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RESPONSE TO ARPAIO’S STATEMENTS ON “GREEN ACRES” INVESTIGATION, ARPAIO’S STATEMENTS CALLED PART OF A PATTERN

Case is a Repeat of the 1998 Wayne Bates Case

PHOENIX, Ariz. (DECEMBER 24, 2014) – Responding to the Sheriff’s statements that “charges will be re-filed”¹ in the “Green Acres” investigation, attorneys for Austin and Logan Flake say that the Sheriff’s statements are part of a pattern.

Attorneys Dennis and Jack Wilenchik compared the case to the Sheriff’s 1998 investigation of Wayne Bates, a mailman whom the Sheriff accused of animal cruelty for using pepper-spray on an aggressive dog. In his [”tell all” book](#),² former MCSO Deputy Chief Brian Sands writes that Arpaio ordered that Bates be arrested, even though it was determined that no crime was committed. Arpaio also alerted the media and incited public “outrage” toward Bates, according to Sands. The county attorney at the time, Rick Romley, dropped the case, because there was no evidence that Bates intended to hurt the animal unnecessarily. According to Sands:

“[Arpaio] enacted a campaign to establish more evidence and refile the case. It had been dropped because of the inability to establish intent. It was difficult, in this instance, to prove otherwise. Arpaio obsessively demanded, ‘When are you going to solve this and make a case?’”

Sands says that Arpaio had the idea to do costly additional testing to prove that the mailman had used his pepper spray, even though the mailman had already admitted to using it. The costly testing was done, according to Sands, and it “pleased the animal rights advocates,” but the case “went no further.” Bates later sued the county for wrongful arrest and received a \$15,000 settlement.

¹ The statements were made in a pre-taped [Youtube video](#) posted online.

² All quotes taken from “Arpaio De Facto Lawman: Second Edition” by Brian Sands, Chapter Two, available at: http://www.amazon.com/gp/product/B00PX9T5UO/ref=docs-os-doi_0.



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Sands also claims that Arpaio never had any genuine interest in pets or much knowledge about them—and that Arpaio confessed to Sands that “the aggressive animal rights image he [Arpaio] developed was a political goldmine.” “His reputation [on animal rights] had brought a number of Democrats into his Republican base,” Sands writes. “I heard people say they were against Arpaio but because he defended animals he had their vote. There was a steady stream of animal rights affiliates who visited Arpaio’s office.”

Sands claims that Arpaio never even owned a dog, and that one day, Sands suggested to Arpaio that “it would be good public relations for him [Arpaio] to adopt” a dog. Sands claims that Arpaio then told Sands “flatly” to “shut up.”