



MARK BRNOVICH
ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

April 23, 2021

The Honorable Katie Hobbs
1700 W. Washington, 7th Floor
Phoenix, Arizona 85007
khobbs@azsos.gov

Dear Secretary Hobbs:

I am in receipt of your letter dated April 23, 2021, requesting that the Attorney General's Office investigate "potential" violations of laws in connection with the Arizona State Senate's audit of the Maricopa County election.

I have previously informed the court that the Arizona Senate has broad constitutional and statutory authority to issue a legislative subpoena and consequently conduct the audit of the Maricopa County election. You allege that the Senate may be in violation of several election laws but provide no facts other than a reference to "recent reports" that you believe "suggest" that the Senate may be in violation of the court order in *Maricopa County et al. v. Fann et al.*, No. CV2020-016849.

This does not meet the standard of a credible allegation -- it is speculation insufficient to support the request for an official investigation. Moreover, the separation of powers in our political system demands deference to co-equal branches of government to conduct their lawful business. It would therefore be inappropriate to interrupt the auditing process simply because someone asserts that it could be handled in some other manner. Any such requests should be directed to Senate President Fann.

Rest assured that to the fullest extent of the Attorney General's jurisdiction, I have and will continue to investigate all allegations that our election laws have been violated. Any such complaints, however, must be based on credible facts and not conjecture or politics.

Perhaps one thing that we can all recognize at this point in the process is the imperative of pursuing and maintaining robust election integrity laws. They are necessary to secure accurate results and promote public confidence in the process.

Sincerely,

A handwritten signature in blue ink that reads "Mark Brnovich". The signature is fluid and cursive, with a long horizontal flourish at the end.

Mark Brnovich
Attorney General