



It's not about the politics. It's about the academics.

Date: Tuesday, September 8, 2015
To: Mark Brmovich, Arizona Attorney General
From: Max Goshert, Chairman, The Coalition to Recall Diane Douglas
Re: Formal Complaint, Arizona State Superintendent of Public Instruction Diane Douglas, and Chief of Staff Michael Bradley, Violation of Civil and Political Liberties - Arizona Revised Statute (A.R.S.) § 41-752

The Coalition to Recall Diane Douglas finds it necessary to filing a formal complaint with the Arizona Attorney General's Office against the Arizona Superintendent of Public Instruction Diane Douglas and Chief of Staff, Mr. Michael Bradley, for violating the policies and provisions of the following Arizona Revised Statutes and Arizona Administrative Codes:

- "Except for expressing an opinion or pursuant to section 16-402, an employee shall not engage in any activities permitted by this section while on duty, while in uniform or at public expense." (A.R.S. § 41-752.A)
- "Use or promise to use any official authority or influence for the purpose of influencing the vote or political action of any person or for any consideration." (A.R.S. § 41-752.B.2)
- "Use his or her official position for personal gain, or attempt to use or use, confidential information, for personal advantage." (A.A.C.-R2-5A-501.B.1).
- "Performing an act in a private capacity that may be construed as an official act" (A.A.C.-R2-5A-501.B.3)
- "Directly use or allow the use of state equipment property of any kind, including equipment and property leased to the state, for other than an official activities unless authorized by these rules " (A.A.C.-R2-5A-501.B.5)

We are requesting the Arizona Attorney General's Office to investigate our concerns and complaint against Superintendent Douglas and Chief of Staff Bradley based upon the following issue and situation.

On September 1, 2015, Mr. Max Goshert, the Chairman for the Coalition to Recall Diane Douglas was alerted by the Arizona Alliance of Black School Educators (A.A.S.B.E.), a local affiliate of the National Alliance for Black School Educators, they received an electronic communication requesting information about him and his association with their organization.

Mr. Goshert requested the organization to forward him the e-mail communication so he could contact the individual.

The e-mail message sent through the A.A.S.B.E contact us portal on their webpage was sent on Tuesday, September 1, 2015, at 1:58 PM from Michael Bradley with the e-mail eiverness@cox.net. The message sent stated the following:

"I notice you have a link and picture to Max Goshert on your website here: <http://www.azabse.org/max-goshert.html> Does he in fact work for your organization? Are you a non-profit allowed to participate in recall elections? If not, then why do you have his recall efforts on your site? Do you support removing Arizona Superintendent of Public Instruction Diane Douglas from office?" (See Attachment A)

We recognized the name Michael Bradley as the Chief of Staff of the current Arizona State Superintendent of Public Instruction, Diane Douglas. We further confirmed the email included in the message belonged to Mr. Bradley on the About Us page of his personal webpage, *Michael Bradley - Time Traveler*. <<http://mbtimetraveler.com/about/>> (See Attachment B).

On the morning of Tuesday, September 1, 2015, we filed the application to petition the recall of Diane Douglas as the Arizona State Superintendent of Public Instruction. This action received a great deal of attention from the media and was broadcast by numerous print, television, and electronic media outlets. Mr. Goshert conducted a press conference at 1:00 PM that was livestreamed on azfamily.com.

As the accompanying e-mail indicates, Mr. Bradley sent his message through the A.A.S.B.E. Contact Us web portal at 1:58 PM, which is during the regularly scheduled work hours of the Arizona Department of Education.

While we understand Mr. Bradley may be curious to learn more who Mr. Goshert is, and we don't fault him for trying to learn more about him or his background. However, we do question his intent in contacting this education organization that has no affiliation with Mr. Goshert, the Coalition to Recall Diane Douglas, or the recall itself.

We are also very concerned about the manner in which he addressed and approached this education organization. His tone is not inquisitive but intimidating, and that is why the coalition is filing this complaint with the Arizona Attorney General.

We also want to bring attention to the time the message was sent according to the time stamp: 1:58 PM on Tuesday, September 1, 2015. This is clearly during regularly scheduled working hours for Arizona Department of Education officials and employees, and we want to bring into question the capacity in which Mr. Bradley approached the Arizona Alliance for Black School Educators. Was he acting as an official of the Arizona Department of Education and as a representative of Superintendent Douglas, and if so, would that not be considered a violation of the statute and administrative rules we have bulleted previously?

Mr. Goshert would like to offer Superintendent Douglas and Chief of Staff Bradley to contact us personally if they want any information about us, and we would welcome the opportunity to sit down with them and discuss both their and our concerns. They can choose the forum and format. However, our concern and complaint is with how Superintendent Douglas and Chief of

Staff Bradley have conducted themselves by contacting the Arizona Alliance of Black School Educators about our chairman, the intent and tone of their e-mail, and the time when the email was sent.

You may contact us to discuss our concerns and complaint further at (480) 382-9072. We hope you will Thank you for your attention to this matter, and we look forward to hearing from you.

Sincerely,

Max Goshert, Chairman
The Coalition to Recall Diane Douglas