

Congress of the United States
Washington, DC 20515

March 15, 2023

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Attorney General Garland:

Thank you for your commitment to protecting our democracy by working to uphold a free and fair election process. I write to urge the Department of Justice to investigate the actions taken by the Cochise County Board of Supervisors in recently appointing David Stevens as county elections administrator and to monitor this situation as it continues to unfold. On February 28, 2023, the Cochise County Board of Supervisors voted to transfer nearly all the authority for running elections to the county recorder.¹ This action appears to be an attempt to undermine the established precedent in order to support a specific political agenda. I am concerned that this agreement may result in the partisan administration of elections in Cochise County.

David Stevens has a history of endorsing election denialism and has close connections with election denying candidates in Arizona. Mr. Stevens promoted and endorsed the illegal proposal to hand count all midterm election ballots in Cochise County, a proposal that was later blocked by the courts. In addition, Mr. Stevens has closely associated himself with election-denying candidate and unsuccessful GOP nominee for Arizona Secretary of State, Mark Finchem.² Finchem was in attendance during the January 6th insurrection and has sought to demonize and politicize election ministerial roles and undermine the integrity of democratic processes in our state and across the country.³

I agree with Arizona Attorney General Kris Mayes' assessment that "In shifting all election duties to the Recorder—a distinct constitutional county officer—the Agreement says not a word about how or whether the public may still have access to deliberations on matters that the Board would normally consider in open meetings. The Agreement is contrary to law, and this Court should prohibit Defendants from implementing it."⁴

As you know, in Arizona, the vast majority of the 15 counties separate elections duties between an elected county recorder and an appointed elections director. In addition, there are several distinctions between the roles of county recorder and county elections director. As county recorder, one of Stevens primary duties is, "maintaining voter registration records for all

¹ <https://www.azcentral.com/story/news/politics/elections/2023/02/28/cochise-county-supervisors-consolidate-elections-under-recorder-after-2022-election/69955244007/>

² <https://arizona.votebeat.org/2023/2/7/23589804/cochise-county-elections-recorder-david-stevens-hand-count>

³ <https://www.azmirror.com/2021/06/02/mark-finchem-was-much-closer-to-the-jan-6-insurrection-than-he-claimed/>

⁴ <https://www.azcentral.com/story/news/politics/arizona/2023/03/07/cochise-county-supervisors-recorder-sued-by-arizona-attorney-general/69982361007/>

jurisdictions within the county and performing related responsibilities as statutorily required.”⁵
This includes voter registration outreach, mailing early ballots for voters who request them, receiving nomination and petition paperwork, and confirming signatures on completed ballots. However, the administrative work of running elections in Cochise County, including establishing polling locations on Election Day, hiring personnel such as poll workers and officials and the counting of ballots has fallen under the responsibility of the county elections director.

In my opinion, given the past actions by Mr. Stevens and members of the Republican majority on the Cochise County Board of Supervisors, this broad consolidation of power in Mr. Stevens is dangerous and threatens to undermine faith in Cochise County elections. For those reasons, I encourage the Department of Justice to investigate and monitor Cochise County’s elections processes under Mr. Stevens’ management and provide Arizona Attorney General Mayes with the resources and support her office may need to protect voting rights and the integrity of elections in Arizona.

Thank you for your diligent attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Raúl M. Grijalva". The signature is written in a cursive style with a large, stylized 'R' and 'G'.

Raúl M. Grijalva
Member of Congress

⁵ <https://www.cochise.az.gov/498/Recorder>