

May 8, 2026

Christine Dyster

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Re: Reply to Response in Campaign Finance Complaints CF-2026-002, -003, -004, and -005

Dear Ms. Dyster:

I am submitting one consolidated reply applicable to all four complaints. Mr. Langhofer and Mr. Basile of Statecraft Law have submitted a single response on behalf of all four respondents (the “Response”), and their arguments are essentially identical across the four matters. This reply tracks their response and addresses each section in turn. Nothing in this reply raises an allegation that was not in the original complaint.

Preliminary Observation: Tone

I am a private citizen who filed four campaign finance complaints based on publicly available information, organized into specific factual allegations and tied to specific provisions of A.R.S. § 16-922. The Response I received from counsel for the Candidates is unusually personal and disparaging for a filing of this kind. It characterizes the complaints as a “slapdash agglomeration of rank speculation, reckless conjecture, and statutory misinterpretation,” dismisses portions as “prattle” and “fatuous,” refers to the complaint’s “frivolity,” and accuses me of conscripting “formal regulatory proceedings” to satisfy “idle hunches and musings.”

That tone is unbecoming of a regulatory submission. Citizen complaints are a feature of Arizona’s campaign finance system, not an imposition on it. A.R.S. § 16-938 specifically provides for them, and the Department’s review of complaints on the merits is exactly what the statute contemplates. The proper response from respondents’ counsel is to address the allegations, not to demean the person who raised them. I trust the Department will evaluate the underlying facts on their own terms.

I. The Response Improperly Substitutes Federal Law for Arizona Law

The bulk of the Response’s legal authority is federal — FEC Matters Under Review, 11 C.F.R. provisions, and 52 U.S.C. § 30116. Counsel asserts that Arizona’s anti-coordination law is

“largely coextensive with” federal law and that FEC guidance is “persuasive authority.”

It is not coextensive. A.R.S. § 16-922 is its own statute with its own elements, including a specific list of rebuttable-evidence factors at § 16-922(C) that have no exact federal analogue. Counsel cites no Arizona statutory or judicial authority for the proposition that federal MUR analyses are dispositive of Arizona coordination questions. The single Arizona authority counsel does cite — Arizona Attorney General Opinion I11-006 — is invoked only for the narrow proposition that federal guidance is “persuasive,” not that it controls.

The substitution of federal MURs for Arizona analysis is a deflection. The question before the Department is not whether the conduct alleged would survive an FEC reasonable-cause review under federal coordination standards. The question is whether it constitutes coordination under A.R.S. § 16-922. That analysis must be conducted under Arizona law, against Arizona’s specific statutory factors.

II. The Response Is Internally Contradictory on the IE-vs-In-Kind Question

This is the central contradiction in the Response, and on its own it warrants further investigation.

On page 4, counsel writes:

“[A]n outside organization’s disbursements of its own resources on public communications advocating for or against a candidate are independent expenditures, not in-kind contributions.”

This sentence is the Response’s defensive theory in compressed form: Turning Point’s expenditures supporting these Candidates were independent expenditures, not coordinated in-kind contributions, and therefore lawful under *Citizens United* and Arizona law.

There is one problem. **Turning Point did not file these expenditures as independent expenditures anywhere.**

Turning Point PAC Arizona (Filer ID 101981) is registered as a state-level PAC with the Arizona Secretary of State. Turning Point does not maintain an active county-level PAC registration with Maricopa County. The Arizona Secretary of State’s See The Money portal is therefore the exclusive forum for any independent-expenditure filings by Turning Point’s Arizona PAC.

A review of that portal’s complete record of Turning Point PAC Arizona’s 2026-cycle expenditures — twelve transactions in total — shows:

- **Zero** independent expenditure filings naming Christopher Dobson as the supported candidate.
- **Zero** independent expenditure filings naming Barry Pacey as the supported candidate.
- **Zero** independent expenditure filings naming Rusty Kennedy as the supported candidate.
- **Zero** independent expenditure filings naming Kelly Cooper as the supported candidate.

The 2025 transactions are independent expenditures attributable to other races. The two 2026 expenditures filed in the run-up to the SRP election — both dated February 23, 2026, six weeks before the April 7 election — are coded “**Operating Expense — Pay Cash/Check,**” not as independent expenditures:

- \$3,350.53 to Inked Xpression (Phoenix), February 23, 2026
- \$934.99 to Alphagraphics (Mesa), February 23, 2026

Counsel cannot have it both ways. If Turning Point’s expenditures supporting these Candidates were independent expenditures, they were required to be reported as such under A.R.S. § 16-926. They were not. If they were not independent expenditures — that is, if they were operating expenses or in-kind contributions — then the Response’s defensive theory collapses, and the question becomes whether the spending was coordinated within the meaning of A.R.S. § 16-922.

The Response cannot claim the protective umbrella of independent-expenditure status while Turning Point PAC Arizona’s actual filings — the only PAC-level filings Turning Point has in this state — disclaim that status. Either Turning Point committed a reporting violation by mischaracterizing independent expenditures as operating expenses, or the underlying expenditures fall outside the IE category and require coordination analysis on their own terms. Either result warrants investigation, not dismissal.

III. The Sworn Declarations Are Not Dispositive, and Independent Evidence Contradicts Them

The Response leans heavily on four sworn declarations in which the Candidates deny — in identical, lawyer-drafted, paragraph-numbered language — any communication with Turning

Point about the 2026 SRP elections. Counsel asks the Department to treat these declarations as the end of the inquiry.

That is not the standard. At the reasonable-cause stage, the Department's question is whether the complaint, taken with the response, sets forth sufficient specific facts to warrant investigation. *See* MUR 4960 (cited in the Response itself). A respondent's denial — even under oath — does not foreclose investigation when independent evidence is inconsistent with that denial. If sworn denials were dispositive, no campaign finance complaint could survive the response stage. That is not the law in Arizona or anywhere else.

Independent evidence is inconsistent with the declarations.

A. Eyewitness testimony from a non-aligned candidate.

On April 16, 2026, *The Arizona Republic* reported on a December 2025 visit to Turning Point's southeast Phoenix headquarters by Keith Woods, a former candidate for SRP Vice President who was not endorsed by either slate, and who placed third in the race. According to Woods, Turning Point leadership invited him to tour the headquarters in December 2025. Woods told the Republic that Mr. Pacey's niece, Brandy Pacey, was at Turning Point's headquarters during that visit, that "[b]oth of them already seemed familiar with Turning Point's headquarters, and the details of their election plans," and that he "left with a clear impression they were 'collaborating' with the organization, even though Turning Point's efforts were supposed to be independent." (Laura Gersony, *SRP councilman had donated \$200K to Turning Point before elections*, *Arizona Republic*, Apr. 16, 2026.)

This account is directly inconsistent with paragraphs 7, 8, 9, 10, 11, 12, 13, and 18 of Mr. Pacey's sworn declaration, which assert in absolute terms that neither he nor any agent of his campaign communicated with Turning Point about its expenditures, plans, or any aspect of the 2026 SRP elections. If Mr. Pacey's niece was at Turning Point's headquarters in December 2025 — months before the election — and was already familiar with Turning Point's election plans, the question whether she was acting as an informal channel between Mr. Pacey's campaign and Turning Point is a factual question that requires investigation. It cannot be resolved on the basis of Mr. Pacey's own declaration.

Brandy Pacey's reported response to Woods's account is also notable. Per the Republic, she "accused Woods, who placed third in the vice presidential race, of 'sour grapes.'" She did not deny being at Turning Point's headquarters. She did not deny familiarity with Turning Point's election plans. She did not deny conveying information between Turning Point and the Pacey campaign. She attacked the messenger. That is a substantive non-denial.

B. Pre-existing financial relationship between Turning Point and a sitting SRP board member.

The same Republic reporting establishes that SRP Council Member Nicholas Vanderwey donated \$200,000 to Turning Point’s nonprofit and political action committee across 2024 and 2025, in the year before Turning Point launched its SRP-election operation. Mr. Vanderwey is not a respondent in these complaints, but his prior financial relationship with Turning Point — undisclosed until reported by the Republic — bears on the original complaint’s allegation of organizational integration between Turning Point and the slate-aligned faction of SRP’s leadership. Per Woods’s account, Mr. Vanderwey was also at Turning Point’s headquarters in December 2025, alongside Brandy Pacey.

C. Distribution of Turning Point’s planning materials to candidates.

The Republic reporting further establishes that Turning Point’s political action committee distributed detailed election-strategy planning booklets — including target-precinct identification, voter-turnout modeling, and acreage-vote weighting — “to donors and some candidates.” This is direct evidence of strategic-information flow between an independent expenditure organization and the candidates whose elections it was funding. Whether any of the four respondent Candidates was among the “some candidates” who received these materials is unknown from public reporting alone. It is, however, exactly the kind of factual question that the reasonable-cause investigation contemplated by A.R.S. § 16-938 is designed to answer. Counsel’s sworn declarations on behalf of the Candidates do not address whether the Candidates received these materials, and the Department should not treat their absence as a denial.

The same A.R.S. § 16-922(B) test that the Response cites — coordination is present where there is communication between the candidate or the candidate’s agent and the expenditure sponsor about the expenditure or the candidate’s plans — turns directly on facts that are not knowable without investigation. Two-way information flow is, by definition, a question that requires examining communications from both sides of the relationship. The Department cannot resolve that question on the candidates’ self-serving denials alone.

IV. The Response’s Footnote 2 Concedes a Separate Compliance Issue

Footnote 2 of the Response concedes that Mr. Dobson’s authorized campaign committee spent \$1,459.89 on signs promoting other SRP candidates. Counsel offers this fact as exculpatory because the other SRP candidates are not respondents in these complaints.

It is not exculpatory. Mr. Dobson’s authorized committee paying for campaign signs of *other candidates* is itself a transaction governed by Arizona campaign finance law. A.R.S. § 16-913 governs candidate-to-candidate transfers, and A.R.S. § 16-901 defines in-kind contributions to include campaign materials such as signs paid for by another entity. The Response cites no statutory authority for the proposition that one SRP candidate’s authorized committee may pay for the signs of other SRP candidates without those payments being treated as in-kind contributions to the recipient candidates.

To the extent these transactions occurred among candidates Turning Point promoted as a coordinated slate — and to the extent the recipient candidates failed to register committees under A.R.S. § 16-905 despite receiving in-kind contributions exceeding the \$1,500 statutory threshold — the Response’s footnote 2 disclosure supports rather than undermines the original complaint’s Evidence Item 9. The Department should evaluate the transactions on their own terms and not allow the framing of footnote 2 — *these other candidates aren’t named in the complaint, so it doesn’t matter* — to close the door on what the Response itself disclosed.

V. The “Loop” Theory and the Absence of a De Minimis Exception

The Response describes my characterization of the AZFRG/Paceley flow as “mathematically, logically, and legally fatuous.” It argues that Mr. Paceley’s \$1,000 contribution to Arizonans for Responsible Growth (“AZFRG”) is too small to support a coordination theory because it represents only 0.47% of AZFRG’s \$211,000 in independent expenditures concerning the SRP election.

A.R.S. § 16-922 contains no de minimis exception. Coordination is either present or not. The statute does not authorize the Department to dismiss otherwise-credible coordination allegations because the dollar amount of a candidate’s contribution to a third-party expenditure organization is small relative to that organization’s total spending. The Response’s argument is policy reasoning, not legal reasoning, and the Department is not the body to enact policy reform.

The relevance of Mr. Paceley’s contribution is not its dollar size relative to AZFRG’s budget. The relevance is that — against the broader factual record described in the original complaint and corroborated by independent reporting — Mr. Paceley’s personal financial entanglement with an independent expenditure organization that subsequently spent six figures supporting his slate is one fact among many that, taken together, establish the integrated political operation that the complaint alleged.

It is also worth noting that the same pattern observed at Turning Point PAC Arizona — substantial expenditures in the run-up to the SRP election filed under categories other than independent expenditures — appears at AZFRG. AZFRG’s 2026-cycle filings (Filer ID 101777) on the See The Money portal show approximately \$160,000 in transactions filed as independent expenditures (to Sandpiper Strategies LLC and Shipley Strategies LLC), alongside additional sums paid to the same vendors and others coded as operating expenses. The categorization choices made by both organizations — across multiple transactions, multiple vendors, and the same pre-election window — are themselves a question worth investigating.

VI. Conclusion and Requested Action

The Response asks the Department to dismiss these complaints under A.R.S. § 16-938 without further action. That request should be denied.

The original complaints set forth specific facts — branded @tpaction.com email infrastructure for each Candidate; sequential profile IDs created in a single batch on a single day; slate-coordinated biographical content hosted on Turning Point’s CDN; mutual financial flows through AZFRG; structural integration of the Candidates’ campaigns into Turning Point’s organizational infrastructure — which, if proven true, would constitute coordination under A.R.S. § 16-922. The Response confirms certain of those facts and disputes others. Independent reporting since the original filing — including the previously undisclosed \$200,000 financial relationship between Turning Point and a sitting SRP board member, eyewitness testimony placing Mr. Paceley’s niece at Turning Point’s headquarters with familiarity of its election plans, and confirmation that Turning Point distributed strategic planning materials to candidates — corroborates the integration allegation rather than rebutting it.

Furthermore, Turning Point’s own filings on the See The Money portal disclaim independent-expenditure status for the spending the Response’s defensive theory depends on classifying as independent expenditures. The Response’s central legal argument is incompatible with Turning Point’s own regulatory disclosures.

This matter warrants investigation under A.R.S. § 16-938(B)(2). I respectfully request that the Department:

1. Issue a reasonable-cause determination and proceed to formal investigation;
2. As part of that investigation, request that Turning Point produce documents concerning (a) the distribution of its planning booklets to SRP candidates, (b) the

creation, operation, and use of @tpaction.com email accounts assigned to the Candidates, (c) any communications between Turning Point and Brandy Paceley, Nicholas Vanderwey, or other persons identified in the public record as having had contact with Turning Point's SRP-election operation, and (d) any written firewall policy in effect during the 2026 SRP election cycle pursuant to A.R.S. § 16-922(B);

3. Evaluate the in-kind contribution and registration questions raised by footnote 2 of the Response and Evidence Item 9 of the original complaint;
4. Coordinate as appropriate with the Arizona Citizens Clean Elections Commission, which has a related complaint under review concerning the same conduct.

Thank you for your continued consideration of this matter.

Respectfully submitted,

[REDACTED]

[EMAIL REDACTED]

[PHONE REDACTED]

[CITY REDACTED]