

Mr. Jeffrey Messing
Poli & Ball, P.L.C.
2999 North 44th Street
Suite 500
Phoenix, Arizona 85018

Mr. Messing,

The allegations made against me and SCA by the Arizona Democratic Party are false, inaccurate, and based solely on assumptions and innuendo. Even though the Republican Party has returned the contribution by SCA, it was completely legal and could have been used by them in political races.

SCA is a group of individuals only in the sense that several individuals contributed funds to an account I set up over 2 years ago, with deposits beginning immediately and continuing intermittently to the present day. The purpose of this account was to address the constant battering of Deputies, Detention Officers and employees of the Maricopa County Sheriff's Office by the media. Following the election of 2004 and continuing to this day, several misleading, fallacious and malicious reports both in print and on television have singled out employees of MCSO making libelous allegations attacking their personal character. Unfortunately, law enforcement officers are typically considered public figures and the media is left unchecked, free to write or say anything they please while claiming a First Amendment Right to Free Speech. Their lies are protected by the U.S. Constitution. It was my intent, upon establishing the fund, to address these lies with publications, advertising, or other methods of mass communication.

SCA has no formal leadership, organization or membership. Funds deposited into the account are spent under my sole discretion. Never were instructions given to me by a donor as to how to spend the money, nor was there ever any discussion with any donor. I can only presume the reasons for the money being deposited into the account were consistent with my intentions.

No contributions to a political party or PAC were made in the name of another person, which would be a violation of ARS §16-907(A). No donors to SCA ever agreed to, or had knowledge of, the contribution to the Republican Party by SCA, and therefore only if their names *had* been used would there be a violation. Likewise, I could not make the contribution in my own name, since the money was not solely from my personal funds.

SCA was not organized for the purpose of influencing an election nor for the support or defeat of any candidate or proposition, nor ever engaged in any such activities. ARS §16-901(19) does not contain a definition that describes SCA, and therefore, SCA is not required to register as a political action committee.

Because SCA is not a PAC, there are obviously no requirements for filing campaign finance reports.

Lastly, there were never any conversations between myself and any officers of the Arizona Republican Party prior to SCA's contribution to them. The only conversation I have ever had with any officer or official of the Arizona Republican Party, or any other political party, was a single phone conversation with Chairman Randy Pullen where he asked me about the organization of SCA and asked for the names of the individual contributors. I explained to him that I did not think it was possible and he said that he would likely have to return the money. I understood his wariness, however, the contribution was completely legal and appropriate, and I hoped he would use it to further the goals of the Republican Party. Neither of us ever mentioned how the money might be spent since in all likelihood, the money would be returned, unspent.

The contribution to the Republican Party by SCA was not earmarked. SCA has not participated in any political activity other than contributions to the Arizona Republican Party which were subsequently returned, and is therefore not required to register as a political action committee, nor file campaign finance reports. The contribution by SCA was a legal contribution made by SCA and only SCA. Individual names cannot be included because SCA is not a partnership. Donors gave money to SCA, not the Republican Party, and therefore cannot be included in the Republican Party finance reports.

None of the allegations against me or SCA are remotely accurate.

I look forward to the expeditious conclusion of your investigation into these unfounded accusations.

Sincerely

A handwritten signature in black ink, appearing to read "Joel Fox". The signature is written in a cursive, flowing style with a large initial "J" and "F".

Joel Fox