



MEMORANDUM

Date: October 13, 2022

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: Jan Leshner 
County Administrator

Re: **Appointment of Pollworkers**

The appointment of pollworkers for the November 8, 2022 General Election is scheduled for the October 18, 2022 Board meeting. As additional information on this item, attached please find a memorandum from Elections Director Hargrove regarding information requested at the last Board meeting on any applicable penalties if the County is unable to have equal political party representation at vote centers.

JKL/anc

Attachment

c: Carmine DeBonis, Jr., Deputy County Administrator
Francisco García, MD, MPH, Deputy County Administrator and Chief Medical Officer
Steve Holmes, Deputy County Administrator
Constance Hargrove, Director, Pima County Elections
Diana Durazo, Senior Advisor, Pima County Administrator's Office

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ELECTIONS DEPARTMENT

PIMA COUNTY GOVERNMENT
6550 SOUTH COUNTRY CLUB ROAD, TUCSON, AZ 85756
(520) 724-6830 FAX (520) 724-6870

Date: September 29, 2022

TO: Jan Lesher
County Administrator

FROM: Constance Hargrove
Elections Director

RE: Board of Supervisors Pollworker Approval

Ms. Lesher,

I am submitting a BOSAIR request to place pollworker approval on the October 18 agenda. This memo provides the statutory requirement for recruiting and appointing pollworkers. It also includes information on the makeup of election boards in Pima County as it relates to the statutory requirements. In addition, the memo has a list of the vote centers that we are still working to meet the equitable requirements set forth by the Arizona Revised Statutes and the 2019 Arizona Elections Procedures Manual.

Supervisor Christy asked me to provide information about penalties that apply if we do not have equal political party representation in vote centers. The statute does not provide specific penalties relating to the assignment of pollworkers. However, the Election Procedures Manual adopted pursuant to A.R.S. § 16-462 is law, and any violation is a class 2 misdemeanor. Additionally, criminal penalties apply if an election officer fails to perform a statutory duty or refuses to perform the duty in the manner prescribed by law (A.R.S. §§ 16-1009, 16-1010).

A.R.S §16-531 governs the appointment of election boards and their qualifications. The statute requires the board of supervisors to appoint for each voting location one inspector, one marshal, two judges, and as many clerks of election as deemed necessary. The appointment guidelines state that members of the two political parties that cast the highest number of votes in the state at the last preceding general election shall be divided equally between these two parties. The judges, together with the inspector, constitute the board of elections. As defined by statute, the election board must have equal representation of the two major political parties, but the board of supervisors may appoint any registered voter as a clerk.

The 2019 Elections Procedures Manual footnote 38 provides additional guidance on staffing polling places. The footnote states that “If it is impossible to sufficiently staff the boards with members of differing political parties, the officer in charge of elections shall, at minimum, exercise best efforts to utilize board members with no party affiliation or from differing unrecognized parties to ensure that there is a diversity of political party affiliation (including no affiliation) on the election boards and that no election board is comprised of members of only one party. Further, the officer in charge of elections shall document when and how the political parties in the County were contacted about the need for board workers affiliated with those parties and all other actions taken in a best effort to obtain board workers from two different political parties. However, nothing in this Manual shall be interpreted to supersede otherwise applicable statutory requirements, including the requirement that board workers be of differing political party affiliation.”

It is important to note that Pima County increased the number of judges in each vote center with the implementation of e-pollbooks. The Elections Department has increased political party representation by changing the structure of the vote center. Each check-in table has one e-pollbook operator and one ballot officer representing opposite political parties. The judge of the same party (JSP) as the inspector operates the e-pollbook, and the judge of the opposite party (JOP), as the inspector, distributes the ballots to the elector.

A traditional precinct has one signature roster maintained by the JSP and one JOP issuing ballots. However, the transition to e-pollbooks increases the number of signature rosters (in electronic format) located in each vote center. In addition, the ballot on-demand printers enable the vote center to issue ballots to more than one elector at a time. The judges perform the same functions in the vote center as in a precinct. The increase in judges ensures that checks and balances in the vote center are maintained.

Historically, Pima County appoints pollworkers of all political parties and unaffiliated voters. The County has struggled to find Republican pollworkers in vote centers 13, 23, 43, 77, 92, and 93. The six vote centers are in the Sells area, and most workers do not want to travel the long distance on election day. The shortest distance from the election office to the Sells district is 65 miles. The Elections Department continues to work with the Republican Party to staff the vote centers with the minimum number of workers from the two major political parties. Besides the six vote centers in Sells, twenty-six other vote centers have political party distribution challenges. Those vote centers are 2, 8, 44, 46, 51, 64, 73, 74, 78, 79, 82, 83, 88, 89, 94, 96, 97, 104, 109, 112, 118, 122, 123, 125, 127, and 128. However, Pima County currently meets the statutory requirement in all but 15 vote centers.

The Elections Department will continue to work towards having an equitable distribution of political parties in all vote centers before the November 8 general election.