

April 24, 2026

VIA HAND DELIVERY AND E-MAIL

Maricopa County Elections Department
ATTN: Candidate Services & Campaign Finance
510 S. 3rd Ave
Phoenix, AZ 85003
campfin@maricopa.gov

Re: Response to Campaign Finance Complaint CF-2026-006

Dear Ms. Dyster,

This firm represents Turning Point Action with respect to Campaign Finance Complaint 2026-06 filed by [REDACTED]. The Complaint alleges that Turning Point Action violated Arizona campaign finance law by allegedly coordinating with four candidates for SRP district office (Chris Dobson, Barry Paceley, Rusty Kennedy, and Kelly Cooper) in the recent SRP election for president, vice-president, and board of directors. As evidence, the Complainant points to a series of innocuous data points that, as a whole, allegedly paint a picture of illegal coordination. This is utterly baseless. These sorts of theories are farcical and the Complaint should be dismissed accordingly.

First, there is no evidence of any statutorily-defined coordination between Turning Point Action and the 4 SRP candidates in question. A.R.S. § 16-922(B) defines a coordinated expenditure as follows:

1. there is actual coordination with respect to an expenditure between a candidate or candidate's agent and the person making the expenditure or that person's agent; or
2. both of the following apply:
 - (a) the expenditure is based on nonpublic information about a candidate's or candidate committee's plans or needs that the candidate or candidate's agent provides to the person making the expenditure or that person's agent.
 - (b) the candidate or candidate's agent provides the nonpublic information with an intent toward having the expenditure made.

The Complaint (at 1) provides no evidence of actual coordination and does not allege any provision of nonpublic information. That should be enough to find an absence of reasonable cause.

Second, while the Complaint cites various anecdotal data points as "evidence of coordination," each of those factors is either easily rebutted as false or shown to be simply irrelevant.

1. “Evidence Item 1: TPA Email Addresses for All Four Candidates”

Turning Point Action has not created any email addresses for the 4 SRP candidates. The Complainant has simply drawn a mistaken inference from his metadata investigation. In order to create web biography pages for the 4 endorsed candidates, the architecture behind Turning Point Action’s website requires the creation of dummy @tpaction.com email aliases. But there are no actual email addresses or email inboxes. Nor have any of the 4 endorsed candidates been provided access to Turning Point Action’s email system, whether to receive or send any emails.

2. “Evidence Item 2: TPA Bio Pages for All Four Candidates”

The Complainant characterizes the 4 candidate bio pages on Turning Point Action’s website as “organizational leadership profiles,” “not endorsement listings.” This characterization is unfounded. The candidates are not part of Turning Point Action’s organizational structure.

3. “Evidence Item 3: Coordinated Batch Onboarding”

The Complainant notes that the 4 candidate bio pages were created the same day and characterizes this supposed revelation as “coordinated batch onboarding.” This characterization is meritless. The Complainant also notes that the bio pages are not indexed, which apparently prevents the candidate endorsements from being easily found in an internet search. Even if true, this has absolutely no relevance.

4. “Evidence Item 4: Campaign Website Infrastructure”

The Complainant contrasts Turning Point Action’s endorsement page with the candidates’ own slate website (formerly found at www.electedleadershipforSRP.com) and concludes “[t]he overlap in slate composition, messaging, and presentation raises the question whether the campaign and TPA’s expenditures were developed independently or in consultation with one another.” But, when comparing the respective website images in Exhibits B-1 and B-2, they are obviously not identical. This “same branding” theory is just speculation.

5. “Evidence Item 5: Candidate Committee vs. Actual Campaign Operation”

The Complainant points to SRP presidential candidate Chris Dobson’s year-end 2025 campaign report and speculates that his meager fundraising as of 4 months ago means that Turning Point Action must be coordinating with him. The allegation is simply nonsensical.

6. “Evidence Item 6: Dobson’s Role in Slate Formation”

The Complainant speculates that because SRP presidential candidate Chris Dobson recruited Barry Pacey to run as vice-president, and Turning Point Action later spent substantial sums of money to support those candidacies, then Turning Point Action must be running the candidates’ campaign strategy. This is pure speculation.

7. "Evidence Item 7: Candidate Silence and AZFRG Admission"

The Complainant finds evidence of coordination because "[n]ot a single candidate on the 'Elected Leadership for SRP' slate has made any public statement explaining their relationship with TPA." This allegation is without merit. Candidate silence is actually indicative of independence, not coordination.

The Complainant also notes that an organization known as Arizonans for Responsible Growth has publicly discussed its alleged voter registration and messaging collaboration with Turning Point Action. But, even if true, this has no bearing on whether Turning Point Action coordinated with the 4 SRP candidates in question.

8. "Evidence Item 8: Pacey Financial Ties to AZFRG"

The Complainant notes that vice-presidential candidate Barry Pacey's company donated \$1,000 to Arizonans for Responsible Growth. This is utterly irrelevant and has no bearing on whether Turning Point Action engaged in coordination.

9. "Evidence Item 9: Unreported In-Kind Contributions to Slate Candidates"

The Complainant focuses on two SRP candidates (Kelly Cooper and Rusty Kennedy) who did not form campaign committees, points to campaign signs across the valley that advertise the 4 SRP candidates, and theorizes that "these candidates are operating entirely within TPA's infrastructure without any independent campaign apparatus." But that is just speculation. Even if these two candidates did in fact limit their campaign activity in anticipation of future independent expenditure support, that would not somehow constitute coordination under Arizona law.

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Even if one or more of these data points are somehow deemed probative by the Maricopa County Elections Department, they simply do not count. When a filing officer does not find evidence of actual coordination or the use of nonpublic candidate information under A.R.S. § 16-922(B), the filing officer may only rely on criteria in A.R.S. § 16-922(C) as follows:

In evaluating whether an expenditure is an independent expenditure, a filing officer . . . may consider the following to be rebuttable evidence of coordination:

1. Any agent of the person making the expenditure is also an agent of the candidate whose election or whose opponent's defeat is being advocated by the expenditure.
2. In the same election cycle, the person making the expenditure or that person's agent is or has been authorized to raise or spend monies on the candidate's behalf.
3. In the same election cycle, the candidate is or has been authorized to raise money or solicit contributions on behalf of the person making the expenditure.

The Complainant does not invoke these statutory factors, therefore the 9 "Evidence Items" must be ignored in their entirety.

In conclusion, the Maricopa County Elections Department should find no reasonable cause to believe that Turning Point Action violated any campaign finance law. Evidence of coordination is wholly lacking, and many of these allegations simply fall apart when Turning Point Action explains that the candidates have absolutely no role in this organization. The Complaint's allegations "fail to give rise to a reasonable inference that a violation has occurred" and it should be dismissed accordingly. *See* 2025 EPM, pg. 297.

Very truly yours,

Snell & Wilmer



Eric Spencer