



Arizona House of Representatives Phoenix, Arizona 85007

The Honorable Joseph Chaplik
Chairman, House Ethics Committee

Dear Chairman Chaplik,

I am writing to submit a formal ethics complaint against Representative Liz Harris for violating state defamation laws and for bringing disrepute and embarrassment to the House of Representatives. Not only were her actions likely unlawful, but they are textbook examples of unethical conduct.

Statement of Facts

On Thursday, February 23, 2023, the House and Senate held a joint elections committee that consisted of presentations and testimony from invited guests. There was no call to the public and there was no legislation on the agenda. The hearing was clearly designed just to be a performance for certain members of the public who believe in baseless and debunked conspiracy theories that are threatening the heart of our democracy – the elections themselves.

Rather than present information that was supported by evidence and facts, one presenter in particular who was personally invited by Representative Harris instead spun "a delusional and fantastical narrative" (not my words, but the words of a federal judge who previously dismissed the same claims) of election conspiracies that defamed several sitting judges, elected officials including Speaker of the House Ben Toma and the entire Church of Jesus Christ of Latter-day Saints. This presenter, a Scottsdale realtor named Jacqueline Breger, went beyond anything previously espoused by the many conspiracy theorists who have dominated committee testimony this session and asserted a wild and utterly baseless tale of money laundering for drug cartels, phony property deeds, and stolen elections.

The testimony of Ms. Breger clearly crossed the line into defamation, accusing numerous elected officials, judges, police officers, and an entire religion, of accepting bribes, apparently in order to defraud the voters of free and fair elections. Ms. Breger presented no evidence that actually supported her wild accusations. Instead, her written materials included documents that on their face demonstrated the fallacy of her story.

When asked by Senator Ken Bennett who invited Ms. Breger to testify before the joint committee, she identified Representative Liz Harris, who responded with

silence and a hand gesture that appeared to instruct Ms. Breger not to say anything else.

I watched video of the joint committee testimony in shock. I simply cannot understand how Representative Harris could have concluded that it would be appropriate to invite Ms. Breger to testify and to spread such blatant falsehoods. By using the joint elections committee as her platform to spread her lies, she has given them the appearance of fact. And indeed, based on that testimony and amplified by right-wing social media and outlets like Gateway Pundit, it appears that untold thousands of people now believe the lies. Through a coordinated email campaign, hundreds of individuals have begun threatening retribution against me and other members of the Legislature if we take any adverse action against Representative Harris. But I will not be intimidated by their messages. These lies must end now. The House should never be quiet in the face of defamatory statements, especially when they are invited by a member to present those lies in our own hearing rooms.

Accordingly, based on my personal knowledge of watching the joint committee hearing and reviewing the materials provided by Ms. Breger, I believe that Representative Harris has engaged in disorderly conduct in violation of House Rule 1 and should be held accountable by the ethics committee, and based on their review and recommendations, by the entire chamber.

Violations of Laws

The Ethics Committee is empowered to investigate complaints and charges against members, A.R.S. § 38-519, as well as claims of disorderly conduct, Ariz. Const. art. 4, pt. 1, § 11, violations of state or federal laws, conduct violating the public trust or adversely reflecting upon the House, and unethical or unprofessional conduct.

Here, Representative Harris violated House Rule 1 by engaging in disorderly conduct. By inviting Ms. Breger to present her false statements to the committee, Representative Harris not only allowed the impugning of other members, but she also made the Arizona Legislature a national joke, with news articles and opinion pieces excoriating the members for allowing such a circus. Additionally, Representative Harris allowed Ms. Breger to spread her lies while undoubtedly knowing that they have been rejected by Arizona courts. This appears to meet the "actual malice" standard for unlawfully defaming a public official.

Supporting Documents

Video of the joint committee is available on the legislature's website: <https://www.azleg.gov/videoplayer/?eventID=2023021109>. A hard copy of Ms. Breger's testimony and documents to which she refers in that testimony is available from the Senate Secretary's office. Excerpts of those documents that name elected officials are attached here.

I urge the ethics committee to conduct a full investigation into Representative Harris' decision to invite Ms. Breger to testify before the joint committee and the

extent of her knowledge about the outlandish and unfounded claims that Ms. Breger would present at the committee hearing.

Based on the foregoing, I request that the Ethics Committee immediately convene and investigate Representative Harris' actions related to the defamatory testimony in the joint elections committee.

Submitted by,

Rep. Stephanie Stahl Hamilton

Rep. Stephanie Stahl Hamilton
District 21

State of Arizona)
) ss.
County of Maricopa)

Sworn to and subscribed before me on 6th day of March 2023, by Stephanie Stahl Hamilton.

Heather Colaric
Notary Public Signature

