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DISTRICT 3

COMMITTEES:
APPROPRIATIONS,
Vice-Chairman

ETHICS,
Chairman
JOINT LEGISLATIVE
BUDGET COMMITTEE
JOINT COMMITTEE ON
CAPITAL REVIEW

Arizona State Legislature

April 18, 2023

To: All LD3 Officers, Precinct Committeemen and Constituents
Legislative District 3

As Chairman of the Ethics Committee for the Arizona House of Representatives who presided over the Committee's consideration of the Ethics Complaint filed against former Representative Liz Harris, it is imperative that I address some of the recent unfounded attacks on me, the Ethics Committee, its investigation, and its report.

When I took the Oath of Office, I vowed to uphold the United States and Arizona Constitutions. The Arizona Constitution—and the Arizona House of Representatives 'Rules, which the House adopts through its constitutional authority—command that the Ethics Committee investigate complaints filed by and against other members. The Ethics Committee adhered to the Constitution and provided Representative Harris with due process—an opportunity to be heard and a public hearing at which she submitted exhibits and testified in her defense. We only allowed evidence that was directly related to the scope of the ethics complaint filed against her. Our role is to only determine if the claims are valid or invalid through this due process. It is important to note that once a complaint is made against a member, there could be no action on the floor against that member while the hearing is open. The ethics complaint was submitted on March 6th, the hearing was on March 30th, and the report closing out the hearing was issued on April 11th, 2023.

House General Counsel anonymously received an envelope on her desk, prior to the cutoff date for witnesses and evidence, that contained 24 pages of text message screenshots between three people, including one phone number that matched Liz Harris. General Counsel delivered the envelope directly to me as Chair of the Ethics Committee. These screenshots directly related to the context of the ethics claim and the Committee allowed Liz Harris to confirm or deny these were valid text messages. Representative Harris confirmed they were her text messages. After the hearing, the House received a cease-and-desist letter from John Thaler regarding these text messages, and in that letter, he admitted the screenshots were his and from his iPhone. Jennifer Holder, a House Rules Attorney, responded to Mr. Thaler's letter accordingly on April 4th, 2023. In that letter, Ms. Holder stated, "Regarding your remaining demands concerning the Ethics Committee's consideration of Exhibit 5, you have failed to identify any legal bases for your demands. Accordingly, the Committee will take no further action on your letter."

The Ethics Committee found that Representative Harris violated House Rule 1 with five incidents by subverting the legislative process, using her position as a legislator to circumvent internal procedures, and deceiving her colleagues in the House and Senate by inviting individuals to present criminal

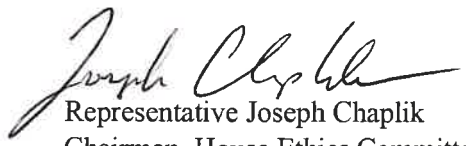
allegations in a legislative hearing that would impugn members. The Legislature is not a substitute for a court of law and the House Rules do not tolerate legislators who inappropriately invite individuals to use a legislative hearing as a platform for opportunistic reasons. Additionally, the Committee found that Representative Harris' testimony was untruthful regarding her prior knowledge of the content of Jacqueline Breger's presentation.

The Committee filed its Report on April 11, 2023, in compliance with the Arizona Constitution and A.R.S. 38-519, and did not make any recommendations for discipline based on its findings. When a resolution from the floor to expel Liz Harris was presented by Speaker Toma on April 12th, 2023, I voted No as the Chairman of the Ethics Committee and explained my vote on the house floor. I found it highly concerning that House Leadership moved so quickly to an expulsion floor vote less than 24 hours after the Ethics Committee report had been released to the public. I found it even more concerning that Leadership would not allow sufficient time for the elected members of the House to review and discuss the report prior to being asked to vote on the matter. For these reasons, on the morning of April 12, 2023 when it became apparent that House Leadership was set on expelling Representative Harris, I, along with my seatmate, petitioned the Speaker of the House to stop the expulsion vote.

It has become clear from recent public statements that House Leadership had made up their mind to expel Rep. Harris from the moment her special elections committee wrapped on February 23, 2023. As chairman of the Ethics Committee, I did everything within my power to afford Representative Harris due process. In the end, without any recommendation of disciplinary action from the committee, the House Leadership still moved towards expulsion.

The Arizona Legislature's constitutional power of expulsion should be exercised with extreme judiciousness and reserved only for the most severe cases of unethical or unlawful behavior. In my opinion, the expulsion vote that occurred on April 12, 2023 lacked judiciousness, and was exercised with haste. It is imperative, when exercising its disciplinary powers, that the full legislature take great pains to ensure disciplinary actions be tailored and thoroughly discussed to match the severity of the infraction.

I encourage everyone to read the Committee's 9-page Report, exhibit 5, committee documents, and watch the videos before making unfounded allegations against me or the Ethics Committee. I will defend against any lies accordingly by individuals against me, and my respectable character of serving Arizona for the past 3 years. All our documents are public data and can be found through the proper channels.



Representative Joseph Chaplik
Chairman, House Ethics Committee