November 15, 2024

Arizona Capitol Times

Your Inside Source for Arizona Government, Politics and Business

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SEASONED LEGISLATOR, COMEBACK KID, MONTENEGRO TAKES HELM OF HOUSE

State Rep. Steve Montenegro speaks with the media at a press conference hosted by Border 911 at the Arizona State Capitol building in Phoenix on Jan. 27, 2023. (Photo by Gage Skidmore)

BY JAKOB THORINGTON *jthorington@stateaffairs.com*

Rep. Steve Montenegro's election to House speaker completes a political comeback from a losing bid for Congress that was tinged with scandal, stepping into the leadership role as a lawmaker who has seen it all.

Montenegro, a 44-year-old Republican from Goodyear, has held leadership positions in previous terms in the House, including majority leader and speaker pro tempore. He was first elected in 2008 at age 27, and has more than a decade of experience at the Legislature, serving briefly with Democratic Gov. Janet Napolitano, and he has also been part of large Republican majorities in the House.

"He was there in the old days, and he's here in the new days," said GOP consultant Doug Cole. "He's seen the House in various makeups. He's had that experience with divided government. He's seen it all."

Having emigrated from El Salvador, Montenegro is the first Latino speaker in Arizona history. Rep. Matt Gress, R-Phoenix, said he believes Montenegro's election reflects the current Republican Party.

"You're going to see a speaker who is focused on things that matter to Arizonans. I think he reflects the modern Republican Party," Gress said. "We saw particularly among Hispanic voters – a sizable share are now among the GOP, and his speakership is historic and reflective of the times of our party."

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"The appearance of bias cannot be allowed to undermine the fundamental fairness that is extended by the court to all."

Judge Bruce Cohen, on why he recused himself from Sen. Jake Hoffman's case.

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Hobbs not to blame for Dems' failure to flip Legislature, consultants say

BY REAGAN PRIEST *rpriest@stateaffairs.com*

One of Gov. Katie Hobbs' main priorities this election season was flipping the Legislature, but Republican majorities only grew. Political consultants say the blame for Democrats' losses doesn't lie solely with the governor.

Hobbs said for months that her two goals were flipping the Legislature and passing Proposition 139, which enshrines abortion rights in the Arizona Constitution. Prop. 139 passed handily on Nov. 5, but Democrats ended up even further from the legislative majority than they expected.

On Nov. 14, Hobbs said at a press conference that she wouldn't have done anything differently this election cycle.

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CAPITOL QUOTES

"We need the Legislature to get off its butt and help."

– Attorney General Kris Mayes, on the lack of progress in stopping unlimited groundwater pumping by foreign companies outside of management areas.





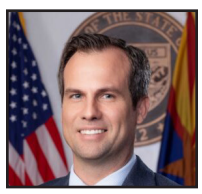
"It's more important than ever that we be there and speak up because Arizona is in the bull's-eye of climate change."

– Sierra Club's Grand Canyon Chapter Director Sandy Bahr, on the need for ratepayers to testify before the ACC.

"The Trump World does not like people who lose."

– Jason Rose, consultant and president of Rose+Allyn Public and Online Relations, on the chances of Donald Trump endorsing Kari Lake in the future.





"The media got something right."

– Sen. Warren Petersen, on reports of his uncontested reelection as Senate president.

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ORAL HISTORY

In Their Words:

When Karan English was elected to the U.S. House of Representatives in 1992, she was only the second woman from Arizona to serve in Congress, and it had been 60 years since the first one, Isabella Greenway. English, a Democrat from northern Arizona, was a one-term congresswoman, however, losing to Republican J.D. Hayworth in 1994. Before her stint in Congress, she had already served three terms as a state lawmaker, and during that time, she was falsely accused of accepting a bribe and voted to impeach then-Gov. Evan Mecham. English recounts those stories and one about an "arrogant" lobbyist in the excerpts below, which come from an interview she did for the Arizona State Library's Arizona Memory Project. This is the first of an occasional series called "In Their Words," using these oral interviews.



"I kind of became known as a little bit of a troublemaker with the lobbyists and then they didn't like me either."
(Photo from Arizona Capitol Times files)

On AZScam

It was set up by, I think, the Maricopa County attorney, and, at first, I thought it was just targeted towards Democrats, but both Democrats and Republicans were targeted in this scam, and I was accused of taking a bribe. I was accused, and I had to hire an attorney to prove that I didn't take this bribe, and he apparently had Stedino (Undercover informant Joe Stedino), I'm not sure if that's his real name or his scam name.

He apparently was at this fundraiser for five Democratic women, we were raising some money. I don't think I ever met him, and he came to this fundraiser and apparently gave me a contribution. I had missed the fundraiser because I was in the hospital, and I had come, I was, I had come up here. In fact, I was, it's in all the newspapers, so I'm not telling you anything new, but … I had a hysterectomy, and I was in the hospital and missed my own fundraiser. Well, apparently, he was at this fundraiser and had given to all five of us, and so I got contributions, and he said that he had bribed me to vote for a casino or something like that, but I wasn't there, so I had to hire an attorney to prove that I was not part of a bribe, because I didn't even meet the guy. So, he said some things that were a little out of line.

So it was just a horrible situation … and then many of my friends went to jail or left the Legislature because they had taken illegal money, and, in some cases, it was considered a bribe. Whether it ever really was, I don't know. I don't know for sure, but I knew several of the people that left and went to jail, and … the money it cost to get yourself out of trouble, falsely accused, and I have to tell the whole world I had a hysterectomy, you know? I mean, geez, that's just, well, it's not so embarrassing, but you don't have any private life anymore. It was kind of nasty and it just, it was those times when politics got really nasty and they're trying to uncover the unethical legislators. In doing so they made them unethical. And I don't know who, what, who they were trying to target, if it was just kind of a blanket target, but I really, the rumor was they were going after people who were friends of the firemen and labor. That was the rumor.

On Gov. Evan Mecham's Education Plan and Impeachment

I sat on the Education Committee, and he was trying to lobby people to support his values or his vision for education. And his vision was to defund public education, defund it, and move money to private education and so I had this conversation with him, and it lasted almost two hours. I will never forget this talk I had with Evan Mecham, and he was telling me his vision for education. And I came out of that meeting thinking the governor of Arizona wants to harm the future academic responsibility of this state and thousands and thousands of children, and part of the thinking is to take money out of public education, is to change the liberal conservative value based systems, because public education is too liberal, and so you move it to private education, and you can more easily control the minds and the thinking and the values. And so that was what his premise was based on. And I'm not using his exact words, I'm just telling you what I came out of that meeting feeling. And so the whole idea was to get the liberals out of education, and that had to do with teaching sex education and all those, all the other things you can think of that would be too liberal and evolution, and it just was mind-boggling to me. So the way to make sure those things weren't taught to our kids is to make sure kids had a private, controlled education, and that was his, that was his thought. And so when I, when I left that meeting, I thought, man. Impeachment was started shortly thereafter.

The Republicans were embarrassed of him, and so the Democrats didn't have to do too much. The Republicans had to clean up their mess. They elected him, and they had to clean it up. And so, you know, the Democrats are going to, of course, the political strategy is, yeah, if they want him out, let's, I'll go for that. The impeachment process was grueling. It was grueling. And then the vote, in fact, I left in tears … I was so exhausted. And, and I think Mecham was maybe this one out of six governors ever impeached in the country, I mean, very rare to have anybody ever impeached, a governor ever impeached, and to leave in that light and to embarrass him and put him through what he went through, and the guy would not step down, and he wouldn't give up and we had to give him credit for for his stamina. You know, it was very difficult for everybody.

On a Lobbyist Picking Up the Dinner Tab

They're so arrogant, and they had gotten away with so much, and they walk into the Legislature, and they're in the lobby, and they've got all these facts and figures, and they just were just incredibly arrogant. One of them, I was at a, I think we were in the final closing hours of the Senate on one year, and we had all gone to a local steakhouse for dinner, and one of these guys picked up our dinner, and I had steak and beer and whatever, you know, and I started to pay my bill, and the waitress says, "No, that guy over there has paid for it," and there was 12 or 13 of us legislators, and this guy had bought our dinner. So, I was pissed, and I went back to the House, and he had legislation on the, I mean, we were voting on legislation. So I went back to the House and he, of course, he's, he's rubbing shoulders and elbows in the lobby

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CONTINUED FROM FRONT PAGE

SEASONED LEGISLATOR, COMEBACK KID, MONTENEGRO TAKES HELM OF HOUSE

"We are stronger than ever before right now," Montenegro said. "The last election cycle has shown it where the Democrats have spent tens of millions of dollars to try to flip the chambers, but they've done so unsuccessfully. The people of Arizona have spoken."

Multiple Republican lawmakers confirmed Montenegro got 18 out of 33 votes in the Nov. 12 leadership election. Current Majority Leader Leo Biasiucci, R-Lake Havasu City, and Rep. Joe Chaplik, R-Scottsdale, also sought the speakership.

Rep. David Livingston, R-Peoria, said he views Montenegro as a "strong" Republican who will help guide the GOP-controlled House into working with Democratic Gov. Katie Hobbs over the last two years of her term.

"There are no two speakers that are the same," Livingston said. "All the people that ran today had a similar message of Arizona first, America first, citizens first, economic development, border security, family security, that was all very common."



State Senate President Warren Petersen speaking with the media at a press conference on SB1184 at the Arizona State Capitol building in Phoenix. (Photo by Gage Skidmore)

Montenegro commended the outgoing leadership team and how Speaker Ben Toma, R-Peoria, has worked with the Hobbs administration while pushing for conservative policy goals.

"We want to build on what they've started, what they've continued to do," Montenegro said. "United as a caucus, we're going to take it to the next level."

Republicans in the Freedom Caucus publicly supported Rep. Joe Chaplik, R-Scottsdale, for speaker, but Democratic consultant Gaelle Esposito said she didn't think there would be much of a difference between him and Montenegro.

"Anybody who thinks he's going to be fundamentally different or easier to work with, I think has Capitol brain rot," Esposito said.

In 2018, Montenegro ran in the Republican primary election for the seat in Arizona's 8th Congressional District, but his campaign faltered after several news outlets reported he had been involved in a sexting scandal with a Senate staffer.

Montenegro said in a written statement in 2018 that he had allowed the relationship with the staffer to become "too familiar" but maintained that he never solicited photos from the staffer.

The staffer accused Montenegro of revenge porn after the woman learned that the photos she sent Montenegro were shared with others.

Gress said on Nov. 12 the caucus didn't discuss the controversy that previously surrounded Montenegro.

"All the candidates were future-focused," Gress said.

Montenegro has been an immigration hawk and staunch abortion-rights foe.

Montenegro's immigration resume includes being a point man for SB1070, the 2010 law that gave the state more power in enforcing immigration. He also authored a 2010 law aimed at outlawing racially charged courses in Tucson Unified School District. And he said on national television that President Obama's immigration plan was "utter lawlessness" and a slap in the face to immigrants who came here legally. In 2011, he sponsored legislation that outlawed abortions based on sex and race.

"The issue that I'm seeking here to address is an issue of equal protection," Montenegro said in his 2011 closing comments about the bill. "I introduce this bill to put an end to offensive and abhorrent practices which have no place in an egalitarian, multi-cultural society."

Montenegro cited studies that women were terminating pregnancies after finding out they carried females. Courts threw out challenges to the law after finding that no one had been denied an abortion for those reasons.

Capitol Media Services reported Montenegro was also part of the House leadership team in 2016 that temporarily revoked floor privileges for reporters under then-Speaker David Gowan, R-Sierra Vista.

Montenegro was majority leader at the time when reporters were required to sit in the gallery under a House policy that made reporters have to agree to a background check before covering the House from press desks on the floor.

Montenegro told Capitol Media Services that the policy wasn't a ban and that reporters still had "full access" to the House's work, but reporters were unable to interview lawmakers before and after floor sessions – a staple of how political reporters have covered both chambers for decades.
House Republicans also elected Rep. Michael Carbone, R-Buckeye, as majority leader and Rep. Julie Willoughby, R-Chandler, as caucus whip.

Toma said he was excited to help transition the new leadership team. He is not returning to the Legislature after he lost in the Republican primary for the U.S. House of Representatives seat in Arizona's 8th Congressional District.

"(The Legislature) is going to be about the budget, like it always is," Toma said after presiding over the caucus election for the new speaker. "Some of the other policies, I don't know what'll happen over the next two years but what I do know is we're going to look to grow this and take some of these executive offices back in '26."

House Democrats also held its caucus organizational meeting Nov. 12. The caucus elected Rep. Oscar De Los Santos, D-Laveen, as minority leader. De Los Santos is the current assistant minority leader.
Democrats elected Rep. Nancy Gutierrez, D-Tucson, as assistant leader. Reps. Quantá Crews, D-Phoenix, and Stacey Travers, D-Tempe, will be the caucus whips.

"It's an honor to be chosen to lead this outstanding caucus," De Los Santos said in a written statement. "This is a strong, smart and experienced team who will fight for you, for your public schools, for your rights, for our state's precious resources, for your bottom line and for your neighborhood. We have tremendous challenges ahead as a state, and as a country, but we will not back down from extremism, and we will face them together.

Some Democrats had other candidates in mind. Rep. Alma Hernandez, D-Tucson, called for a woman to be minority leader on Nov. 11, and her sister Rep. Consuelo Hernandez, D-Tucson, was rumored to be seeking the position.

Alma Hernandez ran to be minority leader after former Rep. Andres Cano resigned from the position in 2023, leading to a nine-hour organizational meeting where she challenged Minority Leader Lupe Contreras, D-Avondale, for the spot.

"After two years of talking about unity and involving all voices of our caucus, we have returned to the same playbook. Good job, Dems, and good luck with that," Alma Hernandez wrote in a post on X after the House Democrats minority leader election Nov. 12.

Both Republican and Democrat Senate caucuses also elected leaders.

- Republicans re-elected Sen. Warren Petersen, R-Gilbert, as Senate president in an uncontested race Nov. 12.
- Sen. Janae Shamp, R-Surprise, will be majority leader and Sen. Frank Carroll, R-Sun City West, will be majority whip.
- Democrats elected Sen. Priya Sundareshan, D-Tucson as minority leader of the Senate. Sen. Flavio Bravo, D-Phoenix, was elected as assistant minority leader.
- Sen. Rosanna Gabaldón, D-Green Valley, will be the Senate minority whip, while Sen. Lela Alson, D-Phoenix, will be the caucus chair.

"You're going to see a speaker who is focused on things that matter to Arizonans. I think he reflects the modern Republican Party."

- Rep. Matt Gress, R-Phoenix.

COURTS



Elections officials process mail-in ballots prior to the first day of tabulation in Maricopa County, Oct. 23, 2024, at the Maricopa County Recorder's Office in Phoenix. Due to a lack of lawsuits about the election, the group Election Overtime changed plans for its election litigation tracking tool. (AP Photo/ Matt York)

Calm post-election period prompts reflection on public trust

BY KIERA RILEY kriley@stateaffairs.com

An election reform group prepared to launch a litigation tracker to keep tabs on an anticipated surge in legal challenges to the 2024 election.

But after the presidential election yielded no widescale legal effort, and states having so far seen little promise of impending courtroom battles, the group had to pivot.

Election Overtime, a project of Election Reformers Network, sought to keep tabs on litigation expected to spring out of a close presidential race, and predicted tight contests in a handful of states, including Arizona.

The day after the election, Election Reformers Network President Kevin Johnson put out a letter noting a decision to postpone the launch of the tool designed to keep tabs on races contested in court.

Johnson wrote, "It was clear last night, there's no overtime in this presidential race. It's a different day than we expected, and maybe a different world."

The presidential election sidestepped predicted legal challenges. And though contests could still emerge after Arizona's statewide canvass on Nov. 25, those working in election spaces have so far noted a comparatively calmer post-election environment than in 2020 and 2022.

The relative quiet so far gave way to some reflection on how and if public trust in elections has changed since 2020 and a hope that past post-election litigation vindicated security in state election processes among the public.

"The damage that's been done to voter confidence, the damage that, in many ways, Arizona was an epicenter for, is long-lasting," David Becker, executive director and founder of the Center for Election Innovation and Research, said. "I'm cautiously optimistic over time that confidence will be restored. I'm hopeful that some of the really destructive ideas that were based on disinformation … melt away now that those who spread some of the disinformation about elections saw the candidates that they prefer winning in 2024."

The post-election legal environment in 2024, both nationally and statewide, stands in stark contrast to 2020, where in Arizona alone, the presidential election brought on seven lawsuits challenging election administration and results and eventually stirred a months-long hand count audit.

And it pales to 2022, when gubernatorial candidate Kari Lake, attorney general candidate Abe Hamadeh and secretary of state candidate Mark Finchem – all Republicans – lodged lawsuits contesting the results of their elections, with allegations of some level of fraud or misconduct.

Lake and Hamadeh's contests, and Finchem's attempt to get out of court-ordered sanctions, were all denied review by the Arizona Supreme Court on Nov. 6. So far, no candidates have announced intent to challenge election results.

Becker said it was too early to say whether Arizona is out of the woods yet in terms of high-caliber election distrust or post-election litigation, but he hopes this cycle, as well as the recent close of election litigation in the past cycle, helps dispel unfounded claims of election fraud.

"This was always based on a lie. The Democratic Party, being out of power, did not somehow find a way to overcome the massive power of the Trump administration in 2020 and then forget how to use that power in 2024," Becker said. "There wasn't some grand conspiracy to have Arizona's electors go to Trump, but to send a Democratic senator to the United States Senate. None of these conspiracy theories ever made any sense. And hopefully, people will wake up to that now."

He noted post-election litigation in the last four years, though in some ways damaging to voter confidence, has ultimately polished the public's understanding of the courts as a safeguard in ensuring proper election results and processes.

"The work of every single election official in Arizona has been under the scrutiny of the courts for years, and every single time it has withstood that scrutiny. Every single time, they've shown their work, and they've demonstrated their work reached the outcome as defined by the will of the voters," Becker said.

He continued, "Arizonans, having gone through this trial by fire over the last four years, should have more confidence than ever about their election administrators, their elections process and the courts that will review it in the case of very close elections."

Despite a lack of election challenges thus far, Election Reformers Network released the election litigation tracker Nov. 12, featuring a collection of nationwide litigation potentially impacting results and future procedures.

In announcing the launch, Johnson noted a host of races still remain uncalled, and election contests could still be on the table. But he hopes litigation of past cycles, and any potential litigation in 2024, highlights for the public the distinction between what he deemed the "real results process," or ballot counting, recounts and post-election litigation, and the "media or political centric process" characterized by race calls and projections.

"There will be a narrative of misinformation that arises again in some election very soon," Johnson said. "They need to know the difference, and they need to be ready to understand the 'real results process.'"

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IN THEIR WORDS: KARAN ENGLISH

where the lobbyists stay. And I made a big stink, and I said, "You didn't ask me if you could buy my dinner. You have legislation that we're voting on. It is inappropriate, and here's 30 bucks for my dinner and take it." And he was just dumbfounded that anybody would do something like that to him. But that is the arrogance of some of those lobbyists and, to me, that's an ethical issue, you know. And, he didn't ask. If he had asked me, I would have said it's inappropriate to buy us dinner, the whole committee when we're voting on stuff tonight. You know, it's just not right. So I wasn't very well liked because I did those kind of things, and I did them publicly to make a point, and I probably embarrassed myself as much as I embarrassed him, but I did it anyway. So I kind of became known as a little bit of a troublemaker with the lobbyists and then they didn't like me either. I burnt bridges by doing that kind of stuff.

GUEST COMMENTARIES

Renewed call for American universities to recognize advanced coursework in high school



By Marie Vivas

Let's be clear. No student should have to incur crushing debt to obtain a higher education. The harsh reality in the United States, however, is that students graduate with debt equaling, on average, around $30,000 for a bachelor's degree.

For many, that's a downpayment on a home that will be many years delayed.

While politicians debate loan forgiveness, there are other ways to reward student achievement without incurring excessive debt. It's also up to colleges to recognize academic rigor during high school to allow students more access to higher education.

Recognition can mean many things in higher education. It can mean acknowledging a high school diploma from one region is equivalent to that of another. It can mean understanding how a certain program might give a student an edge in the admissions process.

One of the most important roles of recognition in North America is how colleges and universities transfer rigorous high school work into credits for students to enter with advanced standing. This is key to lessening the financial burden of higher education for students, and ensuring more equitable access, particularly for students with low socioeconomic status.

Offering students advanced credit by recognizing their college-level courses completed during high school opens more possibilities for students. It also benefits schools in more ways than one.

When colleges offer advanced status for completion of rigorous high school coursework, students pay attention. Recognition, by allowing the transfer of high school courses for college credit, encourages students to pursue advanced courses. Additionally, the academic rigor of advanced courses in high school provides excellent preparation for college and career success. Research shows that for low-income and historically marginalized students' participation in advanced courses increases retention and graduation rates.

By transferring credit from high school work into college or university, students bypass entry-level courses and start specialized courses in their major to reach degree completion sooner. Eliminating a semester or two from their experience also offers substantial financial savings for students who would otherwise incur more loans.

Offering advanced credits enhances the campus experience, allowing students greater flexibility to double major, add a minor, and/or engage in other activities like studying abroad.

For colleges, recognizing advanced high school courses helps attract more competitive students. Applicants who are pondering how their rigorous high school diploma will serve them in college are already at the top of their game. These are the competitive, innovative, committed learners that colleges want.

Ultimately, colleges are making themselves more accessible by allowing greater flexibility and enabling more students to graduate earlier, if they choose. It's vital to give students incentives for their hard work

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Where 'MAHA' loses me – and should lose you too



By Ashley Chambers

President Donald Trump has reclaimed the presidency, in part due to the endorsement of Robert F. Kennedy Jr. and his "Make America Healthy Again," or MAHA, movement. Kennedy is reportedly in discussion with Trump's transition team regarding a potential role in Health and Human Services or the Food and Drug Administration. Whether or not he assumes a formal role in government, he is poised to exert a deeply concerning influence over public health policy. All parents who want a healthy future for their children should urge the administration to reconsider.

As a mother of three school-aged children and a woman interested in providing myself and my family with a healthy lifestyle, many of Kennedy's recent public comments resonate with me. However, a closer look at his record, including the statements from his nonprofit, Children's Health Defense, or CHD, reveals a troubling disregard for long-established science and an unjustifiably aggressive stance against childhood vaccinations. While his emphasis on "wellness" resonates on the surface, his anti-vaccine rhetoric quickly turns my initial interest into dismay.

Kennedy often emphasizes the rising rates of chronic disease and obesity in America – a reality that many of us recognize and want to combat. Like other parents, I want children to grow up free from obesity and Type-II diabetes. All families should have access to affordable, nutrient-rich diets with plenty of fresh fruits, vegetables, proteins, and whole grains. Families should not have to rely heavily on processed foods because they can't afford or find fresh options. Kennedy has even suggested removing processed food from school lunches, an idea many parents would support if it meant their children could enjoy fresh, tasty meals each day. Kennedy's social media has numerous pictures of him working out, and I think we all should be encouraged to move our bodies through walking, exercise classes, or sports, including daily movement for our kids.

MAHA has voiced support for small farms and sustainable agriculture, calling for a shift away from large-scale, environmentally damaging farming practices. I agree with this, as many of us would prefer meat from animals that are pasture-raised rather than from confined, industrial settings. A national emphasis on healthy eating and exercise could indeed reduce obesity and improve quality of life, including mental health. If Kennedy's message stopped here, I'd fully support the MAHA cause. But the reality is far more complicated and dangerous.

A quick glance at CHD's website makes it clear that Kennedy's commitment to "health" includes promoting unfounded fears about vaccines. CHD's website lists Kennedy as the Founder, Chairman of the Board, and Chief Legal Counsel for Children's Health Defense. Although it currently lists him as "On Leave," this is his Organization and his beliefs. CHD's website and social media are full of scientifically disproven claims about the inefficacy of vaccines, the lack of safety testing, the link between autism and vaccines, the side effects of vaccines, and much more nonsense. Again, none of these claims have any merit. Vaccines save millions of lives every year and allow our babies to grow up to be adults when many used to die or suffer serious life-long consequences of diseases like measles and polio.

Kennedy's messaging dangerously conflates good nutrition and physical fitness with immunity from disease, suggesting that vaccines and medicine are only necessary for those who aren't "healthy." While a balanced diet and regular exercise are vital to well-being, health also encompass-

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GUEST COMMENTARIES

The way out of our hyperbolic election cycle



By Kellie Walenciak

Since Donald Trump's first election, American politics have shifted swiftly and disorientingly, amplifying divides and intensifying reactions to outcomes that, not so long ago, would have been met with acceptance and a resolve to do better next time. As someone who didn't support Trump in either of his campaigns, I was devastated when he won in 2016. By 2024, however, I was less surprised. Pollsters had been predicting a razor-thin race, so I was braced for anything. My real dismay came as I witnessed the post-election reactions of young people in my life. Their messages reflected a profound sense of loss. They felt the stakes were existential – that democracy itself was at risk.

My response was to assure them it would be OK – and I believe it will be. But I also had to ask myself how we reached this point. How did elections come to feel like make-or-break moments for our democracy? Certainly, elections have always mattered, but with the rise of social media and 24/7 news, the stakes now seem to carry the weight of our collective future, leaving little room for resilience. Every victory or loss feels like an irreversible step toward progress or destruction.

Reflecting on this, I've had to confront my own role in creating a hyperbolic, binary view of politics – a mindset where one side supposedly holds all the answers, while the other will inevitably lead America to ruin. I bought into the idea that each election's stakes were apocalyptic, and in doing so, I became part of the echo chamber fueling this divisive rhetoric. I was wrong. Real progress doesn't come from seeing the world in black and white; it thrives in spaces where nuance and diverse perspectives are valued.

We've seen this in action with legislation like Trump's First Step Act and Biden's Infrastructure Deal – policies that brought together leaders across the political spectrum to achieve meaningful change. These examples remind us that the best ideas emerge not from one side but from collaborative and open dialogue across ideologies.

The amplification of every political event, real or rumored, keeps people in a perpetual state of political anxiety, unable to find stability or hope between election cycles. This mounting tension reached a breaking point on January 6, 2021, in a violent insurrection at the U.S. Capitol, fueled by misinformation and denial of the 2020 election results. Yet, as each new election approaches, I worry we haven't learned our lesson – that we're still trapped in this cycle, vulnerable to the same divisive forces.

Observing young people navigate this politically charged landscape, I empathize with their burden. They've come of age in an era where every vote and outcome feels like it could signal the beginning or end of something monumental. This anxiety is almost unavoidable in the digital age, where the two-party system thrives on division and campaigns heighten existential threats to mobilize support. Coupled with the relentless news cycle, these strategies intensify pressure on voters, making it increasingly difficult to maintain hope and resilience between elections.

Kellie Walenciak is the head of Global Marketing at Televerde, a revenue creation partner supporting B2B businesses worldwide. Learn more at https://televerde.com/.

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RENEWED CALL FOR AMERICAN UNIVERSITIES TO RECOGNIZE ADVANCED COURSEWORK IN HIGH SCHOOL

and recognize their dedication to academic pursuits with college credit.

In the same way that schools attract theater or sport talent, schools that recognize rigorous academic programs attract future global leaders and changemakers in the same way.

Schools also benefit from increased graduation rates. Motivated students see their diploma through, keeping retention and graduation rates high. This elevates schools' reputations, and attracts more qualified applicants, year after year.

As colleges and universities seek to attract highly qualified and diverse students, proper recognition for advanced courses plays a significant role in increasing applications, enrolling, and retaining top students, while offering additional financial relief to this important student population.

The American Council on Education, or ACE, is a major coordinating entity for higher education. Through their recommendations, ACE steers what constitutes a competitive edge in preparation for higher education. The organization recently recommended that colleges and universities award at least three academic credits for International Baccalaureate scores of 4 or higher, designated for all 19 courses reviewed. ACE recommended 12 credits for language courses, allowing students to bypass two or three semesters of university-level language courses.

External review validates that rigor and high standards of high school programs give students an edge in higher education.

Implementing fair and equitable course credit policies to recognize college-level courses completed during high school is key to attracting competitive students. More importantly, advanced coursework has the potential to lessen the excessive financial burdens today's students face to obtain the higher education that they want and need.

Through the increased availability of advanced coursework, we can benefit students through rigorous learning, increase their chances for college or university admission and graduation, and potentially decrease their financial burden.

Marie Vivas is a senior recognition manager at the International Baccalaureate Organization

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WHERE 'MAHA' LOSES ME – AND SHOULD LOSE YOU TOO

es preventative medicine, including vaccinations. Vaccines are designed to prevent illness, keeping people healthy by shielding them from preventable diseases. By redefining "health" to exclude modern medicine, Kennedy misleads the public, starting with principles most people can agree on and ending in unscientific conclusions.

If President Trump's administration truly wants to improve Americans' health, they should prioritize a strategy that makes nutritious food accessible and affordable, supports wellness in schools, and promotes physical activity. But Kennedy is not the right person to lead this effort. True health includes both lifestyle choices and scientific advances. It is essential that President Trump and MAHA advocates understand this balance and select leaders who recognize that a healthy America is one that embraces both diet and exercise as well as modern medicine.

Ashley Chambers is a lawyer and executive director at Arizona Families for Vaccines, a bipartisan nonprofit focused on building a grassroots, pro-public health movement in Arizona.

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HOBBS NOT TO BLAME FOR DEMS' FAILURE TO FLIP LEGISLATURE, CONSULTANTS SAY



Gov. Katie Hobbs, the fifth female governor of the state, speaks at the Arizona Democratic Party's election night watch party on Nov. 5, 2024, in Phoenix. (Photo by Samuel Nute/ Cronkite News)(AP Photo/Matt York)

"We did what we needed to do, and I'm going to work with the Legislature that Arizonans elected," Hobbs said. The Arizona Democratic Legislative Campaign Committee, which Hobbs worked closely with during the election cycle, released a statement that attributed the strengthened Republican majorities to "top-of-the-ticket trends."

"Across the country, down-ballot Democrats worked tirelessly to combat top-of-the-ticket trends," said ADLCC Executive Director Elsa O'Callaghan in a statement. "It is now clear that those trends proved to be insurmountable."

Some Republicans started pointing fingers at Hobbs, saying her political clout was hurtful and not helpful to the Democratic candidates she stumped for. But consultants on both sides of the aisle aren't so sure.

"Blaming her for this is convenient but inaccurate," said Stacy Pearson, a Democratic campaign consultant. "I get that because she made this a public priority, that she's going to get the public criticism, but this is not that."

Pearson said she attributes the losses across the ballot to a lack of focus from Democrats on registering more voters to counteract the Republicans' voter registration advantage.

"This is not an admonishment of her leadership," Pearson said. "This is a much bigger scenario in the state of Arizona, where new residents are moving here, and they're not registering as Democrats. It is a much, much bigger national landscape."

Barrett Marson, a Republican consultant, also highlighted national trends as a possible explanation for Democratic losses in Arizona.

"I don't think Arizona's election results are on Katie Hobbs because I think there was a mood among voters that transcends state politics," Marson said.

He also placed blame on fundraising and messaging from the Democrats, saying money was wasted by not talking about big ticket issues like the economy and the border.

Marson said Hobbs will need to keep those trends in mind as she heads into the next legislative session because voters will likely be thinking of similar issues when she is expected to run for reelection in 2026.

"She'll have to read these election results and see that she may have to tack a little right, she may have to negotiate a bit more with legislative Republicans and sign some of the things that maybe she opposes or isn't a fan of because clearly, voters preferred Republicans in the 2024 election, up and down the ballot," Marson said.

No Republican challengers have officially announced their candidacy for governor yet, but some Republicans are floating rumors that the Democrats may find someone to replace Hobbs at the top of the ticket. Both Pearson and Marson say a primary challenge to Hobbs is highly unlikely.

"Get in at your own peril, if somebody wants to come in, but it's just that's not how the infrastructure works," Pearson said. "I think folks that are encouraging or wishing for or optimistic about a Democratic primary are just doing it for publicity value, it's not going to happen."

Pearson and Marson both said Hobbs' massive campaign war chest and proven fundraising abilities will be a huge deterrent for any Democratic challenger. Hobbs spent much of her campaign funds on legislative races this year, but had nearly $3 million in cash on hand before the election.

Marson said that doesn't mean Hobbs should rest on her incumbent advantage, as he said he believes she will face an even stronger Republican challenger in 2026 than she did in 2022 when she squared off against Kari Lake.

"She still has several million dollars in the bank and a record to run on, but it's got to be a record of more than just vetoes," Marson said. "She is the veto queen, there's no doubt about that. That veto stamp works overtime, but she's going to have to tell voters what she has done, what she is for, not just what she is against."

LEGISLATURE

GOP strengthens control of Legislature, wins swing districts

BY JAKOB THORINGTON
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Republicans are set to gain ground in both chambers of the state Legislature after securing victories in several battleground districts.

Election results aren't final yet, but all four legislative caucuses felt confident enough in results so far to hold leadership elections, with current races unlikely to change.

Republicans will have picked up two seats in the House to expand the majority to 33-27, while Senate Republicans have picked up one seat and expanded the majority to 17-13.

"It's just clear now that there's been a general repudiation at what Democrat policies have been," said House Speaker Ben Toma, R-Peoria. "I think the governor has failed on a number of her priorities, and it's over. It's pretty clear that Arizona has spoken pretty definitively."

Three of the state's swing districts that were vital in helping Democrats reduce GOP majorities completely flipped red, including Legislative Districts 4, 13 and 16. In LD4, Rep. Matt Gress, R-Phoenix, and Republican Pamela Carter beat Democrats Kelli Butler and Karen Gresham, taking a House seat from Democrats. Republicans also gained a Senate seat in the district after Carine Werner beat Sen. Christine Marsh, D-Phoenix.

"It was a pretty big win," Gress said of the district. "I think this district performed the way we understand it should be performing, which is a center-right district and when you talk about the issues that matter to Arizonans – cost of living, safe neighborhoods, great schools – that resonates with these voters in a big way."

Gress said Marsh was a tough candidate to beat in the district, with her serving in the Senate since 2020 and having big fundraising dollars go toward her in recent elections. In this election cycle, Marsh raised almost a half million dollars, according to her most recent campaign finance report.

In a written statement conceding to Werner, Marsh said, "My only regret is that I wanted to accomplish so much more. I had hoped that I would serve in the majority party during my tenure as your state senator."

Republicans took a House seat in LD13 with incumbent Rep. Julie Willoughby and former state Rep. Jeff Weninger beating both their Democrat opponents Nicholas Gonzales and Brandy Reese. In LD16, Rep. Keith Seaman, D-Casa Grande, lost to Republican Chris Lopez.

Democratic consultant Gaelle Esposito said she believed part of the Republican gain in the House was due to an "ambitious" Democrat strategy of running multiple candidates in districts where they ran only one candidate in recent years.

LD4 and LD13 Democrats ran two House candidates. In 2022, when they had House seats in both those districts, only one Democrat ran for the House.

Democrat Stephanie Simacek is leading her House race in GOP-leaning LD2 as a single-shot candidate, and Democrat Kevin Volk is leading his House race as a single-shot in LD17. This district isn't considered competitive by the Arizona Independent Redistricting Commission but has seen support for Democratic candidates among voters.

"I wouldn't feel great fundamentally if I were (Republicans). This was the best partisan environment that they could have asked for, and this is all they got," Esposito said.

Republicans also performed well in LD23, which has been projected by the redistricting commission as a safe blue district. Rep. Michele Pena, R-Yuma, got the most votes in the House race against Rep. Mariana Sandoval, D-Goodyear, and Matias Rosales. Republican Michelle Altherr was also about three percentage points behind Sen. Brian Fernandez, D-Yuma.

Democrats also led in other swing district House races, LD9 and LD2, and appear to have held seats by thin margins, like Rep. Seth Blattman, D-Mesa, winning by just over half a percent over Republican Kylie Barber by Nov. 13.

"We got so close to 34, and maybe even 35," Toma said. "It's still a lot better than the initial results (on election night) at 30-30."

GOP consultant Doug Cole said he believes the few seats Republicans picked up will be influential for Republican policy goals, even operating under divided government with Democrat Gov. Katie Hobbs.

"The past four years have been one vote," Cole said. "Sometimes people will need to break away, and this will allow them to … supermajorities are sometimes harder to navigate because you get subgroups that become pretty powerful."

Republicans may not have a supermajority but they do have a subgroup in the Arizona Freedom Caucus, which has sometimes gone against Republican leadership at the Legislature, and Cole acknowledged Freedom Caucus Republicans will have influence over the Legislature.

"The Freedom Caucus is still as relevant as they always have been because of who the president of the United States is," Cole said.



Arizona House Speaker Ben Toma speaking with attendees at an event titled "Arizona Talks: Criminal Justice" hosted by Arizona Talks at the First Baptist Church of Scottsdale. (Photo by Gage Skidmore)

2024 ELECTION

Lake loss leaves a question of – now what?



Republican candidate for U.S. Senate Kari Lake speaks to the media before voting, Nov. 5, 2024, in Phoenix. (AP Photo/Matt York)

BY KIERA RILEY
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Kari Lake lost her second statewide election in two consecutive election cycles, following a Senate race call for Congressman Ruben Gallego late Nov. 11, leaving the question of how, or if, she will make another run for public office.

Lake served as the exception to sweeping Republican success up-and-down the ballot. Consultants say a future, successful campaign is not completely out of the question but could prove difficult given key electoral failings in 2024.

"She lost in a year where we've seen many Republicans down ballot do exceptionally well and over perform, particularly in swing areas," Paul Bentz, pollster for HighGround Public Affairs said. "It was a very Republican year, with the exception of Lake, who was on the outside looking in."

Gallego came out the gate on election night ahead of Lake by about 118,000, but back-and-forth in ballot drops slimmed down his lead to less than 33,000 votes, then later brought the vote difference back to 72,626 after another round of results from Maricopa County.

According to The Associated Press, the call came after determining that in order to prevail, Lake would have had to win 70% of the 181,000 remaining uncounted ballots, a near impossibility given lackluster vote splits for Lake in Maricopa and Pima counties.

On X, Lake did not acknowledge her defeat, but the Kari Lake War Room account lambasted the fact Lake was outspent by Gallego and "abandoned" by the Senate Leadership Fund, which spent $0 in support of Lake, per campaign finance records.

Lake has yet to concede. A spokesman for Lake's campaign did not respond to an inquiry on Lake's concession, or alternatively, any potential legal action she was considering in light of her loss.

But the race call, and Lake's prior unsuccessful attempt to take the Governor's Office, does leave a specter of what looms in Lake's political future.

Consultants speculated Lake could see success in conservative media, potentially secure some position in President-elect Donald Trump's administration and floated a rumor that Lake may go after the state party chair position, currently filled by Gina Swoboda.

As for any position in the Trump administration, Caroline Leavitt, Trump-Vance transition spokeswoman, said in a statement, "Trump is making decisions on who will serve in his second administration. Those decisions will be announced when they are made."

In terms of aspirations for future elections, Bentz said Lake's difficulty in capturing Maricopa County this election cycle could spell trouble.

"We see up and down ballot that Republicans did incredibly well, lesser known Republicans did incredibly well in Maricopa County," Bentz said. "She is still losing Maricopa County. She's got a challenge in our most populous region. It would take a massive amount of rehabilitation for her to be electable in Maricopa County."

Bentz added her lag behind Trump proved a problem too. Trump successfully pulled congressional and legislative candidates over the finish line but left Lake in the lurch.

But her most recent election loss, and her gubernatorial loss are not necessarily a death knell.

"You just never can count these types of candidates out when there's something about campaigning that is very attractive to individuals like her," Bentz said. "Never say never."

Jason Rose, consultant and president of Rose+Allyn Public and Online Relations, said he thought another bid for office was not out of the question for Lake either but noted a more disciplined approach to be crucial going forward.

"Kari Lake is a talented individual, but she cannot invoke that self control," Rose said. "It's not like she's going to alienate her base. She could just be a saner, more sublime person."

Rose said he could see Lake going for secretary of state, given her affinity for elections. "There's somewhat of a nexus there," he said. "And if anyone says she can't win it, look at the Maricopa County Recorder's race."

He floated the possibility of a bid for lieutenant governor, too, but noted if she strived for the Governor's Office again in 2026, he had doubts about her ability to secure an endorsement from Trump.

"The Trump World does not like people who lose," Rose said.

Overall, though, Rose said a step back may need to come before a step forward in any direction.

"She just needs to take some time away. She needs to then put some new voices around her, rather than having many sycophants and really reflect on what's going to be the winning formula," Rose said. "Winning often is a little more nuanced, and especially in a state like this."

ENVIRONMENT

Environmentalists, business leaders weigh in on all-GOP Corp Comm

BY REAGAN PRIEST *rpriest@stateaffairs.com*

In 2025, Republicans will fill all five seats on the Arizona Corporation Commission, but clean energy advocates, environmentalists and business leaders aren't sounding a death knell for their causes.

Rachel Walden, Rene Lopez and incumbent Commissioner Lea Marquez Peterson were the top three vote-getters in the Nov. 5 election to fill three open seats on the ACC. They edged out three Democratic candidates and two Green Party candidates.

Democrats Ylenia Aguilar, Jonathon Hill and Joshua Polacheck ran as an environmentally-friendly, climate-focused slate, while the Republicans campaigned on lowering utility rates through the free market and a diverse energy portfolio.

Sandy Bahr, director of the Sierra Club's Grand Canyon chapter, said she was a bit surprised by the results.

"I did not anticipate that the Republicans would sweep it," Bahr said. "I thought that there might at least be one or two Democrats, but I knew it was going to be tough."

Environmental groups like the Sierra Club and clean energy groups like Advanced Energy United say the supermajority will present challenges to environmental protection rules and the promotion of alternative energy sources. However, the Republicans held all five seats as recently as 2018, while Democrats haven't had a majority since 2010.

Currently, the commission has a 4-1 Republican majority. Republican Chair Jim O'Connor and Democratic Commissioner Anna Tovar both decided not to run for reelection.

Bahr has been an environmental lobbyist at the state Capitol for decades and said groups like the Sierra Club are no strangers to working with Republican majorities – whether at the commission, the state Legislature or the Governor's Office.

"We're expecting to see more of the same, except there won't be dissent on the Commission. I think they are likely to have a lot of five zero votes," Bahr said.

She anticipates that the new commission will move forward with repealing the Renewable Energy Standard and Tariff rules and the Electric Energy Efficiency Resource Standard. The commission enacted the two policies in 2006 and 2010 respectively, and they require utility companies to meet certain renewable energy and energy efficiency goals.

The commission voted earlier this year to start the process of repealing both standards, despite protests from the lone Democrat on the commission and clean energy advocates. The goals set by both policies have been met, but advocates say repealing the standards will allow utilities to fall behind or reduce progress that has already been made.

Bahr said she also expects the incoming commissioners to defend the commission's June 2024 decision to exempt a UniSource Energy power plant expansion from environmental review. That decision is currently the subject of three lawsuits in Maricopa County Superior Court.

"I know that all sounds really negative, and I just think more than ever, people need to show up and speak up, and especially speak up for those who don't have an opportunity either to come to the Legislature or be at the Corporation Commission," Bahr said.

Michael Barrio, a policy expert with Advanced Energy United, said he has a more optimistic view on working with the new commission.

"The ACC makeup may initially seem challenging for some clean energy advocates, but I feel like for us, it really presents an opportunity to engage with the commission on the economic benefits of clean energy, especially as our energy demand rises and the reliability conversation becomes critical," Barrio said.

He said he will be focused on pitching clean energy from an economic growth perspective, which current and future Republican commissioners have indicated is a priority.

"We have to do a better job of emphasizing how things like expanded [electric vehicle] infrastructure and community solar contribute to local job growth and tax revenue, and how that aligns with a Republican-leaning commission's economic goals," Barrio said.

Danny Seiden, president and CEO of the Arizona Chamber of Commerce and Industry, said he doesn't think anyone should expect "anything drastic" moving forward because he believes the commission is focused on the affordability and reliability of utilities.

"I don't think they've said they're against clean energy," Seiden said. "I think they're focused on a lot of renewables."

Seiden said the chamber has supported the commission's course in recent years because it brought business to Arizona and benefited the economy. He highlighted how the reliability of the state's energy grid keeps Arizona competitive economically and attributed that to the commission.

"I think the Corporation Commission deserves a lot of respect and a lot of adulation for what they've been able to do," Seiden said.

However, the commission has received criticism for its decisions related to renewable energy, environmental protections and increased utility rates.



Rows of solar panels sit at Orsted's Eleven Mile Solar Center lithium-ion battery storage energy facility, Feb. 29, 2024, in Coolidge, Ariz. Batteries allow renewables to replace fossil fuels like oil, gas and coal, while keeping a steady flow of power when sources like wind and solar are not producing. (AP Photo/Ross D. Franklin)

BORDER AND IMMIGRATION

Petersen says Trump victory means AZ won't need to enforce Prop 314 provision



President-elect Donald Trump listens to Paul Perez, president of the National Border Patrol Council, as he tours the southern border with Mexico, on Aug. 22, 2024, in Sierra Vista, Ariz. (AP Photo/Evan Vucci)

BY HOWARD FISCHER
Capitol Media Services

The election of President Trump and a Republican Congress means Arizona won't be needing to enforce the major provision of the just-approved Proposition 314 according to Senate President Warren Petersen.

The Gilbert Republican said Wednesday the whole purpose behind the ballot measure was to allow state and local police to do the job that he said the federal government was not doing: enforcing federal laws that make entering the country at other than a port of entry a crime.

"We literally mirrored federal law," he told Capitol Media Services.

"The difference is Biden was not enforcing the law," Petersen said. "Trump is going to enforce the law.

But figures from Customs and Border Protection say there were more than 1.5 million arrests logged of those who entered the country at other than a port of entry in the last fiscal year.

Anyway, the Senate president said there are plenty of other crimes to keep the Department of Public Safety and local law enforcement busy. Plus, if local police are not arresting migrants, there's no need for Arizonans to pick up the costs of incarcerating them.

Overall, the Grand Canyon Institute pegged the annual cost at about $325 million.

And there's something else.

Even with voters approving the measure on a 3-2 margin, it could not be immediately enforced.

It was modeled after SB 4 in Texas where a federal appeals court has blocked implementation after agreeing with the Biden administration that it illegally infringes on the exclusive right of the federal government to regulate immigration.

And rather than Arizona picking its own fights with the feds, Prop 314 was crafted so that it can take effect no sooner than six months after there is a final court ruling upholding SB 4. Now, said Petersen, all that remains academic.

Still, he said, there are other provisions in the measure that still have value.

One requires state agencies to check the immigration status of those who apply for public benefits. Another makes it a crime to submit false documents or information to an employer to evade discovery of their status of being in the country without documentation.

There also is language that increases the prison terms for the "sale of lethal fentanyl" based on the claim that much of the supply of the drug or its precursor chemicals has come across the border.

"You've got stronger fentanyl penalties now," Petersen said. "That's a state crime and this is where it should be handled."

But the measure was sold largely on the basis of ensuring the state can play a role in dealing with what has been an increasing number of people crossing the border.

"What it means is we don't have to do the federal government's job," Petersen said. "This obviously frees up law enforcement so they can shift their priorities."

The approval of Prop 314 was not a fluke in the 2024 election.

Immigration was one of the top issues on the federal level. And Trump gained traction on the national level -- and here in Arizona where he picked up more than 53% of the vote -- with promises to not just seal the border but to deport the approximately 11 million who have entered the country without authorization.

Biden himself put immigration on the public agenda when, in his first days as president, he rescinded the "Remain in Mexico" policy that Trump had instituted during his first term.

That related to the 2018 Migrant Protection Protocols. The intent was to force Homeland Security to either lock up asylum seeking from countries other than Mexico or Canada, as the law stated, or send them to Mexico as the law allowed.

Trump got the Mexican government to agree to accept these non-Mexican citizens. And by the end of 2020, the agency had enrolled more than 68,000 in the program.

But the day Biden was sworn into office, the agency suspended the program. It was terminated five months later.

That led to the TV images of flows of migrants finding the gaps and holes in the border wall and then surrendering to Border Patrol to seek asylum. Given limits on places to incarcerate them, most were simply released and given court dates to reappear.

The issue of border crossers was so strong in public sentiment that Biden this past summer backtracked a bit.

He issue a number of executive orders, including barring migrants from seeking asylum when encounters are high. That cut the flow. But it still left the whole issue on the political front burner. And it became a talking point for Republicans -- and a political wedge issue.

GOP lawmakers first approved the plan to allow state and local police arrest those who enter the country at other than a port of entry as legislation and sent it to Hobbs. She vetoed it.

"I absolutely understand Arizonans' frustration," she said.

"Put me on the top of that list of the federal government's failure to secure our southern border and the feeling of wanting to take it into your own hands," Hobbs said. But the governor said this bill "is not the answer to that problem."

So GOP lawmakers turned around and put it on the ballot, beyond her power to veto it, adding in the provisions on public benefits, employment documentation and fentanyl.

Petersen said while Trump won, that doesn't mean Arizonans made a mistake in approving the measure.

"The way I see 314 now is, it's a resource for us to have if we ever get a president again that won't enforce federal law," he said. "But, right now, Trump is going to enforce the law that's in place."

He also took a swat at the outgoing president, who had argued at times that his ability to deal with the number of migrants crossing the border was limited by federal law.

"Biden didn't need a new bill," Petersen said. "What they needed was to enforce existing laws."

That, however, raises another question: Are there actually enough Border Patrol officers to do the job.

A 2023 audit by the Department of Homeland Security found that 88% of border stations reported they were understaffed. That situation was complicated by many agents being reassigned to deal with migrants who were crossing the border and seeking asylum.

Petersen, however, said he is not worried that cost will be a factor based on the promises that Trump made.

COURTS

Judge recuses himself from 'fake electors' case after allegations of bias



Judge Bruce Cohen speaks during a pre-trial hearing Aug. 27, 2024, during the fake electors case in Maricopa County Superior Court in Phoenix. (Rob Schumacher/The Arizona Republic, Pool via AP)

BY HOWARD FISCHER *Capitol Media Services*

PHOENIX – The judge handling the "fake electors" case has stepped aside after an attorney accused him of comparing Trump supporters to Nazis.

In a new order, Maricopa County Superior Court Judge Bruce Cohen, originally appointed by then-Gov. Janet Napolitano, did not dispute writing an email in August and sending it out to other judges saying people – particularly white males – should not stay silent about claims made or repeated by Trump on social media, things like Kamala Harris being a "DEI hire" and making references to Harris and Hillary Clinton and how a sex act affected their careers.

But Cohen went a step farther.

He put it in the context of the essay by Martin Niemoller, who penned an essay about people staying silent about acts by the Nazis because it didn't affect them. And the judge said it was "time for me to state my piece or be complicit in the depravity."

"We no longer can stay silent merely because others are exercising their right to free speech," he wrote. "We, too, have that same right and must exercise it."

All that got the attention of Michael Columbo, one of the attorneys for Sen. Jake Hoffman.

The Queen Creek Republican is one of 11 people who signed a document after the 2020 election saying that Donald Trump had won the popular vote in the state – he did not – and that the state's 11 electors should be allocated to him. That resulted in he, the 10 other electors and others accused of coming up with the scheme on charges of conspiracy and forgery.

One of the defendants Jenna Ellis, a former attorney for the Trump 2020 campaign, already has agreed to a plea deal and to cooperate with prosecutors in exchange for having felony charges dropped. A trial for those that remain is set to begin in early 2026.

Cohen subsequently issued an apology, not for what he said but for sending out the message to every judge in the system. But Columbo was not satisfied.

> ***"We no longer can stay silent merely because others are exercising their right to free speech."***
>
> ***- Jodge Bruce Cohen***

"The utter contempt Judge Cohen displayed against President Trump in his Aug. 29 email makes it clear that Sen. Hoffman – who is on trial for exercising his First Amendment rights as a supporter of President Trump – cannot receive a fair trial before Judge Cohen," the attorney wrote.

Columbo also noted that Trump was designated in the indictment as an "unindicted co-conspirator," with Attorney General Kris Mayes saying that was a conscious decision, at least in part because the former president was already facing a federal investigation for many of the same acts.

Mayes actually acknowledged this week those federal charges could be dropped now that Trump is the president-elect. But the attorney general said she is having no second thoughts about not bringing charges against him.

Still, Columbo said the fact Trump was even named in the indictment is important.

"President Trump is not just a political figure whom Sen. Hoffman supports," the lawyer said. "Even if Judge Cohen can somehow separate his apparent detestation of President Trump from his adjudication of a case that centers around defendants' political activity in support of President Trump, the appearance of impropriety is a stain on this case that cannot be removed."

Columbo also contends that Mayes' office itself is biased against his client and the other defendants. And he is using that as one of the bids to have the whole case dismissed.

But he said Cohen has shown by his writings he is not in a position to fairly evaluate those claims.

"Judge Cohen apparently agrees with Mr. (Daniel) Barr, (the chief assistant attorney general) that there are parallels between those who support President Trump and those who supported Adolf Hilter and facilitated the Holocaust. "Judge Cohen cannot fairly assess the gravity of Ms. Mayes and Mr. Barr's dangerous rhetoric when he engages in similar rhetoric in his discussions with other judges."

In his order, Cohen defended the essence of what he said, saying the superior court has a large number of female judges as well as those who are minorities.

"Each of those judicial officers have ascended to their current positions through merit and because of exceptionalism," Cohen wrote, saying his email to the other judges was "support for the exceptionalism of the judicial officers of Maricopa County and was a stand for decency and respect."

Cohen said he would have made the same response regardless of from where on the political spectrum such comments originated.

The judge said he issued an apology only for using his ability to send emails to all judges, saying that "was not the place for unsolicited comments."

Still, Cohen conceded, that doesn't end the discussion.

"This court is also mindful of the appearances the subject email may have created for those who have interpreted the communication differently than intended," he wrote in his order recusing himself from the case. "Out of a commitment to justice, even the appearance of bias cannot be allowed to undermine the fundamental fairness that is extended by the court to all who come before it."

The case now needs to be reassigned to another judge.

FROM OTHER STATES

NEWS OF INTEREST FROM ACROSS THE NATION

Arkansas

BOARD OKS PRISON SITE DESPITE OBJECTIONS

LITTLE ROCK — The Arkansas Board of Corrections has approved an 815-acre site where it plans to build a new prison, despite objections from some residents. The board voted to accept the land the state had purchased for nearly $3 million to build a planned 3,000-inmate prison. Gov. Sarah Huckabee Sanders and corrections officials say the prison space is needed to ease a backlog of state inmates in county jails. The purchase has prompted complaints from residents and local officials who say they were blindsided by the announcement and that public hearings were needed on it.

California

VOTERS REJECT BAN ON FORCED PRISON LABOR IN ANY FORM

SACRAMENTO — California voters have rejected a measure amending the state Constitution to ban forced labor in any form. The Constitution currently bans it except as punishment for crime. That exemption became a target of criminal justice advocates who are concerned about prison labor conditions. People who are incarcerated are often paid less than $1 an hour to fight fires, clean cells and do landscaping work at cemeteries. The initiative was included in a package of reparations proposals introduced by lawmakers as part of an effort to atone and offer redress for a history of racism and discrimination against Black Californians.

Colorado

GROUPS BRACE FOR IMPACT OF TRUMP ADMINISTRATION, SEE SILVER LINING

Immigrant rights, LGBTQ+, and climate action groups brace for challenges under Trump but see support in state laws. “Looking for ways to make lemonade.” That’s how Laurel Herndon, executive director of the Immigrant Legal Center of Boulder County, described her mindset the day after Donald Trump’s election victory. Leaders of organizations like Herndon’s, who work with communities targeted by Trump’s pledged policies, shared similar resolve: Though concerned about what Trump’s second presidency might bring, they’re determined to find a path forward. “There’s a web of people across this country who have worked for equality and humanity for a really long time, and all of those people are feeling the way that I feel today,” said Bruce Parker, deputy director of Rocky Mountain Equality, an LGBTQ+ advocacy group, on Nov. 6.



White House chief of staff Mark Meadows speaks with reporters outside the White House, Monday, Oct. 26, 2020, in Washington. (AP Photo/Patrick Semansky)

Georgia

SUPREME COURT REJECTS PUSH TO MOVE CASE AGAINST EX-TRUMP OFFICIAL

The U.S. Supreme Court has refused to let former Trump White House chief of staff Mark Meadows move the election interference case against him in Georgia to federal court, where he would have argued he was immune from prosecution. The justices did not detail their reasoning in a brief order handed down Nov. 12. Meadows was one of 19 people indicted in Georgia and accused of participating in an illegal scheme to keep then-president Donald Trump in power after he lost the 2020 election. Trump was also charged, though after he won reelection last week any trial appears unlikely, at least while he holds office. Both men have denied wrongdoing.

Idaho

JUDGE TEMPORARILY HALTS PLAN TO TRY SECOND TIME TO EXECUTE MAN ON DEATH ROW

BOISE — A federal judge has temporarily halted the planned execution of an Idaho man on death row whose first lethal injection attempt was botched earlier this year. Thomas Eugene Creech was scheduled to be executed by lethal injection Nov. 13. The state first tried and failed to execute Creech in February. Execution team members tried eight locations in Creech’s arms and legs but could not find a viable vein to deliver the lethal drug. U.S. District Judge G. Murray Snow issued the stay this week in a lawsuit from Creech that contends it would be cruel and unusual punishment to try to execute him again after the first lethal injection attempt was botched.

Kentucky

OFFICER WHO FIRED PEPPER AT TV CREW IN 2020 REPRIMANDED

LOUISVILLE — A Kentucky police officer has been reprimanded for firing non-lethal rounds at a TV camera crew during street protests over Breonna Taylor’s death in 2020. A crew from WAVE-TV was filming live as Louisville Police Officer Dustin Dean fired pepper rounds at them in May 2020. The first protests over Taylor’s shooting death by Louisville police had just broken out the night before. Dean was cleared of criminal charges by an FBI investigation. But an internal police investigation found he violated a use of force policy regarding chemical agents. He received a letter of reprimand.

Louisiana

JUDGE BLOCKS LAW ON TEN COMMANDMENTS IN CLASSROOMS

BATON ROUGE — A new requirement that the Ten Commandments be displayed in every public classroom by Jan. 1 was temporarily blocked by a federal judge who said the law is “unconstitutional on its face.” U.S. District Judge John W. deGravelles said the law had an “overtly religious” purpose and said opponents of the law are likely to win their ongoing lawsuit against the law. He also rejected state officials’ claims that the government can mandate the posting of the Ten Commandments because they hold historical significance to the foundation of U.S. law. Louisiana Attorney General Elizabeth Murrill said there will be an immediate appeal.

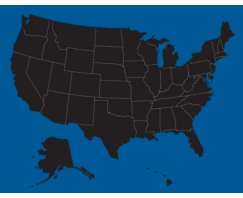
Missouri

VOLUNTEER POLL WORKERS DROWN ON A FLOOD-WASHED HIGHWAY

Authorities say a husband and wife died in each other’s arms after they were swept away by floodwaters as they drove to a polling station in rural Missouri early on Election Day. Wright County Sheriff Sonny Byerley says the two were regular election volunteers and that they were driving to the polling place in Manes, Missouri, around 4:30 a.m. when their vehicle was overcome. Their daughter identified the couple as 70-year-old Chuck Baldwin and his 73-year-old wife Cathie. The Baldwins were seen trying to swim to dry ground, but their bodies were later found clinging to a tree and each other.

FROM OTHER STATES

NEWS OF INTEREST FROM ACROSS THE NATION



Minnesota

WALZ VOWS TO FIGHT TRUMP'S AGENDA, WANTS TO UNDERSTAND HIS APPEAL

EAGAN — Gov. Tim Walz has vowed to make Minnesota a safe haven for the values that drove the Democratic presidential ticket he helped lead. Walz also promised to work harder to understand the concerns of President-elect Donald Trump's voters. Walz addressed a crowd of supporters inside a high school auditorium. He said the election outcome left him searching for answers. Walz promised to make Minnesota a bulwark against a second Trump administration's potential attacks on abortion rights, immigrants and labor unions. He also called on all Americans to bridge political divides that widened during the election.

Montana

BIDEN ADMINISTRATION TO RESTRICT DRILLING TO HELP STRUGGLING BIRD

BILLINGS — U.S. officials are proposing tighter restrictions on oil, solar and wind energy development across more than 6,500 square miles of federal land in the U.S. West. The goal is to protect a declining bird species, the greater sage grouse. Grouse numbers plummeted in recent decades because of drilling, disease and other pressures. The plan would eliminate loopholes that allowed development in areas considered crucial to the bird's long-term survival. Interior Department officials say it balances development with conservation. However, it is doubtful the proposed changes would survive under President-elect Donald Trump.

Nevada

DEMOCRATIC SENATOR REELECTED, SECURING BATTLEGROUND SEAT

LAS VEGAS — U.S. Sen. Jacky Rosen of Nevada has won reelection. The Democrat won her second term over Republican challenger Sam Brown, who was endorsed by President-elect Donald Trump. Rosen positioned herself as a nonpartisan advocate for her state while hammering Brown for his opposition to abortion rights. Brown tried to tie Rosen to the rising cost of living in Nevada and leaned on his own biography as a former Army captain who was badly wounded in Afghanistan.

New Hampshire

RECORD 13 WOMEN WILL BE GOVERNORS AFTER STATE ELECTED KELLY AYOTTE

A record 13 women will serve as governor next year after the election of New Hampshire Republican Kelly Ayotte, breaking the record set in 2023. Ayotte, a former U.S. senator, defeated the Democratic nominee Joyce Craig, former mayor of New Hampshire's largest city. Experts say women holding top public offices normalizes their presence and opens the door for more women to seek executive positions. Eighteen states have never had a woman in the Governor's Office.

New Mexico

WOMEN WIN MAJORITY OF SEATS IN LEGISLATURE

SANTA FE — Women won a majority of seats in the New Mexico Legislature in the general election, stirring expressions of vindication and joy. New Mexico now joins a small cadre of states that have achieved gender parity or elected female majorities. Nevada voters were the first in 2018 to elect a female legislative majority. The milestones are a counterpoint to the defeat of Kamala Harris, the second female Democratic nominee for president. Across the nation, the share of women in state legislatures roughly tripled from about 11% in 1980 to 33% going into the November election.

North Dakota

VOTERS DEFEAT MEASURES TO LEGALIZE RECREATIONAL POT, CUT PROPERTY TAX

BISMARCK — North Dakota voters have rejected ballot measures to legalize recreational marijuana, to outlaw most local property taxes, and to make it harder for citizens to change the state Constitution. Critics said the property tax proposal would have led to dramatic cuts in state services. Opponents to recreational marijuana said the drug has harmful physiological and societal effects. Those against adding requirements for constitutional initiatives said that measure would trample on citizen democracy. Voters did pass a measure to replace outdated language related to disabilities in the state Constitution.

Oregon

POLITICAL OUTSIDER ELECTED MAYOR AFTER HOMELESSNESS-FOCUSED RACE

PORTLAND — Voters in Portland elected political outsider Keith Wilson as their next mayor. Wilson, a Portland native and CEO of a trucking company, ran on an ambitious pledge to end unsheltered homelessness within a year of taking office. He says he will accomplish this in part by increasing the number of nighttime walk-in emergency shelters in existing facilities such as churches and community centers. His message appears to have resonated after years of growing frustration over homeless encampments and open drug use. Wilson was elected under Portland's new ranked-choice voting system. He beat three current City Council members to win the position.

Texas

SCANDAL-PLAGUED SHERIFF REELECTED

A North Texas sheriff has won reelection amid a surge of deaths at his jail, allegations of misconduct and cover-ups among staff, and warnings from a state regulatory agency that his office has violated state law by failing to commission outside investigations into numerous deaths on his watch. In Tarrant County, home to Fort Worth, Republican Sheriff Bill Waybourn secured his win over Patrick Moses, a reverend and retired federal law enforcement official, with 54 to 46 percent of the vote. The race had been dominated by the high number of jail deaths during Waybourn's tenure, with at least 65 people dying since he came to office in 2017, compared to 25 deaths in the jail in the eight years that preceded him.

Wyoming

STATE SELLING LAND IN NATIONAL PARK TO FEDERAL GOVERNMENT FOR $100 MILLION

CHEYENNE — Wyoming officials are proceeding with selling a spectacular, pristine piece of state property within Grand Teton National Park to the federal government for $100 million. A 3-2 vote by the state's top five elected officials ends decades of threats to sell the square-mile parcel to the highest-bidding private developer. The land that has been a bone of contention between Wyoming and federal officials for decades may finally be on track to sell within the next several weeks. The two officials voting no said they hoped to strike a better deal under President-elect Donald Trump's incoming administration.

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