



Maricopa County Attorney

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NEWS RELEASE

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County Attorney Announces Civil Enforcement Action against Tom Horne and Kathleen Winn for Campaign Finance Violations

PHOENIX, AZ (October 1, 2012) – Maricopa County Attorney Bill Montgomery is initiating a civil enforcement action against Arizona Attorney General Tom Horne and Kathleen Winn, General Director of Community Outreach for the Attorney General’s Office, for alleged campaign finance violations committed during the 2010 election cycle. The allegations stem from an 11 month-long FBI investigation into Business Leaders for Arizona (BLA), an independent expenditure committee chaired by Winn and operated in close coordination with Horne in violation of A.R.S. § 16-917. The investigation also uncovered evidence of a misdemeanor vehicular hit-and-run incident, which was referred to the City of Phoenix for review.

“While various alleged details of this investigation have been shared with several media outlets by people not conducting the investigation, the conduct of this investigation is an example of how sensitive matters should be dealt with: conclusions reserved after all facts and circumstances have been determined, dispassionate review of evidence, and decisions made to further the interests of justice without political consideration,” said Maricopa County Attorney Bill Montgomery. “The conduct in question is expressly prohibited by Arizona’s election laws and we will work to hold those responsible accountable,” he added.

According to the results of the FBI’s investigation, Horne actively directed BLA’s fundraising and communications strategy with Winn in the final weeks of his 2010 campaign for Attorney General. During this time period, BLA raised more than \$500,000 from the Republican State Leadership Committee and individual donors which paid for television advertisements advocating against Felicia Rotellini, Horne’s Democrat opponent.

After reviewing the investigation, Secretary of State Ken Bennett determined there was reasonable cause to believe Horne and Winn’s actions violated civil statutes governing independent expenditures, and directed the Maricopa County Attorney’s Office to initiate an enforcement action pursuant to its statutory authority. The County Attorney intends to issue an order requiring compliance by BLA and the Tom Horne for Attorney General campaign committee, followed by an order assessing a civil penalty. The penalty for violating A.R.S. § 16-917 is three times the cost of the literature or advertisement that was distributed.

In August 2012, the County Attorney initiated a separate civil enforcement action against the Committee for Justice and Fairness, an independent expenditure committee that paid for commercials advocating against Tom Horne's candidacy for Attorney General and which failed to register with the Arizona Secretary of State's Office. Oral argument in this matter is scheduled for October 8, 2012.

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