

LIZ HARRIS
1700 WEST WASHINGTON, SUITE 404
PHOENIX, ARIZONA 85007-2884
CAPITOL PHONE: (602) 696-4153
TOLL FREE: 1-800-352-6404
lharris@arleg.gov

DISTRICT 13



COMMITTEES:
EDUCATION
BUSINESS AFFAIRS & PUBLIC
SAFETY
MUNICIPAL OVERSIGHT &
ELECTIONS

Arizona House of Representatives
Phoenix, Arizona 85007

Official Response to Ethics Complaint

March 13, 2023

In today's society, the right to free speech is one of our most fundamental liberties. I brought forth witnesses who had testimony to share, without endorsing, confirming, or denying the allegations presented.

The ethics complaint brought forward, I am being accused of violating Rule 1 by engaging in disorderly conduct. Disorderly conduct refers to behavior that disturbs the peace, order, or safety of the general public. It can encompass a wide range of actions, such as public drunkenness, fighting, making excessive noise, and engaging in threatening or abusive behavior towards others. The federal definition and regulations surrounding disorderly conduct take it even further and state: The federal regulations about disorderly conduct:

(a) A person commits disorderly conduct when, with intent to cause public alarm, nuisance, jeopardy or violence, or knowingly or recklessly creating a risk thereof, such person commits any of the following prohibited acts:

- (1) Engages in fighting or threatening, or in violent behavior.
- (2) Uses language, an utterance, or gesture, or engages in a display or act that is obscene, physically threatening or menacing, or done in a manner that is likely to inflict injury or incite an immediate breach of the peace.
- (3) Makes noise that is unreasonable, considering the nature and purpose of the actor's conduct, location, time of day or night, and other factors that would govern the conduct of a reasonably prudent person under the circumstances.
- (4) Creates or maintains a hazardous or physically offensive condition.

According to the definition of disorderly conduct, my behavior does not meet the level required for such an offense. As a result, I believe that I should not be held accountable for this accusation, and I am committed to defending myself against this charge.

When the Speaker of the House communicated his approval of a day to present the testimony of those with information relating to Election integrity, I set forth to allow for anyone with information regarding our elections to present said information. That is what occurred. This was not my testimony nor was it my duty to endorse or negate/confirm their claims.

As government officials, it is our duty to uphold the fundamental principles of our constitution and to protect the rights of the people. One of the most important issues we face as a legislative body is how to protect the people and their body politic. In pursuing this goal, we must consider what rights the people have, and whether we have the power to remove those rights for any reason.

To address these questions, we must turn to the Arizona Constitution, which provides clear guidance on the rights of the people. Article 2 Section 1 of the Arizona Constitution states that "a frequent recurrence to fundamental principles is essential to the security of individual rights and the perpetuity of free government." This means that the people have certain individual rights that must be protected, and that we as the legislature have a responsibility to ensure that these rights are not infringed upon. The individual rights spoken of in this text include the right to freely speak, the right to petition the government, and the right to free and equal elections.

These rights are guaranteed and mandatory under the Arizona Constitution, and it is our duty to uphold them. It is also important to remember that all provisions of the Arizona Constitution are mandatory, as stated in Article 2 Section 32. This means that we cannot make rules or legislation that would interfere with the obligations of any legislative member's contractual obligation to the people to provide these required constitutional provisions.

Furthermore, we must consider the purpose of government as declared in the Arizona Constitution. Article 2 Section 2 states that the purpose of government is to secure individual rights. This means that the people do not have to collectively come to the legislature or initiate to carry out their right to petition the government to deal with issues of corruption, grievance, and the like. If the people see issues that need strengthening with laws to block the danger of mal-administered elections and wish to freely inform the people and instruct the legislature, the only body empowered to investigate and write appropriate laws, they are free to approach their servants in the legislative body.

We cannot make rules or legislation that would interfere with this obligation. As government servants, we are not allowed to interfere with the rights of the people nor can we abrogate them. Government officers are the trustees of the people and government is an Express or Tacit Trust. John Locke expressed the fundamental principles of law sworn to in Arizona Constitution Article 2 Section 1, stating that political power is that power which every man having in the state of nature has given up into the hands of society, and therein to the governors whom the society has set over itself, with this express or tacit trust, that it shall be employed for their good and the preservation of their property.

In addition, the people have the following rights declared in our state constitution, and we must be aware that we have already sworn to uphold these things. Article 2 Section 6 guarantees the right of the people to freely speak. The legislature cannot abrogate the power of the people to

freely speak of their grievances or block them from their Legislative house and access to their servants. Article 2 Section 21 declares that the people have a right to elections that are free and equal with no civil powers interfering. If the people see issues that need strengthening with laws to block the danger of mal-administered elections and wish to freely inform the people and instruct the legislature, the only body empowered to investigate and write appropriate laws, are they not to approach their servants in the legislative body?

The people, who created government as an express trust in America, have the power to preserve their body politic and provide for laws to prevent corruption. When there is a possibility of corruption, the people have a fundamental right to address it by annexing penalties for corruption. This necessitates the ability to freely assemble and speak to their servants, such as the legislature, in order to preserve the sanctity of the state. The fact that attorneys or schools have failed to teach the people these rights, or because the people and legislature haven't practiced these rights, doesn't take away from the duty of the legislature or the right of the people to exercise them. If the people are not allowed to exercise their rights, the state is no longer secure, and we should not fail in our purpose nor follow the path of past legislative bodies that failed the people. It is essential that we afford the people the right to hold their government servants accountable.

When the people are empowered to hold their government accountable, it ensures that government officials act in the best interest of the people, rather than serving their own interests. This is critical for maintaining a functioning Republic and for upholding the principles of the Arizona Constitution.

In conclusion, as government officials, it is our duty to protect the fundamental rights of the people as outlined in the Arizona Constitution. We must uphold these rights, even when faced with difficult decisions or challenging circumstances. The people have the right to speak freely, petition the government, and hold their government officials accountable. We must ensure that these rights are protected, and that the people are empowered to exercise them. By doing so, we can ensure the perpetuity of free government and the security of individual rights.

Article 2 Section 25 Arizona Constitution: If the Legislature cannot create a law that blocks the obligation of a contract, will we stop ourselves from following and obeying the oaths that we swore to in accordance with the Arizona constitution, (which is a contract)? Please take time in love and peace to consider this great oath and task we promised to the People of Arizona. With this I ask you to dig deeper into the law and see if maybe, we have missed our original purpose and need to return to those first principles and oaths that we have pledged to follow.

Sincerely,
Representative Liz Harris



Legislative District 13
Arizona State House of Representatives
1700 West Washington Street Phoenix, AZ 85007

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