

VOTING IN 2010: Ten Swing States

ARIZONA

For many voting rights advocates, Arizona is the state of biggest concern in 2010. The passage of SB 1070, the strictest anti-immigration law in the country, and the ensuing anti-immigrant statements that were made in Arizona and beyond, have given rise to the prospect of suppression of Latino Voters in particular in that state. These concerns are heightened by Arizona's policies on voter registration, voter identification, and tactics that can become acts of voter suppression, as detailed below. The gubernatorial race may be close and there are House races that are considered "pure toss-ups." According to the National Association of Latino Elected and Appointed Officials, "The Latino vote will also play a critical role in four of Arizona's close races for seats in the U.S. House of Representatives."

POLITICAL OUTLOOK

- State Attorney General Terry Goddard (D) is challenging current Governor Jan Brewer (R) in the race for **governor**. Polling had shown the race to be close; more recently it has Brewer leading but as events develop polling continues to be in flux.
- At least three races for the **House of Representatives** are close.

OBSTACLES TO VOTING

- Citizens must **register to vote** a long 29 days prior to the election, which could block some Arizonans from participating.
- **Restoration of voting rights** is only applicable to individuals with only one felony conviction. Persons with two or more felonies are permanently disenfranchised. Not only is it problematic that many people who have served their time are disenfranchised – this distinction confuses even election officials, leading to the potential disenfranchisement of people who should have their rights restored.
- Arizona is the only state which requires proof of citizenship in order to register to vote. Many citizens are not able to produce such documentary proof.
- All voters must present either one form of **photo ID** or two forms of non-photo ID. If the voter does not have the requisite identification as the poll worker sees it, he is forced to cast a provisional ballot. Some voters will not have the necessary ID.
- Voters who cast conditional **provisional ballots** must provide proper identification to the county recorder within three to five business days in order for the ballot to be counted. Provisional ballots cast in the wrong precinct will not be counted.
- Arizona's laws regarding **challengers** at the polling site are lax: voters may be challenged by any qualified elector of the same county and standards for initiating challenge procedures are low.
- The absence of specific laws targeting deceptive practices such as dissemination of misinformation about the electoral process leaves voters vulnerable to confusion and disenfranchisement.
- Arizona has historically had inadequate outreach to certain language minority communities covered by **Section 203 of the Voting Rights Act**, and gaps in coverage for qualified and trained bilingual poll workers.

ARIZONA

COLORADO

ILLINOIS

KENTUCKY

LOUISIANA

MICHIGAN

MISSOURI

NEVADA

NORTH CAROLINA

OHIO

Demos



EXEMPLARY VOTING LAWS/ PROCEDURES

- **Registrants are notified** within 30 days of the registrar placing their name on the rolls. If the non-forwardable notice mail piece is returned, a follow-up notice and new registration form are sent to forwarding address. Non-respondents will be transferred to the inactive voter list but they may still vote upon providing affirmation at the polling place.
- On the homepage for the SOS's **elections website**, there are subtitles in Spanish below most of the major headings. On the voter information page, each section can be viewed in either English or Spanish.

WHAT THE CHIEF ELECTIONS OFFICER CAN DO BEFORE ELECTION DAY

- Make extra efforts early on to educate voters about the **proof of citizenship and ID** laws and how to get the requisite documents well ahead of time.
- Do everything possible to **assist people registering** to vote without the requisite citizenship documentation to obtain those documents for free. With respect to **proof of citizenship** required to register, provide voters who do not submit the proper documentation initially every opportunity possible to do so later.
- Make sure voters and poll workers alike know the correct polling place *and* the correct precinct to ensure they will **not cast a “placebo” provisional ballot**.
- Ensure citizens know the ramifications for frivolous, fraudulent or discriminatory **vote caging and challenges**
- Take extra steps to ensure people have the correct voting information ahead of time, to prevent negative impacts from potential **deceptive practices**. Make clear that under certain circumstances Arizona does in fact have criminal laws that can be used against anyone who does deliberately disseminate misinformation with the intent to affect voting. Establish a clear system for detecting misinformation campaigns and a plan for how the office will **respond** to them to ensure voters have the true information immediately.
- Work with county administrators to ensure full compliance with the language provisions of the **Voting Rights Act**, including on websites.

In advance of the mid-term elections, Common Cause and Dēmos will release a new report that finds election policies in 10 swing states could disenfranchise voters and impact election results. The report, “Voting in 2010: Ten Swing States,” looks at Arizona, Colorado, Illinois, Kentucky, Louisiana, Michigan, Missouri, Nevada, North Carolina, and Ohio, summarizing each state’s practices, and providing a set of recommendations for improvement.

To view the full report, visit **demos.org/swingstate**
or **commoncause.org/swingstate**.

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