

Election Dissection 2.mp3

Mary Jo Pitzl [00:00:05] Arizona played a pivotal role on the national stage in 2020 election. This state was one of a few that handed the presidency to Joe Biden over incumbent Donald Trump. Biden won by fewer than 11,000 votes, which many people remember, and his narrow win intensified scrutiny of how elections are run. This sparked conspiracy theories, but also serious policy questions about a process that some voters were already wary of.

Sasha Hupka [00:00:33] But in the immediate aftermath of the race, the state senate launched what it called an audit of the vote in Maricopa County. It was actually a review of the 1 million ballots cast in the county, a hand recount that even its organizer could not vouch for. As the 2022 election loomed. Attention shifted to Arizona's early voting system, which allows voters to return their ballots by mail. The system is very popular.

Mary Jo Pitzl [00:01:00] But the state Republican Party sued, arguing that early voting was unconstitutional and it had to be banned. The courts found otherwise, and the practice continued. The vast majority of the 2022 vote came in by mail or ballot drop boxes. Which brings us to this year's election, where drop boxes and vote centers are the latest target of legislation and litigation. Welcome to Election Dissection, a series by the gaggle explaining how elections work to prepare you for the big day in November. This month we examine these practices, their origins and their critiques. I'm Mary Jo Pitzl. I cover the state legislature and state policy.

Sasha Hupka [00:01:46] And I'm Sasha Hupka. I cover county governments and the key role they play in administering Arizona's elections.

Mary Jo Pitzl [00:01:58] Well, Sasha, let's start off by looking at ballot drop boxes. A lot of people did look at those boxes in 2022, given reports of surveillance and overnight vigils. Give us a rundown of how these drop boxes function and why they sparked debate.

Sasha Hupka [00:02:15] Well, it's it's really all in the name. When voters get their early ballot, they can opt to mail it back via the Postal Service, vote in person instead, or drop it off in a designated drop box. Often these boxes are inside polling locations, but some are outdoors. I used one that was inside a polling place to drop off my own ballot in November of 2023. The outdoor ones in particular have attracted a lot of attention in recent years after the 2020 presidential election. A documentary called 2000 mules alleged that these boxes were used to inject fake votes. That claim has been debunked, and all evidence suggests that voter fraud is very rare. But it spread like wildfire, and understandably, it concerns some voters, leading to groups of vigilantes surveilling drop boxes in several Arizona counties during the 2022 midterm cycle. That includes Maricopa, the state's largest county. Its county recorder, Stephen Richer, told me this unease around drop boxes still persists.

Stephen Richer [00:03:22] I think that put drop box is really on the radar for a lot of state legislators, a lot of influencers. Certainly there were concerns about ballot harvesting before, but in terms of sensationalizing it and popularizing it, I think that the 2000 mules theory had had a lot to do with that, and it persists. It's actually one of the most common things that I hear about is the the mules, the alleged mules, despite the fact that the group itself has said there's no substance to it, and I have no have any evidence. And even so, it's not really consistent with how elections are actually administered, because you still have to have registered voters receiving early ballots, using their return envelope and

putting their signature on it for it to be move forward and eventually remove from the return envelope and sent to tabulation. So the theory never really made much sense, which is why I was somewhere between amusing and frustrating for election administrators. And that's played out in the criminal justice system and in the court system that it doesn't have any support to it, but it certainly still undermines, I think, a lot of the interest in further policing, whether you call them ballot drop boxes or we've seen some places in Florida call them just secure ballot deposit stations or something like that. So you can see even in that they're trying to get away just from sort of a PR standpoint and a reputational standpoint, trying to move past the item that was demonized in the 22 and the 20 cycle.

Mary Jo Pitzl [00:05:02] Okay. So it's obviously a part of a theme that we talk about a lot, the broader sense of distrust in elections among a segment of the electorate. But what about the rest of Arizona? Do voters use the Dropboxes?

Sasha Hupka [00:05:16] Oh yes. Definitely yes. An important thing to know about these drop boxes is that they are very popular with voters, and particularly voters in rural counties. Yavapai County, which is north of Metro Phenix and covers Prescott and Black Canyon City, and a few other areas that you might encounter on your way to Flagstaff, was the first in the state to adopt the boxes. This is a very conservative county. About two thirds of voters there are cast ballots for Donald Trump in 2020, and the majority of its voters cast their ballots by Dropbox. I talked with Recorder Michelle Burchill about the boxes and why her voters liked them. Here's what she said.

Michelle Burchill [00:05:57] Our voters here overwhelmingly use the drop boxes. That is their primary way of returning their voted ballots to us. I've personally been an advocate for this because we are strongly considering the process of going through the mail, right? If you want your ballot back in a timely manner and to guarantee it's here by that 7 p.m. cutoff, I've come to the realization of doing a lot of research on this over the past couple elections, that that really is the best way to guarantee it. And especially I'm coming from a rural standpoint where all of our mail, as it's being, processed through the mail system, it actually leaves our county, gets tracked down to Phenix, goes through the central processing and then tracked back up here. And so that adds, you know, several days to the process. And in the 2022 election, the general election, we. He actually received over 225 ballots after Election Day. And that continued, you know, on after that. And if those voters would have thought to use the Dropbox or trusted to use the Dropbox, those votes would have been counted.

Sasha Hupka [00:07:14] It's also worth noting that if the drop boxes are outdoors, you can access them 24 hours a day and seven days a week. That makes it easier for some voters who maybe work full time jobs and can't make it to a polling site during normal hours. It also helps people who don't have easy access to a post office, or who are past the time period where they can mail back their ballot in time to be counted.

Mary Jo Pitzl [00:07:38] I got to throw this in here, Sasha. Last fall I voted in my city council election, at a Dropbox. It was called a US mailbox. In fact, I mailed it in California and even took a picture to show people that I was using an unmanned Dropbox. Why does this argument about Dropbox is not extend to mailboxes?

Sasha Hupka [00:08:00] That's a good question. I think fundamentally they're very similar. Right. A Dropbox and mailbox. Neither of them have paid staff standing outside them 24 seven mailboxes, in some ways, perhaps are actually even less secure than a Dropbox. Most drop boxes include a lot of security features, and generally they're picked up directly

by election officials themselves. So a bipartisan team, as opposed to one USPS worker who, you know, maybe we don't know what their political affiliation is. But all that aside, I still don't think people should feel uncomfortable voting by mail. I personally choose to vote by mail in most elections, and I've never heard of a ballot getting stolen from a post office. And I know that's anecdotal, but I've truly never heard of people trying to raid those blue USPS mailboxes for the purposes of getting a ballot. I'll also note that in general, studies seem to suggest that voter fraud is very rare and that people generally don't want to interfere with an election. And it's also worth noting that if someone wanted to try to steal a ballot out of a post box, they might be facing a lot of prison time. The USPS takes mail tampering pretty seriously.

Mary Jo Pitzl [00:09:14] You mentioned a little earlier that drop boxes are while mostly located inside, some are outdoors, and the very fact that they're outside is one of the reasons they become so controversial. Critics say that because they're unmanned, it's possible for people to stuff the ballot boxes with ballots. A form of ballot harvesting. And as you noted, the movie 2000 mules hyped up that point, although its proof from surveillance cameras was debunked. So, again, Yavapai County is at the center of the Dropbox controversy. Judge John Napper is deliberating a case that argues the boxes must be staffed under state law. Where does that lawsuit stand?

Sasha Hupka [00:09:56] Right now, we're kind of stuck in a holding pattern on that case. Initially, I was hearing from sources that they thought Judge Napper might have a decision by February. Then one of his staffers told me it would likely be toward the end of the month. Now we're at the end of the month, so we're expecting a decision any day now. In the meantime, counties are opening dropboxes for the presidential preference election. I talked with all of Yavapai County about exactly what security features her drop boxes have, and she told me that she's confident they are secure.

Michelle Burchill [00:10:31] I really kind of started to take a bigger look at the pros and cons to drop boxes and the efforts behind keeping them or removing them. I personally understand as a conservative the concerns behind the potential of somebody taking advantage or trying to, you know, mule ballots and all of that. I looked at it from the standpoint of if I were to remove my 19 drop boxes that are all on state, federal or county, local city property, and I remove them today to do this as a preventative measure, I have 59 blue USPS drop boxes throughout my county. I looked at the security measures of it of we have night vision solar powered cameras that are faced right at the entrance. When you walk up to the drop box to put a ballot in, it's taking a timestamped photo of that person at that time. We have two different locks of two different keys. They are not in any way mastered the feet of the drop boxes. The bolts are not exposed. Very small slots. You can't put more than 1 or 2 ballots in at a time. So if someone was to potentially take a handful of ballots, they're going to be there for a minute doing it, and it's going to be time capturing that fire suppressors inside of them. And on top of all of those physical security features and some of that. Are more secure than, I would say a traditional USPS box, or even a traditional mailbox out in front of someone's house. We have the chain of custody that I strongly feel is the biggest part of that. I know who went to that drop box. I know who touched those ballots. I know what time they went to those ballots. They are signing off that they checked over the drop boxes to make sure there was no signs or evidence of any tampering. I know every ballot that was in that drop box from that date, and who touched them from the time that a voter deposited it until the time it got here to my office.

Sasha Hupka [00:12:38] Plus, she added that this saves the county money and postage. So she believes there are a lot of reasons why drop boxes are not only secure, but are

also right for the voters in her rural county. But if Judge Napper rules she can't use on staff drop boxes, she said she'll have to remove them.

Michelle Burchill [00:12:56] I've had some people within the community say, well, just put them inside a building, right? So just put them inside a lobby of a city or town. But the language being used is staffed would not be the same as setting it in a lobby. I would need two bipartisan people standing there staffing that drop box. So the thought process of taking it from outside to inside would solve this. I don't think is going to be an option. I don't know what my next step would be, because when you look at the times of our elections, right when we are doing July August, we have a pretty hefty monsoon season up here in Yavapai. I can't expect that I'm going to have two people standing out in the rain and in the wind monitoring the drop box, you know, outside during that time, and especially with the heat too. You know, we get over 100 typically every day during that time. When it gets to November, you know, like it gets real cold out here real quick. I can't foresee me being able to hire people that are willing to sit out there in the cold every day to monitor them. So I probably would be forced at this point. Looking at it from a realistic standpoint, and based on the arguments being made in this lawsuit, that we would have to remove them altogether and my voters would be forced to go back to using just the mail. And I would foresee a large amount of ballots being delivered after Election Day, unfortunately.

Sasha Hupka [00:14:33] While we're waiting for the judge to rule. Mary Jo, you've been tracking legislation that would limit or outlaw the centers. What's the argument there? And where is all of that legislation at in the process?

Mary Jo Pitzl [00:14:46] Well, first, a little bit of a definition. Vote centers are basically bigger polling places. Anyone who lives within the county can cast their ballot at a vote center. That's different from voting at a precinct where voters have to show up at their assigned precinct, usually within a short radius of their home. If they don't, they go to the wrong precinct. Then they have to cast a provisional ballot. And that's a whole nother episode. Talking about all the suspicions around, provisional ballots. Just like drop boxes, proponents say that vote centers are a convenience. People can vote close to home or at work or wherever they're doing errands. And because they're bigger in size, they don't need as many poll workers, which saves money. Just like with drop boxes. And these vote centers dramatically reduce the number of provisional ballots which we had referenced earlier. Yavapai County was an early adopter of vote centers, and Maricopa County turned to the vote center model in the 2020 election cycle. Both centers exist in 13 of the 15 counties. The argument against them basically boils down to smaller is better. Here's State Representative Rachel Jones, a Tucson Republican, explaining why she's sponsoring a ballot referral to end vote centers.

Rachel Jones [00:16:02] Putting aside the early voting portion, when you have a voting center where. They are set up across town, and a lot of what I hear is. Well, then, I can vote at a voting center near my work. Well, you can also vote at the precinct location. Right near your home, either on. The way to work or on the way home. So that's a silly argument to me. What I'm saying is it's easier when you have it down to a precinct level. It is much easier to vote, potentially. I don't think this disenfranchizes. Anybody because it's right there. Your neighborhood.

Mary Jo Pitzl [00:16:36] Senator Jake Hoffman has a proposal to work around the argument that going back to polling places that draw people from a geographically smaller area won't work. He has a bill which won state Senate approval last week, that would

require public schools to close on Election Day and have their gymnasiums serve as a polling place.

Jake Hoffman [00:16:56] Madam chair, I mean, my position is, God forbid we have to staff a precinct to also have voting centers. That's not a bad thing. Bringing access to voting closer to people's homes is not only historically how it's always been done, but it is also a more accessible means of being able for people to vote. As we've taken a more urbanized approach to elections, our system has not gotten better for the laughing stock of America in this state. Pima county's Got Issues panel has got issues. Mojave had issues. I mean, Maricopa. I mean, we have tons of issues, right? As you scale up like this and take it away from the local level, not only do you push people further away from home to vote, but you also have seen very dire consequences stemming from it.

Mary Jo Pitzl [00:17:45] Hoffman's ideas drew skepticism from fellow Republican Senator Ken Bennett. Bennett is from Yavapai County, and it's worth noting he's a former Arizona secretary of state.

Jake Hoffman [00:17:55] I'm very concerned that your bill by staff and by your admission, would say that a county, in order to have voting centers would still have to have polling locations in each precinct before they could have the first voting center. I don't know why, unless, as you said, maybe, you know, the 1 or 2 main offices would be voting centers. That would be a huge step backwards in my opinion.

Mary Jo Pitzl [00:18:20] Still, Bennett supported the bill, at least to keep it moving through the process.

Sasha Hupka [00:18:25] So, as the county reporter, I kind of see one possible problem here. Maricopa County officials tell me that poll workers and voting locations are in short supply, even with the vote centers, which requires fewer staffers and polling places than a precinct based model would. Here's Zach Shira, who oversees elections at the county, telling me all about it.

Zach Shira [00:18:47] Staffing, physical resources or sidewalk check ins or ballot on demand printers. All of the equipment that we use to run Election Day would have to be multiplied by that number of of extra locations. And I think the other thing that most people don't realize when we do have to staff locations is we have to have an equal number of Republicans and Democrats. And so we're just adding all of these extra requirements together when we're going to that larger the number. And that's a continued effort that the county would have to try to accomplish. So I think vote centers right now are the most efficient way to manage the county's resources and to ensure that all of our 2.4 million voters in the county are covered. One of the best characteristics of the vote center model is you can vote anywhere. And on average in 2022, I think all of our vote centers were on average about a mile and a half apart from each other. So you go to one vote center. They're having issues, say it's a power outage, say something not in our control or it is. You know, you can look on your phone locations that Maricopa that votes, see the closest site, see the wait times associated with that, and make a decision to go somewhere else. If we go back to precinct based voting, similar things happened we saw in 2018, you know, sites that won't open on time in that primary. Right? One of those was the landlord of a retail facility foreclosed overnight. Nobody knew. Right. Those members of that precinct had to wait for us to figure out how to reopen that polling location. And it was unclear if they were able to come back for the rest of the day. Right. People plan when they vote and that they don't have the flexibility to go somewhere else. And there are issues then they

could potentially disenfranchise that day. So I think it's, again, the most efficient and effective way to ensure that all voters in Maricopa County can vote when they want to.

Sasha Hupka [00:20:26] So what do lawmakers in support of moving away from vote centers plan to do to address those needs?

Mary Jo Pitzl [00:20:33] Well, that one hasn't been worked out yet, Sasha. Although Representative Jones said she believes that more people would volunteer at a precinct if they knew they could do it close to home and work among their neighbors. Her ballot referral, by the way, didn't pass the house, so it likely is dead. But it won't be the end of the debate over vote centers. Representative Michael Carbon says Illinois and Florida have successfully used precincts and they get vote returns out fast. Here's the argument from Carbon, a Republican from Buckeye.

Michael Carbon [00:21:05] When we're allowing people to vote by mail or by ballot or in person balloting and it's not it's not looked at until the next day or it gets back to the appropriate place. It creates a delay. And I think that's the cause of the problem compared to my bill, which I referenced, Florida and even Illinois. They know almost immediate. One of the things that I'm familiar with in Illinois is tabulation. By 7:00, when the polling stations closed right away, within five ten minutes, you'll get a little ticker that's printed out, tells you all the folks who are on the ballot or referendums, and it tells you that the number of votes that were support are against. And so we would be able to call that in and let the folks know if it's a candidate or if it's a school for a bond referendum, they would know right away I can vote by mail 8% of the population plus, vote by mail. And that's, I think, to more of the story, we have a 15 to 20% voting electorate that uses these vote centers, and it's more counted. We should know that evening and they taken away tabulation. I think the key is precinct voting.

Mary Jo Pitzl [00:22:12] Carbon bill also did not pass the House. But he said regardless, he's going to press on. He wants to end the long waits for election results that have typified recent elections. And he firmly believes more reliance on precincts, with their inherently lower number of ballots cast, will achieve that goal. So Sasha, with a key lawsuit outstanding and some of these bills still moving in the legislature. What's the outlook for this year's elections in terms of how and where we'll vote?

Sasha Hupka [00:22:42] Well, I wish I had a crystal ball. I unfortunately don't, but I'm going to make some educated guesses here. This lawsuit, once a ruling comes down, I am almost certain it will be immediately appealed. And it's worth noting that since counties already have their dropboxes out and active for the presidential preference election, I don't predict that any of this would would impact that election that's coming up on March 19th. In terms of the legislature, you know better than I do that it takes a while to pass laws and they still have many weeks left in the session. They also would need to pass this with an emergency clause to get it to take effect immediately. Otherwise it will take effect about 90 days after the session ends. And all of that probably means it's coming a little too late to really have much of an impact on this year's election cycle. Plus, I highly doubt that Governor Katie Hobbs is going to sign this bill.

Mary Jo Pitzl [00:23:41] I was going to say, don't forget that woman up on the ninth floor at the veto stamp who happened to have been a secretary of state. Well, that's it for this week, gaggle listeners, and thank you for listening to our elections discussion episode. Sasha and I will be back next month to answer a new question about how all this works. Is there something about the election process that you're curious about, or did you learn

something new today? Please let us know. Send us a voice memo to the gaggle at Arizona republic.com. That's all. One word, all spelled out. Or give us a call at (602) 444-0804.

Sasha Hupka [00:24:20] This episode was edited and produced by Amanda Luberto. Our news direction is by Kathy Tulumello and episode oversight is by Kara Edgerson. Music comes from Universal Production Music. Never miss an episode of The Gaggle by subscribing to us wherever you listen. Also, be sure to share this episode with a friend. You can also leave us a review and write us five stars. You can follow The Gaggle on social media at A-Z podcasts. I'm at Sasha Hupka. that's h-u-p-k-a.

Mary Jo Pitzl [00:24:54] And I'm at Mary J Pitzl. That's p-i-t-z-l. The gaggle is an Arizona Republic and AZcentral.com Production. Ron and I will be back next week diving into a new political issue. Thanks again for listening and we'll see you then.