



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

Location: Citizens Clean Elections Commission

1616 West Adams, Suite 110

Phoenix, Arizona 85007

Date: Tuesday, April 3, 2018

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 April 3, 2018. This meeting will be held at 10:00 a.m., at the Citizens Clean Elections Commission, 1616 West Adams, Suite 110, Phoenix, Arizona 85007. The meeting may be available for live streaming online at www.livestream.com/cleanelections. Members of the Citizens Clean Elections Commission will attend either in person or by telephone, video, or internet conferencing.

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.

The agenda for the meeting is as follows:

- I. Call to Order.
- II. Discussion and Possible Action on primary election funding for Larry Herrera, participating candidate for State Senate LD20.

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 this item pursuant to A.R.S. § 38-431.03 (A)(3).

- III. 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

- IV. 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, 1616 West Adams, Suite 110, Phoenix, Arizona 85007.

Dated this 2nd day of April, 2018.

Citizens Clean Elections Commission
Thomas M. Collins, Executive Director

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.

Doug Ducey
Governor

Thomas M. Collins
Executive Director



Damien R. Meyer
Chair

Steve M. Tittle
Mark S. Kimble
Galen D. Paton
Amy B. Chan
Commissioners

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

MEMORANDUM

To: Commissioners

From: Tom Collins

Date: 4/1/2018

Subject: Payment from the Clean Elections Fund to Participating Candidate Larry Herrera

Facts¹

Larry Herrera applied to be a participating candidate for the legislativeion in State Senate District 20 on June 26, 2017. Exhibit 1.

On March 6, 2018,² he applied for funding by submitted qualifying contributor slips, as well as a check made payable to the Clean Elections Fund. Exhibit 2. Generally, the Arizona Secretary of State and the recorder's of each applicable county are responsible for determining whether a candidate has qualified. A.R.S. § 16-950. *See also* Ariz. Atty. Gen. Op. I01-05, available at <https://www.azag.gov/sgo-opinions/approval-clean-elections-funding>, ("A.R.S. §16-950(C) expressly provides that the Secretary of State shall deny or approve funding applications based on whether the candidate submitted a sufficient number of valid contribution slips."). Exhibit 3.

On March 15, 2018, the Maricopa County Recorder's Office informed Arizona Secretary of State Election Direcor Eric Spencer and myself that there were a number invalid signatures in the review of Mr. Herrera's submission and that the invalid signatures had been forwarded to a forsenic firm. Exhibit 4.

Nevertheless, on March 26, 2018, Herrera submitted additional qualifying contributions. Exhibit 5.

On March 27 **at 3:21 p.m.**, the Secretary informed Commission staff Herrera had qualified based on a full-set verification and the supplemental qualifying signatures. Exhibit 6.

¹ I have a request for more information and a public records request pending with the Maricopa County Recorder. In the event that further facts become available prior to the meeting, staff will provide them.

² A previous version of this memo incorrectly stated the application was filed March 3d.

On March 27 at 4:31 p.m., a Maricopa County Recorder staffer left a voicemail for a commission staff member who is not responsible for the participating candidate qualification or enforcement inquiring regarding supplemental signatures.

Background Law

As noted above, in general, Secretary of State Michele Reagan is responsible for approving candidates for funding. Nevertheless, the Attorney General's Office has previously recognized that "the Commission approves or denies funding based on whether the candidate meets the other requirements of the Act." Exhibit 3.³ Moreover, the Clean Elections Act expressly provides that the Commission "seek[] to uphold public confidence in the intergrity of the electoral system," A.R.S. § 16-955(B), as well as a duty to "ensure that money from the fund is placed in the candidate campaign accounts or otherwise spent as specified in this article and not otherwise. . . and ensure that money required by this article to paid to the fund is deposited in the fund" A.R.S. § 16-956(A)(7). Finally, the Commission has emergency rulemaking powers. A.R.S. § 16-956(E).

It is my view, as executive director, that absent additional facts, the Commission hold payment of any funds to Candidate Herrera pending the outcome of the County's forensic analysis.

Although the Commission may in general be obligated to pay money to candidates from the fund immediately, here, there is substantial question of whether such an action upholds the integrity of the electoral system.

Moreover, regardless of the contours of the Commission's responsibility to the fund, once the Commission has knowledge of potential problems in a candidate obtaining funds, and that candidate is nevertheless approved for funding by the Secretary of State, it is consistent with traditional trustee and fiduciary norms to pause and see if further information is available before issuing payment.

By way of equities, the primary is not until August, and the Commission could revisit this matter as soon as its meeting later this month, if not sooner if necessary.

Recommendation

For the forgoing reasons, I recommend the Commission withhold funding from Herrera until there is further information from the County's forensic analysis available.

³ Any advice received from the Attorney General's Office in this matter is privileged, subject to the Commission's waiver.

Exhibit 1



0000417495

- Initial Application
- Amended Application



**STATE OF ARIZONA
APPLICATION FOR CERTIFICATION
AS A PARTICIPATING CANDIDATE**

SECRETARY OF STATE

2017 JUN 26 AM 11:36

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

COMMITTEE ID NUMBER

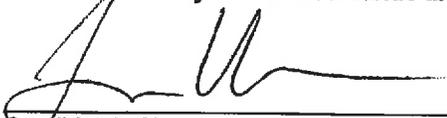
201800233

DATE

06/23/2017

NAME OF CANDIDATE LARRY HERRERA				DATE 06/23/2017	
OFFICE SOUGHT STATE SENATOR - DISTRICT NO. 20		PARTY AFFILIATION DEMOCRATIC		ELECTION CYCLE 2018	
CANDIDATE'S ADDRESS 3745 W LUPINE AVE			CITY PHOENIX	STATE AZ	ZIP 85029
CANDIDATE'S TELEPHONE # (602) 725-7488		CANDIDATE'S FAX #		CANDIDATE'S EMAIL ADDRESS	
NAME OF POLITICAL COMMITTEE FRIENDS OF LARRY HERRERA					
COMMITTEE ADDRESS 3745 W. LUPINE AVENUE			CITY PHOENIX	STATE AZ	ZIP 85029
COMMITTEE MAILING ADDRESS (if different from above) 3745 W LUPINE AVE			CITY PHOENIX	STATE AZ	ZIP 85029
COMMITTEE TELEPHONE # (602) 725-7488		COMMITTEE FAX #		COMMITTEE EMAIL ADDRESS HERRERA4AZ@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 BBVA					

DESIGNATED CANDIDATE'S STATEMENT (if applicable) (A.R.S. §16-948(B)): I hereby designate _____ 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

6/26/17
Date

Committee ID: 201800233
 Date: 06/23/2017
 Form ID: 0000417495

Application for Certification - Part II

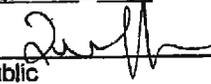
SECRETARY OF STATE

2017 JUN 26 AM 11:36

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 1, 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>26th</u> day of <u>June</u> 20 <u>17</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
---	---

 **TERESA J. JONES**
 Notary Public - State of Arizona
 MARICOPA COUNTY
 My Commission Expires
 July 5, 2020

Exhibit 2



**STATE OF ARIZONA
PARTICIPATING CANDIDATE'S
APPLICATION TO RECEIVE FUNDS
AND QUALIFYING CONTRIBUTION REPORT**

Pursuant to Arizona Revised Statutes §16 -950

COMMITTEE ID NUMBER
201800233

NAME OF CANDIDATE LARRY HERRERA		DATE 03/06/2018	
OFFICE SOUGHT STATE SENATOR - DISTRICT NO. 20	PARTY AFFILIATION DEMOCRATIC	ELECTION CYCLE 2018	
CANDIDATE'S ADDRESS 3745 W LUPINE AVE	CITY PHOENIX	STATE AZ	ZIP 85029
CANDIDATE'S TELEPHONE # (602) 725-7488	CANDIDATE'S FAX #	CANDIDATE'S EMAIL ADDRESS	
NAME OF POLITICAL COMMITTEE FRIENDS OF LARRY HERRERA			
COMMITTEE ADDRESS 3745 W. LUPINE AVENUE	CITY PHOENIX	STATE AZ	ZIP 85029
COMMITTEE MAILING ADDRESS (if different from above) 3745 W LUPINE AVE	CITY PHOENIX	STATE AZ	ZIP 85029
COMMITTEE TELEPHONE # (602) 725-7488	COMMITTEE FAX #	COMMITTEE EMAIL ADDRESS HERRERA4AZ@GMAIL.COM	

REALLOCATION OPTION: A participating candidate for legislature in a one -party dominant legislative district who is qualified for the party primary election of the dominant party may elect to reallocate a portion of funds from the general election period to the primary election period (A.R.S. §16 -952(D). If you believe that you are eligible and you wish to choose this option, please check the box to the right.

Yes, I wish to reallocate :

Select the box that applies:

A. The Candidate is proceeding as a n independent.

B. The Candidate is applying to qualify for funding for a party primary of a political organization entitled to continued representation on the official ballot as prescribed in A.R.S. §16 -804.

C. The Candidate is applying to qualify for fund ing for a general election as a party's nominee of a political organization entitled to continued representation on the official ballot as prescribed in A.R.S. §16 -804.

PLEASE PROVIDE THE FOLLOWING INFORMATION :	Entry
Number of non-duplicative qualifying contributions received (attached list sorted by county)(A.R.S. §16-950(B)):	255
Number of original qualifying contribution reporting slips attached A.R.S. §§16-950(B) and 16-946(C):	
Sum of qualifying contributions collected (Candidate' or Committee's check or money order for an amount equal to the sum of qualifying contributions is attached) (A.R.S. §16-950(B):	\$1,275.00

I hereby certify that this Application to Receive Funds and Qualifying Report, and accompanying materials to this statement, are true and complete to the best of my knowledge and belief.

Candidate's Signature

3/6/18

Date

Exhibit 3

To: **L. Gene Lemon**
Chairman, Citizens Clean Elections Commission

February 1, 2001

**Re: Approval for Clean
Elections Funding**

101-005 (R00-061)

Question Presented

You have asked whether the Secretary of State or the Citizens Clean Elections Commission ("Commission") has the authority to approve or deny clean elections funding to participating candidates pursuant to Arizona Revised Statutes ("A.R.S.") § 16-950.

Summary Answer

The Clean Elections Commission has the authority to deny funding to candidates who fail to meet the requirements of A.R.S. § 16-950, with the exception of A.R.S. § 16-950(C). The Secretary of State has the authority to enforce the requirements of A.R.S. § 16-950(C).

Background

Arizona voters passed Proposition 200, the Citizens Clean Elections Act ("Act"), as an initiative in the November 1998 general election. The Act authorizes public funding for the election campaigns of political candidates who voluntarily limit campaign spending and fund-raising in statewide and State legislative elections. *See generally* A.R.S. §§ 16-940 through -961. The initiative established a Citizens Clean Elections Commission ("Commission") to administer and enforce the Act. *See* A.R.S. § 16-956.

To qualify for funding, a candidate must be certified as a participating candidate and must also obtain the requisite number of qualifying contributions. *See* A.R.S. §§ 16-947, -950(D).⁽¹⁾ In order to be certified as a participating candidate, a candidate must file the required paperwork with the Secretary of State. A.R.S. § 16-947. The Commission has the authority to deny a certification application for good cause. A.R.S. § 16-947(C). Once certified, the candidate must, within a specified time, submit to the Secretary of State a list of people who gave the candidate qualifying contributions, the reporting slips for each qualifying contribution, and an amount of money equal to the sum of the qualifying contributions the candidate received. A.R.S. § 16-950(A), (B). The Secretary of State selects a random sample of the contributors and faxes the selected reporting slips to the counties for verification. A.R.S. § 16-950(C). Funding is contingent on the outcome of the verification process. *Id.*

To receive funding during a party primary, the candidate must also properly file nominating papers and petitions. A.R.S. § 16-950(E)(1). To receive funding during the general election, the candidate must be the party nominee or an independent candidate. A.R.S. § 16-950(E)(2).⁽²⁾ Once these requirements are met, the Commission must provide funding to the candidates as prescribed in statute. *See* A.R.S. §§ 16-951, -952.

Analysis

The Commission is authorized and obligated to enforce the Act. A.R.S. § 16-956(B)(5). Although the Commission is generally responsible for enforcement, the Secretary of State also has a number of responsibilities under the Act. For example, the Secretary of State receives campaign finance reports, lobbyist fees, and certification applications.⁽³⁾ *See* A.R.S. §§ 16-944 (lobbyist fee); -947 (certification application); -958 (reports).

The Act also assigns the Secretary of State a role in approving candidates for funding. After candidates submit their qualifying

contributions and related documentation, the Secretary of State selects a random sample of five percent of the number of names on the qualifying contribution list and forwards them to the county recorder for verification. The county recorder reports to the Secretary of State the number of slips that were disqualified for the specified reasons.⁽⁴⁾ The Secretary of State then multiplies the number of valid slips by twenty. If that number is less than ninety percent of the quantity required, the Secretary of State "shall deny the application for funds." A.R.S. § 16-950(C). If the number is more than one hundred-ten percent of the quantity required, the Secretary of State "shall approve the candidate for funds." *Id.* In these situations, the statute unambiguously gives the Secretary of State, not the Commission, the responsibility to determine whether a candidate has sufficient qualifying contributions, and to either approve or deny the application for funding under A.R.S. § 16-950(C).

The statute is less direct regarding the Secretary of State's role when the number of valid slips in the random sample falls between ninety percent and one hundred-ten percent of the required number. In that situation, the Act provides that "the Secretary of State shall forward facsimiles of all of the slips to the county recorder for verification, and the county recorders shall check all slips in accordance with the process above." A.R.S. § 16-950(C). The reference to the "process above" logically refers to the process for the initial random samples in which the county recorder reviews the slips and declares inadequate slips as disqualified in a report to the Secretary of State. The next step in this process is for the Secretary of State to approve or deny funding based on the report received from the county. Such an interpretation considers the statutory provisions in context of the entire statute and gives effect to all of the statute's provisions. *Pinto Valley Copper Corp. v. Arizona Dep't of Econ. Sec.*, 146 Ariz. 484, 486, 706 P.2d 1251, 1253 (App. 1985).

For these reasons, the Secretary of State approves or denies funding to a candidate under A.R.S. § 16-950(C). If funding is to be approved or denied for some other reason, however, the Commission would make that determination under its general enforcement power.⁽⁵⁾

Conclusion

Although the Act generally assigns enforcement responsibilities and funding decisions to the Commission, A.R.S. §16-950(C) expressly provides that the Secretary of State shall deny or approve funding applications based on whether the candidate submitted a sufficient number of valid contribution slips. Therefore, the Secretary of State approves or denies funding based on whether the candidate submitted sufficient valid contribution slips, and the Commission approves or denies funding based on whether the candidate meets the other requirements of the Act.

Janet Napolitano
Attorney General

1. Qualifying contributions are five dollar contributions that meet certain statutory requirements. *See* A.R.S. § 16-946. The number of required qualifying contributions varies depending on the office the candidate is seeking. A.R.S. § 16-950(D).
2. Independent candidates must meet the general requirements of A.R.S. §16-950 to qualify for funding. A.R.S. § 16-950(E). Independent candidates, however, receive only one payment equal to seventy percent of the sum of the "original primary election spending limit" and the "original general election spending limit," at the beginning of the primary election period. A.R.S. § 16-951(A)(2).
3. Although the Secretary of State collects the lobbyist fees, the Commission is responsible for any enforcement if lobbyists fail to pay this fee. *See* Ariz. Att'y Gen. Op. I00-029.
4. The county recorder is required to provide a report to the Secretary of State which disqualifies "any slips that are unsigned or undated or that the recorder is unable to verify as matching a person who is registered to vote, on the date specified on the slip, inside the electoral district of the office the candidate is seeking." A.R.S. § 16-950(C).

5. This might include, for example, failure to properly file nominating papers under A.R.S. §§ 16-311 and 16-950(E), or failure to present a list of names of persons who contributed under A.R.S. § 16-950(B).

• [Back to 2001 Opinions](#)



Exhibit 4

Thomas Collins

From: Keely Varvel - RISCX <kvarvel@risc.maricopa.gov>
Sent: Thursday, March 15, 2018 11:30 AM
To: Spencer, Eric; Thomas Collins
Cc: Mary Fontes - RISCX; Adrian Fontes - RISCX; Murphy Hebert - RISCX
Subject: Problem with Clean Elections forms

Gentleman –

Our office is currently verifying the \$5 clean election contribution slips for a candidate named Larry Herrera who is running for State Senator in LD20. We have found 101 out of 200 invalid forms due to signatures that don't match voter registration records, lack of voter registration and even inclusion of people who are records show are deceased. We plan to send the list of invalid signatures to Affiliated Forensic Laboratories to check our analysis. We will let you know how that turns out and if we need any more info from you all during that process. But we wanted to give you a heads up that there are significant problems, potentially fraudulent signatures, from this candidate.

Keely Varvel

Chief Deputy Recorder | Maricopa County Recorder Adrian Fontes

Phone: 602-506-1832 | Mobile: 480-274-1768



Exhibit 5



**STATE OF ARIZONA
PARTICIPATING CANDIDATE'S
APPLICATION TO RECEIVE FUNDS
AND QUALIFYING CONTRIBUTION REPORT**

Pursuant to Arizona Revised Statutes §16 -950

COMMITTEE ID NUMBER
201800233
DATE
03/26/2018

NAME OF CANDIDATE LARRY HERRERA		DATE 03/26/2018	
OFFICE SOUGHT STATE SENATOR - DISTRICT NO. 20	PARTY AFFILIATION DEMOCRATIC	ELECTION CYCLE 2018	
CANDIDATE'S ADDRESS 3745 W LUPINE AVE	CITY PHOENIX	STATE AZ	ZIP 85029
CANDIDATE'S TELEPHONE # (602) 725-7488	CANDIDATE'S FAX #	CANDIDATE'S EMAIL ADDRESS	
NAME OF POLITICAL COMMITTEE FRIENDS OF LARRY HERRERA			
COMMITTEE ADDRESS 3745 W. LUPINE AVENUE	CITY PHOENIX	STATE AZ	ZIP 85029
COMMITTEE MAILING ADDRESS (if different from above) 3745 W LUPINE AVE	CITY PHOENIX	STATE AZ	ZIP 85029
COMMITTEE TELEPHONE # (602) 725-7488	COMMITTEE FAX #	COMMITTEE EMAIL ADDRESS HERRERAFORAZ@GMAIL.COM	

REALLOCATION OPTION: A participating candidate for legislature in a one -party dominant legislative district who is qualified for the party primary election of the dominant party may elect to reallocate a portion of funds from the general election period to the primary election period (A.R.S. §16 -952(D)). If you believe that you are eligible and you wish to choose this option, please check the box to the right.

Yes, I wish to reallocate :

Select the box that applies:

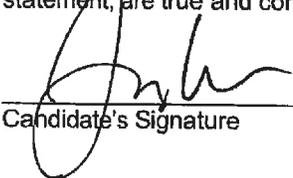
A. The Candidate is proceeding as a n independent.

B. The Candidate is applying to qualify for funding for a party primary of a political organization entitled to continued representation on the official ballot as prescribed in A.R.S. §16 -804.

C. The Candidate is applying to qualify for fund ing for a general election as a party's nominee of a political organization entitled to continued representation on the official ballot as prescribed in A.R.S. §16 -804.

PLEASE PROVIDE THE FOLLOWING INFORMATION :	Entry
Number of non-duplicative qualifying contributions received (attached list sorted by county)(A.R.S. §16-950(B)):	371
Number of original qualifying contribution reporting slips attached A.R.S. §§16-950(B) and 16-946(C)):	
Sum of qualifying contributions collected (Candidate' or Committee's c heck or money order for an amount equal to the sum of qualifying contributions is attached) (A.R.S. §16-950(B)):	\$1,855.00

I hereby certify that this Application to Receive Funds and Qualifying Report, and accompanying materials to this statement, are true and complete to the best of my knowledge and belief.


Candidate's Signature

3/26/18
Date

Exhibit 6

Thomas Collins

From: ccec <ccec@azsos.gov>
Sent: Tuesday, March 27, 2018 3:21 PM
To: Stephanie Cooper; CCEC App Mailbox
Cc: ccec
Subject: FW: CCEC Larry Herrera Approval

Please see below.

From: ccec
Sent: Tuesday, March 27, 2018 3:19 PM
To: 'herreraforAZ@gmail.com'
Cc: ccec
Subject: CCEC Larry Herrera Approval

Dear Larry Herrera,

The Secretary of State's office received the County Recorders findings with respect to the Qualifying Contributions you submitted to qualify for funding under the Citizens Clean Elections Act. The result of the full set verification combined with the result of the supplemental filing yielded a verification rate that met the quantity required under A.R.S. § 16-950(D), which means you have met the statutory requirements to receive Clean Elections funding.

This message will serve as your official notification. Should you have further questions related to your participating status, please contact the Citizens Clean Elections Commission by email at ccec@azcleelections.gov, or by phone at (602) 364-3477.

Sincerely,

JOE BENSON
Elections Technology Manager
Arizona Secretary of State Michele Reagan
Office: 602-364-3216
Email: jbenson@azsos.gov
www.azsos.gov

Public Disclosure Notice: This message and any messages in response to the sender of this message may be subject to a public records request.

Thomas Collins

From: Keely Varvel - RISCX <kvarvel@risc.maricopa.gov>
Sent: Sunday, April 01, 2018 8:40 PM
To: Thomas Collins
Subject: Re: Participating candidate issue

My apologies. I was going to send you what we had Friday and got distracted and Mary is on vacation.

My understanding is that we have received, checked and returned to the SOS 3 separate batches of signatures. The first batch had lots of bad signatures and some looked forged to us which is why I emailed you and Eric to alert you to the issue. But then we got more signatures so decided to check those first before sending any we thought were problematic to our forensic lab for review.

At this point, the candidate may have enough good signatures (I honestly am not sure what number he is at, but will forward you the results of our 3 checks). But we still planned to give the slips to the forensic lab to look at this week. I suppose it is up to you to decide what to do if the lab too thinks the signatures look fake.

If you prefer we not send the signatures to the forensic lab, let me know.

Stay tuned for the 3 emails about the signatures we've checked.

Keely Varvel, Chief Deputy
Office of Maricopa County Recorder Adrian Fontes
Email: KVarvel@risc.maricopa.gov
Office: 602-506-1832
Mobile: 480-274-1768
Sent from my iPhone

On Apr 1, 2018, at 1:17 PM, Thomas Collins <Thomas.Collins@azcleaselections.gov> wrote:

Keely,
Sorry to bother you on a weekend and on a day that may be a holiday for you.

Currently I know the following:

- The county found sufficient problems in the candidates qualifying slips of a candidate named Larry Herrera that outside review was ordered, which the secretary's office and i were notified of.
- Herrera apparently filed Supplemental slips and signatures.
- the county contacted a commission staff member by phone on last Tuesday afternoon with an inquiry regarding Supplemental slips.
- shortly thereafter that same day both the county and the secretary approved Herrera for funding.
- the initial inquiry is unresolved.

**ITEM II - EMAIL
MARICOPA COUNTY**

Please provide any additional information you would like me to have as soon as possible.

The commission meets Tuesday at 10 am to discuss this matter and it would be helpful for a representative of the county to appear.

In any event, I will have to publish the information I have in the form of a report to the commission tomorrow, Monday April 2.

Thanks again,
Tom