

# Maricopa County Sheriff's Office

## Joe Arpaio, Sheriff



**Date: June 22, 2010**

**Media Advisory: Press Conference today 2:30PM with Thomas and Arpaio, 100 West Washington, 19<sup>th</sup> floor**

### **ARPAIO AND THOMAS DEMAND THAT NOT ONE PENNY BE PAID BY COUNTY OFFICIALS TO SETTLE BOGUS CLAIMS**

*They Look Forward To Proving Their Corruption Cases in Court*

(Phoenix, AZ) Sheriff Joe Arpaio and former County Attorney Andrew Thomas will hold a 2:30 PM press conference today in the Sheriff's downtown headquarters at 100 West Washington, 19<sup>th</sup> floor.

They will discuss a letter they sent today to County Manager David Smith demanding that county administrators deny the millions of dollars of bogus claims filed recently by two twice-indicted supervisors, their employees, a convicted felon, and defendants in a previously filed federal racketeering lawsuit.

Arpaio and Thomas say they look forward to proving their corruption cases in civil court, assuming these individuals actually go ahead and file lawsuits.

Recently, Supervisors Donald Stapley and Mary Rose Wilcox, along with other county officials, employees and associates, have filed notices of claim seeking millions of dollars of payouts from Maricopa County taxpayers for being "victims" of criminal investigations and prosecutions.

Arpaio and Thomas believe that the claims are "absurd," and that, if accepted, "would allow any citizen investigated for a crime or sued by county officers to demand payment of millions of dollars from Maricopa County tax coffers."

Both Stapley and Wilcox were indicted twice by a county grand jury. Another claimant, Conley Wolfswinkel, is a convicted felon.

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**News Release**

What's worse, Thomas says, "These claims appear motivated by greed and a belief that friends, colleagues in county administration and subordinates will provide a quick and substantial settlement without requiring the claimants to file lawsuits which would demand proof and subject them to testimony under oath."

Arpaio and Thomas demanded that county administrators immediately appoint counsel to vigorously defend the interests of taxpayers and preserve and protect any documents and emails that might be destroyed by these individuals. They insisted that the appointed attorneys immediately send "litigation hold" letters to all claimants and their associates to preserve emails, correspondence and other documents relevant to these potential lawsuits.

Also of concern is the fact that subordinates of Deputy County Manager Sandi Wilson, herself a claimant, reportedly have been attempting to retain an attorney as a mediator to settle these claims without any lawsuits having to be filed at all. Such pre-litigation payouts would be a dramatic departure from standard practice. For example, the county Board of Supervisors refused to settle a very similar "abuse of power" lawsuit brought against them by former School Superintendent Sandra Dowling. Wilson may also be attempting to settle other bogus and controversial lawsuits against the county to benefit attorney Michael Manning, counsel for several of these claimants.

Challenging the claimants to file their lawsuits, Arpaio and Thomas look forward to finally getting answers in civil court to questions that have been avoided for too long. Arpaio and Thomas noted that "some of these same individuals abused the powers of their public offices to shut down criminal investigations and prosecutions and/or otherwise improperly deny us such an opportunity for examination under oath. That abuse of power now will be remedied in another forum."

Tired of the false rhetoric claiming that evidence did not exist to justify the Court Tower investigation and the filing of criminal charges against Retired Judge Gary Donahoe, new details concerning these matters were revealed to the public. Restricted by law from discussing matters attending a grand jury investigation, Arpaio and Thomas nevertheless discussed some evidence gathered by investigators from sources outside any grand jury proceeding, including:

- Specific information was brought to former Chief Deputy County Attorney Philip MacDonnell regarding the linking of funding for the Superior Court with the hiring of attorney Thomas Irvine under allegedly fraudulent pretenses as a "space planner for the Court Tower project
- Presiding Judge Barbara Mundell confirmed to Chief Deputy Sheriff David Hendershott that Supervisor Donald Stapley had insisted that Irvine be hired as part of the deal for the Court Tower.
- County employees later complained to the press about Irvine's questionable "services." They stated to the media that he appeared to be taking notes and otherwise not providing true

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legal work. Rather than a “space planner,” Irvine was hired as the attorney for both the Superior Court and the Board of Supervisors despite this clear conflict of . A reporter with Channel 15 discovered this arrangement. Irvine and his firm received more than \$1,000,000 in fees.

- This evidence regarding the Stapley-Mundell discussions helped anchor the criminal case against Judge Gary Donahue and the federal RICO case. Donahoe was accused of being an accessory to attempting to obstruct the Court Tower investigation and related criminal matters and facilitating the alleged Irvine bribery scheme in order to protect Mundell and to retain his prestigious position as chief criminal judge for the Superior Court. Other information regarding his actions was outlined in a pleading filed with the Arizona Supreme Court. The Supreme Court denied to accept Donahoe’s case and refused to give him his attorney’s fees.

Arpaio adds, “Not one penny of taxpayers money should go to settling these bogus claims. The claimants are striving for a win-win situation. They win by essentially awarding themselves a settlement. And they win if they can avoid going to court where we would no doubt prove their culpability in past and pending investigations.” END

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