



MARK BRNOVICH
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL

September 18, 2020

Via Email and Certified Mail

The Honorable Adrian Fontes
Maricopa County Recorder
111 S. 3rd Avenue
Phoenix, Arizona 85003
afontes@risc.Maricopa.gov

Re: Request for Response Regarding Maricopa County Recorder's Plan to Allow Votes to be Cast by "Video Call"

Dear Mr. Fontes:

The Arizona Attorney General is authorized to enforce violations of Title 16 of the Arizona Revised Statutes in connection with the upcoming General Election. The Early Voting Plan submitted by your office to the Maricopa County Board of Supervisors at the September 16, 2020, Board of Supervisors' Meeting permits electors who have a disability, are ill, institutionalized or otherwise incapable of traveling or using the early voting process to "cast their vote ... on a video call" with the assistance of a Special Election Board.¹

We have reviewed the relevant statutes in Title 16 governing special election boards as well as the Election Procedures Manual and have been unable to find any authority that would permit voting by video call. Please explain how this procedure will work and the authority you believe authorizes qualified voters to vote in this manner. Please respond in writing no later than September 23, 2020. Thank you for your prompt attention to this matter. If you have any questions, I can be reached at (602) 542-8255.

Sincerely,

Jennifer Wright
Assistant Attorney General
Elections Integrity Unit

cc: The Honorable Clint Hickman, Chairman, Maricopa County Board of Supervisors
Mr. Joseph La Rue, Maricopa County Attorney's Office

¹ See Office of Maricopa County Recorder Adrian Fontes & the Maricopa County Elections Department *Early Voting Plan November General Election* (submitted to the Maricopa County Board of Supervisors at the Sept. 16, 2020 meeting) ("Early Voting Plan") at 11.