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WITHDRAWAL SHEET

Ronald Reagan Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
1. case file (079703)	re correspondent's request for an investigation of apprenticeship activities in Arizona by the Department of Justice. (38 pp.)	4/27/77- 6/14/82	B3 } B6
2. letter (185853)	from correspondent to Lee L. Verstandig; re vacancy on the Intergovernmental Affairs Council to the U.S. Department of Education.	1/11/84	B3 } ✓
letter case (268076)			
3. letter	from Edwin Meese III to Frank Carrington; re State of Arizona vs. Bolt.	11/7/84	B3 } B6
4. letter	from Frank to Ed; re "independent state grounds" issue.	10/23/84	B3 } ✓
COLLECTION: WHORM: Subject File			cas
FILE LOCATION: ST 003 State Government - Arizona			103191

RESTRICTION CODES

- | | |
|--|--|
| <p>A. National security classified information.</p> <p>B. Presidential Records Act</p> <p>B1. Release would violate a Federal statute.</p> <p>B2. Release would disclose trade secrets or confidential commercial or financial information.</p> <p>B6B3 B3. Release would constitute a clearly unwarranted invasion of personal privacy.</p> <p>B4. Relating to appointment to Federal office.</p> <p>B5. Release would disclose confidential advice between the President and his advisors, or between such advisors.</p> | <p>B6. Release could disclose internal personnel rules and practices of an agency.</p> <p>B7. Release would disclose information compiled for law enforcement purposes.</p> <p>B8. Release would disclose information concerning the regulation of financial institutions.</p> <p>B9. Release would disclose geological or geophysical information concerning wells.</p> <p>C. Closed in accordance with restrictions contained in donor's deed of gift.</p> |
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COLLECTION:	WHORM: Subject File		cas
FILE LOCATION:	ST 003 State Government - Arizona		1031/91

RESTRICTION CODES

- | | |
|--|---|
| <ul style="list-style-type: none"> A. National security classified information. B. Presidential Records Act <ul style="list-style-type: none"> B1. Release would violate a Federal statute. B2. Release would disclose trade secrets or confidential commercial or financial information. B3. Release would constitute a clearly unwarranted invasion of personal privacy. B4. Relating to appointment to Federal office. B5. Release would disclose confidential advice between the President and his advisors, or between such advisors. | <ul style="list-style-type: none"> B6. Release could disclose internal personnel rules and practices of an agency. B7. Release would disclose information compiled for law enforcement purposes. B8. Release would disclose information concerning the regulation of financial institutions. B9. Release would disclose geological or geophysical information concerning wells. C. Closed in accordance with restrictions contained in donor's deed of gift. |
|--|---|

079703

RONALD W. REAGAN LIBRARY

THIS FORM MARKS THE FILE LOCATION OF ITEM NUMBER 1 LISTED ON THE
WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

ID # 185-853

WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

57003

O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence received (YY/MM/DD) 84/01/16

NAME OF CORRESPONDENT: Anne Lindeman

IA Mail Report

User Codes: (A) _____ (B) _____ (C) _____

SUBJECT: I would like to be considered to replace Vance Kelley because he is no longer an elected official.

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>IAVERS</u>	ORIGINATOR	<u>84/01/16</u>	<u>LV</u>	<u>A</u>	<u>84/01/19</u>
<u>IAGLEA</u>	Referral Note: <u>A</u>	<u>84/01/16</u>		<u>CS</u>	<u>84/01/2019</u>
	Referral Note:	/ /			/ /
	Referral Note:	/ /			/ /
	Referral Note:	/ /			/ /

ACTION CODES: A - Appropriate Action C - Comment/Recommendation D - Draft Response F - Furnish Fact Sheet to be	I - Info Copy Only/No Action Necessary R - Direct Reply w/Copy S - For Signature X - Interim Reply	DISPOSITION CODES: A - Answered B - Non-Special Referral C - Completed S - Suspended	FOR OUTGOING CORRESPONDENCE: Type of Response = Initials of Signer Code = "A" Completion Date = Date of Outgoing
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COMMENTS: _____

Keep this worksheet attached to the original incoming letter. Send all routing updates to Central Reference (Room 75, OEOB). Always return completed correspondence record to Central Files. Refer questions about the Correspondence Tracking system to Central Reference, ext. 2590

THE WHITE HOUSE

WASHINGTON

January 19, 1984

Dear Anne:

Many thanks for your recent letter regarding your interest in being appointed to the Intergovernmental Affairs Council of the U.S. Department of Education.

I have sent your letter and my strong endorsement to John Herrington, Assistant to the President for Presidential Personnel. I expect that you will be considered to fill the next vacancy.

Thanks for sending a written request.

Warm regards,



Lee L. Verstandig
Assistant to the President for
Intergovernmental Affairs

The Honorable Anne Lindeman
Arizona Senate
6543 West Earll Drive
Phoenix, Arizona 85033

RONALD W. REAGAN LIBRARY

THIS FORM MARKS THE FILE LOCATION OF ITEM NUMBER 2 LISTED ON THE
WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

THE WHITE HOUSE
WASHINGTON

WS

USA TODAY

Highlight of State Governmental Activities

July 12, 1984 + July 11

242098

1100

ST003

ST001

ST022

ST025

ST031

ST008

ST026

State: Arizona

Action: Window Rock - The Navajo Indian Nation's Advisory Committee voted not to celebrate Columbus Day. Reason cited: The discovery of America led to thousands of Indians being killed.

State: Michigan

Action: Detroit - City auto emissions project funded: A vehicle emissions program for the metropolitan area will receive \$1.5 million of a \$38.5 supplemental appropriation for Senate-approved projects. The program is part of a compromise to avoid federal sanctions if emissions control action isn't taken.

State: Missouri

Action: Kansas City - The extortion trial of State Rep. Alex Fazzino (D) - set to begin Wednesday - was delayed until next week. The 15-year House veteran was hospitalized for chest pains.

State: New Mexico

Action: Santa Fe - State faces \$45 million deficit: A budget cut or tax increase is needed to avoid a deficit in 1985, state finance officials say. Tax-increase efforts failed this year.

THE WHITE HOUSE

WASHINGTON

USA TODAY

Highlight of State Governmental Activities

July 11, 1984

State: Alabama

Action: Tuskegee -- Mayor Johnny Ford was re-elected to his 4th term with 90% of the vote.

State: Delaware

Action: Dover -- state finished fiscal 1984 on June 30 with largest surplus in state history, \$46.6 million. It was \$8.7 million above economic forecasts. Legislators are considering saving the money in case of an economic down turn.

State: Montana

Action: Missoula -- A dozen members of an environmental group began a series of sit-ins at Sen. Melcher's office. They say that the proposed wilderness bill doesn't designate enough land for protection.

THE WHITE HOUSE
WASHINGTON

August 7, 1984

250720 ①

2200

ST003

ST021

LD

Dear Representative McCune:

Congratulations on your election as Co-Chair of NCSL's Women's Network. Recognition by one's peers is the highest of honors.

With the growth and strength of women in the nation's state legislatures, your year of leading this dynamic group will be full of opportunity. As you meet the challenge ahead, I hope that you will call on me if I can ever be of assistance to you.

Best wishes for continued success.

Warm regards,

Mary

Mary E. Redington
Deputy to the Special Assistant to the
President for Intergovernmental Affairs

The Honorable Debbie McCune
Representative of the State of Arizona
4817 North 54th Drive
Phoenix, Arizona 85031

THE WHITE HOUSE

WASHINGTON

August 7, 1984

Dear Representative Canavan:

Congratulations on your election as Co-Chair of NCSL's Women's Network. Recognition by one's peers is the highest of honors.

With the growth and strength of women in the nation's state legislatures, your year of leading this dynamic group will be full of opportunity. As you meet the challenge ahead, I hope that you will call on me if I can ever be of assistance to you.

Best wishes for continued success.

Warm regards,



Mary E. Redington
Deputy to the Special Assistant to the
President for Intergovernmental Affairs

The Honorable Ellen M. Canavan
Representative of the State of Massachusetts
52 Oak Knoll Terrace
Needham, Massachusetts 02192

WHITE HOUSE
COUNSELLOR'S OFFICE TRACKING WORKSHEET

ST003

O - OUTGOING

H - INTERNAL

I - INCOMING

Date Correspondence
Received (YY/MM/DD)

84/10/26

Name of Correspondent: Frank Carrington

CN Mail Report

User Codes: (A) _____ (B) _____ (C) _____

Subject: Writer sends a recent opinion in an Arizona case where evidence seized pursuant to a warrant following a warrantless entry to secure a home, is admissible under the "independent source" doctrine.

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
CNHAMM	O ^{CT}	84/10/26	SM	A	84/11/07
		/ /			/ /
		/ /			/ /
		/ /			/ /
		/ /			/ /

ACTION CODES:

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure

- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

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- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
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Comments: _____

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RECORDS MANAGEMENT ONLY

CLASSIFICATION SECTION

No. of Additional Correspondents: _____ Media: L Individual Codes: 4640 _____

Prime Subject Code: SI 003 Secondary Subject Codes: JL 003 _____

PRESIDENTIAL REPLY

Code	Date	Comment	Form
C	_____	Time: _____	P-
DSP	_____	Time: _____	Media: _____

SIGNATURE CODES:

CPn - Presidential Correspondence

- n - 0 - Unknown
- n - 1 - Ronald Wilson Reagan
- n - 2 - Ronald Reagan
- n - 3 - Ron
- n - 4 - Dutch
- n - 5 - Ron Reagan
- n - 6 - Ronald
- n - 7 - Ronnie

CLn - First Lady's Correspondence

- n - 0 - Unknown
- n - 1 - Nancy Reagan
- n - 2 - Nancy
- n - 3 - Mrs. Ronald Reagan

CBn - Presidential & First Lady's Correspondence

- n - 1 - Ronald Reagan - Nancy Reagan
- n - 2 - Ron - Nancy

MEDIA CODES:

- B - Box/package
- C - Copy
- D - Official document
- G - Message
- H - Handcarried
- L - Letter
- M - Mailgram
- O - Memo
- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

5-6013

RONALD W. REAGAN LIBRARY

THIS FORM MARKS THE FILE LOCATION OF ITEM NUMBER 3 LISTED ON THE
WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

RONALD W. REAGAN LIBRARY

THIS FORM MARKS THE FILE LOCATION OF ITEM NUMBER 4 LISTED ON THE
WITHDRAWAL SHEET AT THE FRONT OF THIS FOLDER.

criminal details. Nothing supported the informant's conclusory statement of criminality and, indeed, the inaccuracy of his statements concerning the box tended affirmatively to show lack of reliability.

The government was not relieved from the probable cause and warrant requirement of §1105 by either the border exception, Chemaly's involuntary consent, or by a search incident to an arrest supported by probable cause. All evidence obtained from the illegal search must therefore be excluded. [End Text] — Godbold, J.

Dissent: I dissent. First, the Constitution did not prohibit the search in this case. Second, the search did not violate §1105. The customs officers, prior to searching Chemaly, had probable cause to arrest him on the currency charge and for making a false statement; thus, they could properly conduct a search of him incident to arrest. Third, it would be inconsistent with the statutory purposes to imply suppression as a remedy, and we should not use our supervisory powers to do so. Finally, since the agents had probable cause to arrest Chemaly, they would certainly have arrested him on the jetway and, upon obtaining any necessary warrant, found the money; therefore, the evidence seized should be admissible under the "inevitable discovery" rule of *Nix v. Williams*, 35 CrL 3119 (1984). — Tjoflat, J.

(U.S. v. Chemaly; CA11, No. 83-5065, 9/20/84)

WARRANTLESS ENTRY TO "SECURE" HOME VIOLATES ARIZONA CONSTITUTION

But evidence later seized pursuant to warrant is admissible under "independent source" doctrine. ▶15.451 ▶15.90

Under the Arizona Constitution, state law enforcement officers may not, in the absence of exigent circumstances, make a warrantless entry of a residence for purposes of "securing" it until a warrant can be obtained, a majority of the Arizona Supreme Court decides. In so ruling, the majority expressly declines to base its consideration of the issue upon the U.S. Supreme Court's opinion last Term in *Segura v. U.S.*, 35 CrL 3298 (1984), in which two Justices suggested that such entries to "secure the premises" may be proper. However, the majority goes on to uphold the admissibility of evidence seized subsequently from the defendant's residence pursuant to a valid warrant, explaining that it will henceforth adhere to the Supreme Court's "independent source" doctrine. The majority also announces that, at least for the present, the state constitution will not be used to extend the exclusionary rule any further than the U.S. Supreme Court applies it.

Concurring, Justice Cameron, joined by Justice Hays, argues for a new "cost-benefit" balancing test for applying the exclusionary rule. (*State v. Bolt*, 9/26/84)

Digest of Opinion: Defendant Bolt was convicted of sale of marijuana, unlawful possession of marijuana, and conspiracy. The issue on appeal is whether it was error to refuse to suppress evidence seized from the defendant's house pursuant to a warrant when, absent exigent circumstances, the police had entered and "secured" the defendant's house prior to obtaining that warrant.

The defendant was suspected of being a "wholesaler" of marijuana. His house was under surveillance, and the officers had been reliably informed that the defendant had supplied marijuana to an individual they had just arrested. The officers were in the process of preparing an affidavit for a telephonic search warrant for the defendant's home when they were called by one of the surveilling agents and told that the defendant had just left in a pick-up truck. The officer in charge ordered one detail of officers to stop the truck and another to "secure" the house until a warrant was obtained. This was done. The

telephonic warrant arrived sometime after the truck had been stopped and the house "secured." Search was then made and large quantities of marijuana were found.

We noted in *State v. Martin*, 34 CrL 2392 (1984), that the phrase "securing the residence" had no precise technical meaning. The meaning of the phrase is documented by the record here. The supervising officer testified that his order "to secure the premises" meant that officers were to enter the residence without a warrant, search the home for people who might be there, advise them that a warrant would be forthcoming, and put them "together" to "wait for the agent to arrive with the warrant." "Securing" the house entailed looking into each room or space in which a person might be hiding, including closets, under the bed, or wherever else someone might be found. So far as we can determine, the usual police "securing" practice includes holding in one room everyone found in the house, permitting them neither to leave nor to have communication with the outside. The purpose is to keep those in the house isolated from whatever evidence might be present and to prevent them from giving or receiving warnings. The testimony indicates that the officers disclaim any intent of looking for evidence until the warrant arrives.

The defendant argues the illegality of such entries made under the guise of "securing the premises" and urges application of the exclusionary rule to deter such activity. Defendant argues, in other words, that the independent source rule which we recognized in *Martin* is inappropriate and that the exclusionary rule is needed to deter what the defendant claims, and the record indicates, is a fairly common police practice.

We note that if evidence was seized during, or obtained as a result of a warrantless entry of the defendant's home without exigent circumstances, the seizure would have been illegal and the evidence suppressed as the fruit of the illegal entry. *State v. Cook*, 564 P2d 877 (Ariz 1977). However, if the evidence is seized as a result of knowledge "attributed to an independent source," it is not the "fruit of the poisonous tree" and exclusion is not required. *Id.* See also *Wong Sun v. U.S.*, 371 U.S. 471 (1963). We thus examine whether the procedure is permitted by the federal and state constitutions and, if not, whether application of an exclusionary rule is required for deterrence. We answer both questions in the negative.

Our constitutional provision reads as follows: "No person shall be disturbed in his private affairs, or his home invaded, without authority of law." The Fourth Amendment to the U.S. Constitution proscribes unreasonable search and seizure. A recent opinion raises some question regarding the position of the U.S. Supreme Court on the legality of the warrantless entry. In *Segura v. U.S.*, 35 CrL 3298 (1984), the Court upheld two convictions in a case very similar to the present case. In his majority opinion, the Chief Justice indicated that the securing of premises, at least when undertaken to preserve the status quo while a warrant is being sought, does not violate the Fourth Amendment. Although only Justice O'Connor joined in this part of the opinion, we must conclude that a majority of the Court may soon reach the view that warrantless entry and inspection short of search is permissible absent exigent circumstances. It is appropriate, therefore, to reconsider the views expressed in *Martin* to the effect that such an entry would in and of itself violate Art.2, §8 of the Arizona Constitution.

[Text] While we are cognizant of the need for uniformity in interpretation, we are also aware of our people's fundamental belief in the sanctity and privacy of the home and the consequent prohibition against warrantless entry. *** While Arizona's constitutional provisions generally were intended to incorporate the federal protections, *** they are specific in preserving the sanctity of homes and in creating a right of privacy. *** After noting our previous cases and the wording of both the state and federal constitutional provisions, we held in *Martin* *** and affirm here, that as a matter of state law officers may not make a warrantless entry of a home in the absence of exigent circumstances or other necessity. Such entries are "per se unlawful" under our state constitution. *State v. Cook*, 115 Ariz. at 194, 564 P.2d at 883. *** *Martin* and *Cook* indicate that the police may "secure" premises only in the sense of allowing no one to enter. ***

The facts here preclude any claim of necessity or exigent circumstances for a warrantless entry. *** The officer in charge agreed that only by returning defendant to his home did the police raise any significant possibility that those left in the house would be alerted to the presence of police. If there was an exigency it was created by the conduct of the police. Under these circumstances, we deem the securing procedure followed here, which included the warrantless entry and protective sweep, was tantamount to a seizure of anything and anyone in the house. *** We hold the procedure followed violates Article 2, Section 8 of the Arizona Constitution. The holding with respect to the Arizona Constitution is based upon our own constitutional provision, its specific wording, and our own cases, independent of federal authority. ***

We come, then, to the question of exclusion. The United States Supreme Court has held that evidence obtained through search under a valid warrant obtained on the basis of information from sources independent of the prior illegal entry is not the "fruit of the poison tree" and need not be suppressed under the federal exclusionary rule as applied to the states. *Segura v. U.S.* There is a possibility that our interpretation of the Arizona search and seizure constitutional provision more narrowly circumscribes the right of the police to make a warrantless entry than the interpretation which the United States Supreme Court gives to the Fourth Amendment. Therefore, we think it necessary to determine whether the evidence seized under the warrant in the case at bench need be excluded because of the prior violation of the Arizona Constitution. We turn, therefore, to consider whether a state rule of exclusion is necessary in order to deter such conduct in the future. ***

While the independent source exception to the exclusionary rule approved by the Supreme Court in *Segura v. U.S.* is a matter of federal law, we are certainly free to adopt a state version of the exclusionary rule that differs from the federal, so long as we do not fall below the federal standards. We could, therefore, under the appropriate circumstances, refuse to recognize the independent source exception as a matter of state law, even though it was recognized as a matter of federal law. We believe, however, that one of the few things worse than a single exclusionary rule is two different exclusionary rules. *** It is poor judicial policy for rules governing the suppression of evidence to differ depending upon whether the defendant is arrested by federal or state officers. Therefore, even though on occasion we may not agree with the parameters of the exclusionary rule as defined by the United States Supreme Court, we propose, so long as possible, to keep the Arizona exclusionary rule uniform with the federal. We therefore do not propose to make a separate exclusionary rule analysis as a matter of state law in each search and seizure case. Should the Supreme Court abolish the exclusionary rule, we might be tempted to follow their lead with respect to Arizona law, especially if in the meantime the legislature should have provided us with some other, suitable deterrent against police non-observance of the constitutional requirements.

We therefore hold, for the present, that the exclusionary rule to be applied as a matter of state law is no broader than the federal rule. The independent source doctrine may be applied under the Arizona constitutional provision, and exclusion of evidence obtained under a legal warrant need not be required because of the prior state constitutional violation. [End Text] Feldman, J.

Concurrence: I believe that the exclusionary rule can be and should be restricted to those cases where the societal costs of imposing the rule do not exceed the benefits of the enforcement of the rule. Insofar as allowed by the Supreme Court in future decisions, I would adopt a balancing test for the admission of illegally obtained evidence under the Arizona Constitution. This balancing approach would prevent the rule from being invoked whenever the societal costs of applying the rule exceed societal benefits. In its simplified form, it would directly compare the gravity of the crime in a particular case with the gravity of the police misconduct, in order to determine whether the costs of freeing the guilty exceed the expected benefit of deterring the police. Where such societal costs exceed the expected benefits, the rule should not be applied. — Cameron and Hays, JJ.

(State v. Bolt; Ariz Sup Ct, No. 6139-PR, 9/26/84)

WARRANTLESS ENTRY INTO HOME OF FLEEING SUSPECT WAS JUSTIFIED BY FRESH PURSUIT

Case is distinguishable from Welsh v. Wisconsin. ▶10.503

A police officer who pursued a speeding automobile until it stopped and the driver, in defiance of the officer's command to halt, fled into his nearby mobile home acted properly in entering the residence without a warrant and arresting the driver, the Indiana Court of Appeals, First District, holds. There was probable cause to arrest the defendant for avoiding law enforcement once he entered his home, the court explains, and the officer's subsequent warrantless entry was clearly justified under traditional notions of "fresh pursuit" notwithstanding the Supreme Court's recent ruling in *Welsh v. Wisconsin*, 35 CrL 3080 (1984).

In *Welsh*, the Court held unconstitutional a warrantless residential entry where the officer, acting on a tip from a lay witness, had tracked the defendant from the license plate on his abandoned car and arrested him in his bed for drunk driving. The present case is clearly distinguishable, the court notes. Here, unlike the situation in *Welsh*, there was immediate and continuous pursuit and therefore a warrant was not required to continue the chase into the defendant's home. A contrary rule, the court observes, "would encourage flight to avoid apprehension and identification *** with the natural destruction of evidence accomplished while the officer interrupted his pursuit to obtain a warrant." (*State v. Blake*, 9/17/84)

Digest of Opinion: At 3:30 a.m. on September 14, 1983, Police Sergeant Jones clocked an automobile traveling 74 miles per hour in a 55 mile per hour zone. Jones pursued the vehicle, turning on his siren and red flashing lights in an attempt to stop the car. The automobile then increased its speed to over 90 miles per hour. Jones radioed for assistance and followed the car into a trailer park, turning off his lights because of the late hour and so as not to alert the occupants of the automobile that he was so near. Jones parked behind the suspect car and observed its occupants exiting the vehicle as he got out of his squad car. Jones ordered the five men to stop. However, Mark Blake, who had been in the driver's seat, disregarded Jones and entered a nearby trailer which was his home. Jones then went to the door of this mobile home and commanded Blake to come outside. When no response was forthcoming, Jones entered the mobile home and arrested Blake for resisting law enforcement. Jones then handcuffed Blake and took him back outside. Jones proceeded to examine the registration of the car, which was Blake's, and asked the group who had been driving. Jones noticed an open whiskey bottle in the car and the smell of alcohol on Blake's breath. A chemical test administered by Blake to Jones registered an .18% blood alcohol content, and Jones charged Blake with operating a motor vehicle while intoxicated.

The trial court granted Blake's motion to suppress the breath test results and all other evidence obtained after his arrest, on the ground that Jones entered private property without a warrant or justification in order to effect Blake's arrest. We reverse.

First, Jones was entitled to arrest Blake for the misdemeanor offense of resisting law enforcement.

[Text] Although we find no Indiana case directly on point, an examination of similar cases in other jurisdictions convinces us that Jones was also justified in entering Blake's mobile home in order to arrest him. A warrantless in-home arrest is not valid without probable cause and exigent circumstances making it impractical to first procure an arrest warrant. *Harrison v. State*, (1981) Ind.App., 424 N.E.2d 1065. Tradi-

57003

Bill

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

- O - OUTGOING
 - H - INTERNAL
 - I - INCOMING
- Date Correspondence Received (YY/MM/DD) / /

Name of Correspondent: Anthony Jackson

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Correspondence concerning actions against Governor Evan Mecham of Arizona

ROUTE TO: Office/Agency (Staff Name)	ACTION		DISPOSITION	
	Action Code	Tracking Date YY/MM/DD	Type of Response	Completion Date YY/MM/DD
<u>cu hole</u>	ORIGINATOR	<u>88,03,31</u> PY		<u>C 88,04,11</u>
<u>cuat 37</u>	Referral Note:	<u>In PDB</u>		<u>PY</u>
<u>CUAT 39</u>		<u>88,04,05</u> PB		<u>C 88,04,11</u> PY
	Referral Note:	<u>APR 788</u> PY Wm. Landers memo to Phil		<u>Grady</u>
		<u>88,04,11</u> PB		<u>A 88,04,11</u> PY
	Referral Note:			
		<u> / / </u>		<u> / / </u>
	Referral Note:			
		<u> / / </u>		<u> / / </u>
	Referral Note:			

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 - S - Suspended
- FOR OUTGOING CORRESPONDENCE:**
- Type of Response = Initials of Signer
 - Code = "A"
 - Completion Date = Date of Outgoing

Comments: No previous corresp.

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RECORDS MANAGEMENT ONLY

CLASSIFICATION SECTION

No. of Additional Correspondents: _____ Media: L Individual Codes: 4.000 _____

Prime Subject Code: ST 003 - _____ Secondary Subject Codes: PL _____
II 003 _____

PRESIDENTIAL REPLY

Code	Date	Comment	Form
C	_____	Time: _____	P-
DSP	_____	Time: _____	Media: _____

SIGNATURE CODES:

- CPn - Presidential Correspondence**
 - n - 0 - Unknown
 - n - 1 - Ronald Wilson Reagan
 - n - 2 - Ronald Reagan
 - n - 3 - Ron
 - n - 4 - Dutch
 - n - 5 - Ron Reagan
 - n - 6 - Ronald
 - n - 7 - Ronnie

- CLn - First Lady's Correspondence**
 - n - 0 - Unknown
 - n - 1 - Nancy Reagan
 - n - 2 - Nancy
 - n - 3 - Mrs. Ronald Reagan

- CBn - Presidential & First Lady's Correspondence**
 - n - 1 - Ronald Reagan - Nancy Reagan
 - n - 2 - Ron - Nancy

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- L - Letter
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- P - Photo
- R - Report
- S - Sealed
- T - Telegram
- V - Telephone
- X - Miscellaneous
- Y - Study

THE WHITE HOUSE
WASHINGTON

April 29, 1988

NOTE FOR: Central Files
FROM: Phyllis A. Williams *PAW*
Counsel's Office
x2971

Please close out.

THE WHITE HOUSE

WASHINGTON

April 11, 1988

Dear Mr. Jackson:

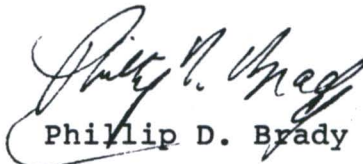
Thank you for your letter of March 13, 1988 to President Reagan expressing concern about the impeachment trial and other actions against former Governor Mecham. As you know, since the date of your letter, the Arizona legislature has voted to impeach Mr. Mecham.

Please rest assured we share your concern that duly elected or appointed officials not be hounded out of office because unfounded charges have been made against them. However, one of the key principals of our system of government is federalism. Simply put, that means that the federal government has limited powers and that by and large the powers of government remain with the people of each state, who can directly exercise control over their state government by their vote.

Accordingly, since both the impeachment and the criminal trial are state proceedings, it would be inappropriate to express any specific opinion about the substance of the charges involved. However, it is also true that any trial must fully comport with the guarantees of not only the Arizona Constitution but also the United States Constitution, and if it does not, an appeal may be taken to the federal courts. Moreover, if any misconduct occurs in connection with any proceedings, state law enforcement agencies can investigate and the state can prosecute if there is sufficient evidence of criminal misconduct.

Nevertheless, this only emphasizes that the most important check on any abuse of power is the citizen's vote. If elected officials do not faithfully carry out their offices and the desires of those who elected them, the the people can and should use their vote to elect officials who will be responsive. Thus, an informed and active electorate is the most potent guarantee that any government -- state or federal -- will be a government of the people.

Sincerely,


Phillip D. Brady

Mr. Anthony Jackson
7013 West Verde Lane
Phoenix, Arizona 85033

THE WHITE HOUSE

WASHINGTON

April 7, 1988

MEMORANDUM FOR PHILLIP D. BRADY

FROM: WILLIAM J. LANDERS 

SUBJECT: Correspondence Concerning Actions
Against Evan Mecham of Arizona

Attached is a response for your signature to a letter to the President from a citizen of Arizona complaining about the impeachment proceedings, the criminal charges and recall election against former Governor Evan Mecham. The writer asserts that the charges are "trumped up" and that witnesses for Mr. Mecham at the impeachment proceeding were harassed and intimidated. He asks the President to step in and do something to preserve government "by the people" in Arizona.

The drafted response states that in view of our "federal" system it would be inappropriate for any federal official to intervene in state affairs and that the state trial on criminal charges will comport with the Constitution or Mr. Mecham may appeal. Finally, it reminds the writer that ultimately the power of the vote is the tool to insure that elected officials are responsive to state citizens.

Attachment

March 13, 1988

Anthony Jackson
7013 W. Verde Ln.
Phx., Az., 85033
602-849-1905

577552CU

Honorable President Reagan,

I have been told that writing this to you is an effort in futility, but I feel an overwhelming compulsion to appeal to you to help us here in Arizona.

We have an extremely serious problem developing in our state, and I feel that our state government is breaking down to the point that I must write to you and tell you of my great concern!

As you know, our Governor is being investigated by a criminal court, a recall election and an impeachment trial all at the same time.

I have been closely acquainted with the entire Mechem family for most of my life of 33 years and realize that they are human and that they make judgement errors as do all of us.

But I also know them to be people of the highest character and because of my association with them throughout this ordeal that they are suffering, know that the charges against Governor Mechem are trumped up charges and are being leveled at him by his political enemies because they have much to gain by keeping him out of politics.

My purpose in writing to you, the President of the United States, is to tell you that ever since the impeachment proceedings began, many of which I have personally attended, witnesses for the defense in the trial have become recipients of harassment and intimidation to the point that when being called to the stand to testify they begin to change their testimony. There are many incidences of this kind of witness tampering, which apparently are being carried out by the Department of Public Safety, which is headed by Director Ralph Milstead, who is the prosecution's key witness in the trial of the Governor.

The Governor's attorney Fred Craft has exhausted every available means to get protection for these witnesses and has been completely unsuccessful. He has appealed in a radio news broadcast to the people of this state, to rise up and demand

help through pressure on our lawmakers and Senators.

I now plead with you, President Reagan, as the highest officer in the land, to recognize the crisis which we face here and use any influence that you have to help us protect our government and God given freedoms from being trampled under the feet of self serving and corrupt men.

I appeal to you out of a sense of duty as a citizen of the United States and from a real and fearful concern for the safety of our Governor, citizens, and system of free government "of the people".

I fear that if this mockery of our constitutional rights is allowed and corruption becomes the ruling power, if it hasn't already in this state, then it is only a matter of time before other states fall victim to the same.

Americas worst enemies appear to be right here within our own borders. No, if we do nothing.

We need your help!

Sincerely, Anthony Jackson
Citizen of the State of Arizona

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

ST 003

INCOMING

DATE RECEIVED: NOVEMBER 07, 1988

NAME OF CORRESPONDENT: THE HONORABLE BART BAKER

SUBJECT: APPRECIATION LETTER

ROUTE TO: OFFICE/AGENCY	(STAFF NAME)	ACTION		DISPOSITION	
		ACT CODE	DATE YY/MM/DD	TYPE RESP	C COMPLETED D YY/MM/DD
FRANK DONATELLI		ORG	88/11/07	RSI C	88/11/14
KAE RAIRDIN		RSI	88/11/07	RSI C	88/11/07
	REFERRAL NOTE:				
	REFERRAL NOTE:				
	REFERRAL NOTE:				
	REFERRAL NOTE:				
	REFERRAL NOTE:				

COMMENTS: _____

ADDITIONAL CORRESPONDENTS: MEDIA:L INDIVIDUAL CODES: 2200 _____

IA MAIL USER CODES: (A) _____ (B) _____ (C) _____

- *****
- | | | | |
|--------------------------|----------------------|----------------------|---|
| *ACTION CODES: | *DISPOSITION | *OUTGOING | * |
| * | * | *CORRESPONDENCE: | * |
| *A-APPROPRIATE ACTION | *A-ANSWERED | *TYPE RESP=INITIALS | * |
| *C-COMMENT/RECOM | *B-NON-SPEC-REFERRAL | * OF SIGNER | * |
| *D-DRAFT RESPONSE | *C-COMPLETED | * CODE = A | * |
| *F-FURNISH FACT SHEET | *S-SUSPENDED | *COMPLETED = DATE OF | * |
| *I-INFO COPY/NO ACT NEC* | | * OUTGOING | * |
| *R-DIRECT REPLY W/COPY * | | | * |
| *S-FOR-SIGNATURE | | | * |
| *X-INTERIM REPLY | | | * |
- *****

REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
(ROOM 75, OEOB) EXT-2590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING
LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
MANAGEMENT.

8

(no record)

603884

BART BAKER
RR 1, BOX 31
HEREFORD, ARIZONA 85615
HOME: 378-2884
CAPITOL: 1-800-352-8404



COMMITTEES:
HEALTH, CHAIRMAN
GOVERNMENT OPERATIONS
HUMAN RESOURCES & AGING

*F. Donatelli
cc K Raurdin*

Arizona House of Representatives
Phoenix, Arizona 85007

November 1, 1988

The President and Mrs. Reagan
The White House
Washington, D.C. 20500

Dear Mr. President and Mrs. Reagan:

Thank you for your nice letter of endorsement. It further lifted the spirits of Maxine and myself as a final gesture after a week full of successful events.

We wish both of you a very happy, happy retirement.

Sincerely,

BART BAKER
State Representative
District 9

BB:bw