



**KATIE HOBBS**  
SECRETARY OF STATE

April 1, 2021

VIA EMAIL ONLY

Maricopa County Board of Supervisors

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**RE: SENATE AUDIT**

Supervisors,

As Arizona's Chief Elections Officer, I've always understood that elections are about partnerships—partnerships between the State and Counties, partnerships between Boards of Supervisors and Recorders, and partnerships between election officials and voters. The mutual respect and trust that is developed through each of these partnerships is foundational to the integrity of our elections. It is in this spirit that I write today—as a partner—to express my concerns about recent events.

Yesterday, the State Senate announced that it selected a group of firms to perform an “audit” of Maricopa County’s 2020 General Election.<sup>1</sup> As you’ll recall, this is the second time that the Senate has made such an announcement. Following their first announcement, it was believed at the time that the Senate had chosen Allied Security Operations Group, a firm known to have close ties to the Trump campaign and to have previously claimed, without evidence,

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<sup>1</sup> Arizona State Senate, “Arizona Senate hires auditor to review 2020 election in Maricopa County.” March 31, 2021. Available at <https://www.azsenaterepublicans.com/post/arizona-senate-hires-auditor-to-review-2020-election-in-maricopa-county>

that the 2020 election was rigged against the former President.<sup>2</sup> Indeed, some of you rightfully expressed outrage that the Senate had hired a “known, and frequently debunked, conspiracy theorist” to help perform the audit.<sup>3</sup> Senate President Fann later moved away from that firm, given its clear lack of independence.

Unfortunately, yesterday’s announcement made it clear that the Senate has no intention of conducting an independent audit or ensuring the ongoing security and confidentiality of Maricopa County’s ballots and voting equipment. As you know, the Senate has confirmed its hiring of Cyber Ninjas Inc.<sup>4</sup> This firm’s CEO not only harbors conspiratorial beliefs about the 2020 election, but has shared conspiracies about Dominion election equipment, the exact equipment he has been hired to audit.<sup>5</sup> Moreover, Jovan Hutton Pulitzer confirmed yesterday that he too would be involved in this audit.<sup>6</sup> To be sure, Mr. Pulitzer is also a known, and frequently debunked, conspiracy theorist (to say nothing of “failed treasure hunter” or inventor of one of the “25 worst tech products of all time”).<sup>7</sup> To compound the concerning nature of these revelations, the Statement of Work signed by the Senate indicates that these “auditors” plan to visit Maricopa County voters at their home to inquire about their registration and voting history.<sup>8</sup> And if all that were not concerning enough, the Senate President’s press release states that the Senate “leadership will not be directly involved [in the audit], and members do not expect to comment on any of the processes of the audit until the report is issued.”<sup>9</sup> In other words, the Senate intends to give free reign to Cyber Ninjas, Inc. and will abdicate any responsibility or engagement in the audit process to ensure the security and confidentiality of the ballots and voting equipment or the integrity of the process. In addition to being dangerous and irresponsible, this abdication appears contrary to Judge Thomason’s assumption that the Senate will ensure any third parties will handle the subpoenaed materials appropriately.

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<sup>2</sup> Jeremy Duda (2021, February 05). Fann picks Trump-allied firm with history of false election statements to AUDIT Maricopa election. Retrieved April 01, 2021, from [http://www.tucsonsentinel.com/local/report/020421\\_senate\\_audit\\_trump\\_firm/fann-picks-trump-allied-firm-with-history-false-election-statements-audit-maricopa-election/](http://www.tucsonsentinel.com/local/report/020421_senate_audit_trump_firm/fann-picks-trump-allied-firm-with-history-false-election-statements-audit-maricopa-election/)

<sup>3</sup> Statement from Supervisor Gates on Arizona Senate Contempt Resolution. February 3<sup>rd</sup>, 2021. Available at <https://twitter.com/billgatesaz/status/1357102959042039809>.

<sup>4</sup> Arizona State Senate, Supra Note 1.

<sup>5</sup> Jeremy Duda, A. (2021, April 01). Arizona Senate hires a 'stop The steal' advocate to lead 2020 election audit. Retrieved April 01, 2021, from <https://www.azmirror.com/2021/03/31/arizona-senate-hires-a-stop-the-steal-advocate-to-lead-2020-election-audit/>

<sup>6</sup> Statement of Jovan Hutton Pulitzer. March 31, 2021. Available at <https://twitter.com/JovanHPulitzer/status/1377352654406443009>.

<sup>7</sup> Georgia Secretary of State Brad “FACT CHECK: GEORGIA SENATE MASQUERADES FAILED TREASURE HUNTER AS HACKER AND ELECTION SECURITY EXPERT.” Available at <https://sos.ga.gov/index.php/elections/fact-check-georgia-senate-masquerades-failed-treasure-hunter-as-hacker-and-election-security-expert>

<sup>8</sup> See *Statement of Work*. Available at <https://www.documentcloud.org/documents/20536503-cyber-ninjas-sow-executed-33121>.

<sup>9</sup> Arizona State Senate, “Arizona Senate hires auditor to review 2020 election in Maricopa County,” at 2, March 31, 2021. Available at <https://www.azsenaterepublicans.com/post/arizona-senate-hires-auditor-to-review-2020-election-in-maricopa-county>

As election officials, it's our duty to preserve and build the trust of our partners in elections: the voters. Even if some previously harbored hope that this audit would build voter confidence, it should be clear now that the Senate has chosen another path. They've prioritized conspiracy over confidence, partisanship over partnership. As such, this morning I asked Attorney General Brnovich's Office to advise me of any legal options the Secretary of State may have to protect the integrity of our system and our voters' confidence in it. But the County's options in this regard are undoubtedly clearer than my Office's. As you meet today, I ask that you carefully consider every option, and do what is necessary to protect our voters and our democracy.

Sincerely,

A handwritten signature in black ink, appearing to read 'KH' followed by a long horizontal flourish.

Katie Hobbs  
Arizona Secretary of State

cc:

Stephen Richer, Maricopa County Recorder  
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