiveness of the democratic system depends on citizens accepting the declared results as valid, and questions from a lack of transparency destroys citizen confidence in democracy. The recent addition of hand-count audits in Arizona is intended to improve the transparency of elections, enabling observers to confirm that secret software is in fact doing what it claims to be doing: counting every vote correctly and honestly.

b. System failures

The elections process has many steps, providing many opportunities for error. It is important that observers at least spot-check every aspect of the elections process, including voter registration, to provide assurance that errors are kept to a minimum.

i. Registration errors

When citizens register, they may make mistakes in the information they provide to the voter registrar, or may fail to provide updated information when things change. The voter registrar may enter names, addresses, or social security numbers incorrectly into a computer database, or the software that checks voters' registration information against such things as the voter registration, social security, and drivers license databases may

make mistakes. For example, name comparisons in computers often check only the first four or five letters of the surname and may only look at initials instead of given names. These processing shortcuts can lead to erroneous comparisons, especially when combined with erroneously entered data.

Periodically, the voter registrar is required by law to clean up the voter registration database. This is done by mailing confirmation cards to voters who have not voted in a series of elections. If the mailings go astray, either because of erroneous data in the computer or because of a voter's failure to update the voter registration information on file, a voter may be removed from the database and then find no record when arriving at the precinct to vote.

ii. Ballot errors

A candidate's name might be left off the ballot in some precincts because of incorrect information about district boundaries. The marks that control the scanners might be printed off register so that the ballot cannot be read by the scanner or so that the ballot is read erroneously. A voter might be sent the wrong early ballot and not notice the error. At polling places with multiple precincts, a voter might also be given an incorrect ballot. All the ballots delivered to a precinct might be for a different precinct. All these errors can lead to the loss of votes for legitimate candidates.

iii. Early voting problems

Early voters might be sent the wrong ballot, or might not be sent a ballot at all. Because a voter might have more than one address in the voter registration database, and because early ballots are allowed to be sent to an address other than the official voter registration address, the ballot might be sent to the wrong address so that the voter never receives it. The ballot might be sent too late for the voter to mark it and return it before Election Day. Two voters in the same household might insert their ballots into each others' envelopes so that the signatures don't match when checked by the registrar. All of these problems can lead to the loss of legitimate votes.

iv. Polling place problems

Voters might go to the wrong precinct, either because of misinformation or because they moved (the law requires a voter to vote in the precinct where he/she currently lives). An election judge might misunderstand the voter's name and therefore fail to find it in the register. An election judge might misdirect a voter from one incorrect polling place to another incorrect polling place. A voter might show up with the wrong ID, inadequate ID, or no ID, and might be misdirected by the election judge as to the correct means to correct the problem. A judge might fail to accept a valid ID because of misunderstanding the rules. All these problems can lead to the loss of legitimate votes.

v. Counting problems

Ballots can be scanned more than once, through operator error. Ballots that fail to scan are duplicated and the duplication process can introduce errors. Ballots can be lost in the shuffle and never get scanned. If a scanner is not properly calibrated, it can fail to read some faint marks on ballots. Scanners can go out of alignment during the counting process. If a voter marks the ballot in the wrong place (i.e., not in the designated area) or marks the ballot with the wrong kind of pen, the scanner might miss some or all the votes. A power failure or lightning strike could cause a glitch in the computer database. Software bugs can prevent accurate counting in many different ways. All these problems can lead to errors in the reported count of votes.

c. Vintage Intentional methods

i. Deny poor people the opportunity to register

Arizona's Proposition 200, enacted by the voters in 2004, claims to be targeted at illegal aliens trying to vote. There is no significant evidence of non-citizens attempting to register to vote. By requiring documentation proving citizenship, the law causes problems for people who were born at home and have no birth certificates, or who have lost their birth certificates and either don't know how or cannot afford to pay for a replacement. These problems hit poor people and Indians on reservations much harder than middle-class and upper-class urban dwellers.

The Republican party has a record of challenging voter registrations of poor people, especially those in ethnic neighborhoods of large urban areas, claiming either that they don't live at the address they gave the registrar or that they are felons who are not legally allowed to vote. This tactic, called "caging", was declared illegal by a federal court twenty-some years ago, and the Republican party signed a consent order agreeing not to do this, but recent elections have found large numbers of poor voters excluded from the voting process through these illegal challenges.

ii. Purge valid voters from registration rolls

This is similar to the "caging" process that denies people to right to register in the first place, but is more effective because a voter may not notice that he/she has been removed from the registration list until the day of the election. A number of published reports suggest that the 2007 firing of nine US prosecutors was in large part related to their failure to participate in a national "caging" program and associated "show" prosecutions of unwitting and generally innocent poor people.

iii. Direct voters to the wrong polling place

Using lists of registered voters, callers telephone voters to direct them to a voting place that does not exist or to an incorrect voting place. Unsuspecting voters who aren't sure of their voting place, or who are gullible enough to accept a statement that it has changed, wind up at the wrong place and may easily become discouraged and not vote at all.

iv. Require ID at the polls

Proposition 200, in addition to requiring proof of citizenship to register to vote, also requires all voters to bring picture ID (or two non-picture IDs) showing their correct (registered) address to the polling place. Aside from the inconvenience to all voters, some voters – especially poor people who don't understand the system well – may be sent away confused about what they are supposed to do. The goal is to prevent as many poor people from voting as possible.

v. Prepare false early ballot entries

Arizona law allows groups such as political parties or political clubs to request early ballots on behalf of voters who are presumably their members. A group can send in names of poor voters and ask that their early ballots be sent to the group's address instead of the voters' addresses. They can then either toss the ballots, preventing the real voter from getting an early ballot, or they could even fill out the ballots and forge the voters' signatures. A variation on this technique involves getting ballots for voters in nursing homes and assisted living facilities, and then tricking the voters into signing envelopes into which the group places either a differently marked ballot or a spoiled ballot. A more complicated variation could be to create lists of people with driver's licenses who are not registered to vote, file registration forms in their names with election mail directed to a post office box, request early ballots in those names, and mail in early ballots using those names; as long as all election mail went to the post office box and the real person never tried to register to vote, the fraud might never be discovered. Other than spot-checking voter registrations and early ballot requests, our election integrity effort is unlikely to discover any of these methods.

vi. Stuff the ballot box

A group might have some of their members register for the opposite party and then volunteer to serve as an election judge alongside of other group members. If all the key workers at a polling place are really supporters of the same party, there are numbers of things they can do to add fraudulent ballots to the ballot box. They can tell legitimate voters to fill out a provisional ballot and then toss it or take it out of the envelope, change

the markings, and insert it into the scanner. They can simply fill out ballots for people who didn't show up to vote and insert those into the scanner.

At the central count facility, if early ballots are not carefully tracked, extra boxes of fraudulent ballots could be introduced into the batches of valid early ballots to be scanned without observers having any clue to the addition. This is why early board observers and early ballot scanning observers should log all batches of early ballots produced by early boards and all batches of early ballots scanned so that the lists can be compared to confirm that no fraudulent ballots were added into the stream of valid early ballots.

vii. Render valid ballots unreadable or unacceptable

Once a ballot has been successfully read by the scanner, it is hard to render it unacceptable, but if the election judges claim the scanner is broken, then voters must place their ballots into a box to be scanned later when the scanner is fixed. Judges could alter these not-yet-scanned ballots before scanning them so as to make them invalid or unreadable. A favorite technique is to simply place an extra vote on a ballot so that the valid vote is rejected by the machine.

Adding marks to early ballots before they are scanned is much easier to do than with precinct-cast ballots, and today more than fifty percent of all ballots cast are early ballots.

viii. Replace batches of valid ballots with fake ones

Since the early ballot boards are almost always located in a different room from the central count scanners, and during a multi-day process early ballots are stored overnight after being removed from their envelopes but before being scanned, someone could easily replace boxes of valid ballots with boxes of fraudulent ballots. It appears that the people who print ballots do not maintain effective inventory control over the ballots they print, most election departments do not maintain effective inventory control over ballots they use, and in any case modern printing and copying methods make it possible for a well-financed operation to copy blank ballots or print fraudulent ballots from scratch.

d. *Modern technological intentional methods*

Because of vendor and election department secrecy, modern technological methods of fraud are pretty much impossible to detect, much less prove. The following descriptions are mostly hypothetical, though they are based on solid scientific study of election systems. The manic insistence by voting machine vendors on their proprietarily secret software, and the refusal of election departments to permit outside audits of their computer databases lead to a lot of speculation about these methods.

i. Program computer to count incorrectly

Since the computer software in the central count computer as well as the software in the precinct voting machines is all secret and known only to the vendor, it is certainly possible that one or more vendors has written software to optionally alter the count of votes, or to report the totals incorrectly, or to shift votes from one candidate to another candidate. With software, there is literally no limit to the variety of things that can be done.

In Arizona, we are somewhat protected by our requirement for hand-count audits, but it is important that precincts to be audited be selected AFTER the initial vote totals have been publicly announced, so that fraudulent totals in the computer cannot be changed for audit precincts between the time of precinct and race selection and the beginning of the actual audit. It is also important that ballots to be audited have been sealed between the time they were taken out of the precinct voting machine so that no one has an opportunity to alter the ballots to match a fraudulent machine count. Ideally, your county should begin the hand-count audit immediately after you select the precincts and races to be audited so that no one has any opportunity to alter ballots to conform to a fraudulent machine count. If a fraudulent count were done in fewer than half the precincts of a county, it would be statistically unlikely (though not impossible) that a hand count of two percent of the precincts would hit upon the fraudulent precincts. This is a flaw in the Arizona law; we should be auditing a statistically significant number of precincts rather than simply two percent.

In the case of early ballots, Arizona's one percent audit is almost totally useless, both because of the small percent of ballots audited and the method of selecting ballots for auditing. Doing what we can under the circumstances, it is important that early ballots selected for audit be sealed and stored in a secure manner to prevent anyone from altering the ballots to match a fraudulent machine count.

Early ballots to be audited are selected before they are scanned into the central count computer, so an inside operator or fraud-minded software could easily count the audit-selected early ballots to match the actual marks on the ballots instead of altering the count as might be done on non-audited ballots. Because a vote total summary report must be printed just before beginning to scan a batch of ballots for potential audit, it would be a simple matter for the software to recognize the printing of the report followed immediately by the start of a batch scan so that the software could cease altering votes for the duration of that batch scan. The integrity of the hand-count audit would be much improved if Early Boards sorted the early ballots by precinct and sent them to the precinct workers to be fed into the precinct scanner on Election Day. This would enable early ballots to be audited in the same manner as precinct-cast ballots. The Arizona Secretary of State, the Arizona Legislature, and the various County Election Departments around the state insist this would be either impossible or much too difficult for them to do. This is a large gaping hole in our effort to improve the integrity of elections in Arizona; it is clear that the hand-count audit law needs to be improved.

ii. Change the totals in the computer after scanning ballots

Since early ballots selected for audit are from random precincts, there is no way to correlate the audit count with the machine count other than the vote totals reports that are printed at the time of scanning, and that only compares the count of that batch of ballots. The overall total of early votes for a county could easily be altered manually in the computer by an inside operator. With more than fifty percent of all votes being in the early voting category, this presents a huge opportunity for fraud.

In Arizona, a number of election departments have been discovered to have Microsoft Access software installed on their central count election computers, and the major databases used by Arizona counties are known to be alterable using Microsoft Access, without any trace of the change showing up in the election software's audit logs. There is absolutely no reason to install Microsoft Access on an election computer for any legitimate purpose. Microsoft Access is not the only application that can alter election records, but it is the most common.

iii. Report fraudulent results from polling places

It is possible to trick poll workers into transmitting their results not to the election department's central count computer but to a third party, who could alter results before retransmitting the results to the central count computer. It is possible to program the precinct scanner's data card to report different results than those produced by the scanner. This is why it is so important to maintain the security of the precinct scanner and its internal data card before Election Day while it is being delivered to the precinct, during Election Day while it is in use, and after Election Day until the completion of the election canvass. Because of Arizona's requirement for hand count audits of two percent of the precincts in each county, methods involving altering precinct voting machine results are less likely to succeed; but a two percent audit is not guaranteed to catch all fraud, and an inside perpetrator could theoretically alter ballots before an audit to match a fraudulent result. This is why the hand-count audit should begin immediately after selection of precincts and races to be audited. Your observers at polls, receiving centers, and the hand-count audit should be alert to any anomalous behavior, or evidence such as broken or missing seals, that might indicate tampering with either machines or ballots.

3. Your Rights and Responsibilities

a. Statutory Rights and Responsibilities

i. Review Voter Registration Lists

The Secretary of State's Election Procedures Manual directs that:

"Within **eight days** after the close of registration, the county recorder shall ... deliver ... one electronic media copy of each precinct register within the county to:

- the county chairmen
- the state chairman of each party which has at least four candidates, other than presidential electors, appearing on the ballot in that county for the current election
- upon request and without charge, to legislative council

Unless otherwise agreed, the recipients of the precinct register may request paper copies, rather than the electronic media copy."

[A.R.S. § 16-168(C)]

You will want to check this list to see that it has sufficient numbers of voters, and spot-check to see that regular voters have not been dropped (you can compare a hundred or so names of people you know to be regular voters with the list from the previous election to ensure that they remain in the new list). This is certainly not a comprehensive check – just a quick review for major problems.

ii. Conduct Logic and Accuracy Tests

There are five sets of logic and accuracy tests: the Secretary of State's team conducts a test of touch-screen voting machines and optical scan voting machines that are to be used in early voting locations; the Secretary of State's team conducts a second test of precinct voting machines and central count scanners just before the count of early ballots begins, usually about two weeks before Election Day; the Accuracy Certification Board (made up of Party representatives) performs two logic and accuracy tests, one before the election and one after the election. The ballots used in these tests should be filled out by the Party representatives and cast in a manner reflecting actual voting conditions. Each Party representative should create enough ballots to test at least ten percent of the precinct machines. The same ballots can be used to test touch-screen voting machines and central count scanners. The same tests should be run after all vote-counting is complete to confirm that the machines continue to count without error. A comprehensive logic and accuracy test should be run, before all the other pre-election tests, by the Elections Department staff. They should test every precinct machine to ensure that it is properly

programmed for the correct ballot style and precinct, and every central count scanner to ensure that it correctly counts ballots from every precinct.

These logic and accuracy tests are intended to test the programming of the machines for errors, and to test the scanning accuracy of the optical scan voting machines. They are not intended to determine if fraud is afoot, and they are too limited to test the accuracy of tabulation in a full scale election. A fraudulently programmed voting machine would likely show no errors before and after the election but would recognize actual election conditions and alter votes counted in between the two sets of L&A tests.

Your Democratic Party representatives should be people whose ethics are above reproach and who thrive on detail work and are meticulous in their work. The L&A tests involve a lot of careful counting and comparisons. You should have at least two people trained so that if one of them becomes unavailable for any reason, the other can proceed with the tests.

The Party representatives who perform the logic and accuracy tests may be placed on the County Elections Department's payroll, but they are nevertheless Party representatives.

iii. **Appoint Election Board Members**

The Secretary of state's Election Procedures Manual states that:

"The appointment of inspectors, marshals and judges shall be:

- made **not less than 20 days before** a primary or general election,
- divided equally between the two political parties casting the highest number of votes in the state at the last general election,
- appointed from lists provided **90 days before** the election by those parties' chairmen,
- the inspector and marshal shall not be of the same party,
- if there are not enough individuals available in the election precinct to serve as clerks, any registered voter in the election precinct, or in another election precinct, may be appointed as clerk,
- any person appointed as an inspector shall, whenever possible, have had previous experience as an inspector, marshal, judge or clerk of elections, and
- if there is no qualified person in a given precinct, the appointment of an inspector of election board members may be made from names provided by the county party chairmen.

If the election precinct consists of fewer than 200 qualified electors, the board of supervisors may appoint not fewer than:

- one inspector and
- two judges

The board of supervisors shall give notice of election precincts consisting of fewer than 200 qualified electors to the county chairman of the two largest political parties **not later than 30 days before** the election. The inspector and judges shall be appointed in the same manner as for large precincts."

[A.R.S. § 16-531]

Your opportunity to appoint poll workers to be employed by the County depends on your providing a list to the County Elections Department at least ninety days before each election. Ideally, your precinct committee members would know who has been representing the Democratic Party at their precinct polling places and could advise you as to whether those people are well-trained, ethically reliable, and loyal to Democratic Party ideals.

The Secretary of State's manual (and Arizona law) does not say anything about the right of the County Chair to appoint Early Board members or Central Count Board members. You might informally obtain approval from your County's Elections Director to appoint these people; if not, you should at least review the lists of Board members to confirm that the Democratic Party is adequately represented by people you trust to do a good job.

Whether you appoint precinct workers or the County does, you should make an effort to ensure that all positions are filled with reliable people. You can help the County Elections Department by recruiting additional workers. You can help election integrity by providing supplemental training to Democratic precinct workers on such subjects as voter identification rules and voter rights.

iv. Appoint observers to watch every step of ballot processing

The Secretary of State's Election Procedures Manual states that:

"The county chairman of each party that has a candidate on the ballot shall by written appointment addressed to the election board, designate a political observer and alternates who may act as challengers for the party for each polling place in a partisan election in a precinct. Individuals with a written appointment shall be the only persons recognized as political observers.

[A.R.S. § 16-590]

There is no provision in law for observers in non-partisan elections.

On election day, political observers should be present at each point where ballots are handled or transferred from one election official to another. This may include:

- closing the polls,
- transporting ballots to the receiving site, at any time,
- transporting voting results on electronic media to a regional receiving site,
- receiving the ballots at the central counting place,
- inspecting the ballots,
- reviewing any ballots by the write-in board,
- duplicating any ballots by the duplication board,
- receiving ballots or voting results or electronic media by the data processing board,
- processing by the computer at a regional or central receiving and county facility,
- transporting ballots after processing from the central counting place to the county offices,
- transporting early ballots to the central counting place, and
- tabulation of early ballots.

During transport, the ballots will always be in a container with the precinct name or number written on the outside of the container. Observers shall not be permitted to

touch any of the ballots or containers at any time.
[A.R.S. § 16-590]"

Whether or not you appoint Early Board members and Central Count Board members, you should appoint observers to watch the various Boards in operation. You may be satisfied to spot-check the work of some Boards; other Boards will require more observers. For example, the Central Count processing of early ballots needs constant supervision to ensure that proper security is maintained, to ensure that no one prints election summary reports prematurely, and to select batches of early ballots for the hand count audit after the election.

The Secretary of State's Election Procedures Manual describes the following Boards:

The central counting place may have as many as seven types of boards, which may be combined, if practicable, at the discretion of the officer in charge of elections:

- receiving board
- inspection board
- write-in board
- duplication board
- data processing board
- accuracy certification board
- "snag" board

Each board shall consist of at least two members, and shall be registered voters of the two parties casting the highest number of votes in the state at the last preceding general election. Each board's responsibilities shall be as provided in this manual.

Board members may serve on more than one board, as long as each board task may be performed in the prescribed sequence.

The central counting place operation will be conducted under the direction of the board of supervisors or officer in charge of elections:

- in accordance with the procedures outlined in this manual,
- under the observation of:
 - representatives of each political party, and
 - the public.

In addition, the manual describes Early Boards for processing early ballots, and an Audit Board to review all precinct-level election results just before the official canvass. Since more than fifty percent of the ballots are early ballots, the Early Boards have become much more important to watch to confirm election integrity. The Audit Board is an important part of confirming the integrity of the election results.

v. Randomly select precincts and races to be audited

Within 24 hours after the close of Election Day, the County Party Chairs are supposed to get together with the Elections Director and randomly select precincts to be hand counted. The Secretary of State's Hand Count manual states:

"The County Political Party Chairmen shall conduct the selection of the precincts to be hand counted. The precincts shall be selected by lot without the use of a computer and the order of selection by the County Political Party Chairmen shall also be by lot. The County Officer and the County Political Party Chairmen shall agree to the lot method.

The selection of the precincts shall not begin until all ballots voted in the precinct polling places have been delivered to the central counting center. The unofficial vote totals from all the precincts shall be made public before selecting the precincts to be hand counted. [A.R.S. § 16-602(C)]”

The 2006 changes in the law permit a county chair to designate someone to perform these tasks.

You should compare the published results for the selected precincts (which you should have in hand before beginning the selection process) with the results presented to the hand count teams to be sure that no one has changed the results in the computer between precinct selection and precinct counting.

The law passed by the legislature requires the selection of at least two percent of the precincts in each county for the hand count audit. If two percent of your county’s precincts is only one precinct, then the law requires you to hand count at least two precincts. Four races are to be selected for hand counting in each selected precinct: one Federal race, one State race, one Legislative race, and one Proposition race. If the election includes the Presidential race, then it is added to the other four, making a total of five races to be hand counted. In the cases of Congressional or legislative races, the districts (candidates) may vary among the selected precincts.

If there are fewer than four contested races in a selected precinct, and if there are other statewide, federal, or legislative races available that are contested, one of those races should be selected to fill out the required four or five selected races. [ARS 16-602(C)2]

When you select precincts and races for the hand count audit, you should make sure that your random selection process makes it equally possible for every precinct to be selected. If you are drawing slips of paper from a hat, for example, there need to be as many slips of paper as there are precincts, with a different precinct number on each slip of paper. Dividing the precinct selection by drawing different slips for different digits probably would bias the selection process in favor of some precincts and against others.

Although drawing slips of paper is the most obvious way to randomly select precincts, there are alternate methods not requiring a computer or slips of paper. One such method would have participants select large integers (say, 6-8 digits) and then use remainder arithmetic to determine the precinct. For example, divide the large integer by the number of precincts in the county, multiply the integer portion of the quotient by the number of precincts in the county and then subtract the product from the large number selected – resulting in a “random” number smaller than the number of precincts in the county. If the subtraction results in the number 0 (i.e., the product divides evenly into the large number), the precinct selected would be the highest numbered precinct in the county.

Once the precincts and races have been selected for audit, the audit should begin immediately, so that there is no opportunity for anyone to alter any ballots between the time precincts and races are selected and the actual audit begins.

vi. Appoint audit workers to hand count some of the ballots

The 2006 law requires that County Party Chairs appoint sufficient numbers of audit workers to perform the audit, at least two auditors per audit precinct. Your list of proposed hand count auditors must be delivered to the officer in charge of the election by 5 pm on the Tuesday preceding the election. If the total number of audit workers is less than four per audit precinct, the officer in charge of the election must notify county party chairs by 9 am the next morning. Party chairs then have until 5 pm on Thursday to fill out the lists. If insufficient numbers of audit workers show up to perform the audit, the elections director may cancel the audit in your county.

The audit workers must be registered voters but need not belong to the party that appoints them. In fact they need not belong to any party, so you may also appoint independents to help with the audit. If your list of audit workers contains more people than the required numbers, your extra people may be appointed by other parties if they come up short. If there are insufficient numbers of auditors available in your county, you may appoint registered voters from other Arizona counties to help with the audit.

vii. Supervise the audit

The audit's integrity will be best if the audit begins immediately after selection of the precincts and races, so that no one has an opportunity to alter any ballots, precinct documents, or early ballot summary reports. In any case, your observers should ensure that all tamper-revealing seals are intact on all containers and that the numbers on the seals match the numbers on logs created at the time they were placed on the containers. Documents signed by precinct poll workers should be checked to confirm that signatures are present and valid.

You should plan to be present to oversee the hand count. Some decisions can only be made by the County Party Chairs – not their representatives. For example, if one or more audit workers fail to show up, or need to drop out of the audit after it starts, it might be necessary for you to appoint a replacement. Your designated representative is not legally allowed to do that.

It is important that at least one party representative be responsible for collecting all the hand count results as each hand count is finished, and the precinct counts should be compared with the precinct vote totals report published before the precinct and race selection began. Otherwise, the results will be tabulated only by the election department with no accountability for the results.

b. Actions not legally specified but desirable and useful

i. Obtain copies of computer logs, election department reports, databases

To confirm the integrity of the election, you will want to have someone review the computer logs, the election department reports, and the computer databases. As it is possible for someone to falsify precinct logs, it is also possible for someone to alter numbers in the computer databases or to print vote total summary reports prematurely to provide some candidate the advantage of knowing before election day how the early vote count is going.

The review of these documents will necessarily happen after the election, but your request for them should be submitted before the election, and you should ensure that they are delivered to you before the County's Canvass of the election. After the Canvass, the ballots are placed in a vault, and it is possible that some other documents might find their way into the vault by accident. The lawsuit launched in early 2007 in Pima County involves vote total summary reports printed to support the hand count audit of early ballots that were inadvertently placed in the vault along with the early ballots. After documents are in the vault, it may be necessary to obtain a court order to retrieve them.

The issue of the release of computer databases to political parties is currently unsettled. You might find your Elections Director reluctant to release any of the copies of the database of vote totals. Pima County's lawsuit hopes to establish a precedent in this area.

ii. Analyze all the data collected by observers and from the Elections Department

All election-related documents should be consistent with each other. Most information is recorded in multiple ways, so it is possible to verify most data by comparing different documents. You may also want to compare your observers' logs with those created by the Elections Department employees to verify the accuracy of all the data. Inconsistent data *could* be an indicator of improper activity.

iii. Ask questions about any procedure that seems incorrect or insecure

Elections are very complicated processes, and it is likely that you will find parts of the process that could use improvement. Often the procedure is just the way it has always

been done, but the location of the action may have changed, the technology used may have changed, or the people performing the process may have changed, sometimes requiring a review of the procedure and new decisions about what makes sense in the current context.

If you work cooperatively with the Elections Director and his/her staff, you may be able to improve the integrity of the elections process in many small (and some large) ways. Written communications, at least to confirm verbal agreements, will help to avoid misunderstandings.

4. People Involved in Ensuring Election Integrity

a. *Election Boards-paid employees of the County Election Department*

A number of Boards are described in the Secretary of State's Election Procedures Manual. The law and the manual both state that an Elections Director may alter or combine functions if needed, so you might find some Boards missing and others combined into one.

i. Accuracy Certification Board

You will be allowed to appoint one or two people to serve on this Board, which observes the Secretary of State's Logic and Accuracy tests, conducts its own Logic and Accuracy tests (before and after the election), and observes the count of ballots after the election. This Board also performs the functions of the Snag Board mentioned in the Secretary of State's election manual, making joint decisions on how the election department personnel should handle odd cases not clearly defined in the manual. These appointees will probably be placed on the County payroll and will probably be paid some nominal amount for their service.

Traditionally, this Board seems not to have much been involved with observing the count of early ballots, but with the large number of early ballots being cast, and the requirement for hand counting a random selection of early ballots, it is now important that party observers participate, and there is a question as to whether these early ballot count observers should be members of the Accuracy Certification Board or simply be party volunteers.

ii. Poll workers-Inspectors, Marshals, Judges, Clerks

If you act at least 90 days before an election, you have the legal authority to appoint Democratic poll workers to work on Election Day. If you do not act at least 90 days before an election, the County Election Department must find and hire people to fill those positions, and the law requires that they balance the Republicans and Democrats in each precinct – if the inspector is of one party, the Marshal must be of the other; judges must be similarly divided evenly. You should review the list of poll workers to ensure that Democrats are indeed adequately represented in each precinct. Ideally, your precinct committee members will know the Democratic poll workers and can confirm their competence and party loyalty.

Your Election Department will likely be happy to have your assistance in filling slots, even up to Election Day, and will be glad to have your assistance in naming backup workers to replace those who fail to show up on Election Day.

iii. Early Boards

Your Election Department will appoint a number of people to serve on Early Boards – confirming their validity, checking for ballots that will not be read properly by the scanner, and duplicating ballots when necessary. A board consists of two persons from different political parties. In large elections, there may be several such boards that operate for several days running as early ballots are mailed in. You should endeavor to participate in the appointment of these people, but the law is not clear about your rights. In any case, you will want to review the names of appointees to confirm their competence and integrity.

Your observers should ensure that ballots are properly handled and stored, that completed ballots are sealed in containers protected by tamper-revealing seals at the end of the day or before shipment to the central count facility, and that ballot shipments are escorted by both a Democrat and a Republican.

iv. Duplication Boards

These are groups of people (two per Board) who attempt to create a readable ballot for the scanner by copying votes from an unreadable ballot, either one thrown out by an Early Board or one rejected by the central scanner itself. A log is kept of each ballot duplicated, and the two people on each Board must be from different parties. There may be several of these Boards working alongside the Early Boards and the Provisional Boards, and you will want to review the names of appointees to confirm their competence and integrity.

Your observers should confirm that blank ballots used by these boards are securely stored and properly inventoried.

v. Receiving Boards

The receiving Boards check in equipment, ballots, and logs from the precincts and track any missing items. The requirement is that each Board consists of a Republican and a Democrat. You will want to review the names of appointees to confirm their competence and integrity.

Your observers at receiving centers should watch for material arriving without the required Democrat and Republican escort, or ballots or voting machines being sent to the central count facility with the required Democrat and Republican escort.

vi. Inspection Boards

Inspection Boards open the bags and boxes received from precincts on election night and check the ballot report form to make sure seals have not been broken in route; they create a log showing write-in ballots, provisional ballots, and early ballots dropped off at the precinct; they separate different types of ballots for different kinds of further processing. Receiving and Inspection Boards may be combined. Each Inspection Board consists of two members of different political parties. You will want to review the names of appointees to confirm their competence and integrity.

Your observers should watch for broken seals, unsealed ballot containers, loose ballots, etc. They should log such instances separately from the Board workers for later comparison. They should also confirm that Board workers are logging such information and make note of omissions.

vii. Provisional Boards

After the Recorder's Office has checked the affidavits on provisional ballot envelopes to determine if they were cast by a valid voter, the Provisional Boards open the envelopes and collect the provisional ballots for scanning. Each Provisional Board consists of two members of different political parties. You will want to review the names of appointees to confirm their competence and integrity.

viii. Write-in Boards

Each Write-in Board consists of an Inspector and two Judges, with both major parties represented. The Write-in Boards review ballots identified either at the polling places or during the central count processing as having one or more write-in votes to determine if the votes are for registered write-in candidates. They label and sign invalid write-in votes and tally the valid write-in votes. You will want to review the names of appointees to confirm their competence and integrity.

ix. Audit Board

The Secretary of State's Election Manual does not specify the make-up of the Audit Board, but does say that the Board's activities are to be supervised by political observers, presumably from at least the two major political parties. The Audit Board's task is to review all paperwork from the other boards and to compare precinct records showing voter totals and vote totals with results reported by the central election computer for every precinct and race, prior to certification of the election results for the official canvass. This is an important double-check of all the election activity.

b. Election Observers – for every Board

Ideally, you would assign an observer to every Board – both central count boards and precinct boards. This would require a lot of volunteer observers. If you know the Democratic members of the Boards and are confident of their competence and integrity, you might choose to limit your observers to the critical central count boards. Consider, however, that Board members are employed by the Election Department and are not free to communicate all that they see to your election integrity team, at least not in real time, so having observers stationed at strategic places may be valuable, if you can round up sufficient volunteers.

Because opportunities for undetected large-scale fraud are greatest in the early ballot processing and the central computer activity, you will want to be sure these activities have sufficient numbers of observers. Because the hand-count audit has the greatest chance of detecting fraud, you will want to fully support the hand-count audit with sufficient numbers of audit workers. Because the Audit Board double-checks all other election boards, you will want to have an observer there as well.

c. Other election integrity people**i. Recruiters**

These people will make telephone calls, send out emails, and review lists of voters to find suitable volunteers to staff the various election boards and to serve as observers.

ii. Coordinators

For large operations such as observers of the early ballot counting during the week or two before election day, and the hand count audit after election day, it will be advantageous to have a coordinator to keep track of who has volunteered, who is available to work at various times, and to ensure that volunteers are informed of the latest information about the task. A coordinator of volunteers might also keep track of who is available for various tasks and pass names on to coordinators of specific tasks.

iii. Planners

Because of the complexity of the election operations, you might find it useful to have one or more planners to collect information from the election department and to plan how Democratic volunteers will be organized to meet the various needs.

iv. Liaisons

The different teams of volunteers are not entirely separate from one another, and it will be useful to assign someone from each group to serve as a communications liaison to the Democratic Party headquarters and to other related groups of volunteers, to improve communication and coordination between the different groups.

v. Researchers

Observers should log their observations, and someone (or a group) should collect and review the various observation logs and compare the data with data they derive from a review of Election Department records. There are many uses for doing research, but two important ones are: confirming the integrity of the overall election, and deriving information about local problems that need to be resolved before the next election.

5. Ensuring Election Integrity at the Polls

a. *Voters Rights and Likely Problems*

As a result of the 2002 Help America Vote Act and recent Arizona law changes, voters generally have the right to fill out a ballot even if challenged and even if they do not have the required identification. They may be required to vote provisional or conditional provisional ballots which may or may not be counted, but they do have the right to fill out a ballot before leaving the polling place.

Problems generally arise when (1) a voter is not listed in the precinct register as an active voter in that precinct, (2) a voter does not have the expected identification, (3) someone challenges the voter's right to cast a ballot, (4) a voter is intimidated outside the polling place, or (5) a voter finds a long time delay caused by a line of voters waiting to vote.

Particularly in problem precincts (you probably know where they are – usually in poor or ethnic minority areas), you should have poll watchers present to assist voters with these and any other problems that might arise. Ideally these poll watchers will be people trained in the law and knowledgeable about Arizona election law in particular. Non-lawyers may with sufficient training serve satisfactorily as long as they know their own limitations and are astute enough to seek support when needed.

b. *Poll Watchers' Limitations*

Poll watchers may provide advice to individual voters or to the Inspector who is charge of the polling place when the advice is requested and accepted willingly. If there is a dispute between a voter and a poll worker or between a voter and a challenger, the poll watcher should be extremely careful about getting involved without the encouragement of the Inspector at the polling place. In any dispute with the Inspector, the poll watcher should seek outside help either from an Election Department troubleshooter or from local legal experts who are on call for such situations.

c. *Getting Help*

You should arrange for a lawyer with expertise in election law (or, in larger counties, as many as might be needed) to be on call on Election Day for assisting with difficult situations that poll watchers cannot easily handle. Each poll watcher should have a cell phone and both the Democratic lawyer's on-call telephone number and the Election Department's troubleshooting telephone number at hand.

If a dispute arises, whether it involves a single voter, procedures at the polling place, or voter intimidation outside the polling place, the first appeal should go to the Inspector and Marshal who are in charge of the polling place. The Inspector is the chief authority on the spot and generally has the authority to solve problems, whether they involve interpreting rules or applying common sense to situations not clearly covered by rules. Since the Inspector and Marshal are from opposite parties, their joint decisions will be less likely to be appealed.

If the Inspector and Marshal fail to solve a problem, then the next appeal should be to the Election Department.

Failing to obtain a solution either from the Inspector and Marshal or from the Election Department, the poll watcher should call the Democratic lawyer hotline and follow the troubleshooter's advice or turn the problem entirely over to the troubleshooter.

d. Recruiting and Training Poll Watchers

You should begin well in advance of Election Day with the recruitment and training of poll watchers. First decide how many precincts are likely to have problems and then seek some number of poll watchers in excess of that number. You will prefer lawyers, law students, paralegals, or others with specific training in the law, but you may have to also recruit others without formal legal training. Ideally you will prefer people who are well-versed in election law but you will probably have to accept people without formal election law training.

Your poll watcher recruits should at least have logical minds, be able to read and interpret the rules, be able to handle sensitive situations with tact, and be able to calm tense situations without losing their tempers. As Rudyard Kipling said, "if you can keep your head when all about you are losing theirs and blaming it on you," you will be a good poll watcher.

You should set up at least one training session for the volunteer poll watchers, taught by a lawyer who is knowledgeable about election law in Arizona and preferably has served either as a poll watcher or as an on-call troubleshooter in a previous Arizona election.

Each poll watcher should be provided with a copy of appendix A, the Arizona Election Day Manual, which contains a list of voters' rights, a problem solving chart, a brief summary of Arizona law pertaining to polling places, some reminders about conduct at the polls, and contact numbers. You may want to add local numbers to the list provided in the appendix.

6. Ensuring Election Security

a. Security of ballots

i. Accounting for ballots printed and delivered to the County

Arizona law says nothing about accounting for every ballot printed, but it would be possible for someone to skew an election by filling out fraudulent ballots and either adding them to the mix of valid ballots or by replacing batches of valid ballots with equal sized batches of fraudulent ballots. A major weak point in the election process is when marked ballots are transported from one place to another – there is an opportunity to introduce batches of fraudulent ballots.

You should determine how many ballots were printed for each ballot style (a precinct or a small group of precincts), how many were used (there are multiple ways of counting these, and the different counts should be compared), and how many remain in inventory after the election is completed.

ii. Accounting for ballots used

The recorder's office keeps a log of ballots mailed out and of mailed-in ballots received, as well as ballots shipped to early voting sites and ballots used at early voting sites. These numbers should be compared to confirm that all ballots are properly accounted for. The Election Department should log ballots shipped to precincts and ballots received from precincts, as well as ballots set aside for duplication boards' use and ballots actually used by duplication boards. If you collect all these numbers from all sources, it should be possible to determine what happened to every ballot. If any significant number of ballots cannot be accounted for, there is at least a record-keeping problem and (less likely but possible) an indication of fraud.

iii. Accounting for ballots not used

At the completion of the election process, the election department should count the ballots that remain in inventory and confirm that the number is consistent with the total number printed and the total number used. You should ask the election department to confirm these numbers and, if necessary, provide volunteer assistance to do the counting.

iv. Transporting ballots from one location to another

Because Arizona's population has grown considerably over the past few decades, county election departments often have outgrown their space and have thus had to divide their operations between multiple locations, requiring that ballots be transported from one location to another during the election processing. Although the law clearly specifies that transportation must be done under the supervision of two people from different political parties, this transportation task is a weak link in the processing of early ballots in particular. It provides an excellent opportunity for someone to swap fraudulent ballots for valid ballots, or to add marks to valid ballots while they are en route. Your observers should log all ballot containers created by the early boards and all containers of ballots scanned by the central count scanners, and compare the lists to confirm that no substitutions, deletions, or additions occurred.

v. Other chain of custody issues

Although transportation of ballots from one location to another is a primary target for interrupting the chain of custody by introducing fraudulent ballots or changing valid ballots, the chain of custody issue is much larger than just the transportation problem. Early ballots could be altered any time after they are taken out of their envelopes, including after they have been scanned into the computer. For example, if someone programmed the central count computer to mis-count ballots, it might then be necessary to physically alter the ballots selected for hand count audit to match the computer's totals. Ballots should be stored in sealed containers at all times, with tamper-revealing seals to prevent the sealed containers from being opened while supposedly in storage. Observers should take care to ensure that seals are placed on ballot containers, to log all seal numbers at every stage of processing, and to compare seal numbers for each container of ballots from one step of processing to the next to be sure they have not changed.

Chain of custody also applies to voting machines, particularly those sent out to polling places. There should be tamper-revealing seals on containers shipped out; those should be confirmed by poll workers to be sure they have not changed and that the seals have not been damaged. Ballot bags and containers of voting machines, precinct logs, etc. should be sealed at each precinct with tamper-revealing seals and those seals should be checked by the receiving or inspection boards at the central count facility. If you have sufficient volunteers, you might consider having observers also record seal numbers and compare them. In any case, obtaining copies of the precinct reports and the inspection logs for comparison after the election is an excellent way of confirming that chain of custody has not been broken.

vi. Tamper-revealing seals

Tamper-revealing seals are plastic labels that have been numbered sequentially so that each label has a unique number. They are constructed so that when the label is removed from whatever surface to which it was applied, the label's design will change so that even if the label is reapplied, the label will still reveal that it was once removed from something.

We generally accept the premise that every tamper-revealing label used in an election is actually unique – that duplicate labels were not created. To ensure that this is so, you might arrange with the officer in charge of the election for observers to sign their names across tamper-revealing seals to ensure that those seals could not be fraudulently replaced without detection (this of course must be done so as to leave the seal number readable).

Tamper-revealing seals can be applied to boxes of ballots, to voting machine doors, to computer cabinet doors, to crates containing voting machines, even to doors to central count processing rooms – all to assure that no one had access to something that was intended to be held securely.

When boxes of ballots are closed for transport or storage, they should be sealed top and bottom with tamper-revealing seals. A log should be kept of all the seal numbers, and checked just before opening the boxes for the next step in processing to be sure the boxes have not been opened or switched with other boxes.

b. Security of election machines

i. Physical security

To confirm the integrity of an election, you need to assure yourself that ballots, voting machines, central count computers, and assorted paper documents were held and transported securely at all times during the election process. Physical security is a large part of this. Tamper-revealing seals can only be trusted if you are sure that there are no duplicate numbers available to a person wanting to alter votes. Additional security mechanisms include locks on doors that are alarmed; locking systems that record the name of each person passing through a door or otherwise opening a lock; video surveillance cameras that record a picture of anyone entering a room.

Physical security of ballot storage areas and of early ballot processing rooms is also important. Physical security of ballots after they are scanned into the computer is as important as physical security before scanning.

ii. Checking the software on the election machines

Software on election machines (both optical scan and touch-screen) should be checked before the machines are sent out to precincts or to early voting sites, to be sure that the correct version of software is installed, and that the machines are programmed for the proper precincts. Even with this checking, it is well-known that both optical scan and touch screen voting machines are easily hacked, so it is important to question any machine which is missing its tamper-revealing seal or that has a damaged seal.

The logic and accuracy tests conducted by the parties and by the secretary of state's office are only confidence-building measures – since they only check a small percentage of the total set of voting machines, they cannot provide comprehensive confirmation for all machines. You should encourage the Election Department staff to actually test every machine for its suitability for the voting location in which it will be used.

c. Security of the central count system

The software on the central count computer should be checked by a computer professional to confirm that it is the version that was approved for use in the current election. Non-approved software should not be on the computer. No software other than the approved election software should be installed on the computer. Specifically, software such as Microsoft Access, Word, or Excel should not be installed on the computer, because they could be used to alter the election database.

Security of the central count computer also involves ensuring that all cables linking computer peripherals are in full view of observers at all times so that you can confirm that no cables connect the central count computer to anything outside the room. Locking the central count computer when it is not in use and detaching the keyboard and monitor while the computer is locked are also good physical security. Any computer printer should be in the central count computer room, in full view of observers.

Removing the disc drives from the central count computer and locking them in a vault would be an excellent physical security policy, though the only place we have found such a policy is in the City of Tucson's Election Department (this would require physical alteration of the computer long before an election season began to allow removable disc drives to be installed).

i. Early ballot counting computer security

Because of the large number of early ballots, most counties will begin counting early ballots days or even weeks before Election Day. The computer will thus be left in place, probably turned on, during the nights and weekends when early ballot scanning is not taking place. Ideally the computer should be turned off at night and the disk drives containing the election database should be removed and locked in a vault that is sealed with a tamper-revealing seal. This is the procedure in the Tucson City elections, but other election departments are not so concerned about security. You might find that your influence can improve this situation, at least in the long term.

At the very least, the computer should be turned off and locked up in a cabinet with tamper-revealing seals to ensure that it is not opened or turned on during the time observers are not present.

ii. Computer audit logs

Both the election counting application software and the operating system software should maintain activity logs that can be examined after the election for anomalous activity, such as improper manipulation or replacement of the vote-count database. Before the election, you should confirm that these activity logs are operating properly.

iii. Security camera monitoring and logs

The room(s) in which ballots are stored overnight and in which ballots are scanned should be monitored by security cameras which will store their images at least from the beginning of the election to the completion of all election activity. If the security cameras feed their images to a computer, they can be stored in a digital file indefinitely. You should have at least one of your observers review these security camera records after the election results have been announced, and they should compare the security camera records with any observer logs of questionable activity during the counting of ballots.

iv. Party Observers' role in maintaining security

During the scanning of ballots, observers should watch for any anomalous behavior by any of the election department staff. Observers should keep a log to be sure that every box of ballots is scanned and that no box is scanned twice. Ask questions when any computer activity other than ballot scanning appears to be taking place. Record the apparent activity, the questions asked and the answers; this information can be compared after the election is over with the computer activity logs and with the security camera records. There are sample forms in the appendix that your observers may find useful.

d. Security of vote-total reports printed before the end of Election Day

i. Being alert to anything and everything coming out of the printer

Before and after scanning each box of ballots intended for the hand-count audit, the computer operator will need to print a summary report that shows vote totals in all races. The hand-count auditors will subtract the numbers on this pair of reports to determine the number of votes recorded by the computer on that set of ballots. Your observers should watch the printer to be sure that the summary reports are placed in an envelope and sealed without anyone looking at the reports. The envelope should be clearly marked so that the association between the ballots and the summary reports is maintained for the hand count audit. The envelope containing the summary reports should not be placed inside the box of corresponding ballots because most of those boxes will not be opened during the hand audit, and any summary reports stored inside ballot boxes will probably be unavailable for scrutiny after the election.

Your observers should also track anything else that comes out of the printer. There should be a cards cast report at the beginning and end of each day's scanning activity to ensure that the total number of ballots counted does not change overnight. No other reports should be printed before the end of Election Day. If anything else is printed, the observers should ask what it is, look at it to confirm the answer, and log the event so that it can be compared with the computer activity logs after the election.

ii. Sealing early reports and recording seal numbers

The only vote-total reports that should be printed before one hour after the polls close on Election Day are those that are needed for the hand-count audit. Those reports should be placed in a clearly marked envelope with tamper-revealing seals to ensure that the envelope is not opened until after Election Day. Observers should sign their names across the tamper-revealing seal or across the sealed envelope flap. Your observers should keep a log of the seal numbers and all those numbers should be checked before the beginning of the hand-count audit.

iii. Checking all seal numbers after Election Day

Before beginning the hand-count audit, all seal numbers on all boxes of early ballots selected for potential audit as well as all seal numbers on envelopes containing early vote totals reports to ensure that no reports were seen by anyone before the end of Election Day.

e. Security of the audit

i. Sealing early ballots selected for audit and recording seal numbers

To be sure that neither ballots nor computer-generated reports have been altered before the audit begins, early-ballot-scanning observers should place seals on ballot and vote-totals reports containers, and log those seal numbers for use by observers of the hand-count audit.

ii. Checking all seals after Election Day

Before the start of the hand-count audit, all tamper-revealing seals should be checked to be sure they have not been removed or replaced.

iii. Precinct-level report of votes BEFORE selection of precincts for audit

The law requires that the election department publish a precinct-level report of votes before the selection of precincts for audit. This is to ensure that no one has any opportunity to alter numbers in the computer after audit precincts have been selected but before the actual audit begins. The precinct report should include both precinct-cast and early ballot tallies. In most counties, this report, if printed on paper, will be very large. You should request that the report be provided in the form of a text file on a computer disk. This will enable your analysts to examine all the numbers and perform statistical analyses on them, in addition to confirming the vote totals for the precincts to be audited.

The numbers in the precinct-level vote totals reports should be compared by an observer with the numbers used in the hand-count audit to be sure they are the same.

iv. Selecting the precincts and races to be audited

The law requires that precincts and races be selected by a non-machine method. This probably will be a process of placing precinct numbers and names of races on slips of paper into baskets or boxes and then having the party chairs take turns selecting them for audit. If you are unsure of the randomness of the process chosen in your county, ask questions and review the process with someone you trust who is knowledgeable about statistics.

A number of precincts equal to at least two percent of the precincts in your county are to be selected and audited. If your county has fewer than 100 precincts, at least two

precincts will be audited. At least four races are to be selected for audit: one legislative race, one state-wide race, one federal race, and one ballot initiative or referendum issue. If the election involves the US Presidency, that race is to be added to the four other races to be audited. Depending on which precincts are selected in a county, there may be different legislative or Congressional races in those precincts. If a legislative race is selected for audit, then it is to be audited no matter who the individual candidates are.

If possible, you should arrange for the hand-count audit to begin immediately after the precincts and races are chosen for audit, to eliminate any possibility that someone could alter ballots from precincts chosen for audit.

v. Selecting the early ballots to be audited

During the counting of early ballots, observers will select batches of ballots to be audited. The hand count for early ballots must include at least 1% of the total number of early ballots. Because the law allows for an expansion of the hand count if discrepancies are found, the number of batches set aside should encompass at least 4% of the early ballots. At the time of the hand count, a number of batches are selected from the available batches. This should be done randomly, so that the selected batches span the central count scanners as well as the time period over which ballots were scanned. Thus some of the batches should be taken from the first few days of counting, and also from the last few days. For each selected batch, it is necessary to locate the envelope containing the two summary reports that are used to determine the expected vote totals for the batch.

vi. Checking precinct-cast ballot bag tamper-revealing seals

Before the hand-count audit begins, you should have an observer check the tamper-revealing seals placed on containers of ballots by the precinct election judges. These containers should not have been opened before the beginning of the audit, and the seal numbers should match those logged by the precinct judges on a form that they signed on Election Day.

If the seal on any container of ballots is missing or has been replaced, or the seal has been damaged, you should insist that another precinct be chosen for audit, either in addition to the precinct with the damaged or missing seal or in place of it. Auditing a precinct whose ballots' security is questionable would be a useless activity.

vii. Checking seals on touch-screen voting machine cartridges

The cartridges from touch-screen voting machines should arrive at the place of the hand-count audit with intact tamper-revealing seals showing that no one has opened the cartridge since the election. You should have an observer check the seal numbers against

the seal numbers logged by the precinct election judges on a form that they signed on Election Day.

Because in Arizona touch-screen voting machines are used primarily to satisfy federal requirements for handicapped voter access, it may be that there are few enough votes recorded in a particular touch-screen voting machine cartridge so that demanding a different precinct be audited would be irrelevant to the outcome of the election. Also, because these machines are new, the likelihood is greater that judges in some precincts might have failed to place seals on the cartridges or might have damaged the seals in the process, so you will want to exercise some common sense restraint in complaining about these seals.

7. Ensuring election integrity-data collection and analysis

a. *Collecting data*

i. Recording ballots at every step of the process

The number of volunteers you have available, especially during the processing of early ballots, will necessarily determine how much observing and logging of activity can be done. Because of the opportunity for large-scale fraud in the processing of early ballots, you should have observers log all packages of ballots prepared by the early boards and also all packages of early ballots scanned into the central election computer, to ensure that no batches have been lost or replaced, that no ballots have been scanned twice, and that no fraudulent batches have been added between the early boards and the central scanners. Whenever ballots are out of sight of observers, there is an opportunity for fraudulent activity to occur, so those parts of the process need the most scrutiny.

Early ballot observers should log every box of ballots created and scanned, including seal numbers, number of ballots in the box, the number successfully scanned, and the number rejected by the scanner. This will enable you to independently verify that no ballots went astray, no fraudulent ballots were introduced, and no ballots were scanned twice.

ii. Recording seal numbers on boxes of ballots

Early ballot observers should record seal numbers of tamper-revealing seals placed on the boxes by the early ballot boards, so that these seal numbers can be compared when the boxes of ballots are about to be scanned.

Seal numbers of tamper-revealing seals placed on boxes of ballots selected for potential audit should also be recorded by early ballot observers, so that they can be checked before the start of the audit.

Early ballot vote totals reports should be stored separately from the boxes of audit ballots with which they are associated, the envelopes or boxes containing those reports should also be sealed with tamper-revealing seals, and a log should be kept of those numbers so that they can be checked before the start of the audit.

iii. Recording times

Times can be very important when analyzing election activity after the election process is complete. Your observers should record times of all activity as precisely as possible so that these times can be compared with computer activity logs, times printed on reports, and times of activity recorded by security cameras. An error of a minute or two can be important, and logging an activity with no accompanying time can prevent effective analysis after the fact. If possible, observers should agree on what the correct time is, especially when one observer relieves an observer from an earlier time period.

Checking the computer clock time displayed on the computer monitor and comparing it with a clock on the wall and with the observer's watch are all useful checks on accuracy of times recorded in the observers' logs.

iv. Recording names of people performing different tasks

In the event that a question arises during the analysis of election data after the election is complete, it might be important to know which person on the election department staff performed which functions. Even if the computer system is set to log each user through an individual login sequence, it is still possible for someone other than the logged-in user to operate the keyboard of the computer. If suspicious activity is discovered after the fact, having an observer's contemporaneous log might be important in catching a culprit.

When selecting batches of early ballots for audit, the law requires that the selections be evenly distributed among all available scanners. It is therefore important for the early ballot observers to log which scanner was used for each batch of ballots. Although the law does not require it, you might want to also evenly distribute batches of ballots selected for audit among election department employees, so logging the names of scanner operators could also be useful.

In general, if you have any expectation of catching a crook, it may depend on knowing which person did what. Having the observer log this information in an orderly fashion might mean the difference between catching a crook and not catching a crook. Similarly, the discovery of defective scanning equipment may require knowing which scanner processed each batch of ballots and when, especially the ballots to be audited.

v. Recording seal numbers used on computers, storage containers, rooms

Whenever observers depart from the ballot processing and ballot scanning areas, and whenever ballots or other election materials are placed in a locked vault or room overnight, it is important to place a tamper-revealing seal on the container or entrance so

that observers can confirm before opening the container or entering the room for the next session that no improper access occurred during the time when observers were not present. You should test each seal location to be sure that (1) it is necessary to remove the seal in order to open or access the contents of the container or room, and (2) the seal will actually reveal such removal.

b. Analyzing the data

i. Comparing numbers of ballots at different stages of the election

If your observers log numbers of early ballots mailed out with numbers of early ballots returned and with numbers of early ballots scanned, it can confirm that no extra ballots were introduced into the counting process. The early ballot board should keep tabs on the numbers of ballots it processes. When ballots are placed into an envelope or box, there should be clear notation of how many ballots are contained therein.

If the numbers of voters who signed in at each precinct is compared with the number of ballots scanned in that precinct, the totals should match. Additionally, the total number of voters on the precinct registers and on the early ballot logs should match the total number of votes reported for the election.

Any significant differences (greater than 1 percent) should be investigated to confirm that (1) no legitimate votes were lost, and (2) no fraudulent votes were added.

ii. Comparing seal numbers from different stages of the election

If observers record seal numbers placed on boxes, envelopes, and other containers with the seal numbers on those containers when the next step of the ballot processing begins, you can confirm that no one had improper access to the ballots or computers during the storage or transport time. Any difference in seal numbers needs to be explained or investigated.

iii. Looking for odd events (e.g., extra early reports, unneeded database actions)

After the election is completed, you can request a computer disk with the vote count software's activity log and the computer operating system's activity log. These logs can be examined for anomalous activities, such as printing more vote total reports than were

logged in association with the selection of early ballots for audit, or backups of the vote count database at times other than the end of a processing day. Any odd activities can then be compared with observer logs for the corresponding time periods to better identify what happened.

iv. Comparing early ballot numbers with precinct-cast ballot numbers

The percentage of voters who cast early ballots should generally be consistent from precinct to precinct. Similarly, the percentage of early voters in each race should also be consistent from precinct to precinct and from race to race. If you have data from previous elections, current data can also be compared with historical data to identify trends or anomalous data in the current election.

v. Checking the database after the election is over

If you can obtain a copy of the computer database containing the vote totals after the completion of the election, it is possible to perform statistical analyses of the data in the database to confirm that all numbers are statistically consistent throughout, and that the numbers in the database are consistent with numbers obtained from other sources, such as voter registration rolls, precinct voter sign-in registers, precinct scanner totals, hand audit counts, etc.

If you cannot obtain a copy of the actual computer database, many statistical analyses can be performed using the text file of preliminary results obtained before the selection of precincts for the hand count audit or (better) using a similar text file containing final precinct-level results.

Appendix A

Arizona Election Day Manual

Please see separate PDF accompanying this file, for the Election Day Manual text.

ARIZONA ELECTION DAY MANUAL

A DETAILED GUIDE
TO VOTING IN ARIZONA

ARIZONA ELECTION PROTECTION
VOTER HOTLINE

(602) 265-VOTE

(602) 265-8683

Pima County Democratic Party
Voter Hotline
(520) 325-4200

DNC Voter Hotline
(888) DEM-VOTE
(888) 336-8683

NOVEMBER 7, 2006

Paid for by the Arizona Democratic Party; David Waid, Chair, Carter Olson, Treasurer.
2910 North Central Avenue • Phoenix, AZ 85012
(602) 298-4200 (O) • (602) 298-7117 (F)
www.azdem.org

Not authorized by any candidate or candidate committee.

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VOTERS' BILL OF RIGHTS

Arizona 2006 General Election

1. ***You have the right*** to bring into the polling place this Voters Bill of Rights, a Sample Ballot, or any other literature to assist you in voting. However, this information may not be put on display to other voters.
2. ***You have the right to vote*** by conditional provisional ballot if you cannot produce proper identification. Proper identification must be provided either at your polling location on November 7, 2006, **OR** at a Post Election Voter ID Verification Site within 5 days of Election Day. A.R.S. § 16-579 (2006).
3. ***You have the right to vote*** by provisional ballot if you present proper identification and live within the voting precinct's jurisdiction but your name and address do not appear on the Poll Worker's Signature Roster **OR** you present proper identification and the name and address on your identification does not match the name and address that appears on the Poll Worker's Signature Roster. A.R.S. § 16-135(B) and § 16-583 (2006). You do not need to provide any other information in order to vote.
4. If you move from your voting precinct 29 days or less before Election Day, ***you have the right to vote*** a regular ballot at your old polling place if you are a registered elector and have proper identification. A.R.S. § 16-125 (2006).
5. The polls must be open from 6:00 a.m. until 7:00 p.m. ***You have the right to vote*** if you are in line during these times. A.R.S. § 16-565(A) and § 16-565(D) (2006).
6. If you make a mistake on your ballot, ***you have the right*** to spoil your ballot and receive a replacement ballot. A.R.S. § 16-585 (2006).
7. If you are a challenged voter, ***you always have the right to vote*** by casting a provisional ballot, or a conditional provisional ballot if you do not have proper identification. This includes challenges that you previously voted an Early Ballot. A.R.S. § 16-592(C) (2006).
8. ***You have the right*** not to be bothered when you are within 75 feet of the polling place. A.R.S. § 16-515(A) (2006).
9. If you are an elderly or disabled person and your polling place has been determined inaccessible, then ***you have the right*** to utilize the "Curbside Voting" alternative voting method. A.R.S. § 16-581(A) (2006).
10. ***You have the right*** to be assisted by a person of your choice in the voting booth, to be accompanied by your minor child in the voting booth, or to be assisted by two election officials from differing parties during the voting process. A.R.S. § 16-580(G) (2006).

II. Problem Solving Grid

PROBLEM	ARIZONA STATE LAW	SOLUTION
POLL IS NOT OPEN AT 6:00AM	The polls are to be open without interruption from 6:00 a.m. to 7:00 p.m. See A.R.S. § 16-565.	<ul style="list-style-type: none"> • Report polls that are not opened at 6:00AM immediately to Election Protection HQ at (602) 265-VOTE.
POLL OPENING: VOTING MACHINE IS NOT “ZEROED”	<p>When the polls are opened at 6:00 a.m., the poll workers will receive a “zero report” from the machine. The “zero report” indicates that no votes have been recorded by the voting machine. At the opening of the polls, ALL VOTING MACHINES SHOULD BE ZEROED.</p> <p>See A.R.S. § 16-561.</p>	<ul style="list-style-type: none"> • Observers are allowed to examine the machine “tape” (Printout from the machine). • If a machine is not zeroed, immediately request that the Inspector contact the County Elections Department for further instructions. • If voters are present, demand that their ballots be deposited into the slot associated with the machine’s “lockbox.” • Contact Election Protection HQ at (602) 265-VOTE.
VOTING MACHINE IS NOT WORKING	Despite voting machine malfunctions, the polls do not close. The polls are to be open without interruption from 6:00 a.m. to 7:00 p.m. A.R.S. § 16-565.	<ul style="list-style-type: none"> • Poll workers should contact the County Elections Department for immediate assistance. • Ballots cast during this time should be deposited into the slot associated with the machine’s “lockbox.” • Contact Election Protection HQ at (602) 265-VOTE. <p>Additionally, notify Election Protection HQ if any machine appears to have been tampered with in any way (i.e. security seals appear broken, loose wiring is present, etc.)</p>

PROBLEM	ARIZONA STATE LAW	SOLUTION
<p>VOTER IS ASKED TO PRESENT IDENTIFICATION</p>	<p>In order to vote a <u>regular</u> ballot, Arizona voters must either present: ONE form of sufficient <u>PHOTO ID</u> with <u>Name and Address</u>:</p> <ul style="list-style-type: none"> • Non-Expired Arizona driver license or Arizona non-operating identification • Tribal enrollment card or other form of tribal identification <p>OR</p> <p>TWO forms of sufficient <u>NON-PHOTO ID</u> with <u>Name and Address</u>:</p> <ul style="list-style-type: none"> • Utility bill of the elector dated within 90 days of the election date • Bank or credit union statement dated within 90 days of the election date • Valid Arizona vehicle registration • Indian census card • Property tax statement of the elector’s residence • Tribal enrollment card or other form of tribal identification • Vehicle insurance card • Valid U.S. federal, state, or local government issued identification • Voter Registration Card or Recorder’s Certification • Any “Official Election Material” bearing elector’s name and address 	<ul style="list-style-type: none"> • Verify that voters with sufficient ID are being permitted to vote. • Verify that voters without sufficient ID are being permitted to vote conditional provisional ballots and are being given information about where and when to return with their sufficient ID. (Voters can choose to go home and come back with ID as well.) • If necessary, remind the Inspector what forms of ID are appropriate and that voters without sufficient ID have the right to vote a conditional provisional ballot if they do not wish to return later with sufficient ID. • Ask the Inspector to inform other poll workers of the ID rules. • Report incidents or problems to Election Protection HQ at (602) 265-VOTE. <p>NOTE:</p> <p>Members of Native American tribes MAY vote a <u>provisional</u> ballot with only their Tribal ID card showing their NAME (no address requirement) if they reasonably appear to be the person listed in the signature roster. To vote a <u>regular</u> ballot, the requirements are the same.</p>

PROBLEM	ARIZONA STATE LAW	SOLUTION
<p>VOTER'S NAME IS ON THE ROSTER, BUT THE VOTER'S CURRENT ADDRESS DOES NOT MATCH</p>	<p>A voter who moves BEFORE the 29-day period before Election Day (before October 9, 2006)</p> <ul style="list-style-type: none"> • <i>WITHIN THE SAME COUNTY</i>, and does not notify the county recorder of the new address before Election Day, must vote a <u>provisional</u> ballot in the NEW precinct <p>A voter who moves DURING the 29-day period before Election Day (on or after October 9, 2006)</p> <ul style="list-style-type: none"> • <i>WITHIN THE SAME COUNTY</i>, and does not notify the county recorder of the new address before Election Day, may vote a regular ballot in the precinct from which the voter moved or a <u>provisional</u> ballot in the new precinct. <p>See Section 5, Voters Who Have Moved</p>	<ul style="list-style-type: none"> • Determine where the voter currently resides. • Determine if the voter's current residence is within this precinct. • If the voter is at the precinct servicing their current residence, the voter should vote a provisional ballot to update their residence address with the county recorder. • If the voter is at a precinct NOT servicing their current residence, but is in the precinct servicing their prior residence <u>and</u> moved within the 29 days prior to the election, the voter should be permitted to vote a regular ballot. • If the voter moved more than 29 days ago and is at a precinct NOT servicing their current residence, the voter should be directed to the precinct for their address. The voter will need to vote a <u>provisional</u> ballot at the precinct for their address. • Contact Election Protection HQ at (602) 265-VOTE if needed.

PROBLEM	ARIZONA STATE LAW	SOLUTION
<p>VOTER'S NAME AND ADDRESS DO NOT APPEAR ON THE SIGNATURE ROSTERS</p>	<p>A voter not appearing on the signature roster may either present ID proving residency within the precinct OR sign an affirmation of registry and eligibility. A.R.S. § 16-584 (2006). The voter will vote a <u>provisional</u> ballot.</p> <p>A voter has the right to vote a <u>provisional</u> ballot even if the voter does not appear on the signature roster.</p>	<ul style="list-style-type: none"> • Verify that all possible signature rosters have been checked by the poll workers (there may be multiple sections to the roster book, each with different lists). • Determine if the voter's current residence is within this precinct. • If the voter is at the precinct servicing their current residence, the voter should vote a <u>provisional</u> ballot. • If the voter is at a precinct NOT servicing their current residence, the voter should be directed to the precinct for their address. • Determine when and how the voter registered (get specifics for an incident report). • Contact Election Protection HQ at (602) 265-VOTE if needed.
<p>SIGNING THE VOTER ROLLS</p>	<p>If the voter's name is located in the ACTIVE, INACTIVE, or ADD-ON rolls, the voter signs next to their name.</p> <p>The Poll List Clerk shall record the voters Name and Register Number in consecutive order (without leaving blank spaces) in the Poll List.</p>	<ul style="list-style-type: none"> • If it is observed that additions to the Poll List are not being added in consecutive order on the next available line, request that the Inspector inform the worker of the proper procedures. • Contact Election Protection HQ at (602) 265-VOTE.

PROBLEM	ARIZONA STATE LAW	SOLUTION
<p>VOTER APPLIED FOR AN EARLY “MAIL-IN” BALLOT BUT DID NOT RECEIVE THE BALLOT, OR VOTER WISHES TO VOTE AT THE POLLS INSTEAD</p>	<p>A voter who has been mailed an early ballot may vote a <u>provisional</u> ballot issued at a polling place. In order to do so, the voter must either “SPOIL” the early ballot and give it to the poll inspector or affirm that she has not voted and will not vote an early ballot for this election.</p> <p>A.R.S. § 16-558.02.</p>	<ul style="list-style-type: none"> • Verify that signature roster indicates that voter requested an Early Ballot. • If roster indicates an Early Ballot WAS NOT requested, then voter should vote a regular ballot. • If roster indicates an Early Ballot WAS requested, voter may vote a <u>provisional</u> ballot at their polling place. <p>*** Voters may mark, sign, and deposit their Early Ballot at any polling location in the voter’s county of residence. ***</p>
<p>VOTER WISHES TO TURN-IN “MAIL-IN” BALLOT AT THE POLLS</p>	<p>Early Ballots may be deposited at any polling place within the county of the voter’s residence no later than 7:00 p.m. on Election Day. See A.R.S. § 16-548(A).</p>	<ul style="list-style-type: none"> • Ballot must be sealed in an envelope provided by the county AND the envelope must be signed by the voter. • If the voter does not have the envelope originally provided, the county provides envelopes to all precinct locations (check the supplies). • The Early Ballot will not be run through an optical scan machine at the precinct location. • The Early Ballot should be segregated at the precinct location from other ballots for verification by the county recorder.

PROBLEM	ARIZONA STATE LAW	SOLUTION
<p>VOTER REQUIRES ASSISTANCE MARKING THEIR BALLOT OR USING THE TOUCHSCREEN MACHINE</p>	<p>A voter may be accompanied and assisted <u>by a person of the voter's choice</u>, including a minor, during the process related to voting.</p> <p>Alternatively, a voter may request official assistance. In that event, two election officials, <u>not of the same party</u>, are to accompany the voter to the voting device or booth and assist the voter in the manner the voter desires. Candidates and the voter's employer may not provide assistance.</p> <p>See A.R.S. § 16-580(G).</p>	<ul style="list-style-type: none"> • Assistance should only be provided at the voter's request. • If official assistance is offered by only a single election official, inform the official that two (2) election officials from differing parties must accompany the voter. • Request that the official contact the County Elections Department for instructions on proper procedures. • Contact Election Protection HQ at (602) 265-VOTE to report the incident.
<p>OVERVOTES AND UNDERVOTES</p>	<p>Overvotes occur when the voter marks their ballot for more candidates than are to be elected to an office.</p> <p>Undervotes occur when the voter does not mark their ballot for any candidate or issue.</p> <p>No vote for the candidate/issue will be counted for Overvotes and Undervotes.</p> <p>It is the voter's choice if they wish to cast an Overvoted or Undervoted ballot.</p>	<ul style="list-style-type: none"> • If an Overvoted or Undervoted ballot comes to the attention of a Poll Worker (the voting machine will notify the Poll Worker) the Poll Worker should inform the voter of the situation. • The Poll Worker should not attempt to influence the voter in any way. • If the voter wishes to cast the ballot as marked, the Poll Worker should abide by the wishes of the voter. • If the voter wishes to change their ballot, the Poll Worker should spoil the incorrectly marked ballot and issue the voter a new ballot.

PROBLEM	ARIZONA STATE LAW	SOLUTION
VOTER INTIMIDATION	It is unlawful “by any contrivance whatever, to impede, prevent or otherwise interfere with the free exercise of the elective franchise of any voter, or to compel, induce or to prevail upon a voter either to cast or refrain from casting his vote at an election” A.R.S. § 16-1013(A)(2).	<ul style="list-style-type: none"> • If voter intimidation or interference is observed, notify the Poll Inspector immediately and request that action be taken. • Contact Election Protection HQ at (602) 265-VOTE to report an incident of intimidation either inside or outside the polling location.
ELECTIONEERING	<p>Access is restricted and electioneering activity is prohibited within the “75-Foot Limit” of each polling place. The 75-Foot Limit is measured from the main outside entrance of the polling place.</p> <p>A handful of poll locations are allowed to prohibit all electioneering (except in areas of public forum). These poll locations receive this designation if an “emergency” need for a poll location exists, and the county cannot find another poll location in the area. “Emergency” poll locations will receive a letter from the county reflecting their non-electioneering status.</p>	<ul style="list-style-type: none"> • If electioneering is observed within the 75-Foot limit, notify the Poll Inspector immediately and request that action be taken. • If a poll location attempts to prohibit electioneering outside the 75-Foot Limit, request that the poll location provide their letter from the county proving their “Emergency Status.” • Contact Election Protection HQ at (602) 265-VOTE to confirm the electioneering status of the poll location.
OBSERVERS ARE PRESENT FROM OTHER POLITICAL PARTIES	<p>Only one party representative (Observer) from each party may be in a polling place at one time.</p> <p>See A.R.S. § 16-590.</p>	<ul style="list-style-type: none"> • Ask the Inspector to remove opposing party’s observers if more than one observer is present from a given party. <p>Contact Election Protection HQ at (602) 265-VOTE immediately if ANY observers are present at your polling place.</p>

PROBLEM	ARIZONA STATE LAW	SOLUTION
<p>DEMOCRATIC VOTER IS CHALLENGED</p>	<p>Any qualified elector of the county (including poll workers) may orally challenge a person offering to vote on the grounds that...</p> <ul style="list-style-type: none"> • The person has voted before in the election. A.R.S. § 16-591. • The voter is not the person whose name appears on the voting register. A.R.S. § 16-121.01(B). • The voter has not resided in this state for the twenty-nine days preceding the election. • The voter is not properly registered at a current address. A.R.S. § 16-121.01(A). 	<ul style="list-style-type: none"> • Contact Election Protection HQ at (602) 265-VOTE immediately. • See A.R.S. § 16-590 – 594.
<p>LONG LINES</p>	<ul style="list-style-type: none"> • The polling place Marshal shall periodically measure the length of waiting times at the polling place. • If the waiting time is 30 minutes or more, the Marshal shall request additional voting machines and voting booths. <p>See A.R.S. § 16-535(B).</p>	<ul style="list-style-type: none"> • If the waiting time begins to near 30 minutes, suggest that the Marshal contact the County Hotline to request additional supplies. • Poll workers are also permitted to (1) split the signature roster into parts to speed the line, (2) hire additional workers out of the line to help, and (3) <u>permit the marking of ballots outside of booths (such as at tables) at the option of the voter.</u> • Immediately notify the Election Protection HQ at (602) 265-VOTE.

PROBLEM	ARIZONA STATE LAW	SOLUTION
LONG LINES AFTER 5:30PM	<p>Any qualified voter who at the moment of closing is in the line of waiting voters shall be allowed to prepare and have his ballot deposited by the election board official in the presence of the election board and himself.</p> <p>See A.R.S. § 16-565(D).</p>	<ul style="list-style-type: none"> • A voter in line at the closing of the polls at 7:00PM shall be allowed to cast a ballot. The right to vote should be announced by the Marshal during the closing announcement so that voters in line do not leave out of confusion. • Request that the Inspector grant all voters in line at the time of closing the right to vote. • Request that the Inspector contact the county for additional resources and take steps to reduce the wait time. • Contact Election Protection HQ at (602) 265-VOTE immediately.
POLL CLOSING	<p>After the close of the polls:</p> <ol style="list-style-type: none"> 1. The poll workers should create a report from the machine of the number of votes cast. 2. Place this report, along with the ballots, into a container. 3. Two workers (one from each party) should leave with this container to their designated receiving site. 4. The voting machines may either be connected to a phone line for results transmission, or the machines memory may be removed for delivery to the receiving site. <p>See A.R.S. § 16-608.</p>	<p>If the poll workers fail to create a report from the machines, suggest that they verify the correct procedures.</p> <p>If two poll workers (one from each party) do not leave to deliver the ballots to the receiving site, ask that they verify this procedure with the county immediately. Contact (602) 265-VOTE if this occurs.</p>

II. AZ Law Quick Reference

Quick References

If you observe any voting problems, either on or before Election Day, call your County Election Protection Liaison, or if none, (602) 265-VOTE. Please refrain from giving legal advice if you are not a lawyer or are not licensed to practice law in Arizona. If it is appropriate to remind a poll worker or a voter of a certain rule or provision of the statute, you may do so by showing them the relevant page of this manual.

1. Hours of Operation

The polls are to be open without interruption from 6:00 a.m. to 7:00 p.m.

This means that the polls do not close for lunch or breaks for the poll workers.

At each polling place, the Election Marshall is to announce the closing of the polls one hour, thirty minutes, fifteen minutes, one minute before closing, and at the moment of closing.

Anyone who is in line at the moment of closing must be allowed to vote. See A.R.S. § 16-565. Persons who arrive after the moment of closing are not allowed to vote.

If you learn that people in line at 7:00 p.m. are being denied the right to vote, you should suggest that the voters wait at the polling place while you attempt to reach your County Election Protection Liaison, or if none, (602) 265-VOTE.

Only election officers, voters, party representatives and challengers are allowed within 6 feet of the ballot boxes or voting booths.

2. Voter Intimidation

It is unlawful “by any contrivance whatever, to impede, prevent or otherwise interfere with the free exercise of the elective franchise of any voter, or to compel, induce or to prevail upon a voter either to cast or refrain from casting his vote at an election” A.R.S. § 16-1013(A)(2).

3. 75-Foot Limit

Access is restricted and electioneering activity is prohibited within the “75-Foot Limit” of each polling place. The 75-Foot Limit is measured from the main outside entrance of the polling place.

Election Protection Poll Observers are encouraged to periodically check outside the polling place for inappropriate activity either within or outside the 75-Foot Limit. If people outside the 75-Foot Limit are harassing voters in any way, report the activity immediately first to the Marshall (one of the poll workers at the polling place) and then to your County Election Protection Liaison, or if none, call (602) 265-VOTE.

No person may remain inside the 75-Foot Limit while the polls are open except voters, election officials, and one representative and one challenger for each party represented on the ballot. As noted below, however, voters may bring children with them into the polling place and voting booth and may also seek the assistance of another in voting.

4. Early Ballots (Election Day Drop-Off)

After a voter has sealed the voted ballot inside an early ballot return envelope, the voter may voluntarily give his or her voted early ballot to any person of his or her choice for delivery to the county recorder or a polling place. *See* A.R.S. § 16-548(A).

Early ballots may be deposited at any polling place within the county of the voter's residence no later than 7:00 p.m. on Election Day. *See* A.R.S. § 16-548(A).

A voter who desires to drop-off a voted early ballot at a polling place shall place it in the early ballot container. Such voters do not sign in and are not required to wait in line to vote. They must, however, sign the outside of the early ballot envelope just as they would if the ballot were mailed. If the voter does not have an early ballot envelope, the poll workers can provide an early ballot envelope to be completed by the voter.

Alternatively, a voter who has been mailed an early ballot may instead vote a provisional ballot issued at a polling place. In order to do so, the voter must provide identification and either "SPOIL" the early ballot and give it to the poll inspector or affirm that she or he has not voted and will not vote an early ballot for this election.

Voters cannot be denied the right to vote at the polling place merely because they have previously requested an early ballot. As explained above, a voter may either deposit his or her voted early ballot at any polling place or the voter may make an appropriate affirmation and vote a provisional ballot. Given a choice, it would be better to vote an early ballot than to vote a provisional ballot because voting the provisional requires proof of identification and it is more difficult to ensure that the provisional ballot will be counted. For example, an early ballot may be deposited at any polling location within the voter's county of residence, but a provisional ballot must be voted in the voter's correct precinct to be counted.

5. Voters Who Have Moved

A voter who moves BEFORE the 29-day period before Election Day (before October 9, 2006)

- *WITHIN THE SAME COUNTY*, and does not notify the county recorder of the new address before Election Day, must vote a provisional ballot in the NEW precinct.
- *TO ANOTHER COUNTY* within the state, must have re-registered in the new county by October 9, 2006; if the voter failed to re-register, the voter is not eligible to vote in this election.

A voter who moves DURING the 29-day period before Election Day (on or after October 9, 2006)

- *WITHIN THE SAME COUNTY*, and does not notify the county recorder of the new address before Election Day, may vote a regular ballot in the precinct from which the voter moved or a provisional ballot in the new precinct.
- *TO ANOTHER COUNTY* within the state, must vote a regular ballot in the precinct from which the voter moved.

You may encounter poll workers who are not aware of the state law provisions relating to voters who move within the 29-day period before Election Day (A.R.S. § 16-125) as it is not frequently invoked and does not appear to be stressed in poll worker training in some counties.

Voter ID is currently required to vote in AZ.

6. Voter ID Requirements

Sufficient **PHOTO ID** with **Name AND Address**

ONE (1) REQUIRED...

- Non-Expired Arizona driver license or Arizona non-operating identification
- Tribal enrollment card or other form of tribal identification

OR

Sufficient **NON-PHOTO ID** with **Name AND Address**

TWO (2) REQUIRED...

- Utility bill of the elector that is dated **within 90 days** of the date of the election
 - A utility bill may be for electric, gas, water, solid waste, sewer, telephone, cellular phone, or cable television.
- Bank or credit union statement that is dated **within 90 days** of the date of the election
- Valid Arizona Vehicle Registration
- Indian census card
- Property tax statement of the elector's residence
- Tribal enrollment card or other form of tribal identification
- Vehicle insurance card
- Valid United States federal, state, or local government issued identification
- Voter Registration Card / Recorder's Certification
- Any "Official Election Material" mailing bearing the voter's name and address
 - "Official Election Material" includes:
 - Sample Ballots
 - Polling Place Notification Cards

An elector who does not provide sufficient identification shall not be issued a regular ballot, but shall receive a conditional provisional ballot and will have five (5) days after the general election to provide sufficient identification to the county recorder in order for their conditional provisional ballot to count. The conditional provisional ballot is cast by the same procedure as the provisional ballot but is designated conditional by indicating that no acceptable ID was presented.

If a voter casts a conditional provisional ballot they must present sufficient identification within five (5) days after the general election at one of the Post-Election Voter ID Verification Sites OR they must return to the same polling location before 7:00 p.m. on November 7, 2006 with sufficient identification. Once sufficient ID is provided, the poll worker will need to complete a PROOF OF IDENTIFICATION form, the poll worker and the voter must sign the form. Voters should be given information about the location of the Post-Election Voter ID Verification Sites at the polling place when voting their conditional provisional ballot.

7. Voters Who Are Not On The "Active" Signature Roster

A voter's name may appear on the ACTIVE, INACTIVE, or ADD-ON signature rosters. Poll workers should check all three rosters (if used in your county) before asking a voter to cast a provisional ballot.

The ACTIVE roster lists those voters who have voted in recent elections (frequent voters).

The INACTIVE roster lists infrequent voters. Voters whose name appears on the inactive roster should vote a regular ballot after providing sufficient ID and confirming that they live at the address appearing on the roster.

The ADD-ON signature roster (if used in your county) lists those voters who registered around the printing of the active roster and could not be included in the active roster due to time constraints. Voters whose name appears on the add-on roster should vote a regular ballot after providing sufficient ID.

A voter who does not appear on any roster because of a recent move should follow the instructions provided under “Voters Who Have Moved” above. A voter always has the right to vote a conditional provisional ballot (without ID) or a provisional ballot (with ID).

If a voter has gone to the wrong precinct, the poll workers should direct the voter to the appropriate polling place. *If you learn that a poll worker has not directed the voter to the correct precinct for the voter’s current address, call the county recorder’s office to determine the correct polling place and direct the voter to the voter’s correct polling place. If you cannot reach the county recorder, call your Election Protection Liaison, or if none (602) 265-VOTE.*

8. Conditional Provisional Ballots

Conditional Provisional Ballots are cast by voters who cannot provide sufficient identification. The procedure for casting a conditional provisional ballot is the same as the provisional ballot except that the poll worker will indicate on the form that no sufficient ID was provided.

For a conditional provisional ballot to be counted, the voter must present sufficient identification within the prescribed time period. For the 2006 General Election, a voter must either return to the same polling location by 7:00 p.m. with sufficient identification, OR visit a Post-Election Voter ID Verification Site within 5 days with sufficient identification (the location of any Post-Election Voter ID Verification Sites should be provided by the poll workers).

Voters CANNOT provide proof of identity by MAIL.

Voters have the option of choosing between returning the same day to the same polling location, or visiting one of the Post-Election Voter ID Verification Sites to prove identification.

If identification is not provided, the conditional provisional ballot will NOT be counted.

9. Provisional Ballots

Provisional Ballots are cast by voters who are registered within the county, provide sufficient identification, AND:

- Have moved WITHIN the precinct without re-registering
- Have moved INTO the precinct from another in the same county without re-registering
- Have requested or received an EARLY BALLOT but did not vote it
- Are not listed on any signature roster, but live in the precinct
- The voter has changed their name
- The voter has been challenged

A Provisional Ballot voted in a precinct in which the voter is not a resident *will not be counted*.

Procedure:

- The voter DOES NOT sign any form at the original check-in table.
- The voter should be directed to a Provisional Ballot Table.
- The poll worker should complete the form and the voter and one (1) election official must sign the form.
- The voter should be given a COPY of this form as a RECEIPT.
- The poll worker must attach the form to one (1) of the large manila envelopes provided in their supplies package.
- The poll worker should print the voter's name in the PROVISIONAL BALLOT ROSTER and the voter should sign next to their printed name.
- The poll worker should now provide a ballot to the voter and instruct them to mark the ballot and seal it inside the manila envelope (the voter should have both the ballot AND the envelope when they enter the voting booth).
- Once the voter has marked the ballot and sealed it inside the manila envelope, the poll worker should place the envelope in the Provisional Ballot Box.

10. Assistance to Voters

A voter may be accompanied and assisted by a person of the voter's choice, including a minor, during the process related to voting.

Alternatively, a voter may request official assistance. In that event, two election officials, not of the same party, are to accompany the voter to the voting device or booth and assist the voter in the manner the voter desires.

If you learn that a voter has been prevented from voting because the voter has been told that the voter cannot be assisted in the voting booth, you should contact the appropriate election officer and encourage the voter to return to the polling place to vote with assistance as legally permitted.

A voter shall not be allowed to occupy a voting booth for more than five (5) minutes when other voters are waiting. If a voter requires more than 5 minutes, the poll workers should ask that voter to exit the booth and stand to the side until all others have voted. At that time, the voter requiring additional time should be permitted an additional 5 minutes.

11. Elderly or Disabled Persons

Elderly or disabled persons whose polling place has been deemed inaccessible (noted with signage outside the polling location) have the right to an alternative polling place, or can use the “Curbside Voting” alternative voting method. “Elderly” means sixty-five years of age or older. “Handicapped” means having a temporary or permanent physical disability that substantially restricts or limits a person’s access to the polling place. A.R.S. § 16-581.

12. Youth In The Booth

A parent or other voter may be accompanied by a minor into the polling place and the voting booth. Accordingly, a parent who brings children to the polling place should not be told that the children have to remain outside or cannot go into the polling booth with a parent.

13. Spoiled Ballots

If a voter incorrectly marks or damages the voter’s ballot, the voter is entitled to return it and receive another ballot. Only up to two (2) additional ballots may be issued. The inspector and one (1) judge are to write “SPOILED” on the ballot and ALL spoiled ballots are to be placed in the official returns envelope.

14. Not Enough Ballots

If there are not enough official ballots, or they are not delivered when required, substitute ballots may be prepared and used. A.R.S. § 16-573.

Poll Workers should be in contact with their assigned Trouble Shooter or County Election Official, who should be in contact with county elections, to report any shortages of ballots before they occur.

15. Voting Machine Failures (Both Optical Scan and Touch-Screen)

Failures related to the Optical Scan machines (paper ballots) and Touch-Screen machines should be reported by the Poll Workers to their assigned Trouble Shooter or County Election Official immediately.

Optical Scan machines are equipped with lock boxes where ballots should be deposited if they cannot be run through the machine. Ballots should never be collected by poll workers to be run through the machine at a later time.

16. Challenging Voters

Under Arizona law, any qualified elector of the county (including poll workers) may orally challenge a person offering to vote on the grounds that...

- The person has voted before at the election. A.R.S. § 16-591.
- The voter is not the person whose name appears on the voting register. A.R.S. § 16-121.01(B).
- The voter has not resided in this state for the twenty-nine days preceding the election.
- The voter is not properly registered at a current address. A.R.S. § 16-121.01(A). A voter must provide a current **RESIDENCE** address or description of the residence location such that it is readily ascertainable.
- The voter lacks sufficient proof of citizenship.

If a voter is challenged, the rules for determining residence of the voter upon challenge are set forth in A.R.S. §§ 16-592 and 16-593 (see below).

The Board of Elections which determines the validity of a challenge shall be composed of the Inspector and the two (2) Judges. A.R.S. § 16-531. A majority of the Board determines the validity of the polling place challenge. If a majority determines that the voter is qualified to vote, the voter may vote a regular ballot. If a majority determines that the voter is not qualified to vote, the voter may still vote a provisional ballot with proper identification or a conditional provisional without.

A.R.S. § 16-592. Proceedings on challenge; disposition of ballot

A. Upon challenge being made, if the person challenged appears to be registered, the person shall take and subscribe to the oath prescribed in the “affidavit of registration” and, if the person so elects, may be at once sworn to answer fully and truly all questions material to the challenge as are put to the person by the inspector. Any returned United States mail addressed to the person challenged or the spouse of the person challenged, or both, and to the address appearing on the precinct register or affidavit shall be considered as sufficient grounds to proceed under this section.

B. If after the examination on the challenge, a majority of the election board is satisfied that the challenge is not valid, the person challenged shall be permitted to vote.

C. If the person challenged refuses to be sworn or affirmed, or refuses to answer questions material to the challenge or if a majority of the election board finds that the challenge is valid, the person challenged shall be permitted to vote a provisional ballot.

A.R.S. § 16-593. Rules determining residence of voter upon challenge; reading of rules upon request

A. The Election Board, in determining the place of residence of a person, shall be governed by the following rules, so far as applicable:

1. The residence of a person is that place in which his habitation is fixed and to which he has the intention of returning when absent.
2. A person does not gain or lose his residence by reason of his presence at or absence from a place while employed in the service of the United States or of this state, or while engaged in navigation, or while a student at an institution of learning or while kept in an almshouse, asylum or prison.
3. A person does not lose his residence by leaving his home to go to another county, state or foreign country for merely temporary purposes, with the intention of returning.
4. A person does not gain a residence in any county into which he comes for merely temporary purposes, without the intention of making that county his home.

5. If a person removes to another state with the intention of making it his residence, he loses his residence in this state.
6. If a person removes to another state with the intention of remaining there for an indefinite time, and of making the place his present residence, he loses his residence in this state, even though he has an intention of returning at some future period.
7. The place where a person's family permanently resides is his residence, unless he is separated from his family, but if it is a place or temporary establishment for his family, or for transient purposes, it is otherwise.
8. If a person has a family residing in one place and he does business in another, the former is his place of residence, but a person having a family who has taken up his abode with the intention of remaining and whose family does not so reside with him shall be regarded as a resident where his abode has been taken.
9. The mere intention of acquiring a new residence without the act of removal avails nothing and neither does the act of removal without the intention.
 - B. The term of residence shall be computed by including the day on which the person's residence commenced and by excluding the day of election.
 - C. Before administering an oath to a person touching his residence, the inspector shall, if requested by any person, read to the person challenged the rules set forth in subsection A.

If you encounter challengers at your polling location from another political party, please call your Election Protection Liaison, or if none (602) 265-VOTE immediately.

17. Voter Registration

Requirements

Eligibility: Proof of citizenship; 18 years of age or older; resident of the state at least 29 days before the election

Ineligibility: No proof of citizenship; convicted of felony, unless civil rights restored; adjudicated incapacitated

How to Register

Complete an Arizona Voter Registration Form (contact your county recorder's office) or register online at www.servicearizona.com

Deadlines for Registration for General Election

October 9, 2006 at midnight

18. Early Ballots (also called Vote-By-Mail (VBM) Ballots)

Who may vote early? Any qualified elector may vote by early ballot. A.R.S. § 16-541(A). No reason need be given. Most early voting ballots in Arizona are submitted by mail, but county recorders provide in-person early voting polls at the recorder's office and satellite locations. A.R.S. § 16-542(A).

Procedures for Obtaining an Early Ballot Within the ninety days preceding the Saturday before any election, an elector may make a verbal or signed request to the county recorder. The elector may also contact the recorder's office online. The last day to request an Early Ballot for the 2006 General Election is October 27, 2006 at 5:00PM.

Absent Uniformed Services or Overseas Voter: Any absent uniformed services voter or overseas voter as defined in the Uniformed and Overseas Citizens Absentee Voting Act of 1986 (42 U.S.C. § 1973ff) may request an early ballot with a federal postcard application that contains both an early voter registration application and an early ballot application.

Deadlines: Early voting begins: October 5, 2006

Distribution of mail-in ballots begins: October 5, 2006

In-person early voting locations open: October 5, 2006

Deadline for requests for early ballots: October 27, 2006 at 5:00 p.m.

Need reason to vote by mail?

NO – Any Registered Voter may VBM

Deadline to apply for Early Ballot:

October 27, 2006 at 5:00 p.m.

Can campaigns or political parties collect and turn in Early Ballot applications?

YES – Candidate and political committees may distribute early applications to voters and may list as the return address the address of the committee.

Deadline to turn in Early Ballot:

7:00 p.m. on Election Day; Early Ballots may be returned to the county recorder or deposited at any polling place in the county in which the voter resides.

ID Requirement

NO – There is no ID Requirement for Early Ballots that are mailed or that are dropped-off.

Can a campaign or party collect and turn in Early Ballots?

YES – Any designee of the voter may deliver the Early Ballot to the county recorder or any polling place in the county in which the voter resides.

III. Conduct at the Polls

There are numerous state and local laws that govern your conduct at the polling places on Election Day. We are asking that you and all of your volunteers abide by those rules and conduct yourselves at the polling places legally, safely and appropriately. Violations are enforced by county election boards and/or by deputies and local police agencies. Attached here are some of the most common rules which should be followed to ensure courtesy, safety, compliance with the law, and to protect important property and business interests of the polling place owners.

Persons present in the polling places on election days are subject to the directions and statutory responsibilities of the election officers. The election officers are charged with securing the ballots and voting process, preserving order at the poll (A.R.S. § 16-535), permitting no violation of election laws (A.R.S. § 16-535), prohibiting any ability to ascertain an elector's vote (A.R.S. § 16-1007), including the videotaping of ballots or voting site, securing the ballots and election materials (A.R.S. § 16-602 et seq), restricting access to certain portions of the polling place (e.g., A.R.S. § 16-562 and 16-515), not releasing or divulging the results of any ballot counting until one hour after the close of the polls, ensuring that no deadly weapons are carried into the polling place (A.R.S. § 13-3102 (11)), that there is no intimidation of any elector (A.R.S. § 16-1013), no interference with respect to voting (A.R.S. § 16-1017), and that there is no interference in any manner with an officer of the election in the discharge of his duty (A.R.S. § 16-1004). Ballots are not public records which may be inspected by the public except upon judicial action or approval.

Political Observer Protocol

A.R.S. § 16-590 allows for a political observer and an alternate to be appointed by the county chair of each party that has a candidate on the ballot for each polling place in the county.

- If you have been appointed as a Political Observer you **must** have in hand your appointment form when entering the Polling Place to show to the Troubleshooter, Inspector or other member of the Election Board.
- A number of polling places will be very crowded; therefore we ask that you conduct your observing as quietly as possible and that you raise any concerns about the conduct of the poll workers in a manner that does not interfere with their ability to perform their functions. If a problem arises that you cannot solve by talking with the poll workers, call your County Election Protection Liaison or (602) 265-VOTE.
- You **may not enter** a voting booth, except when you are in your precinct and marking your own ballot.
- While you are allowed by law to observe many processes or areas where ballots are being handled, you are **not** allowed to touch any ballot(s).

**Democratic National Committee
Voter Hotline**

(888) DEM-VOTE
(888) 336-8683

**Arizona Democratic Party
Voter Hotline**

(602) 265-VOTE
(602) 265-8683

**Pima County Democratic Party
Voter Hotline**

(520) 325-4200
Karp Heurlin Weiss

Paid for by the Arizona Democratic Party; David Waid, Chair, Carter Olson, Treasurer.
2910 North Central Avenue • Phoenix, AZ 85012
(602) 298-4200 (O) • (602) 298-7117 (F)
www.azdem.org
Not authorized by any candidate or candidate committee