


<> 07-22-2020 12:05PM

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From:	Open Meeting Law <OMLETinfo@azag.gov>
To:	"pford@yuccafire.com" <pford@yuccafire.com>
Cc:	"m.schmidt@yuccafire.com" <m.schmidt@yuccafire.com>, "William R. Whittington (WWhittington@bpcws.com)" <WWhittington@bpcws.com>, "Danee Garone (Dgarone@azoca.gov)" <Dgarone@azoca.gov>
Received-On:	07-17-2020 2:35 PM
Subject:	RE: Yucca Fire District Meeting Concerns
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 Re Friday Agenda - Second Draft (24 KB) Download one storage	

Ms. Ford,

Thank you for bringing this matter to the Office's attention. The purpose of this email is to clarify the Office's role in investigating the on-going Open Meeting Law complaint regarding the Yucca Fire District, and to address Mr. Richard Knowles' incorrect statement that the Office directed or advised him to cancel the District's meeting for today, July 17, 2020.

As a preliminary matter, the Office is not legal counsel for the District, and is prohibited by law from providing private legal advice. See A.R.S. § 41-191(B).

To be clear, the Office's Open Meeting Law investigation remains ongoing. The Office sent a letter to the District requesting information and a response on April 23, 2020, and the Office received the District's response on June 9, 2020. The Office has not issued a disposition letter to the District concluding the investigation or stating whether any Open Meeting Law violations occurred. The Office's conclusions of an Open Meeting Law investigation are sent in a formal letter to the public body as a whole—the conclusions are not sent directly to certain individual members of the public body. When the Office does close this investigation, the Office will send its conclusions in a formal letter to the District sent via certified mail.

During the course of this ongoing Open Meeting Law investigation, the Office has not provided the District or Mr. Knowles with any legal advice and has certainly never directed either party to cancel a District meeting. To be clear, the Office has not communicated with Mr. Knowles about the Office's conclusions on whether the District violated the Open Meeting Law, and the Office did not advise or direct Mr. Knowles to cancel the District's meeting scheduled for today, July 20, 2020. To the extent that Mr. Knowles has made statements in emails or on social media that the Office directed or advised him that the District violated the Open Meeting Law, these statements are incorrect. Further, to the extent Mr. Knowles stated that someone from the Office sent him an email purportedly directing or advising him to cancel the District's meeting for today, these statements are incorrect.

Notably, the email that Mr. Knowles attributes to the Office did not include a signature block or identify the attorney who purportedly sent the email from the Office. After some investigation, the Office confirmed that the email in question was sent by Mr. Danee Garone (cc'd here) at the Arizona Ombudsman's Office. To clarify, the Attorney General's Office and the Arizona Ombudsman's Office are entirely separate government agencies. While both the Attorney General and the Ombudsman's Office receive Open Meeting Law complaints, any investigations and resolutions are conducted solely within each agency. Thus, Mr. Knowles' statement that the email was from Attorney General's Office is incorrect.

Regards,

Katherine Jessen

Assistant Attorney General



Office of the Attorney General

Appeals & Constitutional Litigation Division

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From: pford@yuccafire.com [mailto:pford@yuccafire.com]

Sent: Friday, July 17, 2020 12:02 PM

To: Open Meeting Law

Cc: Mike S

Subject: Fwd: Re: Friday Agenda - Second Draft

Mary and Ms. Jessen,

Attached is the Email that Richard Knowles sent to me claiming that this was from someone from the Attorney General's office...

This is exactly how the Email came!!

Pam Ford - Yucca Fire District - Bookkeeper