



Maricopa County

Office of General Litigation Services

Colleen Connor
Assistant General
Counsel
301 West Jefferson Street
Suite 3200
Phoenix, Arizona 85003
Phone: 602-372-5700
Fax: 602-372-5568
connorc001@mail.maricopa.gov

October 26, 2010

Diane Cohen, Esq.
Goldwater Institute
500 East Coronado Road
Phoenix, Arizona 85004

Re: *Electioneering within 75 foot limit of polling place*

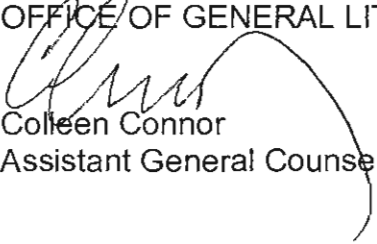
Dear Ms. Cohen:

I am writing in response to your letter dated October 25, 2010 to Maricopa County Recorder Helen Purcell and Maricopa County Elections Director Karen Osborne. For the November 2, 2010 election, the Maricopa County Recorder and Elections Director have trained polling place board workers that Arizona law prohibits electioneering within 75 feet of the main outside entrance of a polling place. Board workers are directed to follow the attached step-by-step instructions if an individual undertakes electioneering within 75 feet of a polling place.

This restriction on political speech pertains to the perimeter and interior of a polling place regardless of the ideology or viewpoint of the speaker. The campaign free zone serves to protect voters from confusion and undue influence and to preserve the integrity of the election process. *Burson v. Freeman*, 504 U.S. 191 (1992)(describing early problems with voter fraud and intimidation in the United States and states' responses, including secret ballot and restricted zones around polling places). Accordingly, the regulations on electioneering are viewpoint neutral and reasonable in light of the purpose for which the polling place serves.

Sincerely yours,

MARICOPA COUNTY
OFFICE OF GENERAL LITIGATION SERVICES


Colleen Connor
Assistant General Counsel