



UNITED STATES COMMISSION ON CIVIL RIGHTS

1331 Pennsylvania Avenue, NW • Suite 1150 • Washington, DC 20425 www.usccr.gov

March 18, 2019

Jeff Fine
Clerk of the Superior Courts
Central Court Building
201 W. Jefferson St.
Phoenix, AZ 85003

Dear Mr. Fine:

The U.S. Commission on Civil Rights is pleased to transmit to your office our Arizona Advisory Committee's [Advisory Memorandum](#), *Voting Rights in Arizona*.

The Commission maintains 51 Advisory Committees - one for each state and the District of Columbia. The role of the Committees is to study civil rights issues in their communities and report findings and recommendations to the Commission. The Commission appreciates the Arizona Committee's focused attention on potential barriers to voting and the impact of the *Shelby County v. Holder* decision, specifically regarding access to polling locations.

The Commission requests that your office review the recommendations on pp. 10-12 in the Memorandum. They are also attached to this letter in a stand-alone "Recommendations" document. In response to these recommendations, we advise that you take the steps necessary to protect civil rights in your jurisdiction.

We have similarly asked the Arizona Secretary of State, state Senate and House leadership, the Arizona Supreme Court, the Arizona Superior Court, Probation Offices, County Recorders, and the State Bar to review the recommendations.

The Commission's 2018 [report](#), *An Assessment of Minority Voting Rights Access in the United States*, was informed in part by the work of our state Committees, including our Arizona Committee.

The Commission appreciates your consideration, in the hope of ensuring civil rights protections. We look forward to hearing from you on what actions you will take in response.

Sincerely,



Catherine E. Lhamon, Chair

Cc: Lorena Van Assche, Chair, Arizona Advisory Committee

Encl.

--Arizona Advisory Committee [Advisory Memorandum](#) (via email only)

--Recommendations in Memorandum

--2018 U.S. Commission on Civil Rights [report](#), *An Assessment of Minority Voting Rights Access in the United States* (via email only)



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March 18, 2019

Adrian Fontez
County Recorder
Maricopa County
222 E. Javelina
Mesa, AZ 85210

Dear Mr. Fontez:

The U.S. Commission on Civil Rights is pleased to transmit to your office our Arizona Advisory Committee's [Advisory Memorandum](#), *Voting Rights in Arizona*.

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We have similarly asked the Arizona State Senate and House Leadership, the Arizona Supreme Court, the Arizona Superior Court, Probation Offices, the Arizona Secretary of State, and the State Bar to review the recommendations.

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UNITED STATES COMMISSION ON CIVIL RIGHTS

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March 18, 2019

Katie Hobbes
Secretary of State
State of Arizona
1700 W Washington St.
Floor 7
Phoenix, AZ 85007-2808

Dear Secretary Hobbes:

The U.S. Commission on Civil Rights is pleased to transmit to your office our Arizona Advisory Committee's [Advisory Memorandum](#), *Voting Rights in Arizona*.

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Cc: Lorena Van Assche, Chair, Arizona Advisory Committee

Encl.

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UNITED STATES COMMISSION ON CIVIL RIGHTS

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March 18, 2019

Rep. Russell Bowers
Rep. Charlene Fernandez

Arizona House of Representatives
Arizona State Capitol Complex
1700 W Washington St.
Phoenix, AZ 85007

Dear Speaker Bowers and Rep. Fernandez:

The U.S. Commission on Civil Rights is pleased to transmit to your offices our Arizona Advisory Committee's [Advisory Memorandum](#), *Voting Rights in Arizona*.

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Catherine E. Lhamon, Chair

Cc: Lorena Van Assche, Chair, Arizona Advisory Committee

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UNITED STATES COMMISSION ON CIVIL RIGHTS

1331 Pennsylvania Avenue, NW • Suite 1150 • Washington, DC 20425 www.usccr.gov

March 18, 2019

Jeffrey Willis
President
The State Bar of Arizona
4201 N. 24th St.
Suite 100
Phoenix, AZ 85016-6266

Dear Mr. Willis:

The U.S. Commission on Civil Rights is pleased to transmit to your office our Arizona Advisory Committee's [Advisory Memorandum](#), *Voting Rights in Arizona*.

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Catherine E. Lhamon, Chair

Cc: Lorena Van Assche, Chair, Arizona Advisory Committee

Encl.

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UNITED STATES COMMISSION ON CIVIL RIGHTS

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March 18, 2019

Sen. Karen Fann
Sen. David Bradley

Arizona State Senate
Arizona State Capitol Complex
1700 W. Washington St
Phoenix, AZ 85007

Dear Senators Fann and Bradley:

The U.S. Commission on Civil Rights is pleased to transmit to your offices our Arizona Advisory Committee's [Advisory Memorandum](#), *Voting Rights in Arizona*.

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Catherine E. Lhamon, Chair

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UNITED STATES COMMISSION ON CIVIL RIGHTS

1331 Pennsylvania Avenue, NW • Suite 1150 • Washington, DC 20425 www.usccr.gov

March 18, 2019

Probation Offices of Arizona
501 W. Washington St.
Suite 344
Phoenix, AZ 85007

Dear Sir or Madam:

The U.S. Commission on Civil Rights is pleased to transmit to your office our Arizona Advisory Committee's [Advisory Memorandum](#), *Voting Rights in Arizona*.

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Encl.

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**Advisory Memorandum of the Arizona Advisory Committee
To the U.S. Commission on Civil Rights:**

Municipal Fines and Fees in the State of Arizona

Recommendations

The recommendations below are not listed by preference of suggested action.

1. The U.S. Commission on Civil Rights should send this advisory memorandum and issue recommendations to U.S. Department of Justice to:
 - a. Enforce the Voting Rights Act in Arizona.
 - b. Appropriate the nearly \$320 million dollars already allocated to counties to election assistance to improve voter outreach and education.
2. The U.S. Commission on Civil Rights should send this advisory memorandum and issue recommendations to Arizona State Legislature to:
 - a. Provide appropriations from the Help America Vote Act fund to support language assistance efforts, voter registration efforts, and upgrade voting machines and ballot counting readers in Arizona.
 - b. Eliminate the requirement that felons pay fines and fees in order to restore their voting rights.
 - c. Institute mandatory training of all judges, court staff, law enforcement, prosecutors and public defenders on the use of the bench card.
 - d. Ensure information regarding the restoration of voting rights is available on court and election websites.
 - e. Consider implementing same day voter registration to encourage voter turnout.
 - f. Change the state voter registration form to include room to depict and describe in writing a non-traditional, rural or remote address that is not recognized by the U.S. Postal Service.
3. The U.S. Commission on Civil Rights should send this advisory memorandum and issue recommendations to the Arizona State Bar, Arizona Supreme Court, Arizona Federal Court, Arizona Superior Courts and respective probation offices to:
 - a. Encourage members of the judiciary to be knowledgeable in voting rights for those with one and multiple felonies.

- b. Encourage members of the judiciary to advise those sentenced in their courtroom of future voting eligibility, including reminder of automatic voting rights restoration upon completion of sentence, including prison, parole and probation.
 - c. Encourage probation offices and their officers to be knowledgeable in voting rights for those with one and multiple felonies.
 - d. Encourage probation offices and their officers to advise their clients of future voting eligibility, including reminder of automatic voting rights restoration upon completion of sentence, including prison, parole and probation.
4. The U.S. Commission on Civil Rights should send this advisory memorandum and issue recommendations to the Arizona Secretary of State and Elections Director to:
 - a. Provide appropriations from the Help America Vote Act fund to support language assistance efforts, voter registration efforts, and upgrade voting machines and ballot counting readers in Arizona.
 - b. Comply with the Americans with Disabilities Act to ensure that polling locations are accessible by voters with disabilities.
 - c. Comply with the National Voter Registration Act by requiring Section 5 and Section 7 servicing agencies to consistently ask individuals to register to vote. In addition, require that Section 5 and Section 7 agencies perform voter registration functions in accordance with Section 203 jurisdictions to obtain uniformity and efficiency in Arizona's voting process.
 - d. Provide election materials to voters with visual disabilities such as providing braille and large print ballots at polling locations.
 - e. Strengthen voter education efforts, especially on how to properly fill out registration forms.
 - f. Consider changing the current voter registration form to avoid the need for a bifurcated voter registration system.
 - g. Strongly encourage the use of federal and state government databases that house citizenship information to avoid rejecting registration applications.
 - h. Solicit input from diverse communities prior to purchasing election equipment to ensure unique needs are addressed.
 - i. Ensure information regarding the restoration of voting rights is available on court and election websites and shared through voter registration efforts.

5. The U.S. Commission on Civil Rights should send this advisory memorandum and issue recommendations to Arizona County Recorders to:
 - a. Ensure poll workers are trained to provide service to voters with disabilities. This includes training on how to operate accessible machines and training on “people-first” language.
 - b. Allow poll workers the opportunity to work in split shifts to address scheduling concerns.
 - c. Maintain relationships with community leaders to address language access needs, especially among jurisdictions that recently lost Section 203 coverage.
 - d. Consult with organizations such as Arizona Commission for the Deaf and Hard of Hearing to improve county election websites.

**Footnotes may be found within the full [Advisory Memorandum](#)*