

# The January 6 Hearings: **Arizona** **Spotlight**

**Background:** The United States House Select Committee to Investigate the January 6th Attack on the United States Capitol (January 6 Select Committee) is holding oversight hearings in June 2022. It will present public testimony, evidence, and analysis relating to the January 6, 2021 attack, its run-up, and its aftermath. The attack and effort to undermine the will of the American voters did not happen in a vacuum. Fueled by [misinformation and lies about the 2020 election](#), many of the key actors involved and key actions taken that contributed to the attack originated from the states. After all, while elections are national events, they are run and led by the states.

The States United Democracy Center has created a series of state-by-state guides to the January 6 attack highlighting activities that sought to undermine our free, fair, and secure elections. This Arizona Spotlight includes events in the state leading up to the January 6 attack, participation by Arizona actors in relevant events and the attack itself, efforts in Arizona to discredit or reverse the outcome of the presidential election, and subsequent post-January 6 events.

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## **I. EVENTS IN ARIZONA LEADING UP TO JANUARY 6 ATTACK**

Supporters of then-President Donald Trump held rallies throughout the country attempting to discredit the 2020 presidential election process and challenging the official election results, including in Arizona, despite lacking factual basis for their allegations.

- Beginning on November 4, 2020—the day after the election—and in the days following, a crowd of protesters—some armed—gathered outside the ballot-counting center in Maricopa County, AZ claiming that the election had been stolen from Trump.<sup>1</sup> Some people were “galvanized” to attend the protest “by an unfounded claim that swaths of pro-Trump ballots had been disqualified because voters used Sharpies to mark their choices, a rumor some dubbed ‘SharpieGate.’”<sup>2</sup> Trump supporter Rep. Paul A. Gosar (R-AZ) tweeted about the rumor the morning of November 4 and then showed up to speak at the protest. Arizona Attorney General Mark Brnovich initiated an “investigation” into SharpieGate, despite assurances from Arizona Secretary of State Katie Hobbs and Maricopa County Recorder Adrian Fontes that ballots had not been disqualified because of the use of Sharpies.<sup>3</sup>

- On November 24, 2020, Kelli Ward, a former Arizona senator and the chair of the Arizona Republican Party, filed a since-dismissed lawsuit that sought to overturn President Joe Biden's victory in Arizona by alleging fraud in the 2020 presidential election.<sup>4</sup>
- In the weeks after the election, Trump tried to speak directly with the chair of the Maricopa County Board of Supervisors, and his allies contacted county supervisors seeking to place pressure to halt their vote counting procedures.<sup>5</sup>
- On November 30, 2020, as state officials met to canvass the election results, Trump lawyers Rudy Giuliani and Jenna Ellis, alongside several Arizona Republican lawmakers (Mark Finchem (R-Oro Valley), Bret Roberts (R-Maricopa), Nancy Barto (R-Phoenix), Leo Biasiucci (R-Lake Havasu City), David Cook (R-Globe), Kelly Townsend (R-Apache Junction), David Gowan (R-Sierra Vista), Sonny Borrelli (R-Lake Havasu City), and Sylvia Allen (R-Snowflake)) held a meeting in Phoenix regarding alleged irregularities in the election.<sup>6</sup>
- On December 2, 2020, Trump ally Sidney Powell filed a since-dismissed lawsuit in federal court in Arizona alleging that manipulated voting machines destroyed ballots and switched votes.<sup>7</sup>
- On December 14, 2020, as detailed further in Section III, 11 Republicans convened to “cast votes” claiming to be an alternate slate of electors for Trump in Arizona, which did not reflect the decision of the state's voters.<sup>8</sup>
- On December 19, 2020, U.S. Rep. Paul Gosar (R-AZ), U.S. Rep. Andy Biggs (R-AZ), then-Arizona Rep. Anthony Kern (R-Glendale), and Arizona Rep. Mark Finchem (R-Oro Valley) spoke at a “Stop the Steal” rally at the Arizona capitol, asserting falsely that Trump had won the 2020 election.<sup>9</sup> Gosar, for example, falsely claimed he had Central Intelligence Agency (CIA) sources to confirm that ballots were contaminated.<sup>10</sup>
- Sixteen Republican state legislators from Arizona (along with Republican state legislators from Georgia, Michigan, Wisconsin, and Pennsylvania) signed a letter to Vice President Mike Pence, dated January 5, 2021.<sup>11</sup> The letter urged Pence to delay the counting of electoral votes for at least 10 days to allow the state legislatures time to certify or decertify the election.<sup>12</sup>
- The same lies and conspiracy theories that fueled the January 6 attack contributed to threatening and violent messages aimed at election officials, including in Arizona. These threats were launched over email, voicemails, texts, letters, social media, and in-person events, including gathering outside election officials' homes. They often expressed false claims that the election was stolen.<sup>13</sup>

## II. ARIZONA ACTORS INVOLVED IN JANUARY 6 ACTIVITIES

*The Washington Post* compiled a [timeline](#) documenting how January 6, 2021 progressed from Trump’s “Save America” rally on the White House Ellipse to the breach and attack on the U.S. Capitol. Just Security and Protect Democracy compiled a [primer](#) that organizes and distills the multiprong campaign to overturn the 2020 election results.

- Congressman Andy Biggs (R-AZ): Stop the Steal organizer Ali Alexander claimed in a video in January 2021 that Biggs and Paul Gosar “schemed up” the Capitol rally.<sup>14</sup>
- Mark Finchem (R-Oro Valley) (Arizona state representative and candidate for secretary of state): He attended the January 6 “Stop the Steal” event that preceded the attack on the Capitol. He tweeted a photograph of the scene at the Capitol, describing it as “[w]hat happens when the People feel they have been ignored, and Congress refuses to acknowledge rampant fraud” (the post was later removed from Twitter).<sup>15</sup> He is now running for Arizona secretary of state.
- Congressman Paul Gosar (R-AZ): Stop the Steal organizer Ali Alexander claimed in a video in January 2021 that Gosar and Andy Biggs “schemed up” the Capitol rally.<sup>16</sup>
- Anthony Kern (R-Glendale) (then-Arizona state representative and current candidate for state Senate): He is identifiable in photographs of the crowd outside the Capitol<sup>17</sup> and footage has raised questions about his claim that he did not enter the Capitol during the attack.<sup>18</sup> At the time of the attack, Kern was an Arizona state representative, and he is currently running for Arizona state Senate. He was later seen reviewing Maricopa County 2020 ballots during the Cyber Ninjas review, detailed further below in Section IV(c), while he was also a candidate on that ballot.<sup>19</sup>
- Indictments: At least 11 people with Arizona ties have been charged for their involvement in the January 6 attack and their cases have been progressing through the courts:<sup>20</sup> Jake Angeli, Nathan Wayne Entrekin, Anthime Joseph “Tim” Gionet, Micajah Joel Jackson, Klete Derik Keller, Cory Konold, Felicia Konold, James Burton McGrew, Edward Vallejo, Jacob Zerkle, and Ryan Scott Zink.

### III. ARIZONA'S FRAUDULENT PRESIDENTIAL ELECTORS SLATE

- On December 14, 2020, groups of Republicans in Arizona, Georgia, Nevada, Michigan, New Mexico, Pennsylvania, and Wisconsin signed documents made to look official that represented the signatories as the duly authorized or potential alternate presidential electors for Trump, rejecting the will of the voters in their states.<sup>21</sup> The actions of these fake electors are the possible subject of state and federal criminal probes.<sup>22</sup>
- 11 Republicans met at the Arizona Republican Party headquarters on December 14, 2020 and signed a document that said they were “duly elected and qualified” electors for Arizona.<sup>23</sup>
- Another group, identifying themselves as The Sovereign Citizens of the Great State of Arizona, sent signed, notarized certificates to the National Archives and the secretary of state’s office purporting to be electoral votes for Trump. The state seal appeared on the cover sheet and subsequent pages of their submission.<sup>24</sup>
- The following individuals served as fake electors in Arizona:<sup>25</sup> Tyler Bowyer (Chief operating officer for Turning Point USA); Nancy Cottle (chairperson of the fake electors slate); Jake Hoffman (R-Queen Creek) (Arizona state representative); Anthony Kern (R-Glendale) (then-Arizona state representative); James “Jim” Lamon (candidate for U.S. Senate); Robert Montgomery (chairman of the Cochise County Republican Committee); Samuel I. Moorhead (second vice chair of the Gila County Arizona Republican Party); Loraine B. Pellegrino (secretary of the fake electors slate); Greg Safsten (executive director of the Arizona Republican Party); Kelli Ward (chair of the Arizona Republican Party); Michael Ward (spouse of Kelli Ward—former Arizona senator and the chair of the Arizona Republican Party).

## IV. POST-JANUARY 6 DEVELOPMENTS IN ARIZONA

Arizona continues to be a hotbed of efforts to undermine nonpartisan election administration and spread disinformation about the 2020 presidential election results.

### a. Prominent Anti-Democracy Visitors' Activities in the State

- Mike Lindell: The MyPillow CEO spoke at a January 15, 2022 Trump rally in Florence, Arizona.
- Donald Trump: He spoke at a Turning Point Action Phoenix rally<sup>26</sup> in July 2021 and another rally in Florence, Arizona on January 15, 2022.<sup>27</sup>

### b. Known January 6 Select Committee Subpoenas to Arizona Actors

The January 6 Select Committee has “issued more than 100 subpoenas to lawmakers, internet and communications companies, Trump White House officials and others” including rally and event organizers.<sup>28</sup> Here are some examples of the Arizona actors that have received subpoenas from the committee.

- Representative Andy Biggs (R-AZ):<sup>29</sup> He has objected that the January 6 Select Committee’s subpoena directed to him exceeds the Committee’s authority.<sup>30</sup>
- Nancy Cottle (chair of Arizona fake electors): She served as a fake elector and has been subpoenaed by the January 6 Select Committee.<sup>31</sup>
- Mark Finchem (R-Oro Valley) (Arizona state representative and candidate for Arizona secretary of state):<sup>32</sup> After being subpoenaed by the January 6 Select Committee, Finchem tweeted a request for donations to help him “hire a lawyer to protect me from Liz Cheney and Pelosi” and “the Kangaroo Court in DC.”<sup>33</sup>
- Loraine B. Pellegrino (secretary of Arizona fake electors): She served as a fake elector and has been subpoenaed by the January 6 Select Committee.<sup>34</sup>
- Kelli Ward (chair of Arizona Republican Party):<sup>35</sup> She filed a lawsuit challenging her subpoena from the January 6 Select Committee.<sup>36</sup>

### **c. Partisan Election Reviews**

In 2021, the Arizona State Senate hired the Cyber Ninjas company to review ballots and election equipment from the November 2020 general election in Maricopa County. States United's analysis of this review found that it did not meet the standards of a proper election recount or audit.<sup>37</sup>

### **d. Legislation to Change Arizona's Election Laws**

- In 2021 and 2022, the Arizona legislature passed several changes to Arizona voting laws that the governor signed into law. One of the more notable changes in law is requiring documentary proof of citizenship to vote by mail or in presidential elections.<sup>38</sup> Other reforms include imposing additional barriers to voter registration; requiring voters who forgot to sign their mail ballot affidavit envelopes to do so by the evening of election day to have their votes counted; removing voters who do not vote by early ballot for two consecutive election cycles from ballot-by-mail lists; prohibiting private grant funding for election administration; and making it a felony for officials to alter any election-related deadline unless prescribed by court order.<sup>39</sup>
- Since the 2020 presidential election and the January 6 attack, state legislatures across the country have considered a wide range of bills that would increase the risk of election subversion—that the purported outcome of the election does not reflect the choice of the voters. State by state, legislatures have moved to seize power from professional, non-partisan election administrators and to subject the running of elections to partisan influence and disruption. For example, Arizona state representative Shawna Bolick (R-Phoenix), sponsored legislation to allow the legislature to reject voters' selection in presidential races.<sup>40</sup> For more information about Arizona's election subversion legislation, please see States United's [2021](#) and [2022](#) report, written and published in collaboration with Protect Democracy and Law Forward.

## e. Election Deniers Running for Arizona Statewide Office

Election Deniers are running for key constitutional offices in Arizona that have a role in election administration and enforcement.<sup>41</sup> The state's primary will be held on August 2, 2022.

Election Denier Gubernatorial Candidates:

- Kari Lake (R): [Election Denier](#)
- Matt Salmon (R): [Election Denier](#)

Election Denier Attorney General Candidates:

- Abraham Hamadeh (R): [Election Denier](#)
- Rodney Glassman (R): [Election Denier](#)

Election Denier Secretary of State Candidates:

- Shawna Bolick (R): [Election Denier](#)
- Mark Finchem (R): [Election Denier](#)

## **ADDITIONAL RESOURCES FROM THE STATES UNITED DEMOCRACY CENTER**

[Countering Lies about the 2020 Presidential Election](#)

[A Democracy Crisis in the Making 2021](#) and [2022](#) reports

[Guide to Counting Electoral College Votes and The January 6, 2021 Meeting of Congress](#)

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- <sup>1</sup> Austin, H., et al. (2020, November 5). Pro-Trump protesters gather around Maricopa County, Arizona, counting center. *NBC News*. <https://www.nbcnews.com/politics/2020-election/pro-trump-protesters-gather-around-maricopa-arizona-counting-center-n1246559> See also Kessler, G. & Rizzo, S. (2020, November 5). President Trump's false claims of vote fraud: A chronology. *The Washington Post*. <https://www.washingtonpost.com/politics/2020/11/05/president-trumps-false-claims-vote-fraud-chronology/>.
- <sup>2</sup> Shepherd, K., & Knowles, H. (2020, November 5). Driven by unfounded 'SharpieGate' rumor, pro-Trump protesters mass outside Arizona vote-counting center. *The New York Times*. <https://www.washingtonpost.com/nation/2020/11/05/arizona-election-protest-votes/>.
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- <sup>6</sup> Randazzo, R., & Polletta, M. (2020, November 30). Arizona GOP lawmakers hold meeting on election outcome with Trump lawyer Rudy Giuliani. *AZ Central*. <https://www.azcentral.com/story/news/politics/elections/2020/11/30/republican-lawmakers-arizona-hold-meeting-rudy-giuliani/6468171002/>.
- <sup>7</sup> Vlamis, K. (2020, December 10). Sidney Powell's 'Kraken' lawsuits failed again, as judges in Michigan, Georgia, Arizona, and Wisconsin have now dismissed her cases, *Business Insider*. <https://www.businessinsider.com/sidney-powell-lawsuits-dismissed-michigan-georgia-arizona-wisconsin-2020-12/>; Cheney, K., & Gerstein J. (2020 December 7). Federal judges reject GOP effort to overturn swing state election results, *Politico*. <https://www.politico.com/news/2020/12/07/judge-rejects-overturn-michigan-election-results-443411>.
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- <sup>9</sup> Anglen, R., & Oxford, A. (2021, January 14). Arizona lawmakers who pushed 'Stop the Steal' face scrutiny for presence at U.S. Capitol riot. *AZ Central*. <https://www.azcentral.com/story/news/local/arizona-investigations/2021/01/14/arizona-lawmakers-pushed-stop-steal-rally-appeared-u-s-capitol-mark-finchem-anthony-kern/4147370001/>.
- <sup>10</sup> Paul Gosar. (2022, May 26). *Insurrection Index*. <https://insurrectionindex.org/records/person/paul-gosar/>.



- <sup>11</sup> The Arizona legislators who signed the letter are: Rep. Nancy Barto, Rep. Brenda Barton, Rep. Shawwna Bolick, Senator Sonny Borrelli, Rep. John Fillmore, Rep. Mark Finchem, Senator David Gowan, Rep. Travis Grantham, Rep. Gail Griffin, Rep. Steve Kasier, Rep. Anthony Kern, Senator Steve Montenegro, Rep. Kevin Payne, Senator Warren Petersen, Rep. Kelly Townsend, and Rep. Justin Wilmeth. See *Letter to Vice President Michael R. Pence*, *Wisconsin Examiner* (Jan. 5, 2021), <https://wisconsinexaminer.com/wp-content/uploads/2021/01/Letter-to-Pence-1.pdf>.
- <sup>12</sup> See note 11; Timm, C. (2021, Jan. 5). Fact check: No, Pence can't overturn the election results. *NBC News*. <https://www.nbcnews.com/politics/donald-trump/fact-check-no-pence-can-t-overturn-election-results-n1252869>.
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- <sup>14</sup> Armus, T. (2021, January 13). A 'Stop the Steal' organizer, now banned by Twitter, said three GOP lawmakers helped plan his D.C. rally. *The Washington Post*. <https://www.washingtonpost.com/nation/2021/01/13/ali-alexander-capitol-biggs-gosar/>; Walker, H. (2021, October 24). Jan. 6 Protest Organizers Say They Participated in 'Dozens' of Planning Meetings With Members of Congress and White House Staff. *Rolling Stone*. <https://www.rollingstone.com/politics/politics-news/exclusive-jan-6-organizers-met-congress-white-house-1245289/>.
- <sup>15</sup> Pitzl, M. (2021, September 13). Mark Finchem, election conspiracy promoter, gets Trump's endorsement for secretary of state. *AZ Central*. <https://www.azcentral.com/story/news/politics/elections/2021/09/13/trump-endorsements-mark-finchem-arizona-secretary-state-election/8322839002/>; Pilkington, E. (2022, February 21). 'This should terrify the nation': the Trump ally seeking to run Arizona's elections. *The Guardian*. <https://www.theguardian.com/us-news/2022/feb/21/mark-finchem-trump-arizona-elections-secretary-of-state>.
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- <sup>19</sup> Haas, K. (2021, April 30). Reporter forced from Senate audit for photographing ex-lawmaker, indiscernible ballot. *Arizona Capitol Times*. <https://azcapitoltimes.com/news/2021/04/30/reporter-forced-from-senate-audit-for-photographing-ex-lawmaker-indiscernible-ballot/>.

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<sup>32</sup> January 6 Committee Letter to Mark Finchem (Feb. 15, 2022), *The United States House Select Committee to Investigate the January 6th Attack on the United States Capitol*. [https://january6th.house.gov/sites/democrats.january6th.house.gov/files/2022-2-15.BGT%20Letter%20to%20Mark%20Finchem-Cover%20Letter%20and%20Schedule\\_Redacted.pdf](https://january6th.house.gov/sites/democrats.january6th.house.gov/files/2022-2-15.BGT%20Letter%20to%20Mark%20Finchem-Cover%20Letter%20and%20Schedule_Redacted.pdf).

<sup>33</sup> Vlamis, K. (2022, February 20). A Trump-backed candidate in Arizona is trying to raise \$750,000 for a legal defense fund after he was subpoenaed by the January 6 committee. *Insider*. <https://www.businessinsider.com/trump-backed-candidate-arizona-raising-money-for-legal-defense-fund-2022-2>.

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<sup>35</sup> Breuninger, K. (2022, February 15). House probe of Jan. 6 Capitol riot subpoenas Arizona GOP leader Kelli Ward, 5 others over 'alternate electors.' *CNBC*. <https://www.cnn.com/2022/02/15/jan-6-capitol-riot-probe-subpoenas-arizona-gop-chair-kelli-ward-5-others-1/index.html>.

<sup>36</sup> Ward v. Thompson, Case No. 22-cv-08015-DJH (D. Ariz 2022); Fischler, J. (2022, February 2) Arizona GOP chair sues to block Jan. 6 panel's records subpoena. *AZ Mirror*. <https://www.azmirror.com/blog/kelli-ward-arizona-gop-chair-sues-to-block-jan-6-panels-records-subpoena/>; January 6 Committee Letter to Kelli Ward (Feb. 15, 2022), [https://january6th.house.gov/sites/democrats.january6th.house.gov/files/2022-2-15.BGT%20Letter%20to%20Kelli%20Ward%20-%20Cover%20Letter%20and%20Schedule\\_Redacted.pdf](https://january6th.house.gov/sites/democrats.january6th.house.gov/files/2022-2-15.BGT%20Letter%20to%20Kelli%20Ward%20-%20Cover%20Letter%20and%20Schedule_Redacted.pdf).

<sup>37</sup> Burden, B. & Grayson, T. (2021, June 22). Report on the Cyber Ninjas Review of the 2020 Presidential and U.S. Senatorial Elections in Maricopa County, Arizona. *States United Democracy Center*. <https://statesuniteddemocracy.org/wp-content/uploads/2021/06/6.22.21-SUDC-Report-re-Cyber-Ninjas-Review-FINAL.pdf>.

<sup>38</sup> Governor Ducey Signs Legislation. (2022, March 30). *Office of The Governor Doug Ducey*. <https://azgovernor.gov/governor/news/2022/03/governor-ducey-signs-legislation-furthering-arizonas-position-leader-election>.

<sup>39</sup> See note 38.

<sup>40</sup> Duda, J. (2021, June 22). Shawna Bolik, author of bill to reject voters' presidential choice, running to be top elections official. *AZ Mirror*. <https://www.azmirror.com/2021/06/22/shawna-bolick-author-of-bill-to-reject-voters-presidential-choice-running-to-be-top-elections-official/>.

<sup>41</sup> Replacing the Refs. (2022, June 6). *States United Action*. <https://statesuniteddemocracy.org/resources/replacingtherefs/>