

Arizona Voter Registration Analysis Update
From the Office of the Arizona Secretary of State

NOTE: The following describes a triggering event and a further issue that was established as a result of multiple government agencies and levels working together. The issue arose through no fault of any voters or current election officials in Arizona, as they rely on data provided by another government agency.

TRIGGERING EVENT

- The Maricopa County Recorder’s Office, during a Help America Vote Act (HAVA) check, identified a person with an Arizona driver’s license that was issued prior to 1996. They were registered as a full-ballot voter—meaning they are able to vote in federal, state and local elections—in 2022. However, this year, the person updated their voter registration.
- When an Arizonan updates their voter registration, county election officials enter that information into the Arizona voter registration database (AVID). AVID then automatically checks the large Motor Vehicles Department (MVD) database for an identity match, proof of citizenship, and when the person’s driver’s license was issued.
- When this citizenship check was performed for the individual in Maricopa County, it was discovered that based on the MVD data they were a lawful permanent resident. Although incorrectly registered, this individual has *never voted*. Furthermore, all people who register to vote in Arizona swear under the penalty of perjury that they are a United States citizen.
- Upon learning this, the Maricopa County Attorney’s Office notified the Arizona Secretary of State’s (SOS) Office on Friday, September 6th. The SOS immediately notified the Governor’s Office, and since then, multiple levels of government have been working together to identify and fix the issue.
- It was discovered that a data coding oversight issue occurred (*explained in the next section*) as election officials were preparing to execute a safe, secure and transparent election. The MVD database was falsely indicating that certain voters had provided “approved” proof of citizenship to the MVD under Proposition 200, which was passed in 2004. That universe of people is still being researched, but at this juncture we’re able to identify that it impacts more Republican voters than Democrats, Independents or others. An approximate 98,000 individuals are part of this universe.

THE CAUSE & PROCESS

- Starting January 24, 2005, Proposition 200 required all new Arizona voters to provide documentary proof of citizenship to be eligible to vote in not only federal, but also state and local elections. However, people who were already registered on or before January 24th were exempt from needing to provide this information. The only caveat is that people who move to a different county or who register to vote for the first time have to demonstrate proof of citizenship in order to vote in *all* elections.
 - Arizonans with driver’s licenses issued *after 1996* have provided proof of citizenship. However, the MVD and election officials have different criteria for updating the driver’s license issuance date—and subsequent proof of citizenship—in their systems.
 - This data coding oversight resulted in an inaccurate belief that certain people had provided documented proof of citizenship to the MVD.
- When AVID automatically conducts this citizenship check against the MVD database, it notifies the election official processing the voter registration form if the check fails to show documented proof of citizenship. If that happens to someone who is exempt under Prop 200, then no additional citizenship check is required. However, if this happens for someone who has moved across counties or registered for the first time, then election officials conduct additional checks for proof of citizenship and mark that voter able to vote in only federal elections until the voter can provide the proper documentation.

NEXT STEPS

- At this moment, in the 7-day period before ballots go out for the election, it is not possible for election officials to determine with absolute certainty which voters from this group have provided qualifying proof of citizenship and be able to conduct the appropriate additional checks for the proof.
- Because of the nature of this issue, the requirements set under Prop 200, and the rapidly approaching election, Arizona Secretary of State Adrian Fontes, in close partnership with Maricopa County Recorder Stephen Richer, are seeking immediate remediation and special action from the Arizona Supreme Court.
 - The County Recorder will be filing an emergency suit seeking clear guidance from the Court. The Recorder's filing will ask the Court to mark these voters as federal-only voters for this election. Immediately following the County Recorder's filing, the Secretary of State will file a response asking for the Court to consider allowing these voters the opportunity to vote in federal, state and local elections.
- The reality is that no system is perfect. However, the issue was discovered as election officials around the state are checking and double checking their work ahead of the election in order to ensure Arizona's election is safe, secure and accurate. In that sense, our election administration process is working as it should.
 - The priority is to ensure that eligible Arizona voters are not disenfranchised and that all election officials are clearly following the laws. The risk of noncitizens voting is extremely low in Arizona as it is around the country.
 - Arizona election officials believe that only voters who are eligible to vote should be able to cast their ballots, and those who break the law should be held accountable.

UNIVERSE OF INDIVIDUALS

NOTE: Voter registration data, including the data provided here, represent a snapshot in time - just like a balance sheet. Voters are continuing to update their information and to engage in transactions with the MVD so these numbers may shift.

	Active	Inactive	Grand Total
Apache	1,004	57	1,061
Cochise	2,220	162	2,382
Coconino	1,970	175	2,145
Gila	1,365	150	1,515
Graham	764	48	812
Greenlee	199	17	216
La Paz	186	24	210
Maricopa	47,140	6,446	53,586
Mohave	1,518	176	1,694
Navajo	2,276	232	2,508
Pima	13,313	1,214	14,527
Pinal	8,120	657	8,777
Santa Cruz	951	56	1,007
Yavapai	4,473	420	4,893
Yuma	2,382	213	2,595
Grand Total	87,881	10,047	97,928

This issue impacts approximately 98,000 Arizona voters who are active or inactive.