



PINAL COUNTY

WIDE OPEN OPPORTUNITY

February 11, 2026

VIA US MAIL & EMAIL

The Honorable Kris Mayes
Arizona Attorney General
2005 N Central Ave
Phoenix, Arizona 85004-2926
kmayes@azag.gov

Re: Referral of Matter Concerning Alleged Unauthorized Use of Public Monies by the Pinal County Attorney, Public Records Retention and Employment Laws Violations, and Unauthorized Access to Government Electronic Management Systems

Dear Attorney General Mayes,

The Pinal County Board of Supervisors (the "Board") respectfully submits this referral to your office concerning the Pinal County Attorney's alleged unauthorized use and expenditure of public monies, public records retention and employment laws violations, and unauthorized access to government electronic management systems. This referral comes as a result of an internal investigation conducted by the Board after Pinal County Attorney Miller knowingly hired two individuals in early 2025, without authorization and promised them back pay. During this investigation, other issues of concern were brought to the Board's attention that are contained herein for your review.

First, County Attorney Miller appeared to knowingly offer at least two individuals positions within his office without authorization, despite receiving multiple written notices from County Human Resources staff explicitly advising that neither employee was authorized to work, and that no positions existed for these individuals until proper procedures were followed. Nevertheless, County Attorney Miller directed both individuals to perform work for the Pinal County Attorney's Office beginning January 6, 2025, weeks before their employment was officially approved, and in potential violation of federal and state employment laws. On February 6, 2026, subsequent to the investigation, the Board had no choice but to approve back pay and benefits for these two individuals as required by federal and state employment laws.¹

¹ The Board also had to acknowledge a potential lack of compliance with the U.S. Citizenship and Immigration Services Employment Eligibility Verification (I-9) requirements.

Importantly, County Attorney Miller apparently concealed the unauthorized employment from the County Manager and Board of Supervisors until March 14, 2025, by failing to notify the County of the work status of the two employees, and furthermore, by providing the Board of Supervisors and County Management with potentially misleading information. On at least two occasions in late February and early March 2025, County Attorney Miller, directly or through his staff, communicated that his Office was without critical administrative support due to waiting for one of the positions to be approved. He further claimed that the continued delay was hindering his ability to effectively serve as the top prosecutor in the county. This allegation was made for the second time just one week prior to County Attorney Miller's request for back pay wherein he reported the employee had "been actively performing her responsibilities" in the administrative role since January 6, 2025. On March 14, 2025, he submitted a memo demanding back pay for both individuals, thereby presenting the County with a *fait accompli* that required the expenditure of public funds to satisfy mandatory federal and state wage obligations.

As a result of County Attorney Miller's unauthorized conduct, the County has been compelled to pay wages, accrued vacation leave, sick leave (including statutory penalties), holiday pay, and Arizona State Retirement System contributions that were never budgeted or approved by the Board. Because this involves confidential personnel information, we will provide your office more details regarding these expenditures at your request.

Second, during the investigation involving the unauthorized hiring of these two individuals, the Board also learned that County Attorney Miller was conducting County business using non-County email and the Signal Chat application, which does not preserve the records in violation of A.R.S. § 38-421. These individuals were also allowed access to County facilities and systems during the period in which they were not lawful employees. The Board is also concerned that there may have been improper access provided to the Arizona Criminal Justice Information System (ACJIS) in violation of A.R.S. §§ 41-1750 and 41-1756. The Board will provide further information to you regarding these allegations upon request.

Third, on or around August 14, 2025, County Attorney Miller unilaterally entered into a 287(g) Task Force Model Memorandum of Agreement with the U.S. Department of Homeland Security ("DHS") without authorization from the Pinal County Board of Supervisors in violation of A.R.S. §§ 11-201(A)(3), 11-251(1), (11), 11-441(A)(1)-(2), and 11-952. County Attorney Miller did not inform the Board about this agreement until December 11, 2025. County Attorney Miller's execution of the 287(g) Agreement was an *ultra vires* act which will cause the illegal expenditure of public monies and also commits County-paid investigators to serve as federal immigration enforcement officers, thereby spending and diverting County funds without Board authorization.

For the foregoing reasons, the Pinal County Board of Supervisors respectfully requests that the Attorney General investigate the conduct of County Attorney Miller and take appropriate action under A.R.S. §§ 12-2041(A), 35-212, 35-301, 38-421, 41-193(A)(4), and 41-194.01(A).

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The Board is committed to ensuring that the taxpayers of Pinal County are protected from the unauthorized and illegal expenditure of public funds, and that all its officers and employees follow the law. We appreciate your office's role in safeguarding the public monies and protecting the rule of law. We will make ourselves and staff available to assist you in your investigation. Should you have any questions or require additional information, please do not hesitate to contact me or Pinal County Manager Leo Lew.

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey McClure', with a stylized, overlapping loop structure.

Jeffrey McClure, Chair
Pinal County Board of Supervisors

Cc: Joshua Bendor, Solicitor General (jbendor@azag.gov)
Alexander Samuels, Deputy Solicitor General (asamuels@azag.gov)

Jeffrey McClure, Chairman, Supervisor District 4

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