

Subject: Public Records Requests
Date: Thursday, July 21, 2022 at 6:38:03 PM Eastern Daylight Time
From: Justin Riches
To: AO Records
CC: Ashley McIver, Krystle Isvoranu
Attachments: Morris_0580_6-8-22.pdf, Morris_0578_6-8-22.pdf, Morris_0576_6-8-22.pdf

EXTERNAL SENDER

Dear Mr. Morris,
Pursuant to your public records requests, please find the attached responsive records.
Best regards,
Justin Riches
Public Records Counsel
(602) 926-5507



June 8, 2022

VIA EMAIL

Justin Riches
Public Records Counsel
Arizona House of Representatives
1700 W. Washington St.
Phoenix, AZ 85007-2844
jriches@azleg.gov

Re: Public Records Request

Dear Public Records Officer:

Pursuant to the Arizona Public Records Law, A.R.S. §§ 39-121 *et seq.*, American Oversight makes the following request for records.

Following the November 2020 election, members of the Trump campaign's legal team and individuals seeking to overturn the election results coordinated with members of the Arizona legislature in an attempt to affect the election's certification.¹ Later, many of these same individuals remained involved in the Arizona Senate's partisan "audit" of Maricopa County's election results.²

American Oversight seeks records with the potential to shed light on efforts to alter the results of Arizona's November 2020 election and the subsequent "audit" undertaken by the Arizona Senate. American Oversight does not seek records at issue in ongoing litigation against the Arizona Senate nor records over which the Arizona Senate has asserted a claim of privilege.

Requested Records

American Oversight requests that your office promptly produce the following records:

All electronic communications (including emails, email attachments, complete email chains, calendar invitations, text messages, or messages on messaging platforms, such as Slack, GChat or Google Hangouts, Lync, Skype, or

¹ Andrew Feinberg, 'Coup PowerPoint' Author Told Legislators They Could Throw Out 'Fake' Biden Ballots, *Documents Show*, Independent (Jan. 24, 2022, 5:27 PM), <https://www.independent.co.uk/news/world/americas/us-politics/coup-powerpoint-author-biden-ballots-b1999609.html?r=49089>.

² Jen Fifield & Zac Anderson, *From Rural Florida to Trump Allies' Inner Circle: Who is the Cyber Ninjas Leading Arizona's Audit?*, AZ Republic (updated Sept. 21, 2021, 7:46 PM), <https://www.azcentral.com/story/news/politics/arizona/2021/09/20/cyber-ninja-doug-logan-path-sarasota-florida-arizona-election-audit/5621094001/>;



WhatsApp) between (a) Representative Mark Finchem or his aide April Riggins, or Representative Jake Hoffman or his aide Minerva Arvizu, and (b) any of the individuals or entities listed below (including, but not limited to, at the email addresses provided). In the case of emails and texts, the search should include those sent or received from the specified officials' personal accounts and devices if they were used to conduct official business, as well those sent from official email addresses or government-issued devices.

1. Pamela Gorman (pamela@ffcoalition.com, gorman2006@gmail.com)
2. Ryan Hartwig (therealryanhartwig@gmail.com, ryanhartwig@protonmail.com)
3. Sergio Arellano (scarellanollc@hotmail.com)
4. Seth Keshel (skeshel@gmail.com)
5. Scott Gessler (scott@scottgessler.com)
6. Shawn Smith (ratioinvictus@protonmail.com)
7. Sidney Powell (sherlock1776@protonmail.com)
8. South Dakota Senator Jim Stalzer (jim.stalzer@gmail.com, jim.stalzer@sdlegislature.gov)
9. Tom Van Flein (tom.vanflein@mail.house.gov, tvanflein@cpsattorneys.com, tvanflein@yahoo.com, tvanflein@protonmail.com)
10. Timothy Schwartz (buckaroooforu@protonmail.com, alive.kicking.ts@icloud.com)
11. Wisconsin Elections Commissioner Robert Spindell (robert.spindell@wisconsin.gov, cd4.chairman@wisgop.info, rspindell@gottesman-company.com)

Please provide all responsive records from November 3, 2020, through the date the search was conducted.

Please note that American Oversight does not seek records currently at issue in litigation against the Arizona Senate, and American Oversight has specifically excluded communications with any individual or entity over whose communications the Arizona Senate has previously claimed privilege.³

Statement of Noncommercial Purpose

This request is made for noncommercial purposes. American Oversight seeks records regarding attempts to alter the certification of the November 2020 election and the subsequent partisan “audit” of Maricopa County’s election results by the Arizona Senate.⁴ Records with the potential to shed light on this matter would contribute

³ American Oversight, *Arizona Senate Updated Privilege Log and Index – Received Oct. 1, 2021*, <https://www.documentcloud.org/documents/21077483-arizona-senate-updated-privilege-log-and-index-sept-30?responsive=1&title=1>.

⁴ See *supra*, notes 1 & 2.

significantly to public understanding of operations of the government, including regarding the involvement of actors external to the Arizona legislature.

Because American Oversight is a 501(c)(3) nonprofit, this request is not in American Oversight's financial interest and is not made for a commercial purpose. American Oversight's mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.⁵

Because this request is made for noncommercial purposes, American Oversight requests that any fees charged in connection with processing this request be limited to copying and postage charges, if applicable.⁶ Please notify American Oversight of any anticipated fees or costs in excess of \$100 prior to incurring such costs or fees.

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics. For instance, if the request seeks "communications," please search all locations likely to contain communications, including relevant hard-copy files, correspondence files, appropriate locations on hard drives and shared drives, emails, text messages or other direct messaging systems (such as iMessage, WhatsApp, Signal, or Twitter direct messages), voicemail messages, instant messaging systems such as Lync or ICQ, and shared messages systems such as Slack.
- In conducting your search, please understand the terms "record," "document," and "information" in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and

⁵ American Oversight currently has approximately 16,000 followers on Facebook and 117,300 followers on Twitter. American Oversight, Facebook, <https://www.facebook.com/weareoversight/> (last visited May 18, 2022); American Oversight (@weareoversight), Twitter, <https://twitter.com/weareoversight> (last visited May 18, 2022).

⁶ A.R.S. § 39-121.01(D)(1); *see also Hanania v. City of Tucson*, 128 Ariz. 135, 624 P.2d 332 (Ct. App. 1980). Furthermore, because this request is for noncommercial purposes, additional fees provided for under A.R.S. § 39-121.03(A) are not applicable and should not be assessed.

transcripts, notes, or minutes of any meetings, telephone conversations or discussions.

- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.
- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages.
- If any records are withheld in full or in part, pursuant to A.R.S. § 39-121.01(D)(2), please provide an index of records or categories of records that have been withheld and the reasons the records or categories of records have been withheld.
- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.
- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

Conclusion

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Zachery Morris at records@americanoversight.org or 202) 897-4213.

Sincerely,

/s/ Zachery Morris
Zachery Morris
on behalf of
American Oversight

Justin Riches

From: Mark Finchem
Sent: Sunday, January 3, 2021 4:36 PM
To: Mark Finchem
Cc: Paul Gosar; Van Flein, Tom
Subject: Fwd: Meeting held by Pima County Democrats (Voter Fraud Planning meeting)

From: Brian Watson <brianwatson70002@gmail.com>
Sent: Thursday, November 12, 2020 1:34 PM
To: All AZ Legislators
Subject: Fwd: Meeting held by Pima County Democrats (Voter Fraud Planning meeting)

asking you to void all elections in the state! This includes local, county, state and federal elections! Each ballot contains all these races in it!

The State Legislature has the power to null and void all Nov 3rd election results if AZSOS and the county recorder and elections office will not provide full transparency.

See forwarded message!

----- Forwarded message -----

From: Brian Watson <brianwatson70002@gmail.com>
Date: Tue, Nov 10, 2020 at 9:38 AM
Subject: Meeting held by Pima County Democrats (Voter Fraud Planning meeting)
To: <Criminal.Division@usdoj.gov>

US Department of Justice,

This is anonymous reporting and do not want to be included in this investigation! Thank you!

Please be advised that Pima County Recorder, located at 240 N Stone Ave, Tucson, AZ 85701 in Pima County Arizona and the Democratic Party added "fraud votes" in the initial count to the Vote-By-Mail (VBM) totals released at 8pm on Nov 3rd 2020.

There were approximately 35,000 fraud votes added to each democrat candidate's vote totals. Candidates impacted include county, state and federal election candidates. Through the

utilization of the automated ballot count machines in Pima County Elections, my understanding is that 35,000 was embedded into each democrat candidate's total votes.

Below are the meeting notes:

In a meeting I was invited to by the democrat party in Pima County Arizona on Sept 10th 2020, no phones or recording devices were allowed, a presentation was given including detailed plans to embed 35,000 in a "spread configured distribution" to each democrat candidate's vote totals.

When I asked "how in the world will 35,000 be kept hidden or from being discovered", it was stated that "spread distribution will be embedded across the total registered voter range and will not exceed the registered voter count, and the 35,000 was determined allowable for pima county based on our county registered voter count". It was also stated that "total voter turnout versus total registered voters determine how many votes we can embed. The embedding will auto adjust based on voter turn-out." Because the "embed votes are distributed sporadically all embedded votes will not be found, if audited, because the embeds are in groups of approximately 1,000. This is so the county recorder can declare an oversite issue or error as a group of 1,000 is a normal and acceptable error." "Maricopa County's embed totals will be substantially higher than Pima due to embeds being calculated based on the total number of registered voters."

When I asked "has this ever been tested? and how do we know it works?" The response was "Yes, this has been testing and has shown significant success in Arizona Judicial Retention Elections since 2014 even undetectable in post audits because no candidate will spend the kind of funds needed to audit and contact voters to verify votes in the full potential of total registered voters which is more than 500,000 registered voter. This year our Secretary of State has removed precinct level detail for election night releases so candidates can't see precinct over-votes".

This is what I have from this meeting.

Just thought I'd report this. Not sure if you can do anything since I was unable to have a recording device at this meeting...

Thank you!

B.Watson