

Kelley J. Henry

Federal Public Defender's Office

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I read your September 23 request that I recuse myself from participating in an upcoming clemency hearing for Mr. Edward Schad. I will not do as you ask.

Your allegation that the Arizona Governor's Office has sent me one or more letters "expressing displeasure with certain board members['] votes in favor of clemency" is totally untrue. I have never been "summoned" to a meeting with any member of the Governor's staff for such person "to express displeasure with board member votes." I am not aware of any such summons to a "regular" board member.

Incidentally, I have never understood that a conversation between two members of a five-person public board about an officially-relevant topic, without more, violates the Arizona Open Meetings Law.

John A. LaSota Jr.