

# **THE ARIZONA ATTORNEY GENERAL IS WASTING TAXPAYER MONEY**

In March 2003 Terry Goddard announced steps to develop a “*comprehensive plan*” to focus on Colorado City. Also in March 2003 Senator Linda Binder said she would like to cut off state funding to the Colorado City government. “*Maybe we can dis-incorporate the town,*” she speculated.

In February 2004 Terry Goddard was quoted in the East Valley Tribune as follows: “*He and Governor Napolitano are building new support among state authorities to openly address the situation in Colorado City after decades of ignoring this isolated community. ‘It’s quiet, it’s incremental and it doesn’t necessarily involve a splashy headline,’ Goddard said, ‘...but the kind of decisions now at a high level throughout state government coordinating between every aspect of this state that has any connection to Colorado City’s situation is at an unprecedented level. We are pursuing every avenue that is brought to our attention and looking into every possibility.’ He further stated, ‘It’s a broad spectrum out there and I don’t want to leave any stone unturned.’*”

Terry Goddard has pursued this course, using taxpayer money in an effort to systematically dismantle the local government in Colorado City. Terry Goddard in conjunction with the Mohave County Attorney, hired a special investigator dedicated to Colorado City, and they found hundreds of thousands of dollars to dump into a “multi-use facility” in Colorado City to house their special investigator. The building, which opened on August 10, 2004, has largely sat empty for several years with no real benefit to the community; It was finally removed in July of 2010, a monument to the misguided efforts of big government.

In May 2005 Goddard said that he and the Utah Attorney General agreed two years previous, that instead of a “*frontal assault,*” they would, “*pursue a coordinated crackdown using law and education.*” “*All of this is unprecedented,*” Goddard said. True to his word, in July 2005 Goddard issued a press release crediting himself with the following: Indicting eight Colorado City men, UEP Land Trust receivership, school receivership law, Colorado City School District search warrant, and decertification of police officers. In September, 2005, he stated, “*The bigger issue is whether the entire police force can be placed on probation.*”

On January 22, 2007, Utah Third Judicial District Judge Denise Lindberg asked Bill Richards of the Arizona Attorney General's Office and Tim Bodily of the Utah Attorney General's Office about dis-incorporating Hildale and Colorado City municipalities:

Judge Lindberg: *"And I guess I'd like to know what role if any the Attorney General can perform?"*

Mr. Bodily replied: *"As far as the Utah Attorney General's Office, we have reviewed and considered and looked at the possibility of addressing the city as a whole as to whether or not there are actions that can be taken to address its status...There isn't a direct remedy absent a vote to easily address those concerns."*

Judge Lindberg: *"I understand the sensitivity...I think I understand the limitations at this point. ..I would just express my hope that at some point if the need should arise, that the Attorney General will pursue, whether by legislative action or whatever their action is appropriate, the necessary steps to make sure that nobody is above the law, including the cities"*

Mr. Bodily: *"I'll certainly pass that on to Mr. Shurtleff and others in our office that are reviewing this matter."*

Bill Richards: *"Your Honor, I guess I would echo in large part what Mr. Bodily said, and confirm for you that our office has now for some time pursued this on a couple different fronts..."*

On January 26, 2010, the Utah Attorney General threatened to dis-incorporate the city of Hildale, Utah, and on May 10, 2010, Bill Richards, Assistant Arizona Attorney General told Colorado City attorneys that, *"Dis-incorporation was not off the table."*

The Town of Colorado City is a legally constituted municipality, duly formed and functioning under the laws of the State of Arizona, and there is no credible evidence to support such an extreme measure, only a rehearsed circle of allegations. This really is an attempt to disfranchise an entire population and remove from them the right to vote for the representative form of government of their choice.

Through his management of a land holding trust receivership in Salt Lake City courts, the Arizona AG continues to expend hundreds of thousands of dollars against the local government in Colorado City. This comes right at the time when the state is experiencing the worst fiscal crisis in history! Goddard has admitted five attorneys pro hac vice into the real estate business in Salt Lake City, Utah, stating that his office is, *"...prepared to dedicate substantial additional resources..."* No other Arizona municipality has this type of targeted preferential treatment and spending.

At the very same time that Goddard ramped up spending on a witch hunt against Colorado City, he complained in a December 16, 2009 letter to Governor Brewer, that, “*waves of increased work*” and proposed budget cuts, threaten basic public safety. Goddard promises to grow and attract new jobs to the state if he is elected governor, yet it is clear that he runs his office with a double standard, wasting taxpayer’s money that should be used to address issues of statewide importance such as mortgage fraud.

The Arizona AG’s Office has filed a sealed motion asking for a Utah court to allow him “unprecedented” and unfounded discovery powers against Colorado City, outside of normal judicial process, citing false allegations for his justification. The Utah judge has allowed the motion for “...*any issues concerning conduct of the local county governments, municipal governments, or law enforcement personnel...or concerning any water, sewer, utilities, zoning, subdivision, building permit or other regulatory or governmental service.*” The Arizona AG has become very reckless in urging that a Utah judge has all authority over Arizona municipalities. The state legislature makes Arizona law, not a Utah district judge in Salt Lake City!

The Arizona League of Cities & Towns’ core principle to maintain local control is, “*Freedom to make decisions at the local level is the best way that municipalities can fully serve their unique constituencies. Because cities and the state work best as partners, the League urges the Legislature to oppose all preemptions and mandates that erode local decision-making authority.*”

Mr. Goddard apparently feels like he will gain publicity and votes, through improper exercise of authority and wasting resources of the great state of Arizona. This Attorney General continues to “*leave no stone unturned..looking into every possibility*” to pursue as part of his “*comprehensive plan,*” to disrupt the basic function of local government and jeopardize the health, safety, and welfare of thousands of people. It is ironic that this assault comes right at a time when our own great state is fighting to protect state sovereignty and states’ rights. The Town of Colorado City, as any municipality, should be able to expect equal and fair treatment by the state government.

At the same time that the immigration debate is raging how to protect our borders, the Arizona Attorney General is diverting state resources to the unjustifiable and unconscionable mistake of chipping away at the very foundation that American freedom was founded upon. Arizona taxpayers should be alarmed at this waste and should demand that confidence be restored to the office. As an elected official of the state of Arizona Goddard should be held accountable to the people he serves.