

STATEMENT OF TOM HORNE: CLAIMS ARE FABRICATED

The allegations in the Notice of Claim filed by Meg Hinchey are false.

Attached is a Notice of Claim against Meg Hinchey (Attachment A) that this office received, charging that Meg Hinchey had fabricated evidence in testimony she gave to a Grand Jury which resulted in an indictment of a number of Police Officers. A judge remanded the case to the Grand Jury based on improper proceedings before the Grand Jury. Upon receiving the Notice of Claim, Tom Horne recused himself, and left the matter in the hands of the Chief Deputy. The Chief Deputy and the Chief of the Criminal Division concluded that the charges were serious, and they arranged for an investigation. An outside investigator was arranged so that it would be entirely objective. Our duty to investigate stemmed not only from legal but also from ethical obligations. (Ethical rule 5.1 and 5.3) On May 17, 2012, Suzanne Dallimore, acting as attorney for Meg Hinchey, sent a letter to the Chief Deputy demanding that the investigation be cancelled. This was in effect calling for a cover-up. This was refused, and the investigation is proceeding.

The refusal to cover this up appears to be what led to the Notice of Claim by Ms. Hinchey. The allegations in Hinchey's Notice of Claim are fabrications.

Tom Horne did not and does not pay attention to the political party of employees of the Attorney General's Office. When he took office, the prior Attorneys General had been Democrats for twelve years, and there were obviously a great number of Democrats employed. Unlike many of his predecessors, Tom Horne fired no one upon taking office. (Attachment B) He treats all employees as professionals, regardless of political party. A number of people who were not only Democrats, but had contributed to Felecia Rotellini's campaign, are treated as trusted and important members of the staff.

Meg Hinchey misrepresented herself as someone who was apolitical. In fact, prior to my taking office, she made statements to three other investigators stating how horrible it will be to have a Republican Attorney General, and that one could not work for a Republican. They were offended by these statements.

The information Hinchey gave the FBI to start the investigation was fabricated. For example, on page 6 of the Notice of Claim, Hinchey says: "SAS Hinchey asked Osborn: If someone running for an office said to a campaign worker I want you to stop working on the campaign and go to work on an independent expenditure is this a problem?" If that had happened, it would be improper. But it did not happen. I did not ask Kathleen Winn to work on an independent expenditure. She decided on her own to do that. That is perfectly proper. This is the difference between something the FBI should investigate and something that it should not investigate.

The Arizona Republic had been given an early copy of this Notice of Claim before we ever got a copy, and in fact had written a long story that appeared online before we ever got a copy, which is what one expects in an attack written for the negative publicity rather than for the merits. We have therefore had to prepare this response quickly. In summary, the other allegations in the Notice of Claim are as false as those set forth above.