



MARK BRNOVICH
ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

January 29, 2020

Honorable Michael Bailey
United States Attorney
District of Arizona
Two Renaissance Square
40 North Central Avenue, Suite 1800
Phoenix, Arizona 85004-4449

Dear Mr. Bailey:

It has come to our attention that the Arizona Department of Education recently disclosed the personal information of Arizona residents who possess Empowerment Scholarship Accounts ("ESA") in response to certain public records requests. According to media reports, this disclosed information included account holders' first and last names, email addresses, and the school grade and disability (if applicable) of children for whom the account holders maintain an ESA.

Federal privacy laws, or other federal law, may be implicated as a result of this disclosure. Because our Office would not have jurisdiction to enforce federal law under these circumstances, we bring this matter to your attention so that the U.S. Attorney's Office can review and investigate if warranted.

Sincerely,

A handwritten signature in blue ink, appearing to read "JK", is written over a blue circular stamp or watermark.

Joseph Kanefield
Chief Deputy & Chief of Staff