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My fellow Arizonans:

Early this year, Sheriff Arpaio's top henchman, Chief Hendershott, and his cohorts in former County Attorney Andrew Thomas' office brought a fabricated case to the Grand Jury accusing me of theft and participating in a widespread government conspiracy. They knew these charges were false and created them to achieve their political ends. The Grand Jury was never informed that the Yavapai County Attorney had been given jurisdiction over the matter (after a judge determined Thomas and his office had a conflict of interest) and concluded that my actions were "not criminal." This conclusion was communicated directly to Joe Arpaio and David Hendershott on June 17, 2009. This should have ended the ridiculous "Bug Sweep" chapter in the ongoing saga being created by some of the most demented minds in law enforcement.

The recently unsealed Grand Jury proceedings, which are available to the public in their entirety, show clearly that the Jurors were not going along with the attempt to indict me. Rather than risk another setback, Thomas decided to ask the Grand Jury to return the case so he could find another prosecutor. In March 2010, the Grand Jury refused this request, and in what legal experts call an unprecedented rebuke to the prosecutor, they voted to "end the inquiry." As any criminal attorney can attest to, an "end of inquiry" vote is extremely rare.

Knowing that the case had been terminated by the Grand Jury, Hendershott nonetheless held a press conference in July 2010 in which he told the public that I was under criminal investigation and accused me of theft. Unable to obtain an indictment, he opted to smear my name. And to some extent that worked. The "story" was covered and questions would linger in people's minds. What motivated Hendershott to unleash these slanderous statements about me at that time is unclear. What he did make clear, albeit illegally (it is illegal to disclose the contents of a Grand Jury proceeding without judicial permission and the permission of all the accused), is that I had been the subject of a Secret Grand Jury investigation.

To even the most astute observer, the actions of Mr. Thomas and Mr. Arpaio seem random and without clear motive. Why would these two characters plan to break laws and violate legal ethics to achieve political advantage? What I feel compelled to do is help the public fill in the blanks and gain an understanding of the bigger, uglier picture.

In January of this year I was informed about the purpose of the scheme by a person to whom one of the actual participants confided. If the Sheriff and County Attorney Andrew Thomas were not in agreement with either the person to replace Thomas or the process to find a replacement, then a third County Supervisor would be "charged or under indictment" prior to Thomas's resignation to run for Attorney General. Their theory was that by having three Maricopa County Supervisors charged or indicted,

the Board would lack a quorum and be unable to convene and select a successor to Thomas.

I was told the third County Supervisor was me. Being the curious type, I asked what charges to expect. The answer was “Andy, you and I both know that you haven’t done anything wrong – it doesn’t matter... this is a crime... this is a criminal abuse of their office”.

The County Attorney’s actions were a vile and criminal abuse of his office and his sworn duty to uphold the Constitution and laws of our state and nation.

This information came to me shortly before the hearing on County Supervisor Mary Rose Wilcox’ motion to disqualify the County Attorney in her case, held in front of Judge John Leonardo from Pima County. Fearing that my indictment could be used as a tactic to postpone the hearing, as Judge Donohoe’s charges had been, I asked my attorney to look into it.

Without revealing the information I had received, my attorney asked for a meeting with the prosecutor and investigator. He asked them why I was being threatened with criminal prosecution when there was no evidence or basis for charging me with a crime, and to find out why they thought there was. This resulted in a “free talk” (for those who don’t watch *Law and Order*, a free talk is where the prosecutor tells you what they can do to you and how bad it’s likely to get.) I was informed that Arpaio and Thomas believed they had enough evidence to charge and indict me. After seeing what they had done to Judge Donohoe, I knew these two would not hesitate to bring charges even without any evidence of a crime.

The free talk was recorded with prosecutor Lisa Aubuchon’s consent. After hours of hearing how bad my life was going to get, the free talk took a bizarre turn. The prosecutor made it clear that I could avoid all the pain and shame if I chose another option--assuring the Sheriff and County Attorney that Thomas’ successor or the process to select a successor would be acceptable to them! These requirements confirmed what I was told in January. It would be as simple as assuring the Sheriff and County Attorney that Thomas’ successor would be their choice.

The personal “incentive” to align myself with the Sheriff’s and County Attorney’s wishes was an effort to extort the Board’s acquiescence to their plan to choose a replacement for Andrew Thomas. Fortunately for me – and what we found out to be many other people whose careers, reputations and life savings were under attack—a Grand Jury demanded facts to support the charges, and finding none, not only refused to indict, but *unequivocally terminated the investigation*.

The recorded free talk was turned over to the appropriate authorities. I believe that justice will be done and that these individuals will face indictment, trial, and-- if an impartial jury of their peers sees fit, convicted and punished for their crimes. I have confidence that the men and women from the FBI and the U.S. Attorney’s office are working professionally and diligently to bring this terrible ordeal to a just conclusion.

To those who might be inclined to conclude that an investigation by the federal government is an Obama witch hunt, you need to know that my first interactions and willing participation with the investigations of these and other crimes occurred while George Bush was President. Furthermore, my record demonstrates that I am a social and fiscal conservative and lifelong Republican and have worked throughout the years to improve Maricopa County. It is laughable that in a further effort distract from the truth, I am called a "lib" or a "RINO."

Few people would disagree that as a nation founded upon laws, upholding the rule of law (including freedom of speech) is paramount to maintaining our freedom. Contemporary America has inherited what the Founders pledged their lives, their fortunes and their sacred honors for: a system of government based on the rule of law. It is the very fabric that holds society together. It is no overstatement that this bond with society is absolutely sacred. The solemn oath to uphold justice is a promise between the citizens of Maricopa County and its duly elected officials who swear an oath to the Constitution to uphold the rule of law.

That compact has been broken. The people's trust has been betrayed. The former top attorney of Arizona's most populous county (4 million people) has shown that he is unwilling or incapable of enforcing its laws, and in a most vile manner, has corrupted the rule of law he is charged with upholding. And now he wants to be the top law enforcer for the entire state so he can do for Arizona what he did to Maricopa County. To my fellow citizens across this Great State of Arizona: your first line of defense is at the ballot box. Vote NO for Andrew Thomas. To Andrew Thomas I say take responsibility for your despicable crimes, withdraw from the race and save the citizens of Arizona from your abuse.

Sincerely,



Andrew Kunasek