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EXHIBIT A

1
2 **BACKGROUND ON ARIZONA ELECTIONS SYSTEM**

3 1. Arizona is the recipient of federal funds designated for voting-related
4 endeavors. [Plfs. Ex. 778- 860]

5 2. Federal voter registration postcard instructions for Arizona, updated
6 on March 1, 2006, do not include the documentary proof of citizenship requirements of
7 Proposition 200. [Exhibit 2]

8 3. As of September, 2007 the Arizona voter roll was comprised of over
9 3.3 million registered voters. [Exhibit 3]

10 **II. PROVISIONS OF PROPOSITION 200**

11 4. Arizona’s Proposition 200 amended A.R.S. 16-152 and 16-579 and
12 requires that individuals produce documentary proof of citizenship in order to register to
13 vote and photo identification or two other forms of acceptable non-photo identification to
14 cast a regular ballot. [Plfs. Ex. 1, 2, 3, 5, 6]

15 **III. STATE IMPLEMENTATION OF PROOF OF CITIZENSHIP PROVISIONS
OF PROPOSITION 200**

16 **A. The Secretary of State Changed the Statewide Voter Registration Form
to Reflect Proposition 200 Requirements**

17 5. The Secretary of State is responsible for changes made to the state
18 voter registration form and ensures that any new forms are properly approved before they
19 are used. The Secretary of State often takes suggestions from County Recorders and
20 other election officials when deciding to change the voter registration form. [Exhibit 521
21 (Wayman-Trujillo Dep. 13-14, Jan. 9, 2008) (“Wayman-Trujillo”)]

22 6. Proposition 200 specifically requires a physical presentation of
23 naturalization documents, as opposed to a photocopy. [Exhibit 4]

24 7. Election officials in Arizona continue to make available English and
25 Spanish-language voter registration forms that have a box designated for a “Certificate of
26 Naturalization Number.” [Exhibit 5]

1 **8.** Pursuant to Proposition 200, all new registrants must provide proof of
2 citizenship as of January 24, 2005. [Exhibit 6]

3 **9.** Birth certificates are sufficient to satisfy the citizenship requirement.
4 If the name is different between the registration form and certificate, registrants must also
5 provide legal documentation of the name change. [Exhibit 6]

6 **10.** Proposition 200 requires that the certificate of naturalization number
7 furnished by the registrant be verified by the County Recorder with the United States
8 Immigration and Naturalization Service before the applicant can be added to the rolls.

9 **11.** As of January 10, 2005, the State was alerted that they did not yet
10 have the ability to verify the certificate of naturalization numbers. [Exhibit 520 (Stender
11 Dep., Jan. 10, 2005)]

12
13 **12.** Secretary of State Jan Brewer testified before the Committee on
14 House Administration that Proposition 200 had not had a negative effect on voter
15 registration in Arizona. [Exhibit 7]

16 **13.** Joseph Kanefield is the State Election Director for the Secretary of
17 State. [Kanefield 14:11-13]

18 **14.** The Election Services Division is one of the divisions of the
19 Secretary of State's office. [Kanefield 15:17-18]

20 **15.** As the State Election Director he is in charge of the Election Services
21 Division of the Secretary of State's office. He has a staff of ten or eleven people. Her
22 office certifies federal and statewide legislative candidates for the ballot. They oversee
23 the state campaign finance system and filing structure. The office also receives initiative
24 referendum filings for statewide measures. The office works with the Counties on
25 election matters. The office drafts the instructions and procedures manual, which the
26 Counties follow in administering their elections. The office certifies voting equipment

1 and performs logic and accuracy tests on the voting equipment prior to the elections.
2 [Kanefield 14:20-15:9]

3 **16.** Proposition 200 went into effect on January 25, 2005. [Kanefield
4 16:11-13]

5 **17.** With respect to the citizenship requirement, the main task for the
6 Secretary of State's office was to promulgate a new voter registration form that reflected
7 the new requirements to properly instruct voters registering that they would now need to
8 provide evidence of citizenship. That process took several months of working with the
9 Counties and other interest groups. The voter registration form was precleared by the
10 Department of Justice, but it was after the effective date of Proposition 200. [Kanefield
11 16:17-17:5]

12 **18.** With respect to identification at the polls, Mr. Kanefield stated that
13 the Secretary of State's office began working on the procedures in December of 2004 in
14 anticipation of Proposition 200 becoming precleared by the Department of Justice and
15 that process also took several months. [Kanefield 17:6- 10]

16 **19.** Mr. Kanefield stated that the identification procedures constitute the
17 primary implementing mechanism for Proposition 200 and no other procedures exists.
18 [Kanefield 17:15-18]

19 **20.** Mr. Kanefield stated there are no other regulations out there relating
20 to the proof of citizenship requirement, only the form. [Kanefield 17:22-25]

21 **21.** Mr. Kanefield stated that the his office developed the Procedure For
22 Proof of Identification at the Polls. [Kanefield 18:9-12]

23 **22.** The Secretary of State gave guidance to election officials as to what
24 forms of identification might suffice under Proposition 200 by way of the procedures
25 manual Procedure For Proof of Identification at the Polls. This procedure sets forth
26 identifications that were in existence at the time the procedure was promulgated and were

1 deemed to be acceptable for satisfying what was the intent of the statute. The reason that
2 there is language in there that allows the county election directors flexibility is because
3 the state recognized that the universe of identifications might change as time goes on.
4 But at the time this procedure was adopted, these were the identifications that were
5 deemed to be acceptable. [Kanefield 19:13-20:3]

6 **23.** The Counties still have discretion under the manual to deem what
7 identifications are acceptable. [Kanefield 20:10-11]

8 **24.** The Secretary of State approves the final version of the procedures
9 manual. [Kanefield 22:19-20]

10 **25.** The drafting of the procedures manual was a coordinated effort by
11 the Elections Division, Counties, and the public. [Kanefield 21:3-10]

12 **26.** Mr. Kanefield stated that the purpose in drafting the regulations was
13 to require identification at the polls in order to prevent voter fraud at the polls.
14 [Kanefield 23:2-24]

15 **27.** In the identification regulations, special provisions were made for
16 Native American voters and homeless voters who may not possess identification that
17 matches the information contained in the voter's registration record. In an effort to
18 accommodate the special needs of that community, a Native American individual can
19 present just one form of tribal identification which allows him to vote a provisional
20 ballot. In other words, that individual would need not

21 **28.** come back with any other form of identification within the time
22 period prescribed in the procedure for those that, for example, show up with no
23 identification. [Kanefield 27:2-28:5]

24 **29.** AR Section 16-166 allows for BIA card, tribal treaty card number,
25 and an Indian Census Card. [Kanefield 34:6-36:17]

26

1 **30.** Any identification issued by the state or federal government that
2 contains a photo of the person and the person's name and address is also acceptable.
3 [Kanefield 37:19-21; 38:2-4]

4 **31.** The Secretary of State claims that the provisional ballot procedure for
5 Native Americans adequately protects against voter fraud. [Kanefield 56:17-20]

6 **32.** The Secretary of State did not consider some of the costs associated
7 with at least some of the forms of identification. [Kanefield 60:19-21]

8 **33.** Mr. Kanefield stated that if the voter provides no identification, he is
9 issued a conditional provisional ballot. Further he stated that a conditional provisional
10 ballot is a provisional ballot except that when it is sent back to the County Recorder's
11 office, it is not processed in accordance with the procedures for processing a provisional
12 ballot. Rather, it is held until the voter comes in and provides sufficient identification, at
13 which time it then goes through the normal procedures for processing a provisional
14 ballot. [Kanefield 61:23-62:11]

15 **34.** Mr. Kanefield stated that if the voter provides insufficient
16 identification, then he is issued a provisional ballot. The voter would not have to come
17 back with identification, but the ballot would be processed as a provisional ballot
18 whereby the signature on the affidavit would be matched against the voter's registration
19 record and if the signature matches, then the ballot would be counted. [Kanefield 63:21-
20 64:1]

21 **35.** Mr. Kanefield stated that the six documents listed in the Elections
22 Procedures Manual are the only documents that provide satisfactory evidence of
23 citizenship, and he is not aware of any other documents. [Kanefield 78:16-19]

24 **36.** Mr. Kanefield stated that County Recorders must reject applications
25 for voter registration that are not accompanied by satisfactory proof of citizenship.
26 [Kanefield 80:13-17]

1 **37.** Mr. Kanefield stated that County Recorders must reject federal voter
2 registration applications that are not accompanied by satisfactory proof of citizenship.
3 [Kanefield 81:2-9]

4 **38.** Mr. Kanefield stated that his office did not make any investigation
5 into the extent to which the types of proof of citizenship outlined in Proposition 200 are
6 or are not universally held in Arizona. [Kanefield 86:18-22]

7 **39.** Mr. Kanefield stated that his office was aware that one out of ten
8 registered voters in Arizona did not possess a driver's license. [Kanefield 91:11-13]

9 **40.** Mr. Kanefield stated that Proposition 200 requires that a certificate of
10 naturalization number be provided and that is what is requested on the voter registration
11 form. [Kanefield 92:20-22]

12 **41.** Mr. Kanefield stated that he was aware that County Recorders had
13 problems verifying the certificate of naturalization number through the SAVE Program
14 because the number that is needed for verification is the alien registration number.
15 [Kanefield 94:3-10]

16 **42.** Mr. Kanefield admitted that certain applicants correctly completed
17 the form

18 **43.** by providing their certificate of naturalization number but that the
19 County Recorder was unable to verify that number with federal immigration offices.
20 [Kanefield 94:17-23]

21 **44.** Mr. Kanefield acknowledged that there was a provision in
22 Proposition 200 that allows a naturalized citizen to present in person the naturalization
23 certificate and be added to the rolls. [Kanefield 97:21-15]

24 **45.** The Secretary of State's representative indicated that there is a two-
25 step process for naturalized citizens who follow the text of the Arizona voter registration
26 form and provide their certificate of naturalization number. This process requires the

1 County Recorder to contact the registrant after his application is submitted and ask for his
2 alien registration number. [Kanefield Dep. 98:23-99:8]

3 **46.** The Secretary of State's representative testified that Arizona chose to
4 disregard the Election Assistance Commission's recommendation that Arizona use and
5 accept the federal voter registration form without documentary proof of citizenship.
6 [Kanefield 104:13-105:5]

7 **47.** The Secretary of State's office does not believe Proposition 200
8 addresses voter fraud in the mail or absentee balloting. [Kanefield 106:22-25]

9 **48.** The position of the Secretary of State's office is that Proposition 200
10 does not apply to the mail balloting process or in the early voting process, only to voting
11 at the polls. [Kanefield 107:24-108:5]

12 **49.** The text of Proposition 200 does not require government-issued
13 photo identification. That requirement was added later by the Secretary of State.
14 [Kanefield 108:6-109:11]

15 **50.** The text of Proposition 200 does not require that the address on the
16 voter's identification match their address on the voter rolls. The Secretary of State added
17 such a requirement at the advice of her counsel. [Kanefield 108:12-23]

18 **51.** The Secretary of State's office did not ascertain whether most
19 persons who lack driver's licenses have a state-issued identification card. [Kanefield
20 114:4-9]

21 **52.** Nothing in the state's procedures requires the Counties to produce
22 forms of non-photo identification to voters. [Kanefield 119:18-24]

23 **53.** In the situation where someone has changed her name, the poll
24 workers are instructed to ascertain whether the name is different because of a recent
25 marriage or name change, and if so, to make a note of that and to provide that person a
26 regular provisional ballot. [Kanefield 125:13-21]

1 **54.** The Secretary of State concluded that the regular provisional ballot
2 process sufficiently protected against voter fraud because it provided for signature
3 verification. [Kanefield 126:10-16]

4 **55.** The Secretary of State has always made available the federal voter
5 registration form to anyone that has asked for it, and it is available at the Secretary of
6 State's office, but it is not displayed and a voter must ask an employee of the Secretary of
7 state's office to obtain it. [Kanefield 147:2-12; 150]

8 **56.** The federal voter registration form is not available on the Secretary
9 of State's webpage. [Kanefield at 150]

10 **57.** The Secretary of State's office changed its position on the NVRA
11 prohibiting states from requiring proof of citizenship to register to vote. [Kanefield 151]

12 **58.** The effort to educate voters is not focused on the proof of citizenship
13 when registering to vote. [Kanefield at 155]

14 **59.** The Secretary of State concluded that the signature verification, as it
15 applies to Native American voters, but not other communities, provides sufficient
16 protection against voter fraud. [Kanefield 162]

17 **60.** The most recent Secretary of State Elections Procedure Manual is
18 dated October 30th of 2007. It was approved by the Governor and the Attorney General.
19 [Kanefield 5]

20 **61.** The major changes made to the Secretary of State Elections
21 Procedure Manual concerned the combining of the provisional ballot processing
22 procedure into the identification at the polls procedure. The change combined the two
23 together because their relation in that if someone comes to the polls without identification
24 or insufficient identification they vote a provisional ballot. [Kanefield 6]

25 **62.** No changes were made to the procedure relating to how registration
26 forms are processed in regard to proof of citizenship. [Kanefield 6-7]

1 **63.** The current voter registration form went into effect in early
2 December. [Kanefield 8]

3 **64.** The changes made from the previous voter registration form include
4 changes to the alien registration number in box 19 used to read the naturalization number.
5 [Kanefield 8]

6 **65.** The previous form instructed registrants to fill in the number of his
7 certificate of naturalization. The new form changed the box to read “Presentation to the
8 county recorder of US naturalization documents or fill in your alien registration number
9 in box 19.” [Kanefield 9-10] Mr. Kanefield took part in the decision to change the voter
10 registration form itself to replace that language with the words alien registration number.
11 [Kanefield 10]

12 **66.** The voter registration form was just an extension of that procedure to
13 save the County Recorders the step of having to contact voters if they put the
14 naturalization number in to ascertain the alien registration number and to get the person
15 registered more quickly. [Kanefield 10]

16 **67.** The Arizona Secretary of State’s office was aware that errors could
17 occur as a result of the confusion between the naturalization number and the alien
18 registration number. [Kanefield 10-11]

19 **68.** A person may be retroactively registered to the date that the registrant
20 filed the voter registration form if the county is able to ascertain the alien registration
21 number before the election. [Kanefield 11]

22 **69.** The change to the voter registration form to request the alien
23 registration number was made pursuant to Proposition 200. [Kanefield 11, 12]

24 **70.** It can be confusing to have different versions of the voter registration
25 form circulating. [Kanefield 12]

26

1 **71.** The Secretary of State produces and distributes hard copies of the
2 voter registration form to the public. [Kanefield 12]

3 **72.** The County Recorders are the entities in Arizona that are tasked with
4 voter registration. They are responsible for printing and distributing the voter registration
5 form. [Kanefield 13]

6 **73.** The Secretary of State's office is tasked with designing and
7 promulgating the voter registration form. [Kanefield 13]

8 **74.** It is the understanding of the Secretary of State's office that all
9 certificates of naturalization carry an alien registration number. [Kanefield 14]

10 **75.** The Secretary of State's office is not aware whether an individual has
11 to turn in to DHS his alien registration card at the time that he or she is naturalized.
12 [Kanefield 13]

13 **76.** The Secretary of State's office is not aware of any documents,
14 besides the alien registration card and the certificate of naturalization, that may carry the
15 alien registration number. [Kanefield 13-14]

16 **77.** The Secretary of State's office is not aware of any occasions, besides
17 voter registration in Arizona, in which a naturalized U.S. citizen might use his or her
18 alien registration number. [Kanefield 14]

19 **78.** The Secretary of State's efforts in educating the public about that
20 alien registration number have come primarily through their voter outreach coordinator,
21 Robert Flores, a full-time employee of that office, whose job is to reach out to the public,
22 conduct voter registration drives, and attend voter outreach events. [Kanefield 15]

23 **79.** The Secretary of State's office is not aware whether Mr. Flores
24 conducts voter education regarding whether an individual can photocopy his
25 naturalization certificate and submit that to a County Recorder as proof of citizenship.
26 [Kanefield 15]

1 **80.** The Secretary of State’s office has always interpreted “document
2 shall be presented” to mean that the document must be presented and not copied, as
3 reflected in the language of the law. [Kanefield 15]

4 **81.** The Secretary of State’s office relied on information from County
5 Recorders and communications with the local director of the immigration office for the
6 statement in the Secretary of State’s Procedure Manual stating, it takes approximately
7 two weeks from the time after a new citizen takes his or her oath at the citizenship
8 ceremony before that citizen’s alien registration number is placed in the SAVE database.
9 [Kanefield 16, 17]

10 **82.** In a situation where the County Recorder has received a voter
11 registration application, and she cannot verify the alien registration number and an
12 election registration deadline is going to occur within the next two weeks, the County
13 Recorder is instructed to notify the registrant that further citizenship proof may be
14 necessary in order to assure that the voter is registered on time, which is simply asking
15 the County Recorders to notify that person and inform that person that because of the
16 timing, that person may not be able to verify citizenship through that process. [Kanefield
17 18]

18 **83.** Tribal documentation and a tribal number are accepted on their face
19 as valid proof of citizenship, and the Secretary of State does not provide any additional
20 guidance to County Recorders on how to recognize a tribal number. [Kanefield 20]

21 **84.** The Secretary of State’s office does not know whether all persons
22 with tribal documentation or tribal numbers are United States citizens. [Kanefield 20]

23 **85.** The Secretary of State’s office does not provide any guidance to the
24 Counties on how to verify a birth certificate or how to verify pages of a United States
25 passport. [Kanefield 19- 21]

26

1 **86.** The Secretary of State's office has no knowledge of any incident
2 since January 1, 1996 involving allegations of fraud in military personnel registering to
3 vote using the Federal Post Card Application. [Kanefield 21-22]

4 **87.** The Secretary of State's office has no knowledge of any incident
5 since January 1, 1996 involving allegations of fraud in any overseas individuals
6 registering to vote using the Federal Post Card Application in Arizona. [Kanefield 22]

7 **88.** The document Titled 2006 General Election ID and Citizenship
8 Complaints was created by the staff in the Election Services Division of the Secretary of
9 State's office. [Kanefield 23]

10 **89.** The document titled 2006 General Election ID and Citizenship
11 Complaints is a spreadsheet, generated from a larger database created by Mr. Kanefield's
12 staff to log complaints that occur primarily regarding election day itself. The database
13 contains subcategories to categorize election complaints. Two of those categories are
14 identification at the polls complaints and citizenship complaints. The 2006 General
15 Election ID and Citizenship Complaints represent the complaints pulled from the
16 database from those specific categories. There are other categories in the larger database.
17 [Kanefield 23]

18 **90.** The 2006 General Election ID and Citizenship Complaints database
19 is created with Microsoft Access, a computer database program that contains a number of
20 fields that can be filled in and navigated by the Secretary of State's staff. [Kanefield 25]

21 **91.** The complaints database created by the Secretary of State's office
22 was designed to provide a mechanism for the Secretary of State's office to document
23 grievances and complaints quickly around election day when a high-volume of all calls
24 are generated. [Kanefield 25]

25 **92.** The 2006 General Election ID and Citizenship Complaints database
26 would not likely contain complaints about proof of citizenship to register to vote, since

1 the database only contains calls and complaints received on election day. [Kanefield 25-
2 26]

3 **93.** The Secretary of State's office does not log every complaint received
4 into a database, but rather only those received on or around election day. [Kanefield 27]

5 **94.** The Secretary of State's complaint database does not include any
6 grievances received by any Counties. [Kanefield 28]

7 **95.** If an action regarding an election day problem was taken by a county
8 official and the Secretary of State's staff knew about the action, then the staff may or may
9 not have documented that action in the database category of action. [Kanefield 28]

10 **96.** Kris Waite is the Assistant Election Director and supervises the
11 people who are receiving calls and attempting to respond to grievances at the Secretary of
12 State's office. [Kanefield 28]

13 **97.** Mr. Kanefield, as a representative of the Secretary of State's office, is
14 not aware of any specific allegations that a non-US citizen registered to vote in Arizona.
15 [Kanefield 29-30]

16 **98.** The Secretary of State does not know how many of the
17 approximately 1,300 individuals prevented from registering online, who had a driver's
18 license classification that was designated as a non-citizen but had a valid driver's license,
19 were not U.S. citizens. [Kanefield 30-31]

20 **99.** Mr. Kanefield admits there are U.S. citizens who are currently in
21 possession of a driver's license issued before 1996. [Kanefield 31]

22 **100.** The Secretary of State is not in possession of any information relating
23 to any incident since January 1, 1996 involving allegations that a non-U.S. citizen voted
24 in Arizona by early ballot. [Kanefield 33]

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1 **101.** Since January 1, 1996, the Secretary of State's office has not come
2 into possession of any allegations that a non-U.S. citizen voted in person at a polling
3 place in Arizona. [Kanefield 33]

4 **102.** Since January 1, 1996 the Secretary of State's office does not have
5 any specific information involving allegations that an individual has impersonated a
6 registered voter at a polling place. [Kanefield 33-34]

7 **103.** Arizona receives federal funds that support election administration
8 and voter registration through the Help America Vote Act. [Kanefield 34]

9 **104.** The Secretary of State's office does in-person training of county
10 employees regarding implementing the proof of citizenship requirement under
11 Proposition 200. [Kanefield 34]

12 **105.** The Secretary of State's office does election officer certification
13 training during the summers of the odd-numbered years that trains county election
14 officials on the laws and the procedures regarding elections. [Kanefield 35]

15 **106.** The election officer certification training includes approximately
16 thirty-five hours of training and the last two trainings -- the training in 2005 and the
17 training in 2007 -- have included a component relating to the voting provisions of
18 Proposition 200. [Kanefield 35]

19 **107.** The election officer certification training on proof of citizenship and
20 voter identification requirements at the polls both last somewhere between thirty minutes
21 to an hour. [Kanefield 35]

22 **108.** Every county has someone on staff, including the fifteen county
23 election directors, who have been certified by the Secretary of State's office training
24 program. [Kanefield 36]

25 **109.** A question related to verifying the citizenship of an applicant through
26 the SAVE Program would be a question that the Counties would have to work out

1 themselves with the federal authorities rather than asking the Secretary of State's office
2 for guidance. [Kanefield 38]

3 **110.** The Secretary of State's office requires the Counties to use the SAVE
4 Program to provide a mechanism for verifying the citizenship status of individuals who
5 are naturalized. [Kanefield 38-39]

6 **111.** The mechanics of how the SAVE Program works are left up to the
7 Counties to work out with the federal immigration authorities. [Kanefield 39]

8 **112.** Proposition 200 does not mention Type F licenses. [Kanefield. 39]

9 **113.** Due to questions concerning the ability to verify citizenship with a
10 driver's license around the time Proposition 200 was enacted, Secretary of State Jan
11 Brewer asked the Attorney General for an opinion on the matter. [Kanefield 39]

12 **114.** The Attorney General determined that because of the manner in
13 which the statute was drafted a driver's license issued after October 1996 is satisfactory
14 evidence of United States citizenship. [Kanefield 39]

15 **115.** The Secretary of State believes the DMV determines whether or not a
16 person is authorized to be in the country legally. [Kanefield 40]

17 **116.** Mr. Kanefield, as a representative of the Secretary of State, cannot
18 say specifically whether the DMV is verifying an individuals U.S. citizenship versus
19 verifying his authorized presence. [Kanefield 42]

20 **117.** Mr. Kanefield, as a representative of the Secretary of State, does not
21 know whether Type F licenses were in existence at the time of the passage of Proposition
22 200 in 2004. [Kanefield 43]

23 **118.** The Counties are required to include in the polling place signature
24 rosters with each voters residential address as well as the voters post office box address if
25 that has been provided to the County Recorder. [Kanefield 43]

26

1 **119.** Jan Brewer made a request on January 12, 2005 to Stephen Fickett,
2 District Director for the Phoenix District of USCIS to help implement A.R.S. § 16-
3 166(F)(4). She requested instituting a procedure that would involve the county records
4 transmitting the number of the certificate of naturalization provided by registrants.
5 [Exhibit 58].

6 **120.** Jan Brewer made a request on July 6, 2007 12, to Arizona State
7 Senator Victor Soltero to review proposed changes to the Arizona Voter Registration
8 Form. [Exhibit 59].

9 MALDEF wrote a letter to Jan Brewer on April 17, 2006, sent Federal Express,
10 informing her of MALDEF's intent to bring a lawsuit under the National Voter
11 Registration Act of 1993 for instituting policies instructing Arizona county recorders not
12 to accept the Federal Mail Voter Registration Form without accompanying, documentary
13 proof of Citizenship. [Exhibit 60].

14 15 **B. The VRAZ System for Verifying Voter Eligibility**

16 **121.** Voter registration files are sent to the Secretary of State on a daily
17 basis for verification of information provided by the voter. This information is matched
18 with motor vehicle records and against those records on file with the Social Security
19 Administration. [Exhibit 8]

20 **122.** Arizona's online voter registration system suffered a major
21 malfunction on the deadline for voters to register in time participate in the state's
22 Presidential Preference Election. [Exhibits 9 & 10]

23 **123.** The goal of the VRAZ system is to increase voter registration while
24 reducing threats to election integrity by removing ineligible voters and preventing
25 individuals from registering to vote in multiple Counties. [Exhibit 11]
26

1 **124.** Prior to VRAZ there was no effective mechanism to centrally check
2 if a voter had died, been convicted of felony, or was registered in multiple Counties.
3 VRAZ automatically performs all of the processes for receiving information, performing
4 matching, and reporting back to the Counties on a set schedule without human
5 intervention. [Exhibit 11]

6 **125.** When an Arizona resident registers to vote online through the EZ
7 Voter portion of VRAZ, the voter registration is updated instantly and the record is sent
8 to the county where the resident resides. If a person registers to vote using a paper voter
9 registration form, the form must be entered by the County into its individual voter
10 registration system through data entry. [Exhibit 11]

11 **126.** All County voter registration data additions, changes and deletions
12 are automatically sent electronically to the Secretary of State on a daily basis. The
13 Secretary of State, using VRAZ, automatically uploads all voter registration records that
14 need identity checking to the Motor Vehicle Division (“MVD”) each night. [Exhibit 11]

15 **127.** Arizona’s voter registration system is capable of producing daily
16 tallies of voter registration. [Exhibits 12-13]

17 **128.** All new additions to the voter registration database are matched
18 against the MVD database to check the registrant’s name, date of birth, driver’s license
19 number and last four digits of the Social Security number. VRAZ then sends the results
20 of the MVD matching back to the Secretary of State. [Exhibit 11]

21 **129.** After the Secretary of State automatically receives the records back
22 from the MVD, VRAZ checks for duplicated matching across Counties to see if a
23 registrant is registered in another County. VRAZ also checks registrations against court
24 records received by the Secretary of State to check for felony convictions or declarations
25 of incapacitation, and checks all death records from the Department of Health Services
26 received by the Secretary of State and notifies Counties of the results. [Exhibit 11]

1 **130.** After all checks have been completed, the Secretary of State creates
2 and posts a unique County matching report each morning which classifies the matching
3 results as severe, notifications, informational and no action needed. [Exhibit 11]

4 **131.** Each County must either electronically or manually process the
5 matching reports, and may access the custom VRAZ internet system when processing its
6 reports or researching voter information. [Exhibit 11] [*Id.*]

7 **132.** Counties have a variety of hardware and software that enables them
8 to automatically send and receive files electronically from VRAZ. [Exhibit 11]

9 **133.** The MVD record matching is performed on the Arizona Department
10 of Administration's mainframe computer. [Exhibit 11]

11 **134.** The Secretary of State transfers data to the MVD and the Department
12 of Health Services over a secured private statewide network called MAGnet. [Exhibit
13 11]

14 **135.** VRAZ reports back to Counties if a driver's license number entered
15 on a voter registration form was issued before October 1, 1996, or is a license type "F" or
16 "N." This report will show the match in the "severe" category. [Exhibit 14]

17 **136.** Arizona's "EZVoter" system allows for applicants to register online
18 if they have a digitized signature on file with the MVD. [Exhibit 15]

19 **137.** Legislation enacted in 2005 allows the new Driver's
20 License/Identification Card Application form to serve as a voter registration form if
21 applicants check the box indicating they want to register to vote. [Exhibit15]

22 **138.** The information is then transmitted to the County Recorders through
23 the EZ Voter online registration system. [Exhibit15]

24 **139.** VRAZ is made up of fifteen County voter registration systems that
25 interface with a statewide system. [Exhibit 16]

26

1 **140.** In contrast to VRAZ I, under VRAZ II, thirteen of the Counties will
2 convert to local versions of a common registration system. [Exhibit16]

3 **141.** Only Maricopa and Pima Counties will maintain their custom voter
4 registration systems. [Exhibit16]

5 **142.** Voter registration applications are rejected if proper citizenship
6 information is not provided or if the VRAZ-II system cannot verify citizenship through
7 the centralized matching process. [Exhibit 6]

8 **143.** The MVD issues driver's licenses to non-citizens, including legal
9 permanent residents who present alien registration cards as proof of authorized presence.
10 [Exhibit 503 (Collins 1/10/08 31:13-32:19)]

11 **144.** The MVD created the Customer Characteristics USCIS Class Matrix
12 [Exhibit 503 (Collins 10: 23-25)]

13 **145.** The MVD utilizes the Class Matrix to determine which documents
14 establish authorized presence sufficient to obtain a license in Arizona and distinguish
15 between different types of immigration documents. [Exhibit 503 (Collins 9:5-9; 11:19-
16 25; 20:3-12)]

17 **146.** The MVD does not have a means to confirm immigration documents
18 through either the VIS database or the SAVE Program. [Exhibit 503 (Collins 19:3-5)]

19 **147.** The MVD has no system that allows it to do routine updates on
20 customer records with respect to changes in immigration status. [Exhibit 503 (Collins
21 20:24-21:2)]

22 **148.** Arizona Type F licenses are those licenses that are issued for a
23 limited period of time. [Exhibit 503 (Collins 23:1-3)]

24 **149.** If an individual's authorized stay in the United States is only for a
25 limited period of time, then the MVD will only issue a Type F license that expires when
26 the individual's term of stay in the United States is up. [Exhibit 503 (Collins 23: 7- 16)]

1 **150.** The MVD bases the expiration date of Type F licenses on the license
2 expiration date document which is a chart that states when a license should expire based
3 on the documentation presented. [Exhibit 503 (Collins 24: 2-13)]

4 **151.** Alien registration cards are one of the documents listed in the license
5 expiration date document. [Exhibit 503 (Collins 26:23-25)]

6 **152.** Individuals that use alien registration cards, otherwise known as
7 permanent resident cards, as proof of authorized legal presence are not issued extended
8 Arizona driver's licenses; rather they are issued driver's licenses in some portion of a ten-
9 year increment because the alien registration cards are good for ten-year increments.
10 [Exhibit 503 (Collins 27:1-11)]

11 **153.** Individuals with expired alien registration cards will be given a
12 driver's license that expires a year from the expiration date of the alien registration card.
13 [Exhibit 503 (Collins 28: 11-17)]

14 **C. VRAZ Advisory Committee Emails/Guidance**

15 **154.** The VRAZ committee has distributed and continues to distribute
16 issue papers and emails to the Counties that clarify certain election and registration
17 issues. [Exhibit 521 (Wayman-Trujillo 1/9/08 37-38)]

18 **155.** Driver License types "F" and "N" are issued to people legally in the
19 country who are not citizens. [Exhibit 14]

20 **156.** The VRAZ Advisory Committee (the "Committee") advised
21 Counties that when Counties receive a report of an "F" or "N" driver license number
22 entered on a voter registration form, they first check to be sure the driver license number
23 was entered correctly, then check to see if the registrant is already registered to vote and
24 is just changing information, or has provided other citizenship documents if they are a
25 first time voter. [Exhibit 14]

26

1 **157.** The Committee advised Counties that when Counties receive a report
2 of an “F” or “N” driver license number entered on a voter registration form, the VRAZ-II
3 County Advisory Committee states that if it is first time registrant in that county, and no
4 other proof of citizenship documents have been provided, that registrant has not
5 satisfactorily proved citizenship. [Exhibit 14]

6 **158.** The Committee advised Counties that until VRAZ-II is implemented,
7 voter registration records without satisfactory proof of citizenship should be canceled or
8 deleted in the voter registration system and a correspondence sent to the registrant asking
9 for proof of citizenship. [Exhibit 14]

10 **159.** The Committee advised Counties that VRAZ-II should automatically
11 generate correspondence when certain actions take place such as, rejection of a voter
12 registration record due to lack of citizenship, an MVD non-match, issuing a voter
13 registration identification card for a new registration, cancellation due to a court
14 notification, cancellation since received notification from a jury questionnaire that voter
15 marked “not a citizen,” ask registrant to present naturalization papers or provide A
16 number, etc. [Exhibit 17]

17 **160.** VRAZ-II, serves as the statewide registration system and compile the
18 official statewide voter registration list. [Exhibit 18]

19 **161.** February 24, 2005, the Committee determined that if voter
20 registration records lack key information not relating to citizenship proof, the voter
21 registration record is placed as “pending” in status and allows the registrant between 35
22 days and 90 days to respond to the request for information before the record is deleted.
23 [Exhibit 19]

24 **162.** The Committee determined that requests for information not relating
25 to citizenship proof must provide registrants with a voter registration form and
26 instructions on the necessary steps to complete the application. [Exhibit 19]

1 **163.** The Committee determined that the registration date is to be
2 backdated to the registration date on the original form for “pending” status records.
3 [Exhibit 19]

4 **164.** The Committee determined that if a voter registration request is
5 missing proof of citizenship, the voter registration record is marked as “rejected” and
6 registrant is allowed between 35 days and 90 days to respond to request for information
7 before the record is deleted. [Exhibit 19]

8 **165.** The Committee determined that for citizenship proof cases, requests
9 for information must be accompanied by a blank voter registration form. [Exhibit 19]

10 **166.** The Committee determined that the registration date for citizenship
11 proof cases will be the new registration date that the registrant enters on the form.
12 [Exhibit 19]

13 **167.** The Committee determined that the county should file the rejected
14 application by the date received and archive it for two years. [Exhibit 19]

15 **168.** The Committee determined that they want VRAZ-II to automatically
16 delete records that go beyond any of the periods of time defined in the statute. [Exhibit
17 19]

18 **169.** The Committee determined that the County Recorder may destroy all
19 documents that were submitted as evidence of citizenship after two years. [Exhibit 19]

20 **170.** The Committee determined that if a registrant registers in person with
21 proof of citizenship, the County Recorder personnel need only to indicate on the voter
22 registration form that the person provided such proof but does not need to make or retain
23 any copies. [Exhibit 19]

24 **171.** The Committee determined that if registrant uses a U.S. birth
25 certificate, naturalization document, or U.S. passport as proof of citizenship but whose
26 registration name does not match the name on those documents need to furnish legal

1 documentation of the name change in order for proof of citizenship to be accepted for
2 registration purposes. [Exhibit 19]

3 **172.** The Committee determined that Counties can accept voter
4 registration forms where a U.S. birth certificate is provided and the name on the birth
5 certificate is different from the voter registration if the following five field match on the
6 form and on the certificate; 1) First Name, 2) Middle Name, 3) Place of Birth, 4) Date of
7 Birth, and 5) Parents Name. [Exhibit 19]

8 **173.** The Committee determined that any elector that is canceled for
9 legitimate reasons in a county and wishes to participate in the election process again in
10 the same county needs to register as a new voter and must meet all the requirements of a
11 first time registrant. [Exhibit 19]

12 **174.** Pima County clarified and affirmed VRAZ business rules regarding
13 the reinstatement of cancelled voters when there is, 1) a legitimate 301 cancellation, 2)
14 when cancellation resulted from an entry error and 3) when there is any cancellation
15 initiated by the County. [Exhibit 20].

16 **175.** VRAZ-II implementation encountered problems when the data from
17 VRAZ-I could not be fully transferred. The alternative was to require an implementation
18 plan that calls for a complete redefinition of the database but this would most likely result
19 in an insufficient audit trail. [Exhibit 21].

20 **176.** The functional specification for PowerProfile EE provides the
21 instructions for Arizona to export information to VRAZ-I. Arizona Counties would
22 require a custom state export file to populate the VRAZ-I system until the full state
23 interface (ZIA) is brought online. [Exhibit 22].

24 **177.** Data Conversion Plan and Approach for Arizona HAVA VRAZ-II
25 outlines the data migration/conversion strategy for use in 15 Arizona Counties. [Exhibit
26 23].

1 **178.** Document outlines the additional information needed from Arizona
2 SOS to obtain Statewide VR Code Standardization from the different voter registration
3 legacy systems that were used in the Counties prior to the decision to switch to VRAZ.
4 [Exhibit 24].

5 **179.** Arizona's Motor Vehicle Division's Identification License policy
6 provides instructions for issuances of an Identification Licenses (ID). An Identification
7 License is solely for the use and convenience of the customer for identification purposes.
8 [Exhibit 25].

9 **180.** Arizona's Motor Vehicle Division's Customer Records policy
10 provides the guidelines for Customer Records and the Customer Database. The Customer
11 Database stores information for all customers conducting business with the Division.
12 Each of these customers is assigned a Customer Record. [Exhibit 26].

13 **181.** Arizona's Motor Vehicle Division's Establishing Authorized
14 Presence policy provides guidelines for Customer Service Representatives (CSR) to use
15 when establishing authorized presence for purposes of issuing Arizona Driver Licenses.
16 [Exhibit 27].

17 **182.** Arizona's Motor Vehicle Division's Establishing Authorized
18 Presence policy allows Arizona to issue limited Type F licenses to customers who are
19 applying for an identification license of Class D, G, or M driver license or instruction
20 permit and whose period of authorized presence is for a limited period of time; as
21 determined by the primary form of identification and any supporting documentation that
22 is presented at the time of application. The Type F licenses' expiration date shall coincide
23 with the customer's assigned authorized presence expiration date (as shown on the
24 primary form of identification or supporting documents). [Exhibit 27].

25 **183.** Arizona's Motor Vehicle Division's Social Security Online
26 Verification policy provides information about the SSOLV system including the

1 requirement that a customer must provide their Social Security Number upon application
2 for a driver license, commercial driver license, identification license, and/or instruction
3 permit. Division is required to obtain, verify and retain the person's SSN. [Exhibit 28].

4 **184.** Arizona's Motor Vehicle Division's Customer Name Requirement
5 policy provides guidelines for determining a customer's name as they apply to the
6 customer and/or vehicle record. [Exhibit 29].

7 **185.** Arizona's Motor Vehicle Division's Customer Address Requirement
8 policy provides the guidelines for determining a customer's address as they apply to a
9 customer and/or vehicle record. [Exhibit 30].

10 **186.** Arizona's Motor Vehicle Division's Film Imaging policy outlines the
11 procedure for preparing and transferring of all applications (for a driver license,
12 commercial driver license, instruction permit, identification license, title, registration and
13 their supporting documents) made to the Division's Film Records Unit for microfilming
14 in order to maintain public records. [Exhibit 31].

15 **187.** The office in charge of implementing VRAZ-II had to spend a lot of
16 political capital to keep Counties happy with rough implementation of VRAZ-II. [Exhibit
17 32].

18 **188.** VRAZ-II was implemented in six Counties prior to the 2006 Federal
19 Elections. [Exhibit 32].

20 **189.** VRAZ-II executes a wide variety of functions, including generating
21 automatic thank you emails to voters, verifying petition signatures, and tracking absentee
22 ballots. [Exhibit 33].

23 **190.** The VRAZ Daily Report classifies new voter records into severe,
24 notifications, informational, and no action needed. A "severe" classification will result if
25 records sent by the county do not contain all the mandatory information, a certain match
26 to a felony record was made, or an exact duplicate match with another county voter

1 registration was found. When matches are fairly certain but not exact, the record is
2 classified as a notification, indicating that the record needs to be looked at further.
3 [Exhibit 34].

4 **191.** The EZ Voter program is an e-government application that allows
5 citizens of Arizona to completely register to vote over Internet in either English or
6 Spanish. Approximately 33% of Arizon voter registration are processed through EZ
7 Voter. [Exhibit 35].

8 **192.** The VRAZ daily report screen that is sent to each county summarizes
9 the total reports received and lists the number of records matched from court, MVD,
10 death and duplicates. [Exhibit 36].

11 **193.** The objective of VRAZ-II is to provide a true statewide, real-time
12 system that will allow the system to instantly check court, death and MCD records as the
13 voter registration is being added, rather than checking all records in a batch overnight as
14 the VRAZ system does. [Exhibit 37].

15 **194.** The VRAZ Development Log tracked implementation issues in
16 various Counties, such as Maricopa County record changes taking longer to process,
17 Pima County record changes being done as adds, and the Secretary of State office
18 needing to be listed as a county in order to view all county records. [Exhibit 38]

19 **195.** Pima County was concerned about the risk of being sued for
20 improperly disqualifying an eligible voter without legal reason, due to the workload in
21 another county delaying the verification process if there was a “soft match” with a
22 registration in another county. [Exhibit 39].

23 **196.** The VRAZ-II system will not hold someone in the suspense status
24 because their old county has not resolved a duplicate record; it will move a registrant
25 from suspense to active whenever the new county resolves the issue. [Exhibit 40].
26

1 **197.** Invalid driver license numbers on voter registrations must be cleared
2 from the Power Profile first and then the registrant's name and date of birth will be
3 compared against MVD records and VRAZ will report if the registrant's have a valid
4 license number. [Exhibits 41 & 42].

5 **198.** Pima County had problems using EZ voter because the MVD
6 sometimes did not capture the digitized signature, rejected the voter registration, and
7 never informed the County Recorder. Pima County also regularly gets forms with the
8 wrong signature. [Exhibit 43].

9 **199.** Pima County had problems using EZ voter because the system sent
10 them hundreds of forms that they had submitted months earlier, but it did not transmit the
11 forms back to the county until the day before the cutoff date. [Exhibit 43].

12 **200.** The VRAZ-II County Advisory Committee drafted a recommended
13 uniform cover letter and procedures for county recorder staff checking citizenship
14 documents and registering new voters at swearing in ceremonies. The county recorder
15 staff at the ceremonies will collect the voter registrations for voters in various Counties
16 and send the registrations to the appropriate county office, initialing that they examined
17 citizenship documents. [Exhibit 44].

18 **201.** When a registrant submits a voter registration application with
19 information that does not match the records at MVD, the no match information must be
20 clarified, regardless of whether it is critical to the registration of the registrant. The
21 VRAZ-II County Advisory Committee issued a uniform letter that Counties could send to
22 voters to inform them that their registration does not match existing records. [Exhibit 45].

23 **202.** EZ Voter statistics show the number of voter applications completed
24 online and in the office from July 2002-May 2007, and the percentages of hard and soft
25 MVD matches, court matches, duplicates and death record. [Exhibit 46].

26

1 **203.** VRAZ-II will issue voter identification cards that Counties can order
2 with their county-specific information. [Exhibit 47].

3 **204.** The VRAZ-II County Advisory Committee issued uniform language
4 that Counties could use to inform registrants that proof of citizenship needed to be
5 submitted before their voter registration would be processed. The uniform language
6 instructs voters to complete a new voter registration form and return along with one of
7 the following identification documents: driver license number issued after October 1,
8 1996, photocopy of an out-of-state driver's license that identifies citizenship on its face,
9 photocopy of a U.S. birth certificate, a photocopy of a U.S. passport, photocopy of
10 naturalization documents, alien registration number, or Bureau of Indian Affairs Card
11 Number, Tribal Treat Card Number or Tribal Enrollment Number. The correspondence
12 mandates that registrants send photocopies only, not original documents, and contains a
13 line in Spanish at the end with instructions for obtaining the correspondence in Spanish.
14 The Committee also informed each county that they would need to submit their own
15 version of the letter to the Department of Justice for preclearance and translate the letter
16 into Spanish. [Exhibit 48].

17 **205.** The VRAZ-II County Advisory Committee acknowledged that
18 County Recorders often get requests for information to determine how many voter
19 registration applications are rejected due to lack of citizenship proof. [Exhibit 49].

20 **206.** The VRAZ-II County Advisory Committee decided that keeping
21 statistics is optional for the Counties. They also expressed a strong desire for VRAZ-II to
22 have the ability to keep such statistics. [Exhibit 49].

23 **207.** The VRAZ-II County Advisory Committee recommended that
24 Counties accept proof of citizenship such as a U.S. birth certificate, naturalization
25 document or U.S. Passport even if the registrants name has changed since the document
26

1 was issued, as long as the registrant also provides legal documentation of the name
2 change such as a marriage certificate, court name change document, etc. [Exhibit 50].

3 **208.** The VRAZ-II County Advisory Committee also recommended that
4 Counties accept voter registration forms where a U.S. birth certificate is provided and the
5 name on the birth certificate is different from the voter registration if the following five
6 fields match: First Name, Middle Name, Place of Birth, Date of Birth and Parents Name.
7 If not all five fields match, the birth certificate must be accompanied by a legal
8 documentation of the name change. [Exhibit 50].

9 **209.** The VRAZ-II County Advisory Committee recommended that if a
10 registrant has been registered in one county, and are their registration is legitimately
11 canceled from the voter registration list, when that person re-registers in the same county
12 they must meet all the requirements of a first time registrant. [Exhibit 51].

13 **210.** The VRAZ-II County Advisory Committee implemented codes so
14 that the VRAZ-II system could determine how registrants registered. [Exhibit 52].

15 **211.** The VRAZ-II County Advisory Committee instructed Counties to
16 keep canceled voters on file for five years before archiving the records. [Exhibit 53]

17 **212.** The VRAZ County Advisory Committee created a checklist of issues
18 raised by the passage of Proposition 200 to determine if what additional policy changes
19 would need to be made. [Exhibit 54]

20 **213.** The VRAZ County Advisory Committee kept a spreadsheet of the
21 issues addressed by the advisory committee, whether the issues were covered in the
22 manual, and the year they were placed in the manual. [Exhibit 55]

23 **214.** A document was created that gathers the requirements for completing
24 the interface between the VRAZ-II and Maricopa and Pima Counties. [Exhibit 56].

25 **215.** The VRAZ-II County Advisory Committee advised that the pertinent
26 pages of a US Passport for purposes of proving a registrant's citizenship as required

1 under Proposition 200 are the pages that contain the passport number, name, nationality,
2 date of birth, gender, and place of birth along with the page that contains the passport
3 holders signature. [Exhibit 57].

4 **216.** The VRAZ II County Advisory Committee instituted policies for
5 how to handle situations where the VRAZ-I system reports back that a driver's license
6 number that is a type "F" or "N". If the individual was a first time registrant the Counties
7 are instructed to see if other citizenship documents were provided with the registration
8 application, and if not, until VRAZ-II is implemented the county is to cancel or delete the
9 voter registration record in the voter registration system and send correspondence asking
10 for proper proof of citizenship. The County advisory committee felt that the process may
11 be modified once VRAZ-II is implemented. [Exhibits 61 & 62].

12 **217.** The VRAZ II County Advisory Committee recommended physically
13 storing the proof of citizenship documents submitted with registration applications.
14 [Exhibit 63].

15 **218.** The VRAZ II County Advisory Committee recommended accepting
16 proof of citizenship even if the name on the voter registration is different from that on the
17 proof of citizenship as long as the registrant also provides documentation of the name
18 change, or if there is sufficient other matching information. [Exhibit 64].

19 **219.** The VRAZ II County Advisory Committee established standard
20 values and codes for common election and registration actions [Exhibit 65].

21 **220.** The Arizona Motor Vehicle Division established guidelines for the
22 proper completion of the Driver License/ Identification Card and the proper methods for
23 reviewing the applications, supporting documentation, and forms. [Exhibit 66].

24 **221.** The Arizona Motor Vehicle Division established guidelines for the
25 acceptable forms of documentation used to establish a customer's identity and/or
26

1 authorized presence when issuing a driver's license and identification card license.
2 [Exhibit 67]

3 **222.** An electronic file was created to track the type and severity of 2006
4 General Election Complaints. [Exhibit 68]

5 **223.** The MVD issues limited licenses to persons who produce Permanent
6 Resident Cards as proof of identity. [Exhibit 69].

7 **224.** U.S. Citizen and Immigration Services provides a web-accessible list
8 of Immigration Forms and descriptions of those forms on its website [Exhibit 70].

9 **225.** Proposition 200 requires the county recorder to retain documents that
10 were provided as evidence of citizenship. [Exhibit 71]

11 **226.** Proposition 200 requires the county recorder to indicate the
12 satisfactory proof of citizenship in the voter file. [Exhibit 71]

13 **227.** Per the VRAZ II County Advisory Committee, two years from the
14 date that the voter's proof of citizenship information is received, the voter's documents
15 may be destroyed. [Exhibit 71]

16 **228.** Per the VRAZ II County Advisory Committee, there were two
17 options submitted for the two year storage of such evidentiary documents. Option 1:
18 Electronic storage of data, Option 2: Storing documents in their paper form. The
19 committee recommended that the documents be stored in their paper form per the
20 infrequency of need to access the images and the cost to store the information
21 electronically. [Exhibit 71]

22 **229.** Per the VRAZ II County Advisory Committee, if a registrant
23 provides the last 4 digits of their social security number, VRAZ looks for a match with
24 MVD. [Exhibit 72]

25
26

1 **230.** Per the VRAZ II County Advisory Committee, all new driver license
2 applicants provide their full social security number to MVD, MVD then verifies the SSN
3 with SSA. [Exhibit 72]

4 **231.** Per the VRAZ II County Advisory Committee, for certain registrants
5 whose SSN's are either 1) not verified or 2) do not exist in MVD's database, their
6 information, including: name, DOB, and last 4 digits of SSN are forwarded to SSA to aid
7 in finding a match. [Exhibit 72]

8 **232.** The VRAZ II County Advisory Committee created a table describing
9 when Counties should send voter information to SSA for validation. [Exhibit 72]

10 **233.** The Complete Systems Specifications for VRAZ II details and
11 describes the system hardware that comprises VRAZ II. These specifications were
12 approved by Craig Stender (AZ HAVA Project Manager) and Scott Whitfield (State
13 Project Manager). [Exhibit 73]

14 **234.** The System Security Plan given to the Arizona HAVA VRAZ II
15 Project Manager, Bhaskar Meka, was approved by Craig Stender (AZ HAVA Project
16 Manager) and Scott Whitfield (State Project Manager). This plan describes security
17 controls and operational controls for the VRAZ II system. [Exhibit 74]

18 **235.** Based on the recommendations of the VRAZ II County Advisory
19 Committee, if an applicant registers to vote in person, in the presence of voter registration
20 personnel, the county recorder need not retain applicant's proof of citizenship documents.
21 [Exhibit 75]

22 **236.** Based on the recommendations of the VRAZ II County Advisory
23 Committee, since there is a delay between when a naturalized citizen takes the citizenship
24 oath and when their citizenship number is placed into the SAVE system, the committee
25 recommends that Counties should send the registrant correspondence indicating that
26 further citizenship proof is needed when the alien registration number is not found in the

1 voter registration system. The committee advises that the applicant may present their
2 naturalization documents to the recorder. [Exhibit 76]

3 **237.** Based on the recommendations of the VRAZ II County Advisory
4 Committee, if a naturalized citizen was naturalized within the last two weeks before an
5 election, they should contact the county recorder immediately. [Exhibit 76]

6 **238.** Based on the recommendations of the VRAZ II County Advisory
7 Committee, other Counties should accept in-person voter registration forms which are
8 filled out at swearing in ceremonies. These forms are to be accepted as long as the
9 registrant's number, initials on the form and date are verified by county personnel.
10 [Exhibit 77]

11 **239.** The VRAZ II County Advisory Committee created a table of
12 recommendations for when to update or "pass back" information that is not contained in
13 the voter registration record. [Exhibit 78]

14 **240.** A Business Requirements Document was prepared that outlines the
15 various gaps identified in the current modules and the PowerProfile SE. It was produced
16 for the HAVA VRAZ II Project Manager, Bhaskar Meka, and approved by Craig Stender
17 (AZ HAVA Project Manager) and Scott Whitfield (State Project Manager). [Exhibit 79]

18 **241.** Email distributed by Craig Stender indicates that MVD is incurring
19 problems, therefore recipients of email did not receive an EZ Voter Report that day;
20 rather Stender indicates that they should receive report on Monday. [Exhibit 80]

21 **242.** Email response by Patty Hansen (Coconino County Elections
22 Administrator) to Craig Stender informs Craig that workers incorrectly added VR RAZ
23 tables to the source of registration tables under NVRA source of registration values.
24 [Exhibit 81]

25 **243.** Pima County's Principal System's Analyst, Kevilee Watterson emails
26 to clarify issue related to a voter who was canceled when she ceased to vote in Pima

1 County, then became an active voter in Maricopa County, and later returned to Pima
2 County. Watterson indicates that she believes all she would have to do is set up the
3 voter's Pima status as active and send the record to the state as an update. [Exhibit 82]

4 **244.** Email from Melissa Winchester (Product Designer for Election
5 System's and Software, Inc.) to Craig Stender attempts to clarify what kind of notice
6 should be sent to registrants who are made "active" either due to 1) no match or 2) voter
7 did not provide a DLN. Winchester also attempts to clarify the timing of the notice.
8 [Exhibit 83]

9 **245.** The Functional Specification on Automatic Updates to Voters on
10 Hard Matches issued by Election Systems and Software details how the system can be set
11 up so an automatic change can be done, updating the information without user
12 intervention for matches that are made against the Motor Vehicle Department, Felons,
13 and Death Agencies. Additionally, the system can be set up to match criteria that will not
14 result in an automatic update (soft matches), allowing the Counties to view these matches
15 and to make a determination themselves. [Exhibit 84]

16 **246.** Codes for Registrant Status and Reason generated by Counties. The
17 only valid registrant statuses with corresponding codes are active, inactive, removable,
18 not eligible, suspense, and not registered. [Exhibit 85]

19 **247.** The document entitled Codes for Registrant Status and Reason
20 contains corresponding Standards. [Exhibits 86 & 87]

21 **248.** The only valid registrant statuses with corresponding codes are
22 active, inactive, removable, not eligible, suspense, and not registered. [Exhibit 88]

23 **249.** A letter by Jan Brewer, Arizona Secretary of State, to Chapter
24 Presidents, notifies them of the new changes to election processes in Arizona. Defendant
25 Brewer noted the new identification requirements, the new accessible voting machines
26

1 for persons with disabilities, and the new methods for registration that are available.
2 [Exhibit 89]

3 **250.** The Functional Specification on the Arizona MVD/SSA Processing
4 issued by Elections Systems and Software details how PowerProfile/Agency Central will
5 interface with MVD to validate information on driver's license numbers and the last four
6 digits of Social Security Numbers. [Exhibit 90]

7 **251.** The State issued instructions on how to use PowerProfile to create
8 new registrants for VRAZ II Testing Plan – Phase II. [Exhibit 91]

9 **252.** Arizona's Motor Vehicle Division's Identification Requirements
10 outlines what qualifies as primary and secondary documents, the number of these
11 documents that the applicants needs to present and other specifications deemed necessary
12 in order to complete the customer's application. [Exhibit 92]

13 **253.** Arizona's Motor Vehicle Division's General Information on Identity
14 Eligibility outlines that all applicants must prove identity when purchasing a renewal or
15 duplicate credential by presenting the appropriate requested documentation. [Exhibit 93]

16 **254.** Arizona's Motor Vehicle Division's General Information on Identity
17 Eligibility notes that foreigners with a Type F credential must be processed by the foreign
18 document expert in the Division's office. [Exhibit 94]

19 **255.** Arizona's Motor Vehicle Division's General Information on
20 Authorized Presence Eligibility outlines that in order to prove authorized presence in the
21 United States under federal law requires the customer to present qualified proof of
22 authorized presence when applying for an original Arizona license, ID, or permit, a
23 renewal of a limited Arizona License, the renewal of an extended Arizona or the
24 reinstatement of any license. [Exhibit 93]

25 **256.** Arizona's Motor Vehicle Division's policy on Driver License and
26 Identification Card Application establishes guidelines for the proper completion of the

1 application, including the review of the application, the supporting documentation, and
2 the forms. [Exhibit 66]

3 **257.** The Functional Specification for Arizona MVD/SSA Processing
4 details the requirements outlined in the Functional Requirements for MVD Submission to
5 SSA will only look at registrants that cannot be validated with the MVD to be required to
6 be submitted to the SSA for verification. Since MVD is being provided the drivers' data
7 via a file, the registrants that are required to go through SSA will be submitted through a
8 different export file. [Exhibit 95]

9 **258.** The HAVA Exception/Duplicate Correspondence and Voter Record
10 Status outline what is categorized as a soft match or a hard match. [Exhibit 96]

11 **259.** The Functional Specification to "Add 'Citizenship Verified' Indicator
12 to Registrant Detail Window" describes how a checkbox will be added to the Registrant
13 Detail and Scanned Image Entry windows so the user will be able to indicate whether or
14 not citizenship has been verified during the add process. [Exhibits 97 & 98]

15 **260.** The Functional Specification to "Arizona Recorder Certificate"
16 details Arizona's requirement of a Recorder's Certificate, a letter printed for a registrant
17 to provide proof of registration and includes the ballot style for a selected election.
18 [Exhibit 99]

19 **261.** The VRAZ-II Project Web Services Design Document for the
20 Maricopa and Pima County Interface defines the required web service interface to
21 support communication of the Counties to the VRAZ-II Voter View component. The
22 document outlines the architecture, protocols, classes, and methods for the voter view
23 process as well as providing supporting XML documentation to assist in the definition of
24 supported data elements. [100]

25 **262.** The Secretary of State's office prepared PowerPoint slides of for its
26 Project Kickoff meeting on November 30, 2005. [Exhibit 101]

1 **263.** Arizona law specifies the information that is to appear on the state’s
2 voter registration forms. [Exhibit 102]

3 **264.** Arizona law establishes procedures for verification of registration.
4 [Exhibit 103]

5 **265.** Certificates of Naturalization Issued by the United States contain two
6 numbers, the Certificate of Naturalization number and the I.N.S. Registration number or
7 “A” number. [Exhibit 104]

8 **266.** The Arizona Secretary of State produced a list of important election
9 related dates in 2006. [Exhibit 105]

10 **267.** The Arizona MVD developed a spreadsheet that details what type of
11 license and when the expiration dates depending on the authorized presence document.
12 [Exhibit 106]

13 **268.** The Arizona MVD issues type F licenses to individuals establishing
14 lawful presence through presentation of an I-551 resident alien card. [Exhibit 106]

15 **269.** After the implementation of Proposition 200, Pima County requires
16 citizenship verification by the INS for voters establishing citizenship based on a
17 Naturalization Certificate number prior to processing the registration form. [Exhibit 107]

18 **270.** In Pima County, If a registrant wishes to establish citizenship based
19 on a naturalization certificate, rather than just the certificate number, no confirmation
20 through the INS is required. [Exhibit 107]

21 **271.** After the implementation of Proposition 200, if a voter wishes to
22 establish citizenship based on a driver’s license number or non-operator’s identification
23 card, the voter must provide a driver’s license number or non-operator’s identification
24 card issued after October 1, 1996. [Exhibit 107]

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1 **272.** In August 2006, the Arizona Department of Motor Vehicles reported
2 that approximately 796,040 people in Arizona had state identification cards or driver’s
3 licenses issued before October 1996. [Exhibit 108]

4 **273.** Pima County was aware that the Motor Vehicle Division (MVD)
5 does not verify citizenship for driver’s license applicants or identification card applicants
6 until recently. In spite of this conflict in the law, Proposition 200 mandates that such
7 items be allowed as proof of citizenship. [Exhibit 107]

8 **274.** Pima County voter registration instructions state that federal law
9 prohibits making a photocopy of a Naturalization Certificate. [Exhibit 107]

10 **275.** Federal law criminalizes the copying of a naturalization certificate
11 “without lawful authority.” 18 U.S.C. § 1426 (h) provides:

12 Whoever, without lawful authority, prints, photographs, makes
13 or executes any print or impression in the likeness of a
14 certificate of arrival, declaration of intention to become a
15 citizen, or certificate of naturalization or citizenship, or any
16 part thereof - Shall be fined under this title or imprisoned not
17 more than 25 years (if the offense was committed to facilitate
18 an act of international terrorism (as defined in section 2331 of
19 this title)), 20 years (if the offense was committed to facilitate
20 a drug trafficking crime (as defined in section 929(a) of this
21 title)), 10 years (in the case of the first or second such offense,
22 if the offense was not committed to facilitate such an act of
23 international terrorism or a drug trafficking crime), or 15 years
24 (in the case of any other offense), or both.

19 **276.** According to the Center for American Progress, there are 13 million
20 U.S. citizens who lack documentary proof of citizenship. [Exhibit 108]

21 **277.** According to the Center for American Progress, there were 38,000
22 voter registration applications thrown out since the implementation of Arizona’s proof of
23 citizenship requirement. [Exhibit 109]

24 **278.** According to the Center for American Progress, over 70% of the
25 applications that were thrown out since the implementation of Arizona’s proof of
26

1 citizenship requirement were from applicants who swore under oath that they were
2 citizens. [Exhibit 109]

3 **279.** The VRAZ-II County Advisory Committee Recommends the
4 following steps when receiving information on the VRAZ report that the driver license
5 number provided is not sufficient proof of citizenship: Step #1: Verify that the DLN was
6 entered correctly, if it was, go to Step #2, if not, correct the DLN, another VRAZ report
7 will be issued based on the corrected information. Step #2: If registrant is changing
8 information on an existing voter registration in the current database, no citizenship proof
9 is needed. [Exhibit 62].

10 **280.** Arizona law specifies what evidence is satisfactory proof of
11 citizenship for purposes of satisfying the registration requirements of Proposition 200.
12 (Pl.'s Trial Ex. 130) Prior to implementation of VRAZ-I, Arizona did not have a
13 computerized system to check voter registrations against databases such as the Motor
14 Vehicles Department database. [Exhibit 11]

15 **281.** The Arizona Secretary of State has not yet fully implemented VRAZ-
16 II, an enhanced version of VRAZ-I. [Exhibit 18]

17 **282.** In the current VRAZ-I system, each night around 7 p.m. each county
18 sends a file to the Secretary of State's office containing all voter registration records that
19 have had any activity. These voter registration records are combined in a state file that
20 are sent by the VRAZ system at midnight to the Motor Vehicle Division for matching.
21 The voter registration records are sent by the VRAZ system over the secured state
22 network to the MVD database. [Exhibits 16, 11, 18]

23 **283.** After the voter registration records are returned to VRAZ by the
24 Motor Vehicle Division's computer, the VRAZ system compares these records to the
25 State's court records database, which includes felon records. [Exhibit 110]

26

1 **284.** Following the court records comparison, the VRAZ system compares
2 the voter registration records to death records and duplicates in the voter rolls.
3 [Exhibit 16]

4 **285.** VRAZ then puts all the information from the database comparisons
5 into a report specific to each county and posts those reports for the Counties to obtain off
6 a secure website. [Exhibit 11]

7 **286.** The VRAZ system does not make changes in voter registration
8 records. VRAZ posts the information that is has received from the database matching
9 process and puts that information into a report for the Counties to work with. [Exhibit
10 11]

11 **287.** When a voter registrant completes a voter registration application
12 through the EZ Voter system, that voter registration application is forwarded by the
13 Secretary of State to the appropriate county. The county then processes that voter
14 registration application and uploads it to the VRAZ system for database matching.
15 [Exhibit 11]

16 **288.** When the VRAZ system matches voter registration records against
17 the Motor Vehicles database, the VRAZ system attempts to match four pieces of
18 information: driver's license, name, date of birth, and last four digits of the social
19 security number. [Exhibits 111, 11, 72]

20 **289.** The MVD computer has a program that receives the voter registration
21 records from VRAZ and starts the matching process. The MVD computer takes the first
22 voter registration record and then searches and tries to find it in the driver's license
23 database. If it finds it, then it reports out to VRAZ the results, including name matched,
24 and date of birth matched. If the voter registration record did not have a social security
25 number to match, the MVD computer will leave that blank, and go on to try to match the
26 driver's license number, if it was provided by VRAZ. [Exhibit 111]

1 **290.** When the MVD computer matches the name, date of birth and
2 driver's license number to a voter registration record, the MVD computer also looks at
3 the issue date of the license and the type of license and reports that information to the
4 VRAZ system for use by the Counties. [Exhibit 111]

5 **291.** The VRAZ system reports to Counties whether a driver's license (or
6 state identification card) was issued before or after October 1, 1996. This information is
7 reported as a return code in the report made available by the VRAZ system to the
8 Counties. [Exhibits 112, 62]

9 **292.** The VRAZ system reports to Counties if the type of license is a Type
10 F or Type N. This information is reported as a return code in the report made available
11 by the VRAZ system to the Counties. [Exhibits 14, 112, 62]

12 **293.** The Secretary of State created the list of Return Codes used by the
13 VRAZ system to report information back to the Counties. [Exhibit 112]

14 **294.** Return codes are grouped into categories in the VRAZ report sent to
15 Counties. The first category of return codes indicate that the information should be
16 looked at and some action should be taken by the county. [Exhibit 11]

17 **295.** The return codes in the first category are titled by the SOS as
18 "severe." [Exhibit 11]

19 **296.** Return codes indicating that no action need by taken by county
20 officials are grouped on the VRAZ report in a category titled "informational purposes, no
21 action needed." [Exhibit 11]

22 **297.** When a voter registration applicant logs onto the Internet to register
23 to vote using EZvoter, the system will not allow the person to progress in the voter
24 registration if they he or she has a driver's license dated before October 1, 1996. The
25 applicant is then instructed to register outside the electronic process. [Exhibit 13]

26

1 **298.** EZvoter also has a process to stop a voter registration if the person
2 who's applying to register to vote holds a Type F or N driver's license. The applicant is
3 then instructed to register outside the electronic process. [Exhibit 15] Maricopa County
4 Elections Department issued a notice of new voter registration requirements listing: 1) an
5 Arizona driver's license number or non-operating identification license number, 2) a
6 driver's license or non-operating identification license from another state that identifies
7 United States Citizenship, 3) a legible photocopy of a birth certificate with the name of
8 the applicant that verifies United States citizenship, 4) a legible photocopy of the pertinent
9 pages of the United States Passport, 5) a United States naturalization certificate number
10 or the presentation of a legible photocopy of the certificate or 6) a Bureau of Indian
11 Affairs Card Number, Tribal Treaty Card Number or Tribal Enrollment Number as
12 satisfactory proof of citizenship under Proposition 200. [Exhibit 114]

13 **299.** Pima County, pursuant to rules decided upon by VRAZ County
14 Advisory Committee, will add previously registered voters who cancelled their
15 registration but subsequently returned to the County, as new voters. [Exhibit 115]

16 **300.** Pima County, pursuant to rules decided upon by VRAZ County
17 Advisory Committee, holds new voter registration records in suspense until citizenship is
18 either proven by using the Motor Vehicles Department check, or by having a user in the
19 County indicate to the system that citizenship was proven by the other qualifying means
20 (birth certificate, passport, etc.). [Exhibit 115]

21 **301.** VRAZ states that all existing registered voters are grandfathered in
22 and do not need to provide proof of citizenship. Santa Cruz County instructed Clerks to
23 clear out invalid driver license numbers from a provided list and run the remaining entries
24 of name and date of birth of registrants through Arizona's Motor Vehicles Department
25 registry using the VRAZ System. [Exhibit 111]

26

1 **302.** Proposition 200 will have a great affect on County Recorders, the
2 Secretary of the State, and Election Officials. [Exhibit 113]

3 **303.** Arizona works with the Social Security Administration to validate the
4 last four digits of the social security number of a registrant. Most voter registration
5 records will be checked against MVD records, if no MVD record exists or it does not
6 contain a social security number then the registration will be checked by the Social
7 Security Administration. [Exhibit 116]

8 **304.** The VRAZ committee instructed all Counties to download voter
9 registration forms from the MVD on a daily basis, and to cease manually notifying other
10 Counties when a voter reports a previous Arizona address because VRAZ daily reports
11 should supply this information automatically. However, paper notification would need to
12 continue for prior out of state addresses. [Exhibit 117]

13 **305.** VRAZ fixes and enhancements were issued following the change in
14 voter registration forms and to clarify the record matching process and reports.
15 [Exhibit 118]

16 **306.** An Arizona Users Manual was issued to instruct Counties on how to
17 use Power Profile as implemented by the Arizona Secretary of State Office and 13
18 Arizona Counties. [Exhibit 33]

19 **307.** The VRAZ-II County Advisory Committee issued recommendations
20 for uniform correspondence to inform voters of the need to update the signature on their
21 voter registration by filling out a new voter registration form. [Exhibit 119]

22 **308.** The Pinal County Recorder's office was disappointed that the VRAZ
23 system would force them to run application across their internet pipe, even though they
24 had discussed up front that this is against their policy. [Exhibit 120]

25 **309.** The Maricopa county manager of Voter Registration reported on
26 October 25, 2005, that rejections went down to 35% from 40%. [Exhibit 121]

1 **310.** The VRAZ-II RFP states that the population of Maricopa County and
2 Pima County make up 75% of the population of the entire state, but they will continue
3 using their custom designed systems rather than using the statewide VRAZ-II system.
4 The remaining 13 Counties will convert their local system to a common version of a
5 common voter registration system. Maricopa and Pima Counties will need to integrate
6 their systems with the statewide system. [Exhibit 122]

7 **311.** An EZ Voter for VRAZ-II update states that if an EZ Voter online
8 voter registration is submitted but the registrant does not have a digitized signature on file
9 with the MVD, the registrant will be mailed a letter informing them of the problem and
10 instructing them to fill out a paper voter registration form. [Exhibit 123]

11 **312.** A memorandum of understanding was drafted between the chief state
12 election officers of Arizona, Arkansas, Colorado, Kansas, New Mexico Oklahoma and
13 Texas, agreeing to share voter registration data between states to improve the accuracy of
14 each State's voter registration list. [Exhibit 124]

15 **313.** At a VRAZ-II pre-proposal conference, the question was raised of
16 how much work it would take to integrate the VRAZ-II system with the Maricopa and
17 Pima county systems, a difficult question to answer prior to getting further into the
18 project. [Exhibit 125]

19 **314.** A voter was unable to register to vote online due to being told that
20 her that no record was found under her driver license or social security number, even
21 though she was able to pay her registration fees on the service Arizona site. Her
22 information had not been changed in 7 years, and she believed that her registration was
23 rejected in error. [Exhibit 9]

24 **315.** The Arizona online voter registration system only allows three tries
25 to register to vote online before blocking the registrant from making further attempts.
26 [Exhibits 9, 126]

1 **316.** An Arizona voter was unable to register after three tries, so she
2 contacted the Election Officer Manager because she wanted to vote in the upcoming
3 primary. [Exhibit 9]

4 **317.** An Arizona voter who tried to register both in person and online was
5 unable to register and told that no record was found. She believes that her record and
6 registration disappeared because her last name is Lopez, and this has made her not want
7 to exercise her voting rights. [Exhibit 127]

8 **318.** An Arizona voter accidentally registered to vote after she was already
9 registered, because the name on her driver license had changed, and the online system
10 would only allow her to enter the information that was found on her current driver
11 license. She contacted the Election Office to inform them that she was now registered
12 under two names. [Exhibit 128]

13 **319.** Some Arizona voters emailed the Election Office on January 7, 2008
14 to inform the office that the system was not working. The voters were very irate and felt
15 that their votes and participation in the election process were not valued. [Exhibits 129,
16 130]

17 **320.** The online voter system at servicearizona.com did not work during
18 the day on January 7, 2008, the last date to register to vote in the February, 2008
19 presidential preference elections. The Election Office sent out emails at night to voters
20 who had emailed complaining that the system was not working, stating that the system
21 was working again, and the deadline to register was midnight of that day. [Exhibit 129]

22 **321.** An Arizona voter who wished to register with a party to be able to
23 vote in the February 5, 2008 presidential preference election was unable to do so during
24 the day when the online system was down. [Exhibit 129]

25 **322.** The State of Arizona Official Canvass of the 2008 Presidential
26 Preference Election reported 51.28% turnout. [Exhibit 131]

1 **323.** Two Arizona voters who had filled out a voter registration form at an
2 Arizona MVD in November 2005 were denied the right to vote because the form they
3 had been given to fill out was an obsolete form that had not requested proof of
4 citizenship. They had presented U.S. passports in order to obtain Arizona driver's
5 licenses at that same time when they filled their voter registration forms. A letter was
6 mailed to them once to inform them of the problem, but was returned to as undeliverable
7 because they were out of town. They were not otherwise notified of the problem until
8 they attempted to vote on November 1, 2006 and were denied. [Exhibit 132]

9 **324.** An Arizona overseas military voter tried to register to vote online and
10 was unable to do so do to mismatching address information. He was instructed to visit the
11 online site for military voters to try and remedy the problem. [Exhibit 126]

12 **325.** An Arizona voter emailed the Secretary of State's Office to report
13 that she was unable to complete a name change online to update her records now that she
14 has a different last name on her driver license. She was not able to complete the required
15 verification with the Problem Driver Pointer System. [Exhibit 133]

16 **326.** An Arizona voter who wished to update her voter registration record
17 online because of name change encountered difficulty in doing so and needed to email
18 the Secretary of State office to request assistance. [Exhibit 10]

19 **327.** The secretary of the Democratic Association of Havasu emailed the
20 Secretary of State Office to report numerous complaints of Arizona voters who believed
21 they were registered to vote because they had checked the box on their driver license
22 application stating that they would like to register to vote. They were not given the actual
23 voter registration form by the MVD, and did not know that this was required in order to
24 actually register to voter, until arriving at the polls and discovering they were not
25 registered. [Exhibit 134]

26

1 **328.** The MVD told the Election Department in Mojave County that they
2 do not really train their clerks to hand out voter registration forms because their job is to
3 give driver licenses, not register people to vote. [Exhibit 134]

4 **329.** At the start of the implementation of the Power Profile Voter
5 Registration system, Counties were informed that Team IBM would offer an online
6 introduction to the system. [Exhibit 135]

7 **330.** There was confusion in Pima County about what to do when a
8 previously registered voter moves back to the county and wishes to register again. The
9 Pima County Recorder was unsure if such a voter should be reactivated in the system or
10 required to re-register. [Exhibit 136]

11 **331.** If a registrant changes their name or address with the MVD, this
12 record will be passed to VRAZ to be updated and to notify the proper county of the
13 change. There are questions on how to handle this situation if addresses are in two
14 different Counties. [Exhibit 137]

15 **332.** A flow chart was created showing the flow of information between
16 the Secretary of State, MVD and Social Security Administration when matching
17 registrant records. [Exhibit 138]

18 **333.** The Secretary of State created a correspondence to be sent to County
19 Recorders offices along with voter registrations that were collected a naturalization
20 ceremonies, stating that staff members were present at the ceremony and examined the
21 Naturalization Certificates for each of the registrants. [Exhibit 139]

22 **334.** The State of Arizona requested \$38,512 for HHS grant funding, and
23 Arizona Counties requested \$171,174 for HHS grant funding. [Exhibit 140]

24 **335.** Yavapai County reported a large number of voters were given a
25 status of NR, instead of Removable. [Exhibit 141]

26

1 **336.** The Secretary of State office will need a monthly list of all people
2 turning 18 years old. VRAZ will need to be queried for this information. [Exhibit 142]

3 **337.** The EZ Voter Description and Process Flow states that almost 50%
4 of voter registrations in Arizona are now sent electronically from MVD to the Secretary
5 of State. [Exhibit 143]

6 **338.** Problems with were encountered in May 2007 with the EZ voter
7 system that resulted in people not being registered and needing to be sent letters
8 requesting that fill out a paper registration. [Exhibit 144]

9 **339.** Multiple versions of the Arizona User Manual were sent to Counties
10 for their review and comments. [Exhibit 145]

11 **340.** Discrepancies in numbers were found in Yavapai County when
12 comparing the active, inactive, all, other and total registered voter numbers between the
13 Crystal system report and the Power Profile system report. [Exhibit 146]

14 **341.** Draft Release Notes for Power Profile Release 9.0 includes system
15 enhancements and defect fixes from the previous versions. [Exhibit 147]

16 **342.** The State of Arizona drafted correspondence for a Notice of Denied
17 Voter Registration, listing acceptable proof of citizenship that should be photocopied and
18 mailed along with a new voter registration form. [Exhibit 148]

19 **343.** The State of Arizona drafted correspondence for a Final Notice to
20 registrants to be sent when the Postal Service returns voter related mail to the office with
21 a forwarding address. This correspondence asks the registrant to provide their signature
22 so that their registration can be canceled in the county where they no longer reside.
23 [Exhibit 149]

24 **344.** State Election Director Joseph Kanefield emailed County Recorder
25 and Election Administrators regarding implementation of Proposition 200 citizenship
26 requirements and polling place procedures. [Exhibit 150]

1 **345.** Coconino County raised the issue that if a voter had a license issued
2 before October 1, 1996, but had changed their address after that date online rather than in
3 person, they would not have a new license dated after October 1, 1996 (whereas they
4 would if they had gone in person and requested a new license with the address change).
5 Thus, people who changed their license address online would have to present proof of
6 citizenship in order to vote, whereas those who had changed their address in person at the
7 MVD and gotten a new license with that address would not have to. It was then pointed
8 out that people do have the option online of purchasing a new driver license that reflects
9 their address change, and that this would help them avoid problems when voting.
10 [Exhibit 150]

11 **346.** The State of Arizona drafted correspondence for a Final Notice to
12 registrants to be sent when the Postal Service returns voter related mail to the office as
13 undeliverable. This correspondence instructs registrants to fill out a new registration form
14 with their current address within 35 days or risk being removed from the voter rolls.
15 [Exhibits 151, 152]

16 **347.** The Motor Vehicle Department issued a document to provide
17 guidance for MVD workers regarding establishing a customer's name and date of birth
18 for obtaining a driver license. This lists acceptable documents for establishing name and
19 date of birth and proving a legal name change. This document noted the Policy change
20 removing the requirement that Type F customers must first change their name with the
21 United States Citizenship Information Service. [Exhibit 153]

22 **348.** A document titled "Changes to Voter Registration and Election
23 Process Due to Proposition 200" was issued noting the new forms that would be needed,
24 the new processes that would have to take place in the EZ voter system, the Secretary of
25 State office, and polling places, as well as the dates for a high level implementation plan.
26 Questions remaining were what changes needed to be made to the existing Procedures

1 Manual and what would happen If a new voter registration form was not ready in time for
2 the March and May elections. [Exhibit 154]

3 **349.** Bill number SB 1219 was introduced, which would prohibit anyone
4 but a government official from photocopying proof of citizenship documents.
5 Government officials acknowledged that this would impact voting drives, but believed it
6 necessary to prevent identity theft. [Exhibit 155]

7 **350.** Drafts of three issue papers from the VRAZ-II County Advisory
8 Committee regarding Social Security number checks, citizenship documents, and VRAZ
9 match notification, were placed on the agenda for discussion for the Committee February
10 10, 2005 meeting. [Exhibit 156]

11 **351.** Proposed changes to the Arizona Voter Registration Form due to
12 Proposition 200 included a paragraph to instruct the registrant on new proof of
13 citizenship requirements, and changed the formatting to simplify the form as much as
14 possible while properly instructing the registrant how to complete a voter registration
15 form. [Exhibit 157]

16 **352.** The USCIS Class Matrix, revised 5/24/07 lists customer immigration
17 characteristics and documents required for all INS visa classes. [Exhibit 158]

18 **353.** The Customer Characteristics Chart describes various customer
19 characteristics and the documents required to establish these characteristics.
20 Characteristics listed include immigration status, deceased, peace officer, school bus
21 driver, military personnel, Katrina Evacuee, Racketeering Lien, etc. [Exhibit 159]

22 **D. The Elections Procedures Manual Establishes a Procedure for**
23 **Processing Proof of Citizenship**

24 **354.** Arizona election procedure provides that satisfactory evidence of
25 citizenship includes the applicant's driver's license number or non-operating
26 identification license issued after October 1, 1996 by the department of transportation or
the equivalent government agency of another state within the United States, if the agency

1 indicates on the applicant's license that the person has provided satisfactory proof of
2 United States citizenship. [Exhibit 160 at 43]

3 **355.** Arizona election procedures and the Arizona Constitution provides
4 that every resident of the state of Arizona is qualified to register to vote if the person is a
5 citizen of the United States, will 18 years of age on or before the date of the next regular
6 general election following his or her registration, will have been a resident of Arizona 29
7 days next preceding the next election, is able to write his/her name or mark unless
8 prevented by disability, has not been convicted of treason or a felony, unless restored to
9 civil rights, and has not been adjudicated an incapacitated person. [Exhibit 160 at 42]

10 **356.** Arizona election procedure provides that satisfactory evidence of
11 citizenship includes a copy of a birth certificate with supporting legal documentation if
12 the name on the birth certificate is not the same as the registrant's current name. [Exhibit
13 160 at 43]

14 **357.** Arizona election procedure requires that the Counties shall also
15 accept a United States birth certificate as proof of citizenship where the name on the birth
16 certificate is different from the voter registration if the following five fields match on
17 both the voter registration form and the birth certificate: First Name, Middle Name,
18 Place of Birth, Date of Birth, and Parents' Name. [Exhibit 160 at 43]

19 **358.** Arizona election procedure requires that in the event a United States
20 citizen is born abroad in a non-military installation, the applicant should have registered
21 with the Department of State and obtained a "Certificate of Birth Abroad," which counts
22 as a birth certificate. [Exhibit 160 at 43]

23 **359.** Arizona election procedure allows pertinent pages of a United States
24 passport identifying the registrant to satisfy proof of citizenship requirements.
25 [Exhibit 160 at 43]

26

1 **360.** The 2007 Secretary of State Procedure Manual continues to list the
2 number of the certificate of naturalization as satisfactory evidence of citizenship.
3 [Exhibit 160 at 43]

4 **361.** Arizona election procedure allows the registrant's Bureau of Indian
5 Affairs Card Number, Tribal Treaty Card Number, Tribal Enrollment Number, or Census
6 Number as satisfactory evidence of citizenship. [Exhibit 160 at 43]

7 **362.** Arizona election procedure does not allow a person to vote at an
8 election in a city or town who has not been a qualified elector in the city or town for 29
9 days before the election. [Exhibit 160 at 44]

10 **363.** Arizona election procedure requires that a new completed voter
11 registration form comes in to the Recorder. [Exhibit 160 at 43]

12 **364.** Arizona election procedure requires the voter registration form must
13 be accompanied by proof of citizenship. If the form is not accompanied by proper proof
14 of citizenship, the voter registration form is not valid and either will not be entered into
15 the system or if it was entered into the system, the record shall be canceled. If the
16 registrant subsequently provides proof of citizenship, it must be accompanied by a new
17 voter registration form and a new registration date. [Exhibit 160 at 44]

18 **365.** Arizona election procedure requires if the voter registration form
19 includes the following information: name, residence address, date of birth, signature and
20 citizenship-it is entered and sent to the Secretary of State. [Exhibit 160 at 44]

21 **366.** Arizona election procedure requires if the voter registration form
22 does not contain the driver license number, non-operating identification license number
23 or the last four digits of the social security number, it is still sent to the Secretary of State.
24 [Exhibit 160 at 44]

25 **367.** Arizona election procedure requires if the voter registration form
26 does not have name, residence address, date of birth, signature and citizenship, the

1 information is put in a pending file until the data is acquired and the registration cannot
2 be considered received until the missing information is completed. [Exhibit 160 at 45]

3 **368.** Arizona election procedure requires the Secretary of State to
4 coordinate with the Arizona Motor Vehicle Division to check the voter file against the
5 driver license number or non-operating identification license number and the last four
6 digits of the social security number. [Exhibit 160 at 45]

7 **369.** Arizona election procedure requires the Secretary of State to add to
8 the official registration file the driver license number or nonoperating identification
9 license number, and the last four digits of the social security number, if there is sufficient
10 matching information. [Exhibit 160 at 45]

11 **370.** Arizona election procedure requires for any new voter registration
12 that does not contain the driver license number or nonoperating identification license
13 number or the last four digits of the social security number, the Secretary of State will
14 add the data, if there is sufficient matching information. A registration is considered new
15 if the voter does not have a unique identifying number previously assigned by the
16 Secretary of State. [Exhibit 160 at 45]

17 **371.** Arizona election procedure requires if the registrant is registered in
18 Arizona and now is registering in a new county, the registrant is required to provide proof
19 of citizenship. [Exhibit 160 at 45]

20 **372.** Arizona election procedure requires the Secretary of State to return
21 the file to the Recorder with a unique identifying number assigned to each registrant.
22 Additionally, Counties may maintain their own voter identification numbers. The
23 Counties will determine what number to use as the voter registration identification
24 number that is printed on the citizen's voter registration card. [Exhibit 160 at 45]

25 **373.** Arizona election procedure requires if a registrant submits a voter
26 registration application in which the Arizona driver license number does not match the

1 records at the Motor Vehicle Division (MVD) and the driver license number is being
2 used for proof of citizenship purposes, the county shall cancel the voter registration. The
3 registration effective date will be the date the new voter registration form is signed, not
4 the date of the form that had the incorrect driver license number. [Exhibit 160 at 46]

5 **374.** Arizona election procedure requires if a registrant submits a voter
6 registration application where the name, last four digits of social security number and/or
7 the date of birth does not match the Motor Vehicle Division or the Social Security
8 Administration, the Recorder shall send a letter to the registrant to confirm which
9 information is correct. The registration effective date will be the date the original voter
10 registration form was signed. [Exhibit 160 at 46]

11 **375.** Arizona election procedure requires if the registrant does not provide
12 the driver license number, non-operating identification license number or the last four
13 digits of his/her social security number, by signing the form, the voter is affirming that
14 he/she does not have a driver license number, non-operating identification license number
15 or social security number. [Exhibit 160]

16 **376.** Arizona election procedure requires if the citizenship question is not
17 answered on the voter registration form, even if accompanied by acceptable proof of
18 citizenship the registration shall not be completed until the citizenship question is
19 answered “yes.” [Exhibit 160 at 46]

20 **377.** Arizona election procedure requires the Recorder shall maintain
21 copies of citizenship proof provided by the voter batched by month ‘and year. After two
22 years, the County Recorder may destroy all documents that were submitted as evidence
23 of citizenship. [Exhibit 160 at 47]

24 **378.** Arizona election procedure requires if only the alien registration
25 number from the naturalization documents is provided for citizenship purposes, the
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1 number shall be verified with the United States Citizenship and Immigration Services
2 before the registrant may be added to the registration rolls. [Exhibit 160 at 47]

3 **379.** Arizona election procedure requires each County Recorder to
4 establish an account with the United States Citizenship and Immigration Services to
5 utilize the Systematic Alien Verification for Entitlements (SAVE) program. [Exhibit
6 160 at 47]

7 **380.** Arizona election procedure provides that the alien registration
8 number is the only number from a registrant's naturalization documents that can be
9 validated against the SAVE system. [Exhibit 160 at 47]

10 **381.** Arizona election procedure provides that it takes approximately two
11 weeks from the time after a new citizen takes his or her oath at the citizenship ceremony
12 before that citizen's alien registration number is placed in the SAVE database. If the
13 registration is received within 14 days of the voter registration deadline, the County
14 Recorder shall notify the registrant that further citizenship proof may be necessary in
15 order to assure that the voter is registered on time. [Exhibit 160 at 47]

16 **382.** Arizona election procedure requires that the correspondence to notify
17 the registrant that further citizenship proof may be necessary shall indicate that the
18 registrant may present his or her naturalization papers to the Recorder to satisfy the proof
19 of citizenship requirement. [Exhibit 160 at 47]

20 **383.** Arizona election procedure provides that if the County Recorder
21 obtains the alien registration number from the registrant, the Recorder may enter the alien
22 registration number on the form and validate the number through the SAVE system.
23 [Exhibit 160 at 47]

24 **384.** Arizona election procedure requires that if after 120 days, the
25 registrant has not provided a valid alien registration number, the County Recorder shall
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1 send the registrant correspondence stating that the registration form has been rejected and
2 the reason why along with a new voter registration form. [Exhibit 160 at 47]

3 **385.** Arizona election procedure provides that if the driver license number
4 entered on the voter registration form was issued on or before October 1, 1996, or the
5 driver license type is “F” (foreign or out of country] or “N” (commercial foreign or out of
6 country] that the recorder shall ensure the driver license number was entered correctly.
7 [Exhibit 160 at 47]

8 **386.** Arizona election procedure provides that if the Recorder determines
9 the driver’s license was not entered correctly on a type F or N driver license, the
10 Recorder shall correct the driver license number on the county system and the new driver
11 license number match will be reported on the statewide voter registration database
12 (VRAZ) the next day. [Exhibit 160 at 48]

13 **387.** Arizona election procedure provides if the Recorder determines the
14 driver license number was entered correctly on a type F or N driver license, the recorder
15 shall check the current database to determine if the registrant is currently registered to
16 vote in that county. If the voter is registered to vote in that county and is only updating
17 the voter registration information, no citizenship proof is required. [Exhibit 160 at 48]

18 **388.** Arizona election procedure if the Recorder determines the driver
19 license number was entered correctly on a type F or N driver license and that the voter is
20 a first time registrant or is reregistering in a different county, the recorder shall check to
21 see if other citizenship documents were provided with the voter registration application.
22 If no satisfactory proof of citizenship is provided, the voter registration record should be
23 cancelled and the voter should be contacted within ten business days of receipt of the
24 registration form with a request to provide proper proof of citizenship. [Exhibit 160 at
25 48]

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1 **389.** Arizona election procedure provides that a legible photocopy of
2 pertinent pages of the registrant's United States passport is considered proof of
3 citizenship. The pertinent pages of a United States passport are considered the pages that
4 contain the passport number, name, nationality, date of birth, gender, place of birth, and
5 signature. [Exhibit 160 at 48]

6 **390.** Arizona election procedure provides if a registrant submits tribal
7 documentation or a tribal number on his/her form, it will be presumed valid as proof of
8 citizenship for voter registration purposes. [Exhibit 160 at 48]

9 **391.** Arizona election procedure provides that the registrant may present to
10 the Recorder the registrant's United States naturalization documents or other documents
11 of proof that are established pursuant to the Immigration Reform and Control Act of 1986
12 as acceptable proof of citizenship. [Exhibit 160 at 48]

13 **392.** Arizona election procedure provides the registrant may present or
14 send the Recorder a legible photocopy of the applicant's birth certificate that verifies
15 citizenship as acceptable proof of citizenship. [Exhibit 160 at 48]

16 **393.** Arizona election procedure provides that if a registration is conducted
17 in person at the County Recorder's office, the County Recorder personnel shall indicate
18 on the voter registration form (1) that the person provided proof of citizenship, (2) the
19 type of citizenship proof provided, and (3) the name and initials of the employee who
20 made the verification. [Exhibit 160 at 48]

21 **394.** Arizona election procedure requires that County Recorder personnel
22 who attend naturalization ceremonies and assist new citizens in registering to vote must
23 verify the alien registration number, write their name and initials on the voter registration
24 form, and date the form. [Exhibit 160 at 48]

25 **395.** Arizona election procedure requires that voters registered at a
26 naturalization ceremony from outside the county must have their voter registrations

1 bundled by county and sent them to the County Recorder with an official cover letter
2 stating that all alien registration numbers were verified by County Recorder personnel.

3 [Exhibit 160 at 48, 49]

4 **396.** Arizona election procedure provides the voter registration change
5 effective date shall be used to indicate the voter has submitted a new voter registration
6 form changing their name, address, party preference or other information on their existing
7 voter registration record. This date shall be used to determine election eligibility.

8 [Exhibit 160 at 49]

9 **397.** Arizona election procedure requires that the County Recorder issue a
10 voter identification card to a registrant that should include the following information:

11 Voter Identification Card

12 county name

13 County Recorder name

14 voter ID number

15 party preference

16 date of voter registration

17 voter full name

18 voter full residence address

19 voter precinct/district information (congressional and legislative)

20 County Recorder contact information

21 how to find polling place instructions

22 information stating this is the voter's new card and to discard any old cards

23 notification that the voter's name appears in the general register

24 information on use of card (bring to polling location)

25 where to call if information on card is incorrect

26 information on the identification at the polls requirement

information on how to request an early ballot

reasons a person needs to re-register [Exhibit 160 at 49]

21 **398.** Arizona election procedure requires the Secretary of State to
22 administer a statewide database of voter registration information that contains the name
23 and registration information of every registered voter in this state. [Exhibit 160 at 50]

24 **399.** Arizona election procedure requires that the Arizona statewide
25 database include an identifier that is unique to each individual voter. [Exhibit 160 at 50]

1 **400.** Arizona election procedure requires that all new additions to the
2 voter registration database be matched against the Arizona Motor Vehicle Division
3 (MVD] database. Any changes to a voter’s identity information in a voter registration
4 system (driver license number, last four digits of social security number, name or date of
5 birth] shall also be compared to the Motor Vehicle Division database. [Exhibit 160 at 50]

6 **401.** Arizona election procedure provides in addition to name and date of
7 birth, the driver license number or the last four digits of the registrant’s social security
8 number shall be compared against the Motor Vehicle Division database. [Exhibit 160 at
9 50]

10 **402.** Arizona election procedure provides that the statewide voter
11 registration system shall notify the Counties of the results of the MVD matching. The
12 Counties shall process any discrepancies or updates obtained from the MVD match in
13 order to update the statewide voter registration database. If the county has reason to
14 believe that the MVD information is incorrect, the county shall forward the information
15 to the Secretary of State to resolve. [Exhibit 160 at 50]

16 **403.** Arizona election procedure that all new additions to the voter
17 registration database or records of a voter who has moved from one county to another
18 shall be compared with all records in other Counties to determine if a duplicate record
19 exists. The statewide voter registration system shall notify the Counties of the results of
20 the duplicate matching. [Exhibit 160 at 50, 51]

21 **404.** Arizona election procedure provides that in the event that a duplicate
22 does exist, the prior county will be responsible for resolving the duplicate and then
23 update any duplicate records found in order to update the statewide voter registration
24 database. [Exhibit 160 at 51]

25 **405.** Arizona election procedure provides that any duplication between
26 Counties is automatically resolved when the driver license number, the last four digits of

1 the registrant's social security number, name, and date of birth all match. [Exhibit 160 at
2 51]

3 **406.** Arizona election procedure provides that if the name, date of birth,
4 and the Driver's License Number match but no Social Security Number is provided on
5 the form the duplication is automatically resolved. [Exhibit 160 at 51]

6 **407.** Arizona election procedure provides if the name, date of birth, and
7 Social Security Number match but no Driver's License Number is provided on the form,
8 the duplication is automatically resolved. [Exhibit 160 at 51]

9 **408.** Arizona election procedure provides that for any duplication not
10 automatically resolved, the County Recorder from the prior county shall inspect the
11 registration information and determine how to resolve the duplications. [Exhibit 160 at
12 51]

13 **409.** Arizona election procedure provides that a voter registration record
14 has five possible statuses: active, inactive, canceled, pending, and rejected. [Exhibit 160
15 at 52]

16 **410.** Arizona election procedure provides that the "Active" status will be
17 assigned to voter registration records meeting all minimum standards for a qualified
18 voter. [Exhibit 160 at 52]

19 **411.** Arizona election procedure provides that the "Inactive" status will be
20 assigned to voter registration records meeting the standards of the NVRA for having an
21 inactive address. [Exhibit 160 at 53]

22 **412.** Arizona election procedure provides that a canceled voter registration
23 status is for a voter registration record that once was active within the county and the
24 person is no longer registered in the county. The "Canceled" status is reserved for voter
25 registrations that no longer meet the minimum qualifications for registration and all
26 procedures for notification and challenges have been exhausted. [Exhibit 160 at 53]

1 **413.** Arizona election procedure provides that the “Pending” status will be
2 assigned to a voter registration in the case that an incomplete application was received or
3 further information is required to complete the processing of the application. [Exhibit
4 160 at 53]

5 **414.** Arizona election procedure provides that if a voter registration
6 request is missing key information other than proof of citizenship, the voter registration
7 record shall be placed in a “pending” status and the registrant shall be allowed no less
8 than 35 and no more than 90 days as set by the County Recorder to respond to the request
9 for information before deleting the record. The person may be deemed to have been
10 registered on the date the registration was first received. [Exhibit 160 at 53, 54]

11 **415.** Arizona election procedure provides that if the “Rejected” status will
12 be assigned for voter registrations that have not satisfied the minimum requirements for a
13 valid voter registration application. A voter registration record can be rejected prior to
14 ever becoming a full active voter registration record. [Exhibit 160 at 54]

15 **416.** Arizona election procedure provides that if a voter registration
16 request is missing citizenship proof, the voter registration record shall be placed in a
17 “rejected” status and the registrant shall be allowed no less than 35 and no more than 90
18 days as set by the County Recorder to respond to the request for information before
19 deleting the record. For citizenship proof cases, the registrant shall be provided a blank
20 voter registration form and the registration date entered on the completed form shall be
21 the official date of registration. [Exhibit 160 at 54]

22 **417.** Arizona election procedure requires a County Recorder to authorize
23 persons to accept registration forms, distribute mail-in registration forms and designate
24 places for receipt of registration forms. [Exhibit 160 at 54]

25 **418.** Arizona election procedure requires public assistance agencies and
26 disabilities agencies to return or mail completed voter registrations to the County

1 Recorder of the county in which the registrant resides within five days after receipt of
2 those registrations. [Exhibit 160 at 54]

3 **419.** Arizona election procedure provides that registrations that are
4 generated through the Arizona state EZ voter system will be transmitted by the Secretary
5 of State, no later than five days after they have been received, to the appropriate County
6 Recorder for processing. These include registrations done through the EZ Voter Internet
7 service or voter registrations processed in a Motor Vehicle Division office and
8 electronically transmitted to the Secretary of State. [Exhibit 160 at 55]

9 **420.** Arizona election procedure provides in the case of voter registrations
10 received by mail, a voter registration is valid for an election if the voter registration form
11 is postmarked 29 days or more before an election and received by the County Recorder
12 by 7:00 p.m. on the day of the election or the voter registration form is dated 29 days or
13 more before an election and received by the County Recorder within five days after the
14 last day to register to vote in that election. [Exhibit 160 at 55]

15 **421.** Arizona election procedure provides any new voter registration must
16 have the name, residence address or location of residence, date of birth, signature, or if
17 the registrant is unable to sign, a statement that the form was completed according to the
18 registrant's direction, an answer of "yes" to the question "Are you a citizen of the United
19 States of America?", and proof of United States citizenship. [Exhibit 160 at 56]

20 **422.** Arizona election procedure provides that in each county in which an
21 electronic data processing system or program is used for voter registration, the County
22 Recorder shall file a detailed and complete explanation of the system or program and any
23 subsequent revisions with the Secretary of State. [Exhibit 160 at 60]

24 **423.** Arizona election procedure provides that the county must include the
25 last name, first name in the voter registration file date of birth, birthplace, driver license
26 number, last four digits of the social security number, party, mailing address, mailing

1 city, mailing state, mailing zip, residence address, residence city, residence state,
2 residence county residence zip, precinct, county assigned voter identification, date of
3 registration, registration status (active / inactive / cancelled), (restored), NVRA source
4 (required), last modified date, restriction status and record status (A=add, C=change, and
5 O=delete). [Exhibit 160 at 61-62]

6 **424.** Arizona election procedure provides that by the 10th day before the
7 primary or general election, the County Recorder shall prepare from the original
8 registration forms at least four printed or typed lists of all qualified electors in each
9 precinct in the county. The Counties shall run a full file right before printing off signature
10 rosters and precinct registers to ensure that the information at the statewide level and
11 what is printed on the signature rosters is synchronized. [Exhibit 160 at 62]

12 **425.** Arizona election procedure requires that the County Recorder shall
13 also check the Systematic Alien Verification for Entitlements (SAVE] program database
14 administered by the United States Citizenship and Immigration Services at least two
15 weeks before the election for any registrant who submitted a certificate of naturalization
16 and input the verified registrants prior to printing the rosters. [Exhibit 160 at 62]

17 **426.** Arizona election procedure requires that the signature roster contain
18 the register number, name of elector, birth year, residence address of elector, mailing
19 address of elector if different than residence address, registration date, ballot type/style,
20 signature block, voter ID number, barcode, party preference, census number (optional),
21 party ballot voted (optional), indicator if voter requested early ballot, inspector certificate,
22 standardized oath statement that poll workers obtained valid proof of identification from
23 every elector or if identification was not presented, that the provisional ballot envelope
24 was marked appropriately. [Exhibit 160 at 63]

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1 **427.** Arizona election procedure requires that additional pages for inactive
2 voters and voters who voted a provisional ballot be included, either attached to the back
3 of the signature roster or in a separate roster. [Exhibit 160 at 63]

4 **428.** Arizona election procedure provides that in order to make a complete
5 and correct request for an early ballot, the elector must provide: date of birth and state or
6 country of birth or other information that if compared to the voter registration
7 information on file would confirm the identity of the elector. [Exhibit 160 at 66]

8 **429.** Arizona election procedure requires that the County Recorder or
9 officer in charge of elections compare the signatures on the affidavit on every early ballot
10 affidavit envelope with every elector’s signature on the registration form. [Exhibit 160 at
11 74]

12 **430.** Arizona election procedure provides that if the County Recorder is
13 satisfied that the signatures were made by the same person, the County Recorder or
14 officer in charge of elections shall place a distinguishing mark on the unopened affidavit
15 envelope to indicate that the signature is sufficient, hold the early ballot in the unopened
16 affidavit envelope, and deliver them to the early ballot board. [Exhibit 160 at 74]

17 **431.** Arizona election procedure provides that if the County Recorder is
18 not satisfied that the signatures were made by the same person, the County Recorder or
19 officer in charge of elections shall place a distinguishing mark on the unopened affidavit
20 envelope to indicate that the signatures are insufficient, separate these envelopes from the
21 “sufficient” ballot envelopes, and hold them separately from the “sufficient” ballots, hold
22 these ballot envelopes until delivered to the early ballot board. [Exhibit 160 at 74]

23 **432.** Arizona election procedure provides that the proof of citizenship
24 requirement for voter registration applies to UOCAVA voters. [Exhibit 160 at 81]

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1 **433.** Arizona election procedure requires that every qualified elector is
2 required to show proof of identity at the polling place before receiving a ballot. [Exhibit
3 160 at 127]

4 **434.** Arizona election procedure requires that the elector announce his/her
5 name and place of residence to the election official and present one form of identification
6 that bears the name, address, and photograph of the elector or two different forms of
7 identification that bear the name and address of the elector. [Exhibit 160 at 127]

8 **435.** Arizona election procedure provides that an elector who does not
9 provide one form of identification that bears the name, address, and photograph of the
10 elector or two different forms of identification that bear the name and address of the
11 elector shall not be issued a regular ballot, but shall receive a conditional provisional
12 ballot. [Exhibit 160 at 127-28]

13 **436.** Arizona election procedure provides that if the elector identifies
14 himself or herself as a Native American, the elector shall be processed under a procedure
15 titled "Identification Requirements for Native American Electors," all others shall be
16 processed under the procedure for Conditional Provisional Ballots. [Exhibit 160 at 128]

17 **437.** Arizona election procedure provides that acceptable forms of
18 identification with a photograph that include the name and address of the elector include
19 a valid Arizona driver license, a valid Arizona nonoperating identification license, a tribal
20 enrollment card or other form of tribal identification, or a valid United States federal,
21 state, or local government issued identification. [Exhibit 160 at 128]

22 **438.** Arizona election procedure provides that identification is deemed
23 valid unless it can be determined on its face that it has expired. [Exhibit 160 at 128]

24 **439.** Arizona election procedure provides that two forms of acceptable
25 forms of identification without a photograph that bear the name and address of the
26 Elector include a utility bill of the elector that is dated within 90 days of the date of the

1 election, a bank or credit union statement that is dated within 90 days of the date of the
2 election, a valid Arizona Vehicle Registration, an Indian census card, a property tax
3 statement of the elector's residence, a Tribal enrollment card or other form of tribal
4 identification, a Vehicle insurance card, a Recorder's Certificate, or a valid United States
5 federal, state, or local government issued identification, including a voter registration
6 card issued by the County Recorder. [Exhibit 160 at 128]

7 **440.** Arizona election procedure provides that a utility bill is limited to
8 electric, gas, water, solid waste, sewer, telephone, cellular phone, or cable television.
9 [Exhibit 160 at 128]

10 **441.** Arizona election procedure provides that if the elector has provided
11 the acceptable form of identification(s), the poll worker shall compare the information on
12 the identification(s) with the information the elector announced. If the name on the
13 identification(s) reasonably appears to be the same as the announced name, the poll
14 worker shall compare the identification to the signature roster, inactive voter list, or add-
15 on list. If the name on the identification(s) does not reasonably appear to be the same as
16 the announced name, the elector shall be provided a conditional provisional ballot.
17 [Exhibit 160 at 129]

18 **442.** Arizona election procedure requires that the poll worker compare the
19 information on the identification(s) provided by the elector with the information on the
20 signature roster, inactive voter list, or add-on list. [Exhibit 160 at 129]

21 **443.** Arizona election procedure provides that if the elector presents one
22 form of identification that bears the name, address, and photograph of the elector and the
23 name and address on the identification and the signature roster, inactive voter list or add-
24 on list reasonably appear to be the same and the photo reasonably appears to be the
25 elector, then the elector shall be issued a regular ballot. [Exhibit 160 at 129]

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1 **444.** Arizona election procedure provides that if the name and address on
2 the identification do not reasonably appear to be the same as the name and address on the
3 signature roster or the photo does not reasonably appear to be the elector, then the elector
4 shall not be issued a regular ballot, but shall be issued a provisional ballot. [Exhibit 160
5 at 129]

6 **445.** Arizona election procedure provides that if the elector presents two
7 forms of identification that bear the name and address of the elector without a photograph
8 of the elector, the poll worker shall compare the name and address on the two pieces of
9 identification with the name and address on the signature roster. If both pieces of
10 identification reasonably appear to be the same as the name and address on the signature
11 roster, inactive voter list or add-on list the elector shall be issued a regular ballot. If the
12 name or address on either piece of provided identification does not reasonably appear to
13 be the same as the name and address on the signature roster then the elector shall not be
14 issued a regular ballot, but shall be issued a provisional ballot. [Exhibit 160 at 129]

15 **446.** Arizona election procedure provides that if the elector presents only
16 one form of identification that bears the name and address of the elector without a
17 photograph of the elector, the elector shall be issued a conditional provisional ballot.
18 [Exhibit 160 at 129]

19 **447.** Arizona election procedure provides that if the elector has moved
20 within the precinct and, therefore, his or her name is on the register but the address on the
21 identification(s) are not the same as the signature roster, the elector shall be issued a
22 provisional ballot. [Exhibit 160 at 130]

23 **448.** Arizona election procedure provides that if a person's name is on the
24 inactive voter list, the person shall orally affirm that the voter resides at the address listed
25 on the inactive voter list. The voter's signature shall be entered on the inactive voter
26 signature roster page at the end of the signature roster. [Exhibit 160 at 130]

1 **449.** Arizona election procedure provides that if a poll worker is unable to
2 locate the elector’s name on the signature roster, inactive voter list, or add-on list after the
3 elector presents one form of identification that bears the name, address, and photograph
4 of the elector or two different forms of identification that bear the name and address of
5 the elector, the elector shall be permitted to vote a provisional ballot not a regular ballot
6 after the election official has: verified the voter’s address on the precinct map to make
7 sure it is within the precinct, and determined if the voter has recently moved within the
8 county. [Exhibit 160 at 130]

9 **450.** Arizona election procedure provides that if the elector presents a
10 Recorder’s certificate to the poll worker, the poll worker shall treat the Recorder’s
11 certificate in the same manner as if the information on the Recorder’s certificate appeared
12 in the signature roster and compare the identification to the Recorder’s certificate.
13 [Exhibit 160 at 130]

14 **451.** Arizona election procedure provides that if the elector presents one
15 form of identification that bears the name, address, and photograph of the elector and the
16 name and address on the identification and the Recorder’s certificate reasonably appear to
17 be the same and the photo reasonably appears to be the elector, then the elector shall be
18 issued a regular ballot. [Exhibit 160 at 130, 131]

19 **452.** Arizona election procedure provides that if the name or address on
20 the identification do not reasonably appear to be the same as the name or address on the
21 Recorder’s certificate or the photo does not reasonably appear to be the elector, then the
22 elector shall not be issued a regular ballot, but shall be issued a provisional ballot.
23 [Exhibit 160 at 131]

24 **453.** Arizona election procedure provides that if the elector presents two
25 forms of identification, one of which is the Recorder’s certificate, that bear the name and
26 address of the elector without a photograph of the elector, the poll worker shall compare

1 the name and address on the two pieces of identification with the name and address on
2 the Recorder's certificate. If both pieces of identification reasonably appear to be the
3 same as the name and address on the Recorder's certificate the elector shall be issued a
4 regular ballot. [Exhibit 160 at 131]

5 **454.** Arizona election procedure provides that if the name or address on
6 either piece of provided identification do not reasonably appear to be the same as the
7 name and address on the Recorder's certificate then the elector shall not be issued a
8 regular ballot, but shall be issued a provisional ballot. [Exhibit 160 at 131]

9 **455.** Arizona election procedure provides that if the elector has presented
10 sufficient identification to receive a regular ballot, the poll worker shall add the elector's
11 name to the next consecutive sequence number at the end of the signature roster. The
12 poll worker shall then have the elector sign the signature roster and give the elector a
13 ballot. [Exhibit 160 at 131]

14 **456.** Arizona election procedure provides that if the elector has moved
15 within the precinct and his or her name is on the Recorder's certificate but the address on
16 the identification(s) is not the same as the Recorder's certificate, the elector shall be
17 issued a provisional ballot. [Exhibit 160 at 131]

18 **457.** Arizona election procedure provides that if the elector presents only
19 the Recorder's certificate as one form of identification that bears the name and address of
20 the elector without a photograph of the elector, the elector shall be issued a conditional
21 provisional ballot. [Exhibit 160 at 131]

22 **458.** Arizona election procedure provides that for voters whose only form
23 of identification shows a post office box or directions to their residence location, poll
24 workers must ask the voter to describe his/her residence location, to show where the
25 residence is located on the precinct map. [Exhibit 160 at 132]

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1 **459.** Arizona election procedure provides that if the voter indicates that he
2 or she has moved within the county and the voter presents one form of identification that
3 bears the name, address, and photograph of the elector or two different forms of
4 identification that bear the name and address of the elector, the voter shall be permitted to
5 vote a provisional ballot. [Exhibit 160 at 132]

6 **460.** Arizona election procedure provides that a voter who moves from the
7 address at which he/she is registered to another address within the same county and who
8 fails to notify the County Recorder of the change of address before the date of an election
9 shall be permitted to correct the voter registration records at the appropriate polling place
10 for the voter's new address and be permitted to vote a provisional ballot. [Exhibit 160 at
11 132]

12 **461.** Arizona election procedure provides that in areas of the state where
13 residence street addresses are not assigned, the voter shall orally provide information of
14 residence location within the voting precinct. [Exhibit 160 at 132]

15 **462.** Arizona election procedure provides that if the voter is in possession
16 of the early ballot at the polling place: a person who is dropping off any early ballot at a
17 precinct voting location is not required to show identification. [Exhibit 160 at 133]

18 **463.** Arizona election procedure provides that voters who drop off voted
19 early ballots do not need to vote a provisional ballot. [Exhibit 160 at 133]

20 **464.** Arizona election procedure provides that if the voter has the early
21 ballot in his or her possession but insists on voting a provisional ballot issued at the
22 polling place, the voter may vote after providing acceptable identification. [Exhibit 160
23 at 133]

24 **465.** Arizona election procedure provides that if the voter has changed
25 his/her name and address, indicate the voter's new name and former name on the
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1 provisional ballot form. The provisional ballot form will be used by the Recorder to
2 change the voter's name and address on the registration rolls. [Exhibit 160 at 134]

3 **466.** Arizona election procedure provides that any qualified elector of the
4 county, including poll workers, may orally challenge a voter stating the voter is not
5 qualified. [Exhibit 160 at 134]

6 **467.** Arizona election procedure provides that the official signature rosters
7 for use at the polling places shall include the elector's residence address and the mailing
8 address, if different from the residence address, from the elector's registration form.
9 [Exhibit 160 at 134-135]

10 **468.** Arizona election procedure provides that identification that bears the
11 mailing address of the elector is sufficient identification if the name and address
12 reasonably appear to be the same as the elector's name and address contained in the
13 signature roster or Recorder's certificate. [Exhibit 160 at 135]

14 **469.** Arizona election procedure provides that an elector who identifies
15 himself or herself as a member of a federally recognized Native American tribe and who
16 does not provide one form of identification that bears the name, address, and photograph
17 of the elector or two different forms of identification that bear the name and address of
18 the elector shall be issued a provisional ballot upon presenting one form of tribal
19 identification that bears the name of the elector. [Exhibit 160 at 135]

20 **470.** Arizona election procedure provides that an elector who does not
21 provide one form of identification that bears the name, address, and photograph of the
22 elector or two different forms of identification that bear the name and address of the
23 elector or does not present one form of tribal identification that bears the name of the
24 elector shall be issued a conditional provisional ballot. [Exhibit 160 at 135]

25 **471.** Arizona election procedure provides that if an elector does not
26 provide the required identification, the elector shall be issued a conditional provisional

1 ballot. The conditional provisional ballot shall be placed in a provisional ballot envelope.
2 The provisional ballot envelope shall indicate that the elector did not provide
3 identification. [Exhibit 160 at 135]

4 **472.** Arizona election procedure provides that the poll worker shall notify
5 the elector that he or she must provide identification to the County Recorder or to an
6 official deemed acceptable by the County Recorder. [Exhibit 160 at 135]

7 **473.** Arizona election procedure requires that the proof of identification
8 must be received by the County Recorder's office by 5:00 p.m. on the fifth business day
9 after a general election that includes an election for a federal office or 5:00 p.m. on the
10 third business day after any other election for the provisional ballot to be processed and
11 counted. [Exhibit 160 at 135]

12 **474.** Arizona election procedure requires that the oath statement on the
13 signature roster include a statement that the poll worker obtained valid proof of
14 identification from every elector or if identification was not presented, the provisional
15 ballot envelope was marked appropriately to indicate that the conditional provisional
16 ballot was voted due to no identification presented. [Exhibit 160 at 135]

17 **475.** Arizona election procedure only requires notice outside of the polls
18 of the identification at the polls requirement and a list of acceptable forms of
19 identification be included with the sample ballots mailed to each household with a
20 registered voter or any other notice sent to electors regarding polling place locations and
21 a similar notice shall appear in the Secretary of State publicity pamphlet. [Exhibit 160 at
22 136]

23 **476.** Arizona election procedure provides that there are seven reasons a
24 voter may vote a provisional ballot: 1. voter has not provided sufficient identification at
25 the polling location, 2. voter's name does not appear on the signature roster or inactive
26 list, and the voter has not moved 3. voter has moved within the precinct, 4. voter has

1 moved to a new precinct within the county, 5. voter has been issued an early ballot, 6.
2 voter has changed name, or 7. voter is challenged at the polling place. [Exhibit 160 at
3 136].

4 **477.** Arizona election procedure provides that the time of voting a
5 provisional ballot, the voter shall sign an affirmation on the provisional ballot envelope
6 stating that the information on the provisional ballot envelope is correct, that he/she
7 resides in the precinct, that he/she is eligible to vote in this election and that he/she has
8 not previously voted in this election. [Exhibit 160 at 136]

9 **478.** Arizona election procedure provides that the time he/she votes, the
10 voter shall be given a provisional voter receipt by one of the election officials with
11 information on how to contact his/her County Recorder to verify the status of his/her
12 provisional ballot. [Exhibit 160 at 136]

13 **479.** Arizona election procedure requires that the voter and the election
14 official sign the provisional ballot form. [Exhibit 160 at 137]

15 **480.** Arizona election procedure requires that the election official attach
16 the provisional ballot form to the envelope provided and give the envelope to the voter.
17 [Exhibit 160 at 137]

18 **481.** Arizona election procedure requires that the election official verify
19 that the voter's affirmation statement of eligibility to vote in that jurisdiction is on the
20 envelope. [Exhibit 160 at 137]

21 **482.** Arizona election procedure requires that the voter return the
22 provisional ballot envelope to the appropriate election official. [Exhibit 160 at 137]

23 **483.** Arizona election procedure provides that on the provisional ballots
24 page at the back of the signature roster or a separate provisional roster, the signature
25 roster clerk enters the voter's name and other identifying data as shown on the signature
26 roster. [Exhibit 160 at 137]

1 **484.** Arizona election procedure provides that voters completing a
2 provisional ballot are assigned register numbers beginning with V-1 and continuing V-2,
3 etc. [Exhibit 160 at 137]

4 **485.** Arizona election procedure requires that the voter sign the signature
5 block corresponding to the voter's name on the signature roster. [Exhibit 160 at 137]

6 **486.** Arizona election procedure requires that the poll list clerk fill out the
7 poll list. [Exhibit 160 at 137]

8 **487.** Arizona election procedure requires that the election official give the
9 provisional ballot envelope and ballot to the voter and direct the voter to a designated
10 voting booth. [Exhibit 160 at 137]

11 **488.** Arizona election procedure provides that after voting, the voter
12 returns the ballot to the election official at the ballot box along with the provisional ballot
13 envelope. [Exhibit 160 at 137]

14 **489.** Arizona election procedure provides that the voter place the voted
15 ballot in the provisional ballot envelope and may seal the envelope. [Exhibit 160 at 137]

16 **490.** Arizona election procedure requires that the election official ensure
17 the voted ballot is sealed in the provisional ballot envelope. [Exhibit 160 at 137]

18 **491.** Arizona election procedure requires that the election official make
19 sure that all of the information on the provisional ballot envelope has been filled out
20 including signatures of board workers. [Exhibit 160 at 137]

21 **492.** Arizona election procedure requires that the voter is given a
22 provisional voter receipt with information on how to verify the status of the voter's
23 provisional ballot. [Exhibit 160 at 137]

24 **493.** Arizona election procedure requires that the voter or election official
25 deposit the sealed provisional ballot envelope in the ballot box. [Exhibit 160 at 137]

26 **E. The Arizona Voter Registration Processing Instructions Establish a
Procedure for Processing Proof of Citizenship**

1 **494.** Pursuant to Proposition 200, the Arizona Voter Registration
2 Processing instructions identify the five required elements of the voter registration form:
3 name, residence address, date of birth, signature and citizenship. If the voter registration
4 form was missing any element, it was to be put in a pending file until the data was
5 acquired. [Exhibit 161]

6 **495.** Pursuant to Proposition 200, the Arizona Voter Registration
7 Processing instructions mandated that each County Recorder establish an account with
8 the United States Citizenship and Immigration Services to utilize the Systematic Alien
9 Verification for Entitlements (SAVE) program. [Exhibit 161]

10 **496.** The Arizona Voter Registration Processing instructions state that the
11 alien registration number is the only number from a registrants' naturalization certificate
12 that can be verified by the SAVE program. [Exhibit 161]

13 **497.** Pursuant to Proposition 200, if the registrant lists a driver license
14 number issued on or before October 1, 1996 on the voter registration, the Recorder must
15 check the number to ensure it is correct, and must correct and report the new numbers in
16 the statewide voter registration database (VRAZ). [Exhibit 161]

17 **498.** The Pima County Recorder wanted know why the Attorney General
18 did not issue a legal opinion regarding provisional ballots. [Exhibit 162]

19 **499.** Pursuant to Proposition 200, the county recorders must reject any
20 registration received without proof of citizenship. [Exhibit 163]

21 **500.** Maricopa County Elections Director Karen Osborne testified before
22 the Committee on House Administration that among the documents that a voter registrant
23 can use to prove their citizenship - an Arizona driver's license or Arizona non-operator
24 identification issued after October 1996, U.S. Passport, U.S. Birth Certificate, Tribal
25 Identification or Naturalization Certificate - only the Naturalization Certificate must be
26 confirmed prior to processing the voter registration. [Exhibit 164]

1 **F. State Officials Are Aware That Possessing a Driver’s License Is Not**
2 **Proof of Citizenship, But They Accept Them Anyway**

3 **501.** An Arizona MVD office Memo dated July 26, 2005 states that
4 individuals whose United States Citizenship and Immigration Service H1, H2, H2A,
5 H2B, or H3 status has expired is still eligible for a 240-day, type F license, if the
6 individual presents proof that they timely filed an application to extend their authorized
7 stay. [Exhibit 165]

8 **502.** The Authorized Presence Informational Packet is used by Employees
9 of the Arizona Motor Vehicle Division for purposes of establishing the policy and
10 procedures for determining which applicants must provide proof of authorized presence,
11 what documents may be accepted as proof of authorized presence, what type of licenses
12 may be issued, and when the license should expire. [Exhibit 69]

13 **503.** A training manual was developed to instruct MVD employees how to
14 administer the authorized presence and identification requirements. [Exhibit 166]

15 **504.** The Secretary of State’s office has interpreted A.R.S. § 16-666 to
16 permit out-of-state driver’s licenses as proof of citizenship only if they indicate on their
17 face that the driver is a citizen, but knows of no state that marks licenses in such a way.
18 [Exhibit 507 (Hansen 19:3-20:24 (discussing Coconino Dep. Ex. 9))]

19 **505.** At this time, there are no out-of-state driver’s licenses that indicate
20 on their face that the driver is a citizen. [Exhibit 512 (Osborne vol. 1 24:15-22)]

21 **506.** Secretary of State Brewer asked Attorney General Goddard for an
22 opinion as to whether a driver license number issued after October 1, 1996 would serve
23 as proof of citizenship. [Exhibit 166]

24 **507.** The EZ Voter software interfaces with the MVD records to add new
25 and updated voter registrations received by the MVD to the Power Profile EE (PPEE)
26 records. Only registrations deemed valid will be added to PPEE records. [Exhibit 160]

1 **508.** New Arizona voter registrations or updates of date of birth, social
2 security number or driver license number records must be checked against county data
3 when added. [Exhibit 167]

4 **509.** After a record is added, the information in the record must be
5 checked against MVD and duplicate matches. Hard matches will be corrected
6 automatically by the system, soft matches will be corrected manually. No Agency or
7 duplicate checking will happen in “real time,” thus no worker adding or updating a
8 registrant’s records will need to determine if a registrant is a MVD match. [Exhibit 167]

9 **510.** If proof of citizenship is submitted at the time of registration and the
10 “citizenship verified” box is checked, the registrant’s record will be listed as “active.” If
11 no proof of citizenship is submitted with the registration, the record is listed as in
12 “suspense,” while being matched to MVD records. [Exhibit 167]

13 **511.** A revised “Register to Vote” insert to be featured in a Press Kit stated
14 that registrants need an AZ driver license or non operating card issued after October 1,
15 1996 in order to register online at servicearizona.com. [Exhibit 168]

16 **512.** The “Register to Vote” insert informed registrants that they would
17 need to provide an acceptable form of proof of citizenship, but did not state what forms
18 were acceptable. [Exhibit 168]

19 **513.** Arizona Attorney General Terry Goddard issued an opinion,
20 requested by the Secretary of State, confirming that under A.R.S § 16-166(F)(1), as
21 amended by Proposition 200, a Arizona driver or nonoperating license identification
22 issued after October 1, 1996 is satisfactory evidence of United States citizenship for the
23 purposes of registering to vote, even though noncitizens whose presence in the U.S. is
24 authorized, are eligible for Arizona driver or nonoperating licenses and Arizona driver
25 and nonoperating licenses do not indicate citizenship on their face. [Exhibit 169]

26

1 **514.** The Arizona Attorney General Terry Goddard clarified for the
2 Secretary of State that A.R.S § 16-166(F)(1), as amended by Proposition 200, permits the
3 use of a driver license number issued by the equivalent government agency of another
4 state as proof of citizenship for the purposes of registering to vote, if the agency indicated
5 on the license that the person has provided satisfactory proof of citizenship. [Exhibit
6 169]

7 **515.** The Arizona Attorney General Terry Goddard informed the Secretary
8 of State that while relying on Arizona driver licenses issued after October 1, 1996, as
9 identification does not screen all non-citizens from registering to vote, it does accomplish
10 the statutory purpose of Proposition 200, as stated in the Proposition’s Findings and
11 Declarations, to discourage illegal immigration and prevent undocumented immigrants
12 from receiving benefits for which they are not eligible. [Exhibit 169]

13 **G. The State Failed to Communicate with Spanish Speakers.**

14 **516.** The State of Arizona prepared a Registration Update Needed
15 correspondence to send to Arizona voters along with a new voter registration form. The
16 correspondence mandated registered voters to fill out the new voter registration form
17 immediately in order to verify their signature. This letter was sent in English, with an
18 instruction in Spanish to call the Recorder’s office if they need a copy of the letter in
19 Spanish. [Exhibit 170]

20 **517.** The State of Arizona prepared a MVDD Non Match Notice to send to
21 registrant’s whose information on their voter registration form did not match the
22 information on file with the AZ MVD. The notice instructed registrants to either fill out
23 the enclosed voter registration form or call the County Recorder’s office to correct the
24 information. This letter was sent in English, with an instruction in Spanish to call the
25 Recorder’s office if they need a copy of the letter in Spanish. [Exhibit 8]

26

1 **518.** The State of Arizona prepared a Cancellation of Voter Registration
2 due to Duplicate Resolution letter informing registered voters that they have a more
3 recent voter registration in one county, and therefore their older registration in a different
4 county had been cancelled. This letter was sent in English, with an instruction in Spanish
5 to call the Recorder's office if they need a copy of the letter in Spanish. [Exhibit 171]

6 **519.** The Secretary of State's office and ESS Vote office, when preparing
7 correspondence to be sent to voters, were aware that Arizona requires preclearance and is
8 required by federal law to do all correspondence in English and Spanish. [172]

9 **520.** The Secretary of State's office felt that it satisfied its federal
10 requirements for sending correspondence in English and Spanish, through the inclusion
11 of a line in Spanish telling voters that that they could call the Registrar of Voters if they
12 needed the document in Spanish. [Exhibit 172]

13 **521.** The VRAZ-II County Advisory Committee wanted to make sure that
14 each county uses similar language in correspondence with registrants. [Exhibit 17]

15 **522.** The Counties decided that they will send correspondence and a blank
16 voter registration form if a registrant submits a voter registration application and did not
17 furnish proof of citizenship. [Exhibit 173]

18 **523.** The VRAZ-II County Advisory Committee issued recommended
19 language for the letter that Counties send as notice that citizenship documentation is
20 needed for registration. [Exhibit 173]

21 **524.** Counties are required to submit their version of the letter notifying
22 voters of the need to provide documentation of citizenship to the Department of Justice
23 for preclearance and translate the letter into Spanish. [Exhibit 173]

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