For Maricopa County Elections Department

October 20, 2024

THE FOLLOWING IS JUST A SAMPLE AND IS NOT LEGAL ADVICE

[Your Name]
[Your Address]
[City, State, Zip Code]
[Email Address]
[Phone Number]
[Date]

The Honorable Stephen Richer
Maricopa County Recorder
[Recorder’s Office Address]
[Phoenix, AZ ZIP Code]

Subject: Legal and Public Notice on Election Administration Compliance for Upcoming Elections

Dear Recorder Richer,

This communication serves as a formal notice emphasizing the critical need for rigorous adherence to Arizona election statutes to prevent the recurrence of issues observed during the 2022 election cycle in Maricopa County. Given your office’s role in overseeing election processes, this letter aims to ensure full compliance with all relevant laws to uphold the integrity of our democratic process.

Key Statutory References and Election Integrity Concerns from

2022:

- **ARS § 16-461 et seq.:** Mandates for accurate voter registration and maintenance. The 2022 election highlighted concerns over the handling of voter registration forms, with allegations of last-minute submissions intended to cause confusion.
- **ARS § 16-540 to § 16-552:** Governs early voting procedures. There were reports during the 2022 election cycle of significant issues with mail-in ballots, including voters receiving multiple ballots, which questions the system's integrity.
- **ARS § 16-621:** Procedures for vote tabulation require strict adherence to prevent issues like those encountered with printer malfunctions affecting ballot readability, impacting approximately 17,000 ballots.
- **ARS § 16-550:** Certification of voting systems. The widespread malfunction of tabulation devices on Election Day 2022 raised serious doubts about system preparedness and certification processes.
- **ARS § 16-452:** Regarding election challenges and recounts, transparency issues were evident, with public confusion over the number of Election Day votes versus the total votes reported.

Failures Noted in 2022:

1. **Tabulation Device Malfunctions:** An estimated 36% of voting centers experienced issues with tabulation devices and printers, which led to significant delays and potential disenfranchisement.
2. **Printer Issues:** Specifically, printers failed to produce adequately dark timing marks, affecting ballot readability

by tabulators.
3. **Inadequate Polling Locations:** Reduction in voting locations combined with technical issues resulted in extended waiting times, potentially discouraging voter turnout.
4. **Early and Mail-in Ballot Confusion:** Reports of voters receiving multiple mail-in ballots suggested lapses in the management of voter rolls and ballot distribution.

Required Corrective Measures:

- **System Testing:** Ensure all voting equipment undergoes rigorous testing before Election Day to prevent technical failures.
- **Voter Roll Maintenance:** Enforce strict compliance with voter registration deadlines and accuracy to avoid last-minute chaos or litigation risks.
- **Public Transparency:** Increase efforts in transparency regarding election processes, addressing voter concerns proactively rather than reactively.
- **Training and Resources:** Adequately train election staff and provide sufficient resources to handle both in-person and mail-in voting efficiently.

Legal Implications:

- Failure to address these issues could lead to legal challenges under Arizona law, potentially resulting in mandated oversight or re-elections, undermining public trust and administrative legitimacy.
- Ensuring compliance is not just about avoiding litigation but restoring and maintaining public faith in our electoral process.

This notice demands your office’s utmost diligence in correcting past shortcomings and ensuring a fair, transparent, and efficient election process. Your proactive engagement in these matters will be crucial for the democratic integrity of Maricopa County’s elections.

Please consider this notice as both a legal reminder and a call for action, ensuring that any repeat of the 2022 election’s administrative failures is unequivocally avoided.

Thank you for your immediate attention to these critical issues.

Sincerely,

[Your Signature (if sending a hard copy)][Your Printed Name]

Please ensure this letter reflects the most current law and consider having it reviewed by legal counsel with expertise in election law before transmission.