

Chairwoman Klobuchar, Ranking Member Blunt and Members of the Committee:

Thank you for the invitation to speak here today about such important issues.

Next week will mark one year since the 2020 General Election. Unfortunately, in Arizona and in other states, some choose to believe that the 2020 election has still not ended. To be clear: President Joseph R. Biden won Arizona's electoral votes in a free and fair election, an election that was conducted according to the letter of the law.

In Arizona, there were at least nine legal challenges to the 2020 election filed in state and federal courts. Every challenge failed.

The legal challenges to the election in Arizona were clearly frivolous. In one ruling, the judge openly questioned whether the suit was brought simply to "cast false shadows on the election's legitimacy." But there's an important point here. Regardless of how frivolous a legal challenge may be, the legal system is the proper channel in which to challenge the results of an election.

And if the challenges to the election had simply remained in the legal system, our state and our country perhaps would have already moved on. But as the lawsuits mounted, so did the threats against me and other election officials. Two weeks after the election, armed protesters gathered outside my home and chanted, "Katie come out and play, we are watching you." As an elected official, I expected that sometimes I would have constituents who were unhappy with me. But I never expected that holding this office would result in far-right trolls threatening my children, threatening my husband's employment at a children's hospital, or calling my office saying I deserve to die and asking, "What is she wearing today, so she'll be easy to get."

Threats like these have continued against me and others. But what concerns me more is the near-constant harassment faced by the public servants who administer our elections. These are people who truly make our government work. They never ran for office or appeared in political ads. But nearly every day they are on the receiving end of abusive phone calls and emails. We're seeing high turnover among elections staff, and I fear that many more will reach a breaking point and decide that this line of public service is no longer worth it.

Unfortunately, this isn't even limited to elections offices. As Secretary of State, my office also has divisions that are important for a person looking to start a business, get a document notarized, or protect their address from a stalker or an abusive former partner. These divisions have also been targeted by election-conspiracy-inspired harassment, affecting not only the staff who experience it, but the public's ability to access the services they need.

Local officials in Arizona have faced similar threats and harassment. Orange jumpsuits were mailed to county supervisors. Last November, as election workers tabulated ballots inside the Maricopa County tabulation center, armed protestors were a frequent presence outside.

In truth, Arizona has one of the best-run elections systems in the country. Which makes the lies and conspiracies all the more frustrating. Arizona already has robust processes to ensure the integrity of the election. This includes observer access of tabulation, pre- and post-election logic and accuracy testing of machines, as well as a post-election hand count audit. Arizona law also requires each county's board of supervisors to canvass the election and certify their results to my office.

After these processes took place in November, I sat alongside Governor Doug Ducey, a Republican, Attorney General Mark Brnovich, a Republican, and Chief Justice Robert Brutinel, appointed by former Republican Governor Jan Brewer, to certify Arizona's 2020 election.

Despite this seeming bipartisan agreement that the law was followed and the will of the voters ascertained, our state legislature decided to perform a partisan ballot review, sometimes referred to as the "audit."

The exercise performed by our state legislature was <u>not</u> an audit. The partisan ballot review in Arizona can best be described as a complete fraud. The review has been plagued by errors, errors that would be simply unacceptable to actual election professionals, let alone professional auditors. Unfortunately, these errors were expected, as the Arizona Senate hired a firm, Cyber Ninjas, that had no meaningful election experience or knowledge. And they made up the rules as they went along. Though the firm was primarily funded by organizations known to support former President Donald Trump, millions in tax dollars were still wasted in the process by funding the audit and replacing voting machines damaged by Cyber Ninjas. Experienced auditors who reviewed the same data as the Cyber Ninjas have called their results "fiction," openly questioning if the Cyber Ninjas simply invented the data themselves.

Though some Arizona legislators have billed it as "the most transparent audit in American history," those same legislators now potentially face contempt of court for failing to produce audit documents under Arizona's public records law. But what we've seen so far confirms what we've all known: the entire exercise was an effort to sow doubt in the 2020 election results and to justify future voting restrictions.

From the outset of the ballot review, I said that Arizona would become the blueprint for those looking to undermine elections. And as additional states now consider undergoing a similar politically-motivated review, I'm all too familiar with the problems such reviews create. I don't imagine you'll find many election officials opposed to the idea of strengthening post-election audits. But those audits must be based on established rules and procedures, they must protect voter data, and must be free of partisan influence. The ballot review in Arizona did none of those things, and should not be replicated elsewhere.

Following the 2020 election and its aftermath, many remarked that the experience was a reminder of just how fragile American democracy truly is. And it's true that our democracy remains vulnerable to the efforts of those who would undermine it. But at every turn, Americans have stepped up to protect it. Election workers who counted ballots fairly and accurately to uphold the will of the people. Officials who certified free and fair elections despite threats of political retribution, or worse. Judges who rejected dozens of bad-faith, partisan lawsuits. Capitol Police officers who stood their ground as insurrectionists charged forward. At every turn, the people who believe in American democracy have stepped up and protected it.

Now it's your turn.

Continued inaction in the face of these threats to undermine our democracy will have long-term consequences for the future of our country. I support the Freedom to Vote Act, and I appreciate the committee for holding this hearing.