

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

HOUSE ETHICS COMMITTEE

Report of Interim Meeting
Thursday, May 25, 2023
House Hearing Room 4 -- 10:00 A.M.

Convened 10:02 A.M.
Recessed 11:14 A.M.
Executive Session Convened 11:23 A.M.
Executive Session Adjourned 11:44 A.M.
Reconvened 11:47 A.M.
Adjourned 11:49 A.M.

**MINUTES RECEIVED
CHIEF CLERK'S OFFICE**

5/30/23

Members Present

Representative Chaplik, Chairman
Representative Grantham, Vice-Chairman
Representative Griffin
Representative Longdon
Representative Mathis

Members Absent

Agenda

Original Agenda – Attachment 1

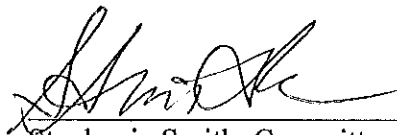
Committee Attendance

Report – Attachment 2

Committee Minutes

Minutes – Attachment 3

<u>Name</u>	<u>Organization</u>	<u>Attachments</u>
Special Order on Rule 15	Arizona House of Representatives	4
Exhibits A - D (Placed on file with the Chief Clerks' Office)	Arizona House of Representatives	5



Stephanie Smith, Committee Secretary
May 30, 2023

(Original attachments on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

ARIZONA HOUSE OF REPRESENTATIVES

INTERIM MEETING NOTICE OPEN TO THE PUBLIC

HOUSE ETHICS COMMITTEE

Date: Thursday, May 25, 2023

Time: 10:00 A.M.

Place: HHR 4

Members of the public may access a livestream of the meeting here:

<https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2023051045>

Convened 10:02a
Recessed 11:14a
Exec Convened 11:23a
Exec Adj's 11:44a
Reconvened 11:47a
Adjourned 11:49a

AGENDA

1. Call to Order
2. Roll Call
3. Ethics Matter Regarding Representative Stephanie Stahl Hamilton
4. Adjournment

Members:

Representative Joseph Chaplik, Chair
Representative Travis Grantham, Vice Chair
Representative Gail Griffin
Representative Jennifer Longdon
Representative Christopher Mathis

Pursuant to House Rule 30 and A.R.S. § 38-431.03, the committee may vote to go into executive session, which would not be open to the public, for the purpose of obtaining legal advice and providing directions to the counsel.

The Committee may recess and reconvene to the sound of the gavel or upon announcement.

This is a Rule 15 Hearing pursuant to the House Ethics Committee Rules of Procedure. It is not a judicial proceeding.

Testimony will be received by invitation of the Committee only. Other public testimony, including through the RTS system, will not be received.

05/23/2023
RA

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032 or through Arizona Relay Service 7-1-1.

ARIZONA STATE LEGISLATURE
 Fifty-sixth Legislature - First Regular Session

COMMITTEE ATTENDANCE RECORD

COMMITTEE ON _____ **ETHICS** _____

CHAIRMAN: Joseph Chaplik VICE-CHAIRMAN: Travis Grantham

DATE	05/25/23	/23	/23	/23	/23
CONVENED	10:02am	m	m	m	m
RECESSED	11:14 am				
RECONVENED	11:47a 12:44am				
ADJOURNED	1149a 12:44am				
MEMBERS					
Griffin	✓				
Longdon	✓				
Mathis	✓				
Grantham, Vice-Chairman	✓				
Chaplik, Chairman	✓				

✓ Present --- Absent exc Excused

**House Ethics Committee
Open Session Minutes
May 25, 2023**

Chairman Chaplik called the meeting to order at 10:02 am and noted Representative Stahl-Hamilton will not be present. It is further noted, Chairman Chaplik nor any other member of the Ethics Committee was not notified prior to the hearing session that Representative Stahl-Hamilton would not be in attendance.

(Chairman Chaplik) To help guide this rule 15 hearing, yesterday, I distributed a special order that sets out the structure of this hearing and the business before this committee. This is intended to provide order and a framework within which to conduct today's hearing. Have you all had the opportunity to review the special order?

(Committee Members) Yes!

(Chairman Chaplik) Motion to adopt the Special Order on Rule 15 hearing on May 25, 2023. Mr. Vice chair?

(Vice-Chairman. Grantham) Mr. Chairman, I move that the Special Order on Rule 15 hearing on May 25, 2023, be adopted.

(Chairman Chaplik) Any discussion?

(Committee Members) No!

(Chairman Chaplik) The question before you is the adoption of the special order on the Rule 15 hearing on May 25, 2023. All those in favor say aye. It appears the ayes have it, do have it, so ordered.

(Chairman Chaplik) An ethics complaint has been filed against Representative Stahl Hamilton by Representatives Heap, Marshall, and Diaz. We are here today in consideration of that matter.

(Chairman Chaplik) As a preliminary matter, the Chair has received a letter from Representative Stahl Hamilton's Council dated May 18, 2023, entitled "Request for Disclosure." In the letter, Council makes several requests, including the names and addresses of all witnesses; the existence, location, and custodian of any tangible or electronically stored information that might be relevant; names of proposed expert witnesses; and a complete copy of all video footage collected during the internal House investigation of the Bibles' disappearance.

This is not a court proceeding. This House Ethics Committee Hearing is instead governed by the Rules of Procedure for the Ethics Committee. Representative Stahl-Hamilton has the right to examine all the evidence against her and to cross-examine witnesses.

Representative Stahl-Hamilton is absent; therefore, her Council will be speaking for her.

On May 1st, the committee received the ethics complaint. Representative Stahl-Hamilton was provided a copy of the complaint to submit a written response. She submitted her written response on May 8th.

I (Chairman Chaplik) provided Representative Stahl-Hamilton the opportunity to submit an amended written response, but she did so, late.

Chairman Chaplik indicated the original and amended responses from all parties are included in the materials that were distributed to Representative Stahl-Hamilton's Council, Domingo DeGrazia, and Diego Rodriguez.

The ethics complaint is based on representative Stahl-Hamilton's conduct related to the taking and hiding of Bibles in the House Members' Lounge. The complaint alleges that on more than one occasion, Representative Stahl-Hamilton removed Bibles that belong to the Arizona House of Representatives from their respective locations in the Members' Lounge and hid them underneath couch cushions and that at least on one occasion, she removed a Bible from the Members' Lounge altogether and hid it in a refrigerator located in another room.

The complaint alleges that Representative Stahl-Hamilton did not have permission to move the Bibles on any of those occasions. The complaint alleges that this conduct constitutes disorderly behavior under House Rule 1 and the Arizona Constitution, theft under Arizona Revised Statute 13-1802, and a hostile work environment as defined by state and federal law.

Chairman Chaplik asked that all evidence, testimony, and questions be limited to the issue that is before this committee.

Review of Exhibits

Four Exhibits:

Exhibit A – Tweet by Representative Stahl-Hamilton on 6/2/20 (attached to Ethics Complaint)

Exhibit B – Photos of the Bibles located/found in and outside of the Member's Lounge.

Exhibit C – Video footage (recorded)

Exhibit D – Video from House Floor (4/1/21) - Representative Stahl-Hamilton raising Point of Personal Privilege in reference to religious comments.

Exhibits A and B were distributed to members of this Committee and to Representative Stahl-Hamilton's Council.

Exhibits C and D – played

Witness Q&A

Chairman Chaplik has called the first witness, Chuck Fitzgerald to speak.

Questions asked by Committee Chairman Chaplik:

(Witness: Chuck Fitzgerald, Sergeant at Arms, Arizona House of Representatives)

- Q) How long have you been employed by the Arizona House of Representatives?
 - A) About 5 ½ years / 6th Session.
- Q) Have you ever witnessed this type of event?
 - A) No.
- Q) The Ethics Complaint alleges that around March 23, 2023, Capitol Security received a report that a pair of holy Bibles displayed in the House Members' Lounge had gone missing. Is this true?
 - A) Yes.
- Q) What is the Members' Lounge, and who has access to this area of the House of Representatives?
 - A) Members' Lounge is a room linked to the House Chamber. A place where Members/Senior Staff bring in guests or meet with one another. The Members' Lounge is a secure place for members. There is also loaned/donated artwork to the House in the lounge and in the House Chamber. Card access is needed to enter the Members' Lounge.
- Q) Are the Bibles considered House property?
 - A) Yes, they are.
- Q) Please provide the Committee with a timeline of the full investigation that led to the installation of cameras in the Members' Lounge.
 - A) 3/23 2:15 PM, it was noticed that Bibles were missing from the lounge. Security reviewed footage in the Lobby to see if Bibles were removed from the House. On 3/24 at 7 AM, the Bibles were found

placed back in their original places. On 3/29, a Bible was found in the Coffee Bar fridge. Sergeant at Arms was concerned and therefore asked by Michael Hunter, Chief of Staff, to investigate the Bibles being removed. Sergeant at Arms installed a camera from 4/4 until 4/10. Camera footage recordings show Representative Stahl-Hamilton removing the Bibles.

Questions asked by Representative Longdon:

- Q) Explain Member's Lounge Public / Private
 - A) Public must be escorted by staff or a Representative. Primarily private.
- Q) Who knew of the cameras?
 - A) Michael Hunter and myself only.
- Q) Once you witnessed this incident, what did you do?
 - A) Presented to Michael Hunter the information.
- Q) Can you characterize the conversation with Michael Hunter?
 - A) I have a video; would you like to see it?
- Q) How did you prepare for today? Any guidance?
 - A) No, I did not.

Questions asked by Representative Mathis

- Q) Whose permission would Representative Stahl-Hamilton need to move Bibles from the Lounge?
 - A) Members can pick up to read and place them in sitting areas but to physically remove I would need to be notified.

Questions asked by Representative Stahl-Hamilton's Council:

Council DeGrazia

- Q) Where is your office?
 - A) Office is connected to the lounge in the back corner.
- Q) Opposite from the kitchen area?
 - A) Correct.

Q) Cameras were up from April 4 thru April 10th?

A) Camera was taken down after recorded findings.

** After some questions from Representative Stahl-Hamilton's Council were deemed irrelevant, Vice-Chairman Grantham stepped in and asked Mr. Fitzgerald the following question:

- Q) Was the video edited or fake?
 - A) No.

Council Rodriguez

- Q) Is there a full video (full day)?
 - A) (Chairman Chaplik) The video was for that portion of the day / from incident only / not showing video not pertaining to the incident / any other requests for video can be done through the House of Representatives Public Records Office.
- Q) You noticed the Bibles missing; no one else reported this to you?
 - A) No one else reported.

There were no more questions asked by the Ethics Committee for Representative Stahl-Hamilton's Council, therefore, Chairman Chaplik then introduced Representative Heap to speak.

(Representative Heap) Witness

- Q) (Vice-Chairman Grantham) Would you have filed a complaint if it was me?
 - A) Yes.
- Q) (Vice-Chairman Grantham) Did you set Representative Stahl-Hamilton up?
 - A) No. I do read the Bible(s) and saw the public recording and decided to say something.
- Q) (Vice-Chairman Grantham) Do you feel any pushing/force of faith or religion related to the Bible or religion from the House?
 - A) No, I do share the belief of others
- Q) (Council Rodriguez) You were not aware of the situation? Did you find out via AZ News / social media?
 - A) I found out after the fact, yes via AZ News
- Q) (Council Rodriguez) Do you recall the date of your complaint?
 - A) 4/28
- Q) (Council Rodriguez) You filed an Amended Complaint?
 - A) We were told we could apply an electronic signature – but had to refile with a notary signature (Chairman Chaplik also confirmed this was the only reason for the Amended Complaint being filed)
- Q) It took several weeks to file your complaint.
 - A) It was where the Bibles were placed that I thought was inappropriate; therefore, I filed the complaint

Questions asked by Representative Longdon:

- Q) Representative Stahl-Hamilton apologized numerous times; do you accept the apology?
 - A) Appreciated but only came out after public knowledge. Not sincere.

**** Vice-Chairman Grantham to Representative Longdon:**

I was on the Floor – she did not apologize for her actions – she apologized if she disgraced anyone.

Questions asked by Council DeGrazia

- Q) You filed end of April?
 - A) Around 4/28
- Q) The complaint dated 5/1, you wrote it?
 - A) I wrote it.

Response to the Complaint

Council Rodriguez - On behalf of Representative Stahl-Hamilton, she has been for years an ordained minister - did offer an apology – apologies may not be sufficient – has respect for the body and her 1st Amendment right. Describes this as a prank/joke. In this case – exercise a peaceful protest plus a playful joke. The intent was not to hurt or bring disrespect. Hope to move forward on the evidence of protest/prank.

Q) (Chairman Chaplik) Peaceful protest? What were the intentions of the joke?

A) No reply.

Q) (Chairman Chaplik) With Representative Stahl- Hamilton not here, how can we know if she was the only one involved? Did she take the Bibles all three times?

A) No reply.

Q) (Chairman Chaplik) Why did she not complain about the Bibles making her uncomfortable?

A) No reply.

Q) (Representative Griffin) I don't see this as a joke. She did not apologize. Why so angry about the book Bible?

A) No reply.

Q) (Vice-Chairman Grantham) Try to remove Bible from the scenario. Ever stolen/shoplifted?

A) No reply.

Q) (Chairman Chaplik) Why would she disrespect the Bible in House?
Outside State House?

A) No reply.

Q) (Chairman Chaplik) She is an ordained minister – how would she view
hiding Bibles?

A) No reply.

** No further questions since Representative Stahl-Hamilton is not present to answer
and Council is unable to answer on her behalf.

(Chairman Chaplik) Members, I believe it is appropriate to go into executive session
for the purpose of consulting the Legal Counsel. Once the executive session briefing
is complete, we'll reconvene in an open session. Mr. Vice Chair, please move to go
into executive session.

(Vice-Chairman. Grantham) Mr. Chairman, I move that the House Ethics Committee
go into Executive Session to consult with Legal Counsel.

(Chairman Chaplik) Members, the question before you is that the committee go into
Executive Session to consult with Legal Counsel. all those in favor say "aye".

All replied "Aye".

It appears the ayes have it, do have it, so ordered. (gavel).

Recessed 11:14 am

(Chairman Chaplik) I will ask the pages to clear the room, and the doors to be closed
and posted.

Reconvened 11:47 am

Conclusion: (After Executive Committee adjourned)

Chairman Chaplik stated it would have been better if Representative Stahl-Hamilton
was here to answer all questions. He thanked the staff and Counsel for attending.

Chairman Chaplik also stated that this is a serious complaint and should be taken as
such.

A written report of the meeting/session will be issued by June 12th

Meeting adjourned at 11:49 am

IN THE HOUSE OF REPRESENTATIVES OF THE STATE OF ARIZONA
IN PROCEEDINGS BEFORE THE COMMITTEE ON ETHICS

In the Matter of the Investigation of Complaint)	SPECIAL ORDER
against Representative STEPHANIE STAHL)	RULE 15 HEARING
HAMILTON.)	05/25/2023
_____)	

AND NOW, in proceedings before the House Ethics Committee in the matter of Representative Stahl Hamilton, the Committee has received a complaint from Representatives Heap, Marshall, and Diaz dated May 1, 2023, (updated May 8, 2023) and response from Representative Stahl Hamilton dated May 8, 2023, (updated May 10, 2023) and pursuant to Rule 15, Ethics Committee Rules of Procedure, hearing being set for May 25, 2023 at 10:00 a.m. House Hearing Room 4, and upon adoption of this Special Order by the Committee:

IT IS THE ORDER OF THE COMMITTEE that:

1. Two hours will be the time allotted to this hearing, unless in the discretion of the Chairman additional time is necessary. The Rule 15 hearing in this matter is not a court proceeding and the Rules of Evidence do not apply.
2. The business before the Committee shall be:
 - a. Introduction and comments by the Chairman and members of the Committee, as appropriate.
 - b. Review of the list of exhibits to be considered by the Committee.
 - c. Distribution of the materials to the Committee and Rep. Stahl Hamilton.
 - d. Questions to Chuck Fitzgerald, House Sergeant at Arms.
 - e. Questions to Rep. Justin Heap.
 - f. Questions to Rep. Stahl Hamilton.
3. Subject to the discretion of the Chairman, and pursuant to Rule 15, Rep. Stahl Hamilton shall be permitted to present evidence within the scope of the complaint.

4. Subject to the discretion of the Chairman, and pursuant to Rule 15, Rep. Stahl Hamilton shall be permitted to examine and comment on exhibits under consideration by the Committee.
5. The Committee may go into executive session or recess and reconvene as appropriate.
6. At the conclusion of the hearing the matter will be taken under advisement.
7. Notice of any future hearings will be posted by separate agenda.

May 25, 2023

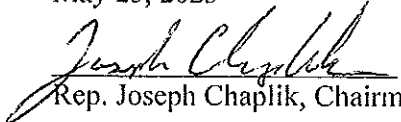
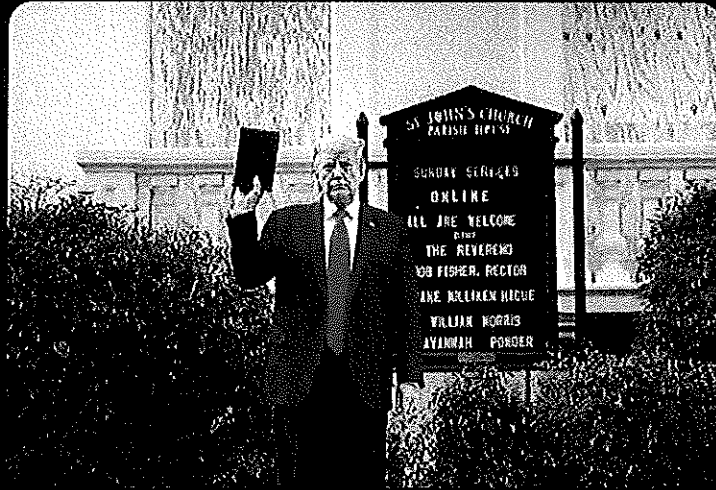

Rep. Joseph Chaplik, Chairman

Exhibit A



Rep. Stephanie Stahl Hamilton
@stahlhamilton

I'm an ordained minister.
I got into politics because I was so
angered by the number of Bibles on
desks at the Arizona State House.
Holding a Bible - or any religious text
- doesn't make you a good person.
Nor should you use this a political
photo op.
This is disgusting.



12:51 PM · 6/2/20

Exhibit B







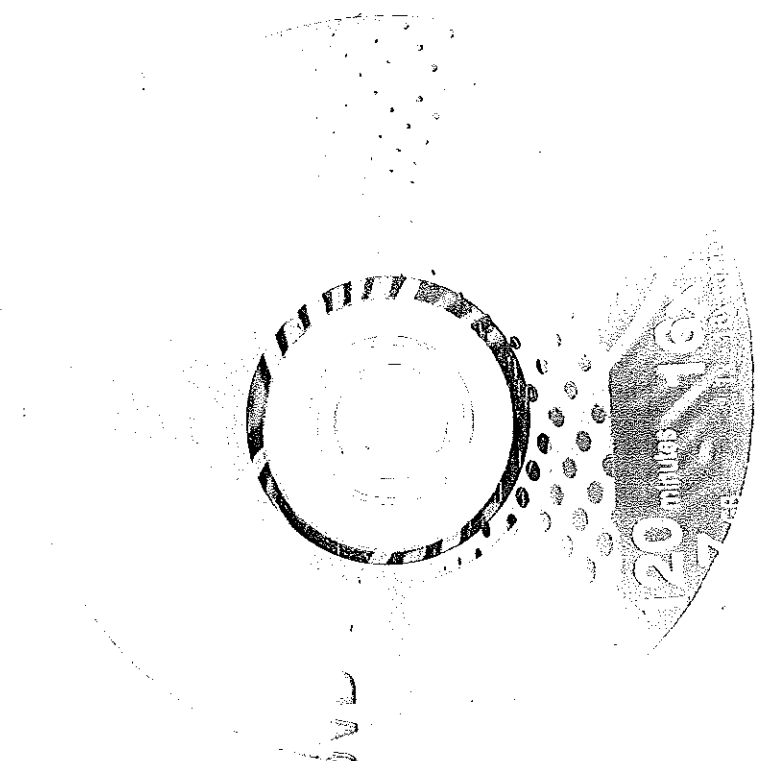


Exhibit C and D
