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**NAVAJO NATION DEPARTMENT OF JUSTICE**  
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*Counsel for Plaintiff*

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF APACHE**

NAVAJO NATION, on behalf of itself and  
all others similarly situated,  
Plaintiff,

v.

LARRY NOBLE in his official capacity as  
Apache County Recorder; RITA VAUGHAN  
in her official capacity as Apache County  
Elections Director; Apache County Board  
of Supervisors,  
Defendants.

**No.**

**COMPLAINT**

**(Expedited Election Matter)**

Plaintiff, for their Complaint against Defendants Apache County Board of Supervisors; Apache County Recorder Larry Noble; and Apache County Elections Director Rita Vaughan (collectively “Defendants”), allege as follows.

### **PRELIMINARY STATEMENT**

1. Plaintiff has filed this action to preserve the rights of Navajo voters in Apache County, Arizona to vote and have their vote counted in the November 5, 2024 general election. These rights are secured by the laws in this state.

2. Across the Apache County portion of the Navajo Reservation, voters have either been denied the right to vote due to machines malfunctioning, lack of printed ballots, lack of provisional ballots, long lines, failure to accept adequate ID, or polls not being operational or open during posted voting hours. *See* Ex. A, Decl. of Torey Dolan; Ex. B, Decl. of Voters; Ex. C, Decl. of Volunteers.

3. As described below, upon information and belief, Defendants have engaged and continue to engage in an organized effort to deny Plaintiff and similarly situated voters the voting hours they need and to which they are entitled.

4. Apache County voters must vote at assigned polling locations for their ballots to be valid and counted, unless they vote their correct ballot style on an accessible voting device. *See* Arizona Clean Election Commission, 2024 General Election, Apache County, available at, <https://www.azcleelections.gov/november-05-2024-election/apache>; *see also*

<https://www.apachecountyaz.gov/Elections>. However, if polling locations are not operable, without this Court’s immediate intervention, Defendants will continue to inflict irreparable injury upon Plaintiff and potentially hundreds of other lawfully registered voters.

5. “Arizona’s Constitution recognizes that ‘governments derive their just powers from the consent of the governed,’ and provides that “[a]ll elections shall be free and equal, and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.” *City of Tucson v. State*, 229 Ariz. 172, 179 (2012) (quoting Ariz. Const. art. 2, §§ 2, 21). “[A] ‘free and equal’ election as one in which the voter is not prevented from casting a ballot by intimidation or threat of violence, or any other influence that would deter the voter from exercising free will, and in which each vote is given the same weight as every other ballot.” *Chavez v. Brewer*, 222 Ariz. 309, 319–20 (Ct. App. 2009) (“We conclude that Arizona’s constitutional right to a ‘free and equal’ election is implicated when votes are not properly counted.”).

## **JURISDICTION AND VENUE**

6. This Court has subject matter jurisdiction over this action and the parties under Article VI, section 14 of the Arizona Constitution.

7. Venue in this Court is proper because the events giving rise to the Plaintiff's claims have occurred in this county and because one or more Defendants reside in this county. *See* Ariz. Rev. Stat. § 12-401.

## **PARTIES**

8. Plaintiff Navajo Nation (“Plaintiff” or “Nation”) is a federally recognized Indian Tribe with a government-to-government relationship with the United States.<sup>1</sup> The Navajo Reservation was established by the Treaty of 1868 and was thereafter expanded by successive executive orders. The Navajo Reservation (“Reservation”) comprises over 27,000 square miles of sovereign territory, which is larger than the state of West Virginia. *Roundtable on Voting Barriers and Election Administration on the Navajo Nation, Part III: Navajo Nation Council*, 118th Cong. (Feb. 19, 2024). The Reservation is located in Apache, Navajo, and Coconino counties in Arizona (“Arizona counties”), and 8 counties in Utah and New Mexico. Combined, the three Arizona counties have the largest proportion of Indian federal trust land of any counties in the United States. Of the 403,927 enrolled Navajo citizens, a majority reside in Arizona, with 145,334 Navajo Nation living in Arizona.

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<sup>1</sup> The Nation’s government-to-government relationship with the United States is recognized by the Treaty Between the United States of America and the Navajo Tribe of Indians, Sept. 9, of 1849, 9 Stat. 974 (ratified Sept. 24, 1850) (“Treaty of 184”) and the Treaty Between the United States of America and the Navajo Tribe of Indians, June 1, of 1868, 15 Stat. 667-668 (ratified Aug. 12, 1868) (“Treaty of 1868”).

*Detailed Races and Ethnicities in the United States and Puerto Rico: 2020 Census*, U.S. Census Bureau (2023).

9. The Navajo Nation has associational standing to bring this lawsuit. The Navajo Nation helps to coordinate federal and state elections on the Navajo Reservation including government-to-government meetings with the Arizona counties and the Arizona Secretary of State. The Navajo Nation assists in voter outreach and education on the Nation. The Nation also asserts the right to bring this claim on behalf of its members' *parens patriae*.

10. The Navajo Nation has many members who are registered voters who live in Apache County in the affected polling locations. 43,227 registered voters live on the Apache County portion of the Navajo Reservation. According to the U.S. Census, 99% of the residents of the Navajo Reservation are Native American.

11. At least some of these members are unlawfully having their right to vote severely burdened as the result of the failure of the polling locations to issue ballots and would have standing to sue in their own right. The interests at stake in this action are germane to the purpose of the Plaintiff Navajo Nation because of its strong interest in ensuring its members can exercise their constitutional right to vote. If Navajo Nation members are unable to vote, the collective power and voice of the Navajo Nation is reduced. The Navajo Nation advocates on behalf of all its members to local, state, and federal representatives. If some of its members are unable to vote,

the Navajo Nation's overall ability to advocate effectively for critical resources for the Navajo Nation and the Navajo people is jeopardized.

12. Defendants Apache County Recorder Larry Noble and Apache County Elections Director Rita Vaughan have acted at all relevant times under color of law and are sued in their official capacities for all purposes in this action.

13. Defendants Apache County Board of Supervisors; Apache County Recorder Larry Noble; and Apache County Elections Director Rita Vaughan are persons who, upon information and belief, are presently acting to interfere with lawfully registered voters in the free exercise of their right to vote in the November 5, 2024 general election.

### **GENERAL ALLEGATIONS**

14. A.R.S. § 16-565(A) requires that election officials keep voting places open from 6:00 a.m. to 7:00 p.m.

15. Yet, on or about November 5, 2024, Plaintiff became aware that, upon information and belief, Defendants failed to open at least one polling site in Apache County—Chinle—by the statutorily prescribed opening time. Other polling locations were effectively not open because they were not issuing ballots at 6 a.m., including Lukachukai, Lupton, Rock Point, Cottonwood, St. Michaels, Wheatfields, and Dennehotso. Dennehotso, for example, did not start issuing ballots until around 7:19 am.

16. A.R.S. § 16-565(A) requires that polling places in Arizona be open at 6:00 am and stay open until 7:00 pm, yet Defendants failed comply with this requirement at various polling locations in the county by failing to open at 6:00 a.m. at one location and by failing to print ballots at numerous other locations, running out of emergency ballots at numerous other locations, and by creating long lines for the limited number of accessible voting devices.

17. At some locations, accessible voting devices were not functioning at all, so they were not available for out-of-precinct voting. Even when they were available, they were being used as the only voting option, thereby causing long lines. Voters left the polling locations without voting due to lack of ballots, extremely long lines (including lines that extended outdoors into uncomfortable cold weather), and lack of opportunity to vote.

18. Throughout the morning and early afternoon, voters and volunteers reported long wait times due to printer malfunction, other device malfunctions, and lack of printed ballots. At Fort Defiance, numerous voters reported 3-hour wait times and voters leaving without voting due to long lines. Some voters were given provisional ballots, and it is unclear if they were voting out of precinct and whether their ballots will be counted. At St. Michaels, voters waited 3 hours to cast a ballot. In Luckachukai, voters waited 2.5 hours to cast a ballot. Voters left without voting

because of the long wait. For example, at Rock Point, where voters waited 2 – 3.5 hours to cast a ballot, at least 17 people left because the wait was too long.

19. In Chinle, voters waited in line for 90-100 minutes. In Teec Nos Pos and Chinle, the polling locations ran out of provisional and emergency ballots so there are no printed ballots at the polling locations.

20. In Lupton, Luckachukai, Wheatfields, and Rock Point, the printers were only printing one side of the ballot, effectively preventing voters from casting a ballot.

21. On or about November 5, 2024, Plaintiff Navajo Nation reached out to Emily Craiger, attorney representing the Apache County Attorney, and Rita Vaughan, Apache County Elections Director to ask that they advise how they are addressing the problems at these polling locations. The County denied that there were any times that the polls were not operational, admitted that there were issues, but alleged they were mostly resolved by 11:30 am.

22. Plaintiff then promptly filed this action.

23. Apache County is a large and rural geographic area and does not have public transportation infrastructure. Many of Plaintiffs' members are on fixed and limited incomes and must travel long distances to reach their polling places. It is not easy for them to return to their polling places a second time to vote. Additionally,



many of the Plaintiffs' members have family and work obligations that make it impossible for them to wait indefinitely for the polling place to open.

24. Plaintiff believes that Plaintiff's members were denied their opportunity to vote this morning when they arrived at the polling places that were not open on time, or effectively closed at various times throughout the day, would be able to return later this evening and vote if the polling places are open for an additional two hours.

25. Under to the Help America Vote Act, Plaintiffs' members and similarly situated voters casting ballots in Arizona during extended voting hours mandated by an order of this Court would "vote . . . by casting a provisional ballot," which would "be separated and held apart from other provisional ballots cast by those not affected by the order." 52 U.S.C. § 21082(c).

26. Defendants know or reasonably can be expected to know that their conduct of failing to timely conduct elections throughout the entire voting period at a polling site in Apache County has had the effect of severely burdening, and in some cases, denying outright, the right to vote for Plaintiffs' members and those similarly situated.

27. As of the filing of this Complaint, Defendants continue to refuse to extend the polling hours for this location.

28. These actions of Defendants violate Plaintiff's members' fundamental right to vote, and other crucial rights guaranteed by federal and state law.

29. The right to vote in an election is guaranteed by, *inter alia*, Article II, Sections 4 and 21 of the Arizona Constitution; and Article VII, Section 2 of the Arizona Constitution, the First and Fourteenth Amendments to the United States Constitution. Plaintiff Navajo Nation has standing to enforce these rights, and all rights asserted herein.

30. Arizona Revised Statutes Section 16-565 provides that on Election Day the polls shall be opened at 6:00 a.m. and shall be closed at 7:00 p.m. A.R.S. § 16-565. Arizona Revised Statutes Section 16-565 further provides that “[a]ny qualified voter who at the moment of closing is in the line of waiting voters shall be allowed to vote.”

31. Furthermore, Arizona election laws must be construed in favor of allowing citizens to exercise their fundamental right to vote. *See Lemons v. Superior Court of Gila Cty.*, 141 Ariz. 502, 505 (1984) (“[T]he Legislature has directed that all statutes shall be liberally construed to effect their objects and to promote justice.” (citing A.R.S. § 1-211(B))).

32. The harm to Plaintiff, its members, and similarly situated voters who live in Apache county in being prevented or deterred from voting in the November 5, 2024 federal election is irreparable, imminent, and substantial.

33. The hardships incurred by Plaintiff and those similarly situated in being prevented or deterred from voting in the November 5, 2024 general election far outweigh any modest burden on Defendants in complying with federal and state law.

34. The actions of Defendants are contrary to the public interest and unsupported by any legitimate interest.

### **COUNT 1 (A.R.S. § 16-565)**

35. Plaintiff incorporates by reference the allegations contained in the preceding paragraphs, as though fully set forth herein.

36. A.R.S. § 16-565(A) requires that election officials open voting places at 6:00 a.m. and keep them open until 7:00 p.m.

37. On or about November 5, 2024, upon information and belief, Plaintiff became aware that polling sites on the did not open at 6:00 a.m. At least one site was not open until 7:19 a.m., and at numerous locations voters left without voting, or were asked by poll workers to return later, due to long lines caused by printer problems.

38. The Defendants' actions in failing to offer polling during the entire polling period violates A.R.S. § 16-565(A).

39. Unless this Court orders Defendants to extend the polling place hours at the impacted polling place, Defendants will unlawfully continue to severely

burden and, in some cases, deprive the right to vote in the November 5, 2024 federal election, in violation of A.R.S. § 16-565(A).

40. Arizona Revised Statutes Section 16-565 provides a private right of action. See *Chavez*, 222 Ariz. at 317–18 (“Arizona case law, which unlike the federal rule that generally prohibits recognition of a private right of action . . . , more broadly implies such a right when consistent with ‘the context of the statutes, the language used, the subject matter, the effects and consequences, and the spirit and purpose of the law.’”); see also *McCarthy*, 409 F. Supp. 3d at 820 (“Arizona law implies a private right of action more broadly than federal law.” (citation omitted)).

41. Unless polling hours are extended Plaintiff, Plaintiff’s members, and other voters in Apache County will be denied their state constitutional right to uniform access to vote in the electoral process.

42. Alternatively, Plaintiff seeks a writ of mandamus, pursuant to Arizona Revised Statutes Section 12-2021, to compel Defendants to perform official duties required by law. *McClennen*, 238 Ariz. at 377 (“The mandamus statute reflects the Legislature’s desire to broadly afford standing on members of the public to bring lawsuits to compel officials to perform their ‘public duties.’”); *Chavez*, 222 Ariz. at 320 (“[A]ppellants may be entitled to injunctive and/or mandamus relief if they can establish that a significant number of votes . . . will not be properly recorded or counted.”); see *Welch*, 2020 WL 5988198 (“[A] superior court may issue a writ of

mandamus to a person or board ‘to compel, when there is not a plain, adequate and speedy remedy at law, performance of an act which the law specially imposes as a duty resulting from an office.’”).

43. Absent injunctive relief, Plaintiff will suffer irreparable harm because there is no other opportunity to vote in this election. Plaintiff has no adequate remedy at law.

44. Article II, Section 21 and Article VII, Section 2 of the Arizona Constitution guarantee the right to vote. Article II, Section 21 states, “All elections shall be free and equal, and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.” Ariz. Const. art. 2 § 21. Article VII, Section 2 states, “No person shall be entitled to vote at any general election . . . unless such person be a citizen of the United States of the age of eighteen years.” Ariz. Const. art. 7 § 2.

45. Additionally, Arizona Revised Statutes Section 16-565 provides that polls shall remain open from 6:00 a.m. to 7:00 p.m. A.R.S. § 16-565. Unless polling hours are extended, Plaintiff’s members and other voters in Apache will be denied their state constitutional right to uniform access to vote in the electoral process.

46. Absent injunctive relief, Plaintiffs will suffer irreparable harm. Plaintiff has no adequate remedy at law.

### **PRAAYER FOR RELIEF**

Enter a Temporary Restraining Order or Writ of Mandamus that:

Orders Defendants to take all necessary steps to keep the polling places on the Navajo Reservation in Apache County open until 9:00 p.m. and orders Defendants to take all necessary steps to ensure that any voters who arrive at the above polling places after 7:00 p.m. and until 9:00 p.m. are permitted to vote provisionally and have their votes counted pursuant to Section 302(c) of the Help America Vote Act of 2002, 52 U.S.C. § 21082(c);

Directing Defendants to take such other measures as are necessary to ensure that Plaintiff and similarly situated qualified voters may engage in the lawful exercise of the franchise;

Ordering Defendants to accept and count out-of-precinct ballots that were not cast on accessible voting devices due to the machines not being operable for part of the day;

Orders Defendants to provide public notice of these extended voting opportunities by notifying all local media and by posting sufficient notices of these opportunities at all affected poll locations and on Apache County's website;

Award attorney's fees and costs associated with this litigation; and

Provide any additional relief in favor of Plaintiffs and against Defendants that the Court deems just and proper.

RESPECTFULLY SUBMITTED this 5<sup>th</sup> day of November, 2024.



By: \_\_\_\_\_

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# **EXHIBIT A**



I, Torey Dolan, declare as follows:

1. I, Torey Dolan, am over the age of 18 years old and fully competent to make the following declaration.
2. I am fully familiar with the facts and circumstances of this matter as set forth below.  
Except as may be noted, each of the statements in this affidavit is based upon my personal knowledge.
3. I am a volunteer with the Arizona Native Vote Election Protection Project. The Arizona Native Vote Election Protection Project is a non-partisan election protection project dedicated to educating Native American voters in Arizona on their rights when participating in state and federal elections.
4. I have worked with the Arizona Native Vote Election Protection Project during each general election since 2016.
5. I am a licensed attorney in the state of Arizona and familiar with Arizona election law and procedure.
6. In advance of the 2024 general election, I attended a training hosted by the Arizona Native Vote Election Protection Project that covered important Arizona law and procedure ahead of the election.
7. In advance of the 2024 general election, I assisted the Arizona Native Vote Election Protection Project in placing nearly 100 volunteers outside of polling locations in Tribal communities in Arizona.
8. I was trained to answer calls to the Arizona Native Vote Election Protection Hotline and oversee the Arizona Native Vote Election Protection Hotline Call Center.
9. The facts are as follows:

- a) I arrived at 5:30 A.M. prepared to answer hotline calls.
- b) Starting at 6:00 A.M., the Arizona Native Vote Hotline began to receive reports of issues in Apache County polling locations.
- c) At 6:00 A.M., I received a call from our volunteer Sadie Red Eagle at the Chinle polling location that the gate was locked, and the polling location was not open.
- d) At approximately 6:20 A.M., I took a call from one of our trained Arizona Native Vote Election Protection field volunteers, Frances Sjoberg, who reported that the Rock Point polling location cannot print the ballots.
- e) At approximately 6:20 A.M., a voter called the Arizona Native Vote Election Protection hotline to report that they attempted to vote at the Cottonwood polling location in Apache County and were unable to vote due to ballot printer issues.
- f) At approximately 6:32 A.M., I took a call from one of our trained Arizona Native Vote Election Protection field volunteers, Connie Liu, who reported that the St. Michael's Polling Location had ballot printer issues. Liu reported that two voters left without voting.
- g) Between 6:00 A.M. and 7:10 A.M., our volunteers, Judy Apachee and Dennis Glazner, reported that ballot printers were down at the Lukachukai polling location in Apache County and voters were being prevented from voting.
- h) At 6:32 A.M., I emailed Katherine Belzowski and Julianne Begay with the Navajo Nation Department of Justice to report that the Cottonwood and Rock Point polling locations were having issues with the ballot printers that were preventing voters from voting the full ballot.

- i) At 6:33 A.M. I called Apache County Elections Director, Rita Vaughan, to report the issue. No one answered and the voicemail was full and unable to accept a message.
- j) At 6:34 A.M. I called the Apache County Elections number. I left a voicemail with Apache County.
- k) At 6:36 A.M., I notified Belzowski and Begay that there were reports of the same ballot printer issues for St. Michaels.
- l) At 6:38 A.M., I called the Secretary of State's office and reported these issues to a person over the phone. The Secretary of State's office told me Apache County would call me back. As of 2:11 P.M. they have not reached out to me.
- m) At 6:49 A.M., I emailed Belzowski and Begay to report that I had talked to the Secretary of State's office and they would be reaching out to Apache County.
- n) At 6:50 A.M., Sjoberg called the Arizona Native Vote Election Protection Hotline to report that a "trouble shooter" arrived from the county to the polling location and three voters were able to cast "emergency ballots" but the printers were still down.
- o) At 7:19 A.M. the hotline received a call from Arizona Native Vote Election Protection volunteer Jonathan Friedman that ballot printers were down at the Dennehotso polling location in Apache County. Friedman reported that voters were unable to vote.
- p) At 7:30 A.M. I received a call from volunteer Liu at St. Michael's that the accessible voting devices were not working, and voters were being given provisional ballots.
- q) At 8:38 A.M. I emailed Election Director Rita Vaughan and acting County Attorney Robertson reporting the issues at St. Michaels, Lukachukai, Rock Point, and

Dennehotso. I asked how the county would be treating “emergency ballots” during tabulation. I asked how ballots cast out of precinct, not cast on the accessible voting devices, would be counted.

- r) At 9:48 A.M., I received a call from Liu at St. Michael’s that the voting machines were not working, and voters were being told that the wait time would be one and a half hours to vote.
- s) At 10:20 A.M., Rita Vaughan responded to an email I was cc’ed on about the ballot issues. Director Vaughan stated that there was a fix for the printers and emergency ballots would be treated the same as the other ballots. There was no answer to the question about out of precinct voting.
- t) At 11:30 A.M. I received a call from our volunteer, Marlon Footracer, outside of the polling location in Sanders, Arizona. Marlon reported that two ballot printers were down, the poll workers only had 80 printed ballots, and the line to vote on the accessible voting devices was incredibly long. I asked Footracer to call back in approximately half an hour after observing how the line moved and how long voters were waiting. At 11:58 A.M. Footracer reported that the line had decreased from 33 voters to 27 voters, that voters were waiting over 40 minutes, and that there was no translator at the polling location.
- u) At 1:15 P.M. a Navajo voter, Lambert Benally, called our Arizona Native Vote Election Protection Hotline from the polling location in Red Valley. Benally reported that the Red Valley polling location was out of ballots, the polling location was out of provisional ballots, voters had to wait 1 hour to vote, and poll workers were encouraging people to leave and retrieve early ballots at home if they had

them. Benally reported that he would stay in line to vote. I instructed Benally to call us back once he successfully voted. As of 2:37 P.M. he has not returned our call.

- v) At 1:17 P.M. a Navajo voter, Chalner Gambler, called our hotline to report that he was at the Wheatfields polling location and that a lot of voters were leaving without voting because the ballot printers were down.
- w) At 1:54 P.M. I took a call from a Navajo Tribal member that reported when we went to vote at the Fort Defiance Chapter House in the Navajo Nation election there were numerous issues. He reported long lines for the Fort Defiance polling location for Arizona elections. He said that the wait was reported as 2 to 3 hours because of technical issues and that elders were leaving because they could not stand in the 50-degree weather for that long.
- x) At 2:15 P.M., the hotline received a call from a volunteer, Drew Cooper, at the Tec Nos Pos polling location in Apache County. Our volunteer reported that the ballot printers have been down since the polls opened. Our volunteer reported that 120 people voted provisionally and 30 provisional ballots remained with no working printer. Voters were waiting in line for over 25 minutes in 40-degree weather.
- y) At 2:44 P.M., Cooper called back and reported that Teec Nos Pos was out of printed provisional ballots, ballot printers were still down, and voters were being actively turned away. Voters that were attempting to vote on the only accessible voting device were told that if they did not know how they were going to vote to leave and then come back later because they took too much time. He called back at 2:53 P.M. to report that 6 voters left without voting. At 3:53 P.M. he called back stating that

an Apache County technician had left the polling location and reported that the ballot printers were fixed. Our volunteer reported that there were still long lines.

- z) At 2:58 P.M., the hotline received a call from volunteer Red Eagle outside of the Chinle polling location and she reported that the polling location were out of printed ballots, both provisional and emergency ballots, and there would not be any more delivered. Our volunteers observed voters leaving without the opportunity to vote.
- aa) At 3:19 P.M., the hotline received a call from a woman calling on behalf of her father who attempted to vote at the Wide Ruins polling location at 6:00 A.M. and had to vote an emergency ballot.
- bb) At 3:21 P.M., the hotline received reports that the Round Rock polling location has been out of provisional ballots since 1:00 P.M. and that the ballot printers were still down.
- cc) At 3:27 P.M., our volunteer reported from northern Apache County that between 11:00 A.M. and 12:30 P.M. at the Sweetwater polling location voters were being turned away when there were technical issues that occurred while the polling location ran out of ballots.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.



Signature

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# **EXHIBIT B**

VOTER DECLARATION

1. Colin Begay, declare as follows:

1. I, Colin Begay, am over the age of 18 years old and fully competent to make the following declaration.
2. I am a resident of Apache County, Arizona. I reside at Rock Point, AZ.  
I have resided at this address since 1994.
3. I am a registered voter in Apache County, Arizona, and I meet all requirements to vote in Apache County, in the November 5, 2024 election.
4. I arrived at 10:30 am a polling place in Apache County, Arizona, with the intent to vote at Rock Point 10:30 am on November 5, 2024.
5. I have personal knowledge of the facts set forth below and would be prepared to testify as to the matters set forth in this declaration.
6. The facts are as follows:

The waiting time extends pass 1 hour. There is also only one active voting machine. More than 50 + people were in line waiting to vote.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.

Colin Begay  
Signature



VOTER DECLARATION

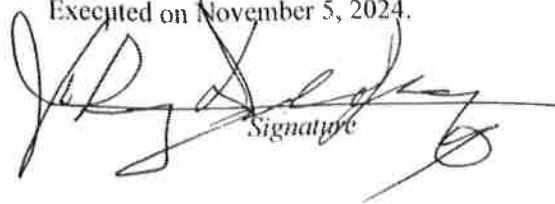
1. Johnny Descheny, declare as follows:

1. Johnny Descheny, am over the age of 18 years old and fully competent to make the following declaration.
2. I am a resident of Apache County, Arizona. I reside at 400 Hwy 191 1/2 mile n/e of Chapter House.  
I have resided at this address since I was born in 1951.
3. I am a registered voter in Apache County, Arizona, and I meet all requirements to vote in Apache County, in the November 5, 2024 election.
4. I arrived at Rock Point Sr. Center, a polling place in Apache County, Arizona, with the intent to vote at 9:40 on November 5, 2024.
5. I have personal knowledge of the facts set forth below and would be prepared to testify as to the matters set forth in this declaration.
6. The facts are as follows:

I didn't vote until 12:40 pm. I had to use electric vote machine because they ran out of ballots. The second batch of ballots was delivered with only propositions page, no candidates page.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.

  
Signature

VOTER DECLARATION

1. Pearlinda Smith, declare as follows:

1. Pearlinda Smith, am over the age of 18 years old and fully competent to make the following declaration.

2. I am a resident of Apache County County, Arizona. I reside at 25 E of Rock Pt Chapter

I have resided at this address since 25 years

3. I am a registered voter in Apache County, Arizona, and I meet all requirements to vote in Apache County, in the November 5, 2024 election.

4. I arrived at Rock Pt Club a polling place in Apache County, Arizona, with the intent to vote at 10:30am on November 5, 2024.

5. I have personal knowledge of the facts set forth below and would be prepared to testify as to the matters set forth in this declaration.

6. The facts are as follows:

We waited for 3 1/2 hrs. The poll workers were not much help w/ Elders who speak Native American. I needed help w/ express vote machine. Very unorganized. This my 1st time voting not a good experience.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.

  
Signature

VOTER DECLARATION

1. Thomas Benally, declare as follows:

1. Thoma Benally, am over the age of 18 years old and fully competent to make the following declaration.
2. I am a resident of Apache County, Arizona. I reside at 3.5 miles SW of Speedway near Rock Point Chapter House  
I have resided at this address since more than 60 years ago
3. I am a registered voter in Apache County, Arizona, and I meet all requirements to vote in Apache County, in the November 5, 2024 election.
4. I arrived at Rock Point Sr. Center, a polling place in Apache County, Arizona, with the intent to vote at Rock Point on November 5, 2024.
5. I have personal knowledge of the facts set forth below and would be prepared to testify as to the matters set forth in this declaration.
6. The facts are as follows:

The waiting time, I have been in the polling place two hours. I didn't time it but it was like two hours. It was like musical chairs. They only have one machine. I don't know why they didn't test the machines.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.

Thomas P. Benally  
Signature

VOTER DECLARATION

1. Alta Yazzie declare as follows:

1. I, Alta Yazzie, am over the age of 18 years old and fully competent to make the following declaration.

2. I am a resident of Apache County, Arizona. I reside at Chinle

I have resided at this address since 50 yrs

3. I am a registered voter in Chinle County, Arizona, and I meet all requirements to vote in Apache County, in the November 5, 2024 election.

4. I arrived at 9:00 a polling place in Chinle Apache County, Arizona, with the intent to vote at Chinle on November 5, 2024.

5. I have personal knowledge of the facts set forth below and would be prepared to testify as to the matters set forth in this declaration.

6. The facts are as follows. The line was long and standing there for an hour and 30 minutes in the cold weather. So we went in and both machines are down even in many farms, chapter etc too. I used to work with the Apache county before. So I don't know if the machine will be able to work thru the day.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.

Alta Yazzie  
Signature

VOTER DECLARATION

1. Johnny Descheny, declare as follows:

1. Johnny Descheny, am over the age of 18 years old and fully competent to make the following declaration.

2. I am a resident of Apache County, Arizona. I reside at 400 Hwy 191 1/2 mile n/e of Chapter House.  
I have resided at this address since I was born in 1951.

3. I am a registered voter in Apache County, Arizona, and I meet all requirements to vote in Apache County, in the November 5, 2024 election.

4. I arrived at Rak Point Sr. Center, a polling place in Apache County, Arizona, with the intent to vote at 9:40 on November 5, 2024.

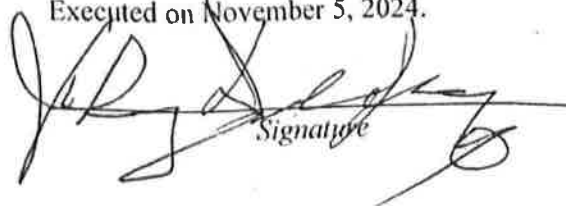
5. I have personal knowledge of the facts set forth below and would be prepared to testify as to the matters set forth in this declaration.

6. The facts are as follows:

I didn't vote until 12:40 pm. I had to use electric vote machine because they ran out of ballots. The second batch of ballots was delivered with only propositions page, no candidates page.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.

  
Signature

RETRIEVED FROM DEMOCRACYDOCKET.COM

# **EXHIBIT C**



# Native Vote Hotline

1-888-777-3831

Volunteer Declaration

1. My name is Virginia Beasley (Print name below)

2. I am Virginia Beasley (Print name) age 58 (over the age of 18 and fully competent to make the following statement. I have personal knowledge of the facts in this declaration.)

3. I am a resident of Atkinsky City, NM County Alamosa

4. I am volunteering with the Arizona Native Vote Hotline Election Project

5. I am based in Lupton, Apache Co. - polling place is Apache County, Arizona. I signed on November 5, 2014

6. I observed the following:

*See ballot printer was only printing one side of the ballots and was not providing provisional ballots also I worried there was concern that they would run out of ballots (provisional) ballots was repaired and working at 10:15. There was just one four person privacy canel. The poll workers said they had requested more but were told there weren't any. Staff is helpful & not on union title, requesting a change and requested as voted but didn't want to change the number*

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2014

Virginia Beasley  
Signature

ARIZONA ELECTION PROJECT  
Page 1 of 1

**Volunteer Declaration**

I, **Carl Slater**, declares as follows:

1. I, **Carl Slater**, am over the age of 18 and fully competent to make the following declaration. I have personal knowledge of the facts in this declaration.
2. I am a resident of **Apache County**, Arizona.
3. I am volunteering with the Arizona Democratic Party.
4. I arrived at **Lukachukai**, a polling place in **Apache County**, Arizona, at **6:15 am** on November 5, 2024.
5. I observed the following:

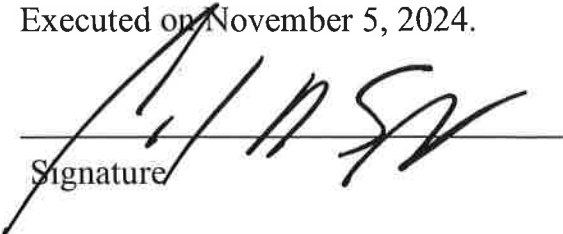
This polling location serves as a polling location for **Apache** as a **precinct**.

At **Lukachukai**, I observed that the printers were not printing the complete ballot. They would only print the second, or back page, of the ballot, which solely contained ballot propositions and no candidates. The staff directed the voters in line, which started at about 15 at 6:30 am to an average of no less than 25-30 from 8:00 am onwards, to use the Express voting machine. Then as the line grew and the wait average about 2-2.5 hours, at a minimum for each voter in line, the staff started issuing the "emergency" provisional ballots for voters in line to use. This ended up reducing the number of voters waiting from around 30 at any moment to closer to 20, with the wait time being closer to a minimum 30-40 minutes. The reduction in wait time did not occur until about 1:30 pm.

I saw at least 20 voters leave because they could not afford to miss work or other obligations to vote and the line would have caused that. There were probably more.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.

  
\_\_\_\_\_  
Signature



VOLUNTEER DECLARATION

1. JONATHAN FRIEDMAN, declare as follows:

1. I, Jonathan Friedman, am over the age of 18 and fully competent to make the following declaration. I have personal knowledge of the facts in this declaration.

2. I am a resident of Los Angeles County, CA ~~Arizona~~.

3. I am volunteering with the Arizona Native Vote Election Protection Project.

4. I arrived at Dennehotso Chapter House, a polling place in APACHE County, Arizona, at 05:30 on November 5, 2024.

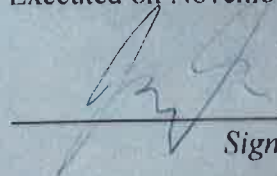
5. I observed the following:

At least one woman was not able to cast ballot due to "IT problem", machine was down

As per Apache County Employee Emilia Tso with whom I spoke at 10:00, machines were still down and it was a "phoenix problem."

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.

  
\_\_\_\_\_  
Signature

VOLUNTEER DECLARATION

I, Dennis Glanzer, declare as follows:

1. I, Dennis Glanzer, am over the age of 18 and fully competent to make the following declaration. I have personal knowledge of the facts in this declaration.

2. I am a resident of Coconino County, Arizona.

3. I am volunteering with the Arizona Native Vote Election Protection Project.

4. I arrived at Tsaile-Wheatfields Chapter House, a polling place in Apache County, Arizona, at 11:45 am on November 5, 2024.

5. I observed the following:

There were many cars and people, and a long line at the entrance to the polling place. One man told me that their ballot printer is printing only one side of the ballot. They are having voters use the electronic machine - but there is only one machine, so it's taking a long time. This person also believes internet connection is an issue at this site. Chalmer Gambler, phone (908) 266-7027, is a student at Diné College, a with Native Vote Arizona, but has different materials. He's been here since early. He talked to some voters who left because they couldn't vote or wait that long. We gave him a Volunteer Declaration form, but has no phone service here, so he may submit that later. My volunteer partner, Judy R. Apachee, talked to more people that are now leaving.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.

Dennis J. Glanzer  
Signature

Volunteer  
~~Voter~~ DECLARATION

email: KingJ7340@gmail.com  
phone number: (928) 266-7027

1. Chalmer Gambler declare as follows:

1. Chalmer Gambler, am over the age of 18 years old and fully competent to make the following declaration. mailing address: Hc 61 Box 171 Winslow, AZ 86047

2. I am a resident of Coconino County, Arizona. I reside at

Housing 12-56-09 Leupp, AZ 86035

I have resided at this address since Aug ~~206~~ 2024.

3. I am a registered voter in Coconino County, Arizona, and I meet all requirements to vote in Coconino County, in the November 5, 2024 election.

4. I arrived at Tsatile / Wheatfields Chapter House, a polling place in Tsatile / Apache County, Arizona, with the intent to vote at Coconino on November 5, 2024.

5. I have personal knowledge of the facts set forth below and would be prepared to testify as to the matters set forth in this declaration.

6. The facts are as follows: I am working with Arizona Native Vote. Around 7am I started hearing complaints about the voting machine not printing ballots completely. because of this many people had to use one voting computer and the line started backing up. Then, after waiting a while people started leaving the poll center without voting.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.

[Signature]  
Signature

VOLUNTEER DECLARATION

1. MANUELITO WHEELER declare as follows:

1. MANUELITO WHEELER am over the age of 18 and fully competent to make the following declaration. I have personal knowledge of the facts in this declaration.

2. I am a resident of APACHE County, Arizona.

3. I am volunteering with the Arizona Native Vote Election Protection Project.

4. I arrived at 14.88 FT. DEF. CH. a polling place in

Apache Ft. Def. Chapt County, Arizona, at 11:15 on November 5, 2024.

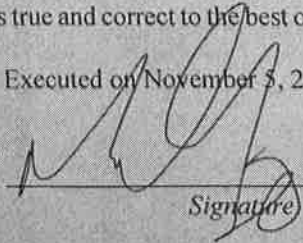
5. I observed the following:

There were printer probs which held up the process quite a bit. There were only 2 electronic polls open. 75 people ~~in~~ ahead of us waited over 3 hours. We were among the first who were there when the printers started working.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

I saw many people leave.

Executed on November 5, 2024.

  
\_\_\_\_\_  
Signature

VOLUNTEER DECLARATION

I, Harold Wauneka, declare as follows:

1. I, Harold Wauneka, am over the age of 18 and fully competent to make the following declaration. I have personal knowledge of the facts in this declaration.

2. I am a resident of Apache County, Arizona.

3. I am volunteering with the Arizona Native Vote Election Protection Project.

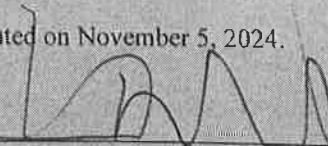
4. I arrived at 11:30 am, a polling place in Apache County, Arizona, at Kort Doffin on November 5, 2024.

5. I observed the following:

Chapter  
Voters waiting up to 3 hours in cold weather due to voting machines break down.  
No chair for the senior population  
No signage for Navajo / State / county elections  
Little or no Navajo interpreters outside the polling area.  
No handicapped designated areas on site

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.

  
Signature

VOLUNTEER DECLARATION

I, Shandiin Herrera, declare as follows:

1. I, Shandiin Herrera, am over the age of 18 and fully competent to make the following declaration. I have personal knowledge of the facts in this declaration.
2. I am a resident of Maricopa County, Arizona.
3. I am volunteering with the Arizona Native Vote Election Protection Project.
4. I arrived at Apache County District 1, a polling place in Apache County, Arizona, at 6 AM on November 5, 2024.
5. I observed the following:

Voters told the machine is not working so it is a long wait. There are elders waiting in the cold. Some people are leaving upset. It is unclear when the issue will be solved. Some people have been waiting anywhere between 90-120 minutes.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.

Shandiin Herrera  
Signature

VOLUNTEER DECLARATION

I, Sadie Red Eagle, declare as follows:

1. I, Sadie Red Eagle, am over the age of 18 and fully competent to make the following declaration. I have personal knowledge of the facts in this declaration.
2. I am a resident of Maricopa County, Arizona.
3. I am volunteering with the Arizona Native Vote Election Protection Project.
4. I arrived at 6:00 a.m., a polling place in Apache County, Arizona, at 12:30 on November 5, 2024.
5. I observed the following:  
multiple voters have reported that two election machines are down inside the polling place. There are elders and people with disabilities waiting in line from 90 to 120 minutes ~~waiting~~ to vote. Many are frustrated and at least 10 people have left without voting due to the long lines. There is no timeline of when these issues will be resolved.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.

Sadie Red Eagle  
Signature

VOLUNTEER DECLARATION

I, Constancia, declare as follows:

1. I, Constancia, am over the age of 18 and fully competent to make the following declaration. I have personal knowledge of the facts in this declaration.

2. I am a resident of McClung County, New Mexico's ~~Arizona~~.

3. I am volunteering with the Arizona Native Vote Election Protection Project.


4. I arrived at St Michaels May House of Manhood a polling place in Apache County, Arizona, at 5:00 AM on November 5, 2024.

5. I observed the following:

Voters were not able to cast a ballot for about 3 hours because the printers were not working and the assisted voter device was intermittently not working. There was also only one machine and the line was very long. Several voters left, at least 2 were not included to come back. The line did start moving again once the printers were back up.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.

  
\_\_\_\_\_  
Signature



VOLUNTEER DECLARATION

I, Loretta R. Chae/John, declare as follows:

1. I, Loretta R Chae John, am over the age of 18 and fully competent to make the following declaration. I have personal knowledge of the facts in this declaration.

2. I am a resident of Apache County, Arizona.

3. I am volunteering with the Arizona Native Vote Election Protection Project.

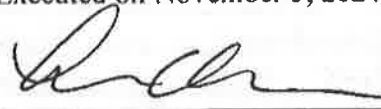
4. I arrived at St Michaels Mission, a polling place in Apache County, Arizona, at 9:00 am on November 5, 2024.

5. I observed the following:

- Voters being turned away due to equipment malfunction <sup>printer</sup>
- Equipment Failure - printer
- Ballot Machine not working due to malfunction.
- Spanish Ballots given out on Navajo centered jurisdiction.
- Front Area -- no handicap accessibility
- One voter's mail in ballot not counted. Voter went inside to see if she can vote. Loretta Burnett
- One line took almost 2 hrs. to vote
- No Navajo interpreter
- Rally buttons were not permitted inside voting place.
- Confusion with which lines are for tribal + state.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.



Signature

VOLUNTEER DECLARATION

1. Frances Sjoberg, declare as follows:

1. Frances Sjoberg, am over the age of 18 and fully competent to make the following declaration. I have personal knowledge of the facts in this declaration.

2. I am a resident of Maricopa County, Arizona.

3. I am volunteering with the Arizona Native Vote Election Protection Project.

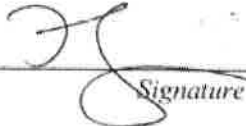
4. I arrived at Rock Point Senior Center, a polling place in Apache County, Arizona, at 6:10 am on November 5, 2024.

5. I observed the following:

- polling place not ready to receive voters because printers were not working. Poll workers utilized "emergency ballots" (pre-printed paper) to get started, and then utilized the Express vote machine.
- I was informed by poll workers the problem with the printer is that it only prints one-sided. As of Noon, no one has arrived to fix the printer, and the poll workers have run out of emergency ballots.
- There is only one express vote machine, and the line has grown long, and is getting longer by the minute. 31 people are standing outside now, and I'm not sure how many inside. 17 people, at least, have left because the wait is too long.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.

  
\_\_\_\_\_  
Signature

**VOLUNTEER DECLARATION**

I, Loretta R. Chee John, declare as follows:

1. I, Loretta R. Chee John, am over the age of 18 years old and fully competent to make the following declaration.
2. I am a resident of Apache County, Arizona. I reside 2 miles north of the St. Michaels Chapter House in St. Michaels, Arizona.
3. I am a registered voter in Apache County, Arizona, and I meet all requirements to vote in Apache County, in the November 5, 2024 election.
4. I arrived at Mary, Mother of Mankind Parish Gymnasium, a polling place in St. Michaels, Apache County, Arizona, with the intent to vote at 9:00 A.M. on November 5, 2024.
5. I have personal knowledge of the facts set forth below and would be prepared to testify as to the matters set forth in this declaration.
6. The facts are as follows:
  1. Voters were being turned away due to printer malfunction.
  2. The ballot machine was not working due to malfunction.
  3. Voters told me that Spanish ballots were being given to Navajo voters.
  4. The polling location was not accessible for disabled voter.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 5, 2024.



\_\_\_\_\_  
*Signature*