



Arizona House of Representatives

October 4, 2024

Statement on Secretary Fontes' Failure to Accurately Report MVD Database Errors Impacting Thousands of Arizona Voters

Just weeks ago, the public learned about a flaw in the MVD database that caused thousands of Arizonans to be deprived of their opportunity to submit proof of citizenship to vote in Arizona's elections, as required by Arizona law. It is deeply disappointing that Secretary Fontes, Governor Hobbs, and Attorney General Mayes knew about this administrative error as early as September 10, yet delayed notifying county election officials or the Legislature until a week later. During their call—recently leaked to a reporter—Arizona's elected leaders appeared to be more concerned with political backlash than displaying leadership and solving this disastrous problem.

Thankfully, on September 20, the Arizona Supreme Court rejected a proposal to unilaterally change the registration status of nearly 98,000 impacted voters to "federal-only" status, which would have prevented them from voting in state or local races. The Court agreed with the Legislature's position that the impacted voters should receive a full ballot. The Court explained, "We are unwilling on these facts to disenfranchise voters en masse from participating in state contests. Doing so is not authorized by state law and would violate principles of due process."

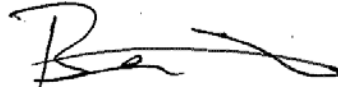
On September 30, Secretary Fontes issued a press release, revealing that an additional 120,000 voters in Arizona may have been affected by the MVD database error, bringing the total to roughly 218,000. Why were these voters not identified earlier? Unsurprisingly, Secretary Fontes has already been sued over his latest announcement. In the interests of transparency, accountability, and integrity in the upcoming election, it is critical that Secretary Fontes fully cooperate with requests for more information.

It goes without saying that requiring proof of citizenship to vote is of paramount importance. Earlier this year, House Speaker Ben Toma and Arizona Senate President Warren Petersen—without support from Attorney General Mayes—fought in the *Mi Familia* case all the way to the United States Supreme Court to vindicate A.R.S. § 16-121.01(C), which requires proof of citizenship for individuals to receive and vote a full ballot. Nonetheless, it is just as important that our election officials implement Arizona's election laws in a manner that does not violate Arizonans' rights to notice and due process.

We will continue to monitor Secretary Fontes' administration of this election and all litigation surrounding the MVD database/citizenship issues. As Republican members of the Arizona House of Representatives, we remain committed to exercising appropriate oversight during and after the election to ensure that elected officials in our Executive Branch are complying with Arizona's proof-of-citizenship laws.



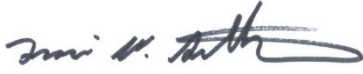
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Representative, LD7



Ben Toma
Representative, LD27
Speaker



Leo Biasiucci
Representative, LD3
Majority Leader



Travis Grantham
Representative, LD14
Speaker Pro Tempore



Michael Carbone
Representative, LD25



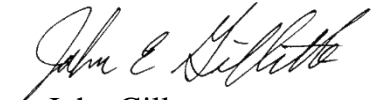
Joseph Chaplik
Representative, LD3



Lupe Diaz
Representative, LD19



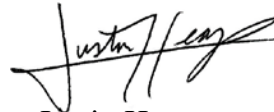
Tim Dunn
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John Gillette
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Gail Griffin
Representative, LD19



Justin Heap
Representative, LD10



Alexander Kolodin
Representative, LD3



Quang Nguyen
Representative, LD1



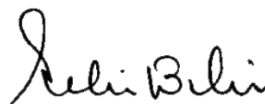
Barbara Parker
Representative, LD10



Jacqueline Parker
Representative, LD15



Kevin Payne
Representative, LD27



Selina Bliss
Representative, LD1



Michele Peña
Representative, LD23