

# Supreme Court Disinformation Task Force Deep-dive

In 2019 Suzanne Spaulding (Spaulding 55), and 2 other authors, Devi Nair, and Arthur Nelson, wrote “Beyond the Ballot: How the Kremlin Works to Undermine the U.S. Justice System”<sup>1</sup> (Beyond the Ballot). This is a research paper with the premise that Russia interfered with the 2016 election and was going to target our democratic institutions to undermine trust and confidence. This report was used to give legitimacy to presentations that Spaulding, Elizabeth Rindskopf-Parker (Parker 58) and Harvey Rishikof (Rishikof 65) gave on the subject (134). However, she had been educating and having conversations with judges on the possible threat since before a speech she gave at Stanford Center for International Security and Cooperation (the Stanford speech) on 3/21/2018<sup>2 3</sup> (14). The combination of this report, the subsequent presentations and conversations with “the 25 most influential judges in the country” & the “teachings” they organized since the beginning of Spaulding’s project were the catalyst that convinced Az Superior Court Chief Justice Brutinel (Brutinel19) to establish the “Az Countering Disinformation Task Force” (Task Force), even though he didn’t initially “buy into it”(52) until Spaulding & Parker convinced him. AZ Judge Lawrence Withrop also didn’t believe it was a problem<sup>4</sup> until he read the Task Force report that Spaulding & Parker heavily influenced the outcome. Parker admitted she had to convince a Judge in California while she was with him in a social setting (52). Spaulding and Parker testified at the National Commission on Military, National, and Public Service on July 10, 2019<sup>5</sup> that judges were not aware they are targets of disinformation campaigns and that Spaulding had to teach them:

“...judges have largely not considered themselves, or their functions, as lucrative targets for hostile foreign governments.”

“Our effort is to use research, outreach, and education to build awareness among judges and court personnel, as well as the general public, about the likelihood of disinformation attacks...”

The minutes for the first Task Force meeting indicated that Parker had “introduced the topic of disinformation for the first time to many in the judicial branch”<sup>6</sup>, February 2020 (25) archived Task Force materials reveal that the survey they conducted showed that judges and court staff did not see disinformation<sup>7</sup>, May 2020 meeting they say most responses to the survey were misinformation (28) not disinformation. According to CISA, misinformation is false, but lacks intent to harm or mislead. Huntwork found no “hot spots”<sup>8</sup> of disinformation. In the final report the Task Force found:

“limited-scope review was presented with no definitive evidence of coordinated disinformation campaigns.”

In addition Jesse Rutledge from National Center for State Courts (NCSC 17) reported at the March 2020 Task Force meeting<sup>9</sup>:

“The NCSC’s studies have shown that people in the U.S. do not agree that disinformation is an issue, or they don’t agree as to the extent of the problem.”

Parker is on video, in 2022 on a National Judicial College<sup>10</sup> panel with Brutinel, saying that her and Spaulding, in 2017, after witnessing “Russian Interference” in our elections, began to think of organizations that are based on trust that Russia *could* target

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- 1 <https://www.csis.org/analysis/beyond-ballot-how-kremlin-works-undermine-us-justice-system>
  - 2 chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://fsi-live.s3.us-west-1.amazonaws.com/s3fs-public/suzannespauldning\_03.13.2018.pdf
  - 3 <https://cisac.fsi.stanford.edu/events/foreign-adversary-threats-democratic-institutions-are-courts-next> Timestamp 2:22
  - 4 <https://x.com/AzPinkLady/status/1803494284911583649>
  - 5 chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://csis-website-prod.s3.amazonaws.com/s3fs-public/publication/190710\_spaulding\_testimony.pdf
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  - 9 chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.azcourts.gov/Portals/74/DisinformationTF/031720MinsFinal.pdf?ver=2020-06-15-131117-157

& decidedly determined it was the judicial system. In a conflicting statement by Spaulding, while giving the Stanford speech she said:

“Last fall as we were sort of writing this up [Security Experts Group Russia Report “Countering Adversary Threats to Democratic Institutions released 2/2018 (experts report)<sup>11</sup>], I had another talk with John Hamre [CEO of Center for Strategic and International Studies (CSIS 54)]. I said I think there are a number of areas where we could do deep dives. I didn’t get any farther than the first one on my list, which was the judiciary. He said, “That’s it. We’ve got to do that. No one else is looking at this. We really need to do that.” “

During an online presentation titled “News, Fake News, and Deep Fakes. How Do We Know What’s True?, Part 3: Disinformation and Democracy” for ThinkND on 3/16/2021<sup>12</sup> Spaulding stated:

“When I got out of DHS [Department of Homeland Security] at noon on January 20<sup>th</sup> of 2017 and had an opportunity to kind of step back and look at the bigger picture, mindful that our intelligence community had made it clear in their assessment in January of 2017 that what we saw from Russia in 2016 was just one part of a longer-term broad based campaign to undermine our democracy and our institutions. I thought I have a background in national security and intelligence, uh, so I did what we call red teaming. Like I try to put myself in Putin's mind and say if that, if that was my goal, if I were Putin and I wanted to undermine democracy through undermining its institutions where would I go next? What other institution like elections is so dependent upon the public's faith and confidence in the legitimacy of the process to respect the legitimacy of the outcome? And I'm trained as a lawyer I immediately thought about our justice system in our courts.”

Hamre revealed when he introduced Spaulding, in a CSIS panel discussion called “Democracy and Justice in the Age of Disinformation” in May 1, 2019 that Spaulding came to him with the issue and that she had brought in Rishikof to “get the backing” and support of the American Bar Association (ABA).<sup>13</sup> In this same forum, Spaulding indicating Hamre was the first call she made and he had been a supporter ever since.

While on the National Judicial College Panel Parker also stated that the bar was “the one thing that had to happen as a first step”<sup>14</sup> and that they knew they had a need to “go after” education<sup>15</sup>.

Yet again, Spaulding makes a conflicting statement during the Stanford speech and most telling:

“... I thought what I would do is to start by talking a bit about what we did at the Department of Homeland Security in the run up to the election and our role in the election security in that year of 2016. Then I will talk to you a little bit about what I have been doing **since noon n Jnauary 20, 2016** [emphasis added and spelling as is in the transcript] and what the project that I am engaged in now. So sort of started with looking at adversary threats to fundamental Democratic institutions writ large and now doing a deep dive on adversary threats to public confidence in the American judicial system.”

Spaulding tells us that on January 20, 2016 she **started** looking into the adversary threats to Democratic Institutions starting before Trump was elected. That is a conflicting statement from her numerous previous statements. The audio confirms that the date is not a typo in translation.

What is clear, or maybe not clear, is the actual timeline of events in question. Did Spaulding just have a Freudian slip that indicated that she was part of building a Russia narrative starting in 2016 BEFORE the election? Did Parker and Spaulding realize that Russia could target the judiciary while watching what was transpiring in 2016? Or did Spaulding have a “red team” in January 2017 who came up with the theory? Or was it when she spoke to John Hamre in the fall (September, October, November) of 2017 as she stated in the speech?

What is also clear, from these statements and actions, is that Spaulding theorized on an issue that did not exist. Indicating her goal was to target the judicial system before the 2020 election with the assistance of CSIS, ABA, and NCSC regardless if she, nor anyone else, had seen a problem. They had no evidence that Russia was targeting our judiciary, but were setting the premise that it **could** happen.<sup>16</sup> Aaron Nash (Nash 117), the chair of the Task Force, admitted there was no problem, but they had to prepare

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10 <https://www.judges.org/jic/cle-cje-information/>

11 chrome-extension://efaidnbmninnibpcapjcgclclefindmkaj/https://csis-website-prod.s3.amazonaws.com/s3fs-public/publication/180214\_Spaulding\_CounteringAdversaryThreats\_Web2.pdf

12 <https://www.youtube.com/watch?v=mS7YGjLUfis>; Timestamp 9:16

13 <https://www.youtube.com/live/UiyCZC4lnVA?si=fpNr0a3ZrNZMHH4m>; Timestamp 3:37, 4:15, 8:03

14 <https://x.com/AzPinkLady/status/1694088751604212195>

15 <https://x.com/AzPinkLady/status/1694101048028520680>

16 <https://slate.com/technology/2019/12/arizona-task-force-disinformation-judicial-system.html>

for 2020 (37). In the Task Force's 2nd meeting, Nash explains that "Attendees [of Spaulding's presentation] received information from national experts about the trend of disinformation campaigns" and goes on to say:

"Originating from the arenas of **elections [emphasis added]** and corporate competition, disinformation campaigns are ripe for targeting individual judges and the justice system. Agents both foreign and domestic.."

This clearly indicates that Spaulding had expressed that the 2020 elections were a target during her presentation at the "invitation only" (17) event hosted by NCSC (18) in May 2019. Is that why, even though the Task Force did not find any "hot spots" of disinformation effecting the courts, they recommended in the June 2020 (29) meeting that "...a long-term study of disinformation to be performed by a national/local network"?

Although Parker had attended every meeting that was held in 2019 & 2020, as a guest, except four, Spaulding only attended one. That one meeting, on August 2020 (30), was to discuss the final draft of the report before an October 1 deadline. Spaulding greatly influenced the outcome of the final report by not only providing comment and recommendations for changes but also providing documents that she had produced to add to the report. After the September meeting to finalize changes to the report, Parker did not attend another meeting until February 2021 after the Task Force had been extended to implement the recommendations made in the first report. March 2021 would be Parker's last meeting. It would seem that Spaulding and Parker's intent was to get that final report and work products to utilize in other courts around the country. Parker stated at the first Task Force meeting in October 2019<sup>17</sup>:

"[the] Arizona's Task Force might be the first of its kind, that a template to share with others for countering disinformation in the justice system is needed, and that she hopes this Task Force can provide that."

David Byers (Byers 73), the long time court administrator & person responsible for examining, admissions & disciplining of attorneys, addressed the Task Force March 2020<sup>18</sup>:

"[Byers] thanked the Task Force for its work, provided background on Arizona's participation in the effort, and encouraged the Task Force in continuing its first-in-the-nation efforts, recognizing the challenge in creating something new and pointing out that these first efforts will help guide and instruct others around the nation."

One can surmise this was stressed to Byers and Brutinel prior to establishing the Task Force. Brutinel's comments at the first meeting in October 2019 he knew this was beyond the scope of what a court task force is usually called to do:

"...[Brutinel] noted that this Task Force is unique in its membership and charge, as most committees deal primarily with court rules and procedures..."

The Task Force relied solely on the assessments of Spaulding, CSIS and NCSC to establish the Task Force. In addition to relying heavily on their expertise to guide the Task Force and shape the outcome. Brutinel in the first Task Force meeting stressed:

"consider the input of other experts in developing a comprehensive set of recommendations to guide Arizona's courts in addressing the issue of disinformation..."

Brutinel, when asked at the National Judicial College event (52), what was the deciding factor of starting the task force, he said it was Spaulding and Parker, the experts, who convinced him. The Task Force members would get repeated messages that they did not have the expertise to determine if something posted online was from a foreign actor, once by retired Federal Judge Fogel in the February 2020 (23) meeting and again by Spaulding in the captured video of the August 2020 (30) meeting. Instead, telling them they needed to rely on the experts, such as the social media platform, the intelligence community, or the now defunct disinformation "hunters", Yonder and FirstNet, that were, in hindsight, themselves disinformation, that did not find disinformation targeting the judiciary until Spaulding asked them to go look (15).

A direct indication of Spaulding's intent is the name change of her newly formed department of CSIS in 2017. In the "experts report", produced in February 2018 she is listed as:

"Suzanne E. Spaulding, Former Under Secretary, National Protection and Programs Directorate, DHS, and CSIS, on **Countering Adversary Attacks on America's Justice System**" [emphasis added]

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18 chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.azcourts.gov/Portals/74/DisinformationTF/031720MinsFinal.pdf?ver=2020-06-15-131117-157

“Suzanne E. Spaulding, senior adviser, Center for Strategic and International Studies, **Countering Adversary Attacks on America’s Justice System**. [emphasis added] The project is focused on assessing and countering Russian activities that can undermine public faith and confidence in the justice system as an essential pillar of democracy. <https://www.csis.org/>”

Spaulding gave a presentation to the Court of Federal Claims Conference in November 2018 with that same name. The original link is now dead<sup>19</sup>, but it can still be obtained through the archive.<sup>20</sup> It is not clear when, but Spaulding changed the name of her department to “Defending Democratic Institutions” in what appears to be an attempt to “water down” her true focus.

From these statements and actions, one could theorize that Spaulding's “red team”, either in 2016 before the election or January 2017, game played out next steps. They brainstormed, and came up with a list and decided the court was going to be their target. One could also theorize that this plan was hatched at the behest of Obama and was part of a much bigger plan. We will not discuss the facts that support that claim here. It is outlined in the report “The Suzanne Spaulding Mission Set”. We can also theorize the objective of the Task Force participants were self serving. The judges wanted to combat criticisms<sup>21</sup> of themselves that may effect their retention elections (21 28) and the ABA participants wanted to combat “anti ABA” sentiment (102). It's not likely we will know the full extent of their intentions because Nash stated in the December 2019 (22) meeting that all documents that they do not present/bring to the public meeting is unable to be obtained through Freedom Of Information Act (FOIA). In addition, the non governmental agencies CSIS, the ABA, and the NCSC are not accountable to FOIA laws. They have tremendous influence on our government and yet citizens can't provide oversight of their activities by reviewing their internal documents.

Spaulding wasn't the only perpetrator of this operation. She was the “4 star general<sup>22</sup>”. Her team of bandits included Parker and Rishikof. They are not “one off” participants. They have been with Spaulding on this journey since the very beginning, when ever that may have been. Rishikof was an original participant at the “red team” event that started in 2017 that resulted in the “experts report”. They are both credited as contributors on the Beyond the Ballot report. Mentioned above, Parker admittedly was brainstorming with Parker after watching the events surrounding the 2016 election. Spaulding, Parker and Rishikof are colleagues on the American Bar Association committees/advisory boards and working on the same editorial boards of the ABA journal<sup>23</sup> since at least 2009, in addition to being colleagues within the same intelligence communities. Their relationships span back decades. Parker was Spaulding's boss and mentor<sup>24</sup> when Spaulding was legal council for the CIA. Spaulding, and presumably Parker and Rishikof, have known Hamre for decades. CSIS (54) is a NGO that prides itself in providing insight to the intelligence community that drives policies for our country. They are sought out by our government for their “innovative” insight. Spaulding, under the CSIS umbrella, was co-author the Cybersecurity plan for the 44<sup>th</sup> President report produced in 2008. Although she is not listed on the report, she lists this prestige on just about every bio she has (55). Hamre has been CSO of CSIS since 2000 & before that he was the Deputy Secretary of Defense<sup>25</sup>.

Spaulding and Parker have a long history together in the intelligence community. They were instrumental in developing policies post 9/11 & developing tools & standards, such as FISA/FISC<sup>26 27 28</sup> (63), for the intelligence community to monitor Americans. Parker is on record defending FISA<sup>29</sup> after the illegal spying on the Trump campaign and the abuse of the FISA courts went public. Spaulding established FirstNet (57), a wide telecommunications network dedicated to first responders, that also happens to have access to all data transmitted for our election systems and our personal data<sup>30</sup>. Spaulding has studied every critical infrastructure known to civilized society: airlines, water, electricity, pipelines, communications, medical, critical businesses like banking and credit processing and even elections. She penetrated them all, except seemingly one, the judiciary, until now.

19 <https://www.cofc.uscourts.gov/conferences/2018/materials/JudiciaryNationalSecurity/Law%20&%20National%20Security.pdf>  
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<https://web.archive.org/web/20201017153923/https://www.cofc.uscourts.gov/conferences/2018/materials/JudiciaryNationalSecurity/Law%20&%20National%20Security.pdf>

21 <https://x.com/AzPinkLady/status/1809239271943159927>

22 <https://www.fdd.org/team/suzanne-spaulding/>

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24 <https://podcasts.apple.com/us/podcast/protecting-democratic-institutions-part-1-with-suzanne/id1276946676?i=1000416176303> ; timestamp: 2:32

25 <https://www.csis.org/people/john-j-hamre>

26 [https://irp.fas.org/congress/2007\\_hr/092507spaulding.html](https://irp.fas.org/congress/2007_hr/092507spaulding.html)

27 <https://www.science.org/doi/10.1126/science.297.5580.301>

28 <https://fedsoc.org/contributors/elizabeth-parker>

29 chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.law.upenn.edu/live/files/10230-safeguarding-americans-private-records-act-of

30 <https://joehoft.com/receipts-cisa-and-att-pushed-connecting-elections-to-firstnet-mark-zuckerberg-paid-firstnet-bills-firstnet-infested-with-hackable-chinese-components/>



NCSC was also not a minor participant in the effort to influence the courts. NCSC's early involvement was indicated in at the March 2018 Stanford speech Spaulding:

"So I talked to the National Center of State Courts. They are off and running. They are going to do a comic book and graphic novel. So folks are moving out on this. So we are moving forward on parallel tracks"

She credited Mary McQueen with leading "...numerous court-initiated civic engagement and outreach programs with the hope of creating "experiential opportunities...[and] applying civics education in ways that are crucially important." Indicating that NCSC, as the mechanism to reach each court nation-wide, they were brought into the operation early on. NCSC earliest documentation the researcher could locate was in 2018. We know from the speech NCSC was involved before March 2018, it's just unclear how early in this project they were brought on board.

Spaulding colluded with the help of Parker, Rishikof, CSIS, the ABA and the NCSC to convince judges and attorneys all over this country that Russia was going to attack our courts with disinformation. The problem is, the "evidence" they pointed to<sup>31</sup>, has now been proven false. They cited examples of Russian fueled disinformation campaigns that have now been proven with the #TwitterFiles (143) to be false propaganda. They relied on the Mueller indictment of 13 Russians connected to the Russian Internet Research Agency (IRA). However, the indictment never claims they interfered with the election nor offered any proof of such. A study<sup>32</sup> by the Proceeding of the National Academy of Sciences of the United States of America (PNAS) was published on January 7, 2020 that states this troll farm was ineffective in polarizing political attitudes.

"We were unable to systematically determine whether IRA trolls influenced public attitudes or behavior during the 2016 presidential election..."

They labeled American citizens as Russian disinformation agents, such as Brandon Straka, and labeled hashtags started by Americans, like Tracy Beans, as Russian campaigns. They drew upon the COVID "disinformation" as an example of Russia activity & how "disinformation" is spread. That data they labeled "disinformation" (such as ivermectin is safe, that masks and distancing is not effective, that the virus leaked from a Wuhan lab and that the COVID-19 vaccine causes health problems) have now been proven accurate. All of this with the beginning premise that Russia interfered with our elections. In addition to 51 intelligence agents who all signed a letter saying the Hunter Biden Laptop<sup>33</sup> was Russia disinformation, that interfered with our 2020 elections, has been proven nothing but pure propaganda. All fueled by the now debunked Steele Dossier<sup>34</sup> paid for by Hillary Clinton campaign and the DNC<sup>35</sup>. The Hunter Biden laptop was labeled as a "disinformation" Russian campaign. That has been proven a lie<sup>36</sup>

Harvey Rishikopf and Stewart Baker (Baker 120), both senior members/counselors of the ABA were on a podcast titled "Lost Trust: Politics and Intelligence" admitting the intelligence community assertion Hunter Biden laptop, the 51 intelligence community members who signed the letter and Senator Schiff got it wrong and the trust of the intelligence community has eroded as a result. However, they are not taking responsibility and believe they were being non partisan.<sup>37</sup> Admitting your wrong is not good for the intelligence business. This Podcast has since been removed<sup>38</sup>. It can still be found on Apple Podcasts<sup>39</sup> and it is still listed in RSS feed<sup>40</sup>.

31 <https://x.com/AzPinkLady/status/1801600741821522144> ; 3 posts discuss the false information

32 <https://www.pnas.org/doi/10.1073/pnas.1906420116#sec-2>

33 <https://www.politico.com/news/2020/10/19/hunter-biden-story-russian-disinfo-430276>

34 <https://web.archive.org/web/20211116001059/https://www.nytimes.com/2021/11/15/opinion/steele-dossier.html>

35 <https://web.archive.org/web/20241007222421/https://www.nytimes.com/2021/12/01/us/trump-russia-investigation-dossier.html>

36 One of '51 Intelligence Officials' Admits Knowing Hunter Biden Laptop Was 'Real' before Signing 'Disinfo' Letter:  
<https://slaynews.com/news/one-51-intelligence-officials-admits-hunter-biden-laptop-real-signing-disinfo-letter/>

37 It's been two years since 51 intelligence agents interfered with an election — they still won't apologize:  
<https://nypost.com/2022/10/19/its-been-two-years-since-51-intelligence-agents-interfered-with-an-election-they-still-wont-apologize/>

38 [https://www.americanbar.org/groups/law\\_national\\_security/nslt/lost-trust-politics-and-intelligence/](https://www.americanbar.org/groups/law_national_security/nslt/lost-trust-politics-and-intelligence/)

39 <https://podcasts.apple.com/us/podcast/national-security-law-today/id1276946676?i=1000619603438>

40 <https://rss.com/podcasts/national-security-law-today/1314316/>



(Aired June 23, 2023)

Recent political developments have damaged the reputation of the intelligence community and have deeply divided the country. The recent performance of the intelligence community, and particularly the FBI, has battered its reputation for avoiding partisanship. Reports by Robert Mueller, John Durham, and multiple inspectors general have fostered Republican suspicions that the Trump-Russia investigation was driven more by politics than by evidence. More recent episodes have added to claims of bias in the intelligence community, from the SI intelligence professionals who claimed that the Hunter Biden laptop had all the earmarks of Russian disinformation to FBI whistleblower complaints and the disclosure that the FBI improperly queried section 702 data to investigate both RLM and January 6. This loss of faith in national security agencies raises questions with profound consequences for American democracy: Did our federal law enforcement and intelligence communities allow themselves to become politicized? Did they fail to take seriously enough the risk of giving the appearance of partisanship? And, most importantly, what can be done today to restore trust and avoid another seven years as disastrous for public confidence as the last several?

*What happens when the premise by which you operate is false?*

Spaulding, CSIS and the ABA partnered with NCSC the self proclaimed “experienced authoritative source for court services” with global reach, to “educate” the courts in America & globally about the impending “threat to democracy”. NCSC hosted the “invitation only” event (18) to kick off this endeavor. The false narratives used to taint the minds of judges and attorneys all over the country in addition to tainting the minds of students at all levels of education from K through Law school and post education adults<sup>17</sup>. This “invitation only” event was used to start a “Task Force” in Arizona to study the situation and come up with a plan for other courts to follow. A plan that NCSC had already established and recommended at the first meeting by Parker: setting up a playbook to respond and a network to respond quickly, as indicated at the last meeting when AOC recommend they use the playbook resources already developed by NCSC. Spaulding just needed a court to take ownership of it to legitimize it.

It is unknown who attended this event, however, we do know that David Byers was in attendance. Not only does Brutinel tell us in the NJC event (52), but the Task Force meeting minutes reveal this (19). David Byers is quoted as having gone to the Az Bar FIRST when he came back from the “invitation only” event. Why wouldn't he go to Brutinel first, since he's the one that sent him (52)? Was it because Brutinel was just the mechanism for the AZ Bar, & by proxy for Spaulding, to get what they wanted? They were already privy to the plan, through Rishikof, the ABA chair at the time, who had been knowledgeable since at least early 2017 as a participant in Spaulding's “red team” experts group, & possibly a co-conspirator.

CSIS and the Bar (AZ and ABA) had significant contributions to the Task Force report and actions taken by the Court. Parker helped Brutinel select the academics for the Task Force (52) Such academics as a current Rear Admiral (78) in the Navy that specializes in information warfare and narrative building, an anti-Russian activist (82) who, with her husband, observe Ukraine elections, and a journalist professor who specializes in “complex topics” and crisis communication that has worked 15 years in Italy doing public relations and organizational communication (87). Does the CIA have them as human resources? It's reasonable to believe that Parker provided guidance and suggestions for other members or types of professions necessary for the Task Force. Especially considering the relationships established prior to the Task Force, such as Holly McMahon (69), who was a participant in Spaulding's “red team” of experts, Shelly Bacon (108) that used to work with Brutinel in Yavapai Courts and Amy Love (106) who went on to be Az AG Kris Mayes' Chief of Staff with other interesting facts<sup>41</sup>. In addition to members of the AZ Bar Foundation (8), founded by the Bar, as an education arm; the head of a media talent placement/contract negotiation company (99) for all the media in Arizona; the CEO of the American Media Association (100) with contacts to 90% of media in Arizona; in addition to links with participants to 2 associates of Steptoe & Johnson (70 115), which has a known intelligence agent as Partner (120), and of which one associate has the added bonus of defending the media in litigation (70). Every team member was carefully curated to cover every base needed to pull off the biggest propaganda campaign on our courts and education system with maximum outreach (9)

In addition to the undue influence by Spaulding/Parker/Rishikof, CSIS, the ABA and the NCSC on the judiciary system nation wide, a George Soros tied, left wing organization was established to “go after” any attorney bringing election challenges. The 65 Project (140) was specifically established to deter any attorney from bringing election challenges, as stated by the CEO Michael Teter (141). David Brock, founder of the 65 Project, was quoted saying the “littler fish are probably more vulnerable to what we are doing...You're threatening their livelihood...” (141). In addition, Brad Carver, a participant litigant was quoted as saying “This is mostly important for the deterrent effect that it can bring so that you can kill the pool of available legal talent going forward”. This combined influence is the chilling effect of one of the key pillars of a free society. The effect of the efforts of influencing the entire judicial system based on provable propaganda, and an apparatus that would “cut the knee off” of any attorney who dared to question anything they claimed was disinformation created unspoken fear. The very organizations (the ABA, Az Bar and the Supreme Court discipline boards) that can punish a judge or an attorney for going against the group think, created the environment that stifled legitimate debate and dismissal of evidence being brought to the court. (142) They changed written and unwritten rules based on what they considered “disinformation”. CSIS is highly regarded as “in the know”, highly influential in setting government policy, as indicated that the National Security Advisor who sought out their information (54). Spaulding is highly regarded for her work in the intelligence community securing critical infrastructure, sought after for presentations, and she charges a pretty penny for those appearances (55). How much tax payer money was paid to her? The Task Force regarded her as

41 <https://x.com/AzPinkLady/status/1695161302535246079>

“tremendous A team” as Judge Fuller calls her in the August 2020 video (143). Those that participated in this Russia preparedness, would have trusted the assessments of these highly regarded sources and trusted the IC assessments.

### **But what happens when that information is wrong?**

Surprisingly, our courts continue to trust Spaulding and the intelligence community. As evidenced by their invitation to the FBI and United States Attorneys to attend the Courts Leadership Conference October 10, 2024 to talk to them about foreign and domestic threats anticipated & foreign malign influence campaigns attempts to hack essential government data systems, election security & threats against state-level officials (29). Either they don't know that the information originally used to influence them has been proven false, or Spaulding and the intelligence community just keep shoveling more information at them, that hasn't been debunked yet, to feed the original premise & to keep them from looking back.

Being judge and jury to decide what is and is not “disinformation” that is worthy of discussion, debate and litigation is a burden not well suited for a body that has the effect of controlling the very body of government that is supposed to be free from influence.

### **Justice must be blind & independent.**

Isn't it ironic that the very organization that puts “undue influence” in their rules, did in fact influence the Courts. The question remains, how long will it take for the Russia Hoax to cease to influence the judicial system & our education system that has been pushed unabated for the last 8 years?

Rule 2.4. External Influences on  
Judicial Conduct

Currentness

(A) A judge shall not be swayed by partisan interests, public clamor, or fear of criticism.

(B) A judge shall not permit family, social, political, financial, or other interests or relationships to influence the judge's judicial conduct or judgment.

(C) A judge shall not convey or permit others to convey the impression that any person or organization is in a position to influence the judge.

**Credits**  
Added June 2, 2009, effective Sept. 1, 2009.

17A Pt. 2 A. R. S. Sup. Ct. Rules, Rule 81,  
Code of Jud. Conduct, Rule 2.4, AZ ST S CT  
RULE 81 CJC Rule 2.4  
State Court Rules are current with  
amendments received and effective through  
July 15, 2023. The Code of Judicial  
Administration is current with amendments  
received through July 15, 2023.

## Task Force Participants

These are the individuals that participated in Az Task Force organized by affiliation. Some are listed multiple times because of their affiliations. The purpose of organizing participants in this manner is to show overlap and familiarity with each through those affiliations. In addition, organizing the participants in this manner shows the concentration of talent in each area of expertise. Included on this list are people are affiliated with the one or more participants and are mentioned in this report. The list is not alphabetical. Hyperlinks are provided to the background information and supporting documentation of each individual.

### Current/Past Intelligence Community (IC)

<https://news.clearancejobs.com/2019/02/12/the-role-of-the-intelligence-community-in-homeland-security-from-competing-agencies-to-true-community/>

Suzanne Spaulding (55) – CIA, DHS/CISA, CSIS, ABA ex-Chair, ABA Advisor, ex-ABA Journal Editorial Board  
Elizabeth Rindskopf Parker (58)– CIA, NSA, ABA ex-Chair, ABA Advisor, ex-ABA Journal Editorial Board  
Harvey Rishikof (58) - DNI, FBI, Gitmo Council, ABA Chair, ABA Advisor, National War College Professor  
Scott Rustin (78)– Navy Intelligence, ASU Narrative Professor

Susan DzBanko (91) – DHS/FEMA, Border, Preparedness, Grants  
William Long (92)– DHS/FEMA, National Association of Counties

Possible Human Resource:

Patience Huntwork (82)- Supreme Court Staff Attorney, Anti-Russian Activist, Ukraine Activist (her & her husband works in Ukraine elections)

Dawn Gilpin (87) - Associate Professor Mass Communication (15 years organizational communications and PR in Italy)

David Byers (73)– DOJ Justice Global Advisory Committee Az State Bar Board of Governors, ABA Legal Education & Admission Council, former NSCS Board of Directors

### ABA

List of current leadership/committee members

[https://www.americanbar.org/groups/law\\_national\\_security/about\\_us/](https://www.americanbar.org/groups/law_national_security/about_us/)

Suzanne Spaulding – ABA ex-Chair, Advisor, Journal editorial Board, ex-CIA Council  
Elizabeth Rindskopf-Parker – ABA ex-Chair, Advisor, Ex-CIA Council  
Harvey Rishikof – DNI, FBI, Gitmo Council, ABA Chair, ABA Advisor, National War College Professor  
William Long – DHS/FEMA, National Association of Counties  
David Bodney (70) – ABA ex-Chair, ABA Communications, Litigator, Media and Constitutional Law  
David Byers – Az State Bar Board of Governors, ABA Legal Education & Admission Council; DOJ Justice Global Advisory Committee, former NSCS Board of Directors

### AZ Bar/Az Bar Foundation (founded by ABA)

David Byers – Az State Bar Board of Governors, ABA Legal Education & Admission Council; DOJ Justice Global Advisory Committee, former NSCS Board of Directors  
Joe Hengemuehler (100) - Az Bar COO. Az Bar Lobbyists, Talent placement/contact negotiation, ex-KNXV-TV News Director, ex-KOLD-TV VP, ex-KOCO-TV News Director  
Pete Dunn (96) –ABA Journal editor, Az State Bar Board of Governors, Legislator, Lobbyist, Perkins Coie, Brennan Center for Justice  
Todd Lang (94)- Az Bar Foundation  
Cathleen Cole - Az Bar Foundation

## **ASU**

Scott Rustin - Research Professor and Director, Center on Narrative, Disinformation and Strategic Influence

David Bodney – Litigator, Media and Constitutional Law

Dawn Gilpin - Associate Professor Mass Communication, Associate Professor Mass Communication (15 years organizational communications and PR in Italy)

## **Media/PIO**

Joe Hengemuehler - Talent placement/contact negotiation, ex-KNXV-TV News Director, ex-KOLD-TV VP, ex-KOCO-TV News Director, Az Bar COO. Az Bar Lobbyists,

Chris Kline (99) - Az Media Assoc

David Bodney – Litigator, Media and Constitutional Law

Dawn Gilpin - Associate Professor Mass Communication

Jessica Fotinos (103)- Maricopa County PIO

Krisanne LoGalbo (105) - Pima County PIO

Cathleen Cole - ABA Communications

Amy Love (106) - Superior Court Communications

Holly McMahon (69) - ABA Committee Contact

Shelly Bacon (108) - Yavapai Court Administrator/PIO

## **Judges**

Chief Justice Brutinel (19) – Arizona Superior Court Chief Justice

Brad Astrowsky (108)- family court

David Fuller (111) - Magistrate

Todd Lang - family court

Donald Watts (114) - Justice of the Peace

## **Step toe & Johnson**

Fredric Bellamy (115) -

David Bodney - Litigator, media and constitutional law

**Citizen Cyber Expert:** Eduard Goodman (115)

## **Other Court Personnel**

David Byers – Superior Court Executive Director, ABA Board of Governors

Aaron Nash (117)- Director of Certification and Licensing

Patience Huntwork - Supreme Court Staff Attorney, Anti-Russian Activist

Mary Jane Abril (117)- Head of Court Security

Deborah Schaefer (118)- Court administrator

## **Associated by Affiliation**

Stewart Baker (120)- Steptoe & Johnson, ABA Standing Committee advisor, former: NSA & DHS

James Woosley (124)- ABA Standing Committee advisor, Former CIA Director

Stephen Richer (125)- Steptoe & Johnson; subject matter expert on the CISA Censorship Project

Lindsay Short (127)- Stephan Richer's wife, Asst US Attorney - DHS

Garrett Archer (129) - ABC 15, former employee of AZ Secretary of State Hobbs

Jen Fifield (130) - Az Republic/NBC

## **Outreach Structure:**

### **Rapid Response Team**

NCSC

ABOTA

Jessica Fotinos - Maricopa County

Krisanne LoGalbo - Pima County

Shelly Bacon - Yavapai County

Cathleen Cole - ABA Communications  
Amy Love - Superior Court Communications  
Joe Hengemuehler - talent placement/contact negotiation, ex ABC, ABA COO  
Chris Kline - Az Media Assoc  
Garrett Archer - circumstantial evidence suggests he is an “ally”  
Jen Fifield - circumstantial evidence suggests she is an “ally”

#### **Rules Committees**

David Byers  
Justice Robert Brutinel  
Suzanne Spaulding  
Elizabeth Rindskopf Parker

#### **Legislative Lobbyists**

Joe Hengemuehler  
David Byers -ABA - Courts  
Pete Dunn

#### **Education (K through post education)/Outreach**

Az Bar Foundation  
NCSC  
ABOTA  
RAND



# Jump Points to Timeline Events

- October 2016 CSIS Writes “The Kremlin Playbook” (12)
- October 13th, 2016 the Playbook is uploaded to the CSIS website (12)
- October 14th, 2016 CSIS Uploads Analysis of Kremlin Playbook (13)
  - “Friday, October 8, will be a date that historians will note as the day the U.S. government formally acknowledged the existence of a Russian influence playbook designed to challenge America’s democratic processes, institutions, and international leadership”
- November 28, 2016 Presented Kremlin Playbook at SELDI summit (13)
- 2017 Kremlin Playbook podcasts (13)
- October 6, 2017 Spaulding moves to CSIS (13)
  - “will lead a new initiative on strengthening the U.S. judicial system against active measures by Russia and other actors who might seek to undermine it “
- March 13, 2018 Suzanne Spaulding speech at Stanford University (13)
  - “So when we set up this project [2016? or 2017?], the first thing I did was reached out to the courts... They want to invite 25 of the most influential judges from across the country”
  - “We are educating judges, court personnel, educating the media, educating the press, educating congress, educating the bar, the lawyers about the nature of the threat that we face, that this is happening”
- June 2018 America Bar Association releases report “RAPID RESPONSE TO FAKE NEWS, MISLEADING STATEMENTS, AND UNJUST CRITICISM OF THE JUDICIARY” (15)
- March 2019 CSIS writes “The Kremlin Playbook 2:” (15)
- May 1, 2019 Suzanne Spaulding uploads “Beyond the Ballot: How the Kremlin Works to Undermine the US Justice System” (16)
- May 2019 Vice Chief Justice Brutinel Sends David Byers to “invitation only” presentation in Washington DC done by CSIS, Elizabeth Rindskopf-Parker hosted by National Center for State Courts (NCSC) (17)
- July 2019 Chief Justice Brutinel appointed (19)
- July 2019 NCSC Chief Justices Leadership Conference (20)
- September 18, 2019 Brutinel Issues executive order to investigate Disinformation on AZ Courts (20)
- October 23, 2019 Elizabeth Rindskopf Parker presents disinformation effecting the court to the Az Courts Leadership Conference (20)
- October 24, 2019 Task Force First Meeting (21)
- November 19, 2019 Task Force Meeting (22)
- December 20, 2019 Task Force Meeting (22)
- January 20, 2020 Task Force Meeting (23)
- February 13, 2020 Spaulding and Rindskopf presented to the American Bar Association (23)
- March 23, 2020 Task Force Meeting (25)
- May 20, 2020 Task Force Meeting (27)
- June 17, 2020 Task Force Meeting (28)
- July 22, 2020 Task Force Meeting (29)
- August 19, 2020 Spaulding attends the Task Force Meeting (30)
- September 16, 2020 Task Force Meeting (31)
- October 2020 Arizona Disinformation Task Force issues Report with Recommendations (33)
  - \*Intentionally placed last
- November 18, 2020 Task Force Meeting (31)
- December Task Force was wrap up and preparation and setting up team for continuation and implementation phase of recommendations by the Task Force – no notes in this report
- February 24, 2022 CSIS releases “The Kremlin Playbook 3: Keeping the Faith” (52)
- March 2022 Arizona Supreme Courts Disinformation Task Force releases Concluding Report (52)
- May 2022 National Judicial College Symposium/CLE (52)

The Task Force did not have meetings in April and October 2020

# The Road to the AZ Task Force

## October 2016 CSIS Writes “The Kremlin Playbook”

Joint Collaboration between:  
Center for Strategic & International Studies  
Center for the Study of Democracy in Sofia, Bulgaria

Report written by:  
Heather A Conley, CSIS  
James Mina, CSIS  
Ruslan Stefanov, CSD  
Martin Vladimirov, CSD

Funded by: Smith Richardson Foundation

The first step in resisting malign foreign influence is to understand its methodology, patterns, reach, and ultimate aims. And this important first step could not have been taken without the generous support and vision of the Smith Richardson Foundation.

## October 13th, 2016 the Playbook is uploaded to the CSIS website

<https://www.csis.org/analysis/welcome-kremlin-playbook>



chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://csis-website-prod.s3.amazonaws.com/s3fs-public/publication/1601017\_Conley\_KremlinPlaybook\_Web.pdf

The report outlines Russia’s influence in Central and Eastern Europe

Highlights Within the report:

Study started in roughly April 2015 (16 month study, report published 10/2016)

2009 Open Letter to Obama warns of Russia malignant influence.

In 2009, a group of Central and Eastern European leaders wrote an open letter to U.S. president Barack Obama, warning the Obama administration that Russia was conducting “overt and covert means of economic warfare, ranging from energy blockades and politically motivated investments to bribery and media manipulation in order to advance its interests . . . [challenging] the transatlantic orientation of Central and Eastern Europe.” Again, in hindsight, this too was a prescient message which built upon the region’s incomplete democratic transition as well as its ongoing economic crisis.

An Open Letter To The Obama Administration From Central And Eastern Europe

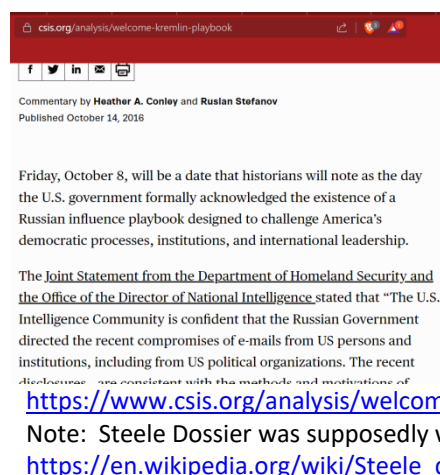
[https://www.rferl.org/a/An\\_Open\\_Letter\\_To\\_The\\_Obama\\_Administration\\_From\\_Central\\_And\\_Eastern\\_Europe/1778449.html](https://www.rferl.org/a/An_Open_Letter_To_The_Obama_Administration_From_Central_And_Eastern_Europe/1778449.html)

Note: According to Patrick Byrne the Russia Hoax started in 2015 with Maria Butina introduction to Trump

<https://www.deepcapture.com/2023/07/patrick-byrne-dhs-domestic-extremist-1-comes-clean/>

## October 14th, 2016 CSIS Uploads Analysis of Kremlin Playbook

“Friday, October 8, will be a date that historians will note as the day the U.S. government formally acknowledged the existence of a Russian influence playbook designed to challenge America’s democratic processes, institutions, and international leadership”



## November 28, 2016 Presented Kremlin Playbook at SELDI summit

<https://seldi.net/news-and-events/the-russian-economic-footprint-in-central-and-eastern-europe-addressing-strategic-vulnerabilities-in-hybrid-warfare/>

## 2017 Kremlin Playbook podcasts

<https://www.csis.org/podcasts/kremlin-playbook>

August 25, 2017  
Why Did Russia Do It

October 2, 2017  
How Russia Does It

December 13, 2017  
Countering Russian Interference

## October 6, 2017 Spaulding moves to CSIS

(55) Joins CSIS as Senior Adviser, Oct 6, 2017 “will lead a new initiative on strengthening the U.S. judicial system against active measures by Russia and other actors who might seek to undermine it “

## March 13, 2018 Suzanne Spaulding speech at Stanford University

Transcript

<https://cisac.fsi.stanford.edu/events/foreign-adversary-threats-democratic-institutions-are-courts-next>

Audio

[https://soundcloud.com/cisac/russian-threats-to-the-us-judicial-system?utm\\_source=cisac.fsi.stanford.edu&utm\\_campaign=wtshare&utm\\_medium=widget&utm\\_content=https%253A%252F%252Fsoundcloud.com%252Fcisac%252Frussian-threats-to-the-us-judicial-system](https://soundcloud.com/cisac/russian-threats-to-the-us-judicial-system?utm_source=cisac.fsi.stanford.edu&utm_campaign=wtshare&utm_medium=widget&utm_content=https%253A%252F%252Fsoundcloud.com%252Fcisac%252Frussian-threats-to-the-us-judicial-system)

Started researching Russia threats in “Democratic Institutions” January 20, 2016

So I thought what I would do is to start by talking a bit about what we did at the Department of Homeland Security in the run up to the election and our role in the election security in that year of 2016. Then I will talk to you a little bit about what I have been doing since noon n Jnauary 20, 2016 and what the project that I am engaged in now. So sort of started with looking at adversary threats to fundamental Democratic institutions writ large and now doing a deep dive on adversary threats to public confidence in the American judicial system. So that is kind of what I want to walk through a bit today.

There has not been a response by the Government to the “whole of nation approach”

We need a national strategy now which we don't have and at least as of a week ago there had been no interagency policy committees, which is how you start the interagency process to bring a team together for an ITC at the assistant secretary level to begin to talk about what is the problem, what is the challenge, and how are we going to address it, and tee up recommendations that would go up the chain to a deputy's committee and principle's committee meeting. None of that has happened in over here. So this group thought it was very important to go on record and say we really need to be doing this. That national strategy needs to have at least three key elements. We need to look at how do we prevent this from happening, how do we deter this from happening, and how do we reduce the effectiveness of the information operation. So in that is in the deterrence, obviously, there are the sanctions. Congress tried by passing legislation that provided authority for the imposition of additional sanctions, which of course hasn't really been exercised yet.

They were educating judges prior to the task force and the presentation at the NCSC conference (20)

That brings us to the last part, which is a recognition that we may not get a national strategy organized by the federal government, just given the politics of this, speaking candidly. So we end with a call for action for a whole of nation approach, to do what we can do now. There, we list, again a number of things. Critically important is education, education of and I will again speak to the judicial project. We are educating judges, court personnel, educating the media, educating the press, educating congress, educating the bar, the lawyers about the nature of the threat that we face, that this is happening. So the people are more aware.

Spaulding began conversations with courts, Supreme Court Judges and 25 of the most Influential judges in the country at the “start of the project” - it's unclear if this start was January 20, 2016 or January 20, 2017 or Fall of 2017.

So I am meeting in a week or so with the folks in the intelligence community to ask them to do the same. I have talked with reporter who are looking at this. I think, again, I think it may be hiding in plain sight. I think there may be more of this going on, but we are just getting started on this project. We are, as I said to Amy yesterday, it's hard to get the sort of government mission-oriented person out of me. I am having a hard time transitioning to having the luxury of a more scholarly approach. So when we set up this project, the first thing I did was reached out to the courts. We had a dinner with the head of the federal judicial center because of the training for judges and we had the head of the Judicial Conference Committee on Technology and Innovation

Page 11 of 13

and the counselor to the Supreme Court Chief Justice. We said you know, we wanted to start looking at this. They said, “Oh my god, you are right. We are on board. Let's start training.” They want to invite 25 of the most influential judges from across the country. They are going to come in and we are going to have these conversations. So I talked to the National Center of State Courts. They are off and running. They are going to do a comic book and graphic novel. So folks are moving out on this. So we are moving forward on parallel tracks. We are, as I wanted to do when I got on in January. We are moving now to counter these activities because we know they are going on right now even as we continue to do the research and analysis to understand the nature and scope.

Spaulding had Russian disinformation hunters LOOK for Russia undermining confidence in the judiciary – a week later they came back with confirmation

We are working on efforts to educate the groups that I talked about about this threat and what information operations we are seeing. Some of you who have been following the Russian influence operations may be familiar with something called Hamilton 68. Hamilton 58 is a project of the Alliance for Democracy. They have been tracking 600 Russian affiliated social media accounts. They have a running series of bar graphs that show you what are the trending topics, right, what are the things that they are seeing, the Russians trying to push and promote. So I went over to talk to them a couple of weeks ago to talk to them about my concerns that we may be missing data about attacks that are undermining public confidence in the judicial system and asked if they would go back and look at their data through that lens. The following week, their report came out, the security dispatch. Here is what it said. “Russian linked accounts continue their assaults on the U.S. justice system by seeding Twitter with a steady diet of content meant to undermine faith in the rule of law. Since the launch of the dashboard, content focused on undermining law enforcement and the justice department has increased steadily suggesting an attempt not only to divide Americans, but to erode faith in our system of government.” That was because they went back and looked at their data through this lens. They recognized that of course they have been telling people that Comey, dump Comey and the negative narrative about Comey and about Mueller and the investigation had been on their graphs and being charted. They didn’t, they never sort of put it all together as this may be a concerted effort to undermine the particular pillar of our democracy, confidence in our justice system and our judicial system.

#### **June 2018 America Bar Association releases report “RAPID RESPONSE TO FAKE NEWS, MISLEADING STATEMENTS, AND UNJUST CRITICISM OF THE JUDICIARY”**

<https://www.americanbar.org/groups/litigation/initiatives/committee-on-american-judicial-system/>

“Inaccurate, unjustified, and simply false criticisms of judges should be answered promptly and fully. The bar associations must take a leading role in responding to such criticisms. Where possible, we should coordinate the activities recommended in this publication with the courts, especially those that have a public information officer.”

“Accordingly, national bar associations, such as the American Bar Association (ABA), must also be prepared to respond. It is our hope that this publication will be used by all bar associations to foster a greater understanding of the role of all judges—state and federal.”

#### **March 2019 CSIS writes “The Kremlin Playbook 2:”**

<https://www.csis.org/analysis/kremlin-playbook-2>

# May 1, 2019 Suzanne Spaulding uploads “Beyond the Ballot: How the Kremlin Works to Undermine the US Justice System”

MAY 2019

## Beyond the Ballot

HOW THE KREMLIN WORKS  
TO UNDERMINE THE U.S.  
JUSTICE SYSTEM

AUTHORS  
Suzanne Spaulding  
Devi Nair  
Arthur Nelson

CSIS | CENTER FOR STRATEGIC & INTERNATIONAL STUDIES | A Report of the CSIS  
Defending Democratic Institutions Project

## Acknowledgments

This report has been made possible through the generous support of Democracy Fund and the William and Flora Hewlett Foundation. We would also like to thank our partners at the American Bar Association's Standing Committee on Law and National Security, as well as the individual contributions of **Harvey Rishikof**, **Elizabeth Rindskopf Parker**, and **Holly McMahon**, for lending their expert advice for this report.

<https://www.csis.org/analysis/beyond-ballot-how-kremlin-works-undermine-us-justice-system>

This report is focusing on Russia “disinformation”. They point to data points that have now been proven wrong.

#TwitterFiles (143) uncovered CIA & FBI working within the social media companies, asking (& getting) private account information on users and the hashtags that were labeled “Russian” were in fact Americans.

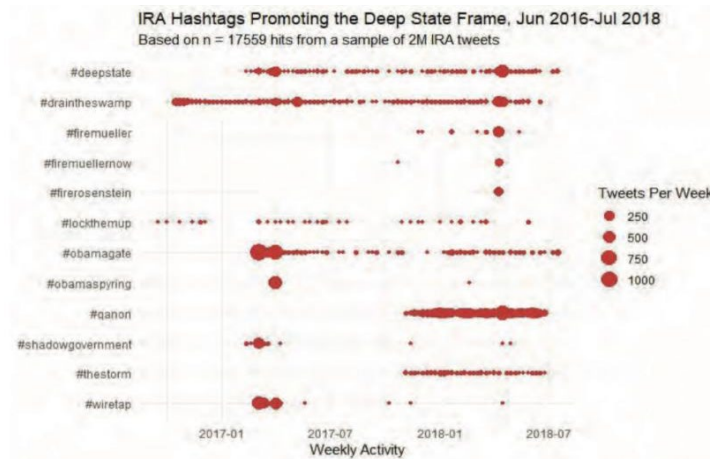
[https://twitter.com/search?q=%22%23twitterfiles%22%20\(from%3Amtaibbi\)&src=typed\\_query](https://twitter.com/search?q=%22%23twitterfiles%22%20(from%3Amtaibbi)&src=typed_query)

They labeled organic American hashtags as Russian driven. #TwitterFiles proved that this was incorrect. Once such hashtag was started by Tracy Beanz.

“Thread: There was never a “ Russian disinformation campaign” on Twitter.”

<https://twitter.com/tracybeanz/status/1610394253410160643?s=20>





**Above** This figure illustrates the volume of certain hashtags used in IRA Tweets over time, in weekly increments. The size of each dot represents how many times a corresponding hashtag was used in a week. One large dot represents a high concentration of hashtag usage in a short period of time, while a long string of dots represents consistent usage of the hashtag in IRA messaging on Twitter.

30 | Beyond the Ballot

Topics this report hits on:

**#Russiagate.** The Russian influence in our elections/compromising a President, all stemming from the Dossier, has now been proven false.

In the aftermath of the 2016 Presidential election, Americans sobered up to the news that a foreign nation interfered in their election process. This spawned numerous debates, investigations, and policy proposals addressing adversary activities around elections. Now, almost two years later, Special Counsel Robert Mueller's investigation confirms that Russia *did* meddle in the democratic process via disinformation operations specifically "designed to sow social discord, eventually with the aim of interfering with the election."<sup>2</sup>

FISA/FISC program. This report purports legitimate American FISA/FISC concerns as a surveillance state as Russia Disinformation. With the spying on Trump and the abuse of the system surround General Flynn, the American people now know that their thoughts were correct.

<https://www.grassley.senate.gov/news/news-releases/justice-dept-admitted-it-lacked-probable-cause-carter-page-fisas>

This report is used to convince the justice system that Russia disinformation was coming to undermine the system.

The last frame is the most prevalent. It reinforces the idea that democracy is run by the societal elites, and the justice system is a pawn used to justify the government's corrupt dealings. Recently, this frame was used to undermine Special Counsel Robert Mueller's investigation. **The courts hold the power to shine a light on Russia's corrupt dealings,** which in turn will create a world that is more aware of and less susceptible to Russia's influence operations. It's not surprising, then, that Russian President Vladimir Putin worked to undermine the justice system to pre-emptively cast doubt on the Mueller investigation and similar investigations conducted in the future.

As later identified in this deepdive, there was no credible concern & judges needed convincing

## May 2019 Vice Chief Justice Brutinel Sends David Byers to "invitation only" presentation in Washington DC done by CSIS, Elizabeth Rindskopf-Parker hosted by National Center for State Courts (NCSC)

In this 2022 Summit/CLE at the Judicial College, Brutinel says he sent his Executive Director of Administration (David Byers 73) to DC

<https://twitter.com/AzPinkLady/status/1694125000503255331?s=20>

Full video below in timeline (52)

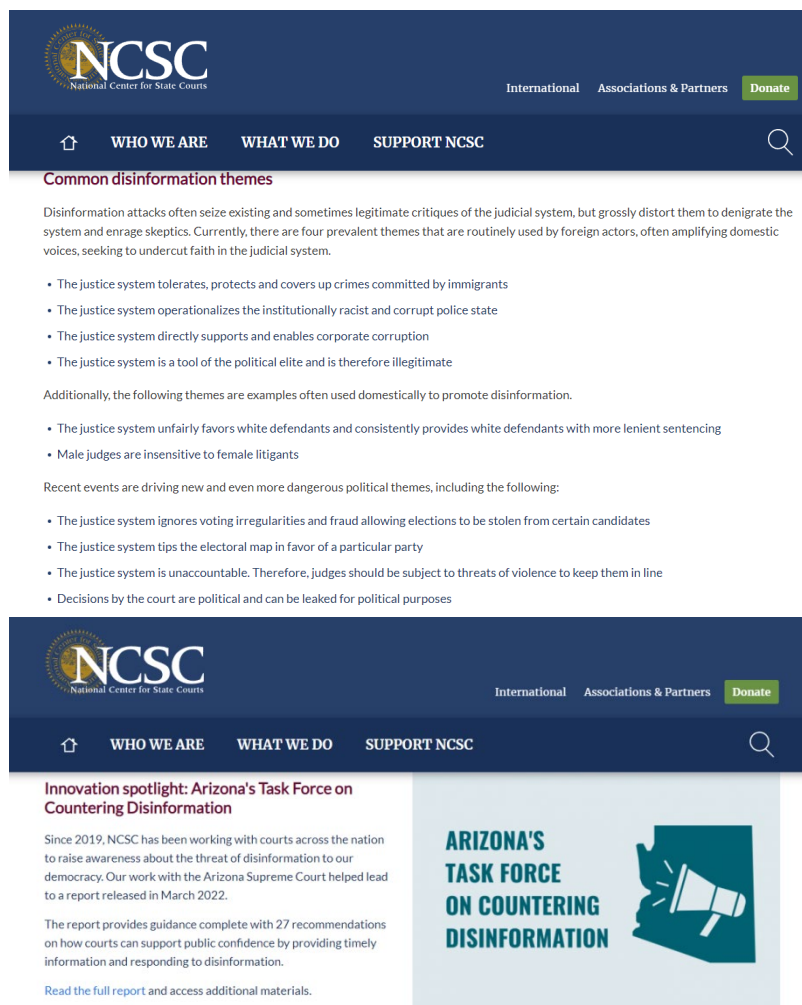
### NCSC

In the Task Force's October 2020 report it is revealed the "invitation only" event was hosted by NCSC

In May 2019, the National Center for State Courts (“NCSC”) hosted an invitation-only presentation to representatives from several court systems around the U.S. The attendees, including David K. Byers, Director of the Arizona Administrative Office of the Courts (“AOC”), heard from the Center for Strategic and International Studies (“CSIS”) regarding examples of foreign influence in the 2016 presidential election. The presentation referenced the potential for disinformation attacks against courts as part of a larger campaign to create a lack of trust in U.S. institutions and democracy in general.

The information regarding this “invitation only event hosted by NCSC has not been located yet, however NCSC has a dedicated page for disinformation. They confirm their involvement since 2019 and that not hearing election cases are classified as disinformation. NCSC produced many resources before the Task Force finished their report.

<https://www.ncsc.org/consulting-and-research/areas-of-expertise/communications,-civics-and-disinformation/disinformation/for-courts>



<https://www.ncsc.org/consulting-and-research/areas-of-expertise/communications,-civics-and-disinformation/disinformation/for-courts>

NCSC is largely funded by Government Grants & government contracts. In addition to contracting out to New Venture Fund (a branch of Arabella Advisors thought to be a Soros dark money organization) 2019 IRS Filing (no filings online since 2019):

chrome-

extension://efaidnbmnnnibpcajpcglclefindmkaj/https://apps.irs.gov/pub/epostcard/cor/520914250\_201912\_990\_2021022417752658.pdf

		(A) Total revenue	(B) Related or exempt function revenue
<b>Contributions, Gifts, Grants and Other Similar Amounts</b>	<b>1a</b> Federated campaigns . . .	<b>1a</b>	
	<b>b</b> Membership dues . . .	<b>1b</b>	
	<b>c</b> Fundraising events . . .	<b>1c</b>	
	<b>d</b> Related organizations	<b>1d</b>	
	<b>e</b> Government grants (contributions)	<b>1e</b>	59,160,478
	<b>f</b> All other contributions, gifts, grants, and similar amounts not included above	<b>1f</b>	749,861
	<b>g</b> Noncash contributions included in lines 1a - 1f: \$	<b>1g</b>	
	<b>h Total.</b> Add lines 1a-1f . . . . .		59,910,339
<b>Program Service Revenue</b>	<b>2a</b> STATE/LOCAL CONTRACTS	Business Code	
		900099	5,308,139
	<b>b</b> CONF./TUITION FEES	900099	3,244,024
	<b>c</b> SPEC. PROJECT/CONTR.	900099	3,181,151
	<b>d</b> FEDERAL CONTRACTS	900099	2,784,249
	<b>e</b> ASSOC. SERVICES FEES	900099	624,024
	<b>f</b> All other program service revenue.		
	<b>g Total.</b> Add lines 2a-2f. . . . .		15,141,587

<b>Section B. Independent Contractors</b>		
<b>1</b> Complete this table for your five highest compensated independent contractors that received more than \$100,000 of compensation from the organization. Report compensation for the calendar year ending with or within the organization's tax year.		
(A) Name and business address	(B) Description of services	(C) Compensation
MARCUM LLP 1899 L STREET NW SUITE 850 WASHINGTON, DC 20036	ACCOUNTING SERVICES	213,843
NEW VENTURE FUND 1201 CONNECTICUT AVENUE NW SUITE WASHINGTON, DC 20036	CONTRACT SERVICES	170,209
UNIV OF NEBRASKA LINCOLN 215 CENTENNIAL MALL S 401 LINCOLN, NE 68588	CONTRACT SERVICES	121,985
PRETRIAL JUSTICE INSTITUTE 200 EST PRATT SUITE 4100 BALTIMORE, MD 21202	CONTRACT SERVICES	115,301
PRINCIPLED TECHNOLOGIES 1007 SLATER ROAD SUITE 300 DURHAM, NC 27703	CONTRACT SERVICES	106,000
<b>2</b> Total number of independent contractors (including but not limited to those listed above) who received more than \$100,000 of compensation from the organization ▶ 22		

Form **990** (2019)

After this meeting, David Byers, in Attendance goes back to report to the AZ Bar Board of Governors as revealed in the Task Force meeting minutes for meeting on November 18, 2019:

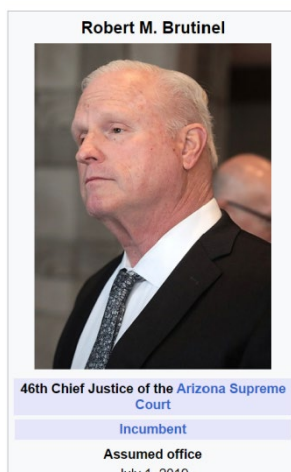
“After receiving this information from the NCSC, Director Byers returned to Arizona and presented a summary of the findings to the State Bar of Arizona’s Board of Governors.”

Which we now know NCSC was the host for Spaulding and Parker to present

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extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.azcourts.gov/Portals/74/DisinformationTF/111919TF Mins.pdf?ver=2019-12-24-134625-030

## July 2019 Chief Justice Brutinel appointed



## July 2019 NCSC Chief Justices Leadership Conference

Did the NCSC present the Russia information by Spaulding, or did NCSC host Spaulding at the NCSC leadership conference of Chief Justices? It's safe to assume that the topic was on the agenda, given NCSC, Jesse Rutledge's admission at the Task Force meeting they have been involved since 2019 (meeting minutes)



<https://www.ncsc.org/conferences-and-events/events-calendar/2019/07/27-ccj-cosca-annual-conf>

## September 18, 2019 Brutinel Issues executive order to investigate Disinformation on AZ Courts

<https://www.azcourts.gov/cscommittees/Task-Force-on-Countering-Disinformation>

chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.azcourts.gov/Portals/22/admorder/Orders19/2019-114.pdf



The CIA spoke and Dave Byers, the director of Arizona's Administrative Office of the Courts, listened.

He listened as the CIA described how a Kremlin-sponsored organization that peddles in disinformation and spreads a false narrative poses a serious threat to Arizona courts and the justice system as a whole.

And he concluded that the court needs to act – proactively.

<https://azcapitoltimes.com/news/2019/09/26/courts-to-prepare-for-russian-campaign-of-disinformation/>

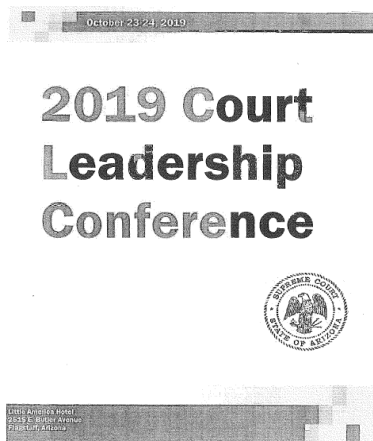
## October 23, 2019 Elizabeth Rindskopf Parker presents disinformation effecting the court to the Az Courts Leadership Conference

Documentation of this event was obtained through discovery with the ABA complaint against attorney Bryan Blehm

\* See Screenshots below

It is unknown if the video of Suzanne Spaulding summarizing Russia Disinformation played at the above summit/CLE at the Judicial College was played for the Az Courts Leadership Conference. It's possible the following video that was played at the National Judicial College summit/CLE event March 2022 was also played for the Leadership Conference





October 23-24, 2019

## Session Information

**Thursday, October 24, 2019**

**8:30 am - 10:15 am Plenary Session**

**Legislative Updates**  
*Representative John Allen, Senator Edwin Farnsworth (Invited), Senator Martin Quezada, Senator Diego Rodriguez*  
 Virtually every issue discussed at the legislature that impacts the judicial branch is heard by the House and Senate Judiciary Committees. This discussion brings together the Chairs and Ranking Members of the Committees together to discuss topics that have been before the committees and what is on the horizon for the 2020 session, including criminal justice reform.

**10:30 am - 12:00 pm Plenary Session**

**Beyond the Ballot...**  
*Aaron Nash, Elizabeth Rindskopf-Parker*  
 The National Center for State Courts and former intelligence officers have disclosed that there is currently a concerted effort by state actors to undermine American citizens' confidence in the justice system of America. Ms. Parker will brief the conference on these efforts and the various techniques to carry out the campaign. Aaron will explain Arizona's response to these attacks.

**Closing Remarks**  
*Chief Justice Robert Brutinel*

<https://twitter.com/AzPinkLady/status/1694076056205197732?s=20>

## October 24, 2019 Task Force First Meeting

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2. Subject matter expert presentation: Background, guiding thoughts, discussion.  
 The Chair introduced Elizabeth Rindskopf-Parker. Elizabeth was the closing plenary speaker for the conference that immediately preceded the Task Force meeting. Her session introduced the topic of disinformation for the first time to many in the judicial branch. She provided a brief history of disinformation campaigns, what activities are trending now, and what activities the public might expect in the future.

When addressing the Task Force, Mrs. Parker provided more detail and background on efforts taking place in academic and legal communities, asked questions of the members and provided suggested paths forward. She stated that Arizona's Task Force might be the first of its kind, that a template to share with others for countering disinformation in the justice system is needed, and that she hopes this Task Force can provide that.

Parker tells group it is the first of its kind and template to share with other courts

Mrs. Parker and the members discussed types of court matters that are more prone to divisiveness and that the Task Force's recommendations should protect criticism and debate while countering disinformation. Mrs. Parker noted that viral messages grow exponentially, and speed is key in responding to disinformation. Practices currently in place or that could be considered:

**Partnerships:** a bar association or other steering committee of a small and diverse group of individuals can quickly respond to disinformation. The media may have an interest in preserving its reputation for reporting and combatting the "fake news" characterization.

**Education:** partnering with law schools to hold forums on high-interest or important topics or cases. Short, attention-grabbing videos about courts and court processes. An important reminder for the public is to ask who or what is the source of the information they are getting.

**Outreach:** Sample letters to the editor or other responses that judges or non-judges can use to respond to disinformation. Judges would benefit from a framework for responding to disinformation, as opposed to opinion or criticism, within ethical guidelines.

**Review of canons:** Have the judicial canons kept up with the times? Should judges have more options to defend themselves or to respond to disinformation about them and the justice system?

**Monitoring:** looking for disinformation surrounding judicial elections and retention elections could help recognize trends or campaigns aimed at judges and courts.

Parker is a key speaker at this meeting that lays out the plan forward

Brutinel encourages Task Force Members to rely on the experts

Chief Justice Brutinel thanked the members for their participation on this Task Force. The Chief Justice noted that this Task Force is unique in its membership and charge, as most committees deal primarily with court rules and procedures. He encouraged the members to draw from their own expertise and to consider the input of other experts in developing a comprehensive set of recommendations to guide Arizona's courts in addressing the issue of disinformation, while maintaining public debate, in an effort to maintain public trust and confidence in the justice system.

Task Force to monitor disinformation that may effect judges retention elections

Monitoring: looking for disinformation surrounding judicial elections and retention elections could help recognize trends or campaigns aimed at judges and courts.  
The members discussed approaches the Task Force can take in doing its work. Ideas for

## November 19, 2019 Task Force Meeting

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or the Conference of Chief Justices. Guest expert Parker noted that the 9<sup>th</sup> Circuit Court of Appeals has also recently been briefed on these issues by the Center for Strategic and International Studies and could be contacted. As the survey develops, the Chair and AOC staff

A member asked if the NCSC is the best centralized resource on the topic of disinformation campaigns against the judiciary and if they have funding committed to this area. Funding levels are unknown, but it appears the NCSC is the best centralized resource on the topic currently, as the hosts of the initial seminar on the topic. Another member observed that the National Judicial College and the Conference of Court Public Information Officers are actively developing programs and information in this area. A member requested that if any related reports come from the NCSC, that they be shared with the Task Force.

3. Presentation: Countering Disinformation. The Chair provided the members with background on the development of what led to the creation of the Task Force. Administrative Office of the Courts (AOC) Director Dave Byers was invited to a national presentation by the National Center for State Courts (NCSC). Attendees received information from national experts about the trend of disinformation campaigns against U. S. institutions.

Originating from the arenas of elections and corporate competition, disinformation campaigns are ripe for targeting individual judges and the justice system. Agents both foreign and domestic have demonstrated an interest in creating distrust and division in the U.S. government and its institutions. After receiving this information from the NCSC, Director Byers returned to Arizona and presented a summary of the findings to the State Bar of Arizona's Board of Governors. The Chair reviewed that presentation with the Task Force. After the NCSC presentation and consultation with the Chief Justice, the Countering Disinformation Task Force was established by Administrative Order in September 2019.

As part of the presentation to the Task Force, the Chair added URLs to two TED Talks related to misinformation and disinformation online and encouraged members to view and consider that information as additional background to inform their work.

## Team Wants to keep work product secret

The Chair stated that prior Task Force and Committee reports have generalized or provided aggregate information and not provided the level of detail that includes individual participant names. The Chair noted that this Task Force has a unique position in holding public meetings to discuss countering campaigns that often take place from hidden sources. While Task Force work is transparent, that transparency subjects the Task Force to revealing specific strategies before its final report, thus allowing disinformation campaigns to adjust and adapt in real time. The Chair will consult with AOC Legal whether the draft notes leading to a final, public report are within the public records categories stated in Arizona Supreme Court Rule 123.

## December 20, 2019 Task Force Meeting

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## Confirmation Work product remains non-public

Ms. LoGalbo requested clarification on the effect of Supreme Court Rule 123(e)(6). The Chair stated that the AOC's legal counsel reviewed the rule and interpreted it as making workgroup materials and resources nonpublic as long as they remain with the workgroup. Information, documents, and materials presented at a public Task Force meeting become public records at that point. Information, documents, and materials not presented at a public Task Force meeting remain nonpublic.

Identifies members of rapid response team to be hosted by Cronkite School of Journalism (member Gilpin is professor for)



- could be part of judicial education classes or materials.
- Establish a rapid response team to counter disinformation. Suggestions included partnering with the **State Bar**, the **Administrative Office of the Courts**, the **in-state law schools**, **nonprofits**, **the media**, and the **Cronkite School of Journalism** for an entity that **would host the team**. To avoid potential conflicts or the appearance of being “defenders of the court”, the rapid response team should be composed of **lawyers**, **nonlawyers**, **academics**, and **retired judges** – experts who can speak to the law and processes and procedures and put things into the context of civics and roles in government. Accurate information is the best way to counter disinformation.
- To counter distrust of traditional media and the growth of online information, **establish relationships with local journalists** and **non-media resources** to stay connected to where people are getting their information.

## January 20, 2020 Task Force Meeting

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Team flushing out specific paths & ongoing work

## February 13, 2020 Spaulding and Rindskopf presented to the American Bar Association

<https://www.americanbar.org/news/abanews/aba-news-archives/2020/02/deepfakes-democracy-and-courts/>

“U.S. democratic institutions are being attacked from external as well as internal forces, posing a national security threat that can no longer be ignored, according to security experts. What’s more, countries like Russia, China and Iran are using disinformation to wreak havoc on the U.S. election and judicial systems, and a lack of civic literacy in the U.S. is aiding these trends.”

“Parker is a former general counsel for the CIA and the National Security Agency and is now a consultant with the Defending Democratic Institutions (DDI) project, which has developed four areas in response to this national security threat. She said DDI has been working with state bar associations and the courts to respond to disinformation in the judicial system. Arizona and California have launched pilot programs that she believes will be national models.”

## February 19, 2020 Task Force Meeting

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extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.azcourts.gov/Portals/74/DisinformationTF/02192020TFminutesFinal.pdf?ver=2020-03-23-105910-737

\*Note: date in file name is incorrect. This is the February meeting minutes

Presentation by Judge Jeremy Fogel: Federal judge. Presided over many high profile cases ruling on behalf of the federal government

Notable cases [ edit ]

Fogel in 2003

Fogel has presided over federal criminal cases, including trials for perjury and fraud. In 2010, he presided over the perjury case of [Federal Bureau of Investigation](#) employee Rachelle Thomas-Zuill, who pleaded guilty.<sup>[8]</sup> On January 8, 2010, Fogel sentenced two people to federal prison for defrauding [24 Hour Fitness](#); one of the convicted, Susan Powell, served as a vice president of that company. Powell got 15 months, and advertising executive Michael Johnston got 5 months.<sup>[9]</sup> On July 22, 2010, Fogel sentenced Seth Sundberg, the branch manager of a mortgage and financial business, to 71 months in prison and \$2.4 million in restitution for obtaining a \$5 million tax refund from the [Internal Revenue Service](#) fraudulently. Sundberg pleaded guilty in January 2010 to [mail fraud](#).<sup>[10]</sup>

Other cases that Fogel has presided over federally included that of serial bank robber Froilan Alix Roldan, whom he sentenced to 18 years' imprisonment on September 30, 2009. Roldan robbed \$90,000 from a [Bank of America](#) branch in [Santa Clara, California](#) over three instances in three years.<sup>[11]</sup> Judge Fogel also sentenced [NASA Ames Research Center](#) contractor Ernst John Rohde to a five-year term for possessing child pornography on his government computer; two other Ames employees had been convicted of the same offense previously.<sup>[12]</sup>

On October 29, 2009, Fogel awarded the [Palo Alto, California](#)-based social networking website [Facebook](#) \$711 million in damages in a civil suit that Facebook filed against online marketer [Sanford Wallace](#), whom Facebook accused of using the website to send [spam](#) to and steal personal information from website users.<sup>[13]</sup>

[https://en.wikipedia.org/wiki/Jeremy\\_Fogel](https://en.wikipedia.org/wiki/Jeremy_Fogel)

Fogel relying on research done by Spaulding, who in turn relied on research from now defunct sources.

3. Guest presenter, Hon. Jeremy Fogel (ret.) Executive Director, Berkeley Judicial Institute

The Chair introduced Jeremy Fogel, a retired judge whose duties included educating judges on cyber security and technology. Judge Fogel noted that cyber-attacks and disinformation campaigns against the judiciary are relatively new and the problem at this point is that people don't understand or appreciate the threat. Cyber-attacks against the **federal judiciary increased over 200% between 2017 and 2019**. Some attacks could be verified as coming from state actors, including China, Russia, North Korea, and Iran and their activities vary by their governments' interests.

**The Center for Strategic and International Studies (CSIS) has done in-depth research into disinformation and the courts. Russian president Vladimir Putin has been explicit that he intends for Russia to prevail over western democracies through creating distrust in western governments.** Discrediting a person or institution leads to cynicism in the public, which makes it easier to

A member asked **how one could go about proving the source of a message**. There are **clues in some URLs** used by foreign actors, **but most court personnel do not have the tools or technological sophistication to produce actual proof**. Members asked about raising awareness of actions the courts are taking to promote accuracy and how to respond to false, unsubstantiated messages. Judge Fogel stated that responding to false messages can help maintain trust and that the courts need bar associations and the public to do more than they are to proactively counter false or misleading messages quickly. Deliberate or reckless falsehoods require a rapid response from the judiciary or on behalf of the judiciary. Retired judges are a good resource because no cases are pending before them or are likely to come before them. Media questions can be referred to retired judges as subject matter experts. Judge Fogel **recommends putting together a group of public members, lawyers, and retired judges to serve this rapid response role**.

## Presentation of CEO of Yonder, Ryan Fox

Research cited in Select Committee report:

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extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.intelligence.senate.gov/sites/default/files/documents/Report\_Volume2.pdf

Yonder is no longer operational: <https://yonder-ai.com/>

Yonder was acquired by Primer: <https://pitchbook.com/profiles/company/111650-68#overview>

Primer is a \$69M company with private backing: <https://pitchbook.com/profiles/company/221670-91#overview>

Full of Intelligence on the Board: <https://primer.ai/leadership/>

Current position: unknown

Every source cited (Hamilton 68, NewKnowledge & First Draft ) or used by Spaulding or, like in this instance, recommended presenters, have gone belly up. The latest one Stanford Internet Observatory:

<https://www.washingtonpost.com/technology/2024/06/14/stanford-internet-observatory-disinformation-research-lawsuits-politics/>

What does it say when the government cited research by a company that his research was debunked by #TwitterFiles and online sluths? What does it say when the Task Force relied on this information to influence their decisions?

### Enable Your Team To See All Corners of the Web

"Business leaders can't make smart communications decisions without complete information, and that's getting harder on today's internet," Fox said. "To understand the groups engaging with and influencing conversations around their brands, both negatively and positively, business leaders need to go beyond looking at just shares and likes online on mainstream sites.

"As we have seen in recent weeks, groups in fringe channels have become masters at driving narratives and action at scale that can harm a brand. This knowledge will arm brands with insight into their adversaries and the influence of their allies, so they can build communication strategies that get in front of potentially damaging hits to reputation and revenue," Fox recommended.

<https://www.forbes.com/sites/edwardsegal/2021/01/29/gamestop-story-provides-7-crisis-management-lessons-for-business-leaders/>

Guest presenter, [Ryan Fox, Founder of Yonder.co](#)

The Chair introduced Ryan Fox, founder of Yonder.co, a company that works with private sector companies and government agencies to monitor foreign and domestic messages online. Mr. Fox's background includes counter-intelligence work and how social media messaging was used to promote recruiting for terrorist organizations and how Russia specifically was able to implement similar strategies at scale.

Unlike individual judicial branch employees, Yonder can monitor specific topics being discussed online and to identify groups or individuals who are disseminating messages. Their work is primarily in international political issues and foreign influence. They identify clusters of accounts working together to spread a message. Sometimes that activity is harmless marketing (Chair's note: think hashtags on The Tonight Show – where a hashtag becomes a worldwide trending topic quickly after being announced on the show). Sometimes cluster activity is connected to a foreign-state-sponsored message or narrative. Yonder detects both types and can trace them to their sources.

Mr. Fox gave an example where tracing was able to present evidence that in 2016, Russian agents acted to suppress the vote in U.S. elections by posing as U.S.-based African Americans posting about Blue Lives Matter and Black Lives Matter. Messages were targeted to African American individuals and once they had interactions, they promoted messages of reasons not to vote and not to trust the government. Most foreign agents rely on information that can be verified or has a basis in truth to then weaponize that information or events to influence opinion and behavior. As another example, if foreign agents find out a protest is scheduled somewhere (a factual event independent of the agents' actions) the agents will work to make the protest larger, louder, and potentially violent. This is part of a global intent to destabilize other governments – to engage with, enable, or anger groups at the fringes and to further radicalize radical groups. When countries are occupied with internal disagreements they are less able to focus outwardly.

Of all the disinformation claims made/cited by Spaulding, this researcher has been unable to debunk “Blue Lives vs Black Lives”. However, this author is confident this too is a hoax because EVERY other claim made by Spaulding has been debunked.

The Team discussed the survey and said they would be making follow up calls

Workgroup 1. Dawn Gilpin advised the Task Force that Workgroup 1 is still analyzing responses from the survey and follow-up calls that the members made with survey respondents.

Survey Results are published on Task Force website.

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Results show the majority of respondent did not see disinformation concerning the courts.

1. Have you observed what you believe to be disinformation activities concerning the Arizona or U.S. justice systems?

[More Details](#)

Never	53
Rarely	68
Sometimes	84
Often	18



Results show that the majority don't believe they have been a target of disinformation

2. How many disinformation incidents do you believe you, your court, or agency have been the target of since January 1, 2018?

[More Details](#)

None	116
1-5	75
6-10	19
11-15	4
16 or more	6



## March 23, 2020 Task Force Meeting

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extension://efaidnbmnnpbpcjpcglclefindmkaj/https://www.azcourts.gov/Portals/74/DisinformationTF/031720MinsFinal.pdf?ver=2020-06-15-131117-157

Jesse Rutledge has spent more than two decades fighting to keep America's state courts fair, impartial, independent and accountable. As Vice President of Public Affairs for the National Center for State Courts (NCSC), he is a national leader who relies on empirical data to build messages and strategies that instill public trust and confidence. His additional areas of interest include the impact of new media and disinformation on the courts, and the politicization of the judiciary by partisans and special interests. In addition to serving as the project lead on NCSC's State of the State Courts annual public opinion survey, Rutledge supports three committees of the Conference of Chief Justices and Conference of State Court Administrators. Rutledge's commentary appears in national and legal media, and he frequently speaks at conferences. Justice Ruth Bader Ginsburg cited his original research in her 2015 opinion in *Williams-Yulee v. The Florida Bar*. Before joining NCSC, he served as Deputy Director of the Justice at Stake Campaign in Washington, D.C. Rutledge holds bachelor's and a master's degrees in political science.



Presentation by Jesse Rutledge, NCSC Vice President of Public Affairs <https://www.ncsc.org/staff-directory/staff/jesse-rutledge>

## NCSC Coordinating the CSIS

The Chair introduced Jesse Rutledge from the National Center for State Courts (NCSC). Jesse presented background and research information on trust and confidence in courts as well as information on disinformation. The NCSC started the nationwide effort to address disinformation campaigns against the judiciary and Arizona was on the front end of courts responding. The NCSC's efforts **have been coordinated with the Center for Strategic and International Studies (CSIS).**

## NCSC Working with Social Media and Big Tech to Share Information

**The NCSC is working to establish relationships with the big social media platforms to establish open communication where the social media platforms can reach out to the NCSC and vice versa to share information about disinformation campaigns. Individual courts would remain the first responders, identifying issues and sharing information with the NCSC, which would act as a coordinator or ombudsman with the big social media platforms and back out to the states and courts with information.**

Cites Defunct Hamilton 68 Project, shut down in 2018:

[https://en.wikipedia.org/wiki/Alliance\\_for\\_Securing\\_Democracy](https://en.wikipedia.org/wiki/Alliance_for_Securing_Democracy)

**"Hamilton 68"** is a free website that identifies key words and messages that have been connected to disinformation. Identifying the nature and source of disinformation is valuable when and where it can be done. The NCSC's work so far leads to the opinion voiced before that if disinformation is free speech, the solution is more speech – fighting disinformation with accurate information. Courts should focus on shared values. Messages that were effective included "more unites us than divides us" (74%) and "civics education reminds us of our shared values" (73%). To a lesser extent, but still a significant majority, the public responded to "the U.S. justice system is the envy of the world" (64%). More education about courts does not result in love for courts, but people do support big-picture American values like courts and the justice system after they have studied them.

The NCSC's **studies have shown** that **people in the U.S. do not agree that disinformation is an issue**, or they don't agree as to the extent of the problem. This disagreement in itself is a win for those sowing distrust and promoting a lack of confidence in the judiciary.

## NCSC studies show people do not believe disinformation is a problem

**"Hamilton 68"** is a free website that identifies key words and messages that have been connected to disinformation. Identifying the nature and source of disinformation is valuable when and where it can be done. The NCSC's work so far leads to the opinion voiced before that if disinformation is free speech, the solution is more speech – fighting disinformation with accurate information. Courts should focus on shared values. Messages that were effective included "more unites us than divides us" (74%) and "civics education reminds us of our shared values" (73%). To a lesser extent, but still a significant majority, the public responded to "the U.S. justice system is the envy of the world" (64%). More education about courts does not result in love for courts, but people do support big-picture American values like courts and the justice system after they have studied them.

The NCSC's **studies have shown** that **people in the U.S. do not agree that disinformation is an issue**, or they don't agree as to the extent of the problem. This disagreement in itself is a win for those sowing distrust and promoting a lack of confidence in the judiciary.

David Byers thanks the Task Force: Says it is first of it's kind and going to be used around the country at other courts

Guest. Administrative Office of the Courts Director, Dave Byers addressed the Task Force. Mr. Byers thanked the Task Force for its work, provided background on Arizona's participation in the effort, and encouraged the Task Force in continuing **its first-in-the-nation efforts**, recognizing the challenge in creating something new and **pointing out that these first efforts will help guide and instruct others around the nation.** Mr. Byers pointed out educational resources that are already in place and that could be leveraged or supplemented in the Task Force's efforts. Those include LawforKids.org, which reaches more than 100,000 children, teachers, and parents each year; and LawforSeniors.org, and LawforVeterans.org.

## May 20, 2020 Task Force Meeting

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Presentation by Kristy Roschke, Managing Director, News Co/Lab, Walter Cronkite School of Journalism and Mass Communication, Arizona State University: <https://kristyroschke.com/>

Recently appointed Managing Director of McGee Applied Science Research Center for Narrative Studies

Roschke appointed executive director of McGee Applied Research Center for Narrative Studies

Posted by Hollis Calhoun on Monday, October 7, 2024 in [News Story](#), [Research](#).

Kristy Roschke, a renowned expert in media literacy and misinformation, has been named the inaugural executive director of the McGee Applied Research Center for Narrative Studies at Vanderbilt University beginning Oct. 15. Roschke will also hold a faculty appointment in the Program in Communication of Science and Technology in the College of Arts and Science.



The interdisciplinary McGee Center, which is housed in the College of Arts and Science in close partnership with the Jean and Alexander Heard Libraries, promotes media literacy through a host of resources and programming designed to evaluate the objectivity of news coverage, digital media, and other narratives. The center aims to equip individuals with the necessary skills and knowledge to adeptly navigate and critically assess the dynamic and complex media landscape of the 21st century.

"We are honored to have someone of Kristy's experience, knowledge, and perspective as the inaugural head of the McGee Center," said Timothy P. McNamara, Ginny and Conner Searcy Dean of the College of Arts and Science. "She is extremely well-qualified

to lead this new center as she develops innovative programming, provides educational opportunities for students, fosters faculty research, and creates resources for the broader community. Given our divisive and often contradictory media landscape, the center plays a more critical role now than ever."

<https://as.vanderbilt.edu/news/2024/10/07/roschke-appointed-executive-director-of-mcgee-applied-research-center-for-narrative-studies/>

Roshke partnered with First Draft that is now defunct. Shut down in June 2022:

[https://en.wikipedia.org/wiki/First\\_Draft\\_News](https://en.wikipedia.org/wiki/First_Draft_News)

3. Guest presenter. Kristy Roschke, Managing Director, News Co/Lab, Walter Cronkite School of Journalism and Mass Communication, Arizona State University

The Chair introduced Kristy Roschke from the News Co/Lab, a grant-funded research program at Arizona State University. **The News Co/Lab recently partnered with First Draft** on how messages are shared and how professional media can unwittingly amplify misinformation and disinformation. The public's view of the media shows political partisan divides.

Recommend using "The Trust Project" funded by The Project is funded by [Craigslist](#) founder Craig Newmark's Philanthropic Fund, Google, the John S. and James L. Knight Foundation, the Democracy Fund, the [Markkula Foundation](#) and Facebook.<sup>[3][4]</sup> Newmark said, "As a news consumer, I want news I can trust."

[https://en.wikipedia.org/wiki/The\\_Trust\\_Project](https://en.wikipedia.org/wiki/The_Trust_Project)

Still in operation today: <https://thetrustproject.org/>

Presentation by Margaret Downie, Director, Commission on Judicial Conduct and Director, Judicial Ethics Advisory Committee; David Withey, General Counsel, Arizona Supreme Court and Administrative Office of the Courts to give recommendations and advise judicial conduct rules



4. Guest presenters, Margaret Downie, Director, Commission on Judicial Conduct and Director, Judicial Ethics Advisory Committee; David Withey, General Counsel, Arizona Supreme Court and Administrative Office of the Courts

The Chair introduced Margaret Downie, retired trial and appellate judge and current Director of the Commission on Judicial Conduct (CJC) and Director of the Judicial Ethics Advisory Committee (JEAC). The Chair also introduced David Withey, General Counsel to the Arizona Supreme Court and Administrative Office of the Courts (AOC).

The CJC is an independent state agency, created in 1970 by a voter initiative, following the American Bar Association's (ABA) drive to create such a body in every state, which has since occurred. The CJC has jurisdiction over all courts in Arizona, but not of federal or tribal courts. Arizona's judicial discipline system is one of the most open in the country, posting

Team discussed 3 year program to monitor disinformation and recommended that team report to ABA, Congress, National Conference of Chief Justices

Discussion: Patience Huntwork suggested that instead of a rapid response team, which could be perceived by the public as the courts or state bar choosing the targeted judge or court's side or position, there should be an ongoing approach to monitoring and responding to judicial branch attacks. This system would involve monthly reviews and reports from courts and judicial officers to the National Center for State Courts (NCSC) – perhaps a three-year project. Judge Fuller suggested a two-prong approach: The Rapid Response Team and a study group/monitoring process.

Motion: A member moved to include the Rapid Response Team recommendation in the Task Force report. The motion was seconded and approved, with one nay vote. CDTF: 14

Judge Fuller offered to prepare a recommendation for a group that would perform ongoing monitoring of disinformation, likely through the Public Information and Messaging workgroup of the Arizona Supreme Court's Commission on Access to Justice. The monitoring group and rapid response team would likely have members in common and could work together to identify and respond to disinformation campaigns, identifying areas of potential vulnerability and maintaining on-going measures of transparency and messaging. It was suggested that the NCSC could routinely give a report to the ABA or Congress or the National Conference of Chief Justices—so that there would be constant messaging back to those responsible.

Judge Fuller asked members to contact him directly with thoughts and ideas. Patience Huntwork offered to draft recommendations for the Task Force's consideration as well. She will prepare and send to the Chair for distribution.

It is unclear what anything developed behind the scenes from this recommendation and discussion that did not make it into the final report.

Discussion of survey results: Educated people who read and interpret that law, even with a definition, most responders gave examples of misinformation. The team felt they just need educating. The team followed up with phone calls to the responders. Did those conversations influence the response the team received back?

"They are working on a visual representation of the analysis. Initial review shows that even with a definition of "disinformation," most responses were about misinformation, leaving many opportunities for education."

Team discussed website where disparaging remarks were made about judges (the robingroom.com). The site had minimal usage and not likely a wide reach of people. This website was discussed by Huntwork (82) in the video (143) in the September meeting with Spaulding. Huntwork also discussed this email in an email to Aaron Nash. It was included as Appendix D in the final report. Judge Fuller has many complaints on the website. (111) Other than her opinion, that judges were under threat of harm, the majority of her concerns center around disparaging remarks and bad language:

"Threats against judges' job security, reputations, livelihood, and lives constitute the major thrust of the comments. "



Workgroup 1. Dawn Gilpin and Scott Ruston updated the Task Force on Workgroup 1's analysis of the survey responses and comments from follow-up calls, classifying the actions and actors based on those responses. They are working on a visual representation of the analysis. Initial review shows **that even with a definition of "disinformation," most responses were about misinformation, leaving many opportunities for education.**

Several themes and narratives could be drawn from the survey responses. For example, characterization of judges and courts as the "bad guys" and that courts are pro-mother or pro-father, setting up the readers or listeners to believe that they are at a disadvantage before they first appear in court or before a judge.

The workgroup reviewed a website purporting to be a community forum with national reach where people can post reviews of individual judges ([robingroom.com](http://robingroom.com)). The site appears dedicated to discrediting judges and the justice system, making the creation or spread of disinformation more likely, although usage of the site is **very small**, compared to other websites and interest groups. Most posts on the website are **complaints** from what appear to be individual litigants talking about individual cases or making generalizations about judges, courts, and the court system based on **individual experiences**.

The chair pointed out that there is a **national discussion on whether platforms should be responsible for the content they host**. The Task Force can note in its report and recommendations that this was discussed, but regulating platforms is a large and complex national policy discussion best left to the federal government to research and decide. The Task Force's approach is focused on education, outreach, and measuring results. A member suggested presenting a program at a statewide judicial conference to educate judges and staff about the platforms and

## June 17, 2020 Task Force Meeting

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Judge Astrowsky again brings up that educated respondents who read and interpret law can not tell the difference between mis- and disinformation. Even after follow up phone calls.

Workgroup 1. Judge Astrowsky updated the members on Workgroup 1's efforts. More survey information was received, and a consistent data point remains that it is **difficult to tell misinformation from disinformation, even given a definition of disinformation**. A **challenge is determining intent**, which often is the deciding factor on whether information is inaccurate or meant to deceive and disrupt. Workgroup 1 will invite other members for input on how to format the developing results. The direction of the workgroup's recommendations has not changed from responding to misinformation and disinformation with accurate information and education.

Again, Huntwork wants a long-term study with local and national monitoring a reporting.

Patience Huntwork presented a recommendation for a **long-term study of disinformation** to be performed by a **national/local network**. Based on discussion from the May Task Force meeting, this national/local group could perform ongoing monitoring of disinformation, likely through the Public Information and Messaging workgroup of the Arizona Supreme Court's Commission on Access to Justice. The monitoring group and rapid response team would likely have members in common and could work together to identify and respond to disinformation campaigns, identifying areas of potential vulnerability and maintaining on-going measures of transparency and messaging, including routinely reporting to the American Bar Association, or Congress, or the National Conference of Chief Justices, so there would be constant messaging back to those responsible.

## July 22, 2020 Task Force Meeting

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FBI Presentation Canceled – when did they come back to present?

The Chair welcomed guests and members and made administrative comments. The FBI's presentation previously scheduled for today had to be postponed due to in-person protocols. The Chair will advise the FBI contact that the Task Force can schedule an in-person presentation with social distancing and other safety precautions to enable a presentation before the October 1, 2020 final report and recommendation deadline if that would meet the FBI's timeframe and protocols. In the alternative, the FBI offered to present in-person when protocols do allow, even if that would take place after the Task Force's October 2020 term expires.

Our judiciary is still being influenced by the FBI to this day. The United States Attorney's office and the DOJ just attended the Arizona Court Leadership Conference on October 10<sup>th</sup>, 2024. Copy of the email was obtained via discovery during ABA complaint against Bryan Blehm

From: Schrade, Jeff <[REDACTED]@courts.az.gov>  
Sent: Thursday, August 17, 2023 9:25 AM  
To: Allison, Todd (USAAZ) <[REDACTED]@usa.doj.gov>  
Cc: [REDACTED]@FBI.GOV; Williams, Jonathan Michael (PX) (FBI) <[REDACTED]@FBI.GOV>; Chang, Amy (USAAZ) <[REDACTED]@usa.doj.gov>  
Subject: [EXTERNAL] Follow-up: Arizona Supreme Court - Leadership Conference presentation

It was so nice to speak with you all last week about your presentation at the upcoming Arizona Court Leadership Conference (Tuesday October 10<sup>th</sup> 3:30 – 5:00 pm in Flagstaff). I'm following up with draft language for the session title and description. This language is important to describe the session and set expectations for our audience of judges and court leaders as they register for the conference. My team plans to open up next week. Please edit this draft language as you see fit, or simply give me the "thumbs up" to use it in our registration materials.

Session Title: Fortifying our future against threats both foreign and domestic

Session Description: Welcome to 2024, a future where the headlines are dominated by a turbulent national election and continuing global conflict, giving rise to frequent and reoccurring threats to the Arizona Judicial branch. Experts from the United States Attorney's Office and the Federal Bureau of Investigation will discuss foreign malign influence campaigns, attempts to hack essential government data systems, election security, and threats against state-level officials, and will provide practical tips for anticipating, identifying, assessing, and fortifying against anticipated threats to our judiciary.

## August 19, 2020 Spaulding attends the Task Force Meeting

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Although Parker had attended every meeting that was held in 2019 & 2020, as a guest, expect four (meetings missed in 2020: December, November, March, February; no meetings held in October & April), Spaulding only attended this one. That meeting was to discuss the final draft of the report before making last changes & presenting a completed report to the Arizona Judicial Council's to review by the October 1, 2020 deadline. There was no meeting in October.

Spaulding greatly influenced the outcome of the final report. Going so far as providing the Task Force with work products she had produced, or had a hand in producing, to put into the report. These included the ABA rule<sup>42</sup> changes 300A<sup>43</sup> and 300B<sup>44</sup>, the Cyber Solarium Report<sup>45</sup> that she was the "leading voice"<sup>46</sup>, and the Beyond the Ballot report. The meeting minutes do not reflect this. However, a private citizen recorded the meeting via a phone<sup>47</sup>. From this recording Spaulding's influence becomes clear. It also becomes clear when

42 chrome-

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44 chrome-

extension://efaidnbmninnibpcjpcglclefindmkaj/https://www.americanbar.org/content/dam/aba/directories/policy/annual-2020/300b-annual-2020.pdf

45 <https://www.solarium.gov/report>

46 <https://www.youtube.com/watch?v=kihgNYtuoQU> ; Timestamp 1:59

47 <https://x.com/AzPinkLady/status/1804752987648303426>

examining the report before (draft) and after (final)<sup>48 49</sup> as direct result of Huntwork, on the video, saying she recommends they incorporate everything they had learned from Spaulding at that meeting.

It would appear, by Spaulding's comments on the recording, that she had been receiving drafts of the reports and recommendations. Spaulding stated that she had seen so many "Huntwork is working on this" notes that she thought it was a company. Because the draft was to finalize changes and comments, most if not all of Huntwork's pending contributions would have been completed at that time. Spaulding's comment indicates that she had been receiving drafts as the Task Force progressed. Was this to monitor the progress of the Task Force? Did Spaulding attend the meeting before finalizing the report to make sure the items she wanted were in there?

After this meeting to finalize the report, Parker did not attend another meeting until February 2021 and March 2021 would be her last meeting. It would seem that Spaulding and Parker's intent was to get that final report and work products. Parker's attendance at the first meeting, setting the groundwork and the path forward, and her subsequent active participation throughout 2019 and 2020, indicate that Parker, and by proxy for Spaulding, intent was to influence the progression of the team and shape the outcome of the report and work products. Once that goal was achieved, it appears Parker no longer felt the need to attend. Further indication that receiving that report and the additional work products, such as the playbook, was the comment Parker made at the

Spaulding recommended repeat the difference between mis- dis- and disagreements "early and often" because it is misunderstood without "regular repeating"; modify some language because verbatim language from the order might not fit with what they have discovered – such as "removing disinformation is very difficult". On the video, mentioned above, Spaulding says that she will make introductions because a citizen contacting the platforms will not be successful.

3. Presentation. The Chair introduced Suzanne Spaulding, Director of the Defending Democratic Institutions Project at the Center for Strategic and International Studies (CSIS) and former Department of Homeland Security Undersecretary and Elizabeth Parker, Dean Emerita of the McGeorge School of Law and former General Counsel of the National Security Agency and the Central Intelligence Agency. They presented *Beyond the Ballot: Adversary Attacks on the U.S. Justice System*, an update to the Task Force based on events that have developed since the Task Force began its work in October of 2019.

Suzanne Spaulding provided the Task Force with background that CSIS' early work involved cyber defenses, which led to the realization of disinformation campaigns and that all the fundamental pillars of U.S. society are vulnerable to these campaigns, including the court system. CSIS has worked with 20 states and the District of Columbia through workshops in the last year.

Spaulding recommended that the report would benefit from mentioning the differences between misinformation, disinformation, and disagreement early and often, as those activities can be confused or misunderstood without regular repetition. Another reminder was to emphasize in multiple sections that this report is not a series of recommendations to defend judges, but is a defense of democracy.

Spaulding suggested that the makeup of a rapid response team would benefit from outside validators – something that can be informed by courts but not directed by courts. She also suggested reviewing some word and phrasing choices – verbatim language from the

## Team establishes an editing group to incorporate Spaulding's recommendations

establishing Administrative Order might not fit what the Task Force has developed over the course of its research and recommendations. For example, "removing" disinformation is very difficult to do, assuming you can definitively identify it as disinformation. But removal could be warranted if, for instance, the message could promote irreparable damage, like stating election day has been pushed back a week.

A member recommended that the report and recommendations do more to encourage courts to proactively engage the public and not be focused on reacting or responding to negative stories. There are positive stories and helpful information to share, which the courts can do effectively with some effort. This preceded a recommendation from Elizabeth Parker that the Task Force expand its list of recommended partnerships with traditional media, schools at all levels, and community groups like rotary clubs, emphasizing that courts must have credibility in their relationships before a crisis happens.

## September 16, 2020 Task Force Meeting

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48 <https://x.com/AzPinkLady/status/1830408620976095357>

49 <https://x.com/AzPinkLady/status/1830416375937990752>

Final Meeting Minutes were not uploaded to the courts website.

The Task Force focused on finalizing recommendations after the August meeting, Did edits live on screen. Established authority for the edit team to make changes as discussed.

Team all voted to extend the Task Force for another year.

3. Discussions. The Chair took item #4 out of order, ahead of item #3. After item #4, the Chair guided the Task Force members through the draft documents that were presented for the day's meeting, highlighting edits to prior versions or based on prior Task Force discussions and discussing recommendations from stakeholders who received and commented on the draft that followed the August meeting. Task Force members suggested edits, which were made on screen or noted by the Chair. By consensus, the Task Force **members agreed to add a recommendation that the Task Force be extended another year**, through December 2021.

## November 18, 2020 Task Force Meeting

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AJC (Arizona Judicial Council) approved all recommendations & said that the task force "could be bolder" responding to disinformation

3. Discussions. The Chair and members discussed the Arizona Judicial Council (AJC) presentation and vote from October 2020. The AJC **approved moving forward with all the Task Force's recommendations**, which includes extending the Task Force through calendar year 2021. One member of AJC **recommended that the Task Force's efforts could be bolder in their approach, to more appropriately respond to the level and intent of disinformation campaigns against the judicial branch. The Chair requested that members email the Chair by November 30, 2020 if they would like to continue on the Task Force for the extended term.**

Recommendations by AOC (Administrative Office of the Courts): Develop a playbook, for supervisors only, for what is already in place by NCSC, & ABA, CCPIO, ABOTA. They don't want "line staff" to tackling the subject on

Develop an **employee guide as higher-level guidance for line staff that will often result in "contact your supervisor"** rather than something that potentially sets up clerks and call center staff to try **tackling disinformation on their own. Supervisors will refer to the playbook** that's referenced in Recommendation 12. Task Force members to develop the employee guide content, format, images, etc. from existing resources and original content. AOC Education Services can maintain in education library.

Task Force workgroup to draft sample language, formats, and options (online web survey, comment cards, website popup, etc.) for internal and external feedback. Distribution to courts can be through AOC Court Services Division.

**Playbook audience is court administrators, presiding judges, elected clerks.** Task Force workgroup to **draft a playbook in sections with original content and from resources already in place (NCSC, CCPIO, ABA, ABOTA).** AOC requests section on handling high-profile cases – specifically for superior courts and what their options are if they don't maintain their own website (for example, can smaller courts send documents to the AOC and have the AOC host their high-profile page for the duration of the case?) Once developed, AOC to review periodically for updates. Education Services to consult on creating a related COJET session and maintaining in Education Services library.

their own.

AOC will formalize the NCSC being the liaison for the courts and the social media platforms. Aaron Nash, the chair will continue to collaborate with NCSC on future disinformation projects & the members will be available for those projects. One can assume this is to educate and help other courts adopt these policies



The AOC will draft a formal letter to the NCSC requesting that they establish a liaison between state courts and the social media platforms, that a study network be formed with AZ participation, and that task force members are available for NCSC workgroups and projects. After the AOC letter, the Chair will periodically follow-up with NCSC and be AZ's liaison for disinformation projects and collaborations.

AOC Recommends using "influencers". This assumes big on-line names, celebrities, perhaps a "data guru"?

The AOC will further review the Rapid Response Team concept and provide the Task Force with an approach, including the use of "influencers" in addition to or instead of Rapid Response Teams and other options. The Rapid Response Team recommendations will be brought back to the Task Force later in 2021. In the interim, this workgroup will consider the RRT concept and other options (including reviewing what other states do and consider an AZ version that could include an approach, team or influencer membership, guidelines, what entity it would operate from, etc.).

AOC recommends posting information regarding Foreign Agents Registration Act. The team had floated the idea early on that people online should have to register as FARA. But discovered that endeavor was not feasible.

<https://www.justice.gov/nsd-fara>

Posting federal FARA information in Arizona: The Chair will ask Task Force member Susan Dzbanko if AZ Homeland Security will take this on. If not, the Chair will reach out to AZ Department of Public Safety and the Secretary of State's Office. In addition, the AOC will send a formal letter to the Conference of Chief Justices and the Conference of State Court Administrators requesting their legislative committee work with the executive branch for updates to FARA that would improve the publication of foreign agent notices.

#### **December 9, 2020 Task Force Last Meeting**

Team discussed rules changes and made plans for new workgroups and continuation of the Task Force.

#### **October 2020 Arizona Disinformation Task Force issues Report with Recommendations**

<https://www.azcourts.gov/cscommittees/Task-Force-on-Countering-Disinformation>

Task Force Members:

## MEMBERS

Aaron Nash, Chair  
Communications Director  
Arizona Supreme Court

MaryJane Abril Superior Court in Pima County	Eduard Goodman CyberScout
Hon. Bradley Astrowsky Superior Court in Maricopa County	Joe Hengemuehler State Bar of Arizona
Fredric Bellamy Cagle Carpenter Hazelwood	Patience Huntwork Arizona Supreme Court
David Bodney Ballard Spahr	Hon. Todd Lang Superior Court in Maricopa County
Pete Dunn Justice at Stake	Krisanne LoGalbo Superior Court in Pima County
Susan Dzubanko Arizona Department of Homeland Security	Dr. Scott Ruston Arizona State University
Jessica Fotinos Maricopa County Clerk of Superior Court	Deborah Schaefer General and Limited Jurisdiction Court Administrator (Ret.)
Hon. David Fuller Chandler Municipal Court	Hon. Donald Watts Manistee Justice Court
Dr. Dawn Gilpin Arizona State University	

### Additional Contributors

William Long  
Arizona Department of Homeland Security

Elizabeth Rindskopf-Parker  
Dean Emerita of the University of the Pacific McGeorge School of Law

Amy Love  
Superior Court in Maricopa Court

### Staff to the Task Force

Alicia Moffatt  
Arizona Supreme Court

### Special Thanks

The Task Force on Countering Disinformation's work was supplemented and improved by the participation of many groups and individuals. Their experiences, attendance, input, suggestions, cautions, and recommendations guided the Task Force toward creating comprehensive and thoughtful recommendations and suggestions for implementing those recommendations.

Participation included public members who attended nearly every meeting from 2019 through 2021, national organizations, local chapters of national organizations, local and national experts. Whether making public comments, presenting at Arizona judicial branch functions, presenting at Task Force meetings, or participating in periodic check-ins, these groups and individuals gave their time and interest in support of the Task Force's work. All these efforts were supported, coordinated, or made better by staff to the Task Force, Alicia Moffatt.

#### The Task Force thanks:

<b>Robert M. Brutinel</b> Chief Justice, Arizona Supreme Court	Chris Kline President and CEO, Arizona Broadcasters Association
<b>David K. Byers</b> Director, Arizona Administrative Office of the Courts	Kristy Roschke Arizona State University, Managing Director, News Co/Lab, Walter Cronkite School of Journalism and Mass Communication
Participating members of the public, including Lori Ford and Malinda Shervyn	Paul McGoldrick Arizona Liaison for the American College of Trial Lawyers (ACTL) and the American Board of Trial Advocates (ABOTA)
Member proxies: Kate Merolo, Logan Clark, Victoria Stratton, Nancy Rodriguez, Tiarra Earls-Haas, Alexis Allen	Craig Waters Director, Public Information Office, Florida Supreme Court
<b>Elizabeth Rindskopf-Parker</b> Dean Emerita of the University of the Pacific McGeorge School of Law	Paul Flemming Director of Public Information, Office of the Florida State Courts Administrator
<b>Suzanne Spaulding</b> Senior Adviser, Homeland Security, International Security Program	Leslie Smith Senior Communications Coordinator, The Florida Bar
The California Judges Association, particularly Hon. Paul Bacigalupo and Hon. Barbara Kronlund	
Jesse Rutledge Vice President of External Affairs, National Center for State Courts	<b>Staff to the Task Force</b>
<b>Cathleen Cole</b> Director, Legal Information and Access, The Arizona Bar Foundation	Alicia Moffatt Arizona Supreme Court Communications Specialist

## Acknowledgments from March 2022 Concluding Report

The items identified here are a combination from the October 2020 Final Report and the March 2022 Concluding Report

“The Task Force’s research included tracking trends in misinformation and disinformation and the



technology to follow and respond to those trends. The partnerships category involved connecting with a representative from the local American Board of Trial Advocates (ABOTA), the American College of Trial Lawyers (ACTL), the National Center for State Courts (NCSC), the Arizona Judges Association, the Arizona Bar Foundation, the Public Information and Messaging workgroup of the Arizona Supreme Court's Commission on Access to Justice, the Arizona Council for Social Studies, and the Arizona Department of Education's Civic Education and Community Engagement program."

In their October 2020 report they defined disinformation as: "False, inaccurate or misleading information that is deliberately spread to the public with the intent to undermine the democratic process, sow discord, profit financially, or create distrust of government institutions or public officials. Disinformation should not be confused with misinformation, which is false information shared by those who do not recognize it as such, or with legitimate criticism, protest or censure of government actions, institutions or processes."

The task force used 3 events in their October 2020 report to provide context to their findings:

"Three overlapping events with global implications took place during the Task Force's work: The COVID-19 pandemic, the lead-up to the 2020 U.S. presidential election, and the racial justice movement spurred by the death of George Floyd. The prevalence of misinformation and disinformation revolving around these events appear to have grown exponentially, and discussions of misinformation and disinformation in public discourse increased as well, as evidenced by social media giants like Facebook and Twitter deploying account restrictions and notifications based on sources and content they reviewed from posts by account holders. How these events provided context for the Task Force's work and the misinformation and disinformation surrounding them, appears in the background section later in this report."

1. COVID 19: "disinformation" surrounding covid 19 has now been proven correct information: 1) covid was a lab leak<sup>50</sup>; 2) Ivermectin<sup>51</sup> and hydroxychloroquine<sup>52</sup> are safe and effective treatments 3) the risk to children was minimal<sup>53</sup> 4) the high risk groups & the ones dying have co-morbidities<sup>54</sup> 5) the "vaccine" has adverse effects and death in large numbers<sup>55 56</sup>
2. 2020 Lead up to the Presidential Election: disinformation of Hunter Biden Laptop. Now proven to be accurate information<sup>57 58 59</sup>
3. George Floyd death: BLM protests that claimed the death was racially motivated. It has been proven that Floyd had drugs in his system and had a heart attack<sup>60</sup>

The Task Force was presented during their efforts for their October 2020 report with examples of "disinformation". What happens when those examples are incorrect/mis-identified

The Task Force heard presentations on examples of foreign and domestic disinformation campaigns; how they are likely to adapt and morph over time, how to track and trace them, and how courts and individuals in the justice system can prepare for and respond to them. The Task Force heard from speakers about the Arizona and California Codes of Conduct for judicial employees and judicial officers and what those Codes prohibit, require, and encourage as courts respond to disinformation through public education and outreach. In addition, the Task Force heard from experts in court administration, social media "listening" and campaign tracking technology,

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50 <https://www.public.news/p/in-early-2020-a-chinese-source-trusted>

51 <https://covid19.nih.gov/news-and-stories/antiviral-treatment-reduces-likelihood-severe-illness-omicron>

52 <https://pmc.ncbi.nlm.nih.gov/articles/PMC7751757/>

53 <https://www.nih.gov/news-events/news-releases/study-reveals-how-young-children-s-immune-systems-tame-sars-cov-2>

54 <https://www.cdc.gov/covid/hcp/clinical-care/underlying-conditions.html>

55 <https://covid.cdc.gov/covid-data-tracker/#vaccine-effectiveness>

56 <https://rumble.com/v2tk340-testimony-from-dr.-mccullough-on-covid-19-vaccines-pennsylvania-state-capit.html>

57 <https://web.archive.org/web/20240928032450/https://www.nytimes.com/2023/05/16/us/politics/republicans-hunter-biden-laptop.html>

58 <https://nypost.com/2022/03/18/intelligence-experts-refuse-to-apologize-for-smearing-hunter-biden-story/>

59 <https://www.marcopolo501c3.org/>

60 <https://www.npr.org/sections/live-updates-protests-for-racial-justice/2020/06/04/869278494/medical-examiners-autopsy-reveals-george-floyd-had-positive-test-for-coronavirus>

As the Task Force's work converged with local and national elections in the Fall of 2020, more public attention focused on social media platforms, the evidence and impact of foreign influence on social media, and the opportunities for interested groups, both foreign and domestic, to promulgate messages intended to reduce trust and confidence in American values and institutions.

These events continued and overlapped for months. In some ways, this confluence of events provided the Task Force with opportunities to consider its work and prepare its responses in a highly relevant context. Without question, the American court system performs a vital adjudicatory and final decision-making function for the American public, which necessarily includes politically-charged and emotional issues. Moreover, the impending escalation of the attack on the judiciary poses grave consequences if left unchecked. In the fragile balance of democracy, it is the judiciary that ensures and protects the rule of law and provides checks and balances between the legislative and executive branches. "... [T]he [Supreme] Court is charged with ensuring the American people the promise of equal justice under law and, thereby, also functions as guardian and interpreter of the Constitution."<sup>17</sup> The integrity, independence, and confidence in the judicial branch is critical not only to Arizona and the U.S., it is critical to democracies worldwide.

The Task Force sites Snopes as a trusted source for disinformation research

"Current technology-based disinformation solutions are limited to resource/research-based tools like Snopes.com and other sources of fact-based disinformation research"

They conducted a survey of the judicial system to assess disinformation awareness and the impact of it on judicial officers and courts. Out of 584 surveys sent, 223 respondents did not find disinformation to be a problem.

"The first and strongest conclusion the workgroup drew from its survey was that knowledge of disinformation is not consistent across the judiciary in Arizona. This applies to perceptions of the severity of the problem (responses of "no, haven't seen any")"

"Although the Task Force survey achieved the goals directed in AO 2019-114, it raised other, novel questions. Survey responses indicated that misinformation (as opposed to disinformation) is prevalent, potentially eroding public trust and confidence in the objectivity of courts, not because of malicious intent, but due to a lack of accurate information, consistently delivered."

1. Have you observed what you believe to be disinformation activities concerning the Arizona or U.S. justice systems?

[More Details](#)

Never	53
Rarely	68
Sometimes	84
Often	18



2. How many disinformation incidents do you believe you, your court, or agency have been the target of since January 1, 2018?

[More Details](#)

None	116
1-5	75
6-10	19
11-15	4
16 or more	6



Brutinel admits, at the National Judicial College symposium/CLE that he didn't believe there was a problem of Russia interfering with the court only to later concede after looking for confirmation based on Spaulding's & Parker's presentation/discussions/persuasion. Also note in the clip that the person who helped pick at least all the academics for

the task force was Elizabeth Rindskopf Parker. It stands to reason that she helped/suggested types of other people to add (PIO/media, cyber, researchers, administrators, etc)

<https://twitter.com/AzPinkLady/status/1694125000503255331?s=20>

Full Video below in the timeline (52)

Aaron Nash also admits there is no indication of threat, but that the courts must be prepared.

<https://slate.com/technology/2019/12/arizona-task-force-disinformation-judicial-system.html>

8:06

future tense

## Arizona Now Has a Task Force Focused on Countering Disinformation

It's an admirable goal. But there may be First Amendment implications.

BY Yael Grauer  
DEC 18, 2019 • 7:30 AM




Photo illustration by Slate. Photos by Nastco/Stock/Getty Images Plus and Popartici/Stock/Getty Images Plus.

On a rainy Tuesday afternoon in November, members of the newly formed Arizona Task Force on Countering Disinformation met at a

The task force, which launched in mid-September, has its roots in the National Center for State Courts, a nonprofit organization headquartered in Virginia that monitors issues affecting judicial administration around the country. The center has warned about courts becoming targets of disinformation, pointing to attempts by Russia and other nations to undermine the appeal of democracy and to weaken the West.

After hearing about this risk, Dave Byers, director of the Arizona Administrative Office of the Courts, shared with the bar a PowerPoint presentation titled "From Russia With Love: Countering Disinformation and Attacks on America's Institutions." Byers also worked with Chief Justice Robert Brutinel to create the task force.

Although Nash said that the Arizona judicial system had not yet been targeted with disinformation campaigns, the goal is to be prepared if it does happen. The possibility isn't unheard-of. "Beyond the Ballot: How the Kremlin Works to Undermine the U.S. Justice

Given the questions of the First Amendment, foreign agent identification, and more, it's clear that the Arizona Task Force on Countering Disinformation has many details to iron out. What happens when the committee submits its recommendations in fall 2020—when the run-up to the presidential election will presumably have us all facing disinformation—will be critical. This could serve as a model of best practices for other state courts to follow. But—as is so often the case with attempts to protect people from propaganda, whether it comes from platforms or government—there is potential to deter controversial but legally protected speech.

In our conversation, Richards borrowed language from Justice Oliver Wendell Holmes, a dissenting voice in the 1919 Supreme Court decision to uphold an Espionage Act amendment making it a criminal offense to urge the curtailment of the production of materials necessary in the war against Germany. He said we need to be "eternally vigilant" to assure that "efforts to police this information don't themselves become tools of political oppression, or the exertion of political

Spaulding said judges need to be more aware of how they handle their data and keep their systems safe. For example, she said, judges need to make sure they have strong passwords and that their cyber security is up to date at the courthouse.

"Awareness is the first step," she said.

As for individual judges, none have been the victim of a disinformation campaign or the subject of a deepfake video in Arizona, but Raftery cited a case in Idaho where a judge had his home address and phone number distributed after a series of Facebook attacks from the Kremlin-sponsored Internet Research Agency. The agency, according to the "Beyond the Ballot" report, spread misleading information about the case, resulting in the judge and prosecutors being targeted months after the case was resolved.

Aaron Nash, communications director for the Arizona Supreme Court and chair of the task force, said the judicial system can be targeted by people upset with rulings and who would change the official court records to reflect a contrary ruling. Nash said there have been no known instances of such blatant deception in Arizona.

"We don't want to create a play book," Nash said.

Judges in Arizona do have the potential to be targets during their retention campaigns, whether the criticism is warranted or not. Nash cautioned that there is a balancing act between free speech and actual harm, and Byers noted laws in Arizona haven't quite caught up with ever changing technology such as the deepfake videos.

<https://azcapitoltimes.com/news/2019/09/26/courts-to-prep-for-russian-campaign-of-disinformation/>

In addition, Elizabeth Rindskopf Parker admits she had to convince a California judge at a party that it was an issue & it was relative to him.

<https://twitter.com/AzPinkLady/status/1694088751604212195?s=20>

The task Force collaborated, had presenters from &/or used as a resource:

“The Task Force’s outreach efforts included connecting with the Arizona Broadcasters Association, creating a one-page information sheet on misinformation and disinformation in English and Spanish, redesigning the Arizona Supreme Court’s outreach website, and developing a feedback survey courts can use locally. The internal judicial branch resources that were developed included a court branding guide, a disinformation playbook, media contacts, “how-to” reference information to effectively establish and maintain official court social media accounts, a guide to reporting potential disinformation to social media platforms, and a list of designated court public information officers and their courts’ websites and social media outlets. The Task Force’s specific updates will follow the original recommendations from the October 2020 Report.”

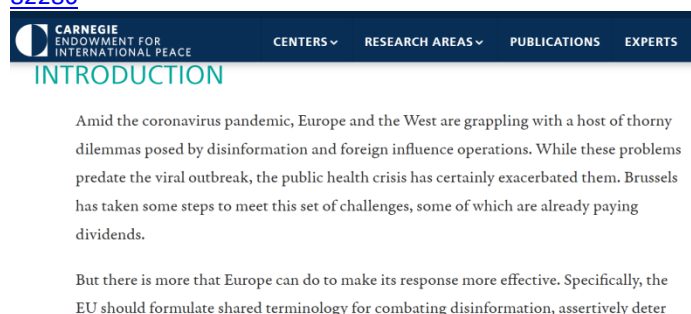
“Informing new and experienced reporters alike about what courts do, helps promote accuracy in reporting. The AOC will host semi-annually, or quarterly learning events targeted to statewide media, working with the Arizona Broadcasters Association, the Arizona Press Club, Arizona courtbased PIOs, and volunteer judicial officers and court executives.”

Their vision was always to use this as a “role model” for other courts:

“The Task Force views this Report as a first step. By its nature, disinformation will evolve rapidly, partly to counter recommendations like those in this Report. The Task Force aimed to make immediately effective recommendations toward improving and maintaining public trust and confidence in courts, and to serve as a starting point for other court systems. The Task Force is also recommending an extension to its initial term to continue Arizona’s efforts”

CarnegieEndowment for Peace

<https://carnegieendowment.org/2020/07/15/eu-s-role-in-fighting-disinformation-taking-back-initiative-pub-82286>



National Center For State Legislatures (NCSL)

“A helpful outline for developing a mini guide appears in Jeanne Mejeur’s 2013 article, “How to Score a Perfect 10 “

<https://www.ncsl.org/Portals/1/Testing%20the%20Credibility%20of%20Sources.pdf>

This guide is no longer available. The web page was archived first available June 17, 2020. The last capture available is Oct 25<sup>th</sup> 2022

<https://web.archive.org/web/20200617050942/https://www.ncsl.org/Portals/1/Testing%20the%20Credibility%20of%20Sources.pdf>





NCSL provides objective, fact- and evidence-based (nonpartisan) research, technical assistance, skills training, and other resources to support the policymaking process. As a respected, effective and influential advocate for states, NCSL is the voice of state legislatures and a formidable lobbying force in Washington, D.C.

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<https://www.ncsl.org/resources/details/ncsl-foundation-for-state-legislatures-sponsor-list>

#### National Center For State Courts (NCSC)

“That the AOC encourage and seek the participation of the NCSC to investigate the scope and the possibility of establishing a multi-state Local/National Disinformation Study Network consisting of cooperating groups from several states.”

“The Task Force recommendation envisions the NCSC as a single point of contact, or a liaison between courts and social media platforms”

“The Task Force determined that timely intervention, the addition of a warning message to erroneous communications and, in some instances, **the removal of disinformation**, and the distribution instead of credible information by an influential, accountable, and trusted court partner would promote transparency, help courts preserve their integrity, and validate the accuracy of processes and statements. For this, the Task Force looked to the NCSC, a nonpartisan, non-profit research and consulting organization known for its collaborative work with the Conference of Chief Justices and the Conference of State Court Administrators, among others:

<sup>16</sup> “At the March 2020 meeting, Rutledge noted the NCSC had previously begun researching circumstances under which they could help the nation’s courts respond to propaganda, develop a collective voice, and **establish lines of communication between courts, stakeholders, public authorities, and media, both traditional and social**. The Task Force voiced its opinion that Arizona courts should work together with the NCSC to forge and offer consistent policies and processes to address disinformation in Arizona’s courts and legal system. If this collaboration comes to fruition, the NCSC will provide direct assistance to courts by **creating a program designed to respond to disinformation, not only on behalf of Arizona, but for courts nationwide**



#### The experienced authoritative source for court services

For more than 50 years, the National Center for State Courts (NCSC) has shared authoritative knowledge and expertise to address current and emerging issues and trends in state court administration. NCSC’s mission today—promoting the rule of law and improving the administration of justice in state courts and courts around the world—springs logically from its original purpose to gather information and produce innovations to benefit all courts.

As an independent, non-profit organization, NCSC can move swiftly to identify and respond to evolving needs, deploying resources when and where courts need them. Our team of experienced researchers and consultants help courts address issues ranging from access to justice to cybersecurity to racial justice. Resources include webinars, on-site or remote technical assistance, education and training, and direct consulting. Our International Division works in dozens of countries around the world supporting rule of law efforts.

Our work is designed to make a difference. As the only organization that enjoys collaborative relationships with the Conference of Chief Justices, Conference of State Court Administrators and other associations of judicial leaders, NCSC has unique insight into the most pressing challenges and opportunities facing state courts. Join us today in our work to improve the administration of justice.

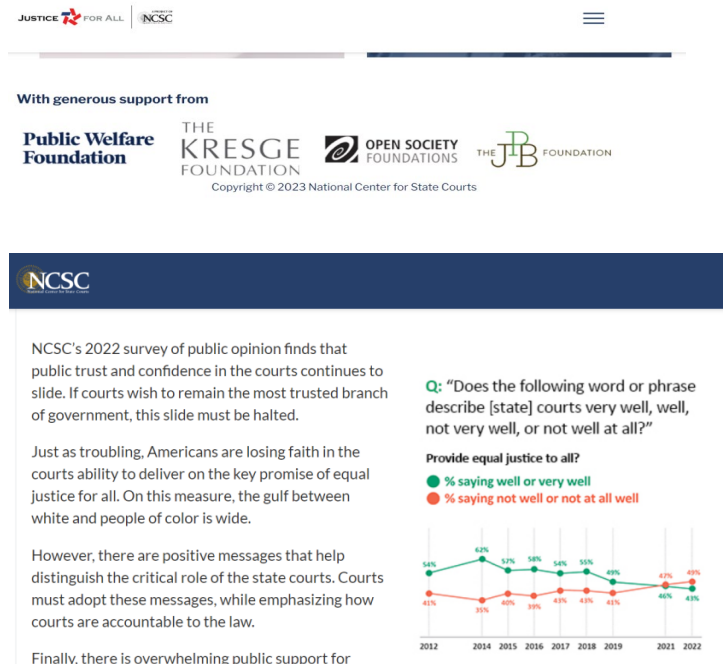
#### National Center for State Courts (NCSC)

 <http://www.ncsc.org/>

“NCSC is the organization courts turn to for authoritative knowledge and information, because its efforts are directed by collaborative work with the Conference of Chief Justices, the Conference of State Court Administrators, and other associations of judicial leaders.”

#### List of Partners

<https://www.ncsc.org/about-us/associations-and-partners>



#### American Board of Trial Advocates (ABOTA)

"The Task Force further identified ABOTA, a non-partisan national association of trial lawyers and judges, as a potential collaborator. Information available online notes that ABOTA "defends judges who cannot publicly respond to criticism due to ethical prohibitions." Further, they provide "information to enable the public to understand legal problems facing our justice system when judges cannot defend themselves," and work "to maintain and support public confidence in the judiciary by providing timely assistance to members of the bench in responding to potentially damaging publicity."

[https://www.abota.org/Online/Resources/Judicial\\_Independence/Online/Resources/Judicial\\_Independence.aspx?hkey=03a0c0f8-1977-45f2-98ba-e0149ba44cd3](https://www.abota.org/Online/Resources/Judicial_Independence/Online/Resources/Judicial_Independence.aspx?hkey=03a0c0f8-1977-45f2-98ba-e0149ba44cd3)

#### RAND

2018 report: Countering Russian Social Media Influence  
chrome-

extension://efaidnbmnnnibpcajpcgltclfindmkaj/https://www.rand.org/content/dam/rand/pubs/research\_reports/RR2700/RR2740/RAND\_RR2740.pdf

"This report documents research and analysis conducted as part of a project entitled Combatting Russian Social Media Information Operations in the United States. The purpose of this project was to formulate specific and actionable approaches and policies for countering Russian disinformation on social media inside the United States."



In January 2017, the U.S. intelligence community released a public report detailing a Russian influence campaign, ordered by Russian President Vladimir Putin, “aimed at the U.S. presidential election.”<sup>1</sup> Part of a larger multifaceted approach, this campaign included social media-based disinformation spread by both automated bots and paid trolls. Russia’s strategy was to push several conflicting narratives simultaneously, deepening existing divisions within American society and degrading trust in Western institutions and the democratic process.<sup>2</sup> While it is unknown what impact the campaign might have had on the 2016 presidential election, or on individual opinions, it is clear that Russia’s efforts reached many Americans through a variety of social media platforms, including Twitter and Facebook.<sup>3</sup>

This report analyzes different approaches and policy options to respond to the specific threat of Russian influence on social media in the United States. To do this, we surveyed relevant literature to under-

## RAND Ventures

RAND is a research organization that develops solutions to public policy challenges to help make communities throughout the world safer and more secure, healthier and more prosperous. RAND is non-profit, nonpartisan, and committed to the public interest.

RAND Ventures is a vehicle for investing in policy solutions. Philanthropic contributions support our ability to take the long view, tackle tough and often controversial topics, and share our findings in innovative and compelling ways. RAND’s research findings and recommendations are based on data and evidence, and therefore do not necessarily reflect the policy preferences or interests of its clients, donors, or supporters.

Funding for this venture was made possible by the independent research and development provisions of RAND’s contracts for the operation of its U.S. Department of Defense federally funded research and development centers.

- Establish clear and enforceable norms for acceptable behavior for states and media entities’ behavior on social media platforms.
- Coordinate U.S. executive and legislative branch activities.
- Institute a formal organization for information-sharing that includes key players from the U.S. government and private social media companies.
- Increase the transparency of social media platform policies and algorithms for detecting and removing disinformation and malicious behavior.
- Encourage and fund academia to develop better tools for identifying and attributing disinformation on social media.
- Prioritize defensive activities over punishments to shape Moscow’s decisionmaking.
- Continuously assess the cost and impact of proposed solutions, relative to the effectiveness of Russia’s activities.

“The RAND Corporation (“RAND”), is one of the organizations the designated taskforce workgroup researched and determined was a nonprofit, nonpartisan research organization that develops solutions to public policy challenges. In 2018, RAND published a 226-page publication titled, Truth Decay, An Initial Exploration of the Diminishing Role of Facts and Analysis in American Public Life.<sup>64</sup> In response to disinformation, RAND established the Countering Truth Decay Initiative.<sup>65</sup> RAND researchers identified and characterized the

universe of online tools developed by nonprofits and civil society organizations to target online disinformation. These tools were created to help information consumers, researchers, and journalists navigate today's challenging information environment.”

**Table S.1**  
**The Four Trends of Truth Decay**

Trend	Example
Increasing disagreement about facts and analytical interpretations of facts and data	The shift in opinion about the safety of vaccines and genetically modified foods; public perception of trends in violent crime in the United States
A blurring of the line between opinion and fact	Journalistic pieces that do not distinguish clearly between opinion and fact (e.g., “News Page Columns” in the <i>New York Times</i> )
The increasing relative volume, and resulting influence, of opinion and personal experience over fact	Speculation, opinion, and falsehoods disseminated in traditional media (e.g., newspapers and television) and social media channels that drown out verifiable data (e.g., on such topics as the effect of immigration on jobs and crime)
Declining trust in formerly respected sources of factual information	Significant drops in public confidence and trust in government, newspapers, television news, books, the judiciary, and the presidency, as indicated by polls

<https://www.rand.org/research/projects/truth-decay/explore-research-and-commentary-by-topic.html>



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**Scientist**

**T**he line between fact and opinion in public discourse has been eroding, and with it the public's ability to have arguments and find common ground based in fact. We at RAND call this diminishing role of facts and analysis in American public life “Truth Decay.” Everyone can feel how it affects their day-to-day lives—the family member who has fallen down a QAnon rabbit hole, avoiding discussing current affairs with a neighbor, or the fractious discourse on a television program. But this phenomenon is also degrading U.S. national security, in ways more difficult to observe.

Five years ago, RAND published a [seminal document](#) describing Truth Decay, and former President Obama put it on his [summer reading list](#). Since then, our RAND colleagues have examined the intersections of Truth Decay with [media literacy](#), [individual resistance](#), and [vaccine hesitancy](#). In our new [report](#), we examine this phenomenon specifically in the context of national security, finding that Truth Decay adversely affects the day-to-day business of national security and major

[https://www.rand.org/pubs/research\\_reports/RR2314.html](https://www.rand.org/pubs/research_reports/RR2314.html)

## The Russian “Firehose of Falsehood” Propaganda Model

### Why It Might Work and Options to Counter It

Christopher Paul and Miriam Matthews

Since its 2008 incursion into Georgia (if not before), there has been a remarkable evolution in Russia’s approach to propaganda. This new approach was on full display during the country’s 2014 annexation of the Crimean peninsula. It continues to be demonstrated in support of ongoing conflicts in Ukraine and Syria and in pursuit of nefarious and long-term goals in Russia’s “near abroad” and against NATO allies.

In some ways, the current Russian approach to propaganda builds on Soviet Cold War–era techniques, with an emphasis on obfuscation and on getting targets to act in the interests of the propagandist without realizing that they have done so.<sup>1</sup> In other ways, it is completely new and driven by the characteristics of the contemporary information environment. Russia has taken advantage of technology and available media in ways that would have been inconceivable during the Cold War. Its tools and channels now include the Internet, social media, and the evolving landscape of professional and amateur journalism and media outlets.

We characterize the contemporary Russian model for propaganda as “the firehose of falsehood” because of two of its distinctive features: high numbers of channels and messages and a shameless willingness to disseminate partial truths or outright fictions. In the words of one observer, “[N]ew Russian propaganda entertains, confuses and overwhelms the audience.”<sup>2</sup>

Contemporary Russian propaganda has at least two other distinctive features. It is also rapid, continuous, and repetitive, and it lacks commitment to consistency.

Interestingly, several of these features run directly counter to the conventional wisdom on effective influence and communication from government or defense sources, which traditionally emphasize the importance of truth, credibility, and the avoidance of contradiction.<sup>3</sup> Despite ignoring these traditional principles, Russia seems to have enjoyed some success under its contemporary propaganda model, either through more direct persuasion and

<https://www.rand.org/pubs/perspectives/PE198.html>

### Task Force Makes 27 recommendations

These are recommendation from the concluding report (march 2022), which updated the Task Force’s actions taken since the first released report (October 2020)

<https://www.azcourts.gov/cscommittees/Task-Force-on-Countering-Disinformation>

Rules that have been omitted here are not pertinent to the issue of colluding with media and the bar, facilitated by current and ex intelligence, to silence speech and deny cases according to their interpretation of disinformation (eg 2020 election)

**Recommendation 4** establishes a point person with the media and allows Judge to appoint a designee, the designee can say things the judge can’t that would violate the rules:

4. *The Task Force recommended that individual courts designate a person or people to serve the function of a public information officer (PIO) who will be the liaison between an individual court and its judicial officers, court employees, local justice partners, the media, and the public.*

Having a person or several people identified to be a **liaison with the media and the public** helps courts and the public. Courts want to be responsive, timely, and accurate, and having a designee to fill this role meets those goals. Additionally, judicial branch employees are subject to codes of conduct to ensure their words and actions promote justice, rather than potentially harm the processing of cases. A **designee authorized to speak on a court’s behalf reduces the potential for other employees to inadvertently do or say something that would violate the codes of conduct.**

The Task Force identified individual court PIOs and contact information through its survey of judges and court administrators and Arizona’s AOC will maintain that list. Although not in the original Task Force recommendations, the Task Force recommended emphasizing the importance of individual court leaders designating court staff to serve the function of a PIO. Proposed language was drafted for consideration the next time an Arizona Supreme Court Administrative Order on the topic issues, updating the language to specifically give presiding judges discretion to designate staff with PIO functions for their courts. Similar language for discretionary designations is recommended in Orders related to the authority of Clerks of Superior Court, Presiding Justices of the Peace, and court departments such as adult and juvenile probation. **The latest Administrative Order in this area is AO 2017-79, and the Task Force recommended adding language to the “Duties” section in the future such as, “Designate a person or people to serve the function of Public Information Officer.”**

## Recommendation 7: establish training for media (alternative media is not on the list)

7. The Task Force recommended that the AOC conduct court-led learning events for the media and that individual courts do so to the extent possible.

Legacy media reporters assigned to cover courts is largely a remnant of days gone by. Multimedia journalists have replaced beat reporters. They are the writer, producer, editor, and film crew in one, facing strict deadlines in a business with rapid turnover. Informing new and experienced reporters alike about what courts do, helps promote accuracy in reporting. The AOC will host semi-annually, or quarterly learning events targeted to statewide media, working with the Arizona Broadcasters Association, the Arizona Press Club, Arizona court-based PIOs, and volunteer judicial officers and court executives. Having experienced through the pandemic that virtual meetings are a cost-effective and inclusive way to reach stakeholders, these sessions will build a bridge between Arizona's judiciary and the media.

The learning events will provide the media with substantial, relevant knowledge regarding the structure and flow of criminal and civil cases; access to court proceedings, records, and information; the submission of public records requests under Arizona Supreme Court Rule 123; and court processes and protocol. The sessions will help the media more thoroughly understand their role in educating the public, and connecting a judicial ruling to constitutional principles. Courts, in turn, will benefit from learning more about the media and their obligations in this 24/7 always-open reporting environment. They will be empowered to unlock more trusting and cohesive relationships with media partners, opening clear lines of communication between the media and Arizona courts. Finally, these sessions will help close the knowledge gap for newer reporters and highlight the importance of accurate, court-based reporting, thus reducing the likelihood of disinformation spreading through media outlets.

## Recommendation 8: based on what the team has deemed disinformation, this could taint jurors

Rather than wait for a disinformation event and respond to it, the Task Force sought proactive measures that could be taken to identify disinformation and to differentiate it from opinion. The Task Force recognized the unlikely scenario where a court's front-line staff or a supervisor is the individual designated to respond to disinformation on behalf of a judicial officer or a court. Thus, on further review, an employee guide geared toward identifying or responding to disinformation appeared less valuable than originally anticipated.

There is an enormous volume of material available online and via broadcast and publication that can ensure court employees can evaluate the difference between legitimate and questionable sources, assess motivations behind a

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posting or publication, and determine whether the information, unchecked, may spread misinformation or disinformation about a court or a judicial officer.

Following further assessment, the Task Force believes educating court employees in identifying targeted, court-based disinformation and proper protocols upon its discovery would be desirable. Thus, the Task Force recommends including a disinformation-identification learning module in new employee and new judge orientations and as part of Arizona's continuing education programs. This recommendation was shared with Arizona's judicial leadership and with the AOC's Education Services division.

## Recommendation 10: Modify training

8. The Task Force recommended that the court produce educational videos regarding media literacy and misinformation and disinformation affecting the justice system. The videos could be aired to prospective jurors, placed on court websites, distributed through social media, broadcast to tour groups or at court-

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based speaking engagements, and provided to schools. The production of these videos could be through the AOC, the Arizona Foundation for Legal Services and Education, individual courts, or grant-funded projects, or by use of others' content approved for republication.

Video remains a popular and convenient way of conveying information. Task Force members reviewed local court content and sought out publicly available materials that could be made available to the public. That content, and content yet to be developed, will be assembled and maintained by the AOC on a future AOC Community Outreach page.

### **Recommendation 11: Create an easy way to report judges/clerks/staff spreading "disinformation"**

11. The Task Force recommended that courts explore ways to allow the public and court staff to offer feedback on what they find troubling, misleading, or inaccurate about a court or its procedures. A designated court staff member, in consultation with judicial leadership,<sup>7</sup> should attempt to address legitimate concerns and use the opportunity to clarify the fundamental concept of the role of justice and courts in society. An anonymous submission option is recommended.

Feedback and suggestions, from the public and from court employees, are critical and often overlooked outreach tools as a cost-effective way for a court to stay in touch with the pulse of its constituency.

When the public can readily contact the court and, where warranted, receive a resolution to their concerns, that simple act can correct confusing or inaccurate information, resolve or alleviate anger, and ensure court stakeholders feel heard and understood.

Court-based replies to public input can enable the court to develop and shape its communication, promote an accurate and thorough understanding of court procedures, policies, and events, and enable its customers to make more informed and practical decisions. In addition, court responses can support the dissemination of reliable, truthful information and prevent and build resistance to the threat of disinformation.

Employees who have an outlet for making their concerns known can feel more involved in the court's day-to-day operations, leading to a better work environment. In addition, recommendations received – more specifically, when obtained anonymously – enable the court to improve problem-solving, enhance innovation, promote team member participation, shed light on dishonest or illegal practices, and facilitate new perspectives and ways of thinking. A court could quickly initiate traditional physical suggestion boxes in the courthouse. For employees,

### **Recommendation 12: Develop a Playbook**

12. The Task Force recommended that the AOC create a court-based “playbook” incorporating the concepts in this Report. Like a continuity of operations plan, this playbook could include sample response language, templated “letters to the editor,” guidance for social media postings, guidance on interacting with the media in response to a disinformation incident, and contact information for the AOC, NCSC, local bar associations, CCPIO, ABOTA, and others. Information from the playbook could be taught in judicial education classes and included in learning materials. Arizona’s playbook should incorporate work done in this field by the NCSC and the ABA’s 2018 publication, *Rapid Response to Fake News, Misleading Statements, and Unjust Criticism of the Judiciary*<sup>8</sup> which contains tips and recommendations for responding “rapidly and appropriately” to “inaccurate, unjustified, and simply false criticism of judges.”

The Task Force’s **playbook** is another **tool to help Arizona’s courts combat or respond to disinformation**. Left unchecked, disinformation undermines the integrity of courts, government, the constitution, and democracy. It can threaten the safety of judicial officers, court staff, and the public; fracture our communities; and reduce trust

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<sup>8</sup> <https://www.americanbar.org/content/dam/aba/administrative/american-judicial-system/2018-rapid-response-to-fake-news.pdf>

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in court rulings, opinions, and the democratic process. **Disinformation, allowed to advance unimpeded or unanswered, can affect the ability of courts to do their duty and harm the people who depend on court services.** The **playbook will provide information and suggestions for ensuring the public and the media can distinguish truth from fiction, build step-by-step resilience to the threat of disinformation, and give courts the resources to deliver practical, timely, targeted communication and responses to its stakeholders on the issues that matter most.** Once it is complete, the AOC will maintain the playbook.

## **Recommendation 20: Partner with National Organization to coordinate response**

20. The Task Force recommended that the AOC encourage the NCSC to investigate the possibility of establishing a multi-state **Local/National Disinformation Study Network** consisting of cooperating groups from several states.

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From the Task Force’s experience over a two-year term, **misinformation and disinformation targeting the judiciary is expected to continue and increase.** **Partnering with a national organization** that is connected to individual courts and court systems **around the country would compound the effectiveness of a coordinated approach and response.** The Task Force **confirmed with the NCSC that Arizona remains available** to coordinate and participate in further misinformation and disinformation studies.



21. The Task Force recommended that the AOC extend its partnership with the NCSC and establish a workgroup specifically tasked to work with them in this critical endeavor.

In conjunction with recommendation 20 about further study of disinformation, the Task Force encouraged the AOC to remain a point of contact for Arizona's courts in countering disinformation. The Task Force confirmed with the NCSC that Arizona remains available to coordinate and participate in a workgroup tasked with further review of misinformation and disinformation issues, locally and nationally.

22. The Task Force recommended that the AOC partner with ABOTA in countering disinformation in Arizona's courts.

In addition to the Rapid Response Team that formed in Arizona, the AOC is a logical resource for providing accurate judicial branch-based information in response to misinformation and disinformation. The Task Force identified an Arizona contact for ABOTA and ACTL. In September 2021, a judicial decision in a controversial issue drew criticism from a separate branch of government. The judicial branch did not respond to the criticism or coordinate a response. Although criticism and differences of opinion are encouraged, the Arizona State Committee of ACTL issued a statement in response to the criticism's characterization of a judge, calling instead for respectful disagreement in political discourse.

23. The Task Force recommended that members stay involved in the work required to bring the NCSC, ABOTA, and Arizona's courts together in establishing and pursuing these efforts.

Despite the Task Force ending its formal work with the publication of this report, misinformation and disinformation will continue. Individual Task Force members volunteered to stay involved in proactively educating and informing the media and public and in countering disinformation. Examples include the Rapid Response Team efforts of the Arizona Judges Association, authoring statements encouraging respectful discourse, and taking part in community outreach efforts.

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## **Recommendation 23: Monitor upcoming tech to combat disinformation - sources considered**

<sup>12</sup> E.g., Patrick Tucker, “Can AI Detect Disinformation? A New Special Operations Program May Find Out,” *Defense One* (Oct. 2, 2020) (available at <https://www.defenseone.com/technology/2020/10/can-ai-detect-disinformation-new-special-operations-program-may-find-out/168972/>) (reporting on a software tool being developed under a research contract for the U.S. Air Force and Special Operations Command to use a neural net to counter disinformation); see also Joen Coronel, “Microsoft Collaborates With Intel, BBC, and Other Media: Tech Giants to Combat Misinformation,” *Tech Times* (Feb. 23, 2021) (available at <https://www.techtimes.com/articles/257329/20210223/microsoft-collaborates-intel-bbc-media-tech-giants-combat-misinformation.htm>) (reporting on the formation of the Coalition for Content Provenance and Authenticity (C2PA) by participating tech and media corporations to fight misinformation in online content).

<sup>13</sup> See generally Sarah Kreps, “The Role of Technology in Online Misinformation,” *Brookings Institute*, at 7 (June 2020) (available at <https://www.brookings.edu/wp-content/uploads/2020/06/The-role-of-technology-in-online-misinformation.pdf>) (“Malicious actors looking to spread misinformation and those trying to counter it are involved in a cat-and-mouse game, in which counter-measures lead to modifications of the original approach and inevitable challenges arise in addressing the source of misinformation.”); see *id.* (noting the problem of false positives in using an experimental Chrome-based browser neural-net tool that “gave a low likelihood that excerpts from James Joyce’s ‘Ulysses’ and a Donald Trump speech were real”); see also Greg Noone, “AI vs. Misinformation: Fighting Lies with Machines,” *Techmonitor*, June 10, 2021 (available at <https://techmonitor.ai/technology/ai-and-automation/ai-vs-misinformation-fighting-lies-machines>) (discussing that “using AI in thwarting misinformation . . . is fiendishly difficult to put into practice”; “[e]ven asking an artificially intelligent program to suss out these kinds of articles with more success than failure is a tall order,” quoting Professor Sam Woolley, project director for propaganda research at the Center for Media Engagement at UT Austin”). Emerging technological solutions can help under conditions in which a benchmark can be established by which to compare accurate information against identified categories of misinformation (such as with medical information) – but unlike, for example, health agencies, misinformation and disinformation relating to courts may not fall into readily identifiable categories that can be anticipated and subjected to readily available benchmarks. Compare, e.g., Ben Miller, “Can Technology Help Weed Out Disinformation Online?” *Government Technology* (July/August 2021) (available at <https://www.govtech.com/products/can-technology-help-weed-out-disinformation-online>) (discussing, among other things, Virginia Department of Health’s use of *AlphaVu* product to help identify misinformation about COVID-19), with *id.* (discussing Maricopa County’s Chief Information Officer’s use of social media monitoring tools rather than specific misinformation identification tools); see also *id.* (discussing that “the problem is too thorny to be easily solved with automation”; “I think the appeal of just buying some technological system that you think will help you seems [like] something that is hard to turn down. But I think . . . the solution is more than just an algorithm,” quoting Tara Kirk Sell, Senior Scholar at the Johns Hopkins Center for Health Security, who studies misinformation and disinformation).

*24. The Task Force recommended that it continue monitoring the ongoing technology developments and long-term solutions for identifying and countering disinformation campaigns.*

A critical step in countering disinformation is the ability to identify it before it spreads and to identify trends in attacks against judges and courts. Because no individual can successfully monitor everything being said or published, technology will be needed to address this gap. A Task Force workgroup continually monitored technology for software, applications, and other resources that might help courts identify disinformation campaigns and trends. While there has been some progress in this area, it appears to remain limited to corporate and military applications<sup>12</sup>, with functionality not geared toward the judiciary and with price structures out of reach for most courts<sup>13</sup>. The Task Force remains hopeful that judicial branch-specific technology will emerge at a cost that allows court systems to identify disinformation campaigns early enough to effectively counter them.

*25. The Task Force recommended that the AOC, and individual courts, where applicable, establish an opt-in system for the public to provide contact information such as email addresses or a phone number for text messages, thus enabling courts to more easily share information and correct misinformation or disinformation.*

Courts should strive to meet the public where the public expects to interact with the courts. This meeting place has not been limited to a physical courthouse for many years, a fact that was only accelerated by the pandemic that began in 2020. Arizona’s AOC established a system for the public to opt-in to receive news and other information from the judicial branch, plus social media outreach. Other courts are doing or considering similar outreach. These connections promote courts’ ability to stay in contact with the public and provide an avenue for quickly countering disinformation if the need arises.

## **RULE CHANGES IN THE REPORT**

“Like many jurisdictions around the nation, Arizona’s judicial officers were long held to an expectation that they would not comment about cases that were pending before the court or that could come before the court. Recommendations 16, 17, and 19 addressed this expectation directly in the context of misinformation and disinformation. The proposed changes were intended to allow judicial officers to correct inaccurate information upon discovering it, while protecting due process and justice in ongoing cases. The Arizona Supreme Court adopted the Task Force’s proposed rule and comment changes on August 25, 2021, with a January 1, 2022 effective date.”

“In addition to adopting the Task Force’s recommended language, the Court renamed Rule 2.10 “Judicial Statements,” deleting the phrase “on Pending and Impending Cases” to further clarify that judges may respond to false, misleading, or unfair allegations whenever they arise, so long as doing so does not violate other conduct rules. The changes clarified that judges could respond “in writing, via social media or broadcast media or otherwise” and that the ability to respond extended beyond the judge’s conduct in a matter “or to false, misleading, or unfair allegations or attacks upon the judge’s character or reputation.”

SUPREME COURT OF ARIZONA

In the Matter of ) Arizona Supreme Court  
 ) No. R-21-0001  
 RULE 81, RULES OF THE SUPREME )  
 COURT )  
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 )  
 ) FILED 08/30/2021

**ORDER AMENDING RULES 1.2 AND 2.10  
 OF THE ARIZONA CODE OF JUDICIAL CONDUCT,  
 RULE 81 OF THE RULES OF THE SUPREME COURT OF ARIZONA**

On January 4, 2021, Aaron Nash, on behalf of the Arizona Supreme Court Task Force on Countering Disinformation, filed a rule petition proposing to amend Rules 1.2 and 2.10 of the Arizona Code of Judicial Conduct, Rule 81 of the Rules of the Supreme Court of Arizona. Having considered the petition and the comment submitted concerning the petition,

**IT IS ORDERED** amending Rules 1.2 and 2.10 of the Arizona Code of Judicial Conduct, Rule 81 of the Rules of the Supreme Court of Arizona, in accordance with the attachment to this order, effective January 1, 2022.

DATED this 30th day of August, 2021.

\_\_\_\_\_  
 /s/  
 ROBERT BRUTINEL  
 Chief Justice

Arizona Supreme Court No. R-21-0001  
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**ATTACHMENT<sup>1</sup>**

**RULES OF THE SUPREME COURT OF ARIZONA**

**Rule 81. Arizona Code of Judicial Conduct**

\* \* \*

**Rule 1.2. Promoting Confidence in the Judiciary**

A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

**Comment**

1.-6. [No change]

7. A judge may respond to or issue statements in connection with allegations concerning the judge's conduct in a matter or to false, misleading, or unfair allegations or attacks upon the judge's character or reputation. Consistent with Rules 4.1 and 4.3 regarding judicial campaigns, a judge's response or statement at any time that counters attacks on the judge's actions, character, or reputation may serve to restore or maintain public confidence in the judiciary, subject to the requirements of Rule 2.10, paragraph (A).

\* \* \*

**Rule 2.10. Judicial Statements on Pending and Impending Cases**

(A) A judge shall not make any public statement that might reasonably be expected to affect the outcome or impair the fairness of a matter pending or impending in any court, or make any nonpublic statement that might substantially interfere with a fair trial or hearing.

(B)-(D) [No change]

(E) Subject to the requirements of paragraph (A), a judge may respond directly or through a third party in writing, via social media or broadcast media or otherwise to allegations in the media or elsewhere concerning the judge's conduct in a matter or to false, misleading, or unfair allegations or attacks upon the judge's character or reputation.

**Comment**

1.-2. [No change]

<sup>1</sup> Additions to the text of the rule or comment are shown by underscoring and deletions of text are shown by ~~strike-through~~.

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3. Depending upon the circumstances, the judge should consider whether it may be preferable for a third party, rather than the judge, to respond or issue statements in connections with allegations concerning the judge's conduct in a matter or to false, misleading, or unfair allegations or attacks upon the judge's character or reputation. Consistent with Rules 4.1 and 4.3 regarding judicial campaigns, a judge's response or statement at any time that counters attacks on the judge's actions, character, or reputation may serve to restore or maintain public confidence in the judiciary, subject to the requirements of paragraph (A).

## RULE CHANGES NOT IN THE REPORT

**Rule 70: remove Discipline Committee work product, emails, etc from availability to the public**

<https://www.azcourts.gov/Rules-Forum/aft/978>

ATTACHMENT\*  
RULES OF THE SUPREME COURT OF ARIZONA

\* \* \*

Rule 70. Public Access to Information

(a) **Availability of Information.** Except as otherwise provided in these rules, the state bar file, the record maintained by the disciplinary clerk, and all proceedings shall be open to the public upon:

1. waiver of confidentiality by respondent;
2. the filing of an order by the committee pursuant to Rules 55(c)(1)(B)-(D), and (E);
3. dismissal by the state bar or the committee, following a screening investigation for six months from the date of notification to respondent or complainant (if any) of the dismissal;
4. ~~dismissal, in cases not resulting in a screening investigation, for six months from the date of notification to respondent or complainant (if any) of the dismissal;~~
45. the filing of a ~~complaint, motion, or petition in~~ proceedings for summary or interim suspension or pursuant to Rules 47(h)(4), 54(g), 54(h), 60(a)(5) or 66;
56. the filing of an agreement to discipline by consent; or
67. the filing of an application for reinstatement pursuant to Rules 64 ~~and~~ 65.

(b) **Exceptions to Availability of Information.** Notwithstanding other provisions of these rules, including Rule 123, Rules of the Supreme Court, the following do not become public:

1. work product of state bar staff, and bar counsel, including but not limited to internal memoranda, internal correspondence, internal emails, notes, and similar documents and files; ~~the committee, the settlement officer, the presiding disciplinary judge, hearing panel members, court staff, or the court;~~
2. ~~work product of the committee, the settlement officer, the presiding disciplinary judge, hearing panel members, court staff, or the court;~~
32. documents submitted to the state bar and the committee pursuant to Rule 55(b)(2); ~~mediation records and proceedings;~~
43. diversion records and proceedings;
5. probation records regarding compliance, including evaluations and monitoring records, except for documents filed with the disciplinary clerk;
64. deliberations pertaining to decisions of bar counsel, the committee, the presiding disciplinary judge, a hearing panel, settlement officer, or this court;
75. information with respect to which a protective order has been issued pursuant to these rules;

\* Additions in the text of the rule are shown by underscoring and deletions from text are shown by ~~strike-through~~.

SUPREME COURT OF ARIZONA  
In the Matter of ) Arizona Supreme Court  
) No. R-19-0026  
RULE 70, RULES OF THE SUPREME )  
COURT )  
) FILED 08/27/2019  
)  
\_\_\_\_\_ )

ORDER  
AMENDING RULE 70, RULES OF THE ARIZONA SUPREME COURT

A petition having been filed proposing to amend Rule 70, Rules of the Arizona Supreme Court, and a comment having been received, and having considered the petition and comment,

IT IS ORDERED that Rule 70, Rules of the Arizona Supreme Court, be amended in accordance with the attachment hereto, effective January 1, 2020.

DATED this 27th day of August, 2019.

/s/  
ROBERT BRUTINEL  
Chief Justice

## Rule 28(a): remove "Justice" from Review

<https://www.azcourts.gov/Rules-Forum/aft/1020>

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APPENDIX A

(language to be removed is shown in strikethrough, new language is underlined)

Rules of Procedure for Judicial Performance Review in the State of Arizona

Rule 1. Purpose

Ariz. Const. Art. 6 § 42, which was adopted by the voters at the November 1992 general election, requires the Court to adopt, and administer for all judges and justices (hereinafter referred to as "judges") who stand for retention, a process for evaluating judicial performance. These rules are intended to implement Art. 6 § 42 through adoption of a judicial performance review process which will assist voters in evaluating the performance of judges ~~and justices~~ standing for retention; facilitate self-improvement of all judges ~~and justices~~ subject to retention; ~~promote appropriate judicial assignments~~; assist in identifying needed judicial education programs; and otherwise generally promote the goals of judicial performance review, which are to protect judicial independence while fostering public accountability of the judiciary.

Rule 2. Commission on Judicial Performance Review

A system of periodic review of the performance of each judge ~~and justice~~ subject to retention shall be administered by the Commission on Judicial Performance Review. The activities and operations of the Commission shall be governed by the following provisions:

(a) **Composition of the Commission.** The Commission shall be composed of not more than 34 members appointed by the Supreme Court. The Commission shall be composed of members of the public, attorneys, and judges. The majority of the members of the Commission shall be members of the public who are not attorneys or judges, and there shall be no more than 7 judges and 6 attorneys on the Commission.

(b) **Chairperson.** The Chief Justice of Arizona shall select either an attorney member or a public member as the Chairperson of the Commission. The Chairperson shall preside at all meetings of the Commission. The Chairperson shall select either an attorney member or a public member as Vice Chairperson. If the Chairperson is an attorney member, the Vice Chairperson must be a public member. The Vice Chairperson shall preside at all meetings in the Chairperson's absence.

(c) **Terms.** Each member of the Commission shall serve for a term of four years and be eligible for reappointment. In the case of a vacancy which occurs before expiration of a term, the member appointed to fill such vacancy shall serve for the duration of the unexpired term.

(d) **Meetings; Quorum; Majority.** The Commission shall meet at the call of the Chairperson not less than two times each year and shall conduct no business except upon the attendance of a quorum of the commission members. A quorum is constituted by 1/2 + 1 of the total Commission membership in office at the time of the meeting and eligible to vote. Members shall

SUPREME COURT OF ARIZONA  
In the Matter of ) Arizona Supreme Court  
) No. R-19-0039  
RULES OF PROCEDURE FOR )  
JUDICIAL PERFORMANCE REVIEW )  
) FILED 12/12/2019  
)  
\_\_\_\_\_ )  
  
O R D E R  
CONCERNING RULES OF PROCEDURE FOR JUDICIAL  
PERFORMANCE REVIEW

Jennifer A. Greene filed a petition in this case pursuant to Rule 28(a), Rules of the Arizona Supreme Court. This Court in its order of August 27, 2019 granted emergency adoption of the amendments proposed in the petition as modified by the Court, attached to this Order. Upon due consideration,

IT IS ORDERED that the Rules of Procedure for Judicial Performance Review adopted effective September 1, 2019 on an emergency basis be adopted on a permanent basis.

DATED this 12th day of December, 2019.

/s/  
ROBERT BRUTINEL  
Chief Justice

## Rule 94.1: Create Clerk of the Superior Court Conduct Board

<https://www.azcourts.gov/Rules-Forum/aft/1341>