



MARK BRNOVICH
ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

November 17, 2021

The Honorable Merrick B. Garland
U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Director Christopher Wray
Federal Bureau of Investigations
935 Pennsylvania Avenue, NW
Washington, D.C. 20535-0001

Dear Attorney General Garland and Director Wray,

Across the United States in recent months, it has been uncovered that school boards are encroaching on the constitutional rights of concerned parents. This disturbing trend has now surfaced in Arizona. Evidence has been discovered that Scottsdale Unified School District ("SUSD") board member, Jann-Michael Greenburg, may have conspired to abuse his position of power against Arizona students and their parents. Indeed, on November 15, 2021, the SUSD Board voted to remove Jann-Michael Greenburg as Board President.

It has been revealed that Jann-Michael Greenburg had in his possession a dossier stored on a Google Drive that contained parents' and students' personal information, such as social security numbers, emails and other correspondence with the SUSD Board and perhaps school officials, automobile license plate numbers, photos and videos (some secretly recorded) of parents and minor students, background checks, divorce proceedings, social media accounts, and parent addresses. The full extent of the dossier/Google Drive contents, including other confidential or personal information, is not publicly known. Indeed, SUSD has initiated an independent forensic investigation to determine the extent, if any, District resources were used to create, maintain, or modify the dossier.

I urge the U.S. Department of Justice and the Federal Bureau of Investigation to immediately open an investigation into this matter. Parents have a First Amendment right to assemble and speak in order to question the decisions public officials are making, especially when it involves the well-being of their children. Furthermore, there is no place in America under fundamental concepts of liberty wherein parents should be surveilled, threatened, and intimidated for asserting their constitutional rights and raising concerns about their children's education. Government officials, including school board members, are prohibited from depriving

a person of a right or privilege protected by the Constitution or the laws of the United States under the color of any law pursuant to 18 U.S.C. § 242. As you are well aware, this law extends to acts committed beyond the bounds of that official's lawful authority. A dossier containing information on those who wish to participate in their children's education and peacefully petition their government should concern all Americans of good conscience.

Your offices also should investigate whether the Family Educational Rights and Privacy Act ("FERPA") or other applicable federal privacy laws have been violated. Under FERPA, student records are confidential and only the most fundamental information regarding a student may be disclosed without prior written parental consent. The reports regarding this dossier and the potential misuse of school resources certainly meet the threshold to federally review and investigate this issue as well.

I call upon you to immediately investigate this matter. Where my office has state law jurisdiction, there will be a rigorous inspection of this matter. If violations of law are found, enforcement action must be taken.

Respectfully,



Mark Brnovich
Attorney General

CC: Glenn McCormick, Acting United States Attorney, District of Arizona
Kristen Clarke, Assistant Attorney General, U.S. Department of Justice, Civil Rights
Division