WHAT IS A PROVISIONAL BALLOT?

The Pima County Recorder’s Office is issuing this press release to clarify the litigation challenging the Provisional Ballot processing in Pima County.

The McSally campaign is challenging any provisional ballot that was not signed by a poll worker. The sole basis of this challenge is on the fact that a poll worker may have forgotten to sign the top of the form. The voter was in the correct polling place, properly registered to vote, entitled to vote and the voter followed all of the rules to vote. However, the claim is that the ballot should still be disqualified solely because the poll worker forgot to also sign the provisional ballot form.

“Provisional Ballot” is the name given to fail-safe voting in Arizona. If there is any reason that a voter could not vote a regular ballot at the polling place, federal and state laws require that the voter be given the opportunity to vote by provisional ballot. The voter is provided with the ballot and makes his/her choices. The ballot is then sealed in an envelope. The voter’s information is written on the outside of that envelope, which has 3 parts (white, yellow and pink). The top two parts go to the Recorder’s Office for checking. The ballot itself stays with the Elections Department.

There are four major reasons why a voter would be offered the opportunity to vote by Provisional Ballot:

1. The voter’s name was not on the poll roster or the poll workers could not find the name on the roster.
2. The voter was identified on the roster as having been sent an early ballot.
3. The voter was only in partial compliance with the identification provisions of Proposition 200.
4. The voter has changed their name.

A copy of a Provisional Ballot form is included with this release. The top half of the form is filled out by the election poll worker. The bottom half is completed by the voter. The forms are delivered to the Recorder’s Office after the polls close and all provisional forms from a single polling place are kept together at all times. The Recorder’s Office uses the information on the bottom half of the form to find the voter in the Voter Registration database. In reviewing the form, the Recorder’s Office must determine if the voter is registered to vote, if the voter is in the
correct polling place and that the voter has not already voted either by early ballot or at another polling place. The Recorder’s Office also confirms the identity of every voter by comparing the signature on the provisional ballot form with the voter’s signature on their voter registration form. If all of this information is confirmed, the provisional ballot will be verified. If any of the information cannot be confirmed, the ballot will be invalidated. The forms are then returned to the Elections Department for further processing and verified ballots are then counted.

The single issue in the McSally challenge is whether a ballot that has been verified should still be rejected solely because the poll worker failed to sign the form. It should be noted that any provisional form that is not signed by a voter is disqualified during the Recorder’s Office processing.