



**NOTICE OF PUBLIC MEETING
AND POSSIBLE EXECUTIVE SESSION OF THE
STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION**

Location: Citizens Clean Elections Commission
1110 W. Washington, Suite 250
Phoenix, Arizona 85007

Date: Thursday, December 11, 2025

Time: 10:00 a. m.

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the Commissioners of the Citizens Clean Elections Commission and the general public that the Citizens Clean Elections Commission will hold a regular meeting, which is open to the public on December 11, 2025. This meeting will be held at 10:00 a.m. **This meeting will be held in person and virtually. The meeting location will be open by 9:45 a.m. at the latest.** Instructions on how the public may participate in this meeting are below. For additional information, please call (602) 364-3477 or contact Commission staff at ccec@azcleelections.gov.

The meeting may be available for live streaming online at <https://www.youtube.com/c/AZCCEC>. You can also visit <https://www.azcleelections.gov/clean-elections-commission-meetings>. Members of the Citizens Clean Elections Commission may attend in person, by telephone, video, or internet conferencing.

Join Zoom Meeting

<https://us02web.zoom.us/j/88224125089>

Meeting ID: 882 2412 5089

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Please note that members of the public that choose to use the Zoom video link must keep their microphone muted for the duration of the meeting. If a member of the public wishes to speak, they may use the Zoom raise hand feature and once called on, unmute themselves on Zoom once the meeting is open for public comment.

Members of the public may participate via Zoom by computer, tablet or telephone. A dial-in option is also available but you will not be able to use the Zoom raise hand feature, so the meeting administrator will assist phone attendees. Please keep yourself muted unless you are prompted to speak.

The Commission may allow time for public comment on any item on the agenda. Commission members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing Commission staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date.

The Commission may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice on any item listed on the agenda, pursuant to A.R.S. § 38-431.03 (A)(3). The Commission reserves the right at its discretion to address the agenda matters in an order different than outlined below.

Any person with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the Commission at (602) 364-3477. Requests should be made as early as possible to allow time to arrange accommodations.

The agenda for the meeting is as follows:

- I. Call to Order.
- II. Discussion and Possible Action on Meeting Minutes for November 20, 2025 and November 28, 2025.
- III. Discussion and Possible Action on Executive Director’s Report, Enforcement and Regulatory Updates, and Legislative Update.

Note: The executive director’s report includes announcements and information about elections and campaign finance, a report on voter education activities, administrative information, information on candidates running clean, reports on legal proceedings involving Clean Elections and other Arizona election officials, a report on correspondence from other agencies, appointments, enforcement status, the regulatory agenda, reports of the Auditor General, and the Governor’s Regulatory Review Council. The legislative update includes bills that have or may be considered for action by the Arizona legislature or the Governor. Materials are

included in the Commission packet available on its website or by request at ccec@azcleanelections.gov.

- IV. Discussion and Possible Action on Arizona Clean Elections Commission v. Fontes, CV2025-064149 (Maricopa Sup. Ct.), Arizona Democratic Party v. Fontes, CV2025-064362 (Maricopa Sup. Ct.), Notice of Claim Filed by “Arizona Independent Party” and Independent Candidates.

In this context the Commission may consider authorizing a range of legal options including consideration of the interrelationship, if any, between and among the matters identified in this item.

The Commission may vote to go into Executive Session, which will not be open to the public for discussion or consultation with its attorneys in order to consider its position and instruct its attorneys regarding its position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. A.R.S. § 38-431.03(A)(4).

- V. Discussion and Possible Action on Annual Budgetary Calculations and 2026 Spending Plan.
- VI. Discussion and Possible Action on Probable Cause to Believe violations of the Act and Rules occurred in MUR 25-01 Hector Jaramillo, 2024 participating legislative candidate.
- VII. Discussion and Possible Action on Proposed 2026 Meeting Dates, January – July.
- VIII. Public Comment.

This is the time for consideration of comments and suggestions from the public. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter for further consideration and decision at a later date or responding to criticism

- IX. Adjournment.

This agenda is subject to change up to 24 hours prior to the meeting. A copy of the agenda background material provided to the Commission (with the exception of material relating to possible executive sessions) is available for public inspection at the Commission’s office, 1110 W Washington St, #250, Phoenix, AZ 85007.

Dated this 9th day of December, 2025
Citizens Clean Elections Commission
Thomas M. Collins, Executive Director

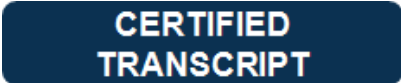
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THE STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF PUBLIC MEETING

Phoenix, Arizona
November 20, 2025
10:00 a.m.

By: Kathryn A. Blackwelder, RPR
Certified Reporter
Certificate No. 50666



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1 PUBLIC MEETING BEFORE THE CITIZENS CLEAN
2 ELECTIONS COMMISSION convened at 10:00 a.m. on November
3 20, 2025, at the State of Arizona, Clean Elections
4 Commission, 1110 West Washington, Conference Room,
5 Phoenix, Arizona, in the presence of the following
6 Board Members:
7
8 Mr. Mark Kimble, Chairman
9 Mr. Galen Paton
10 Ms. Christina Werther
11 Mr. Sam Crump
12 Mr. Steve Titla
13
14 OTHERS PRESENT:
15 Thomas M. Collins, Executive Director
16 Paula Thomas, Executive Officer
17 Mike Becker, Policy Director
18 Gina Roberts, Voter Education Director
19 Alec Shaffer, Web Content Manager
20 Avery Xola, Voter Education Manager
21 Mary O'Grady, Osborn Maledon
22 Isabela von Dehl, Richards & Moskowitz
23 Bill Richards, Richards & Moskowitz
24 Samantha Fox, Richards & Moskowitz
25 Cathy Herring, KCA

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1 P R O C E E D I N G
2 CHAIRMAN KIMBLE: Good morning. I'm Mark
3 Kimble.
4 Agenda Item I is the call to order. It is
5 10:00 a.m. on November 20th, 2025. I call this meeting
6 of the Citizens Clean Elections Commission to order.
7 With that, we will take attendance.
8 Commissioners, please identify yourselves for the
9 record.
10 COMMISSIONER WERTHER: Christina Werther.
11 COMMISSIONER PATON: Galen Paton.
12 COMMISSIONER CRUMP: Sam Crump.
13 CHAIRMAN KIMBLE: Thank you very much. I'm
14 Mark Kimble. We have a quorum.
15 Item II, discussion and possible action on
16 the minutes for October 23rd.
17 Commissioners, you have the minutes from our
18 October 23rd meeting in your packet. Is there any
19 discussion?
20 (No response.)
21 CHAIRMAN KIMBLE: Hearing none, is there a
22 motion to approve the minutes?
23 COMMISSIONER WERTHER: I move to approve the
24 minutes for October 23rd, 2025.
25 CHAIRMAN KIMBLE: Thank you,

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1 Commissioner Werther.
2 Is there a second?
3 COMMISSIONER PATON: I'll second it.
4 CHAIRMAN KIMBLE: Thank you,
5 Commissioner Paton.
6 It's been moved and seconded that we approve
7 the minutes from our October 23rd meeting. I will call
8 the roll.
9 Commissioner Werther.
10 COMMISSIONER WERTHER: Aye.
11 CHAIRMAN KIMBLE: Commissioner Paton.
12 COMMISSIONER PATON: Aye.
13 CHAIRMAN KIMBLE: Commissioner Crump.
14 COMMISSIONER CRUMP: Aye.
15 CHAIRMAN KIMBLE: Chair votes aye. The
16 minutes are approved.
17 COMMISSIONER TITLA: Chairman, this is
18 Commissioner Titla. I vote aye also.
19 CHAIRMAN KIMBLE: Thank you,
20 Commissioner Titla. The record will show that we have
21 all five Members of the Commission present.
22 Item III, discussion and possible action on
23 the Executive Director's Report.
24 Tom.
25 MR. COLLINS: Thank you, Commissioners.

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1 Happy Thanksgiving early. I hope you've made your
2 travel plans solid.
3 I wanted to highlight, you know, Gina was
4 appointed to the National Voter Registration Day
5 Steering Committee. I don't know -- you all probably
6 know this from being -- from now, but we have been
7 actively involved with the National Voter Registration
8 Day holiday for, I think, 10 years or close now, and
9 the holiday has existed for 13 years. And the --
10 having that day focused on voter registration in
11 September has resulted in more than 6 million voter
12 registrations.
13 And on the board -- on the Steering
14 Committee, rather, with Gina will be the Kentucky and
15 Minnesota Secretary of State, two Election Assistance
16 Commission members, and folks involved in civics and
17 other issues around the country, so that's very
18 exciting. And, you know, Gina and Avery and Alec have
19 worked to, you know, be on the ground for the National
20 Voter Registration Day programming, you know, for a
21 long time now, so that, I thought, was a really cool
22 thing.
23 We will have our second town -- issue town
24 hall in partnership with Telemundo. That is going to
25 be recorded on December 1. If you're interested in

<p style="text-align: right;">Page 6</p> <p>1 attending, please let us know. We have 10 seats 2 available to us, we believe. 3 And then we had -- since we last met, we had 4 the local elections for November -- November 4th, 5 excuse me, and we were able to provide, I think, a lot 6 of background and information to some of the local 7 television stations, which was, I think, a good -- a 8 good thing for us. 9 And then finally, I just -- I did want to 10 post, so you have them, the October voter registration 11 totals. 12 As you can see, we've kept up a pretty active 13 outreach agenda. And the Strategic Partnerships 14 meeting that we all went to was an interesting, good 15 opportunity to be in touch with members of different 16 tribal communities and counties. We met in Maricopa -- 17 or, just outside of Maricopa. And Avery was featured 18 at Mi Familia Vota's leadership training as a speaker. 19 And we're continuing to work on getting ready for next 20 year. And Gina right now is coming to us from the 21 Mechanics of Democracy Lab and AI Elections Boot Camp, 22 so -- 23 And then meanwhile, administratively, Mike 24 has been fielding calls from and getting candidates set 25 up who are -- who are getting ready to run clean. And</p>	<p style="text-align: right;">Page 8</p> <p>1 Once you get past the -- in my view, and Mike 2 can speak to this too, once you get past the seed money 3 caps, which are pretty complicated, right, like how 4 much money you can take -- how much money you yourself 5 can give, how much money your family can contribute, 6 there's some -- and then how much overall seed money 7 you can take, that's probably, I think, the most 8 complicated part of the underlying money piece. 9 And then the next step is getting people to 10 understand that because all of the money is in one 11 account, even though these categories have to be met, 12 that doesn't mean you're constantly accounting for 13 that, right. There's no segregation of the dollars. 14 It's a matter of you making sure that there's enough 15 money in your account to cover each one of the 16 categories that you're obligated to cover. Those are 17 the two most complicated things about it from an 18 administrative perspective. 19 As far as sort of the admonitions things that 20 we're working on, working into it, you know, that's 21 something that we, you know, I think as -- especially 22 after today hopefully, with the rule we have up, you 23 know, that's something that we've talked about, you 24 know, hitting more. 25 But our goal with this workshop is to do two</p>
<p style="text-align: right;">Page 7</p> <p>1 that's been a pretty steady, I think, pretty consistent 2 level of inquiry and folks are starting to get signed 3 up for the workshops. 4 I think that that -- I think that really is 5 sort of the things that I wanted to highlight for 6 the -- for the report. But if you all have any 7 questions for me -- 8 COMMISSIONER PATON: I have a question. 9 MR. COLLINS: Sure. 10 CHAIRMAN KIMBLE: Commissioner Paton. 11 COMMISSIONER PATON: The workshops that you 12 have for these people that are doing Clean Elections, 13 how -- how long are they? How many days? 14 MR. COLLINS: Well, they're not days. 15 COMMISSIONER PATON: Oh. 16 MR. COLLINS: I mean, the -- I think we try 17 to get them in and out in, depending on how many 18 questions they have, in around an hour. 19 The reality is that the main points that it 20 hits are really the main points that most people have 21 no problem with once they understand, which is what 22 kind of money are you allowed to take, what kind of 23 paperwork do you need to file, when do you need to file 24 it, and then understanding, you know, reporting 25 deadlines and all that kind of stuff.</p>	<p style="text-align: right;">Page 9</p> <p>1 things. It's, first of all, to demystify, rather than 2 mystify. In other words, it's to try to say this is 3 less complicated than you think, not more complicated 4 than you think. Because a lot of people come in with 5 the idea that it's very complicated. And then, second 6 of all, really to make sure that they understand that 7 we will answer all their questions. In other words, to 8 develop a relationship where, if they're in contact 9 with Mike -- 10 And I will tell you this anecdotally, and I 11 may have said this last month, but I was out in 12 Goodyear in, I think, September, and people -- a couple 13 people who had run clean before, I mean, the first 14 thing that they, you know, would come up to me to 15 say -- I mean, this is not -- is to say how easy it is 16 to get ahold of Mike, how Mike answers all the 17 questions, how -- and that's -- you know, that's the 18 vast majority of our -- of our folks. 19 So that's really the purpose of the workshop. 20 So it's not, you know -- if we can get that 21 relationship going -- now, in some cases, as we've 22 seen, that doesn't happen, and that's -- and that -- 23 but we haven't oriented the workshops around the 24 outliers. We've really oriented around trying to make 25 sure that people understand that, you know, we're there</p>

<p style="text-align: right;">Page 10</p> <p>1 for -- to answer their questions on an ongoing basis so 2 that they don't run into trouble. 3 COMMISSIONER PATON: So it -- so it's 4 multiple workshops, but they only have to go to one? 5 MR. COLLINS: They could go to as many as 6 they want to as they have questions. I mean, but the 7 idea -- the philosophy we've had for this has been -- 8 you know, we're a government agency, right. The first 9 instinct people have when they deal with the government 10 is, it's going to be negative, it's going to be opaque, 11 and it's going to be evasive. So the first thing we do 12 is try to knock down those barriers. 13 The next thing we do is we have this program 14 that, especially in the two areas I'm talking about, 15 seems very complex, right, because there are these 16 specific caps you have to work around. And until they 17 click, they just -- I mean, they just are -- they feel 18 very complicated. So getting that done, getting them 19 to understand, you know, what -- you know, the \$5 20 process, what they need, and then -- and then having 21 that relationship continue. So I'm not sure -- 22 Have we ever had people come back twice? I 23 mean, I'm sure we -- yeah, we do have people come back 24 on an ongoing basis to develop that. 25 So I think this year we've already said that</p>	<p style="text-align: right;">Page 12</p> <p>1 official voter education organization -- this is 2 greatly going to complicate our job. So that's what I 3 hope we'll discuss today. 4 Tom and Gina have some brief thoughts on 5 this; and then if you have questions, we can address 6 those. 7 Bill Richards, who is our counsel, is 8 available if we need to go into executive session, but 9 I think the majority of this discussion should be in 10 open session. 11 Tom, do you want to start? 12 MR. COLLINS: Yes. Mr. Chairman, thank you. 13 I have a PowerPoint that tries to summarize, I think, 14 the upshot of what the memo I provided -- we provided 15 does. And then Gina, you know, I hope will be able to 16 talk a little bit about some of the vote -- the aspects 17 of the memo that get into voter education. 18 Just so you know, Gina and I this morning, 19 you know, presented a very similar set of -- a very 20 similar presentation to the County Recorders, so -- and 21 I think that was -- I mean, we think that went well. 22 And we had -- I think almost every County Recorder's 23 office was represented on that call. So, you know, and 24 that is -- that is something we were invited to do in 25 part because of, you know, the County Recorders'</p>
<p style="text-align: right;">Page 11</p> <p>1 we were going to emphasize the need to get your filings 2 in on time, you know, because that's been our big issue 3 the last year, but that's sort of how we've been doing 4 it. 5 COMMISSIONER PATON: Okay. Thank you. 6 CHAIRMAN KIMBLE: Thank you, 7 Commissioner Paton. 8 Are there any other questions or discussion 9 from the Commission? 10 (No response.) 11 CHAIRMAN KIMBLE: Thank you, Tom. 12 Moving on to Item IV, discussion and possible 13 action on the Secretary of State's October 16th 14 decision regarding the No Labels Party name change. 15 Commissioners, you will recall last month we 16 had some questions about this decision as part of the 17 Executive Director's Report. Based on that discussion, 18 staff has gone out and researched the decision and 19 starting to examine the voter education implications of 20 the decision. 21 And let me just say personally, as a 22 registered independent, I'm very concerned about this 23 decision by the Secretary of State's Office to allow 24 the No Labels Party to change its name to the Arizona 25 Independent Party. I think our role as the State's</p>	<p style="text-align: right;">Page 13</p> <p>1 concerns they've expressed to us. 2 So I think the -- I wanted to sort of talk 3 real quick just to ground us in the timeline here. If 4 we could -- I think we can go to the next slide, Cathy. 5 Sorry. I think that's the next slide. Maybe not. 6 Yeah. 7 So this is -- this is, the best we can tell, 8 the timeline here. October 8th, No Labels submitted 9 this request. The next week the Secretary approved it. 10 And then at least the first notice we can find of this 11 being contemplated and approved is this October 17th 12 story in Axios. Since that time, you know, obviously 13 many of you expressed concern at the last meeting about 14 this. There were Counties, some parties expressed 15 concerns over this. And then -- 16 And this has been coupled with the idea, 17 which is a little hard to understand if it's a policy 18 statement or something that's part implementation or 19 a -- just sort of an urging, but the Secretary's Office 20 seems to would like agencies to just stop using the 21 word independent to describe unaffiliated voters 22 altogether, which, in the words of the Secretary of 23 State, has to do with because that -- that sort of 24 essentially belongs to the party now. 25 And so, you know, this is -- this -- all</p>

<p style="text-align: right;">Page 14</p> <p>1 these things taken together kind of create the issue, 2 you know, that we're talking about. December 1 is when 3 this is supposed to start to happen; although, there 4 may be implementation already happening on the Motor 5 Vehicle Division website, Service Arizona. We're not 6 actually clear on what's going on there exactly. 7 I guess we can go to the next one. 8 You know, just to boil down the legal aspect 9 of the memo the best I could, and that -- you know, my 10 analysis anyways, right, is -- and I couldn't fit this 11 on one slide with the font working out. And I guess 12 I'm just not good enough at PowerPoint yet. So 13 basically this is a question of like -- in my view, 14 it's between regular and irregular election 15 administration decisions, right. 16 Typically you've got some affirmative 17 statutory authority. Typically you don't take on 18 statutory silence as a basis for a new power. 19 Typically you've got some notice. Typically you've got 20 some effort at alignment with election officials. 21 Typically you avoid late cycle changes that affect 22 voter registration systems. Typically you try to 23 balance the First Amendment interests with the state 24 interests, rights of voters, parties, and other, right. 25 You're trying to be predictable, you're trying to be</p>	<p style="text-align: right;">Page 16</p> <p>1 the party is involved in a quintessential state -- 2 state action. Elections are state action, period. 3 There's not -- you know, you can't get around that by 4 delegating, you can't get around that by -- by, you 5 know -- so parties have First Amendment rights 6 absolutely, but they aren't absolute rights. 7 And then again, you know, there's a 8 unilateral benefit to one party, which is sort of odd. 9 So that's really -- you know, boiling all the 10 words I wrote down to it is -- the principles, I think, 11 that you can extract from them, this is an irregular 12 decision. 13 The next -- I guess we can go to the next 14 slide. 15 So we anticipate some legislative action on 16 this, some judicial action. There are pros and cons to 17 both. I tried to sort of outline them. You know, I 18 think that the big -- you know, I think you can imagine 19 the pros. Some kind of statutory clarity, as Gina will 20 talk later. You know, this is -- this is, right now, 21 an ongoing issue for this party in particular and maybe 22 an ongoing issue statutorily, but, you know, the 23 other -- but there are problems with -- you've got to 24 try to make -- if you want to undo this decision, 25 you've got to try to make it retroactive, you've got to</p>
<p style="text-align: right;">Page 15</p> <p>1 transparent, you're trying to be consistent, right. I 2 mean, these are pretty universally, I think, 3 acknowledged principles. 4 So, you know, to boil what I've -- what I've 5 written down, if we go to the next one, here we've got 6 an action taken in the face of statutory silence that's 7 treated as creating authority. We have no notice of 8 the pending decision. It's unilateral. The 9 legislative structure are not considered in any record 10 we've seen. It's late. I mean, for purposes of voter 11 registration -- granted there may be a push to register 12 more voters over the first quarter of, you know, of 13 2026 leading up to the primary. But nevertheless, 14 we're, you know, something like three quarters of the 15 way through signature gathering. 16 And then the way the memo, that I believe you 17 all had a copy of, frames this is as a near-absolute 18 First Amendment right on the part of the party, which 19 is inconsistent with the position the State had taken 20 up until literally July, when the Ninth Circuit said, 21 no, in fact, where there's a legitimate interest in 22 voter confusion, in administration of elections, all 23 that stuff, the question is what the burden is on the 24 party in comparison to that, not just the party's sort 25 of unilateral right to do -- to do anything, because</p>	<p style="text-align: right;">Page 17</p> <p>1 try to -- and you're implicitly, in a sense, validating 2 the irregular administrative decisions to do that. So, 3 you know, there's pros and cons. 4 And if we go to the next slide. 5 Judicial, similarly, you know, if we could 6 get -- if someone were to file something that got an 7 injunction that would, you know, allow a pause, a 8 reassessment at a minimum, maybe avoid wasted 9 resources, but obviously the results there are never 10 certain and there is a possibility of deference to the 11 Secretary of State's Office, assuming there's someone 12 with, you know, proper standing to bring the action. 13 So, you know -- you know, so if we could move 14 to the next slide then. 15 You know, we kind of think you've got to -- 16 you know, in terms of looking at this not necessarily 17 just from the Commission perspective, but how this 18 issue ought to be addressed if you're -- if you're, you 19 know, of the belief -- that memo makes pretty clear 20 it's staff's belief that this is a bad decision. You 21 know, you've kind of got to look at both of the ways 22 you can -- can address it if it's going to be 23 addressed, you know. 24 You know, it -- you know, we don't -- we 25 don't and haven't typically had a lot to say about this</p>

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1 level of administrative decision. But I think, as
2 Chairman Kimble said, because this, you know, directly
3 impacts voter education efforts, we have already heard
4 from County Recorders about their concerns because
5 there's not -- I mean, I'm not aware of, at this point,
6 like any public document on the Secretary's website
7 that says, X is going to happen on Y date. These --
8 you know, these things are all going to happen on this
9 date. Like, you know -- like the map, the way forward,
10 right, and how that's -- how that's going to work, I
11 don't know that that's been made available. If it is,
12 I don't -- I don't -- I don't have it.

13 And I'm not necessarily saying I should have
14 it. But if you're going to go from on date -- on today
15 to December 1 where some number of voters who are
16 current members of the No Labels Party, so the 40,000
17 folks or whatever, are going to be American Independent
18 Party people, and then once the MVD website changes,
19 right, that's where something -- I can't remember the
20 exact statistic anymore, but -- was it 90? It's a very
21 large percentage of people register there. I mean,
22 that's a -- that's -- once that goes online, I mean,
23 that's instantaneously going to, you know, bring about
24 this -- you know, this confusion.

25 And we know from the California experience

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1 that, you know, we cited in the memo, you know, that a
2 similar situation 10 years ago, something on the order
3 of 73 percent of folks believed they were registered in
4 the -- believed they were not a party, they were an
5 independent, and nevertheless ended up in a party
6 called the American Independent Party.

7 So I think that's -- that's sort of the
8 policy landscape as we see it. I'm happy to answer
9 questions about that from -- from you, obviously. And
10 then Gina, I think, has some -- I think has given some
11 real serious thought to the voter education strategy
12 around this and support.

13 The one other thing I would note, you know,
14 is that, you know, whatever anybody thinks about our
15 voter education authority, the Clean Elections
16 Commission Voter Education Guide is the only thing that
17 comes from the State that goes to every single voter in
18 the state ahead of the primary. So, you know -- so
19 even if you say, well, you don't -- this isn't
20 mandatory, that's not mandatory, that's optional, you
21 don't have to deal with all of that, the fact is that
22 the last word that anybody is going to hear from the
23 State of Arizona about this issue and how to address it
24 as a voter is going to be in the primary election Voter
25 Education Guide.

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1 So I think that, you know, all other debate
2 aside, I think that's a pretty -- that's a pretty big
3 stake that we have in this decision and making sure
4 that everybody gets it right, so...

5 CHAIRMAN KIMBLE: Thank you, Tom.

6 Gina, do you want to weigh in on this now?

7 MS. ROBERTS: Yes. Mr. Chairman,
8 Commissioners, thank you. I don't have slides, but I
9 will just jump in and speak to the voter education
10 components of this.

11 I want to start by providing a little bit of
12 background on the voter registration process. And so I
13 know in the ED Report Tom shared with you the current
14 voter registration statistics, and I just wanted to
15 highlight that the No Labels Party has less than
16 1 percent of registered voters, of our electorate. And
17 then we have this other category that is referred to as
18 "other," as you'll see in the ED Report, and that is
19 the second highest bloc, coming in at 34.37 percent.

20 So the other names on there, Republican,
21 Democratic, Libertarian, No Labels, and Green, those
22 are what we call recognized parties. They have gone
23 through a process to obtain recognition at the state
24 level to appear on the statewide ballot. So they have
25 that precious ballot real estate.

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1 Any -- when a voter registers to vote, if
2 they do not select one of those recognized parties,
3 they are lumped into this category called "other."
4 That could be an independent voter, someone who is
5 unaffiliated with a party; it could also be a voter who
6 considers themselves a member of a party that does not
7 have statewide recognition, such as the Constitution
8 Party that you might see active in other states.

9 So a voter who, again, is not registered with
10 one of those recognized parties, they are in this
11 "other" category, and that's what we often refer to as
12 independent voters, and that makes up a very large bloc
13 of our electorate. We've seen in Arizona history where
14 it's been the highest voting bloc in Arizona.

15 So when we are considering what this impact
16 will be in terms of the name change, first -- and Tom
17 sort of alluded to this -- I want to stress that this
18 is not a simple fix. It is not a one and done. It is
19 ongoing voter education. This is something that will
20 continue to cause voter confusion several election
21 cycles from today, because we have a 30- -- three
22 decades, 30 years of history in Arizona using the term
23 independent and what that stands for. We've trained
24 voter -- or, not we've trained. But voter behavior has
25 been produced because of that terminology and what it

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1 means and how they interact with the voting process.
2 So as Tom had mentioned too, trying to stay
3 away from the term independent, when we've had it
4 engrained in Arizona voter -- in their behavior, it's
5 just really not feasible. And to say that it belongs
6 to a recognized party now, again, it causes -- it's
7 going to cause mass confusion.
8 So the way that we are viewing this from a
9 strategic standpoint in terms of how do we educate
10 Arizona voters across the state and future voters, it
11 really comes down to this is not so much an awareness
12 campaign. We don't look at it as a, you know, stop
13 what you're doing, state of Arizona, look at this
14 change. One, that just wouldn't be an effective use of
15 dollars. And two, it really highlights a particular
16 party, it brings, you know, emphasis to this, and we're
17 not promoting a party.
18 Really we need to look at this as procedural
19 voter education, identifying each of the touch points
20 that the voter will interact with through the voting
21 process. First and foremost is going to be that voter
22 registration process. As Tom had mentioned, the
23 majority of voters do utilize the online system, the
24 MVD system. So when you're going through that system
25 you get a dropdown, and in the dropdown there are

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1 fields that you can select. Effective December 1st,
2 from our understanding, is that dropdown will reflect
3 these new changes. However, there's really no source
4 for voters to go to to understand what those dropdowns
5 mean and the path it now sets them on going forward.
6 Once a voter gets registered, then really the
7 next point of impact that we're seeing here could be,
8 you know, who are they eligible to sign petitions for
9 if they're supporting a candidate. You know, are they
10 truly an independent voter, are they truly unaffiliated
11 and they can sign anybody's petition, or are they part
12 of a recognized party now under the No Labels AIP party
13 and can only sign those candidates. So we'll see a
14 touch point there.
15 And then we'll also see a touch point -- and
16 this is where we're going to see a lot of stress and
17 pain is in the primary election. So, again, we've had
18 30 years of our open primary system, where an
19 unaffiliated voter, an independent voter, can make a
20 party ballot selection. And so that's really important
21 there, it is a party ballot selection, because in
22 primaries the ballots are created by a recognized
23 party.
24 So we've had 30 -- a 30-year history now of
25 telling independent voters, there is no such thing as

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1 an independent ballot. An independent ballot does not
2 exist in the primary, where you have all party
3 candidates on there. But now we would be telling
4 voters, well, there's the Arizona Independent
5 Party ballot, and that might cause confusion about what
6 they expect to see on that ballot. Do they expect to
7 see just AIP candidates, or do they expect to see what
8 has commonly been referred to as an independent ballot,
9 again, that doesn't exist, but are they expecting to
10 see all party candidates on there.
11 This could cause confusion and delays at
12 polling places. We would have to train poll workers
13 how to interact with this. Is there any recourse for
14 the voter if they, you know, said, you know, that's
15 really -- that's not how I registered to vote. That's
16 not what I meant. When voters are filling out a paper
17 form, they're -- the Counties right now and the
18 Secretary of State's Office and looking at the Election
19 Procedures Manual, they're working through clarifying
20 language about what voter intent means. When they
21 write something on the form, did they truly mean, oh, I
22 want to be unaffiliated, that type of independent, or
23 do I want to be recognized AIP party. So we'll see,
24 again, touch points there that we need to provide
25 procedural voter education on for our voters.

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1 And then going back to candidates, we'll also
2 see education needs there. Because does a candidate
3 understand, hey, if I want to run for office, do I
4 go -- what we call the statute, the 16-341 process,
5 which is the process for unaffiliated candidates,
6 independent candidates, to qualify for the general
7 election ballot. They're not on the primary ballot.
8 Or does the candidate decide, hey, I want to run under
9 this AIP banner now, but I'm now in a primary and could
10 potentially be primarying other AIP candidates if we
11 run for the same -- same office and I have to win that
12 and advance to the general election. What does that
13 mean for the clean candidates. Do they understand,
14 well, which path you're going down, you know,
15 determines the funding you're eligible for. So there's
16 going to be voter education on that front too.
17 So, again, we really look at this as it's not
18 a one and done. It's going to be an ongoing voter
19 education issue. We will see lots of confusion from
20 voters.
21 The other thing that I want to point out is
22 the media. Again, we've had our open primary system
23 since 1998. We have a significant amount of
24 independent voters who are not participating in the
25 primary election. A lot of that comes down to -- they

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1 often say, I didn't realize that I could or I didn't
2 realize the process, especially if I'm a mail-in voter,
3 that I have to actively tell my Recorder which
4 party ballot that I want. Oh, I don't get a
5 single ballot that has all the, you know, candidate
6 names on there? I'm an independent. I don't want to
7 associate with a party.

8 So when the media is covering elections, we
9 have to make sure that they are educated as well on
10 this nomenclature, on the terminology, and what it
11 means and the different pathways for each voters.

12 So there's -- there's a lot that is impacted
13 by this decision, and we are currently right now
14 communicating with our election colleagues, with the
15 County Recorders. As Tom mentioned, this change is
16 going into effect December 1st. Our immediate goal
17 would be, for those voters who are going to be updating
18 or new registrants, once this change goes into effect,
19 that they have some clarity on what their choices mean.

20 So we are looking at right now kind of
21 documenting what those pathways are, ideally getting
22 something up on our website as soon as possible, and
23 then developing educational assets to help explain that
24 voter registration touch point. So, again, if you
25 choose, you know, to register to vote as a Republican,

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1 here is the pathway it sets you on for the primary. If
2 you choose to register as an independent unaffiliated
3 other voter, this is the pathway that you are sent on.
4 And then if you choose to register to vote with the
5 Arizona Independent Party, this is the pathway it sets
6 you on for the primary.

7 We are hoping to collaborate with our County
8 Recorders and develop -- or, work with them in
9 potentially work -- work groups, meetings to
10 collaboratively create these educational tools and
11 resources for voters. And I think, you know, we've
12 seen a lot of asks from our election colleagues here,
13 they are looking for this support. So as part of our
14 efforts to provide voter education to the entire state,
15 it really is critical that they get that first step of
16 voter registration correct, that it's what they truly
17 want, and that they understand the pathway it sets them
18 on when they are interacting with a primary election.

19 So that's, again, sort of our strategic
20 viewpoint on how to tackle this issue, which will,
21 again, be ongoing. But with that, I'm happy to answer
22 any questions that the Commission may have.

23 CHAIRMAN KIMBLE: Thank you, Gina.

24 If I could summarize what Gina said in one
25 word, it's confusion. And I'd like to just give a

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1 little elaboration on that as an independent. Both as
2 a Member of this Commission and also I work as a poll
3 worker in every election for, I don't know, more than
4 10 years, and independent voters are already confused.
5 When they show up, particularly in a primary, as you --
6 as you mentioned, Gina, they don't know if they can
7 vote. And most of the time, in the vast majority of
8 time, they don't vote, despite our best efforts to
9 educate independent voters that they can vote. Then
10 they get in there and they're asked, which party do you
11 want and do you want a ballot for, and that further
12 confuses them.

13 And so there's already a lot of confusion for
14 independent voters, and this is just going to multiply
15 it -- I can't even say how badly. It's going to just
16 make it confusion times 10 if this -- if this proceeds.

17 Do any Member of the Commission wish to ask
18 Tom or Gina any questions?

19 COMMISSIONER CRUMP: Mr. Chairman.

20 CHAIRMAN KIMBLE: Commissioner Crump.

21 COMMISSIONER CRUMP: Yeah, thank you. I do
22 have what I think is an important, at least for me, an
23 important threshold question before we get into the
24 merits on this argument. And that is, I want to
25 understand the Commission's options/authority on this

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1 question. What -- you know, let's say we determine,
2 yeah, this is terrible, we need to do something about
3 it. What is it that we're empowered to do?

4 CHAIRMAN KIMBLE: Tom, do you want to address
5 that?

6 MR. COLLINS: Sure. Mr. Chair,
7 Commissioner Crump, I can sketch that out. I mean, and
8 Bill may have some thoughts on that, and how we want to
9 handle how we answer that and where we answer that is
10 something I'll just defer to him on.

11 I would just say this. Looking at this just
12 as a matter of the Commission's, to the extent we have
13 a bully pulpit, I think that -- I think that we do have
14 that by virtue of -- legitimately by virtue of both our
15 express role in providing the Voter Education Guide for
16 the primary and in terms of our overall authority to
17 educate the public on participation in elections. So,
18 you know, and I think that that comes up in multiple
19 touch points, whether it's our debates, whether it's
20 the candidate statement pamphlet, those -- those
21 things, right.

22 So at every point that we have to utilize the
23 term Arizona Independent Party, which is a lot, or at
24 every point where we have to explain to a voter what
25 their rights are doing, which is a lot of points,

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1 right, that's just -- it runs throughout our program.
2 So I think that in that sense to say -- you would have
3 to cast -- you would have to take -- from a sort of
4 authority with which to speak from, I think you would
5 have to carve quite a -- quite a narrow path to say
6 that the Commission would be speaking out of turn or
7 that this meeting is out of turn or anything like that.
8 I think that would be a pretty -- a pretty preposterous
9 kind of position to take. Although, when we've spoken
10 on other things, people do take that view.
11 The -- on the -- on the legal front I think
12 that, you know -- you know, there are a lot of -- you
13 know, there's sort of a highly -- how to put this. As
14 we've -- as we've already experienced in other
15 litigation we're involved in, there is -- there is --
16 there is a -- whether or not somebody has the authority
17 to go in court is a question that's always an open
18 question, I think it's safe to say. And, you know --
19 And so I guess I would -- I would leave it at
20 that from my perspective. And then, you know, Bill, to
21 what extent you want -- you feel comfortable here or --
22 Chairman, you know, at what point if you want to -- if
23 you want to talk about that.
24 It really -- Mr. Chairman, Commissioner
25 Crump, it really depends on -- do you want like an

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1 answer to the ultimate question of does the Commission
2 have standing to go into court on its own? Is that
3 the -- is that the question?
4 COMMISSIONER CRUMP: Yeah. Commissioner and
5 Tom, yeah. I mean, I guess, especially because we're
6 in a time crunch if we're trying to do something about
7 this election, is it the Commission that's going to be
8 going out seeking a preliminary injunction and so forth
9 to deal with this?
10 MR. COLLINS: Well, Mr. Chairman, as a
11 preface to, you know, whatever comes next, I mean, I
12 will say that, you know, I'm -- I'm -- I'm aware
13 there's a lot of discussion in the legal community
14 about various legal actions, but -- yeah. But on that
15 specific question, I mean, that's -- I mean, that's
16 really a -- I would defer to the Chairman and Bill
17 about how you want to handle that in terms of where
18 the -- where to answer that question.
19 CHAIRMAN KIMBLE: Mr. Richards, is there
20 anything you'd like to add on this?
21 MR. RICHARDS: Thank you, Mr. Chairman. I
22 think the specific discussion about legal options in
23 terms of judicial options, litigation, probably is best
24 addressed in executive session.
25 I will say, though, that I think there is on

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1 the table a variety of different options that would be
2 available to the Commission, everything from, you know,
3 public statements to direct contact and communication
4 with the Secretary of State's Office and to include
5 litigation. And I'm happy to address some of those
6 issues more specifically, but I think it should be best
7 done in executive session.
8 CHAIRMAN KIMBLE: Okay. Thank you.
9 If I could summarize, we basically have two
10 broad issues here. Number one, it doesn't appear that
11 there was any clear process carried out by the
12 Secretary of State's Office to approve this change and
13 should we do something about that. And number two,
14 Gina's side of it, what are we going to do going
15 forward. So those are -- and I think the first part of
16 it was some -- is something we're going to have to
17 discuss in executive session, but there are other
18 things we may want to discuss here if any other Members
19 of the Commission want to discuss it.
20 Commissioner Paton.
21 COMMISSIONER PATON: Yes. I would -- have
22 there been any discussions, Tom, with the Secretary of
23 State's Office? I mean, do they -- I mean, yes, no,
24 or...
25 MR. COLLINS: If I was to characterize the

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1 discussions we've had, we've been permitted to
2 participate in with the Secretary's Office, you know,
3 I'm not under the impression that the Secretary is
4 likely to change their mind based on just being asked
5 to. All the things that we've talked about here in
6 terms of the confusion, the impact on the Counties,
7 the -- you know, these are all things the Secretary's
8 Office is well aware of, they've heard it from --
9 they've heard it from the Counties, they're hearing it
10 from the Counties. You know, so -- you know, it's --
11 To some extent, the Secretary of State's
12 Office position is along the lines of we don't have the
13 authority to do anything but grant this request.
14 That's -- that's effectively what their memo says, and
15 that's also what their subsequent statements to the --
16 particularly in that Arizona Central piece that I sent
17 along seems to say. I mean, so that's a -- that's not
18 a -- that's not a -- and at the same time, they're
19 pressing forward with the changes that they feel like
20 they need to make.
21 So, you know, I'm not -- in other words,
22 while I think there would be value in a direct
23 communication on behalf of the Commission that says, by
24 the way, you know, we really think this is a bad idea
25 and we think it's a bad idea for all these different

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1 reasons and, you know, that was in the form of some
2 kind of letter from the Commission, that is a
3 meaningful thing to do because it creates a record
4 that's maybe more formal than what they otherwise have
5 that says that these are, in fact, concerns that are
6 grounded in law and are, you know -- and reflect, I
7 think, a broad consensus among other election
8 officials.

9 COMMISSIONER PATON: So we could make a
10 plea --

11 MR. COLLINS: Right.

12 COMMISSIONER PATON: -- a petition to them --

13 MR. COLLINS: Right.

14 COMMISSIONER PATON: -- written?

15 MR. COLLINS: Yeah.

16 COMMISSIONER PATON: And --

17 MR. COLLINS: That would -- yeah.

18 COMMISSIONER PATON: Do you think that's
19 worth the time or --

20 MR. COLLINS: Well, I think it's -- I
21 certainly think it's worth the time, with the caveat
22 that its likelihood of changing the outcome here is, I
23 would say, around zero on its own. I mean, they know
24 what people feel. They're well aware of what's going
25 on. They're not -- they're a sophisticated political

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1 and legal and administrative agency, you know. You
2 know, they're --

3 So value to do it for record purposes or
4 for -- yes, for lots of reasons. Value to do it to
5 achieve the end we're talking about, not so much, but
6 that doesn't make it valueless.

7 CHAIRMAN KIMBLE: Let me follow up by asking
8 a naive question. Has anyone talked to Paul Johnson of
9 the former No Labels Party saying, we understand you
10 probably did this to raise the registration of your
11 party, but there's a lot of unforeseen impacts of this,
12 would you reconsider, or is that pointless?

13 MR. COLLINS: I'll be honest, Mr. Chairman.
14 It never occurred to me that that would be of any
15 value.

16 CHAIRMAN KIMBLE: Any other comments or
17 questions from the Commission?

18 COMMISSIONER PATON: I would -- I would just
19 say that, you know, it just seems like they want to --
20 I mean, it seems obvious to me they want to co-opt or,
21 I don't know, like trick or whatever the 1.5 million
22 people that are described in this list as other, who
23 want to be -- who don't buy into the two major parties
24 and -- for whatever reasons, there's a whole gambit of
25 those reasons. And, you know, they're -- the other

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1 group here is only about 57,000 people less than the
2 Republican party. I mean, that's -- it dwarfs, you
3 know, the Democratic party. And I think that it seems
4 like it's a deliberate attempt to confuse people, to
5 co-opt them to join their party, because they only have
6 42,000 people.

7 And I think that having the No Labels name
8 was a good attempt at starting a new -- a new deal.

9 And I just think that this is -- my wife is an
10 independent, and she -- like the Chairman says, she's
11 already kind of confused at times as to what she can do
12 and primaries and so on, and she's got three degrees.

13 I mean, so this is just heaping on the
14 confusion, and I think we should at least make an
15 attempt to publicize that fact. I don't know how much
16 power we have, but -- maybe we should go into executive
17 session.

18 CHAIRMAN KIMBLE: Commissioner Werther, did
19 you have something you wanted to say?

20 COMMISSIONER WERTHER: Yeah, Mr. Chairman.
21 And this is mostly on the voter education piece. It's
22 really more of a comment. But I am concerned, deeply
23 concerned, because we are already in the midst of
24 preparing for 2026, and so this is very late. I know
25 to maybe a layperson it might not seem like that. You

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1 know, it looks like we still have, you know, until next
2 August. But candidate filing starts in early March.

3 And so this is already, I think, going to really
4 complicate things for candidates and voters.

5 And I think I'm also concerned that, whether
6 litigation is brought forward or whether there's
7 legislation that's brought forward, how that's going to
8 impact this at a very -- you know, I mean, we're only
9 going to get later into the -- into the election cycle.

10 And so I think whatever we can to start supporting, you
11 know, the voter education efforts to at least get this
12 information out there so that people understand that
13 something has happened, you know, and then they know
14 where to come back to for the most updated information
15 I think is really important.

16 And I also would be in favor of any type of
17 letter. And I also recognize that it likely will not
18 change the outcome, but I do think it would be
19 important to put on the record the concerns that we've
20 all raised here for both candidates and voters,
21 especially in this next election cycle.

22 CHAIRMAN KIMBLE: Thank you.

23 Any more comments from Members of the
24 Commission?

25 COMMISSIONER CRUMP: Yeah, Mr. Chairman.

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1 CHAIRMAN KIMBLE: Yes, Mr. Crump.
2 COMMISSIONER CRUMP: Thank you. I would like
3 to point out a few things on this -- before I was just
4 asking that authority question -- but my comments as to
5 the merits of this. I completely agree with the voter
6 confusion issues. I think this creates a ton of
7 administrative work. And, you know, to that end, it
8 seems like if all a party has to do, an existing party,
9 to change their name is to submit a letter, what stops
10 them from just playing games and doing that every
11 election, right, and imagine all of the administrative
12 work that that creates.
13 I would also like to point out that the -- I
14 don't think that the statute is silent on this, which
15 the Secretary of State seems to have alleged. I think
16 the statute is clear, and it says that there's one way
17 to name your political party, that's in 16-801, and
18 that's the gathering of signatures and so forth. And
19 in fact, that's bolstered by other parts of the
20 statute. 16-901 says that it is -- if a committee --
21 I'm sorry -- that it's a committee -- the requirements
22 of 801 makes you a committee. And 905(G), a political
23 party can register only as stated in 16-801. So I
24 think the statute has been made clear. And if the
25 Legislature wanted to have a way to simply amend your

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1 name as a party, they could have done that.
2 So I also want to make the Commission aware
3 that just recently -- well, at some time in the past,
4 the New York Legislature passed a ban on using the term
5 "independent" in a political party name. But just in
6 August of this year, a candidate challenged that, and
7 the Federal Second -- Second Circuit Court of Appeals
8 upheld the law and said it's not a violation of his
9 First and Fourth Amendments. So I think that's very
10 useful to us.
11 I am -- I am interested, I guess, to know
12 what staff might say. Are there any particular
13 problems regarding a federal party -- I don't know how
14 that works when you've got somebody registered as a
15 federal -- a national party, and if they have
16 independent in their name and then they want to be that
17 party in Arizona. So, you know, there's the
18 national -- Libertarian National Party, for example,
19 and then there's the Libertarian Party of
20 Massachusetts, so -- but if a national party had
21 independent in its name and we somehow banned the use
22 of independent, how does -- how does that affect them
23 on the state level?
24 MR. COLLINS: Mr. Chairman,
25 Commissioner Crump, the way I would address that

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1 question is this. I think that, from an organizational
2 perspective, for that party to organize in Arizona they
3 would -- they would -- they would have to go through
4 the petition process. I'm not aware of any other way
5 they could do that simply by being a -- having a
6 national organization. And in fact, my understanding
7 for all -- I can understand that's what happened here.
8 There is a -- some national No Labels Party, and that
9 national No Labels Party is what sponsored or paid for
10 the organization here.
11 If the word independent were banned as a --
12 as a party or some other ban were put in place that,
13 you know, said you can't have a confusing name or
14 whatever you want to -- whatever you want to say --
15 which I'm not sure you actually need that ban. I'm not
16 sure that's not implicit in the -- in a rational
17 reading of the statutory scheme, right. I mean, but
18 put that aside for a second. I think the burden would
19 be on them to show --
20 Well, the first question would be, is that a
21 significant burden on them such that it would be
22 subject to strict scrutiny, in which case they would
23 probably win. That's the first step. But if it's not
24 subject to strict scrutiny, then the analysis proceeds
25 to look at the burden on them versus the state's

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1 interest, and that is a -- you know, that can be
2 unpredictable certainly, but that's how the analysis
3 would proceed.
4 So if an absolute ban on a particular word
5 was considered to be a severe burden, then that
6 would -- that would -- I mean, even though you apply
7 strict scrutiny, it would effectively end the analysis
8 under the -- under the First Amendment test. And if
9 it -- if it's not a severe burden, then you get into
10 this more balancing test, that state's -- a state's
11 interest, and it sounds like -- I have not read the
12 Second Circuit case you mentioned, but it sounds like
13 that's what -- the analysis they undertook there with
14 respect to that -- that issue.
15 You know, I didn't have -- I have not done a
16 full rundown of every database to determine what has
17 happened. I do know, from the No Labels Party's own
18 memo, that people have changed their name to
19 Independent Party in other states. The memo itself,
20 which is -- the entire record here, administrative
21 record, as far as I can tell, is the letter from Paul
22 Johnson to the Secretary and the Secretary's letter to
23 Paul Johnson back. There is no other record. And
24 tracking down the circumstances of those name changes
25 was not something I was able to do easily, and the --

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<p>1 and the letter doesn't tell you what the process was, 2 what the other existing law was, what -- the timing of 3 it, all that other kind of stuff. 4 I mean, you know, at a minimum, you know, 5 the -- it seems to me that the Secretary of State had 6 discretion, even no matter what the circumstances, to 7 say not now, right. He didn't have the discretion to 8 say not at all, but he definitely had the discretion to 9 say not now, assuming this is, you know, a 10 discretionary decision. Now, you know, there's reasons 11 why you wouldn't want to see it -- you'd want to -- you 12 know, there's ways to look at this that goes well 13 beyond the -- outside of his -- whatever his discretion 14 is, but, you know, clearly he wouldn't abuse his 15 discretion by saying we're not going to do this this 16 election cycle, come back in November of 2026. 17 COMMISSIONER CRUMP: Okay. Thank you. And 18 also, Mr. Chairman and Tom, on a separate issue, 19 whatever this is called, your continuing status as a 20 party -- so when you first get on the ballot you are 21 there as sort of a -- kind of in a probationary status 22 the first couple of election cycles, I guess, and you 23 have to have certain registration and/or votes in order 24 for you to be a continuing party. Am I summarizing 25 that correctly?</p>	<p>1 we don't know if that would have resulted in the same 2 outcome with respect to the petition. 3 And here, to the extent there is a petition 4 process, that is public. That itself has -- is a 5 legislative determination that there's going to be 6 notice, right, there's going to be notice to the 7 public, by virtue of this petitioning process, the -- 8 using a different name would have necessarily changed, 9 A, who might have signed, it would have necessarily 10 changed the nature of the information provided to the 11 broader public and other interested parties, which is 12 the purpose of the petition in the first place, and so 13 that -- 14 That aspect of what the Ninth Circuit said in 15 July I think is salient here and to your point, which 16 is, you know, if the petition process means anything, 17 then it -- then a court ought to consider the 18 possibility that a change after the fact that would 19 have impacted the petition process changes the entire 20 notice process leading up to the formation of the 21 party. And I -- you know, and you can quibble about, 22 you know, that as a -- you know, you can argue about 23 the scope of that concern, right, but you can't just -- 24 but you have to argue about it. You can't just say, 25 that's not a concern here.</p>
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<p>1 MR. COLLINS: Yes. 2 COMMISSIONER CRUMP: Okay. And so I think 3 also another point in favor of those opposed to this 4 name change is that I think you've earned -- my point 5 is, I think you've earned that right by using the name 6 that was on those petitions, that was on the ballot to 7 earn that continuing party status, and that by -- if 8 you want to -- if you're going to change your name, 9 you've got to start the process over, because that 10 wasn't the name of the party that earned that 11 continuing status. Does that make sense? 12 MR. COLLINS: So Mr. Chairman, 13 Commissioner Crump, you know, there's a line in the 14 Ninth Circuit case from July -- there's a footnote in 15 it that talks about how -- you know, had the No Labels 16 Party -- that was a circumstance where the No Labels 17 Party wanted to say no one other than president can run 18 on the No Labels line in Arizona. And the State's 19 position at that time was, no, you've signed up for the 20 full, you know, thing, and we're going to have a -- and 21 you ought to have a primary. 22 The Ninth Circuit says -- among other things 23 it said, you know, by the way, had you said in your 24 petition, we are a party that will be organized solely 25 for the purpose of the presidential election, you know,</p>	<p>1 COMMISSIONER CRUMP: Right. Thank you. 2 CHAIRMAN KIMBLE: Any other comments or 3 questions from Members of the Commission? 4 (No response.) 5 CHAIRMAN KIMBLE: Is there any interest in 6 discussing this further in executive session? 7 Commissioner Werther, you seem ready to talk. 8 COMMISSIONER WERTHER: So I am interested, so 9 I'll just go ahead and make a motion and we'll see 10 where it goes. So I'll just move to go into e-session 11 for public -- or, I'm sorry -- for discussion and 12 consultation with our attorneys to consider this 13 matter. 14 CHAIRMAN KIMBLE: Thank you. 15 Is there a second? 16 COMMISSIONER PATON: I'll second. 17 COMMISSIONER CRUMP: Second. 18 Go ahead. 19 CHAIRMAN KIMBLE: Seconded by 20 Commissioner Paton. 21 I will call the roll on the motion to go into 22 executive session. 23 Commissioner Werther. 24 COMMISSIONER WERTHER: Aye. 25 CHAIRMAN KIMBLE: Commissioner Paton.</p>

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1 COMMISSIONER PATON: Aye.
2 CHAIRMAN KIMBLE: Commissioner Crump.
3 COMMISSIONER CRUMP: Aye.
4 CHAIRMAN KIMBLE: Commissioner Titla.
5 COMMISSIONER TITLA: Aye.
6 CHAIRMAN KIMBLE: Chair votes aye.
7 We are going into executive session.
8 (The following section of the meeting is in
9 executive session and bound under separate cover.)
10 * * * * *
11 (End of executive session. Public meeting
12 resumes at 11:43 a.m.)
13 CHAIRMAN KIMBLE: Good morning again. We're
14 back in regular session.
15 Is there a motion any Member of the
16 Commission wishes to make?
17 COMMISSIONER WERTHER: Yes, Mr. Chairman.
18 CHAIRMAN KIMBLE: Commissioner Werther.
19 COMMISSIONER WERTHER: I move to direct staff
20 to prepare a letter for the Chair's signature
21 requesting that the Secretary of State reverse the
22 decision relating to the Arizona Independent Party, and
23 approve the engagement of counsel to work with staff to
24 develop legal options should the Secretary's Office
25 choose to reject the Commission's request.

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1 CHAIRMAN KIMBLE: Is there a second?
2 COMMISSIONER PATON: I'll second.
3 CHAIRMAN KIMBLE: Thank you. It's been
4 moved and seconded by Commissioner Paton -- moved
5 by Commissioner Werther and seconded by
6 Commissioner Paton. I will call the roll.
7 Commissioner Crump.
8 COMMISSIONER CRUMP: Aye.
9 CHAIRMAN KIMBLE: Commissioner Titla.
10 COMMISSIONER TITLA: Aye.
11 CHAIRMAN KIMBLE: Commissioner Werther.
12 COMMISSIONER WERTHER: Aye.
13 CHAIRMAN KIMBLE: Commissioner Paton.
14 COMMISSIONER PATON: Aye.
15 CHAIRMAN KIMBLE: Chair votes aye. The
16 motion is approved 5-to-nothing. Thank you.
17 We're going to delay Item V to our next
18 meeting.
19 So we'll move into Item VI, discussion and
20 possible action on amendment of Rule R2-20-106, related
21 to candidate verifications before issuance of clean
22 funding, and adoption of R2-20-706, relating to
23 repayment proceedings in the event of unfiled campaign
24 finance reports. As you will recall, we opened a
25 rulemaking docket on these rules to help reinforce the

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1 need for timely filing of reports.
2 The first of these amendments says that where
3 a candidate qualifies for funding, because this does
4 not happen -- excuse me. Let me rephrase that. The
5 first of these amendments says that where a candidate
6 qualifies for funding, because this does not happen on
7 the same timeline as reports, they will have to
8 reaffirm their compliance. The second rule says, if a
9 candidate fails to file a campaign finance report
10 within five days of the due date, the staff may
11 initiate repayment.
12 This will ensure that candidates know that
13 filing timely reports, as they agreed to, is an
14 important part of the accountability in the program.
15 We will make this effective immediately pending review
16 by the Governor's Regulatory Review Commission.
17 Any questions for Tom about this?
18 (No response.)
19 CHAIRMAN KIMBLE: Hearing none, do we have a
20 motion to approve R2-20-106 and 706 as amended?
21 COMMISSIONER WERTHER: Mr. Chairman, I move
22 to approve the Rule R2-20-106 and R2-20-706.
23 CHAIRMAN KIMBLE: As amended.
24 COMMISSIONER WERTHER: As amended.
25 CHAIRMAN KIMBLE: Thank you,

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1 Commissioner Werther.
2 Is there a second?
3 COMMISSIONER PATON: I'll second.
4 CHAIRMAN KIMBLE: Thank you,
5 Commissioner Paton.
6 It's been moved and seconded that we approve
7 R2-20-106 and R2-20-706 as amended. I will call the
8 roll.
9 Commissioner Crump.
10 COMMISSIONER CRUMP: Aye.
11 CHAIRMAN KIMBLE: Commissioner Titla.
12 COMMISSIONER TITLA: Aye.
13 CHAIRMAN KIMBLE: Commissioner Werther.
14 COMMISSIONER WERTHER: Aye.
15 CHAIRMAN KIMBLE: Commissioner Paton.
16 COMMISSIONER PATON: Aye.
17 CHAIRMAN KIMBLE: Chair votes aye. The
18 motion is approved 5-to-nothing.
19 Item VII, public comment. This is the time
20 for consideration of comments and suggestions from the
21 public. Action taken as a result of public comment
22 will be limited to directing staff to study the matter,
23 rescheduling it for further consideration, or
24 responding to criticism. Please limit your comments to
25 no more than two minutes.


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1 Does any member of the public wish to make
2 comments at this time, anyone on Zoom wish to make
3 comment? There's no one present in the room. No one
4 on Zoom wish to make a comment?
5 (No response.)
6 CHAIRMAN KIMBLE: Thank you. The public may
7 also submit comments by e-mail at
8 ccec@azcleelections.gov.
9 Item VIII, adjournment. At this time, I
10 would entertain a motion to adjourn.
11 COMMISSIONER WERTHER: I move to adjourn.
12 CHAIRMAN KIMBLE: Thank you,
13 Commissioner Werther.
14 Is there a second?
15 COMMISSIONER PATON: Second.
16 CHAIRMAN KIMBLE: Thank you,
17 Commissioner Paton.
18 It's been moved and seconded that we adjourn.
19 I will call the roll.
20 Commissioner Crump.
21 COMMISSIONER CRUMP: Aye.
22 CHAIRMAN KIMBLE: Commissioner Titla.
23 COMMISSIONER TITLA: Aye.
24 CHAIRMAN KIMBLE: Commissioner Werther.
25 COMMISSIONER WERTHER: Aye.

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1 CHAIRMAN KIMBLE: Commissioner Paton.
2 COMMISSIONER PATON: Aye.
3 CHAIRMAN KIMBLE: Chair votes aye. We are
4 adjourned. Thank you.
5 (The meeting concluded at 11:48 a.m.)
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1 STATE OF ARIZONA)
) ss.
2 COUNTY OF MARICOPA)
3
4 BE IT KNOWN that the foregoing proceedings
5 were taken by me; that I was then and there a Certified
6 Reporter of the State of Arizona; that the proceedings
7 were taken down by me in shorthand and thereafter
8 transcribed into typewriting under my direction; that
9 the foregoing pages are a full, true, and accurate
10 transcript of all proceedings had and adduced upon the
11 taking of said proceedings, all to the best of my skill
12 and ability.
13
14 I FURTHER CERTIFY that I am in no way related
15 to nor employed by any of the parties hereto nor am I
16 in any way interested in the outcome hereof.
17
18 DATED at Tempe, Arizona, this 24th day of
19 November, 2025.
20
21 
22
23 Kathryn A. Blackwelder, RPR
24 Certified Reporter #50666
25

<hr/> <p style="text-align: center;">\$</p> <p>\$5 10:19</p> <hr/> <p style="text-align: center;">1</p> <p>1 5:25 14:2 18:15 20:16 1.5 35:21 10 5:8 6:1 19:2 28:4,16 10:00 3:5 11:43 46:12 13 5:9 16-341 25:4 16-801 38:17,23 16-901 38:20 16th 11:13 17th 13:11 1998 25:23 1st 23:1 26:16</p> <hr/> <p style="text-align: center;">2</p> <p>2025 3:5,24 2026 15:13 36:24 42:16 20th 3:5 23rd 3:16,18,24 4:7</p> <hr/> <p style="text-align: center;">3</p> <p>30 21:22 23:18,24 30- 21:21 30-year 23:24 34.37 20:19</p> <hr/> <p style="text-align: center;">4</p> <p>40,000 18:16 42,000 36:6 4th 6:4</p>	<hr/> <p style="text-align: center;">5</p> <p>57,000 36:1</p> <hr/> <p style="text-align: center;">6</p> <p>6 5:11</p> <hr/> <p style="text-align: center;">7</p> <p>73 19:3</p> <hr/> <p style="text-align: center;">8</p> <p>801 38:22 8th 13:8</p> <hr/> <p style="text-align: center;">9</p> <p>90 18:20 905(G) 38:22</p> <hr/> <p style="text-align: center;">A</p> <p>a.m. 3:5 46:12 absolute 16:6 41:4 absolutely 16:6 abuse 42:14 account 8:11,15 accounting 8:12 achieve 35:5 acknowledged 15:3 action 3:15 4:22 11:13 15:6 16:2,15,16 17:12 actions 31:14 active 6:12 21:8 actively 5:7 26:3 add 31:20 address 12:5 17:22 19:23 29:4 32:5 39:25 addressed 17:18,23 31:24 administration 14:15 15:22</p>	<p>administrative 8:18 17:2 18:1 35:1 38:7,11 41:20 administratively 6:23 admonitions 8:19 advance 25:12 affect 14:21 39:22 affirmative 14:16 agencies 13:20 agency 10:8 35:1 agenda 3:4 6:13 agree 38:5 ahead 19:18 45:9,18 ahold 9:16 AI 6:21 AIP 23:12 24:7,23 25:9,10 Alec 5:18 alignment 14:20 alleged 38:15 allowed 7:22 alluded 21:17 altogether 13:22 amend 38:25 Amendment 14:23 15:18 16:5 41:8 Amendments 39:9 American 18:17 19:6 amount 25:23 analysis 14:10 40:24 41:2,7,13 and/or 42:23 anecdotally 9:10 answers 9:16 anticipate 16:15 anybody's 23:11 anymore 18:20 Appeals 39:7 apply 41:6</p>	<p>appointed 5:4 approve 3:22,23 4:6 32:12 46:23 approved 4:16 13:9,11 areas 10:14 argue 44:22,24 argument 28:24 Arizona 11:24 14:5 19:23 21:13,14,22 22:4,10,13 24:4 27:5 29:23 33:16 39:17 40:2 43:18 46:22 asks 27:12 aspect 14:8 44:14 aspects 12:16 assets 26:23 Assistance 5:15 associate 26:7 assuming 17:11 42:9 attempt 36:4,8,15 attendance 3:7 attending 6:1 attorneys 45:12 August 37:2 39:6 authority 14:17 15:7 19:15 29:16 30:4,16 33:13 38:4 Avery 5:18 6:17 avoid 14:21 17:8 aware 18:5 31:12 33:8 34:24 39:2 40:4 awareness 22:11 Axios 13:12 aye 4:10,12,14,15,18 45:24 46:1,3,5,6</p> <hr/> <p style="text-align: center;">B</p> <p>back 10:22,23 25:1 37:14 41:23 42:16 46:14 background 6:6 20:12</p>
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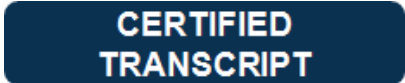
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THE STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION

REPORTER'S TRANSCRIPT OF VIRTUAL PUBLIC MEETING

Phoenix, Arizona
November 28, 2025
9:00 a.m.

By: Kathryn A. Blackwelder, RPR
Certified Reporter
Certificate No. 50666



Page 2	Page 4
<p>1 VIRTUAL PUBLIC MEETING BEFORE THE CITIZENS 2 CLEAN ELECTIONS COMMISSION convened at 9:00 a.m. on 3 November 28, 2025, at the State of Arizona, Clean 4 Elections Commission, 1110 West Washington, Conference 5 Room, Phoenix, Arizona, in the presence of the 6 following Board Members: 7 8 Mr. Mark Kimble, Chairman 9 Mr. Galen Paton 10 Ms. Christina Werther 11 Mr. Sam Crump 12 Mr. Steve Titla 13 14 OTHERS PRESENT: 15 Thomas M. Collins, Executive Director 16 Paula Thomas, Executive Officer 17 Mike Becker, Policy Director 18 Gina Roberts, Voter Education Director 19 Bill Richards, Richards & Moskowitz 20 Samantha Fox, Richards & Moskowitz 21 Cathy Herring, KCA 22 Paul Johnson, No Labels Party Chairman 23 Dana Lewis, Pinal County 24 Lisa Marra, EAC 25 Ted Hinderaker, Member of the Public Anthony Ramirez, Member of the Public Jacob Leavitt, Member of the Public Michael Zepeda, Member of the Public Mark Stegeman, Member of the Public Richard Grayson, Member of the Public Dr. Stephen Neal, Member of the Public Capitol Media Services David Scott, Member of the Public Christian Leavitt, Member of the Public Zen Benefiel, Member of the Public Sarah Smallhouse, Member of the Public</p>	<p>1 seeking reversal or delay of the Secretary of 2 State's October 16th, 2025 decision to grant request of 3 No Labels Party to change its name to the Arizona 4 Independent Party. 5 Commissioners, as you know, I sent a letter 6 on our behalf to the Secretary of State's Office on 7 November 21 asking the Secretary to reverse or delay 8 for the election cycle this effort by the No Labels 9 Party to change its name to the Arizona Independent 10 Party. Late Wednesday we received an e-mail from the 11 Secretary of State's attorney stating that "The 12 Secretary's position on his legal duties has not 13 changed." In other words, Secretary of State's 14 position seems to be that only a court order or 15 legislative action will change his mind. 16 With that said, I'd like to proceed in the 17 following order. First of all, I'd like to see if any 18 of my colleagues on the Commission have any prefatory 19 remarks or questions they would like to address in open 20 session. I'll also ask Mr. Collins and other staff 21 members if they have anything they want to say. 22 Second, I'd like to see if we have anyone here who 23 wishes to make a comment to the Commission on this 24 item. Third, unless we have any additional questions 25 or comments on that time, I'd like a motion to go into</p>
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<p>1 P R O C E E D I N G 2 CHAIRMAN KIMBLE: Good morning. I'm Mark 3 Kimble. Agenda Item I today is the call to order. I 4 hope you all had a pleasant and peaceful Thanksgiving. 5 It's now 9:00 a.m. on November 28th, 2025. I 6 call this meeting of the Citizens Clean Elections 7 Commission to order. 8 With that, we will take attendance. 9 Commissioners, please identify yourselves for the 10 record. 11 COMMISSIONER WERTHER: Christina Werther. 12 COMMISSIONER PATON: Galen Paton. 13 CHAIRMAN KIMBLE: I heard Commissioner 14 Werther, I heard Commissioner Paton. 15 COMMISSIONER TITLA: Yeah, Steve Titla here. 16 Good morning. 17 CHAIRMAN KIMBLE: Good morning, 18 Commissioner Titla. 19 COMMISSIONER CRUMP: Sam Crump. 20 CHAIRMAN KIMBLE: Good morning, 21 Commissioner Crump. 22 We have all five of us here. We have a 23 quorum this morning. 24 Item II, discussion and possible action on 25 authorizing outside counsel to file a judicial action</p>	<p>1 executive session. 2 So with that in mind, do any of my colleagues 3 on the Commission have any remarks or questions they'd 4 like to get answered before we hear from staff? 5 (No response.) 6 CHAIRMAN KIMBLE: Okay. Let's proceed 7 with -- Tom, anything you'd like to say to open this 8 up? 9 MR. COLLINS: Mr. Chairman, I just think that 10 I wanted to, you know, tell you, since, you know, the 11 letter we sent on the 21st, as Chairman Kimble said, we 12 received sort of a terse response to that. We have, 13 you know, continued to interact with and talk with 14 other election officials about how this decision 15 impacts things for their operations and we have, you 16 know -- you know, continued to understand that that's a 17 serious issue for them as well, for many of them. And 18 I think that, you know, we -- and I'll just -- you 19 know, in our efforts here as staff, we've yet to 20 receive any information that would alter the analysis 21 that we provided at our last meeting to you with 22 respect to the -- both the legal and policy 23 implications of this decision and the legal process or 24 not process that was followed. 25 I think that Gina had a couple of practical</p>

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<p>1 points that I think would help put some of this in some 2 context from an administrative perspective, in that 3 vein. 4 CHAIRMAN KIMBLE: Thank you, Tom. 5 Gina. 6 MS. ROBERTS: Mr. Chairman, Commissioners, 7 good morning. Just a few -- again, with what Tom was 8 saying, this is just some information on the candidate 9 nomination process and how Clean Elections is impacted 10 directly as well, so what our procedures are, things to 11 that effect. 12 So I just wanted to clarify, when a candidate 13 is running -- so as we've mentioned in previous 14 meetings, there are five recognized parties in the 15 state of Arizona. So a candidate can choose -- if they 16 are registered as a member of one of those recognized 17 political parties, they would have to circulate 18 petitions and qualify for the primary election ballot 19 under their party's banner. They would compete in the 20 primary against their fellow party opponents; and if 21 they win, they are then advanced to the general 22 election, where they compete against all other primary 23 nominees from the other parties, as well as our 24 independent candidates, which we commonly refer to as 25 16-341 candidates. That's the process that they</p>	<p>1 contributions, and again, this would dictate who is, 2 you know, signing their petitions, which -- are they 3 running as an independent candidate, are they running 4 as a partisan candidate, are they qualifying correctly 5 with their \$5 qualifying contributions, how much 6 funding does Clean Elections disperse based off of 7 that. And then, depending on how those candidates are 8 running, are they in the primary or are they a general 9 election only candidate. That also dictates their 10 eligibility for Clean Elections voter education 11 programs, such as our Voter Education Guide. Do we 12 include them in the primary, are they included in the 13 general only, which debates are they eligible to be 14 invited to, things like that. 15 So from a procedural standpoint, the pathway 16 that a candidate chooses to run and qualify for 17 the ballot does impact Clean Elections directly. And 18 again, just wanted to share some procedural background 19 information for you on that. 20 To clarify a point as well, if we have a 21 candidate who is truly an independent candidate, but 22 they decide that they want to run under a recognized 23 party's banner in the primary, they do have to change 24 their voter registration, because they have to be a 25 qualified elector of that party, so they would change</p>
Page 7	Page 9
<p>1 qualify under. 2 So to get your name on the ballot on the 3 primary, again, you're submitting petition signatures, 4 you're going through the qualification process. If 5 you're running as an independent candidate, you are 6 skipping the primary. You do not have a primary; you 7 are not campaigning in the primary. What you're doing 8 is you're going -- you don't have to win a primary. 9 You're advancing directly to the general 10 election ballot. There are different signature 11 requirements for both process. When you are running as 12 a 16-341 independent candidate, you do have a higher 13 signature threshold that you have to meet for your 14 nomination petitions. 15 Now, the path that the candidate chooses to 16 take impacts Clean Elections a number of ways. So when 17 we have candidates who are -- who are running as Clean 18 Elections candidates, they can qualify for funding 19 either as an independent candidate, where they would 20 get a percentage of funding based off of them being 21 directly on the general election ballot, or if they're 22 running in the primary they would get funding for the 23 primary election, and then if they win their primary 24 another funding amount for the general election. 25 So they have to submit their qualifying</p>	<p>1 their voter registration from unaffiliated -- 2 unaffiliated independent to that recognized party's 3 political affiliation on their voter registration form. 4 And again, with the voter registration and signature 5 requirements, there is a difference for those primary 6 nominees and those general election candidates as well. 7 And again, the pathway that those candidates are 8 choosing to proceed impacts Clean Elections in how do 9 we distribute their funding, how do we determine what 10 they're qualified for in terms of funding, and then 11 also what voter education programs are they eligible 12 for. 13 So, again, that's just some background 14 information on how this process can impact us as staff, 15 as election administrators, so I just wanted to share 16 that brief information. But as we go through the 17 meeting today, I'm happy to help -- or, answer any 18 questions that you have about the process. 19 CHAIRMAN KIMBLE: Thank you, Gina. 20 Next I'd like to see if we have anyone here 21 who'd like to make public comments. I assume that we 22 do. If you want to make a comment, use the raise hand 23 function and I will call on -- on you then. 24 We don't have a formal time limit on public 25 comment, but we would ask that you be as concise as</p>

<p style="text-align: right;">Page 10</p> <p>1 possible, because it helps us better understand your 2 argument for or against the Commission's position on 3 this. And when you begin speaking, please state your 4 first and last name for the record. 5 Mr. Hinderaker. 6 MR. HINDERAKER: Sorry about that. Thank you 7 very much, and thank you for the opportunity to address 8 this forum. 9 First of all, I want to say that I've always 10 been a fan of Clean Elections Commission and the 11 intention of the Clean Elections Act, and I'd like to 12 sort of briefly read what that is. 13 You know, the people of Arizona declare their 14 intent to create a clean elections system that will 15 improve the integrity of Arizona state government by 16 diminishing the influence of special interest money, 17 will encourage citizen participation in the political 18 process, will promote freedom of speech under the U.S. 19 and Arizona Constitutions. Campaigns will become more 20 issue oriented and less negative because there is no 21 need to challenge the sources of campaign money. 22 So I have a little bit of cognitive 23 dissidence in your position here, because it seems like 24 you're taking a position that is directly contrary to 25 your enabling legislation, your constitutional duties.</p>	<p style="text-align: right;">Page 12</p> <p>1 than strictly having to adhere to a political ideology. 2 And the notion that this is somehow going to 3 be confusing or people aren't going to be able to 4 understand it I think is just hogwash. There are -- 5 there are at least five or six states currently that 6 have parties with independent in the name. There's an 7 Independent Party of Oregon. There's an Independent 8 Party of Delaware. There's an Independent Party of 9 Connecticut. There's an Independent Party of Florida. 10 There's an Independent Party of Louisiana. And in 11 fact, Arizona has recognized an American Independent 12 Party in 1968 and 1972. 13 So this smacks very much of politics. It 14 smacks of the fact that the existing political parties 15 who appointed all the Commissioners here do not want a 16 challenge, do not want somebody that interferes with 17 the current status quo, and that's what seems to be at 18 play. 19 So I would just urge you to take a step back, 20 look at what your enabling legislation is, look at what 21 your lane is as an administrative agency, because it's 22 not to interfere with the political party process. 23 It's to promote -- it's to promote access to 24 the ballot, it's to make things fairer, and you're 25 doing exactly the opposite.</p>
<p style="text-align: right;">Page 11</p> <p>1 As Ms. Roberts described, there is a process for 2 independents to get to the ballot, but it's -- it's a 3 very arduous process. It's almost impossible to occur. 4 There's not currently an independent that serves in the 5 state legislature, I don't believe that there ever has 6 been, maybe one many, many years ago, and the reason is 7 the system is stacked against independents. 8 You have to have six times the number of 9 signatures to get on the ballot as an R or a D; you 10 have, as you know, less Clean Elections money because 11 you're running just in the general election; you have 12 very limited access to voter -- voter registration 13 rolls; and it just becomes a barrier of entry that 14 becomes insurmountable. 15 So what this new party is doing and the 16 intention here is not to circumvent those rules, but to 17 create a path so that someone who may not be 18 politically aligned or ideologically aligned with one 19 of the two parties has access to the general 20 election ballot. And that promotes everything that the 21 enabling legislation, that constitutional amendment was 22 designed to protect. It makes it -- it makes it 23 accessible for independents to get to the ballot. They 24 do have to register as a political party, but it 25 creates a forum for people to address issues, rather</p>	<p style="text-align: right;">Page 13</p> <p>1 So, again, I've always been a fan of Clean 2 Elections, I think you serve an important function, but 3 please take a look inside at what you're doing and 4 really contemplate whether this is the right course of 5 action. Thank you. 6 CHAIRMAN KIMBLE: Thank you very much, 7 Mr. Hinderaker. 8 Tom, is there any comment you'd like to make 9 at this time? 10 MR. COLLINS: Mr. Chairman, I just had a 11 quick follow-up for Mr. Hinderaker just to clarify a 12 couple of things, if he's still... 13 MR. HINDERAKER: Yeah, I'm here. 14 MR. COLLINS: So Mr. Chairman, 15 Mr. Hinderaker, in your comments there you referred to 16 the Arizona Independent Party as a new party, so two 17 questions related to that. First, what is your role 18 with the Arizona Independent Party or the No Labels 19 Party, and is it your view that the Arizona Independent 20 Party is -- will be a new party at the time this 21 decision takes effect? 22 MR. HINDERAKER: Let me clarify. The answer 23 is, I'm a volunteer at this point, right. I'm just a 24 volunteer. I was very involved with Proposition 140, 25 which was the Make Elections Fair Initiative, that</p>

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1 would have created an open primary. And that, to me,
2 is the gold standard. If you have an open primary, you
3 wouldn't need an Arizona Independent Party necessarily.
4 No, this is not a new party. The No Labels
5 Party qualified for the ballot, they performed all the
6 functions you're required to qualify for the ballot.
7 But the political parties in Arizona have -- and across
8 the country have been allowed -- or, across the country
9 have been allowed to change their names. And that's a
10 function for the Secretary of State to determine; it's
11 not a function for the Clean Elections Commission to
12 interfere with.
13 So we -- we polled -- "we," the people that
14 are supporting the No Labels Party and the Arizona
15 Independent Party, polled our voter -- registered
16 voters, we have over 40,000 of them, and almost two to
17 one the answer came back that they would like to change
18 their name to the Arizona Independent Party, hence the
19 reason for the name change. So hopefully that answers
20 your question.
21 MR. COLLINS: Well, it partially does. I
22 guess the other question is, with respect to the poll,
23 when was that conducted?
24 MR. HINDERAKER: I would defer to Paul
25 Johnson on that.

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1 MR. COLLINS: Okay. That's fine. That, I
2 can hold the -- I have some other follow-up questions
3 along those lines, but I can defer them. Thanks.
4 Mr. Chairman, I'm...
5 CHAIRMAN KIMBLE: Thanks, Tom. Thanks,
6 Mr. Hinderaker.
7 Next person is Anthony Ramirez.
8 Mr. Ramirez.
9 MR. RAMIREZ: Good morning. Thank you,
10 Mr. Chairman. My name is Anthony Ramirez, attorney for
11 the Arizona Independent Party and for the candidates
12 whose rights are being directly implicated by this
13 proceeding.
14 Let's begin with what this Commission is
15 supposed to be, a non-partisan protector of voter
16 choice, a safeguard against entrenched power, a
17 guardian of clean, fair elections. But today your
18 actions are not protecting voters, they're not
19 protecting clean elections. They are protecting the
20 Democratic and Republican duopoly, a duopoly that
21 Arizona voters are abandoning in record numbers.
22 Your letter to the Arizona Secretary of State
23 does not identify fraud, wrongdoing, or any statutory
24 violation. It relies instead on speculative concerns,
25 vague confusion, and generalized administrative burden,

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1 precisely rationales the U.S. Supreme Court has warned
2 government officials cannot be used to suppress new or
3 independent parties.
4 Let's briefly review the law so it's clear
5 for the record. In Williams v. Rhodes the United
6 States Supreme Court struck down a scheme that made
7 life easy for the Democrats and Republicans while
8 making it virtually impossible for new parties to grow.
9 In Anderson v. Celebrezze the court rejected early
10 filing burdens and said states cannot hinder
11 independent candidates with broad unproven fears. In
12 Burdick v. Takushi the court held that when government
13 action imposes a meaningful burden on political
14 participation, the State must offer a compelling
15 justification. In Illinois State Board of Elections
16 versus Socialist Workers Party, the court struck down
17 unequal signature burdens because they favored major
18 parties over new ones.
19 The legal message is consistent: The Arizona
20 Clean Elections Commission cannot protect the comfort
21 of the two major parties by burdening new competitors,
22 and yet here we are.
23 The Arizona Independent Party followed the
24 law. The Secretary of State's Office reviewed and
25 approved the name change under the statutes that have

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1 governed political parties for decades. Now this
2 Commission, which has zero authority over political
3 party formation, has inserted itself into the process
4 to ask the Secretary of State to walk back a lawful
5 decision. This is not your role, this is not your
6 mandate, and it is absolutely not your legal authority.
7 Clean Elections was not created so a group of appointed
8 officials could act as brand managers for the
9 Democratic and Republican parties.
10 Let me speak plainly, because that's the
11 language that my clients deserve. If this Commission
12 steps outside its mandate to interfere with a lawful
13 political party, then it will discover very quickly
14 that my clients will respond. You are not being asked
15 today to administer clean elections. You are being
16 asked, through political pressure, to shield the
17 two-party system from competition.
18 And here is a truth you already know. When
19 the largest voting bloc in the state is independent,
20 when political trust is at historic lows, when voters
21 demand choice beyond the same two teams they've been
22 stuck with for decades, attempting to block a
23 legitimate independent party is not clean, it's not
24 neutral, and it's not defensible.
25 I'm going to say this with the professional

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1 respect you should have shown my clients: If this
2 Commission chooses to exceed its authority, it will
3 also discover the limits of that authority. Decisions
4 have consequences: Legal, political, and historical.
5 The people of Arizona created Clean Elections to fight
6 corruption and concentrated power, not to preserve it,
7 not to protect the duopoly, not to gate keep new
8 parties, not to silence competition.
9 If you vote today to interfere in a lawful
10 party process approved by the Secretary of State, then
11 mark my words, Arizona will remember this day long
12 after every name on this Zoom screen is forgotten. My
13 clients will respond appropriately, professionally, and
14 forcefully through every legal channel available.
15 Respect the statute, respect the Constitution, respect
16 the voters, and step back inside your mandate.
17 And let me close with this so there's no
18 misunderstanding. The Arizona Independent Party is
19 exactly the kind of client my firm is built to
20 represent at trial. Whether intentionally or not, this
21 Commission has stepped squarely into a Fourteenth
22 Amendment equal protection issue and a First Amendment
23 freedom of association issue, and that level of
24 constitutional intrusion demands strict scrutiny.
25 So understand this: If this Commission

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1 chooses to persist in its overreach, every step you
2 take beyond your lawful authority only strengthens our
3 case and our platform. And if you force this fight, we
4 will take it into open court and into the public arena,
5 where every Arizonian will be able to see precisely how
6 independent voters have been treated. We prefer
7 cooperation, but we are fully prepared for
8 confrontation. Thank you.
9 CHAIRMAN KIMBLE: Thank you, Mr. Ramirez.
10 Tom, do you want to respond or -- we'll move
11 on.
12 Okay. Thank you, Mr. Ramirez.
13 MR. RAMIREZ: Thank you, sir.
14 CHAIRMAN KIMBLE: Next we have Jacob Leavitt.
15 Mr. Leavitt.
16 MR. LEAVITT: Good morning, Commission. I
17 appreciate this time to speak. To lay out for
18 Mr. Collins, you probably want to know my role, I'm a
19 pro bono trial attorney. I've been asked to come in
20 and comment on a few things here.
21 I just want to point out, after taking a look
22 at all of this, I think you guys -- the Clean Elections
23 committee here has got some constitutional issues.
24 You're violating, in my opinion, the First, which is
25 the freedom of speech, freedom of choice. And by

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1 acting the way you are --
2 Let me speak -- let me speak like I'd speak
3 to a constituent. Let me break this down of how
4 somebody -- a layperson would understand this, and
5 maybe that would help you just a bit. When listening
6 to the comments -- and I forget her name, I do
7 apologize -- what this breaks down to is you guys are
8 here to protect money. And by adding more parties,
9 there's less money to give to other parties. That's
10 what -- that's what your constituents are going to
11 hear. So you're giving more money to parties that --
12 As my partner, Mr. Ramirez, stated, the
13 Republican and the Democrats, those parties, people are
14 done with them. I'm done with them. I've had nothing
15 do with them -- neither of them speak to me in their
16 full. Now, there's pieces and parts, and that's what
17 the independent party is to do, and I think the
18 Democrats and Republicans should be shaking in their
19 boots. Because the independents, the people who are
20 actual free thinkers, are going to join this party and
21 it's going to take over a lot of elections.
22 What you are doing, in my opinion, and more
23 people would understand this, is an Eleventh Amendment
24 violation, right, where -- we're not sure exactly where
25 the right comes from, but it falls squarely within the

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1 Eleventh Amendment and, again, the Fourteenth
2 Amendment. 100 percent you guys are violating the
3 Fourteenth Amendment.
4 Let me give you the -- when I saw this, I
5 thought of Brown versus Board of Education. That's
6 what I thought of. You've got the people -- the
7 racists, who did not want to give the lower -- the
8 lower community or the minorities an equal share.
9 That's what's happening here. That's exactly what's
10 happening here. To me, it's a Brown versus Board of
11 Education type of concept that's coming -- that's
12 coming down the pipe, because what you're doing is
13 you're creating a hurdle -- an impossible hurdle for a
14 minority group. That is: One, unconstitutional; two,
15 un-American; three, disgusting. That's all I have.
16 CHAIRMAN KIMBLE: Thank you, Mr. Leavitt.
17 Next we have Michael Zepeda.
18 Mr. Zepeda.
19 MR. ZEPEDA: Thank you, Commissioner.
20 First off, I'd like to say that I appreciate
21 Anthony Ramirez for representing us. I am an
22 independent voter who wants to run for office.
23 Signature requirements have made it impossible for me
24 to do so. The Arizona Independent Party has given me
25 the opportunity to do so without having to join any one

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1 of the ideological parties that currently exist who are
2 part of the problem. I find the name incredibly
3 important because I want to be able to express that I
4 see things from an independent point of view. Thank
5 you.

6 CHAIRMAN KIMBLE: Thank you, Mr. Zepeda.
7 Next we have Paul Johnson.
8 Mr. Johnson.
9 MR. JOHNSON: There we go. I apologize. I
10 didn't know how to put the chat hand up.
11 So let me -- let me start with this. First,
12 I want to thank the committee. I have appointed
13 thousands of people to represent different committees
14 inside the City of Phoenix. I know you guys put in a
15 lot of work. I know that you guys give up a lot of
16 your time to be able to make these things work. And I
17 think that's not only respectable, but it's really
18 important to our government. So before I say anything,
19 I just want to tip my hat to you and to say thank you,
20 because I do think that what you're doing is important.
21 What I'd like to do, though, is just start
22 with a little bit of history on how we got to where we
23 are, because I think it's important in that process.
24 We started a long time ago believing that independents
25 and unaffiliated voters just simply didn't have the

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1 right or the same access that all voters had. And so
2 three, four years ago we began working with a group of
3 citizens to try to change the rules, to try to change
4 the system itself, so that we could create a primary
5 system where anyone could compete and where
6 independents and unaffiliated would be treated the same
7 as everyone else.
8 Now, the reason we see that as being
9 important, we think that we have a system today where
10 the -- where people run in these partisan primaries in
11 districts that are so gerrymandered, and the candidates
12 oftentimes never have to go out and talk to people on
13 the other side. As an example, in Congress only 35
14 districts out of 435 are competitive. Now, what that
15 means is that when you get a list and you go run, you
16 only talk to people inside your primary, and then the
17 race is so gerrymandered that you never end up speaking
18 to independents or people in the other party. And
19 that's created a system that's falling apart.
20 Democrats and Republicans no longer seem to
21 have the ability to reconcile with one another, and we
22 wanted to try to change that. We thought changing the
23 system -- we still think changing the system is the
24 best way to do that.
25 But we ended up with 41 percent of the vote.

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1 By the way, our -- one good thing is our voters
2 actually did understand that they were being excluded
3 from the system because they've registered as
4 unaffiliated or independent voters.
5 When we lost, the No Labels Party had a party
6 here that had been sued by the State as well, and they
7 were told they had to open every primary. I personally
8 thought that was a good idea. But we reached an
9 agreement with them. I became the chairman of that
10 party. It is a party that is -- it's the same party as
11 it was before, but we wanted to make certain that we
12 were creating an environment where independents and
13 unaffiliated, if they wanted to run, they could,
14 without having to get these onerous signature
15 requirements.
16 If you want to run as an independent today --
17 if you run as a Democrat or Republican, you need 6,000
18 signatures. You need 45,000 signatures to run as an
19 independent. I promise you, that is a barrier you
20 can't get across, because I've looked at that with
21 candidates. The 45,000 is going to cost you about
22 \$2 million to start your race. And then if you get the
23 signatures, you're going to get challenged. So before
24 you can even start, you've got to show that you can get
25 across that hurdle. And that becomes not only

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1 impossible to do, you couldn't do it with the Clean
2 Elections money that's available.
3 So this gives those candidates who want to
4 reregister into the party the opportunity to do that.
5 We're not ideologically driven. Certainly they could
6 join the Democratic Party or the Republican Party or
7 they could join the Green Party or the Libertarian
8 Party, but those parties are more driven ideologically.
9 We've removed that.
10 Like if you want to know our number one
11 slogan -- we have a list of 14 beliefs -- I'll tell you
12 what's at the top. I should be able to love those
13 people who I disagree with. That's at the top. By the
14 way, that's really controversial today in politics.
15 That's like something that almost doesn't work at the
16 Thanksgiving dinner table any -- any longer. Our goal
17 is to change that.
18 Now, it's not -- you haven't asked me for
19 this advice, but I'm going to give it anyway. This is
20 the wrong decision for the Clean Elections Commission,
21 it just is. I have polled people. I've polled -- over
22 the years, because I've been involved in this issue
23 very deeply, I polled independents, unaffiliated,
24 people who vote in the primaries, Republicans and
25 Democrats who don't vote in the primaries. What I can

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1 tell you about the independent and unaffiliated voter
2 is, they actually are very patriotic. They actually --
3 A lot of people think that they don't like
4 politics and that's why they've disconnected. That's
5 not true. They don't like the ideological bent of the
6 two parties. They want to be independent. We want to
7 allow them to be independent and allow them to be an
8 independent voter. That's important to us also. But
9 if they want to run, we want to give them the ability
10 to do so. We want to be fair to them.
11 Now, if you guys have the authority, the
12 standing in court to be able to sue the Secretary of
13 State to say that he didn't have the right to make the
14 decision to allow us to change our name, then you
15 probably also have the standing to stand up and get
16 involved in Anthony Ramirez's case of equal protection,
17 of making certain that independent and unaffiliated
18 voters can't be discriminated against like they are
19 today. We wouldn't have even gone to a political party
20 if that one would have been fixed. We would have just
21 simply helped organize candidates. But it's the only
22 option. It's the only one that they have.
23 I would tell you, if you don't do this, it
24 isn't going to matter. This is lawfare. This isn't
25 just politics. This isn't just -- this isn't just a

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1 legal issue. This is lawfare by candidates and by
2 parties who don't want the 35 percent of the people who
3 are independents to be able to participate. If you
4 don't sue, somebody else is going to -- I just can tell
5 you that -- because it's lawfare. The design is to try
6 to utilize groups or organizations as a front to show
7 that it's not the candidates, it's not the parties, but
8 eventually it's going to get down to that's who
9 actually is supportive of this.
10 And I just think it's the wrong thing for the
11 Clean Elections Commission to be involved in. In fact,
12 I think you ought to be involved in our fight. With
13 everything that you've done -- you've done good things.
14 You've helped people be able to run that wouldn't be
15 able to run otherwise. Don't utilize this as a means
16 that will sully the name of the Clean Elections group
17 by saying that you don't think that that group should
18 have the same access.
19 Again, I appreciate your participation. I
20 appreciate what you do. I hope when you're in
21 e-session you'll consider at least what it is that
22 we're trying to do here, and I thank you. And if Tom
23 has questions, I'll gladly answer them.
24 By the way -- I'm sorry. Go ahead.
25 CHAIRMAN KIMBLE: No. No. Go ahead,

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1 Mr. Johnson.
2 MR. JOHNSON: I was going -- I was going to
3 say that we had, as he knows, Andrew Pappas, who was
4 our lawyer. You guys conflicted him out. He would
5 have been here today answering questions for us,
6 because he's been involved with us from the very, very
7 beginning. I will do my best to answer the questions,
8 but we don't have anyone representing internally the
9 party on all the different political questions and
10 legal questions that we have to face until we're done
11 with this particular measure.
12 MR. HINDERAKER: Hey, Paul. Mr. Collins had
13 a question about our polling of the registered -- No
14 Labels registered voters. And I believe you had
15 your -- we did a sampling of voters. Maybe you could
16 describe how that process worked and what the results
17 were.
18 MR. JOHNSON: Sure. There are 40,000
19 members. We have about 11,000 phone numbers. We -- we
20 utilized every one of those phone numbers to send them
21 a text message regarding a poll. And the poll was a
22 Google poll. We ended up getting about 1,800 that
23 responded, so it was a pretty high response rate.
24 We also went on social media and tried to
25 identify people who were either -- people who were

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1 inside the party first, but we also took a look at
2 people who were outside the party. We kept the results
3 separate so that we'd know who were actual voters
4 inside the party and outside the party.
5 And in both cases, overwhelmingly changing
6 the name to the Independent Party was -- was, by about
7 a two-to-one margin, was the recommendation of the
8 people who were being polled.
9 CHAIRMAN KIMBLE: Okay. Thank you. I wasn't
10 sure who -- who was asking Mr. Johnson that question.
11 MR. JOHNSON: That was Ted Hinderaker.
12 MR. HINDERAKER: I'm sorry. That was me.
13 CHAIRMAN KIMBLE: Okay. Thank you. If you
14 want to ask something, let me call on you first to
15 make -- to help out the court reporter.
16 MR. HINDERAKER: My apologies.
17 CHAIRMAN KIMBLE: That's okay.
18 Thank you, Mr. Johnson.
19 Tom, is there anything you want to say before
20 we move on?
21 MR. COLLINS: Mr. Chairman, I just had a
22 couple of kind of clarifying questions, which I don't
23 think are -- I don't intend them to be super technical.
24 One of the questions that we're trying to understand is
25 what it is that you can do as the Arizona Independent

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1 Party that you are unable to do as the No Labels Party.
2 MR. JOHNSON: What can we do? We can let
3 independents know that this is a party designed for
4 them if, in fact, they're interested in being able to
5 run for office, and we think it does a better job of
6 that.
7 MR. COLLINS: And when you -- you submitted
8 this request on October 8th. That is a week after the
9 Election Procedures Manual went to the Governor and the
10 AG from the Secretary of State's Office. How did you
11 settle on October 8th to make this request, as opposed
12 to sometime in the last, you know, year, year and a
13 half, that --
14 MR. JOHNSON: Just -- Tom, just timing. You
15 know, we took over the party. When we took over the
16 party -- I can't remember the exact dates. If you
17 would like, we can try to put those together, but I'll
18 tell you kind of our process.
19 So the -- when we lost the -- when we lost
20 the open primary issue, we began sitting down, the
21 group of us, and saying, okay, what -- what should we
22 do? Should we just drop the idea, should we let it go,
23 should we try to go out and organize? What's the
24 action that we should take? And we did that for, I
25 don't know, a couple of months. We brought in

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1 pollsters and campaign consultants and others and began
2 talking to them.
3 And then the connection was made between us
4 and No Labels, and we began having a discussion with
5 them. I don't recall the date that we closed on it,
6 but there were a whole series of things that we had to
7 do to be able to be successful. And one of the things
8 is we wanted to go out and poll the name, figure out
9 whether or not the public was -- whether or not the
10 people who were inside the No Labels group was wed to
11 the existing name, whether they'd like to see a change.
12 And by the way, we didn't know that answer. We didn't
13 start out with some preplan as to how to make that
14 work.
15 In addition to polling people, one of the
16 things -- again, I'm not -- I've been a candidate
17 several times, but I've never run a political party.
18 As -- one of the things that was complicated is that
19 you can't just call people to poll them. And the
20 reason you can't just call them to poll them is because
21 there's federal law that says that you have to go
22 through a peer-to-peer type of network, and the
23 peer-to-peer network had to justify that we actually
24 were a party and that we had the control that we said
25 that we did.

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1 And they -- what they did is they utilized
2 the phone number at the Secretary of State's Office to
3 call and to make certain that that was clear. Well,
4 unfortunately, the number had been turned off at the No
5 Labels group, and so the No Labels group had to turn it
6 back on. Nonetheless, all that took time.
7 And as soon as we were completed with that
8 process, we submitted it. We -- this document that you
9 said that was handed to the Governor, I have -- until
10 you just mentioned it, I didn't know that there was a
11 document that was submitted to the Governor. So we
12 certainly weren't basing it on that document for our
13 timing.
14 MR. COLLINS: So -- fair enough. So when you
15 say that you took over the party and that the party's
16 number was disconnected prior to that, so what sort of
17 agreement -- and you mentioned this earlier -- what
18 sort of agreement did you reach with the existing No
19 Labels Party to take it over?
20 MR. JOHNSON: We agreed that Sarah and I
21 would go on the board with the two existing board
22 members, so there would be four board members, and then
23 we would begin having a discussion with them about
24 drafting new bylaws and about changing the name and
25 about the role and the process that we might play. And

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1 that's what we did, we did that and entered and engaged
2 in a discussion with them after Sarah and I went on the
3 board.
4 MR. COLLINS: And so does the -- either the
5 No Labels Party now or the No Labels Party before you
6 took over, does it have a state committee?
7 MR. JOHNSON: Are you talking about the
8 national group or are you talking about the local --
9 MR. COLLINS: Well, I'm talking about --
10 MR. JOHNSON: -- no Labels of Arizona?
11 MR. COLLINS: -- you know, 16 -- in Chapter
12 5, you know, there's a -- state parties are required to
13 have state committees that meet --
14 MR. JOHNSON: Yes. So the state --
15 MR. COLLINS: How do you operate in view of
16 that?
17 MR. JOHNSON: We have right now a four-person
18 committee -- a three-person committee, Sentari Minor,
19 Sarah Smallhouse, and Paul Johnson, and we're -- as
20 part of our bylaws change, we're expanding that.
21 MR. COLLINS: When you were work -- when --
22 so there was -- this was discussed sometime originally,
23 it looks like, based on some of the reporting -- in
24 August there was a public reporting that you were
25 contemplating this name change. Was that before or

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1 after you had taken over the No Labels Party?
2 MR. JOHNSON: That was after.
3 MR. COLLINS: Okay. So sometime between
4 August and October you're getting all this lined up to
5 make the request, is that accurate?
6 MR. JOHNSON: Well, I'm not certain of the
7 question you're asking. We -- we had discussions with
8 No Labels national, we had discussions with the No
9 Labels board here locally. We then went on the board.
10 Then we did our press conference, where -- I think
11 that's where you would have heard or seen the comments
12 that you made. And those were kind of the beginning
13 points of what we were looking to do.
14 I can tell you, we have a lot more than that
15 that we're planning to unveil, but those were the two
16 main issues that, after we went on the board, we
17 decided to do. We took a vote, we recorded the vote,
18 we kept minutes of the vote. So if any of that's in
19 question, we certainly have the records for it to show
20 you.
21 MR. COLLINS: Did you -- did you get any
22 prefiling -- I mean, before you filed -- so, you know,
23 you have this press conference, you're doing this
24 stuff, then October 8th you file. Did you get any
25 prefiling, you know, advice from the Secretary of

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1 State's Office or any discussion with them before you
2 decided to file on October 8th?
3 MR. JOHNSON: Yes, we -- we -- I spoke to
4 people in the Secretary of State's Office. I can't
5 remember her name, but we did speak to them to find out
6 like what the process was, how they saw the process,
7 what was important in it, and they laid out what the
8 requirements were and we tried to follow those.
9 MR. COLLINS: So and then -- and then just
10 more generally, you know, you acknowledge at least,
11 right, that the -- that the word independent as used
12 in -- is used in Arizona statute, it's used in the
13 Clean Elections Act as the designation for voters who
14 are not a part of -- registered with a political party,
15 right? I mean, that's --
16 MR. JOHNSON: Well, there's a number of
17 names, I believe, aren't there, Tom? Some people call
18 themselves unaffiliated. Some people call themselves
19 party not disclosed. I think the State recognizes most
20 of them as party not disclosed. But yes, there are
21 people who say, hey, I'm an independent.
22 In fact, all of the candidates that we have
23 spoken to, 20 of them, were all registered as
24 independents, and they see that this is their only way
25 to run. And that's the bigger issue you're missing.

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1 That's the thing that you're avoiding, Tom, right.
2 And again, the answer is, if you have
3 standing on this issue, if you have authority over the
4 Secretary of State, if that's true, then my guess is
5 you also have authority to stand up and support that
6 group of voters and go for an equal protections claim.
7 But we've seen nothing from you on that, we've seen
8 nothing from other groups on it.
9 So our answer is, why don't we -- if this is
10 really a concern, we're willing to sit down and have a
11 conversation with you about names and a whole series of
12 things. We've never cut you out of this process. But
13 let's work on trying to make certain that we solve the
14 primary problem, which is how do those people who
15 register that way have a chance to be able to run for
16 office. And if we could do it through just making
17 certain that when you -- when you become an independent
18 you have to go through the same signature count as
19 everyone else, to be honest with you, you solve
20 90 percent of what we're trying to deal with.
21 MR. COLLINS: Well, Mr. Chairman, if I may.
22 Mr. Johnson, I mean, I think that -- the
23 Clean Elections Act only uses the word independent to
24 refer to voters that are not part of a party, just --
25 just to be clear about that.

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1 But it seems to me that what you've said
2 indicates that your issue is that the existing law for
3 voters who are independent raises the threshold of
4 signatures that they have to get, and so -- and you
5 need the name change so that people who are independent
6 can get around the threshold that is established by
7 law.
8 MR. JOHNSON: That's not true. That's not
9 true.
10 MR. COLLINS: How is it not true? I don't --
11 I'm -- I guess I missed something there.
12 MR. JOHNSON: Yeah. What I would say is, you
13 used the word "get around" as if they were doing
14 something underhanded or sleazy or that we were looking
15 for a way to try to cheat the system. The answer is,
16 they have to join the party, that is true. The
17 independent, to be able to run as a candidate, they
18 have to join the party.
19 Now, it -- from their standpoint, making
20 certain that they feel comfortable, this name is a much
21 more comfortable name for them to be able to join with.
22 It's not confusing. It's the Arizona Independent
23 Party. That word party at the end of it is, by itself,
24 an indicator -- excuse me -- that you're joining
25 something differently. My guess is, most of the voters

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1 that we're going to get are going to come from
2 candidates who go out and solicit them. That's going
3 to be where most of them end up signing up. But
4 they're not getting around anything.
5 In fact, we were trying to change the system.
6 When we couldn't change the system, we decided to work
7 within the system that gives a set of privileges to
8 parties. I don't think those privileges should exist,
9 but that's me. My own personal opinion is, it ought to
10 be an open primary and it shouldn't be a partisan
11 primary. But the fact that it is, we're working within
12 the system to give that group of voters access that
13 they haven't had before.
14 MR. COLLINS: So I guess -- and I don't mean
15 to belabor this, but what is important to you about
16 having this name change be effective December 1st,
17 2025, instead of in the beginning of the next election
18 cycle?
19 MR. JOHNSON: Sure, I can tell you. We have
20 candidates who want to run now. I can tell you that we
21 want it to be a matter of being -- of being settled.
22 So let me -- let me tell you what our
23 experience has been. So when we did the open primary,
24 when we put up the open primary, we had multiple
25 discussions with lots of elected officials; very few of

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1 whom -- who were incumbent supported it. We -- it
2 actually was easy to get people who had been in office
3 to support it. We had Terry Goddard and Fife
4 Symington, on both sides, but incumbents were
5 difficult. We had a discussion with the Governor, who
6 was very clear that they were not happy with what we
7 were doing, that they -- that she did not -- or, at
8 least they as an office did not like what we were
9 trying to do.
10 We end up in litigation at the end. Now, the
11 litigation created a delay. The delay was strategic.
12 It was smart on their behalf, even though they didn't
13 win. And that did harm to our ability to be
14 successful, because we couldn't raise any money until
15 the litigation was solved, and it was just solved
16 months beforehand.
17 We've stepped up early, gotten the name
18 change. Our candidates are seeing it, they're liking
19 it, they're involved in it. It's part of our branding.
20 It's part of what we're putting out as a message. It's
21 part of our website.
22 I would reverse this on you. If this is
23 important, why don't we have a discussion about how do
24 we change this over the next year legislatively, but
25 when you do that include the right of every candidate

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1 to be able to run as well and to run without these
2 burdensome signature requirements. If you tie those
3 two things together, we're open to having a discussion
4 about it.
5 But if you're not willing to have that second
6 part of the discussion, the answer is we're going to
7 follow our constitutional rights, as laid out by
8 Anthony, and we're going to make a fight out of this.
9 We're not just going to walk away from it. But that's
10 not what we prefer. What we prefer is to work within
11 the system, to not play this lawfare game that's
12 utilized as a means to try to push some other type of
13 political agenda, and have a discussion.
14 And I'm always open, especially with the
15 Clean Elections group, to having a constructive
16 discussion about how do we fix this. I'm open to
17 having one with the Recorders. I think the Recorders
18 have a very tough job. I want to make certain that
19 what happens with them is solved. But not without
20 people having to address the key issue, and the key
21 issue is, you only have to have 6,000 signatures to run
22 as an -- as a Democrat or Republican, you have to have
23 45,000 to run as an independent or unaffiliated voter.
24 And that's not fair and I don't think that's legal.
25 CHAIRMAN KIMBLE: Okay. Thank you,

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1 Mr. Johnson.
2 MR. JOHNSON: Thank you.
3 CHAIRMAN KIMBLE: Let me next call on Mark
4 Stegeman.
5 Mark.
6 MR. STEGEMAN: Thank you. I'm sorry I wasn't
7 able to make my Zoom hand work.
8 CHAIRMAN KIMBLE: That's quite okay.
9 MR. STEGEMAN: Doesn't speak well for my
10 general competence, I suppose.
11 So I am Mark Stegeman, a professor at the
12 University of Arizona. I served on the Tucson School
13 Board for more than 10 years. That's a nonpartisan
14 position. I'm currently a registered Democrat, but was
15 for most of that time a registered independent.
16 I would not have been confused by the name of
17 this party, and I think that this does not need to be
18 confusing. Voter registration is a conscious and
19 deliberate act in this state, which requires effort.
20 If the Secretary of State requires that registration
21 materials clearly explain the consequences of party
22 registration, then I think there will be very little
23 confusion, very few accidental registrations.
24 My second point is that the name Independent
25 Party I think has particular meaning in this time.

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1 Registration with this party provides a way to
2 participate in a politically viable organization that
3 explicitly seeks to stand apart from the extreme
4 partisanship of the moment. I think that addresses a
5 current need in a way that might not have been true 20
6 or 30 years ago.

7 And now, based on the discussion, I have a
8 third point, which I had not intended, and that's
9 concerning the history of No Labels. The No Labels
10 Party has a brand, and for whatever reason it's not a
11 very effective brand. New political parties splitting
12 off from existing parties is a long established
13 tradition in American politics. That is how the
14 current Republican Party formed during the 1850s. I do
15 not have a detailed knowledge of the current situation
16 or history, but it seems like the relationship between
17 the two parties should be a nonissue.

18 That's my comment, thank you -- my three
19 comments, thank you.

20 CHAIRMAN KIMBLE: Thank you, Mr. Stegeman.
21 Next, Richard Grayson.
22 Mr. Grayson. Mr. Grayson, you're on mute.
23 MR. GRAYSON: Is that better? Can you hear
24 me?
25 CHAIRMAN KIMBLE: I can hear you.

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1 MR. GRAYSON: Hi, I'm Richard Grayson. I was
2 the No Labels Party candidate in the special election
3 in Congressional District 7 in September. I won the
4 primary with one write-in vote, so I didn't bother
5 getting signatures and there's a way I managed. The
6 Green Party candidate in the special election also won
7 a contested race as a write-in candidate.

8 Previously, I won the Green Party primary in
9 2010 and was on the ballot against Congressman Flake
10 in -- as the Green Party candidate in 2010. And 2012
11 again I won a write-in -- as a write-in primary
12 candidate in the Americans Elect party, which existed
13 for a while. That was 2012. And I believe in 2018 I
14 won a Green Party primary for state representative in
15 Legislative District -- then Legislative District 16.

16 So there is a way, aside from the signatures
17 that are -- that are talked about as very hard to get
18 on the ballot, to run as a write-in candidate with a
19 new party under Arizona statutes.

20 Secondly, I guess I would like to say that my
21 general position is that any change of name affects
22 those of us, like myself, who registered as a No Labels
23 Party voter. It was very surprising to people that
24 within a couple of months, I think it was by April or
25 May when the No Labels Party of 20-- last year, 2024,

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1 I believe, because they were trying to get on
2 the ballot with a presidential candidate, 15,000 people
3 joined by April and it just kept growing and growing.
4 These people registered for a party name, the No Labels
5 Party. And I think that just as the attorney for the
6 Arizona Independent Party said that First and
7 Fourteenth Amendment rights are impacted, I think
8 they're impacted also on the part of every voter who
9 signed up for the No Labels Party and suddenly they
10 find they are members of the Arizona Independent Party.

11 I have seen no evidence, except what I've
12 heard today, about any kind of a poll. I was very
13 visible, obviously, as a No Labels Party candidate in a
14 primary and in a general election; no one ever
15 contacted me. And I've spoken to a couple of other
16 registrants of the No Labels Party, so I -- I just have
17 never seen any physical evidence of this poll. The
18 whole process of the change in the party has seemingly
19 come from -- been done somewhat secretly until it was
20 announced in the press.

21 The other thing I'd like to just mention is
22 that -- the idea that calling the party independent
23 means you are not, either like the Republicans,
24 Democrats, Libertarians, or Green, an ideological
25 party. I've looked -- one reason -- after the primary

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1 I've gone to another party, changed my registration,
2 is -- in the front web page of the Arizona Independent
3 Party there's things saying we believe in this, we
4 believe in that, we support this, we oppose that. I
5 disagree with some of those things, so -- it's not an
6 independent party. They have an ideology.

7 And I guess I don't think I have anything
8 else to say. But I would support the Commission in a
9 lawsuit, although, frankly, I believe that what should
10 be done here is a new petition, just as the No Labels
11 Party did, as the Green Party did in 2024, and let them
12 really start a new party. Thank you.

13 CHAIRMAN KIMBLE: Thank you, Mr. Grayson.
14 COMMISSIONER CRUMP: Mr. Chairman,
15 Commissioner Crump here. I just have a question for
16 Director Collins, if I may.

17 CHAIRMAN KIMBLE: Go ahead.
18 COMMISSIONER CRUMP: Tom, can you -- based on
19 something Mr. Grayson just said, I wasn't clear if we
20 discussed it, are the existing registrants of No Labels
21 Party, do they -- as things stand now, do they
22 automatically get reregistered as Arizona Independent
23 Party registrants?
24 MR. COLLINS: Mr. Chairman,
25 Commissioner Crump, what the Secretary of State's

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1 Office has said is that that is what will happen. How
2 that will be executed is still a little bit unclear,
3 whether or not that is something that they execute by
4 changing the label in the statewide voter database or
5 whether that is something where it is entered at the
6 County level, because both have access to those
7 changes, but it will be a -- as far as we know, it will
8 be -- essentially on day one you will be a No Labels
9 Party member, on day two you will be an Arizona
10 Independent Party member.
11 The -- what that will do, if the Secretary
12 were to unilaterally do this without the County, the
13 result of that would be to essentially leverage the
14 Counties in the sense that -- like right now, at least
15 our view, and I think what the law is, is that the
16 Secretary doesn't have the authority to do this at all,
17 right. But the Secretary can -- if the Secretary goes
18 into the database and says, these -- these people are
19 now in this new party, right, we now have this new
20 party called Arizona Independent Party, it will be
21 then -- the Counties will then have the obligation,
22 even if it's not a legal obligation, to tell those
23 folks why they have a new party assigned to them.
24 And so -- so that is how we understand
25 currently the Secretary is planning on undertaking this

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1 is that either the Counties will do it for the
2 Secretary, or the Secretary will do it through its
3 access to the statewide voter registration database and
4 then, because the Counties will want to make sure that
5 their voters whose party has been changed know why that
6 has happened, they will communicate that. So -- so the
7 bottom line being that our understanding is there is no
8 pre-change notice that will be given to members of the
9 No Labels Party that they are going to be part of a
10 different organization, I think as Mr. Johnson has
11 essentially told us today, than they were when they
12 registered and that they will be under a different
13 name. There is not going to be any pre -- just as
14 there was no pre-decision notice about the Secretary's
15 decision here, there will be no pre-decision notice to
16 voters, that I'm aware of.
17 COMMISSIONER CRUMP: Okay. Thank you,
18 Mr. Chairman.
19 CHAIRMAN KIMBLE: Mr. Johnson, I see you've
20 raised your hand. Do you have something to address on
21 this point?
22 MR. JOHNSON: Tom mischaracterized what I
23 said to him. I didn't say that this was effectively a
24 new organization. I think we've been very clear it's
25 not. It's the same organization.

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1 And I would just say that the name change
2 probably, if it does damage to anyone, it does damage
3 to us, right, in this way. If you decide, when you get
4 the name change, that you don't want to take part in
5 it, you can go online and in two minutes change your
6 party registration. There's nothing that stops you
7 from doing that.
8 So the idea that somehow or another that's a
9 big deal, I just see it as a ruse. It's not really
10 what's driving this. And again, I would say what we
11 ought to be focused on is how do we try to create a
12 system where people can run regardless.
13 CHAIRMAN KIMBLE: Okay. Thank you,
14 Mr. Johnson.
15 Let me next call on Dr. Stephen Neal.
16 Dr. Neal.
17 DR. NEAL: Thank you. Pretty much
18 Mr. Johnson actually -- actually responded to the
19 statement by Mr. Garrison (sic), because this is not a
20 new party. If you look how it is, like he said, it is
21 very difficult -- I'm actually a candidate. As an
22 independent there's -- like he said, those -- getting
23 those signatures, over 40,000 -- or, 40-plus-thousand
24 signatures would be impossible.
25 No Labels have stepped up and allowed us a

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1 position in order to be part of that party because we
2 believe in working together, we believe in having
3 solutions to pressing issues that -- that goes beyond a
4 political party's agenda. So like I always say, love
5 students not politics, love people not politics.
6 And what happened is, even as an independent
7 you -- when it comes to vote, and I've attended a lot
8 of different LDs for both Democrats and Republicans --
9 when they actually go to vote, they have to request
10 a ballot of either a Democrat or a Republican. And
11 you've got independents that are sitting in there, but
12 those are the only two ballots and they feel like
13 that's the only voice that they actually have.
14 By changing the name, that allows people to
15 know, hey, we have another party out here that speaks
16 in our behalf. Because we want to be able to solve
17 problems, we want to be able to have that civic
18 engagement and feel safe within an environment, but
19 have that common sense -- like I'm having -- my tour is
20 called a common sense tour -- but have those open
21 discussions among each other. And by changing the
22 name, that allows people to understand, oh, we do have
23 a voice and we do have a say in the political realm.
24 When I told people that the name was being
25 changed, they were so excited about it. They are

<p style="text-align: right;">Page 50</p> <p>1 thrilled about the name change because now they 2 understand we are speaking for the people. For anyone 3 to actually say that it's a new party or it's 4 different, they're far from wrong. 5 Like Mr. Garrison was say -- Grayson was 6 saying that, well, it allows him to do this, this, 7 this, and this. I was down in CD 7 a lot of times 8 promoting, helping out, and doing my own campaign. I 9 didn't even know a No Labels person was actually 10 running for CD 7. And this is where, as a candidate, 11 you have to be big in the community, you have to be 12 able to go beyond your horizon of your comfort level 13 and talk to the different groups. 14 I think Mr. -- Mr. Johnson has been very open 15 and up front with everything within the party. He 16 reached out to me as soon as he heard that I was part 17 of the No Labels Party, but now it's being switched to 18 the Arizona Independent. He's very visual and vocal 19 and he actually speaks out for the party. So I would 20 take with a grain of salt what was just said about 21 keeping the name, because we are visual. We're not 22 someone who's secretly hiding. 23 Now, we cannot control what the media does, 24 we all know that, because they are there to protect the 25 two political systems, the Democrats and Republicans.</p>	<p style="text-align: right;">Page 52</p> <p>1 it -- or, a member on it that was on the No Labels 2 committee. It's no different than -- you know, the 3 current parties, Democratic, Republican, whatever, they 4 change state committee members all the time, they 5 change chairmen all the time. This is no different. 6 So that's a false characterization. 7 And, you know, again, I just hope that the 8 Commission stays true to its mission. Again, reading 9 from the enabling legislation, it's to give -- you 10 know, it's to prevent incumbents from having an 11 unhealthy advantage over challengers, you know, it's to 12 prevent the influence of money over the system. 13 What we're trying to do is to comply with all 14 those goals. And if you -- you know, if you're 15 successful in overturning our attempts to change the 16 name, what you're doing is disenfranchising all the 17 candidates who are appearing here, right, and it's just 18 not right. So thank you very much for your 19 consideration of our concerns. 20 CHAIRMAN KIMBLE: Thank you. Thank you, 21 Mr. Hinderaker. 22 I believe I've called on everyone who has 23 indicated they wish to speak. If I'm wrong, this is 24 your chance. Do something to get my attention and I 25 will call on you.</p>
<p style="text-align: right;">Page 51</p> <p>1 They're going to protect them, they're going to put 2 whatever is out there. But as active people, and I can 3 see some of my other fellow constituents out here, we 4 want the name change so we can go solve problems and be 5 as one and cross those aisles to bring -- unite people 6 together. 7 And I want to thank you guys for having us, 8 but pray that you guys agree with the name change. 9 CHAIRMAN KIMBLE: Thank you, Dr. Neal. 10 I see Mr. Hinderaker wants to speak again, 11 but before then, is there anyone who has not spoken who 12 wishes to speak? If you have problems raising a hand, 13 wave at me and I'll try to see you on the screen. 14 There's a number of people here who have not spoken. 15 If you want to speak, somehow get my attention and I 16 will call on you. 17 (No response.) 18 CHAIRMAN KIMBLE: I'm not seeing anyone. 19 Mr. Hinderaker. 20 MR. HINDERAKER: I just had a short comment 21 in response to Mr. Collins' characterization of this as 22 a new party -- new, which you keep coming back to. 23 It's not. As Paul Johnson indicated, we've taken pains 24 to comply with all the statutory requirements. We have 25 a state committee. The state committee has members on</p>	<p style="text-align: right;">Page 53</p> <p>1 Otherwise, are there any questions from the 2 Commission before we decide whether we're going to go 3 into executive session? 4 (No response.) 5 CHAIRMAN KIMBLE: Hearing none, I would 6 entertain a motion to go into executive session on this 7 matter to consult with our attorneys. 8 COMMISSIONER WERTHER: Mr. Chairman, I move 9 that we go into executive session for legal advice on 10 this matter. 11 CHAIRMAN KIMBLE: Thank you, 12 Commissioner Werther. 13 Is there a second? 14 COMMISSIONER CRUMP: I'll second. 15 CHAIRMAN KIMBLE: Thank you, 16 Commissioner Crump. 17 It's been moved and seconded that we go into 18 executive session to consult with our attorneys on this 19 matter. I will call the roll. 20 Commissioner Werther. 21 COMMISSIONER WERTHER: Aye. 22 CHAIRMAN KIMBLE: Commissioner Crump. 23 COMMISSIONER CRUMP: Aye. 24 CHAIRMAN KIMBLE: Commissioner Paton. 25 COMMISSIONER PATON: Aye.</p>

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1 CHAIRMAN KIMBLE: Commissioner Titla.
2 COMMISSIONER TITLA: Aye.
3 CHAIRMAN KIMBLE: Chair votes aye.
4 The vote is 5-to-nothing. We're going to go
5 into executive session. We'll have a brief break
6 before then as we get set up for executive session. At
7 the conclusion of the executive session, we will come
8 back into regular session. Thank you very much.
9 (The following section of the meeting is in
10 executive session and bound under separate cover.)
11 * * * * *
12 (End of executive session. Public meeting
13 resumes at 11:11 a.m.)
14 CHAIRMAN KIMBLE: We are back in open
15 session.
16 Does any Member of the Commission wish to
17 make a motion?
18 COMMISSIONER WERTHER: Mr. Chairman, I'd like
19 to make a motion.
20 CHAIRMAN KIMBLE: Commissioner Werther.
21 COMMISSIONER WERTHER: I move to authorize
22 outside counsel to initiate litigation in this matter
23 that's agendized, including any related litigation
24 relating to the proceedings, involving Secretary of
25 State decision on 10-16-2025 to grant the request of

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1 the No Labels Party to change its name to the Arizona
2 Independent Party.
3 CHAIRMAN KIMBLE: Thank you,
4 Commissioner Werther.
5 Is there a second?
6 COMMISSIONER PATON: This is Paton. I'll
7 second it.
8 CHAIRMAN KIMBLE: It's been moved by
9 Commissioner Werther, seconded by Commissioner Paton.
10 Commissioners, you've heard the motion. I
11 will call the roll.
12 Commissioner Crump.
13 COMMISSIONER CRUMP: Aye.
14 CHAIRMAN KIMBLE: Commissioner Werther.
15 COMMISSIONER WERTHER: Aye.
16 CHAIRMAN KIMBLE: Commissioner Paton.
17 COMMISSIONER PATON: Aye.
18 CHAIRMAN KIMBLE: Commissioner Titla.
19 Do we have Commissioner Titla with us? I
20 don't --
21 COMMISSIONER TITLA: Yeah. Can you hear me?
22 CHAIRMAN KIMBLE: Yes, I can hear you,
23 Commissioner Titla.
24 COMMISSIONER TITLA: I vote nay.
25 CHAIRMAN KIMBLE: Okay. Chair votes aye.

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1 The motion is approved 4-to-1. Thank you.
2 Item III, public comment. This is the time
3 for consideration of comments and suggestions from the
4 public. Action taken as a result of public comment
5 will be limited to directing staff to study the matter,
6 rescheduling it for further consideration, or
7 responding to criticism. Please limit your comments to
8 no more than two minutes.
9 Does anyone on Zoom wish to make a comment?
10 Either use your raise hand feature or wave or somehow
11 make yourself known.
12 (No response.)
13 CHAIRMAN KIMBLE: Seeing or hearing no one.
14 The public may also submit comments by e-mail
15 at ccec@azcleaselections.gov.
16 Item IV, adjournment. At this time, I would
17 entertain a motion to adjourn.
18 COMMISSIONER WERTHER: Mr. Chairman, I move
19 to adjourn.
20 CHAIRMAN KIMBLE: Thank you,
21 Commissioner Werther.
22 Is there a second?
23 COMMISSIONER PATON: This is Paton. I'll --
24 I'll second it.
25 CHAIRMAN KIMBLE: It's been moved by

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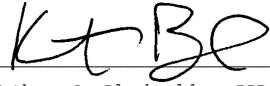
1 Commissioner Werther, seconded by Commissioner Paton
2 that we adjourn. I will call the roll.
3 Commissioner Crump.
4 COMMISSIONER CRUMP: Aye.
5 CHAIRMAN KIMBLE: Commissioner Werther.
6 COMMISSIONER WERTHER: Aye.
7 CHAIRMAN KIMBLE: Commissioner Paton.
8 COMMISSIONER PATON: Aye.
9 CHAIRMAN KIMBLE: Commissioner Titla.
10 COMMISSIONER TITLA: Aye.
11 CHAIRMAN KIMBLE: Chair votes aye. We are
12 adjourned. Thank you very much.
13 (The meeting concluded at 11:15 a.m.)
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25

1 STATE OF ARIZONA)
) ss.
2 COUNTY OF MARICOPA)
3

4 BE IT KNOWN that the foregoing proceedings
5 were taken by me; that I was then and there a Certified
6 Reporter of the State of Arizona; that the proceedings
7 were taken down by me in shorthand and thereafter
8 transcribed into typewriting under my direction; that
9 the foregoing pages are a full, true, and accurate
10 transcript of all proceedings had and adduced upon the
11 taking of said proceedings, all to the best of my skill
12 and ability.

13
14 I FURTHER CERTIFY that I am in no way related
15 to nor employed by any of the parties hereto nor am I
16 in any way interested in the outcome hereof.

17
18 DATED at Tempe, Arizona, this 2nd day of
19 December, 2025.

20
21 

22
23 Kathryn A. Blackwelder, RPR
Certified Reporter #50666

24
25

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**CITIZENS CLEAN ELECTIONS COMMISSION
EXECUTIVE DIRECTOR REPORT
December 11, 2025**

Announcements:

- Commissioner Werther was elected President of the Arizona City Attorneys Association. The association is an affiliate of the League of Arizona Cities and Towns comprised of attorneys, assistant attorneys and deputy attorneys for Arizona's 91 cities and towns.
- Clean Elections partnered with Telemundo for a townhall/panel discussion on healthcare. The segment was produced in Spanish, streamed live on December 1st, and aired on December 4th and December 5th.

Healthcare consistently ranks as a top priority for voters and the production brought voters information on health insurance, costs, subsidies, and how they can help shape healthcare policy in the state.

Panelists were:

- Monica Coury, Vice President of External Affairs for Arizona Complete Health.
- Rogelio Pena, RD, Patient Engagement Director, Equality Health
- Leo Mendez, Interim Chief Clinical Operations Officer, Adelante Healthcare
- Monica Miller, RN, MS, Service Excellence Coordinator in Quality Management, Valleywise Health



Voter Education and Outreach:

- Tom was a panelist at the Council of Government Ethics Laws 2026 Conference speaking about clean funding for candidate campaigns.
- Gina presented at Election Officer Certification Training on Clean Elections' Voter Education Programs.
- Avery served as a judge in the We the People regional competitions for high school students.
- Avery will have met with the Voter Outreach Workgroup to discuss upcoming events in 2026.
- Gina attended a steering committee meeting for National Voter Registration Day.

- Gina met with Arizona Talks about potential events for voters in 2026. Arizona Talks is a local nonprofit that works to facilitate civic engagement. <https://arizonatalks.org/#about>.
- Tom and Gina are recording social media content on Thursday, December 11th for 2026 voter education and outreach.
- Production is almost finalized on 2026 voter education campaign videos.
- Alec and Gina are preparing and optimizing the website for 2026. This includes content refresh, user experience testing, implementing new data sources, updates for voter education guide production, etc.

Administration:

- Nine participating candidate workshops have been completed, with twenty-two candidates having attended. The schedule for 2026 workshops will be available on the Commission's website beginning in January.

Legal:

- Center for Arizona Policy v. Arizona Secretary of State, Arizona Supreme Court No. CV-24-0295-PR.
 - Oral argument was held September 11. This is a state constitutional challenge to Proposition 211.
- Americans for Prosperity v. Meyer, No. 24-2933 (9th Cir.).
 - Pending at the Ninth Circuit following May Oral Argument.
- Montenegro v. Fontes, Arizona Supreme Court No. CV-24-0166-PR.
 - Litigation on remand continues. The leadership has filed a motion for a preliminary injunction and a motion for judgment on the pleadings. Their principle claim is that Proposition 211 is unconstitutional on separate of powers/delegation grounds.
- The Power of Fives, LLC v. Clean Elections, CV2021-015826, Superior Court for Maricopa County & Clean Elections v. The Power of Fives, LLC et al. CV2022-053917, Superior Court for Arizona. Briefing on the Defense Motion for Summary Judgement in CV2021-015826 is complete.
- Branch et al. v. Collins, et al., CV2024-004136 in Superior Court for Maricopa County. The Superior Court granted in part and denied in part our motion to dismiss. We filed an answer on December 9.

Other legal:

- The court of appeals filed a memorandum decision in *Petersen v. Fontes*, 1 CA-CV 25-0219, affirming the superior court, including on several issues where that court had determined the election procedures manual was incorrect. The Secretary's office has said in published reports it is considering a petition for review. <https://jpr.azcourts.gov/Portals/0/OpinionFiles/Div1/2025/1%20CA-CV%2025-0219%20Petersen,%20et%20al.%20v.%20Fontes.pdf>.

- The U.S. Supreme Court held oral arguments on December 9 in *National Republican Senatorial Committee v. Federal Election Commission*. The case challenges restrictions on party coordination under the First Amendment. In Arizona, party coordinated expenditures with nominees are not contributions. A.R.S. § 16-911(B)(4)(b).

Legislative Report:

- Lawmakers have started prefiling bills. Mike’s reports will pick up next year.
- **Donor reporting.** Senator Kavanaugh has filed a bill, SB1006, that would increase the threshold for disclosure of individual donors from \$100 to \$200 and require consent for disclosure of certain personal information below that threshold.
 - Based on discussions I observed this week, measures that address what information is collected from donors and how it is disclosed are likely to be an area in which we should anticipate legislation.
 - Measures like this are relevant to the commission in at least three ways:
 - 1) Qualifying contributions and other contributions to participating candidates.
 - 2) Voters Right to Know Act disclosures.
 - 3) The Commission’s authority over campaign contribution limits and disclosures under the Clean Elections Act. *E.g.*, A.R.S. §§ 16-941(A)-(B), 16-942(B)-(C).
- **Primary date.** It is likely legislators will move to make the primary date change they made for the 2024 election permanent, the last day of July. That will slightly alter the calendar for participating candidate funding. A prefiled bill, HB 2022, proposes to do this. <https://www.azleg.gov/legtext/57leg/2R/bills/HB2022P.pdf>.

Appointments:

- Staff continues to monitor appointments, and direct interested applicants to the appropriate officials.

Complaints:

- MUR 24-01, Barnett
- MUR 25-01, Jaramillo
- MUR 25-03, Timberlake
- MUR 25-04, Turning Point
- MUR 25-05, Turning Point
- MUR 25-06, Timberlake

2025 Regulatory Agenda:

The Commission may conduct a rulemaking even if the rulemaking is not included here. The Commission will consider revisions to Ariz. Admin. Code § R2-20-702 related to use of funds on this agenda. The following information is provided under A.R.S. § 41-1021.02:

- Notice of Docket Opening: 31 A.A.R. 2255 (revision and addition of funding rules), https://apps.azsos.gov/public_services/register/2025/27/contents.pdf.
- Notice of Proposed Rulemaking: 31 A.A.R. 2141 (revision and addition of funding rules), https://apps.azsos.gov/public_services/register/2025/27/contents.pdf.
- Supplemental Notice: Pending. 31 A.A.R.3917 (setting our next meeting to consider rules related to campaign finance report and monitoring of clean candidate funds). https://apps.azsos.gov/public_services/register/2025/40/contents.pdf.
- Federal funds for proposed rulemaking: **None**
- Review of existing rules: **Five Year Report Approved 9/2/2025**
- Notice of Final Rulemaking: **None.**
- Rulemakings terminated: **None.**
- Privatization option or nontraditional regulatory approach considered: **None Applicable.**

 Clerk of the Superior Court
 By Genevieve Farler, Deputy
 Date 12/04/2025 Time 12:11:20
 Description Amount
 ----- CASE# CV2025-064362 -----
 CIVIL NEW COMPLAINT 367.00

 TOTAL AMOUNT 367.00
 Receipt# 30585700

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16 **IN THE SUPERIOR COURT OF ARIZONA**
 17 **MARICOPA COUNTY**

18 **CV 2025-064362**

19 ARIZONA DEMOCRATIC PARTY,

Case No. _____

20 Plaintiff,

21 v.

**VERIFIED COMPLAINT FOR
 SPECIAL ACTION**

22 ADRIAN FONTES, in his official capacity as
 the Arizona Secretary of State,

23 Defendant.
 24
 25
 26
 27
 28

1001 North Central Avenue, Suite 404
 Phoenix, Arizona 85004

**HERRERA
 ARELLANO LLP**

1 Plaintiff Arizona Democratic Party files this action challenging the Arizona
2 Secretary of State's decision to approve the No Labels Party of Arizona's purported name
3 change to the "Arizona Independent Party." Plaintiff hereby alleges as follows:

4 INTRODUCTION

5 1. Less than three years after obtaining official party recognition, and just ten
6 months before Arizona's next statewide primary, the No Labels Party of Arizona has
7 decided it now wants a label. On October 8, 2025, party leaders asked Secretary of State
8 Adrian Fontes to allow No Labels to change its name to the "Arizona Independent Party"
9 and for this name to appear on the ballot for the 2026 statewide primary and general
10 elections. In doing so, they seek to have the state disregard the name that party supporters
11 rallied behind to help the party achieve recognition in the first place.

12 2. Proponents of the name change have been quite transparent about their
13 motives: to provide a fast-track for unaffiliated (or independent) candidates to obtain ballot
14 access. The newly formed party has no traditional platform around which parties typically
15 associate, and the only substantive policy requirements for prospective candidates who wish
16 to run under the party's banner are to support nonpartisan open primaries and work with
17 others who have opposing political views.

18 3. If permitted, this last-minute rebrand will sow chaos for Arizona's upcoming
19 elections. By invoking a term ("independent") commonly used to refer to unaffiliated
20 candidates and voters—who make up about a third of Arizona's electorate—No Labels'
21 proposal invites the public to commingle the party's supporters and candidates with true
22 independents, and ensures confusion for voters and election administrators as to whether
23 any given voter or candidate is associated with that party or is truly unaffiliated. In fact, the
24 Elections Procedures Manual set to be published by December 31, 2025 still refers to No
25 Labels throughout, does not even mention the Arizona Independent Party, and refers to
26 unaffiliated voters as "Independent." As the Secretary has publicly acknowledged,
27 "[e]verybody recognizes that there's going to be voter confusion" when the name change is
28 implemented.

1 There is thus an actual and live controversy between the parties with respect to the legality
2 of the Secretary's decision approving the name change that is ripe for this Court's
3 adjudication.

4 12. Defendant Adrian Fontes is the Arizona Secretary of State and is named in
5 this action in his official capacity only. The Secretary of State is the public officer with
6 whom petitions for new political parties seeking statewide recognition are filed. A.R.S.
7 §§ 16-801(A), 16-803(A). Moreover, the Secretary of State reviews and evaluates the
8 sufficiency of new political party petitions. *See id.* § 16-803. The Secretary of State is also
9 responsible for accepting candidate nomination papers, containing the name of the
10 candidate's political party, for federal, statewide, and certain other state offices. *Id.* § 16-
11 311(A), (D), (E), (H). Defendant Fontes approved the No Labels Party of Arizona's
12 purported name change without requiring it to submit a new political party petition.

13 GENERAL ALLEGATIONS

14 **I. Arizona's party-recognition process does not contemplate or allow for name** 15 **changes.**

16 13. Arizona law establishes a meticulous process for aspirant political parties
17 seeking legal recognition and ballot access. *See id.* §§ 16-801, 16-802, 16-803, 16-804.

18 14. For statewide recognition, the aspirant party must first submit to the Secretary
19 of State a petition containing signatures from eligible voters representing over 1.33% of the
20 total votes cast in the preceding gubernatorial election, from voters registered across five or
21 more different counties, and with at least 10% of the signatures from voters registered in
22 counties with populations of less than 500,000 persons. *Id.* § 16-801(A).

23 15. The petition must be verified by the affidavit of 10 qualified voters, "asking
24 that the signers thereof be recognized as a new political party," *id.*, and filed with the
25 Secretary of State at least 250 days before the primary election for which the party seeks
26 recognition, *id.* § 16-803(A).

27 16. The Secretary must then review each petition sheet, removing entries with
28 signatures from the wrong county or incomplete entries where the signer's information is

1 missing. *Id.* § 16-803(B). Following this initial review, the Secretary must select 20 percent
2 of the signatures for verification and transmit those signatures to the appropriate county
3 recorders. *Id.* § 16-803(C)–(D).

4 17. The county recorders must then review the signatures for compliance with
5 eligibility requirements, disqualify entries with signature defects, and provide the Secretary
6 with the names of individuals whose signatures were disqualified from the random sample
7 and total number of verified signatures in the sample. *Id.* § 16-803(E)–(G). Based on that
8 information, the Secretary must make a projection of the total number of valid signatures
9 through a formula provided by statute. If the projected total is greater than the minimum
10 number of signatures required, “the party shall be recognized.” *Id.* § 16-803(H)–(I).
11 Otherwise, “the party shall not be recognized.” *Id.* § 16-803(I).

12 18. Once an aspirant party attains such recognition, it “is entitled to representation
13 as a political party on the official ballot through the next two regularly scheduled general
14 elections for federal office immediately.” *Id.* § 16-801(B). But if it then fails to attain
15 continuing representation on the ballot under Section 16-804, it is ineligible for further
16 representation unless “it files a new petition for recognition as a new political party.” *Id.*

17 19. A recognized new party may attain continuing representation on the official
18 ballot in one of two ways. For one, the party is entitled to continuing representation
19 statewide if it receives at least 5% of the votes cast for governor or presidential electors at
20 the last general election. *Id.* § 16-804(A). Alternatively, the party is entitled to statewide
21 representation on the ballot if at least 0.67% of all registered voters are registered with that
22 party by October 1 of the year preceding the applicable general election. *Id.* § 16-804(B).

23 20. In sum, the party-recognition process is carefully choreographed by statute:
24 from the number of days or hours that may elapse at each stage of the petition process, to
25 how petition sheets should be marked, transmitted, and reviewed, to the precise level of
26 support a party must obtain at each stage. *See* A.R.S. §§ 16-801, 16-803, 16-804. Critically,
27 however, at *no* point does Arizona law provide a mechanism for, or permit, a party to change
28 its name without starting the petition process anew.

1 **II. Arizona law makes it easier for candidates of recognized parties to appear on**
2 **the ballot than for unaffiliated candidates.**

3 21. One of the benefits that comes with party recognition is that it is easier for
4 candidates affiliated with a recognized party to appear on the ballot. Arizona’s ballot-access
5 requirements for unaffiliated candidates are intentionally more restrictive than those for
6 candidates of recognized political parties, as unaffiliated candidates must obtain
7 substantially more signatures to achieve a place on the ballot. For example, unaffiliated
8 candidates for statewide office require signatures from 3% of all qualified signers to appear
9 on the ballot. *See id.* § 16-341(E)–(F). In contrast, candidates for statewide office require
10 signatures from only 0.25% of qualified signers to represent a recognized political party on
11 the ballot—and that requirement is lowered to 0.1% of qualified signers if the political party
12 is a recognized new party. *See id.* § 16-322(A)(1), (C).

13 22. Thus, unaffiliated candidates must demonstrate a significantly greater
14 modicum of support before they may benefit from having their name printed on ballots. For
15 example, in the 2024 general election, No Labels and the Green Party, both newly
16 recognized parties, each needed only 1,288 signatures for statewide candidates. In contrast,
17 however, true independent candidates for statewide office required 42,303 signatures.

18 23. This distinction reflects a deliberate policy choice: such laws are “designed
19 to weed out the cranks, the publicity seekers, and the frivolous candidates . . . yet not to
20 keep out those who are serious in their efforts and have a reasonable number of supporters.”
21 *Jenkins v. Hale*, 218 Ariz. 561, 564 ¶ 19 (2008) (citation modified).

22 **III. The No Labels Party of Arizona achieves temporary recognition status.**

23 24. On February 10, 2023, No Labels filed petition sheets containing more than
24 50,000 signatures with the Secretary of State’s office in an attempt to gain recognition as a
25 political party. The petition sheets stated that the new political party for which signers
26 sought recognition “shall be known as No Labels Party.” The affidavit of electors submitted
27 in support of the petition likewise requested that the new party “be called No Labels Party.”
28

1 25. Upon review of the petition, the Secretary determined that No Labels had
2 “exceed[ed] the minimum signature requirement and, therefore, qualifie[d] as a new party”
3 for federal, statewide, and legislative races. As a result, No Labels temporarily attained
4 ballot access for the 2024 and 2026 general elections. *See id.* § 16-801.

5 26. After the 2026 general election, No Labels will no longer be guaranteed ballot
6 representation. *Id.* § 16-801(B). To attain continuing representation on the ballot in
7 subsequent elections, it must demonstrate sufficient support at the 2026 general election,
8 *see id.* § 16-804(A), or retain a sufficient number of voters registered under its banner
9 statewide by October 2027, *see id.* § 16-804(B). Otherwise, its supporters must submit
10 another new party petition to ensure ballot access in future elections. *See id.* § 16-801(B).

11 **IV. After achieving temporary recognition, No Labels undergoes significant**
12 **changes in its leadership, structure, and electoral strategy.**

13 27. The No Labels Party of Arizona was originally established as “a state-level
14 affiliate of No Labels, Inc.” *No Labels Party of Ariz. v. Fontes*, 142 F.4th 1226, 1229 (9th
15 Cir. 2025). The national No Labels entity, in turn, is a DC-based 501(c)(4) organization that
16 “was established in 2009 to bridge the partisan divide in Washington by advancing
17 commonsense reforms and convening officeholders from both major parties.” *Id.* at 1229
18 n.2.

19 28. No Labels did not field any down-ballot candidates in Arizona for the 2024
20 general election after it sought, and obtained, an order from a federal district court enjoining
21 the Secretary of State from forcing No Labels to associate with and nominate candidates for
22 any down-ballot positions. *See id.* at 1230–31. No Labels ultimately determined that it
23 would also not nominate a presidential ticket for that election either, and thus did not
24 participate in the 2024 election at all.

25 29. Following that election, No Labels went through a series of changes that
26 fundamentally disrupted and transformed the nature of the organization. First, in July 2025,
27 the Ninth Circuit Court of Appeals reversed the lower court’s order and held that No Labels
28 could not prevent candidates from running for any office under its banner. *See id.* at 1240

1 (“Action is appropriate—and necessary—when a party attempts to undermine the voting
2 rights of its own members. The right to vote belongs to the party members, not the party
3 leadership, and that is where it will remain.”).

4 30. Although the Ninth Circuit’s decision upended the party’s core political
5 strategy, No Labels did not cease to exist. It retained about 40,000 registered voters. And it
6 continued to have some members interested in running for office under the No Labels
7 banner. As of July 2025, it was reported that about 20 people had expressed interest in
8 running as No Labels candidates.

9 31. Against this backdrop, No Labels also witnessed major changes in its
10 leadership, structure, and electoral strategy. In 2025, Paul Johnson became the chair of the
11 No Labels Party of Arizona. Johnson was previously the chair of the political committee
12 that backed Proposition 140, a ballot measure in the 2024 general election that would have
13 ended partisan primaries in the state and created an open primary system. That measure was
14 rejected by voters by a 17-point margin.

15 32. Since Johnson took over No Labels’ Arizona operations, the state party has
16 severed ties with the national No Labels organization and instead partnered with the national
17 Forward Party. Johnson envisions the No Labels Party of Arizona as an “un-party,” a de
18 facto independent party, and a banner under which both far-left and far-right candidates
19 could run. His vision for the party is one without lodestar substantive policy priorities
20 behind which voters and candidates could gather. The party will have a general “statement
21 of beliefs,” but Johnson has reportedly stated that candidates will not actually be required
22 to support those principles to obtain the party’s endorsement.

23 33. In fact, the only specific policy candidates will be required to support is
24 Johnson’s open primaries measure that failed as Proposition 140 in 2024.

25 **V. No Labels requests to change its name to the “Arizona Independent Party,” and**
26 **the Secretary approves.**

27 34. Having transformed its leadership, structure, platform, and national
28 affiliations, by late this year, No Labels bore little resemblance to the party that originally

1 petitioned for temporary recognition and ballot access in 2023. Then, on October 8, 2025,
2 party chair Paul Johnson requested that election officials substitute the name “Arizona
3 Independent Party” on the ballot for the 2026 statewide primary and general elections in
4 place of “No Labels.”

5 35. Secretary Fontes recognized that this decision had the potential to create
6 significant problems for Arizona elections. As the Secretary acknowledged publicly,
7 “[e]verybody recognizes that there’s going to be voter confusion” when the name change is
8 made.

9 36. Nevertheless, Secretary Fontes approved No Labels’ request. In a letter dated
10 October 16, 2025, the Secretary notified No Labels that his office would formally make the
11 name change and that it would be effective on December 1, 2025. The letter was only one
12 page long and contained merely a few sentences of legal reasoning.

13 **VI. The Secretary’s decision to allow No Labels’ name change is contrary to law**
14 **and will have numerous adverse consequences.**

15 37. The Secretary’s decision to allow No Labels to change its name is contrary to
16 Arizona law for at least two independent reasons, and it will also have numerous other
17 adverse consequences for elections in Arizona.

18 38. *First*, Arizona’s party-recognition statutes provide no mechanism for
19 allowing a party to change its name and simply do not authorize such a procedure.

20 39. *Second*, No Labels’ transformation into the “Arizona Independent Party” in
21 particular is a transparent and inappropriate attempt to circumvent Arizona’s ballot access
22 requirements for truly independent candidates. Indeed, Johnson has acknowledged that this
23 was the precise purpose behind the name change, describing the refashioned party as a
24 vehicle to “help people who are unaffiliated become candidates.” He has also declared that
25 the change “allows those voters, independents and unaffiliated, to be able to run and have
26 to get an equivalent amount of signatures to what the Democrat or Republican party does.”

27 40. Changing No Labels’ name in violation of Arizona law will wreak havoc on
28 Arizona elections. For one thing, it will cause significant voter confusion. Nearly a third of

1 Arizona voters are not affiliated with any political party, and the term “independent” has
2 long been used to refer to such voters. For example, several statutes explicitly use the term
3 “independent” alongside “no party preferred” to describe unaffiliated voters. *See, e.g.,*
4 A.R.S. §§ 16-321(F)(3), 16-467(B). The term is also commonly used by government actors.
5 Allowing a party to call itself “Independent” will make it more difficult for voters and
6 election officials to ascertain whether any given voter or candidate is associated with the
7 “Arizona Independent Party” or truly independent.

8 41. This confusion could result in wholesale disenfranchisement of voters. In
9 Arizona, a voter’s expressed party preference in the registration database determines
10 whether they are eligible to vote in a party’s primary. To date, tens of thousands of voters
11 have designated No Labels as their preferred party. The Secretary has issued guidance to
12 counties to implement the name change, and that guidance directs that voters who are
13 currently registered with the No Labels Party must have their registrations converted to the
14 Arizona Independent Party. Yet it is highly doubtful that county recorders may lawfully do
15 so—under Arizona law, a voter “desiring to state a preference for a political party or
16 organization *other than the one indicated by the record of his registration* shall reregister.”
17 A.R.S. § 16-136 (emphasis added). Voters who originally selected “No Labels” as their
18 party designation, therefore, are likely ineligible to vote in the Arizona Independent Party
19 primary unless they reregister.

20 42. Further, the guidance the Secretary has offered as to how new registrants will
21 be categorized in the future is arbitrary and will invite even further confusion. For example,
22 the Secretary directs that voters who write “IND Party” are to be entered into the registration
23 database as members of the Arizona Independent Party, but those who write “Independent”
24 or “IND” will be entered as “Party Not Designated.” In other words, in some cases the only
25 distinction between voters who will be registered as Arizona Independent Party members
26 and those who will be registered as unaffiliated is the lone word “Party.” That is all but
27 certain to invite confusion among voters and possible errors by election officials—thereby
28 threatening the rights of unaffiliated voters to receive a ballot for their primary of choice,

1 *see id.* §§ 16-467(B), 16-542(A), 16-544(D)—and will thus sow chaos during the 2026
2 primary elections.

3 43. The Secretary’s approval of No Labels’ request will also require significant
4 last-minute changes to the draft Elections Procedures Manual (“EPM”), which must be
5 finalized and approved by the Governor and Attorney General by December 31 of this year.
6 *Id.* § 16-452(B). The current draft, for example, provides specific guidance on how to
7 designate each voter’s party affiliation in the voter registration database and how to identify
8 recognized political parties on a primary or general election ballot, including by assigning
9 a color and abbreviation to each party. These instructions do not account for No Labels’
10 name change, and the substantive eleventh-hour modifications required to bring the EPM
11 up to date will only exacerbate the risk of confusion and chaos in upcoming elections.

12 44. Finally, allowing the name change will thwart the will of No Labels
13 supporters. When the party first obtained recognition, it did so under the “No Labels”
14 moniker. Tens of thousands of voters provided their signatures in support of that petition,
15 along with 10 voters who submitted affidavits. They did so to create a party presented to
16 them as the “No Labels Party.” The name change now forces them to associate with a party
17 whose identity is fundamentally distinct from the one those individuals originally supported
18 and that those individuals may well not support now.

19 45. Indeed, the Secretary’s guidance seems to acknowledge this. It instructs that
20 if a registrant lists “No Labels Party” or “NOL” in any registration between December 1,
21 2025 and February 9, 2026, the recorder should contact that voter to confirm which party,
22 if any, the voter intended to register with. After February 9, 2026, those voters are to be
23 placed in the “Other Party” category under the guidance. In other words, the guidance
24 acknowledges that there is ambiguity as to whether an individual who tries to register with
25 No Labels after December 1 is intending to join the Arizona Independent Party. Yet with
26 respect to those *already* registered with the No Labels Party years before, it assumes—
27 without attempting to confirm with those voters—that those individuals would prefer to be
28

1 registered with the Arizona Independent Party. There is simply no proper basis for such an
2 assumption.

3 46. As one individual who previously served as a No Labels candidate in a special
4 election put it, writing in opposition to any name change: “Are we to wake up one morning
5 and find ourselves in the Labels Party — the opposite of what we signed up for? . . . If Mr.
6 Johnson wants a party with a different name . . . he should gather signatures and get his own
7 party on the ballot. In the meantime, he should leave No Labels voters, and our name,
8 alone.”

9 **COUNT ONE**

10 **Violation of the Statutory Scheme for Political Party Recognition
(Declaratory, Injunctive, and Special Action Relief)**

11 **(A.R.S. § 16-801 *et seq.*; A.R.S. §§ 12-1801, 12-1831, 12-1832; RPSA 4)**

12 47. Plaintiff hereby incorporates by reference the allegations in the foregoing
13 paragraphs as if fully set forth herein.

14 48. Once a political party is legally recognized under A.R.S. § 16-801 *et seq.*, the
15 name by which it attained such recognition cannot be changed.

16 49. The law recognizes a political party only by the name first provided in its new
17 party petition. In other words, a party seeking to change its name must submit another new
18 party petition and start the process anew.

19 50. Accordingly, Secretary Fontes’s decision to allow the No Labels Party to
20 change its name to the “Arizona Independent Party” violated Arizona law. In allowing the
21 name change, Secretary Fontes acted in excess of his legal authority. *See* RPSA 4(b).

22 51. In the alternative, Secretary Fontes’s decision in allowing the name change
23 was arbitrary and capricious or an abuse of discretion. *See* RPSA 4(c).

24 52. This Court should therefore declare that the Secretary of State’s decision to
25 approve the No Labels Party’s requested name change and any guidance implementing this
26 decision were invalid; enjoin the Secretary from accepting nomination petitions submitted
27 under the “Arizona Independent Party” label; and enjoin the Secretary from taking any other
28 steps to effectuate the name change.

1 **COUNT TWO**

2 **Violation of the Statutory Scheme for Candidate Ballot Access**
3 **(Declaratory, Injunctive, and Special Action Relief)**
4 **(A.R.S. § 16-301 *et seq.*; A.R.S. §§ 12-1801, 12-1831, 12-1832; RPSA 4)**

5 53. Plaintiff hereby incorporates by reference the allegations in the foregoing
6 paragraphs as if fully set forth herein.

7 54. Arizona law sets a higher ballot-access bar for true independent (*i.e.*,
8 unaffiliated) candidates than it does for candidates seeking the nomination of a recognized
9 political party. *Compare* A.R.S. § 16-341(E)–(F), *with id.* § 16-322(A)(1), (C).

10 55. This difference in signature requirements reflects a deliberate policy choice
11 by the Arizona legislature.

12 56. The No Labels Party of Arizona has fundamentally reshaped itself into a
13 different political party than that which first achieved recognition in 2023—disassociating
14 with the national No Labels organization and instead affiliating with the national Forward
15 Party—and it has abandoned the moniker that its original supporters rallied behind at that
16 time. It has, by its own express admission, sought to rebrand itself as the “Arizona
17 Independent Party” merely to allow candidates to achieve ballot access with a lower
18 threshold of support. This is an improper attempt to circumvent Arizona’s statutes
19 governing candidate ballot access.

20 57. For this additional reason, Secretary Fontes acted in excess of his legal
21 authority under Arizona law by granting the No Labels Party’s request to change its name
22 to the “Arizona Independent Party” and bypassing statutory requirements for candidate
23 ballot access. *See* RPSA 4(b).

24 58. In the alternative, Secretary Fontes’s decision in allowing the name change
25 was arbitrary and capricious or an abuse of discretion. *See* RPSA 4(c).

26 59. This Court should therefore declare that the Secretary of State’s decision to
27 approve the No Labels Party’s requested name change and any guidance implementing this
28 decision were invalid; enjoin the Secretary from accepting nomination petitions submitted

1 under the “Arizona Independent Party” label; and enjoin the Secretary from taking any other
2 steps to effectuate the name change.

3 **DEMAND FOR RELIEF**

4 WHEREFORE, Plaintiff demands relief in the following forms:

5 A. A declaration pursuant to A.R.S. §§ 12-1831 and 12-1832 and/or special
6 action relief, or under any other applicable law, declaring that the Secretary of State’s
7 decision to approve the No Labels Party’s requested name change holds no legal weight
8 and is invalid, as is any guidance implementing that decision;

9 B. An injunction pursuant to A.R.S. §§ 12-1801 and 12-1838 and/or special
10 action relief, or under any other applicable law, prohibiting the Secretary of State from
11 accepting nomination petitions submitted under the “Arizona Independent Party” label;

12 C. Any other injunctive relief necessary and appropriate to ensure that the No
13 Labels Party’s attempted name change is not effectuated, and to minimize any confusion
14 for voters and election officials;


15 D. An award of reasonable attorney’s fees and costs pursuant to A.R.S. § 12-
16 348, the private attorney general doctrine, and other applicable law, and;

17 E. Such relief as the Court deems necessary, equitable, proper, and just.

18
19 Respectfully submitted this 4th day of December, 2025.
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VERIFICATION

I declare under penalty of perjury of the laws of the State of Arizona that the foregoing is true to the best of my knowledge, information, and belief.

Executed this 3rd day of December, 2025, in Phoenix, Arizona.

Charlene Fernandez

Charlene Fernandez
Arizona Democratic Party

Katie Hobbs
Governor

Thomas M. Collins
Executive Director



Mark S. Kimble
Chair

Steve M. Titla
Galen D. Paton
Christina Werther
Sam Crump
Commissioners

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Citizens Clean Elections Commission

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MEMORANDUM

To: Commissioners

From: Thomas Collins, Executive Director and Mike Becker, Policy Director

Date: December 11, 2025

Subject: Proposed 2026 Calendar Year Budget

The Commission operates under system of caps that operate on a calendar year basis. We are asking the Commission to approve:

1. the 2026 expenditure cap (\$); \$31,613,121
2. the 2026 administration and enforcement expenditure cap (\$); \$3,161,312
3. the 2026 public education (paid media) expenditure cap (\$); \$3,161,312
4. the projection of 2026 candidate funding disbursements (\$);14,369,718
5. the projection of no excess funds in the Clean Elections Fund in 2026.

Expenditure Cap on Total Expenses

In compliance with A.R.S. § 16-949, the Commission projects an expenditure cap for each calendar year for all expenses under the Act, including candidate funding. *Id.* That expenditure cap, in turn, may be exceeded during a four-year period so long as the difference is made up by a cap reduction in a subsequent year.

The Commission's projected expenditure cap for 2026 is \$31,613,121

Specific Categories of Expenses

The Commission categorizes operating expenses using four categories under the expenditure cap: Administration/Enforcement, Public Education, Voter Education and Candidate Funding. Our overhead costs are apportioned by a 50/50 split between Administration/Enforcement and Voter Education. Personal Services and Employee Related Expenses are apportioned by allocated staff-time between administration/enforcement and voter education responsibilities.

Administrative/Enforcement

The Clean Elections Act ("Act") permits the Commission to spend up to 10 percent of the calendar year expenditure cap for administrative and enforcement costs (A.R.S. §16-949 (B)). Administrative and Enforcement expenditures are projected to be: \$3,025,000

Public Education

The Commission may apply up to ten percent of the yearly expenditure cap for reasonable and necessary expense associated with public education, including participation and the purposes of the Act. A.R.S. §16-949 (C). Public education expenditures are projected at \$3,00,000

Voter Education and Implementation of the Act

The Commission may make reasonable and necessary expenditures to implement the Act, including expenditures for voter education pursuant to A.R.S. 16-956(A). A.R.S. § 16-949(D) These expenditures are not subject to any cap. Id. Voter Education and Implementation Expenditures are projected at \$4,800,000.

Candidate Funding

Section 16-954(c) provides that the Commission annually project the “amount of clean elections funding for which all candidates will have qualified. . . for the following calendar year.”

There will be \$14,369,718 in candidate funding in calendar year 2026.

Other Projections

The Act provides that the Commission make two projections each year relating to the balance of and availability of funds in the Clean Elections Fund.

Section 16-954(B) provides that the Commission shall project the amount of money that will be collected in the fund over the next four years and the availability of those funds. The statute instructs the Commission to compare that projection to projected expenditures “under the assumption that expected expenses will be at the expenditure limit in § 16-949, subsection A” to determine whether there are “excess monies” in the fund.

This year, staff recommends that the Commission determine that there are no excess monies in the fund based on the chart below.

Calendar Year	2026	2027	2028	2029
Projected Revenue	\$5,448,500	\$5,203,500	\$5,348,500	\$5,203,500
Projected Expenses (Assuming at expenditure limit)	\$31,613,121	\$31,613,121	\$31,613,121	\$31,613,121
Difference	\$(26,164,621)	\$(26,409,621)	\$(26,264,621)	\$(26,409,621)

Section 16-954(C) also provides that the Commission shall annually “announce whether the amount that the [C]ommission plans to spend the following year pursuant to § 16-949[A] . . . exceeds the projected amount of clean elections funding.” The statute continues by stating that if the Commission “determines that the fund contains insufficient monies or the spending cap would be exceeded were all candidates’ accounts fully funded,” then the commission may take steps to adjust the funding available to candidates.

Staff believes that the fund contains sufficient monies to fully fund participating candidates in 2026 without exceeding the expenditure cap, as adjusted for carryover funds as described above. Therefore, staff does not recommend that the Commission take steps to adjust candidate funding.

Prop 211 – Voters Right to Know Act

The passage of Proposition 211, Voters Right to Know Act (VRKA), established a 1% surcharge on civil and criminal penalties to help offset costs incurred implementing the VRKA.

As of October 10, 2025, the VRKA fund balance stands at: \$547,565.

The VRKA requires the Commission to review the funds available and to determine if it is appropriate to continue with the 1% surcharge. Based on the above-mentioned fund balance, it is staff’s recommendation to continue the 1% surcharge.

Citizens Clean Elections Commission **2026 Admin** Expenditure Projections

	2025 Actuals (as of Oct 10)	2026 Projections
<i>Expenses</i>		
Personal Services	\$ 299,774	\$ 500,000
ERE	<u>121,810</u>	<u>200,000</u>
<i>Total Personal & ERE</i>	<u>411,095</u>	<u>700,000</u>
Professional & Outside Services		
Attorney General Legal Services	23,712	15,000
External Legal Services	610,170	1,000,000
Temporary Agency Services, IT Communications	25,600	150,000
Other Professional Outside Services - Interpreter, Auditors, Court Reporter, Meeting Planner, Security	<u>19,650</u>	<u>600,000</u>
<i>Total Professional & Outside Services</i>	<u>679,132</u>	<u>1,765,000</u>
Travel-In State	3,559	7,500
Travel Out-of-State	<u>0</u>	<u>3,000</u>
<i>Total Travel</i>	<u>3559</u>	<u>10,500</u>
Other Operating Expenditures		
Risk Management Charges	3,200	4,000
DOA Finance Divison - ASET	533	1,000
External Data Processing/Telecom - WiFi, AZNET Phone Lines, Google Accounts	5,917	12,000
AFIS Usage and Development	1,237	2,000
Rent Charges to State Agency	37,950	40,000
Internal Acct/Budg/Financial Services	15,980	40,000
Repair & Maintenance - Other Equip/Copier	2,068	2,500
Office Supplies	558	2,500
Conference Education, Training, Outreach, CEC Sponsored Events, Advertising	660	20,000
External Printing	2,157	4,000
Postage & Delivery	256	2,500
Awards	100	3,500
Dues	585	1,500
Books Subscriptions & Publications	7,234	7,000
<i>Total Other Operating Expenditures</i>	<u>78,435</u>	<u>149,500</u>
Aid to Individual/Organization	-	75,000
Non-Capital Equipment - Laptops, Software	536	50,000
Transfers - State, County Agencies, Universities, Non-Profits	<u>150</u>	<u>275,000</u>
Total	<u> </u>	<u>400,000</u>
Total Expenses	<u>\$ 1,183,396</u>	<u>3,025,000</u>

	2025 Actuals (as of Oct 10)	2026 Projections
<i>Expenses</i>		
Personal Services	\$ 205,757	\$ 500,000
ERE	75,876	200,000
<i>Total Personal & ERE</i>	<u>380,107</u>	<u>700,000</u>
Professional & Outside Services		
Public Ed- Paid Media, Social Media, etc 16-949 Cap	196,793	3,000,000
Debates, VEG, Broadcasting Debates, Outreach Events, Translation	747,545	4,800,000
Attorney General Legal Services statute	77,883	15,000
Temporary Agency Services, IT Communications	125,000	320,000
Other Professional Outside Services - Interpreter, Auditors, Court Reporter	22,000	865,000
<i>Total Professional & Outside Services</i>	<u>1,169,221</u>	<u>9,000,000</u>
Travel-In State	3,762	13,000
Travel Out-of-State	1,955	10,000
<i>Total Travel</i>	<u>5,717</u>	<u>23,000</u>
Other Operating Expenditures		
DOA Financial Division - ASET	533	1,000
Risk Management Charges	3,200	4,000
External Data Processing/Telecom - WiFi, AZNET Phone Lines, Google Ac	14,030	17,000
AFIS Usage and Development	1,237	2,000
Rent Charges to State Agency	37,950	40,000
Rental of Info Tech Equipment	-	2,500
Rental of Other Machinery and Equipment	-	2,500
Internal Acct/Budg/Financial Services	15,771	35,000
Repair & Maintenance - Other Equip Copier	980	2,500
Software Support and Maintenance	160	3,500
Uniforms	-	750
Office Supplies		6,500
Computer Supplies	79	2,000
Conference Education, Training, Outreach, CEC Sponsored Events, Adverti	1,692	25,000
Employee Tuition and Training	-	5,000
External Printing	2,157	3,000,000
Postage & Delivery	-	3,000,000
Awards	63	500
Entertainment & Promo Items	22,116	150,000
Dues	75	1,000
Books, Subscriptions & Publications	-	1,500
<i>Total Other Operating Expenditures</i>	<u>6,724,831</u>	<u>6,312,750</u>
Non-Capital Equipment - Laptops, Software	536	50,000
Transfers - State, County Agencies, Universities, Non-Profits	4,500	50,000
Total		<u>100,000</u>
Total Expenses	\$ 9,556,580	15,814,750

	2025 Actuals (as of Oct 10)	2026	2027	2028	2029
<i>Revenues</i>					
Court Assessments	\$ 5,023,687	\$ 5,200,000	\$ 5,200,000	\$ 5,200,000	\$ 5,200,000
Commission Assessments	6,017	5,000	2,500	5,000	2,500
\$5 Tax Donations	-	-	-	-	-
\$5 Candidate Qualifying Contributions	-	240,000	-	140,000	-
Miscellaneous	-	3,500	1,000	3,500	1,000
Total Revenues	\$ 5,029,704	\$ 5,448,500	\$ 5,203,500	\$ 5,348,500	\$ 5,203,500

Expenditure Cap	Amount
Total Expenditure Cap	\$31,613,121
Public Ed Paid Media	\$3,161,312
Admin & Enforcement	\$3,161,312

2024 Tax Filers	Spending Limit Coefficient
3,512,569	\$9

Citizens Clean Elections Commission Expenditure Cap Spending and Fund Balance Projection

Calendar Year	Beginning Fund	Revenues	Expenditure Cap	Ending Fund
2022	\$25,484,504	\$5,756,983	\$7,679,768	\$23,561,719
2023	\$23,561,719	\$5,767,402	\$4,483,183	\$24,845,938
2024	\$24,845,938	\$6,238,461	\$11,820,516	\$19,263,883
2025	\$19,263,883	\$5,379,544	\$3,988,427	\$20,655,000
2026	\$20,655,000	\$5,448,500	\$18,839,750	\$7,263,750

Citizens Clean Elections Commission Expenditure Cap/Excess Funds Projections - 4 years

Calendar Year	Beginning Fund Balance	Projected Revenues	Projected Expenditure Cap	Ending Fund Balance
2026	\$23,044,066	\$5,448,500	\$31,613,121	(\$3,120,555)
2027	(\$3,120,555)	\$5,203,500	\$31,613,121	(\$29,530,176)
2028	(\$29,530,176)	\$5,348,500	\$31,613,121	(\$55,794,797)
2029	(\$55,794,797)	\$5,203,500	\$31,613,121	(\$82,204,418)

Citizens Clean Elections Commission Anticipated Fund Balance Projections - 4 Years

Calendar Year	Beginning Fund Balance	Projected Revenues	Projected Expenditures	Ending Fund Balance
2025	\$23,044,066	\$5,379,544	\$3,988,427	\$24,435,183
2026	\$24,435,183	\$5,448,500	\$18,839,750	\$11,044,250
2027	\$11,044,250	\$5,203,500	\$4,000,000	\$12,247,750
2028	\$12,247,750	\$5,348,500	\$12,000,000	\$5,596,250

Citizens Clean Elections Commission 2026 Candidate Funding Projection

<i>Calendar Year</i>	2022	2023	2024	2025	2026 Projection
<i>Candidate Funding</i>	\$2,400,608	\$0.00	\$2,348,339	\$0.00	\$14,369,718

Citizens Clean Elections Commission 2026 Candidate Funding Projections

2026 Primary Funding Projections				2026 General Funding Projections			
Office	Participating Candidates	Primary Funding Amt.	Funding Total	Office	Participating Candidates	General Funding Amt.	Funding Total
Governor	2	\$ 1,141,328	\$ 2,282,656	Governor	2	\$ 1,711,992	\$ 3,423,984
Secretary of State	2	\$ 295,743	\$ 591,486	Secretary of State	2	\$ 443,615	\$ 887,230
Attorney General	2	\$ 295,743	\$ 591,486	Attorney General	2	\$ 443,615	\$ 887,230
Sup. of Public Instr.	2	\$ 147,836	\$ 295,672	Sup. of Public Instr.	2	\$ 221,754	\$ 443,508
Treasurer	2	\$ 147,836	\$ 295,672	Treasurer	2	\$ 221,754	\$ 443,508
Mine Inspector	2	\$ 73,943	\$ 147,886	Mine Inspector	2	\$ 110,915	\$ 221,830
Corp. Comm. (2 seats)	6	\$ 147,836	\$ 295,672	Corp. Comm (2 seats)	6	\$ 221,754	\$ 443,508
Legislature	60	\$ 23,099	\$ 1,385,940	Legislature	50	\$ 34,649	\$ 1,732,450
<i>Total Primary Funding for Statewide and Legislature</i>			\$ 5,886,470	<i>Total General Funding for Statewide and Legislature</i>			\$ 8,483,248
Total Candidate Funding for 2026 Election			\$ 14,369,718				

Thomas M. Collins
Executive Director



**State of Arizona
Citizens Clean Elections Commission**

1616 W. Adams - Suite 110 - Phoenix, Arizona 85007 - Tel (602) 364-3477 - Fax (602) 364-3487 - www.azcleelections.gov

Via United States Mail and E-Mail

December 1, 2025

Hector Jaramillo
6926 N 74th Ave
Glendale AZ 85303
Email: hec4az@gmail.com
Phone: (623) 986-4192

Re: Executive Director's Probable Cause Brief in MUR 25-01

Dear Mr. Jaramillo:

Enclosed with this letter and included in the file emailed to you is the Executive Director's Probable Cause Brief. These brief outlines why I believe there is probable cause to believe that a violation of the Clean Elections Act and Rules has occurred. A.A.C. R2-20-214(A) (stating that the executive director must issue a brief stating the case facts, legal position, and a recommendation on whether probable cause exists for a Commission-jurisdiction violation).

You may submit a response. Under the Commission's rules, you have five days from the date you receive my brief to file your own brief with the Commission setting forth your position on the relevant factual and legal issues. A.A.C. R2-20-214(C).

After reviewing any brief you submit, I will promptly notify the Commission in writing whether I intend to maintain my recommendation or withdraw it from consideration. A.A.C. R2-20-214(D).

Sincerely,
S/ Thomas M. Collins
Executive Director
Citizens Clean Elections Commission
Enclosure

cc: Paula Thomas, Clean Elections (via email)
Craig Morgan, Independent Advisor of the Commission (via email)



State of Arizona
Citizens Clean Elections Commission

1616 W. Adams - Suite 110 - Phoenix, Arizona 85007 - Tel (602) 364-3477 - Fax (602) 364-3487 - www.azcleanelections.gov

Brief of the Executive Director
PROBABLE CAUSE RECOMMENDATION
AND NOTICE OF POSSIBLE PENALTIES

To: Commissioners
From: Thomas M. Collins, Executive Director
Date: December 1, 2025
Subject: MUR 25-01 (Hector Jaramillo)

I. Factual and Procedural Background

Hector Jaramillo (Respondent) applied for certification as a participating candidate on June 24, 2024. On July 22, 2024, Respondent submitted a sufficient number of qualifying contributions to receive Clean Elections funding. Respondent reallocated a portion of these monies to the primary election period pursuant to A.R.S. § 16-952 and received a total of \$31,760 in primary election funds. Respondent did not advance to the general election.

Respondent ceased filing periodic campaign finance reports after submitting a pre-primary report three days late on July 23, 2024. He thereafter failed to file any required reports, respond to Commission staff, or produce required documentation.

On January 8, 2025, the Executive Director served Respondent with an internal Complaint and the audit report. Respondent did not respond. In March 2025, the Executive Director recommended that the Commission issue a repayment order for the full amount of funding received. Respondent first contacted Commission staff and began filing certain campaign finance reports only around the date of the Commission’s repayment-order hearing—more than seven months after he stopped filing reports and after multiple attempts by staff and auditors to obtain required information. Respondent has not provided complete records required by the Act and Rules. The Commission made a reasonable to believe determination on October 7, 2015. A Compliance Order was issued on October 15, 2015. These documents are attached as Exhibit 1 and incorporated herein.

II. Questions Presented and Brief Answers

A. Question: Is there probable cause to believe Respondent violated the reporting requirements of the Act by failing to timely file campaign finance reports?

Answer: Yes. Respondent failed to file required campaign finance reports for months, failed to respond to Commission communications, and remains in violation of A.A.C. R2-20-110(A) and A.R.S. § 16-942(B).

Analysis

Participating candidates are required to file campaign finance reports “that include all receipts and disbursements for their current campaign account.” A.A.C. R2-20-110(A). Reports must be filed on the dates established in A.R.S. § 16-927 and Commission rules. Failure to file is subject to penalties under A.R.S. § 16-942(B).

As of January 8, 2025, Respondent had failed to file multiple required reports. By October 5, 2025, Respondent still had not filed all required reporting and remained out of compliance. The Secretary of State’s Campaign Finance Reporting System, (seemoneyaz.gov) reflected significant late-fee liability based on unfiled reports. Respondent’s filings were made only after the Commission initiated repayment proceedings.

Because Respondent failed to file required reports for extended periods and only took limited corrective action after the Commission initiated enforcement, there is probable cause to believe he violated A.R.S. § 16-942(B) and A.A.C. R2-20-110(A).

Possible Penalty

Penalties under § 16-942(B) for reporting violations are \$210 per day (legislative candidates), up to twice the amount unreported. *See* Table 1.

Table 1

Report	Days Late	Amount not reported	\$420 (§ 16-942 doubled because 10 percent threshold exceeded not to exceed 2x amount not reported)
2024 - Pre-Primary Election	30 Days Late	51 dollars	Executive Director recommends waiver
2024 Qualifying Period Recap Report	234 Days Late	Total Cash Receipts this Reporting Period: \$35,981.55 Total Cash Disbursements this Reporting Period: \$33,260.35 Total: \$69,241.90	30 x \$420 \$136,080
2024 Primary Recap report	227 Days Late	Total Cash Receipts this Reporting Period: \$31,760.00 Total Cash Disbursements this Reporting Period: \$30,000.00 Total: \$61,760.00	227 x \$420 \$95,340

Note: Because candidate did not qualify for the general election, Executive Director elects not to pursue penalties for reports after the primary.

10 percent of the 2023-2024 adjusted primary limit (16-952 one-party dominant)

\$3,176

10 percent of the 2023-2024 adjusted general limit (16-952 one-party dominant)

\$2,117

B. Question: Is there probable cause to believe Respondent failed to provide books and records as required by the Act and Rules?

Answer: Yes. Respondent failed to produce records to staff and auditors until after the repayment hearing, in violation of A.A.C. R2-20-115, R2-20-104, and R2-20-403.

Analysis

Participating candidates must maintain and preserve books and records of campaign transactions. A.A.C. R2-20-115(A)–(B). Candidates must produce such records to the Commission and auditors upon request. A.A.C. R2-20-104(C); R2-20-403.

Respondent agreed to these requirements when submitting his 2024 Candidate Statement of Organization and Clean Elections Agreement. Despite repeated requests from staff and auditors, Respondent did not provide required documentation until after the Commission considered a repayment order.

Respondent's failure to provide records impaired the Commission's ability to confirm proper use of Clean Elections funds, including whether monies were used for direct campaign purposes or returned as required by A.R.S. § 16-953.

Based on Respondent's failure to cooperate with the audit and his failure to produce required books and records, there is probable cause to believe he violated A.A.C. R2-20-104(C), R2-20-115, and R2-20-403.

Possible Penalty

If the Commission has reason to believe by a preponderance of the evidence that a participating candidate is not in compliance with the Act or Commission rules, then in addition to other penalties under law, the Commission may decertify a candidate, deny or suspend funding, order repayment of funds, or impose a penalty not to exceed \$1,000 for a participating candidate for the legislature. A.A.C. R2-20-222(A).

III. Conclusion

For the foregoing reasons, I recommend that the Commission find probable cause that Respondent violated the Act on Items II(A)–(B).

IV. Procedure

If the Commission determines by an affirmative vote of at least three members that there is probable cause to believe Respondent violated the Act, the Commission shall authorize the Executive Director to notify Respondent by order stating the nature of the violation. A.A.C. R2-20-215(A).

The Executive Director then may recommend to the Commission that the Commission authorize the issuance of an order and assessment of civil penalties pursuant to A.R.S. § 16-957(B). A.A.C. R2-20-217(A).

The Commission may, by an affirmative vote of at least three of its members, authorize the Executive Director to issue an order and assess civil penalties pursuant to A.R.S. § 16-957(B). A.A.C. R2-20-217(B).

Dated this 1st day of December,

2025 By:

A handwritten signature in black ink, appearing to read 'T. Collins', written over a horizontal line.

Thomas M. Collins
Executive Director



**State of Arizona
Citizens Clean Elections Commission**

1110 W. Washington – Suite 250 - Phoenix, Arizona 85007 - Tel (602) 364-3477 - Fax (602) 364-3487 - www.azcleanelections.gov

October 15, 2025

Via E-Mail

Hector Jaramillo
6926 N 74th Ave
Glendale AZ 85303
Email: hec4az@gmail.com
Phone: (623) 986-4192

RE: CEC MUR 25-01

Re: Order of Compliance and Deadline to Comply

Dear Mr. Jaramillo:

This letter serves to inform you that the Arizona Citizens Clean Elections Commission has determined that there is reason to believe you have committed violations of the Clean Elections Act and Rules.

Pursuant to the Commission's October 7, 2025 determination, which is attached to the email delivering this Order and incorporated by reference, you are ordered to comply within 14 days. Ariz. Admin Code R2-20-208. During this period, you "may provide any explanation to the Commission, comply with the order, or enter into a public administrative settlement with the Commission." *Id.* **The deadline to comply with this order is October 29, 2025.**

As you have been previously informed, neither the Commission nor its staff may provide legal assistance to you, although you should give serious consideration to engaging an attorney.

Sincerely,

S/Thomas M. Collins
Executive Director

Attachment: Reason to Believe Determination

STATE OF ARIZONA
CITIZENS CLEAN ELECTIONS COMMISSION
MUR 25-01
Hector Jaramillo
STATEMENT OF REASONS OF THE EXECUTIVE DIRECTOR

The Executive Director hereby provides the following Statement of Reasons why there may be reason to believe that a violation of the Citizens Clean Elections Act and Commission rules (collectively, the “Act”) may have occurred.

Summary of Recommendation

Hector Jaramillo (“Respondent”) chose to become a participating candidate for the 2024 election cycle. He qualified for funding by collecting qualifying contributions from registered voters and submitting them to the Secretary of State for review by the county recorder’s office. The Clean Elections Fund provided \$31,760 for his campaign. Because he did not file the campaign finance reports required by the Act and Rules in a timely manner and failed to respond to multiple efforts from Clean Elections staff and auditors to obtain evidence accounting for his use of funds until after the Commission entered a repayment order against him, there is reason to believe he violated multiple provisions of the Clean Elections Act and Rules.

I. Factual Background

Respondent applied for certification as a participating candidate on June 24, 2024. Respondent provided sufficient qualifying contributions to meet the statutory requirements for clean elections funding on July 22, 2024. Respondent reallocated

a portion of clean elections funding to the primary election period pursuant to A.R.S. § 16-952. Consequently, Respondent received \$31,760 in clean elections funding for the primary. *Id.* Respondent did not advance to the general election.

Respondent ceased filing periodic campaign finance reports after filing a pre-primary report three days late on July 23, 2024.

The Executive Director issued a Complaint against Respondent on January 8, 2025 along with a copy of the audit report. See Complaint Attached. Respondent did not respond or acknowledge the Complaint. In March the Executive Director recommended that the Commission order repayment of the full funding amount. See Attached Repayment Order. On around the date of the Commission's hearing on the Repayment Order, Respondent first responded to Commission staff and began filing campaign finance reports.

II. Alleged Violations

A. Failure to file campaign finance reports.

Candidates are required to file campaign finance reports “that include all receipts and disbursements for their current campaign account.” Ariz. Admin. Code R2-20-110(A). “In addition to any other penalties imposed by law, the civil penalty for a violation by . . . any candidate of any reporting requirement imposed by [Chapter 6 of Title 16] shall be [\$210] per day for candidates for the legislature” up to a statutory maximum limit based on the amount of money not reported.

A.R.S. § 16-942(B). Table 1 indicates the status of Respondent’s filings as of January 8, 2025.

Table 1 (January 8, 2025)

<input type="text" value="Q"/> (Indicates Amended Reports Exist)				
<input type="button" value="CSV"/>		<input type="button" value="Print"/>		<input type="button" value="Column visibility"/>
				Page 1 of 2
📅 Report Due Date	📅 Date Filed	📄 Report Name	📄 Repo	
11/12/2024		2024 - General Recap Report		51 Day(s) Late
10/26/2024		2024 - Pre-General Election		68 Day(s) Late Fines Due \$1475.00
10/15/2024		2024 - Post-Primary Election (Q3)		79 Day(s) Late Fines Due \$1750.00
08/12/2024		2024 - Primary Recap Report		143 Day(s) Late
08/05/2024		2024 - Qualifying Period Recap Report		150 Day(s) Late
07/20/2024	07/23/2024	2024 - Pre-Primary Election	PDF (https://seethemoney.az.gov/PublicReports/2024/4B3EE06B-DC6C-467F-BA31-2E840807D480.pdf)	3 Day(s) Late Fines Due \$30.00
07/15/2024	07/15/2024	2024 - Quarter 2	PDF (https://seethemoney.az.gov/PublicReports/2024/ACF1ECCF-64CC-4025-803E-79E93EF12E3F.pdf)	On Time
06/24/2024	06/24/2024	2024 - Interim Report	PDF (https://seethemoney.az.gov/PublicReports/2024/FE8D9E67-7FDE-446E-A8FC-13CCBBA85637.pdf)	On Time
06/24/2024	06/24/2024	2024 - Interim Report	PDF (https://seethemoney.az.gov/PublicReports/2024/5B369055-7D52-4B3C-8C5B-13739971F4EB.pdf) (https://Seethemoney.az.gov/Reporting/AmendedReports/?CommitteeReportId=284106)	On Time

Table 2 represents the state of filing as of the October 5, 2025.

Table 2 (October 5, 2025)

Reports Previously Filed				
<input type="text"/> (Indicates Amended Reports Exist)				Show <input type="text" value="10"/> entries
<input type="button" value="CSV"/> <input type="button" value="Print"/> <input type="button" value="Column visibility"/>				
Report Due Date	Date Filed	Report Name	Report Filings	Status
01/15/2025		2024 - Post-General Election (Q4)		263 Day(s) Late Fines Due \$6350.00
11/12/2024		2024 - General Recap Report		327 Day(s) Late
10/26/2024		2024 - Pre-General Election		344 Day(s) Late Fines Due \$8375.00
10/15/2024		2024 - Post-Primary Election (Q3)		355 Day(s) Late Fines Due \$8650.00
08/12/2024	03/27/2025	2024 - Primary Recap Report	PDF	227 Day(s) Late
08/05/2024	03/27/2025	2024 - Qualifying Period Recap Report	PDF	234 Day(s) Late
07/20/2024	07/23/2024	2024 - Pre-Primary Election	PDF	3 Day(s) Late Fines Due \$30.00
07/15/2024	07/15/2024	2024 - Quarter 2	PDF	On Time
06/24/2024	06/24/2024	2024 - Interim Report	PDF	On Time
06/24/2024	06/24/2024	2024 - Interim Report	PDF	On Time

Showing 1 to 10 of 19 entries

(: Note: The liability amounts indicated above are derived by the Secretary of State’s Campaign Finance Reporting System based on the schedule established in A.R.S. § 16-927. The Clean Elections Act provides for an “additional penalty” beyond those otherwise imposed by law.).

Because Respondent failed to file timely reports, there is reason to believe that he has violated the Clean Elections Act and Rules.

B. Failure to provide records

The Clean Elections Act and Rules contain multiple provisions to prevent misuse of monies from the Clean Elections Fund. Most of these requirements reflect common-sense financial management practices that any campaign or small business project would follow.

In addition to the reporting requirements described above, candidates are required to maintain books and records. Ariz. Admin. Code R2-20-115(A)-(B). Audits are intended to ensure that these steps are taken. Additionally, reports and accounting requirements help verify that you have properly returned monies as required by A.R.S. § 16-953 (relating to return of monies).

As a check on the use of funds, Ariz. Admin. Code R2-20-104(C) requires candidates to provide records to the Commission and its auditors. See Exhibit 3 to the Attached Complaint (Respondent's agreement to abide by these terms) and Figure 1 (excerpt from signed agreement). Similarly Ariz. Admin. Code R2-20-403 requires candidates to cooperate with Commission auditors.

Figure 1

7. I am subject to all enforcement actions by the Commission as authorized by the Act and Commission rules.
8. I have the burden of proving that expenditures made by or on behalf of the candidate were for direct campaign purposes.
9. I will keep and furnish to the Commission all documentation relating to expenditures, receipts, funding, books, records (including bank records for all accounts), and supporting documentation and other information that the Commission may request in accordance with Commission rules.
10. I will permit an audit and examination of all receipts and expenditures including those made by the candidate, the candidate's authorized committee, or any agent or person authorized to make expenditures on behalf of the candidate or committee. The candidate and the candidate's authorized committee shall also provide any material required in connection with an audit, investigation, or examination conducted by the Commission. The candidate and authorized committee shall facilitate the audit and examination and shall pay any amounts required to be repaid.

Because Respondent did not comply with requests for records or respond to auditors until after the repayment order issued, there is reason to believe a violation of R2-20-104 and R2-20-403 occurred.

Recommendation

If the Commission determines there is a reason to believe that a violation of a statute or rule over which the Commission has jurisdiction may have occurred, an investigation shall be conducted. Ariz. Admin. Code R2-20-209(A). If the Commission determines there is reason to believe, the Executive Director may, in the Executive Director's discretion, subpoena Respondent's records documenting disbursements, debts, or obligations to the present, and may authorize an audit.

Upon expiration of fourteen (14) days, if the Commission finds that the alleged violator remains out of compliance, the Commission shall make a public finding to that effect and issue an order assessing a civil penalty in accordance with A.R.S. § 16-942, unless the Commission publishes findings of fact and conclusions of law expressing good cause for reducing or excusing the penalty. A.R.S. § 16-957(B).

After fourteen (14) days and upon completion of the investigation, the Executive Director will recommend whether the Commission should find probable cause to believe that a violation of a statute or rule over which the Commission has jurisdiction has occurred. Ariz. Admin. Code R2-20-214(A). Upon a finding of probable cause that the alleged violator remains out of compliance, by an

affirmative vote of at least three (3) of its members, the Commission may issue an order and assess civil penalties pursuant to A.R.S. § 16-957(B). Ariz. Admin. Code R2-20-217.

Dated this 5th day of October 2025

S/Thomas M. Collins
Thomas M. Collins, Executive Director

Complaint

Thomas M. Collins
Executive Director



State of Arizona Citizens Clean Elections Commission

1110 W. Washington St. - Suite 250 - Phoenix, Arizona 85007 - Tel (602) 364-3477 - Fax (602) 364-3487 - www.azcleanelections.gov

NOTICE OF COMPLAINT AND PRELIMINARY AUDIT REPORT AND RESPONSE OPPORTUNITY

Via Overnight Delivery and E-mail

January 8, 2025

Hector Jaramillo
6926 N 74th Ave
Glendale AZ 85303
Email: hec4az@gmail.com
Phone: (623) 986-4192

RE: CEC MUR 25-01

Dear Mr. Jaramillo,

This letter represents notice of a complaint against you by the Executive Director of the Arizona Citizens Clean Elections Commission and well as to provide you a copy of a preliminary audit report. You have an opportunity to respond to both as discussed below.

According the Arizona Campaign Finance Reporting System, you stopped filing periodic reports beginning with your qualifying period recap report. *See Exhibit 1.* Additionally, you have refused to participate in required auditing under the Citizens Clean Elections Act and Rules, as reflected in the attached report. *See Exhibit 2.*

The Clean Elections Act and Rules require participating candidates to file periodic reports of their campaign financial activities, conduct all activities through a single campaign account, ensure that funds are expended in accordance with the Act and Rules, and permit an audit to confirm compliance with those requirements.

Your failure to file campaign finance reports and failure to respond to a required audit logically support the conclusion you have acted knowingly in failing to meet these obligations. Indeed, the available records indicate your campaign ceased to provide any required financial information despite its legal obligations and the application for certification that you signed and filed. *See Exhibit 3.*

Campaign finance reports and audits are the primary mechanism by which Clean Elections ensures that you are abiding by the terms of the Act to which you have agreed.

Complaint

The absence of proper reporting and ignoring the audit raises concerns that other important restrictions you agreed to as a participating candidate may not have been abided by.

Consequently, you and your campaign may be in violation of A.R.S. §§ 16-941(A)(1) (limiting contributions), -941(A)(2) (limiting personal expenditures), -941(A)(3)(primary spending limit), -941(A)(4) (general spending limit), -941(A)(5)(campaign accounts and return of monies) and -948 (campaign accounts).

Failure to file reports can lead to penalties under A.R.S. § 16-942 (including daily penalties of \$210 per day for violations for failure to follow reporting requirements).

Additionally, reports help verify that you have properly returned monies as required by A.R.S. § 16-953 (relating to return of monies). The absence of the reports supports an inquiry into what monies ought to have been returned.

Absent reports, we also consider that you may have violated Ariz. Admin. Code R2-20-110 (participating candidates reporting requirements) and Ariz. Admin. Code R2-20-115 (books and recordkeeping requirements) and have failed to establish that you have fulfilled your obligation to show compliance with Ariz. Admin. Code R2-20-702 (use of funds), Ariz. Admin. Code R2-20-702.01 (use of assets), Ariz. Admin. Code R2-20-703 (documentation of expenditures), Ariz. Admin. Code R2-20-703.01 (consultants). Again, in each of these instances, absent reports and compliance with the audit requirements, we must consider these possible violations.

This is a serious matter. Violations of the above requirements can trigger penalties under A.R.S. §§ 16-942, -943, and -957, as well as Ariz. Admin. Code R2-20-222. Candidates can also be subjected to repayment under Ariz. Admin. Code R2-20-704. Additionally, “if the candidate fails to provide adequate office space, personnel or records, the Commission may seek judicial intervention to enforce the request or assess other penalties.” Ariz. Admin. Code R2-20-403(C).

The Commission’s rules provide that you “be afforded an opportunity to demonstrate that no action should be taken on the basis of a complaint by submitting, *within five days from receipt of a written copy of the complaint*, a letter or memorandum setting forth reasons why the Commission should take no action.” Ariz. Admin. Code R2-20-205(A). Please respond to this notice and complaint by the close of business on January 16, 2025.

Additionally, if you have any response to the enclosed audit report you have 10 days to provide that response. Ariz. Admin. Code R2-20-404(B).

Your response must be notarized, or the Commission will not consider it. Ariz. Admin. Code R2-20-205(C). Failure to respond to this complaint within five days may be viewed as an admission to the allegations. *Id.*

Complaint

The rule states that we are to provide you with an advisement of Commission compliance procedures. Those procedures are set forth in Article 2 of the Commission's Rules (Arizona Administrative Code Sections R2-20-201 to R2-20-228). *See* Exhibit 4.

This matter is in the initial stages of review. A finding will be made only after the Commission has fully reviewed this matter. Please contact me if you have any questions at (602) 364-3477 or by e-mail at thomas.collins@azcleanelections.gov.

Sincerely,

S/Thomas M. Collins


Executive Director
Citizens Clean Elections Commission

Enclosures

Complaint Hector Jaramillo For State Representative - District 24

Transactions

 Demographic Information
Filer Name: Hector Jaramillo for State Representative - District 24 Status: Active
Filer ID: 101580 Filer Type: Candidate (participating in Clean Elections)
Registration Date: 02/04/2024 Last Amended Date: 02/04/2024
County: Last Reported:
Mailing Address: 6926 N 74th Ave Glendale AZ 85303 Email: hec4az@gmail.com Phone: (623) 986-4192 Filer Address: 6926 N 74th Ave Glendale AZ 85303
Chairman: Serna, Ricardo Treasurer: Abeytia, Anna
Candidate: Jaramillo, Hector Email: treasury4azhec@gmail.com Phone: (623) 986-4192 Designee:
Office Sought: State Representative - District 24 Party Affiliation:

 Reports Previously Filed
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(Indicates Amended Reports Exist)

CSV

Print

Column visibility

Page 1 of 2

Report Due Date	Date Filed	Report Name	Repo
11/12/2024		2024 - General Recap Report	51 Day(s) Late
10/26/2024		2024 - Pre-General Election	68 Day(s) Late Fines Due \$1475.00
10/15/2024		2024 - Post-Primary Election (Q3)	79 Day(s) Late Fines Due \$1750.00
08/12/2024		2024 - Primary Recap Report	143 Day(s) Late
08/05/2024		2024 - Qualifying Period Recap Report	150 Day(s) Late
07/20/2024	07/23/2024	2024 - Pre-Primary Election PDF (https://seethemoney.az.gov/PublicReports/2024/4B3EE06B-DC6C-467F-BA31-2E840807D480.pdf)	3 Day(s) Late Fines Due \$30.00
07/15/2024	07/15/2024	2024 - Quarter 2 PDF (https://seethemoney.az.gov/PublicReports/2024/ACF1ECCF-64CC-4025-803E-79E93EF12E3F.pdf)	On Time
06/24/2024	06/24/2024	2024 - Interim Report PDF (https://seethemoney.az.gov/PublicReports/2024/FE8D9E67-7FDE-446E-A8FC-13CCBBA85637.pdf)	On Time
06/24/2024	06/24/2024	2024 - Interim Report PDF (https://seethemoney.az.gov/PublicReports/2024/5B369055-7D52-4B3C-8C5B-13739971F4EB.pdf) (https://Seethemoney.az.gov/Reporting/AmendedReports/?CommitteeReportId=284106)	On Time
06/21/2024	06/21/2024	2024 - Interim Report PDF (https://seethemoney.az.gov/PublicReports/2024/F3C9EF3E-A63B-455D-B470-26A4C65D074B.pdf) (https://Seethemoney.az.gov/Reporting/AmendedReports/?CommitteeReportId=284105)	On Time

Page 1 of 2

Paid for by the Arizona Secretary of State's Office and with Voter Approved Funding from the Clean Elections Fund



ADRIAN FONTES
SECRETARY OF STATE
STATE OF ARIZONA



CITIZENS CLEAN ELECTIONS COMMISSION

Report on Agreed-Upon Procedures

**Hector Jaramillo
Participating Candidate for
State Representative - District 24
Primary Election 2024**



Independent Accountants' Report on Applying Agreed-Upon Procedures

To the Chairman and Members of the
Citizens Clean Elections Commission
Phoenix, Arizona

We have performed the procedures enumerated below, which were specified and agreed to by the State of Arizona Citizens Clean Elections Commission (the Commission), solely to assist the Commission in evaluating whether Hector Jaramillo's (the Candidate)'s 2024 Qualifying Period Recap (QPR) Report which covers the period from August 1, 2023 through July 30, 2024 (the reporting period) was prepared in compliance with Title 16, Articles 1 and 2 of the Arizona Revised Statutes, Campaign Contributions and Expenses, and the Citizens Clean Elections Act, and whether the reports complied with the rules of the Citizens Clean Elections Commission. The Candidate's management is responsible for the Campaign finance reports during the reporting period. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures and associated findings are presented on the subsequent pages.

We were engaged by the Commission to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the Campaign finance reports during the reporting period of Hector Jaramillo. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the Commission and the Candidate and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of the parties listed in the first paragraph, and is not intended to be and should not be used by anyone other than those specified parties.

Fester & Chapman, PLLC

December 9, 2024

Complaint

Summary of Procedures and Findings

1. Preliminary Procedures

- a) Contractor will obtain a copy of the candidate's campaign finance report for the reporting period.

Finding

We reached out to Hector Jaramillo (the Candidate) via email on August 7, 2024, and again on August 21, 2024; neither of which received a response. On September 18, 2024, we called the number listed on the Candidate's campaign finance report and left a message, again not receiving any type of response. We called again on October 2, 2024 and spoke to someone, who did not identify themselves. We introduced ourselves and said that we were calling about the Clean Elections audit, but the individual said they were in a meeting and would call back soon. We never received a call back. On October 22, 2024, Mike Becker with Arizona Citizens Clean Elections Commission reached out to the Candidate's Treasurer. The Candidate's Treasurer spoke with Mike and said that the Candidate would meet with the campaign manager that night and the provide us with the information that was requested. That was the last time we heard from anyone associated with the Candidate. It should also be noted that the Candidate never filed their Qualifying Period Recap Report with the Arizona Secretary of State and as such, does not show up on the See The Money website (<https://seethemoney.az.gov/>). Therefore, we are unable to review any of the expenses, contributions, or perform any other procedure as required for our testing of the Candidate's Clean Elections funding.

- b). Perform a desk review of the disbursements reported in the candidate's campaign finance report to identify any unusual items requiring follow-up during fieldwork.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- d). Contact the candidate or the campaign treasurer, as appropriate, to schedule a date to perform fieldwork. Discuss the nature of the documentation, which will be needed to perform the engagement and ascertain the location of the necessary documentation.

Finding

We attempted to contact the Candidate to discuss the agreed-upon procedures, the timing of our procedures, and the documentation needed as described in step 1.a)., but we were unable to communicate with the Candidate.

2. Fieldwork Procedures

- a) Contractor will contact the candidate to request the records for an agreed-upon procedures attest engagement. Candidates receiving audits after the Primary Election shall provide records from the election cycle through the 2024 Qualifying Period Recap Report. Candidates receiving audits after the General Election shall provide records from the election cycle through the 4th Quarter Report.

Finding

Commission staff sent an initial notice to the Candidate and informed the Candidate that we would be contacting them. We then communicated to the Candidate through a written request, the purpose of the request, agreed-upon procedures to be performed, documentation needed, and potential future requirements of the Candidate.

Complaint

- b) The contractor shall contact the candidate and/or his or her representative(s) to discuss the purpose of the engagement, the general procedures to be performed and potential future requirements of the candidate, such as possible repayments to the Fund.

Finding

See comment in a) above.

- c) The Contractor shall contact or conduct an interview with the candidate and/or his or her representative(s) to discuss the bookkeeping policies and procedures utilized by the campaign committee.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- (i) Review bank statements one month prior to the election date (beginning on the first of the month), the month including the election day, and one month after the election day (ending on the last of the month) in the reporting period and perform the following:
- Select five (5) samples of deposits and withdrawals from the bank statements and determine that the transaction is properly reflected in the candidate's records and campaign finance report.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- Perform a proof of receipts and disbursements for the reporting period, which is defined as reporting the ending balances of the July 2024 bank statement and the 2024 Qualifying Period Recap Report.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- d) Using the dates and limits defined in the Arizona Citizens Clean Elections Guide, review the receipts reported in the candidate's campaign finance reports to determine the following:

- (i) The candidate accepted contributions only from individuals.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- (ii) None of the contributions received from individuals exceed the early contribution limit.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- (iii) Check compliance with the maximum early contribution limits.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- (iv) Check compliance with the maximum personal contribution limits.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- e) For both the primary election and the general election, contractor will judgmentally select a 10% sample size with a minimum of five (5) contributions reported in the candidate's campaign finance report (not including the \$5 qualifying contributions) and agree to supporting documentation, which reflects the name of the contributor (for all contributions) and for individuals who contributed greater than \$100, which reflects the contributor's address, occupation and employer.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- (i) For other types of cash receipts reported on the candidate's campaign finance report, review supporting documentation and review for compliance with regulatory rules and laws and agree the receipt to inclusion in the campaign account bank statement.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- (ii) For in-kind contributions, review the supporting documentation and determine the methodology utilized to value the contribution and assess the reasonableness.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- f) For both the primary election and the general election, contractor will judgmentally select a 10% sample size with a minimum of five (5) of cash expenditures reported in the candidate's campaign finance report and perform the following:

- (i) Review supporting invoice or other documentation and agree amount to the amount reported in the candidate's finance report.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

Complaint

- (ii) Determine that the name, address and nature of goods or services provided agree to the information reported in the candidate's campaign finance report.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- Agree the amount of the expenditure to the campaign account bank statement.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- (iii) Determine whether the expenditure was made for a direct campaign purpose. Direct campaign purpose includes, but is not limited to, materials, communications, transportation, supplies and expenses used toward the election of the candidate.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- If the expenditure is a joint expenditure made in conjunction with other candidates, determine that the amount paid represents the candidate's proportionate share of the total cost.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- g) Determine whether any petty cash funds have been established and, if so, determine how expenditures from these funds have been reflected in the accounting records. Determine whether aggregate petty cash funds exceed the limit of \$1,800.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- (i) If applicable, for both the primary election and the general election, contractor will judgmentally select a 10% sample size with a minimum of five (5) candidate's petty cash fund expenditures and obtain supporting documentation for the expenditure. Determine whether the expenditure was for a direct campaign expense and whether the expenditure was in excess of the \$210 limit on petty cash expenditures.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

Complaint

- h) Determine if the candidate/campaign incurred any debt. If so, report all debt.

Finding

We were unable to establish communication with the Candidate; and as such, did not receive any items from the Candidate. As a result, we were unable to perform the test described above.

- i) Contact the candidate and/or his or her representative(s) to discuss the preliminary engagement findings and recommendations that the Contractor anticipates presenting to the CCEC. During this conference, the Contractor will advise the candidate and/or his or her representative(s) of their right to respond to the preliminary findings and the projected timetable for the issuance of the final issuance of the report.

Finding

We reported our findings to the Candidate and the Candidate did not provide responses to our findings.

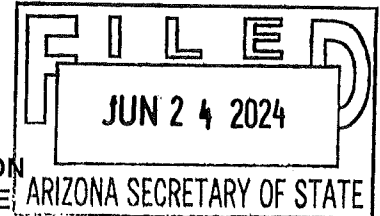
Complaint

0000562081

- Initial Application
- Amended Application



STATE OF ARIZONA APPLICATION FOR CERTIFICATION AS A PARTICIPATING CANDIDATE

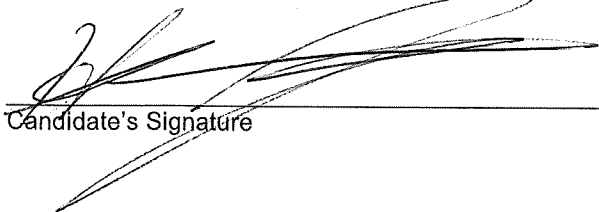


Pursuant to Arizona Revised Statutes §§16-947 and 948 and AAC R2-20-104 (D)

COMMITTEE ID NUMBER
101580

NAME OF CANDIDATE HECTOR JARAMILLO		DATE 06/21/2024	
OFFICE SOUGHT STATE REPRESENTATIVE - DISTRICT 24	PARTY AFFILIATION	ELECTION CYCLE 2024	
CANDIDATE'S ADDRESS 6926 N 74TH AVE	CITY GLENDALE	STATE AZ	ZIP 85303
CANDIDATE'S TELEPHONE # (623) 986-4192	CANDIDATE'S FAX #	CANDIDATE'S EMAIL ADDRESS TREASURY4AZHEC@GMAIL.COM	
NAME OF POLITICAL COMMITTEE HECTOR JARAMILLO FOR STATE REPRESENTATIVE - DISTRICT 24			
COMMITTEE ADDRESS 6926 N 74TH AVE		CITY GLENDALE	STATE AZ ZIP 85303
COMMITTEE MAILING ADDRESS (if different from above) 6926 N 74TH AVE		CITY GLENDALE	STATE AZ ZIP 85303
COMMITTEE TELEPHONE # (623) 986-4192	COMMITTEE FAX #	COMMITTEE EMAIL ADDRESS HEC4AZ@GMAIL.COM	
NAME OF DESIGNATED INDIVIDUAL WITH AUTHORITY TO WITHDRAW FUNDS (IF APPLICABLE) (A.R.S. §16-948)			
DESIGNATED INDIVIDUAL'S ADDRESS		CITY	STATE ZIP
DESIGNATED INDIVIDUAL'S TELEPHONE #	DESIGNATED INDIVIDUAL'S FAX #	DESIGNATED INDIVIDUAL'S EMAIL	
LIST THE NAME OF THE FINANCIAL INSTITUTION FROM WHICH THE CANDIDATE AND THE DESIGNATED INDIVIDUAL WILL CONDUCT ALL FINANCIAL ACTIVITY FOR THE CANDIDATE'S CAMPAIGN COMMITTEE (Do not list account numbers). (A.R.S. §16-948(A))			
NAME OF FINANCIAL INSTITUTION MARISOL			

DESIGNATED CANDIDATE'S STATEMENT (if applicable) (A.R.S. §16-948(B)): I hereby designate X as my duly authorized Designated Individual, with the authority to withdraw funds and make expenditures from my campaign account on my behalf.


Candidate's Signature

6/24/24
Date

Complaint


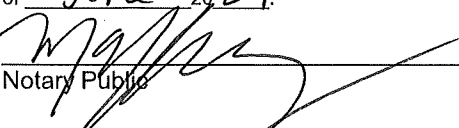
Committee ID: 101580
Date: 06/21/2024
Form ID: 0000562081

Application for Certification – Part II

CANDIDATE AND DESIGNATED INDIVIDUAL'S STATEMENT (A.R.S. §16-947):

I, the undersigned, upon my oath and under penalty of perjury, certify that the following statements are true and accurate to the best of my knowledge and belief:

1. I have complied with the restrictions of A.R.S. §16-941 (A) during the election cycle to date, which are as following:
 - a) Not accepted contributions other than early contributions as specified in A.R.S. §16-945;
 - b) Not made expenditures that exceed the candidate's personal money limit; and
 - c) Conducted all financial activity through a single campaign account.
2. I will continue to comply with the restrictions in paragraph 1 during the remainder of the election cycle and will:
 - a) Not make expenditures in the primary election period in excess of the adjusted primary election spending limit;
 - b) Not make expenditures in the general election period in excess of the adjusted general election spending limit; and
 - c) Return unused monies to the fund in accordance with A.R.S. § 16-953.
3. I have filed all campaign finance reports required under Title 16, Chapter 6, Article I, during the election cycle to date, and the reports are complete and accurate.
4. I agree to use all Clean Election funding for direct campaign purposes only.
5. I will file, with this application, a campaign finance report showing all campaign activity to date in the current election cycle.
6. I will comply with all requirements of the Act and Commission rules.
7. I am subject to all enforcement actions by the Commission as authorized by the Act and Commission rules.
8. I have the burden of proving that expenditures made by or on behalf of the candidate were for direct campaign purposes.
9. I will keep and furnish to the Commission all documentation relating to expenditures, receipts, funding, books, records (including bank records for all accounts), and supporting documentation and other information that the Commission may request in accordance with Commission rules.
10. I will permit an audit and examination of all receipts and expenditures including those made by the candidate, the candidate's authorized committee, or any agent or person authorized to make expenditures on behalf of the candidate or committee. The candidate and the candidate's authorized committee shall also provide any material required in connection with an audit, investigation, or examination conducted by the Commission. The candidate and authorized committee shall facilitate the audit and examination and shall pay any amounts required to be repaid.
11. I will submit the name and mailing address of the person who is entitled to receive equalizing fund payments on behalf of the candidate and the name and address of the campaign depository designated by the candidate. Changes in the information required by this paragraph shall not be effective until submitted to the Commission in a letter signed by the candidate or the committee treasurer.
12. I will pay any civil penalties included in a conciliation agreement or otherwise imposed against the candidate.
13. I will file all campaign finance reports with the Secretary of State in an electronic format in a timely manner.

State of Arizona) County of <u>Maricopa</u>) ss.  _____ Candidate's Signature SUBSCRIBED AND SWORN TO before me this <u>24th</u> day of <u>June</u> 20 <u>24</u> .  _____ Notary Public	State of Arizona) County of _____) ss. _____ Designated Individual's Signature SUBSCRIBED AND SWORN TO before me this _____ day of _____ 20____. _____ Notary Public
---	---



Thomas M. Collins
Executive Director



State of Arizona
Citizens Clean Elections Commission

1802 W. Jackson – 129 (Mail) - Phoenix, Arizona 85007 - Tel (602) 364-3477 - Fax (602) 364-3487 - www.azcleelections.gov

Via E-Mail

December 8, 2025

Clean Elections Commission
c/o Paula Thomas, Executive Officer
1802 W. Jackson #129
Phoenix, AZ 85007

Hector Jaramillo
6926 N 74th Ave
Glendale AZ 85303
Email: hec4az@gmail.com

Re: Executive Director's Probable Cause Brief in MUR 25-01

Dear Commissioners and Mr. Jaramillo:

Under the briefing procedures for probable cause, a respondent has 5 days from the receipt of the Executive Director's Brief to File a response. A.A.C. R2-20-214(C). "After reviewing the respondent's brief, the Executive Director shall promptly advise the Commission in writing whether he or she intends to proceed with the recommendation or to withdraw the recommendation from Commission consideration." A.A.C. R2-20-214(D). Mr. Jaramillo has declined to file a brief citing his difficulty obtaining counsel. *See* Exhibit 1. **I intend to proceed with the probable cause hearing on Dec. 11, 2025 at our 10 a.m. meeting, assuming we do not agree to an extension.** At that hearing I will present the brief that is part of the materials.

I will not be proposing penalties at the time of the probable cause hearing. Instead I anticipate a separate proceeding on penalties at later date.

Sincerely,
S/ Thomas M. Collins
Executive Director
Citizens Clean Elections Commission

Enclosure
cc: Craig Morgan, Independent Legal Advisor



Re: Executive Director's Probable Cause Brief in MUR 25-01

1 message

Hector Jaramillo <hec4az@gmail.com>

Mon, Dec 1, 2025 at 4:26 PM

To: Thomas Collins <thomas.collins@azcleaselections.gov>

Cc: "Morgan, Craig" <CMorgan@taftlaw.com>, Paula Thomas <paula.thomas@azcleaselections.gov>

I don't have the ability to respond as I cannot afford an attorney, but thank you for sending this.

On Mon, Dec 1, 2025 at 4:16 PM Thomas Collins <thomas.collins@azcleaselections.gov> wrote:

Dear Mr. Jaramillo:

Enclosed with this letter and included in the file emailed to you is the Executive Director's Probable Cause Brief. These brief outlines why I believe there is probable cause to believe that a violation of the Clean Elections Act and Rules has occurred. A.A.C. R2-20-214(A) (stating that the executive director must issue a brief stating the case facts, legal position, and a recommendation on whether probable cause exists for a Commission-jurisdiction violation).

You may submit a response. Under the Commission's rules, you have five days from the date you receive my brief to file your own brief with the Commission setting forth your position on the relevant factual and legal issues. A.A.C. R2-20-214(C).

After reviewing any brief you submit, I will promptly notify the Commission in writing whether I intend to maintain my recommendation or withdraw it from consideration. A.A.C. R2-20-214(D).

--
Thomas M. Collins
Executive Director
Arizona Citizens Clean Elections Commission
www.azcleaselections.gov
Office: 602-364-3477
Mobile: 602-397-6362

Proposed CEC Meeting Dates January - July 2026

Month	Date	State Holiday – Office Closed
January	29	<i>New Year's Day, Jan 1st & MLK Day, Jan 19th</i>
February	19	<i>President's Day, Feb 16th</i>
March	26	
April	23	
May	28	<i>Memorial Day, May 25th</i>
June	25	
July	23	<i>Independence Day, July 3rd</i>



During the months of January – July 2026, staff estimates commission meetings will be held once a month. All meeting dates are on Thursday and scheduled to begin at **10:00 a.m.**

In the event additional meetings are required, Staff will work directly with each Commissioner to determine availability and ensure we have a quorum for the meeting.