

CEC Executive Director Exchange — AZFRG VRKA Complaint

Notice of Deficiencies and Complainant Response

April 13, 2026

About this Document

On April 6, 2026, a verified complaint was filed with the Arizona Citizens Clean Elections Commission against Arizonans for Responsible Growth (AZFRG), Committee ID 101777, alleging multiple violations of the Voters' Right to Know Act (Proposition 211) in connection with the 2026 Salt River Project (SRP) board election.

On April 13, 2026, CEC Executive Director Thomas M. Collins issued a Notice of Deficiencies under Ariz. Admin. Code R2-20-809(E). This document contains Collins' Notice and the complainant's same-day response. Complainant contact information has been redacted.

Part 1 — CEC Executive Director Notice of Deficiencies

From: Thomas Collins, Executive Director, Arizona Citizens Clean Elections Commission
(thomas.collins@azcleanelections.gov)

To: [Complainant, redacted]

Date: Monday, April 13, 2026 at 8:52 AM

Subject: Notice of Deficiencies — Complaint against Arizonans for Responsible Growth

Dear Mr. [redacted]:

I have reviewed your complaint lodged against Arizonans for Responsible Growth on April 6, 2026.

Under Ariz. Admin. Code R2-20-809(E), “[i]f [a] complaint does not meet the criteria [for complaints], Commission staff shall notify the complainant of the deficiencies in the complaint and that no action

shall be taken on the complaint unless those deficiencies are remedied.”

I have identified the following deficiencies and will take no further action on the complaint unless they are addressed.

1) Allegation of late reporting.

Under A.R.S. § 16-973(I): “a political action committee or political party that is a covered person may satisfy the timing requirements for reporting in this section by filing the periodic campaign finance reports as required by law for political action committees and political parties, provided that the disclosures required by this section are included in those periodic reports, including the requirement to identify the original sources of traceable monies who gave, directly or indirectly, and any intermediaries who transferred, directly or indirectly, more than \$5,000 in traceable monies to the covered person during the election cycle.” However, “[i]f a political action committee or political party that is a covered person spends monies or accepts in-kind contributions within 20 days of an election that would require a report under this section, it shall file a report pursuant to this section within 3 days of that spending or in-kind contribution.” A.R.S. § 16-973(J).

The Secretary of State’s website indicates that the Committee filed reports on 2/23/2026 and 4/7/2026. It filed a VRKA report on 3/20/2026. As a PAC, the Committee was not required to file an additional VRKA report unless the circumstances in § 16-973(J) arose. Please address why the Committee was required to file a separate VRKA report prior to March 18, 2026.

2) Major donors.

Your complaint cites to A.R.S. § 16-974(C), which has to do with disclosures on advertising. The major donors section of the report concerns the identity of any person whose total contributions of traceable monies to the covered person constituted more than half of the traceable monies of the covered person at the start of the election cycle. A.R.S. § 16-973(A)(9). Please identify what information was omitted from this section of the report that you believe ought to have been included.

3) Top three donors.

Your complaint does not seem to allege a violation. Rather, you appear to state that “if” signs were distributed after a donor withdrew their support, the disclaimer was not accurate. The Commission’s rule states that the top three determination is made “at the time the advertisement was distributed for publication, display, delivery, or broadcast.” Ariz. Admin. Code R2-20-805(B). Please specify whether you are alleging that the signs were, in fact, distributed after the withdrawal and the factual basis for that assertion. Additionally, please provide the date and location of the photos in Exhibit D.

4) Website disclaimer.

At least as of today, the website azforrg.com includes disclaimers. Please let me know if this part of your complaint requires additional review. If so, please provide information demonstrating the disclaimer was omitted and your basis for asserting the website is a public communication subject to VRKA.

5) County reports.

You assert that the Committee had separate filing obligations at the county level. The Committee is a standing committee registered with the State of Arizona. Under A.R.S. § 16-901(48), a “standing committee’ means a political action committee or political party that is active in more than one reporting jurisdiction in this state and that files a statement of organization in a format prescribed by the secretary of state.” “A standing committee shall file a statement of organization with the secretary of state and a copy of the statement in each jurisdiction in which the committee is active. Only the secretary of state shall issue an identification number.” A.R.S. § 16-906(E). Please explain why the Committee was required to file additional reports at the County.

Sincerely,

Thomas Collins

Part 2 — Complainant Response to Notice of Deficiencies

From: [Complainant, redacted]

To: Thomas Collins, Executive Director, Arizona Citizens Clean Elections Commission

Date: Monday, April 13, 2026

Subject: Re: Notice of Deficiencies — Complaint against Arizonans for Responsible Growth

Director Collins,

Thank you for your April 13 correspondence identifying five deficiencies in my complaint against Arizonans for Responsible Growth (“AZFRG”). I address each deficiency below and provide additional evidence developed since the original filing, including AZFRG’s Q1 2026 SOS Campaign Finance Report (Report ID 366363, filed April 7, 2026), which was not available at the time of the complaint.

As a preliminary matter: the process of responding to these deficiencies has produced evidence that the VRKA filings AZFRG submitted to the Commission contain materially different dates, amounts, and donor lists than the campaign finance reports AZFRG filed with the Secretary of State for the same period and the same financial activity. These discrepancies are documented below and are independently significant regardless of how the Commission resolves any individual deficiency.

Deficiency #1 — Late Reporting

Your question: Under A.R.S. § 16-973(I), a PAC may satisfy VRKA timing by filing periodic reports, provided disclosures are included. Under § 16-973(J), if spending occurs within 20 days of an election, the VRKA must be filed within 3 days. AZFRG filed periodic reports on 2/23/2026 and 4/7/2026 and a VRKA on 3/20/2026. Why was a separate VRKA required prior to March 18, 2026?

The Periodic Reports Did Not Include the Required VRKA Disclosures

The safe harbor under A.R.S. 16-973(I) is conditional. It permits a PAC to satisfy VRKA timing by filing periodic reports “provided that the disclosures required by this section are included in those periodic reports, including the requirement to identify the original sources of traceable monies who gave, directly or indirectly, and any intermediaries who transferred, directly or indirectly, more than \$5,000 in traceable monies to the covered person during the election cycle.”

The two periodic reports you reference are AZFRG’s “2026 - March Pre-Election” report (filed February 23, 2026, covering through February 21) and “2026 - March Post-Election (Q1)” report (Report ID

366363, filed April 7, 2026, covering February 22 through March 31). Both are standard SOS campaign finance reports using the prescribed schedules: C2 (individual contributions), C4b (corporate contributions), E1 (operating expenses), E2a (independent expenditures).

Neither report contains:

- A calculation of traceable monies on hand (A.R.S. 16-973(A)(3)). The VRKA Initial reported traceable monies of \$8,900.24. The VRKA Supplemental reported \$11,384.92. These figures appear nowhere in either periodic report.
- Identification of original sources of traceable monies (A.R.S. 16-973(A)(4)). The periodic reports identify contributors by name and amount, but do not distinguish between traceable monies and other contributions, and do not apply the VRKA's framework for tracing the origins of campaign media spending.
- A Major Donors section (A.R.S. 16-973(A)(9)).
- Identification of the campaign media spending manager (A.R.S. 16-973(A)(7)). The VRKA filings identify Colin Shipley of Shipley Strategies as the campaign media spending manager. Neither periodic report identifies a media spending manager.

The safe harbor requires affirmative inclusion of these disclosures. The periodic reports did not include them. A separate VRKA filing was required regardless of when the 20-day election window opened.

Campaign Media Spending Began February 24, Not March 1

AZFRG's own Q1 SOS report (Report ID 366363, Schedule E2a) documents the first independent expenditure as **\$50,000 to Sandpiper Strategies on February 24, 2026**, categorized as "Communications - Advertising" for "Canvassing in support of Rovey, Gieger, Naylor, Sheely, Williams, Brooks, Rakow, Vanderwey, Warren, White, Mullins, Lock, McKenzie, Pedersen, Pace, Lamoreaux" benefiting "SRP Agricultural District Elections."

This payment alone exceeds the \$25,000 VRKA threshold under A.R.S. 16-973(A). The initial VRKA report was due within approximately five days: no later than approximately March 3, 2026. The VRKA Initial was not filed until March 20 — approximately seventeen days after the deadline.

The Sandpiper \$50,000 does not appear in either VRKA report. It is documented in AZFRG's own SOS filing but was never disclosed under the VRKA.

A second independent expenditure — \$40,000 to Shipley Strategies on February 27, 2026, also for SRP-related advertising — further confirms that campaign media spending was underway before the VRKA's reported start date of March 1.

VRKA and SOS Filings Report Different Figures for the Same Spending

The discrepancy extends to the amounts and dates AZFRG reported for Shipley Strategies:

VRKA Report	SOS Report (366363, Schedule E2a)
Shipley \$56,142.93 on 3/1/2026	Shipley \$40,000 on 2/27/2026
Shipley \$72,462.58 on 3/20/2026	Shipley \$70,000 on 3/25/2026
Shipley \$155,481.00 on 3/27/2026	No matching transaction
Total: \$284,086.51	Total: \$110,000 (Shipley only)

The same PAC, signed by the same treasurer, reported materially different dates and amounts for what appears to be the same campaign spending to two different state agencies. I do not know which set of figures is correct. I respectfully submit that the Commission is in a position to determine this.

The 20-Day Election Window (Secondary Argument)

Your question calculates March 18 by counting 20 days from April 7 (last day of SRP voting). The SRP election has a voting window from March 11 through April 7. Neither A.R.S. 16-971 nor 16-901 defines what “election” means for a multi-day mail-ballot election. If “election” means the first day ballots are available (March 11), the 20-day window opens February 19, and every campaign expenditure in the record falls within it.

I note this ambiguity but do not rest my argument on it. The safe harbor fails for the independent reasons stated above.

Deficiency #2 — Major Donors

Your question: The complaint cites A.R.S. § 16-974(C) (advertising disclaimers). The Major Donors section concerns the identity of any person whose contributions constituted more than half of traceable monies. A.R.S. § 16-973(A)(9). What information was omitted?

The Complaint Cited 16-974(C) — Not 16-973(A)(9)

The complaint cited A.R.S. 16-974(C) for both Violation 2 and Violation 3. Section 16-974(C) establishes disclaimer requirements for public communications by covered persons, requiring at minimum “the names of the top three donors who directly or indirectly made the three largest contributions of original monies during the election cycle to the covered person.” The complaint’s concern was that AZFRG’s public communications and VRKA filings fail to give voters accurate information about who is financing the PAC.

Your deficiency separates these allegations into #2 (redirected to the VRKA form’s “Major Donors” section under 16-973(A)(9)) and #3 (top-3 disclaimers). The complaint did not invoke 16-973(A)(9) or its 50% threshold. To the extent you are asking whether any single donor exceeded 50% of traceable monies, I do not assert that they did. Whether the blank “Major Donors” section was technically compliant under 16-973(A)(9) is a question the Commission can evaluate from the filings.

The substance of the complaint’s 16-974(C) allegations is addressed in my response to Deficiency #3 below.

VRKA Filings Are Missing Donors Over \$5,000 Under 16-973(A)(6)

Separately from the Major Donors question, the VRKA filings fail to satisfy A.R.S. 16-973(A)(6), which requires disclosure of “the identity of each donor of original monies who contributed more than \$5,000.” This is a flat dollar threshold with no percentage calculation.

AZFRG’s combined VRKA filings (Exhibits A and B) identify 8 individuals and 3 companies as donors over \$5,000. AZFRG’s Q1 SOS report (Report ID 366363), covering the same period, identifies 8 individuals and 7 companies over \$5,000. Four companies are absent from the VRKA:

Donor	Amount	Date	Address
Elevate Renewables	\$5,000	2/23/2026	910 Louisiana St, Houston, TX 77002 (out of state)
EPS Group, Inc.	\$5,000	3/30/2026	1130 N Alma School Rd, Mesa, AZ 85201
Integrity Electrical Services Co., LLC	\$15,000	3/31/2026	1711 W 17th St, 85281
SunTec Concrete	\$7,500	3/31/2026	23751 N 23rd Ave Suite 175, Phoenix, AZ 85085

Elevate Renewables is the most significant omission. It donated on February 23, 2026 — 25 days before the VRKA Initial was filed on March 20. There is no timing explanation for its absence. It is also an out-of-state contributor (Houston, Texas), compounding the out-of-state percentage violation addressed in Deficiency #3.

Integrity Electrical (\$15,000) and SunTec Concrete (\$7,500) donated on March 31, after the last VRKA filing on March 30. Combined with EPS Group (\$5,000 on March 30), \$27,500 in contributions from three donors above the \$5,000 threshold arrived on or after March 30. A further VRKA supplemental was required. None was filed.

Deficiency #3 — Top Three Donors

Your question: The complaint uses “if” language regarding sign distribution timing. Under R2-20-805(B), the top-three determination is made at the time the advertisement was distributed. Please specify whether signs were distributed after Google’s withdrawal, the factual basis, and the date and location of photos in Exhibit D.

This Question Requires Information Only AZFRG Possesses

I can answer the date, location, and photographic evidence questions — and I do so below. But the broader question you pose — when were the signs distributed, and was that before or after Google’s withdrawal? — is not a question a member of the public can answer from the publicly available campaign finance record. It is a question only AZFRG can answer. And AZFRG has not disclosed that information in any filing.

AZFRG’s VRKA filings (Exhibits A and B) identify a single vendor: Shipley Strategies, receiving \$284,086.51 for “Mail and Digital.” AZFRG’s Q1 SOS report (Report ID 366363, Schedule E2a) identifies \$160,000 in independent expenditures: Sandpiper Strategies \$50,000 for “Canvassing,” Shipley Strategies \$40,000 and \$70,000 for “Advertising/Digital Ads.” Across three filings and \$444,086.51 in disclosed campaign spending, not one dollar is attributed to sign printing, fabrication, or installation. No sign vendor appears in any filing.

The reason I employed hedged “if” language in the original complaint is precisely this: AZFRG’s own incomplete reporting left the sign production record entirely outside the public campaign finance record. The Commission holds subpoena authority under A.R.S. 16-974(A)(2) to “issue and enforce civil subpoenas, including third-party subpoenas.” Sign production dates, vendor contracts, and deployment schedules can be obtained from AZFRG or its vendors directly. The appropriate path is for the Commission to direct this question to AZFRG — not to require a citizen to reconstruct a timeline from public documents that don’t contain it.

That said, I provide below what the public record and the photographic evidence establish.

What I Observed: April 2, 2026

Both photographs in Exhibit D were taken on **April 2, 2026 at approximately 9:07 AM** Arizona local time. This is established by EXIF metadata embedded in the image files: Canon EOS 6D camera with EF24-105mm f/4L IS USM lens, DateTimeOriginal 2026:04:02 09:07:41, confirmed by both photos within three seconds of each other. This metadata is recorded by the camera at the moment of capture.

The photographs were taken in [CITY REDACTED]. Exhibit D, photo 01 shows the AZFRG sign alongside an adjacent yard sign reading “RE-[H]OUSE TEMPE” with the name “Hodge” visible — a sign associated with a Tempe-specific local political matter.

The sign’s disclaimer reads: **“PAID FOR BY ARIZONANS FOR RESPONSIBLE GROWTH. TOP DONORS: WILLMENG, GOOGLE, AND VW CONNECT. NOT AUTHORIZED BY ANY CANDIDATE OR CANDIDATE’S AGENT.”**

No Riggs Companies. No out-of-state contributor percentage.

The Donor Roster on April 2, 2026

Based on AZFRG’s own campaign finance filings, the top three contributors by current-cycle total on April 2, 2026 were:

1. Riggs Companies: **\$50,000** (March 23, 2026) — cycle-to-date per Q1 SOS Report 366363
2. Willmeng Construction: **\$31,551.31** — cycle-to-date per Q1 SOS Report 366363
3. VW Connect: **\$25,000**

The signs listed Willmeng, Google, and VW Connect. Riggs Companies, whose \$50,000 donation ten days before the photograph made them the single largest contributor by nearly \$20,000, does not appear. Google, whose net contribution was \$19,500 after a partial refund on March 12 (confirmed in Q1 SOS Report 366363, Schedule C4b: original \$25,000 on 7/31/2025, refund \$5,500 on 3/12/2026), appears despite ranking below B&B Concrete (\$20,000), NextEra (\$15,000), and Brody Riggs (\$10,500).

The Sign Timing Question

Under Ariz. Admin. Code R2-20-805(B), the top-three determination is made “at the time the advertisement was distributed.” The sign displays Google as a top donor. Google submitted its withdrawal request on approximately February 24, 2026 (per Phoenix New Times, March 9, 2026). There is no reason to print signs identifying Google after Google communicated its withdrawal. The most natural inference is that the signs were printed before February 24, 2026, when Google was still an active contributor.

I acknowledge this. If the signs were printed and first distributed before February 24, the top-three disclaimer may have been accurate at the time of initial distribution under R2-20-805(B). Whether the law required AZFRG to recall or update physical signs after a \$50,000 donor arrived and a listed donor withdrew is a question I respectfully submit to the Commission.

AZFRG Updated One Website But Not the Other

AZFRG operates a second digital property, srpelectionalert.com, an opposition research site targeting Clean Energy Team candidates. As of the date I filed my complaint, srpelectionalert.com correctly displays: “**Top Donors: Willmeng, Riggs Companies, and VW Connect.**” (See original complaint, Paragraph 36.)

AZFRG updated srpelectionalert.com to reflect the accurate top-three donors. The last Wayback Machine capture showing the incorrect disclaimer on azforrg.com is March 9, 2026. The first capture showing the corrected disclaimer — with Riggs Companies replacing Google — is April 6, 2026, the same day complaints were filed with the Commission. No Wayback captures of azforrg.com exist between those dates. The update occurred at some point during that 28-day window.

What can be established: AZFRG knew who its correct top-three donors were (srpelectionalert.com proves this), had the technical ability to update a website (srpelectionalert.com proves this), and the public-facing correction on azforrg.com first appears in the record on the same day this complaint was filed.

The exact date of the azforrg.com update is knowable — but not by the complainant. AZFRG and its web hosting provider have server logs, deployment timestamps, and content management records that

would establish precisely when the disclaimer was changed. The Commission can obtain this through its subpoena authority under A.R.S. 16-974(A)(2). Citizens should not be expected to take daily screenshots of a PAC’s website to establish a compliance timeline that the PAC itself can produce on request.

The Website: azforrg.com

The VRKA Supplemental Report (Exhibit B) was filed March 30, 2026, disclosing Riggs Companies’ \$50,000 contribution. Treasurer Ashley Ragan signed that report under penalty of perjury. On March 30, AZFRG had formal, documented knowledge of its largest donor. The last Wayback Machine capture showing azforrg.com without Riggs Companies is March 9. The first capture showing Riggs Companies is April 6 — at minimum seven days after the VRKA Supplemental and fourteen days after the contribution. Whether the update occurred on April 6 or at some earlier point between March 9 and April 6 cannot be determined from the Wayback record alone.

The Out-of-State Percentage: A Standalone Violation

Regardless of whether the top-three donors were accurately listed, no AZFRG communication has ever disclosed the aggregate out-of-state contributor percentage required by A.R.S. 16-925(B)(2). This requirement is independent of the top-three donor question. It applies to every PAC advertisement. It requires the statement: “paid for by [name] with [X]% from out-of-state contributors.”

The sign in Exhibit D does not include it. No version of azforrg.com includes it — not the March 9 Wayback capture, not the corrected April 6 version. srpelectionalert.com does not include it.

AZFRG’s own filings confirm five out-of-state contributors across five states totaling \$64,500:

Donor	State	Amount	Date
B&B Concrete Contractors, LLC	Missouri	\$20,000	Oct 21, 2025
Elevate Renewables	Texas	\$5,000	Feb 23, 2026
NextEra Energy Resources LLC	Florida	\$15,000	Feb 25, 2026
Google LLC (net after refund)	California	\$19,500	Jul 31, 2025
Peter Ledger / Graydaze	Georgia	\$5,000	Mar 12, 2026

The out-of-state percentage was nonzero from October 21, 2025 onward. No “time of distribution” defense applies — B&B Concrete donated months before any sign could have been printed. The omission is binary: the percentage is either stated or it is not. It is not. On any sign, on any website, at any point in time.

Deficiency #4 — Website Disclaimer

Your question: The website azforrg.com currently includes disclaimers. Please confirm if further review is required. If so, provide evidence the disclaimer was omitted and the basis for asserting the website is a public communication subject to the VRKA.

Further review is required. The original complaint stated that azforrg.com contained “zero disclaimers of any kind.” That was imprecise. The site had a disclaimer by at least March 9, 2026. I acknowledge this and reframe: the website presents two distinct periods of violation.

Period 1: No Disclaimer (May 2025 through approximately March 8, 2026)

The Wayback Machine confirms that azforrg.com operated for months with no political disclaimer of any kind. Confirmed captures with no disclaimer:

- **May 14, 2025** (two captures): Site live as “Arizonans for Responsible Growth” with navigation including Who We Are, Media, Supporters, and Donate. Footer: “© 2025 Arizonans for Responsible Growth. All Rights Reserved.” No “Paid for by” language. No donor names.
- **September 22, 2025:** Site updated with Supporters tab and SMS consent for donations. Footer unchanged. No political disclaimer.
- **November 7 and November 27, 2025:** Site active with election content and donation solicitation. No political disclaimer.

During this period, AZFRG was actively fundraising. Willmeng, Google (\$25,000 on July 31), VW Connect (\$25,000 on September 8), and B&B Concrete (\$20,000 on October 21) had all contributed. The site solicited donations and named specific SRP candidates. Under A.R.S. 16-925(A)(1), a “paid for by” disclosure was required. It was not present.

Period 2: Inaccurate Disclaimer (March 9, 2026 onward)

The March 9, 2026 Wayback capture shows the first appearance of a disclaimer identifying top donors as “Willmeng, VW Connect, B&B Concrete.” This was inaccurate. B&B Concrete Contractors (\$20,000, Missouri) was not in the top three. Google (\$25,000 from July 2025) was still a contributor on March 9 — the partial \$5,500 refund did not process until March 12, three days later. The top three on March 9 should have been Willmeng, Google, and VW Connect.

The disclaimer was not updated to reflect Riggs Companies (\$50,000 on March 23) until at earliest some point after March 9. Seven Wayback Machine captures on April 6 document the corrected version. No captures exist between March 9 and April 6.

The Through-Line: Out-of-State Percentage Never Disclosed

Across every Wayback capture — May 2025, September 2025, November 2025, March 2026, and April 2026 — the out-of-state contributor percentage required by A.R.S. 16-925(B)(2) is absent. Including the “corrected” April 6 version. This is the same standalone violation documented in Deficiency #3 and it applies with equal force to the website.

The Website Is a Public Communication

azforrg.com identifies specific SRP candidates by name, solicits donations through an Anedot payment processor, publishes campaign messaging, and carries AZFRG branding. It is a “public communication” within the ordinary meaning of that term and under A.R.S. 16-971(17)(a), which defines public communication to include communications disseminated through digital means. The site is not a private internal document; it is a public-facing campaign platform.

Deficiency #5 – County Reports

Your question: AZFRG is a standing committee registered with the SOS. Under 16-901(48), a standing committee is active in more than one reporting jurisdiction. Under 16-906(E), a standing committee files its SOO with the SOS and a copy to each active jurisdiction; only the SOS issues ID numbers. Why was AZFRG required to file additional reports at the county level?

AZFRG’s Own Conduct Does Not Support Standing Committee Status

A.R.S. 16-901(48) defines a standing committee as one that “is active in more than one reporting jurisdiction.” A.R.S. 16-906(E) requires a standing committee to file its SOO “with the filing officer in each jurisdiction in which the committee is active.” AZFRG filed an SOO copy with Maricopa County Elections only. It filed no SOO copy with Pinal County or Gila County, despite the SRP district spanning those counties.

If AZFRG were genuinely active in more than one reporting jurisdiction, it would have filed in each of them. It did not.

The record confirms single-jurisdiction activity:

1. **All spending is SRP-specific.** Every independent expenditure in the Q1 SOS report references SRP explicitly: Sandpiper for “SRP Agricultural District Elections,” Shipley for “SRP Board of Directors Districts 2,4,6,8,10,12,14.” No non-SRP spending appears in any filing.
2. **No Pinal County filing exists.** SRP’s district extends into Pinal County. If multi-county geography justified the standing committee designation, an SOO filing in Pinal County would be expected. There is none.
3. **No Gila County filing exists.** Gila County maintains no PAC registry and handles only candidate filings.
4. **The Maricopa County SOO is a consequence of the self-designation, not independent evidence of multi-jurisdiction activity.** Under 16-906(E), filing an SOO copy in Maricopa County is mandatory for any standing committee active there. It is the required “copy,” not an independent county-level registration. Using the mandatory byproduct of the standing committee label as proof of the label’s validity is circular.

Both Paths Lead to a Filing Gap

If AZFRG is not a legitimate standing committee (because its activity is in one jurisdiction), then the SOS-only filing exemption under A.R.S. 16-928(B) does not apply. AZFRG should have filed as a county PAC with Maricopa County Elections as the filing officer under A.R.S. 16-928(A)(2). It filed zero county-level financial reports. Seven state-level reports were filed with the wrong officer.

If AZFRG is a legitimate standing committee (because the SRP district's multi-county geography makes the election multi-jurisdictional), then AZFRG violated 16-906(E) by failing to file SOO copies in Pinal and Gila counties.

Either way, a gap exists. I respectfully request that the Commission investigate which filing structure is correct and whether reporting obligations were met.

Maricopa County Treats SRP Elections as Within Its Jurisdiction

Maricopa County Elections publishes a dedicated "SRP CANDIDATE CAMPAIGN FINANCE REPORT" form for the 2026 election cycle. The county created an election-specific form for SRP campaigns. This is consistent with the statutory framework: SRP is a political subdivision, its elections are administered by the Maricopa County Elections Department, and the county officer in charge of elections is the filing officer for that election under A.R.S. 16-928(A)(2).

Connection to Deficiency #1

If AZFRG's periodic reports were filed with the wrong officer, they were not filed "as required by law" under A.R.S. 16-973(I). This provides an additional, independent reason the periodic report safe harbor does not apply — beyond the absence of VRKA disclosures documented in my response to Deficiency #1.

Summary

The original complaint identified four categories of VRKA non-compliance: late filing, incomplete disclosures, inaccurate public communication disclaimers, and a county-level reporting gap. The evidence developed since filing — particularly AZFRG's Q1 2026 SOS Campaign Finance Report (Report ID 366363) — strengthens the complaint on every front:

- Campaign media spending began February 24, 2026, not March 1 as the VRKA indicates. The first expenditure (\$50,000 to Sandpiper Strategies) was never disclosed in any VRKA filing.
- The VRKA and SOS filings report materially different dates and amounts for the same Shipley Strategies expenditures.
- At least four donors over \$5,000 from the SOS filing are absent from the VRKA, including an out-of-state contributor (Elevate Renewables, Houston, Texas) who donated 25 days before the VRKA Initial was filed.
- No further VRKA supplemental was filed after March 30 despite \$27,500+ in new contributions from donors above the \$5,000 threshold.

- The aggregate out-of-state contributor percentage required by A.R.S. 16-925(B)(2) has never appeared on any AZFRG campaign sign, website, or public communication. Five out-of-state contributors across five states have contributed \$64,500. The percentage was nonzero from October 2025 through the conclusion of the election. It was never disclosed.

I respectfully request that the Commission proceed with its investigation and exercise its subpoena authority where necessary to resolve the factual questions that cannot be answered from the public record alone.

Procedural Requests

This complaint was received on April 6, 2026. The statutory and regulatory framework imposes specific mandatory obligations that I respectfully ask the Commission to observe:

1. **Jurisdictional review (R2-20-809(D)):** The Executive Director is required to review the complaint for jurisdiction and sufficiency within five days of receipt. This response cures the deficiencies identified in your April 13 correspondence. Upon receipt of this response, I request that you complete the sufficiency determination, assign a complaint number, and provide written confirmation to both complainant and respondent as required by R2-20-809(F).
2. **Respondent notification (R2-20-810(A)):** Upon finding the complaint sufficient, staff “shall” send the respondent a copy of the complaint and written communication describing procedures within 14 days. I request confirmation when AZFRG has been notified.
3. **Mandatory investigation (A.R.S. 16-977(B)):** The statute provides that if the complaint states the factual basis for a violation, “the commission **shall** investigate the allegations and provide the alleged violator with an opportunity to be heard.” This is a mandatory duty, not a discretionary one.
4. **Mandatory prosecution (A.R.S. 16-977(C)):** “In any matter in which the civil penalty for the alleged violation could be greater than \$50,000, any claim or defense by the commission of prosecutorial discretion is not a basis for dismissing or failing to act on the complaint.” Under A.R.S. 16-976(A), the civil penalty for a VRKA violation is one to three times the undisclosed or improperly disclosed amount. AZFRG’s VRKA-disclosed campaign media spending alone exceeds \$284,000, and an additional \$50,000 in Sandpiper Strategies spending was never disclosed in any VRKA filing. The potential penalty far exceeds the \$50,000 threshold. Prosecutorial discretion is not available in this matter.
5. **The 90-day clock (A.R.S. 16-977(C)):** The complaint was received on April 6, 2026. If the Commission dismisses or takes no substantive enforcement action within 90 days — by **July 5, 2026** — I may bring a civil action to compel enforcement, subject to de novo judicial review. I do not anticipate needing to exercise that right, but I note the timeline for the record.
6. **Commission visibility:** I request that you present this complaint and deficiency response to the full Commission at the next public meeting and confirm on the record that a verified VRKA

complaint has been filed and that the mandatory investigation under 16-977(B) has commenced. The public is entitled to know that the enforcement process established by Proposition 211 — approved by 72% of Arizona voters — is being followed.

Sincerely,

[Complainant, redacted]