

1 AMERICA FIRST LEGAL FOUNDATION

JENNIFER WRIGHT ESQ., PLC

2 James K. Rogers (No. 027287)
3 Senior Counsel
4 611 Pennsylvania Ave., SE #231
5 Washington, D.C. 20003
6 Phone: (202) 964-3721
7 James.Rogers@aflegal.org

Jennifer J. Wright (027145)
4350 E. Indian School Rd
Suite #21-105
Phoenix, Arizona 85018
jen@jenwesq.com

Attorneys for Plaintiffs

8 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
9 IN AND FOR THE COUNTY OF MARICOPA

10 STRONG COMMUNITIES
11 FOUNDATION OF ARIZONA
12 INCORPORATED, and ERIC LOVELIS;

Case No. CV2024-002441

PLAINTIFFS' COMPLAINT FOR
SPECIAL ACTION RELIEF

Plaintiffs,

v.

13 MARICOPA COUNTY; BILL GATES,
14 STEVE GALLARDO, THOMAS
15 GALVIN, CLINT HICKMAN, and
16 JACK SELLERS, in their respective
17 official capacities as members of the
18 Maricopa County Board of Supervisors;
and STEPHEN RICHER, in his official
capacity as Maricopa County Recorder;

19 Defendants.

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CLERK OF THE SUPERIOR COURT
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1 The Plaintiffs hereby allege and state as follows:

2 **INTRODUCTION**

3 1. Majorities of Arizona voters—55 percent—“believe it is likely that
4 problems with the 2022 election in Maricopa County affected the outcome.”¹ With public
5 confidence in elections being so low, the need for our elections to be scrupulously
6 administered in accordance with the law has never been higher.

7 2. Election day on November 8, 2022 (the 2022 general election) was marred
8 by “widespread failures” and “technical problems” that led to “the anger and frustration
9 of voters who were subjected to inconvenience and confusion at voter centers.” *Lake v.*
10 *Hobbs*, CV 2022-095403 at 3-4, (Ariz. Super. Ct. Dec. 24, 2022) (Under Advisement
11 Ruling).

12 3. Election day on November 3, 2020 (the 2020 general election) was similarly
13 marred.

14 4. For years, the Defendants have consistently failed in their duties to
15 administer elections lawfully and fairly in Maricopa County.

16 5. The Defendants are fully aware of the myriad deficiencies in how they
17 administer elections, yet they have consistently failed to take effective action to rectify
18 them. Instead, they have stubbornly dug their heels in. Rather than fix their past mistakes,
19 they try to fight, silence, or shame anyone questioning their maladministration.

20 6. Because of their intransigence, there is a near-certainty that the November
21 5, 2024, election (the 2024 general election) will be marred by the same mistakes and
22 maladministration as the 2020 and 2022 elections.

23 7. On January 29, 2023, the American Law Institute issued a report by a
24 bipartisan group of elections officials entitled *Ethical Standards for Election*

25 _____
26 ¹ *Most Arizona Voters Believe Election ‘Irregularities’ Affected Outcome*, Rasmussen
Reports, (Mar. 17, 2023), <https://tinyurl.com/45j5pcent>.

1 *Administration*. The report listed “seven core principles for adoption by the profession.”
2 The first of those principles is to “[a]dhere to the law” because “[e]lection officials have
3 a duty to administer the law as written and interpreted by the relevant authorities.”
4 Defendant Bill Gates was one of the report’s nine-member drafting committee.² This
5 lawsuit merely seeks to hold him—and the other Defendants—accountable for complying
6 with this basic principle that Chairman Gates has advocated in rhetoric, if not in practice.

7 8. The Defendants’ administration of elections in Maricopa County has been
8 sloppy, shoddy, and rife with mistakes. Their mismanagement has made Maricopa
9 County—and the entire State of Arizona—the laughingstock of the nation. The
10 Defendants’ mistakes and unlawful conduct are so numerous that it is beyond the scope
11 of one single lawsuit to correct. This complaint merely identifies the most egregious of
12 the legions of errors and illegalities and seeks judicial remedy to correct them.

13 9. It is time to restore the public’s confidence in Maricopa County’s elections.

14 **PARTIES**

15 10. Plaintiff Strong Communities Foundation of Arizona Incorporated is an
16 Arizona 501c3 nonprofit that was incorporated on September 16, 2018. It is an Arizona-
17 based and Arizona-focused grassroots organization headquartered in Maricopa County. Its
18 mission is to make civic participation easy and accessible for all Americans. It trains
19 Arizonans about becoming more civically involved and offers community neighborhood
20 events to engage neighbors who want to stay informed but are generally not civically
21 engaged. An essential part of its mission to increase civic engagement is ensuring that
22 Arizona’s elections are free, fair, and lawfully administered. Together with its associated
23 501c4 organization, it has 59,000 subscribers to its mailing list, it has received donations
24 from 4,305 people, and conducts 90 or more public events per year. It conducts significant
25

26 ² American Law Institute, *Ethical Standards for Election Administration* at 3-4, (Jan. 29, 2024),

1 voter outreach and education and reached over 150,000 voters in 2022. Its donors,
2 subscribers, and followers view it as the public voice for their concerns.

3 11. Plaintiff Eric Lovelis is a resident of Maricopa County, where he is
4 registered to vote. He is an enrolled member of the Choctaw Nation of Oklahoma.

5 12. Defendant Maricopa County is a political subdivision of the State of Arizona.
6 It has the power under state law to “[s]ue and be sued.” A.R.S. § 11-201(A)(1). Through
7 its Board of Supervisors and the County Recorder, it administers and conducts elections in
8 the County. *E.g.* A.R.S. §§ 11-251(3), 16-447(A), -511, -531, -542, -543, -544, -550, -602,
9 -621, -642, -645.

10 13. Defendant Bill Gates is a member of the Maricopa County Board of
11 Supervisors and is also the Chairman of the Board. Defendants Steve Gallardo, Thomas
12 Galvin, Clint Hickman, and Jack Sellers are members of the Maricopa County Board of
13 Supervisors. All five members of the Board are sued in their official capacities. The Board
14 of Supervisors is charged by law with conducting elections within the county’s
15 jurisdictional boundaries, including overseeing the operations of polling locations on
16 election day and canvassing the returns of elections in Maricopa County. *E.g.* A.R.S. §§
17 11-251(3), 16-447(A), -511, -531, -642, -645.

18 14. Defendant Stephen Richer is the Maricopa County Recorder. He is sued in
19 his official capacity. The County Recorder is the principal elections officer of Maricopa
20 County and is responsible for overseeing and directing numerous components of election
21 administration within the county, including early voting procedures and the tabulation and
22 auditing of votes. *E.g.*, A.R.S. §§ 16-542, -543, -544, -550, -602, -621.

23 **JURISDICTION**

24 15. The events and omissions giving rise to this action occurred in Maricopa
25 County, Arizona.

1 county offices may only be certified for use in this state and may only be used in this state
2 if they comply with the help America vote act of 2002.”)

3 23. The EAC explains that “[c]hain of Custody refers to the processes, or paper
4 trail, that documents the transfer of materials from one person (or place) to the next.”³

5 24. “Chain of custody is essential to a transparent and trustworthy election.... The
6 chain of custody of ballots, voting equipment, and associated data is essential to ensure the
7 election system remains trustworthy.”⁴

8 25. “The chain of custody of ballots, voting equipment, and associated data is
9 essential to ensure the election system remains trustworthy.... Once a chain of custody
10 process is initiated, it must be followed with every step documented.”⁵

11 26. “Mailed ballot accounting is an important element of a well-run election.
12 Reconciling the number of ballots mailed with the number of requests received and keeping
13 a daily accounting of the number of ballots received in person, from a drop box or in the
14 mail, provides a record of the number of ballots in the possession of an election official at
15 a given point in time.”⁶

16 27. The EAC has clearly explained that:

17 It is a best practice to have a log with space for multiple entries to record when seals
18 are broken and replaced on sealed storage containers of mail ballots, with the date,
19 time, detailed reason why it was accessed and signed by no less than two people to
20 provide evidence each time mail ballot containers are accessed. The chain of
21 custody documents for mailed ballots should include at least the following:

- 22 • The name and date of the election

23
24 ³ EAC, *Best Practices: Chain of Custody* at 2, (Jul. 13, 2021),
<http://tinyurl.com/57wax8nx>.

25 ⁴ *Id.*

26 ⁵ *Id.*

⁶ *Id.* at 11.

- Who was involved in the decision or completed a process
- **Documentation of the number of ballots collected, delivered, or counted**
- The date and time a process occurred
- Name and signatures of witnesses who are attesting to the event⁷

28. During the 2022 general election, the Defendants failed to keep proper chain of custody records for ballots as required by Arizona law.

29. Rather than counting the exact number of early ballots received on election day as they were received and/or transported, the Defendants relied on estimates.

30. For example, the Defendants transported early ballots received on election day to the Maricopa County Tabulation and Election Center (MCTEC), loaded them onto trays, and then, rather than count them, the Defendants estimated the number of ballots based on the number of trays.

31. From MCTEC, the Defendants transported the ballots to Runbeck Election Services (“Runbeck”), where they were then counted and scanned for signature verification.

32. In the gubernatorial race in 2022, the “estimate” of ballots at MCTEC was 263,379 ballots, but Runbeck later reported that it scanned 298,942 early ballots for signature verification, leading to a discrepancy of over 25,000 votes, which was higher than the margin of victory.

33. The very existence of this 25,000-ballot discrepancy between the initial estimates and the final ballot totals proves that the Defendants’ current practice of estimating ballot totals is unlawful. As the EAC has explained, the whole point of the chain of custody requirement is to ensure “a transparent and trustworthy election.”⁸ The plain language of A.R.S. § 16-621(E) makes it abundantly clear that the legislature imposed the

⁷ *Id.* (emphasis added)

⁸ *Id.*

1 chain of custody requirement to do just that: to increase the transparency and
2 trustworthiness of our elections. A 25,000-ballot discrepancy does the exact *opposite*. It
3 decreases transparency and decreases public confidence in elections.

4 **Reconciliation Failures**

5 34. Arizona law requires that “[a]fter the close of the polls and after compliance
6 with § 16-602 the members of the election board shall prepare a report in duplicate of the
7 number of voters who have voted, as indicated on the poll list, and place this report in the
8 ballot box or metal container, in which the voted ballots have been placed, which thereupon
9 shall be sealed with a numbered seal and delivered promptly by two members of the
10 election board of different political parties to the central counting place or other receiving
11 station designated by the board of supervisors or officer in charge of elections.” A.R.S. §
12 16-608(A).

13 35. Section 16-602 provides, “For any primary, special or general election in
14 which the votes are cast on an electronic voting machine or tabulator, the election judge
15 shall compare the number of votes cast as indicated on the machine or tabulator with the
16 number of votes cast as indicated on the poll list and the number of provisional ballots cast
17 and that information shall be noted in a written report prepared and submitted to the officer
18 in charge of elections along with other tally reports.” A.R.S. § 16-602(A).

19 36. The procedures outline in A.R.S. § 16-602(A) and –608(A) are colloquially
20 known as “reconciliation procedures.”

21 37. According to the EAC, “[b]allot reconciliation is the method in which
22 election officials keep track of each ballot that has been printed or issued to a voter.
23 Tracking the number of ballots printed, used, and unused during an election cycle **ensures**
24 **that election officials have accounted for every ballot created**. When results are
25 certified, election officials can be confident that the results include every valid ballot cast.”⁹

26 ⁹ EAC, *Ballot Reconciliation: Election Day* at 1, (Nov. 30, 2021),
<http://tinyurl.com/eb9k4fu4> (emphasis added).

1 function that led to speckled or faded printing that also made ballots unreadable by
2 tabulator machines.

3 44. These printer malfunctions led to the “frustration and anger of voters who
4 had to wait in longer lines due to these failures.” *Lake*, CV 2022-095403, Under
5 Advisement Ruling at 4.

6 45. Because of these failures, some voters could not vote and were
7 disenfranchised.

8 46. Because of these failures, some voters did not receive an “appropriate” ballot
9 that could be read by tabulator machines.

10 47. Maricopa County’s use of voting centers serves little rational purpose and
11 confers virtually no benefit because nearly all voters still vote at the voting center closest
12 to their residence, similar to how they used to vote under precinct voting.

13 **Racially Discriminatory Location of Voting Centers**

14 48. Voters in Maricopa County who reside in dense urban areas are more likely
15 to vote early by mail than in person on election day. However, the Defendants have
16 concentrated voting centers disproportionately in urban areas where they are less likely to
17 be used.

18 49. The vast majority of 2020 and 2022 election-day voters whose residence was
19 located more than two miles from a voting center (“Long Distance Voters”) lived in census
20 blocks that were majority White or Native American.

21 50. The Defendants’ choice of location for voting centers has a discriminatory
22 effect and/or disparate impact on White and Native American voters that makes it harder
23 for them to vote.

24 51. The unequal distribution of Defendants’ site locations for voting centers is
25 not a result of a lack of facilities. In the areas in which Long Distance Voters are
26 concentrated, there are a number of available facilities whose owners or managers are

1 willing to allow for their use as voting centers. These facilities include public buildings,
2 schools, community centers, and churches.

3 52. In sum, the location of voting centers in Maricopa County unlawfully makes
4 it easier for Hispanics and Blacks to vote and more difficult for Whites and Native
5 Americans.

6 **Unlawful Use of Software for Signature Verification**

7 53. Arizona law requires that “the *county recorder or other officer* in charge of
8 elections shall compare the signatures [on early ballots] with the signature of the elector on
9 the elector’s registration record.” A.R.S. § 16-550(A) (emphasis added).

10 54. In other words, human beings—and only human beings—may perform
11 signature verification. The statute does not allow signature verification to be performed
12 with the input or advice of software, which may bias the signature verifier’s judgment.

13 55. On or around June 1, 2020, the Defendants contracted with Runbeck to use
14 Runbeck’s Verus Pro “Automated Signature Verification” software application for up to
15 four (4) million signatures per year.

16 56. In an internal email dated March 3, 2020 (and which was obtained through a
17 public records request), Maricopa County Elections Director Ray Valenzuela referred to
18 the use of Verus Pro software as “the AI signature process” and the “AI process.”

19 57. The Verus Pro software assigns a confidence score to signatures between 0
20 and 100, with a higher number indicating a better match.

21 58. Upon information and belief, a Score of “0” in Verus Pro means that nothing
22 about the signatures has been detected as a match. A score of “100” means that the
23 signatures are identical.

24 59. In the 2020 election, the Defendants used Verus Pro to compare signatures
25 from ballot envelopes with the voter’s registration file, and the county configured the
26 software to mark any signature with a score of 10 or higher as a match.

1 60. Upon information and belief, the Defendants used the confidence scores from
2 Verus Pro to segregate ballot envelope signatures into separate low- and high-confidence
3 batches, and then signature verifiers were told whether they were reviewing a high- or low-
4 confidence batch.

5 61. Upon information and belief, providing this information to signature verifiers
6 biased their evaluations and gave them a false sense of certainty, causing them to rely on
7 the judgment of the software rather than on their own.

8 62. The Defendants’ use of software to bias the judgment of signature verifiers
9 is particularly pernicious because they set the threshold for a “high confidence” match so
10 abysmally low.

11 63. Signature matching software is not sophisticated enough yet to perform
12 reliable signature matching, and banks universally do *not* use software to match signatures
13 on important documents such as checks, deeds, and contracts.

14 64. Ballots are at least as important as checks, deeds, and contracts. Therefore, it
15 is unreasonable for the Defendants to use signature comparison software judged in the
16 private sector to be unreliable.

17 65. Maricopa County did not establish any written policies about how the Verus
18 Pro software was to be used, but internal emails from the 2020 election make it clear that
19 Maricopa County and Runbeck employees viewed this new process as at least a partial
20 substitute for manual signature verification.

21 66. It appears Maricopa County began testing the new system during the 2020
22 primary election. During that time, one Maricopa County employee explained the
23 following in an email that was obtained through a public records request: “We provided
24 10001.tif, Runbeck created 10001_Document_Alpha.tif and that is what they use to do the
25 actual signature verification.” The Director of Elections commented that “[a]s for the
26 Primary, we still have to look at 100% of the signatures so not a major issue,” implying

1 that Maricopa County would not have to look at 100% of signatures once the process was
2 implemented for the general election.

3 67. The Defendants had many problems getting Verus Pro to work.

4 68. At one point when the system failed, a Runbeck employee wrote in an email
5 dated July 27, 2020, that “I’ve stopped Verus Pro from automatically verifying new
6 signatures, and am researching the cause of the failure now[.]” And the same Runbeck
7 employee later informed Maricopa County that, “The incoming signatures from this
8 morning are finished verifying[.]”

9 69. On October 9, 2020, Maricopa County elections director Ray Valenzuela
10 complained about the difficulties of the software by writing in an email: “Excuse my
11 French but this shit show needs to be improved on post haste from [Runbeck] side.”

12 70. Notwithstanding these problems, the Defendants used Verus Pro in the
13 signature verification process for the 2020 general election.

14 71. County Recorder Stephen Richer has publicly claimed that the County did
15 not use Verus Pro during the 2022 elections. However, the Defendants renewed their
16 contract with Runbeck to retain continued access to the software during the 2024 elections.
17 The Defendants, therefore, still retain the technical capability to use software to do
18 signature comparisons and verification, and no written policy, rule, or procedure would
19 prevent it.

20 72. The Defendants’ renewal of their Verus Pro contract for 2024 indicates that
21 they intend to use it during the 2024 general election.

22 **Unauthorized Cancellations of Voter Registration**

23 73. Starting in 2020, the Defendants have been wrongly canceling the voter
24 registrations of hundreds, and possibly thousands, of Maricopa County residents, whose
25 registrations have been erroneously switched to other counties in the State. This has been
26 happening without those voters’ knowledge or consent, even though these voters had not

1 actually moved out of Maricopa County and are still qualified electors for Maricopa
2 County.

3 74. The Defendants automatically canceled these voter registrations without
4 voter consent or input, based solely on the Defendants' inference derived from information
5 generated from the third-party Arizona Department of Transportation Service Arizona
6 system

7 75. Even worse, the Defendants never bothered to notify these voters about the
8 cancellation of their registrations, thus making it impossible for the canceled voters to
9 rectify the mistake.

10 76. Upon information and belief, the Defendants were aware *before* the 2022
11 general election that these voter registration procedures were causing some voters to be
12 systematically disenfranchised.

13 77. On election day for the 2022 general election, hundreds, and possibly
14 thousands, of voters appeared at voting centers in Maricopa County to vote and were told
15 that they were no longer registered to vote in Maricopa County, even though they had not
16 moved away, had not knowingly requested that their registration be canceled or transferred,
17 had not consented to the cancellation of their registration, and had never been informed of
18 the cancellation of their registration.

19 78. These voters were forced to cast provisional ballots, which the Defendants
20 never counted.

21 79. The Defendants' actions unlawfully disenfranchised these voters.

22 80. The number of voters disenfranchised during the 2022 general election by
23 the Defendants' unlawful cancellations was larger than the margin of victory in some races.
24 If these voters' provisional ballots had been counted, it would likely have changed the
25 results of some races.
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COUNT VI
Racially Discriminatory Location of Voting Centers
Ariz. Const. art. XX, Par. 7.; A.R.S § 16-411(B)(4)

128. The Plaintiffs incorporate by reference the preceding allegations as if fully set forth herein.

129. The Constitution of Arizona requires that “[t]he state shall never enact any law restricting or abridging the right of suffrage on account of race, color, or previous condition of servitude.” Ariz. Const. art. XX, Par. 7.

130. As applied by Maricopa County, A.R.S § 16-411(B)(4) is unconstitutional because it has restricted or abridged the right of suffrage of White and Native American voters.

131. The Defendants have failed to correct the racially discriminatory distribution of its voting centers.

132. The same racial discrimination will continue in the 2024 general election absent judicial intervention.

COUNT VII
Unlawful Use of Software in Signature Verification
A.R.S. § 16-550(A)

133. The Plaintiffs incorporate by reference the preceding allegations as if fully set forth herein.

134. Arizona law requires that “on receipt of the envelope containing the early ballot and the ballot affidavit, the county recorder or other officer in charge of elections shall compare the signatures thereon with the signature of the elector on the elector’s registration record.” A.R.S. § 16-550(A).

135. Using software to sort signatures into low- and high-confidence batches unlawfully biases the judgment of the persons performing signature review.

136. Furthermore, providing other information from Verus Pro to signature reviewers, such as the confidence score, also biases the human judgment of the reviewers.

1 154. When the signature on an early ballot envelope “is inconsistent with the
2 elector’s signature on the elector’s registration record,” then the Defendants “shall make
3 reasonable efforts to contact the voter, advise the voter of the inconsistent signature and
4 allow the voter to correct or the county to confirm the inconsistent signature.” A.R.S. § 16-
5 550(A).

6 155. The Defendants’ curing practice of only calling the phone number that the
7 purported voter has written onto the early ballot envelope does not constitute a “reasonable
8 effort[.]” to contact the voter. This is because an apparent signature inconsistency suggests
9 possible fraud or mistake, and someone casting a fraudulent ballot is unlikely to write down
10 the voter’s correct phone number.

11 156. A “reasonable effort[.]” to contact a voter in this context thus requires that the
12 Defendants use the phone number listed in the voter’s registration file or other authoritative
13 government database.

14 157. The voter’s signature on an early ballot envelope is the only method for
15 authenticating a voter’s identity. When there is an apparent signature inconsistency, a
16 voter’s identity is in doubt.

17 158. Thus, any “reasonable effort[.]” to cure an apparent signature discrepancy
18 requires that the Defendants also securely authenticate the purported voter’s identity.

19 159. Arizona’s election statute sets forth in A.R.S. § 16-579(A)(1) how a voter’s
20 identity is to be established when a voter casts a vote in person with specified types of
21 photo ID and proof of address. When the identity of a person casting an early vote is in
22 doubt because of an apparent signature inconsistency, any “reasonable effort[.]” to confirm
23 the voter’s identity must, at a minimum, comply with the basic requirements of A.R.S. §
24 16-579(A)(1). Just as it would be unreasonable for a poll worker to authenticate an in-
25 person voter’s identity based only on the purported voter’s verbal affirmation, it would be
26

1 unreasonable to do so in the context of ballot curing, where there is an apparent signature
2 discrepancy casting doubt on the purported voter’s identity.

3 160. Additionally, the Defendants’ curing practice of asking only for verbal
4 confirmation that an apparently inconsistent signature is accurate is not a “reasonable
5 effort[.]” It is impossible for a voter to confirm whether a signature belongs to him- or
6 herself without seeing the signature. This is especially true in a curing context, where an
7 apparent signature inconsistency suggests possible fraud or mistake. For example, a voter
8 may have submitted his or her signed ballot envelope only for it to have been lost and/or
9 substituted with a fraudulent ballot. Thus, any “reasonable effort[.]” to cure an apparently
10 inconsistent ballot signature requires that the Defendants actually *show* a copy of the
11 signature to the voter to confirm that the signature really does belong to the voter.

12 161. The Defendants’ unlawful curing procedures remain in place and will be
13 applied during the 2024 general election absent judicial intervention.

14 **COUNT X**
15 **Unstaffed Drop Boxes**
16 **A.R.S. § 16-1005(E)**

17 162. The Plaintiffs incorporate by reference the preceding allegations as if fully
18 set forth herein.

19 163. Only drop boxes staffed by elections officials are lawful, and maintaining an
20 unstaffed ballot drop box is a class 5 felony. A.R.S. § 16-1005(E).

21 164. Among other things, the requirement that ballot drop boxes be staffed is to
22 deter unlawful ballot harvesting.

23 165. Based on a plain reading of the statute and the legislature’s clear intent, a
24 drop box only qualifies as being “staffed” if at least two election officials are present at the
25 box and positioned close enough to be able to view each person who deposits ballots into
26 the box such that the election officials can observe conduct that might be unlawful ballot
harvesting.

- 1 with voting to take place in-person over the course of only one day, if it would
2 be possible to do so given the schedule requirements for election certification.
- 3 B. A declaratory judgment that only human beings may make the signature comparison
4 required by A.R.S. § 16-550(A).
- 5 C. An injunction and/or a writ of mandamus prohibiting the Defendants from using Verus
6 Pro or any other software tools to compare or verify signatures or to sort signatures
7 into batches based on the software’s confidence scores of the signatures and
8 prohibiting any other use of software tools to provide any indication to a signature
9 verifier about whether a signature is a match or about the closeness of a match between
10 signatures.
- 11 D. A declaratory judgment stating that the Defendants’ use of printers during their
12 conduct of the 2022 General Election violated A.R.S § 16-411(B)(4)’s requirements
13 that, at voting centers, “any voter” shall “receive the appropriate ballot.”
- 14 E. An injunction and/or a writ of mandamus ordering that, in light of the Defendants’
15 egregious violations of A.R.S § 16-411(B)(4), the Defendants must revert to precinct
16 voting countywide, either at individual precinct locations or by assigning the residents
17 of each precinct to vote at one specific voting center at which the Defendants will
18 provide pre-printed ballots for that precinct.
- 19 F. An injunction and/or a writ of mandamus ordering that the Defendants reallocate the
20 distribution of voting centers using demographic data from the 2020 and 2022 general
21 elections to racially balance the number of election-day Long Distance Voters.
- 22 G. An injunction and/or a writ of mandamus forbidding the Defendants from canceling a
23 voter’s registration pursuant to any in-state change of address information received
24 from the Arizona Department of Transportation, the U.S. Postal Service, or any other
25 source until the Defendants have received signed, written confirmation from the voter
26 that the change of address is correct.

- 1 H. An injunction and/or a writ of mandamus requiring the Defendants to reinstate the
2 voter registrations of all voters whose registrations have been canceled when
3 Defendants began automatically canceling voter registrations in 2020 without a voter's
4 knowledge or consent.
- 5 I. An injunction and/or a writ of mandamus ordering the Defendants to count any
6 provisional ballot in the 2024 general election cast by any voter who claims that his or
7 her Maricopa County voter registration was canceled without consent if that voter can
8 prove that he or she had previously been registered to vote in the county and has
9 continued to reside in Maricopa County.
- 10 J. A declaratory judgment stating that it is unlawful for the Defendants to attempt to cure
11 apparently inconsistent signatures by calling the phone number that has been written
12 on a ballot envelope without first independently verifying that the phone number
13 belongs to the voter by consulting the information in the voter's registration file or
14 other authoritative government databases.
- 15 K. A declaratory judgment stating that it is unlawful for the Defendants to attempt to cure
16 apparently inconsistent signatures without first verifying and authenticating a voter's
17 identity by applying the standards in A.R.S. § 16-579(A)(1).
- 18 L. A declaratory judgment stating that it is unlawful for the Defendants to attempt to cure
19 apparently inconsistent signatures without first showing the purported signature (or a
20 photographic reproduction) to the voter.
- 21 M. An injunction and/or a writ of mandamus ordering the Defendants to only attempt to
22 contact voters to cure apparently inconsistent ballot signatures by calling a phone
23 number listed in the voter's registration file or other authoritative government
24 database.
- 25 N. An injunction and/or a writ of mandamus ordering the Defendants only to accept a
26 voter's confirmation that a ballot envelope signature is authentic after the Defendants

- 1 have confirmed the voter’s identity by applying the standards in A.R.S. § 16-579(A)(1)
2 and have shown to the voter the actual signature, or an authentic photographic
3 reproduction thereof.
- 4 O. A declaratory judgment that a drop box only qualifies as being “staffed” within the
5 meaning of A.R.S. § 16-1005(E) if at least two election officials are present at the box
6 and positioned close enough to be able to view each person who deposits ballots into
7 the box such that the election officials can observe conduct that might be unlawful
8 ballot harvesting.
- 9 P. An injunction and/or a writ of mandamus prohibiting the Defendants from providing
10 ballot drop boxes that are not staffed all the time that the box is available for the deposit
11 of ballots.
- 12 Q. An injunction and/or a writ of mandamus stating that the Defendants may not collect,
13 count, or open any ballots deposited into a drop box that is not staffed.
- 14 R. An order retaining jurisdiction over this case through the completion and certification
15 of the 2024 general election to ensure that this Court’s orders are followed and/or
16 appointing a special master to monitor the election.
- 17 S. An order stating that, if on election day there is credible evidence of any failures or
18 irregularities in the administration of the election, that this Court and/or a special master
19 will take appropriate action, such as by ordering voting centers and/or precincts to
20 remain open later than their scheduled closing time, invalidating election results,
21 ordering a new election, or any other appropriate orders to correct the Defendants’
22 failures in administering the election.
- 23 T. An award of reasonable attorneys’ fees and costs under A.R.S. §§ 12-341, -348, -2030,
24 the private attorney general doctrine, and other applicable law.
- 25 U. For such other relief as the Court deems just and proper
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RESPECTFULLY SUBMITTED this 6th of February, 2024.

America First Legal Foundation

By:  _____

James K. Rogers (No. 027287)
Senior Counsel
America First Legal Foundation
611 Pennsylvania Ave., SE #231
Washington, D.C. 20003
Phone: (202) 964-3721
James.Rogers@aflegal.org

Jennifer Wright Esq., Plc

By: /s/Jennifer J. Wright (with permission)

Jennifer J. Wright (027145)
4350 E. Indian School Rd
Suite #21-105
Phoenix, Arizona 85018
jen@jenwesq.com

Attorneys for Plaintiffs