



ELECTIONS DEPARTMENT

PIMA COUNTY GOVERNMENT
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ELECTIONEERING AND CONDUCT AT THE POLLS

There are numerous state and local laws that govern your conduct at the polling places on Election Day. We are asking that you and all of your volunteers abide by those rules and conduct yourselves at the polling places legally, safely and appropriately. Violations are enforced by our election boards and/or by deputies and local police agencies. Attached here are some of the most common rules which we insist you follow to ensure courtesy, safety, compliance with the law, and to protect important property and business interests of the polling place owners.

Persons present in the polling places on election days are subject to the direction and statutory responsibilities of the election officers. The election officers are charged with securing the ballots and voting process, preserving order at the poll (A.R.S. § 16-535), permitting no violation of election laws (A.R.S. § 16-535), prohibiting any ability to ascertain an elector's vote (A.R.S. § 16-1007), including videotaping in whole or in part of ballots or voting site, securing the ballots and election materials (A.R.S. § 16-602 et seq), restricting access to certain portions of the polling place (e.g., A.R.S. § 16-562 and 16-515), not releasing or divulging the results of any ballot counting until one hour after the close of the polls, ensuring that no deadly weapons are carried into the polling place (A.R.S. §13-3102(11)), that there is no intimidation of any elector (A.R.S. § 16-1013), no interference with respect to voting (A.R.S. 16-1017), and that there is no interference in any manner with an officer of the election in the discharge of his duty (A.R.S. § 16-1004).

Under Arizona's public records law, the public's right to inspect voting and ballot records is limited to "regular business hours", 8:00 am to 5:00 pm. The county has a prescribed form on which to request inspection or copying of public records. Ballots are not public records which may be inspected by the public except upon judicial action or approval.

POLLING PLACE CONDUCT

1. 75-foot rule (A.R.S § 16-515, 16-1017(2) and 16-1018(1))

The board of supervisors shall furnish, with the ballots for each polling place, three notices, printed in letters not less than two inches high, reading: "Seventy-five foot limit" and underneath that heading the following:

No person shall be allowed to remain inside these limits while the polls are open, **except for the purpose of voting**, and except the election officials, one representative at any one time of each political party represented on the ballot who has been appointed by the county chairman of such political party, and the challengers allowed by law. Voters having cast their ballots shall at once retire without the seventy-five foot limit. A person violating any provision of this notice is guilty of a class 2 misdemeanor.

2. Keeping traffic and walkways clear

The access to the polling areas by vehicles, wheelchairs and pedestrians **MUST REMAIN CLEAR AND FREE OF OBSTRUCTIONS** including vehicles, signs, chairs or other obstacles. In addition, electioneering activities are permitted outside the 75-foot limit but may not impede access to the voting area.

3. Polling Place Abuse

Polling places have private property rights as well as liabilities for actions taken on their property. This includes the property of public entities whose property is not customarily open to members of the general public, such as public schools. The County does not lease the entire premises for voting purposes and most of the polling places are carrying on their normal business activities on Election Day. An increasing number of polling places expressed concern with Election Day abuse to their facilities and sites, unauthorized borrowing of furniture or use of resources, interference with their customers or patrons, and concern with damage resulting from signs on the premises. Please note that you may need to seek permission from a private property owner for activities you wish to conduct on private property, and an owner may ask unauthorized persons, structures or signs to be removed from private property. After receiving a warning that conduct or presence is not permitted by the property owners, deputies or local police may be called upon by the owner to enforce the property owner's rights. Campaigning and election activities outside the 75 foot limit on public rights of way, streets and sidewalks adjacent to polling places are outside county election jurisdiction unless there is interference with voting processes or disabled access. A.R.S. 16-411(H) provides that except in the case of an emergency, a facility that is used as a polling place on election day shall allow electioneering and other political activity outside of the 75-foot limit in public areas and parking lots used by voters.

4. **Sign placement and tampering**

Many polling places have specific preferences about Election Day signage. Some places have designated specific areas for signs. Others prohibit signs anywhere on the premises. Do not place signs at the polling place without checking with the property owner or manager. Unauthorized signs on private property may be removed and confiscated. State and many local laws also govern placement of signs on public and private property, as well as removal, alteration or defacing political signs.

5. **Courtesies**

All voters, candidates, workers, polling place property owners and the public deserve your courtesy and respect.

Election board inspectors or troubleshooters, or the owner/manager at the polling place can respond to questions you may have on sign placement and restrictions, walkways and traffic ways which must be kept clear for ingress, egress and drive up voting.

October 23, 2010