



177 Post Street, Suite 700
San Francisco, CA 94108

Harmeet K. Dhillon
Harmeet@dhillonlaw.com

October 24, 2024

VIA EMAIL

Chairman Jack Sellers
Vice Chairman Thomas Galvin
Supervisor Bill Gates
Supervisor Clint Hickman
Supervisor Steve Gallardo
Mr. Scott Jarrett
MARICOPA COUNTY BOARD OF
SUPERVISORS
301 W. Jefferson, 10th Floor
Phoenix, Arizona 85003
jack.sellers@maricopa.gov
District2@maricopa.gov
District3@maricopa.gov
clint.hickman@maricopa.gov
District5@maricopa.gov
sjarrett@risc.maricopa.gov

Recorder Stephen Richer
Mr. Rey Valenzuela
MARICOPA COUNTY RECORDER'S OFFICE
111 S. 3rd Avenue
Phoenix, Arizona 85003
recorder@risc.maricopa.gov
rvalenzuela@risc.maricopa.gov

Re: IMMEDIATE RESPONSE REQUESTED – Underestimated Lines on Election Day

Dear Supervisors and Recorder Richer:

On behalf of the Republican National Committee and congressional candidate Abe Hamadeh, we write to you today on a matter of utmost urgency: We have received information indicating that voters will take significantly longer to complete their ballots than the estimates upon which the Maricopa County Election Plan is based, specifically the provisions related to Election Day voting. Our observations in the field confirm this concern. The county's current plan, which already expects long lines on Election Day, is based on the unlikely expectation that voters will only take up to a maximum of approximately 12 minutes to complete their ballots. Our information is that voters will take, and are now taking, substantially longer to complete their ballots—*averaging* at least 15 minutes with a maximum that is much higher. This will mean dramatically longer lines than expected on election night. As you know, many voters will not be able to endure an hours-long wait to vote, effectively disenfranchising them if the lines grow too long. We have additional concerns about the estimated turnout and the reduction in the number of voting centers near Paradise Valley Community College, which has had one of the highest turnout rates in the County. Accordingly, we urge you to discuss this issue with us as soon as possible and take measures to alleviate the extra burden on voters, including simple measures such as allowing more privacy booths in the voting centers and a greater public education effort.

BACKGROUND

The Election Plan assumes a 10.4 to 12.4 minutes time-to-vote, but that estimate did not use the actual ballot which was unavailable in the spring when the Election Plan was developed. Even the Election Plan's more conservative estimate of 13.1-minute time-to-vote did not adequately contemplate the Long Ballot.

The recent publication of the sample ballot revealed the extraordinary length of the ballot in Maricopa County (and other counties). Several election integrity and voter advocates became concerned at the long ballot and whether the Election Plan had properly and fully considered the impact on election day voting on a 2-page, 2-sided (essentially 4 pages) ballot ("the Long Ballot"). Using the actual sample ballot, they gathered more than fifty (50) Maricopa residents and measured their time-to-vote. The results found the average time-to-vote of these Maricopa residents was 15.055 minutes, while the maximum time to vote was much higher.

Verity Vote further determined that the Election Plan's assumptions were not based on the estimated 80% turnout referenced elsewhere in the Election Plan and, instead, based the number of vote centers and other resources needed for Election Day on a turnout of 55,000 *fewer* voters than are anticipated to vote on Election Day, November 5, 2024. See the Report by Verity Vote: "Massive Two-page Double-sided Ballot Risks Congestion at Vote Centers", <https://verityvote.us/massive-two-page-double-sided-ballot-risks-congestion-at-vote-centers/> issued October 21, 2024.

The research further notes that one of the highest election day turnout locations in Maricopa County – Paradise Valley Community College – had two adjacent voting locations from 2022 removed in the 2024 Election Plan with just one location added. This could create an unmanageable backlog.

Finally, we note that the estimated time for a voter to complete a ballot and the related time spent waiting in line do not consider the likelihood of equipment failure. There are several reports from the Maricopa County primary election in July 2024 of the recurrence of printers jamming at the vote centers, reminiscent of the problems encountered in the 2022 general election when the printers jammed at the vote centers. The two-page Long Ballot presents an even greater risk of jamming. In fact, Scott Jarrett recently issued a warning that "vote tabulation machines could jam in Maricopa County because voters will have to insert two sheets of paper instead of one when casting their ballots."¹

¹ Gabriel Sandoval, *Maricopa County's 2-page ballots could make for long lines on Election Day*, ASSOCIATED PRESS, Sept. 12, 2024, <https://apnews.com/article/arizona-election-long-ballots-287ab6d40f58e349b65479c3cc3aaab6>; see also Mark Sonnenklar, *Arizona Election Snafus: We Won't Get Fooled Again*, THE AMERICAN SPECTATOR, Sept. 10, 2024, <https://spectator.org/arizona-election-snafus-we-wont-get-fooled-again/>

REQUEST

All of these datapoints are of great concern to us and to others who want to ensure that voters who choose to vote on Election Day are not, due to avoidable circumstances, blindsided by long lines that may discourage them from casting their votes.

Accordingly, we hereby request an emergency meeting to discuss these issues and the Election Plan, with a view toward making immediate revisions and accommodations to address the problems identified in the Report. We are offering to work together to take the necessary steps to protect the voting rights of all Maricopa voters. To that end, we would like to promptly discuss practical ways to increase Maricopa's capacity for processing voters on Election Day. Potential remedial efforts include deploying some of the backup voting machines, installing additional voting secrecy booths, activating emergency locations, and a county-wide effort to inform voters of the looming issues and the need to vote early, or how to identify voting centers with shorter lines. We recognize that there may be challenges to any proposed solution, some of which cannot be overcome, but we would welcome a discussion about what can be done.

Please advise us of the time tomorrow when we can discuss and address these issues and develop positive solutions.

Thank you for your immediate attention. We look forward to your response.

Respectfully submitted,



Harmeet K. Dhillon
Counsel to the Republican National Committee



Abe Hamadeh
Candidate, Arizona 8th Congressional District

cc: Greg Roeberg, Arizona State Bar No. 024527, (480) 571-0280, gtr@roeberglaw.com