

Arizona Official Demands Investigation of Kari Lake on Potential Felony Charges

Potential charges for sharing images of 'illegally counted' ballots



Arizona Republican candidate for governor Kari Lake speaks with supporters at a rally in Phoenix on Nov. 3, 2022.

By Tom Ozimek

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Arizona Secretary of State Adrian Fontes has asked Attorney General Kris Mayes to investigate and consider taking enforcement action against gubernatorial candidate Kari Lake for a potential felony offense after her Twitter account shared a graphic containing images of voter signatures on ballots she identified as having been “illegally counted.”

Fontes asked the attorney general in a Jan. 30 letter to “investigate and take appropriate enforcement action against Kari Lake for potential violations of Arizona law committed under her Twitter handle, @KariLake.”

The secretary of state’s request to probe Lake references a Jan. 23 post on Twitter in which she shared 16 images of early ballot affidavits compared with signatures from voter registration records. She claimed that this is proof that nearly 40,000 ballots cast in the November gubernatorial election didn’t match voter signatures on record and so were “illegally counted.”

“I think all the ‘Election Deniers’ out there deserve an apology,” Lake said in the post.

State election data show that Lake lost to Democrat Gov. Katie Hobbs by just 17,000 votes. Fontes said in the letter to Mayes that by sharing the ballot images on Twitter, Lake violated Ariz. Rev. Stat. 16-168(F), which prohibits the unauthorized disclosure of voter registration information. Violations are a class 6 felony, which is punishable by up to nearly six years in prison, according to AZ-Defenders. The law cited in Fontes's letter indicates that there are circumstances under which voter information can legally be released.

“Nothing in this section shall preclude public inspection of voter registration records at the office of the county recorder for the purposes prescribed by this section, except that ... records containing a voter's signature and a voter's e-mail address shall not be accessible or reproduced by any person other than the voter,” the statute states.

Lake has not addressed Fontes's referral on her personal account but the Kari Lake War Room account on Twitter put out a statement in response. “Adrian Fontes wants Kris Mayes to investigate & potentially imprison @KariLake for the ‘crime’ of ... sharing signature verification evidence that was presented before the @AZSenateGOP & is currently in her lawsuit.”

“Welcome to the Banana Republic of Arizona,” the account added.

In a follow-on post, the Kari Lake War Room account claimed that Fontes and others don't want Lake to raise the issue of signature verification “because they've been pushing through bunk signatures for years.”

The Epoch Times reached out to Fontes's office with a request for comment but no response was received by publication. Fontes took to Twitter to share an interview of him on MSNBC, in which he commented on Lake's referral and decried what he said was election denialism on the part of the “MAGA fascists” in Arizona.

“We're not going to tolerate this nonsense under any circumstances and this is one of the reasons why we made the referral,” Fontes told the outlet.

“Vigor and strength. That's the only way we protect our election workers and fight back against disinformation,” he said in the post on Twitter.

Lake has repeatedly insisted that she won the gubernatorial election and has filed several lawsuits challenging the results.

Legal Challenges

One of Lake's legal challenges is scheduled to be heard on Feb. 1 after the Court of Appeals approved an expedited briefing schedule earlier this month.

Last week, Arizona's Supreme Court struck down another request from Lake that the high court take up her election appeal. It's currently being heard by the Arizona Court of Appeals.

In an order issued on Jan. 25, the Supreme Court ruled that, "as indicated by the Court of Appeals' order setting an accelerated briefing schedule, the Court has no reason to doubt that the Court of Appeals appreciates Petitioner's (Lake's) desire for an expedited resolution."

The petition was denied without prejudice, the court wrote, adding that the appeals court "has had an adequate opportunity to consider the pleadings, conference the matter, and prepare a well-considered decision."

Last month, a judge in Maricopa County tossed Lake's election lawsuit following a two-day trial, arguing that her team failed to present enough evidence to show that enough voters could have been swung in her favor due to confirmed Election Day tabulation issues and other problems. That prompted Lake to file appeals with the two higher courts.

The judge, Peter Thompson then ordered Lake to pay \$33,040 to Hobbs for witness fees. Thompson rejected a petition from Hobbs's team asking for nearly \$700,000 in sanctions and attorney fees.

The judge reasoned that while Lake, according to him, did not provide enough evidence, her arguments were not "groundless and presented in bad faith."

Lake's attorneys argue that widespread tabulation issues in Maricopa County on Nov. 8, 2022—confirmed by top Maricopa County officials Bill Gates and Stephen Richer that day—significantly impacted her chances of winning.

"We're going to move it all the way to the Supreme Court. It's going there anyways, we'd love to see it just go there rather than have to go to the appellate court. Whatever happens, either side will move it up to the Supreme Court," Lake said in a recent interview.

Lawyers for Hobbs, meanwhile, filed a petition seeking to dismiss Lake's challenge earlier this month, asserting that Lake failed to provide enough evidence.

“Despite seven witnesses, hundreds of declarants, and thousands of pages of exhibits, Lake failed to demonstrate any violations of Arizona law and offered no evidence that absent alleged violations the outcome of the election would have been different,” said a filing from Hobbs, formerly the Arizona secretary of state.

Jack Phillips contributed to this report.