

AGENDA MATERIAL

DATE 12-6-22 ITEM NO. RA 12

Corrie Cotugno

From: JoAnn diFilippo [REDACTED]
Sent: Monday, December 5, 2022 4:47 PM
To: COB_mail
Cc: District1; DIST2; District3; District4; District5; Jan Leshner
Subject: BOS Meeting 12.5.22 - Agenda Item 12 - Elections

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

COB: Please include this email as a Comment Letter to Agenda Item 12 – Elections.

On November 22, 2022, I received the following email from Rex:

“Dr. diFilippo-

Good morning. Thank you for your email. Your assertion that I have used my “official Pima County account” to support various candidates is provably false. Our office has an official Twitter account and I have a private account, which became active in 2017. You can verify these facts by examining both the official D1 account and my private account. I encourage you to do so and then follow up with my colleagues about the inaccurate statement you included in your email.

Rex Scott /Pima County Supervisor - District One Rex.Scott@pima.gov / www.district1.pima.gov “

Inasmuch as this subject matter involves content material to be discussed in Agenda Item 12 – Elections, I feel it is appropriate to include my response to Rex Scott as a Comment Letter to this agenda item. Therefore, Rex, I am copying your colleagues (the supervisors) on this email and well as asking for this comment letter to be posted to Agenda Item 12 – elections. It is at your request that I copy your colleagues and, as such, I will comply with your request.

1. Prior to October 12, 2022, Rex pinned tweets from his personal Twitter account and linked these tweets to his Pima County District1.pima.gov twitter account (see illustration A below).
2. During the period on or about July 27, 2022 to October 12, 2022, I notice that Rex continued to link comments on his personal Twitter page to his District 1 pima.gov Twitter page (see illustration A and B below). You can ascertain this activity by checking and clicking on the “link pin” on his personal twitter messages which will link you over to his District1.pima.gov Twitter page. A number of these messages were laden with comments related to upcoming elections, namely, Keri Lake and Mark Finchem campaigns. Again, these comments were linked to Scott’s distict1.pima.gov twitter account (see illustration B below). This can be viewed as electioneering once Rex made the connection between his personal page and the official county District 1.pima.gov Twitter page.
3. On or about the period October 12, 2022, Rex changed the link from his personal Twitter page to the District1.pima.gov to now link to Scott4supervisor.com (see illustration C below). Prior to this time, Rex linked his personal Twitter page to district1.pima.gov as evidenced in illustration A below.
4. A further check on the “Way Back Machine” revealed that changes were made by Rex on or about October 12, 2022, at 21:25:42 (approximately 9 pm) (see illustration D below). These changes coincide with the change in Rex’s linking the personal twitter account from “district1.pima.gov” to “scott4supervisor.com.”
5. So, Rex, next time you want to deny or “misstate” the facts, remember that everything you do on the internet can be traced through a multitude of ways and means. In this case, with screenshots taken in real time for the

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district1.pima.gov link and historical tracking of activity from websites such as the WayBackMachine (see Illustration D below) for the change made on October 12, 2022 to the scott4supervisor.com.

6. In conclusion, Rex, my statements are accurate and substantiated through your use of the linkage platform from July 27, 2022 (or earlier) to the change made on October 12, 2022. I believe that once you heard me making reference to “electioneering” post October 12, 2022, you may have initiated this change to link to scott4supervisor.com. In any event, the change has been made and you are no longer linking your personal Twitter account to the District1.pima.gov Twitter account. This prohibition and potential violations are issues every elected official must be aware of – including me if I were to run for office!

7. Furthermore, I want to remind Rex and any other elected official using county resources for the purpose of influencing the outcomes of elections, when you attempt to “electioneer” using county resources, you are in violation of ARS Title 11, Chapter 3, Article 1, Section 11-410(A). This statute further states that “influencing the outcomes of elections means supporting or opposing a candidate for nomination or election to public office....” When Rex makes public comments linked to his district1.pima.gov account, a county resource, he is in violation of this statute.

8. For each violation, the court may impose a civil penalty not to exceed \$5,000 dollars. A person charged with performance relating to elections who knowingly acts in violation of any provision of such law, is guilty of a Class 6 felony.

Thank you.

Here are the illustrations:
Illustration A



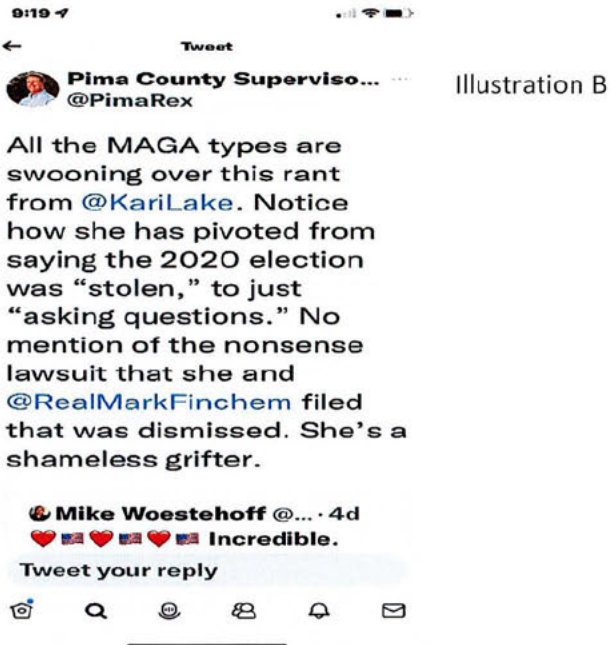


Illustration C



Illustration D



JoAnn di Filippo, PhD