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District 3 Republican Committee

The Republican Party of Northeast Maricopa County

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Important March 28 Message from AZGOP Chairman Jeff Dewit

DO NOT ATTEND THE INVALID MEETING OF MARCH 30 THIS MEETING IS NOT SANCTIONED

Below please find an important message from the AZGOP and Chairman Dewit. I want to thank him for the work they have been doing to assist LD3 in resolving our issues. Please note the following statement from this message:

"AZGOP will not recognize a change in leadership

unless it is done according to the law."

Candace Czarny
Chairman, LD3

Important AZGOP Notice to LD3 PCs

To: Elected & Appointed Republican Precinct Committeemen (PCs) in Arizona Legislative District (LD) 3

Election Integrity in Arizona elections, including our own intra-party elections, is among our utmost concerns at the AZGOP. I have spent 100+ hours of my first month at the AZGOP involved in trying to mediate a solution for LD3. I received over 100 emails and letters from LD3 PCs there. The vast majority of the letters I have received are not in favor of a new election, and most state that they believe the previous election was run fairly. Instead, the vast majority of the concerning issues as I hear them are around the complete lack of decorum from a group of agitators at the meeting, which is driving many good PCS to send letters saying they are not going to come to the meetings anymore. Regardless of whether that group of people is correct or not, they need to be reminded that there is a proper way to voice their concerns and a proper legal way to address them that still maintains decorum and respect for our Bylaws and Arizona statute.

Let me state something right off the bat: People keep asking me what side I am on. **I am on neither side of this, I am solely focused on the will of the PCs in LD3 and the rule of law.** We are a bottom-up grassroots organization. I have been a grassroots, door-knocking PC and State Committeeman for a long time. My goal in even taking the job as Chairman was to ensure that we save our state and our country, and that starts by supporting our local efforts to win elections. **My side is with the collective will of the LD3 PCs and the rule of law, end of story.**

In the immense amount of time I have personally spent trying to mediate a solution meeting with both sides of the issue, tremendous progress had been made in understanding the issue and working towards a resolution that would have upheld the integrity of our elections and bylaws, and also brought both sides together again as a team to work hand in hand again towards the ultimate goal of beating Democrats in elections. Acting in haste runs the very real risk that half or more of the PCs in that district will stop showing up to the meetings,

leaving a gaping hole in our efforts to win elections there. The AZGOP has had considerable outreach to LD3 and to the Maricopa County Republican Committee (MCRC), constantly voicing our desire to bring both sides together amicably. The leadership of LD3 was welcoming to those conversations, unfortunately the MCRC was not.

Because of our desire to include the MCRC and try to work as a team, our Executive Board voted unanimously to request that LD3 postpone their March meeting until April, to which we received very positive feedback from Chairman Czarny and countless PCs there. We were working to line up meetings that would include both sides of the issue, legal counsel, and the MCRC as well. We already had met with our legal counsel for hours about this issue, and know that we could have acted in haste to hammer through a solution should we desire, but again it is my belief and desire that everyone should just sit down and see if we can work together as a team on a mediated solution that everyone can buy into first so we can quickly get back to focusing on winning elections.

To have the MCRC now go rogue and blindside everyone by circumventing all the great work people were doing to resolve this issue in a congenial manner is destructive to any solutions that could amicably mend the rift in LD3, which is troublesome and disappointing. So now because of those actions we are left with an unfortunate choice. Do we allow a county party to go rogue and assert to the LDs that they have legal powers that they do not have, or do we step in to ensure that laws and bylaws are followed properly? The choice seems obvious. We are meeting again soon with our legal counsel to discuss specific options. **Our overriding goal is that laws and bylaws are followed.**

On top of that, now the AZGOP has been officially asked by LD3 for guidance on the current issues between the MCRC and LD3. We have consulted with multiple top legal professionals in Arizona, and here is where we are:

- The Maricopa County Republican Committee (MCRC) has invalidly issued a call letter for a revote of the LD3 Officers. There is nothing in the LD3, MCRC & AZGOP bylaws, nor in Arizona Revised Statutes (ARS) that gives MCRC the right to call this meeting and hold this revote. In fact, the ARS states just the opposite.

- ARS 16-823(C) states: Each district party committee established pursuant to subsection A of this section shall meet no earlier than the second Saturday after the general election provided for in section 16-

211 and no later than the first Saturday in the following December and organize by electing from its membership a chairman, two vice chairmen, a secretary, and a treasurer.

- There is no language in the ARS, MCRC or LD3 bylaws that permit an Organizational Meeting outside of the above timeline. As such, there is no method, course, or process for a re-vote for LD3 Officers by MCRC.

- Article 1, Section 2 of MCRC bylaws clearly states that the MCRC actions MUST NOT BE IN CONFLICT with State Laws.

- Additionally, Article 2, Section 4F states that any challenge to the December 1st Organization Election must be made no later than three days following the first Saturday in December. The LD3 Board already resolved that timely challenge by completing a digital ballot recount in December, which found no remarkable differences, and even found that Chairman Czarny was given one additional vote.

- Also, on December 14th, 2022, the MCRC EGC Executive Board voted to adopt the recommendation of the committee for LD3 (previously convened at the December 7th meeting) and passed a motion to not call for a new election, but rather to request that LD3 themselves convene a meeting with a quorum to decide whether they want a new election. This was also confirmed in an email sent from the MCRC Chairman to the LD3 Board on December 14, 2022, which states "We voted to recommend you to hold a special meeting and in quorum decide..." LD3 accomplished this and held a vote, with quorum, at a meeting of the LD3 PCs on January 12, 2023, where the PCs of LD3 voted in favor of upholding the previous election.

- In summary, our legal counsel has advised us that under the Arizona Republican Party (AZGOP) Bylaws, as well as recent caselaw, a county party does not have authority to call new elections in a legislative district. We have been advised by counsel that LD and County parties are separate entities, an LD does not report to a county party. The current LD3 executive board shall retain the authority to set meeting times and issue call letters. Therefore, the vote by the MCRC Executive Guidance Committee (EGC) was done without any legal authority. Any officers selected at any meeting conducted by the MCRC in relation to the call letter that was sent out will not be considered legitimate officers of the LD, the AZGOP, or the MCRC; nor will they have any authority over the same. Furthermore, any bylaws not adopted at a meeting set by the existing executive board of LD3 will not have any force or effect. **To expand further, the MCRC's actions in**

this situation are trampling on election integrity and the voting rights of all PCs in LD3. It is a blatant attack on the Republican grassroots activists of the great state of Arizona, and it moves us further behind in our efforts to win elections.

For those that want a much longer discussion about the litany of reasons this MCRC call letter for a new election is an egregious violation of the rights of LD3 grassroots PCs, an independent one can be found here: http://www.republicanbriefs.org/2023/03/27/3-27-23-briefs/

There is a legal mechanism in place for the PCs to call for a new vote. The only way to remove a District Chairman is for a majority of PCs (50% plus one) within a District to petition the MCRC Chairman to call a special meeting of the District Committee for the purpose of removing the District Chairman of that District, but also the Bylaws of the LD and AZGOP. **Should they still conduct this illegitimate meeting, please be advised that the AZGOP will not recognize a change in leadership unless it is done according to the law, which is impossible at this point based on the steps taken by the MCRC. Furthermore, any bylaws changes adopted at an illegitimate meeting will not have any force or effect.** I reiterate, the PCs of LD3 need to determine who their leader is, not the MCRC nor the AZGOP. Likewise, it is the PCs who are in charge of determining if they want a re-vote, not the MCRC.

This is all so unfortunate, but also very avoidable. We reached out numerous times to work together and avoid this. My disappointment in the MCRCs unilateral and underinformed actions on this are immense and tragic. It is my sincere goal and wish that we can work together. Our Republican party is much stronger when we do. I hope that this is the only time the MCRC chooses the path of not wanting to work as a team, and I hope that future issues can be worked on together toward the benefit of all our PCs.

We care deeply about our Republican activists across the state, and most importantly about election integrity. We need to ensure that the will of our grassroots PCs is enforced, and that the LD, County, and State Bylaws and Statute are followed. I very much hope that when this current situation is resolved, that everyone comes together under the common goal of winning elections.

If you have any questions, please contact our Chief of Staff Nick Ivory at nivory@azgop.com.

Sincerely,

Jeff DeWit
Chairman
Republican Party of Arizona



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