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Mecham convicted Senate leaves his recall status in doubt



Evan Mecham listens to senators cast their votes on two separate counts at the conclusion of his 25-day trial

Criminal trial is next for ousted governor

By Melissa Rigg and Susan R. Carson
The Arizona Daily Star

PHOENIX — The Senate voted decisively yesterday to oust Evan Mecham from office, finding him guilty of two charges of wrongdoing and making him the first U.S. governor to be convicted in an impeachment trial in almost 60 years.

However, a vote on a provision known as the "Dracula" clause, which would have prohibited him from holding an office of trust again, failed 17-13, leaving unresolved the question of whether Mecham's name will appear on the May 17 recall ballot.

Mecham sat between his attorneys during the historic conclusion to his 25-day-old trial, but never turned to look at senators while they cast their votes sealing his fate.

When he left afterward, Mecham smiled at reporters and said he would announce his plans later this week.

"Options open"
"They don't like my politics, so we finished the political trial. It's as simple as that," the first-term Republican governor said. "We'll hold all of our options open."

Mecham has said he would appeal a conviction to the U.S. Supreme Court.

He is the first Arizona governor to be impeached and in the fifth governor in the United States to be convicted in an impeachment trial since the Civil War.

The last governor convicted in an

How they voted

Eight senators from Southern Arizona voted to convict Evan Mecham on two impeachment counts, and one voted against conviction.

Only Republican Sen. Jeff Hill from Tucson voted against the charges, but he voted for the "Dracula" clause to bar the former governor from office.

Sens. Alan Stephens of Phoenix and Peter Riss of Hayden, both Democrats, voted against the clause after voting to convict Mecham on both counts.

Stephens' district includes parts of Pinal and Pima counties.

The senators who voted for both articles and the Dracula clause were: Carol Macdonald, a Republican from Safford; James "Chug" Figueroa, a Democrat from Tucson; Jaime P. Gutierrez, a Democrat from Tucson; John T. Mahoney, a Republican from Tucson; Greg Linn, a Republican from Tucson; and Bill De Long, a Republican from Tucson.

Impeachment trial was Oklahoma Henry S. Johnston in 1929.

Despite death threats during the day, senators voted 21-9 to find Mecham guilty of the first article of impeachment, which accused him of obstructing justice.

They then found him guilty of misusing public money in a 26-4 vote on the third article.

Senators voted on only two of the

Legal challenges to recall expected

By Susan R. Carson and Jonathan Eisen
The Arizona Daily Star

PHOENIX — The Senate's conviction of impeached Gov. Evan Mecham is expected to open the way for lawsuits to determine whether he can be a candidate in the May 17 recall election.

Attorney General Bob Corbin said he expects legal challenges to his opinion that the recall election must be held, now that the target of the recall — Mecham — has been ousted from office.

Meanwhile, one of Corbin's assistants said Mecham's name probably would be removed from the recall ballot.

Mecham was removed from office last night when the Senate Court of Impeachment convicted him on

charges of obstructing justice and improperly using public funds by loaning \$50,000 to his Glendale auto dealership.

The Senate, however, did not invoke the "Dracula" clause, which would have barred Mecham from holding an office of honor, trust or profit for the rest of his life.

The Dracula, or disqualification, clause was not invoked during Mecham's impeachment hearings in the House earlier this year. Had it been passed, the Dracula clause would have driven a stake through Mecham's political aspirations and killed any hopes he had of running for governor for a sixth time.

Corbin said yesterday that he believes "the recall election goes, no matter what."

Corbin also said Mecham could be removed from the recall ballot. See RECALL, Page 9A

INSIDE ON MECHAM

• Evan Mecham's impeachment and conviction may cost taxpayers more than \$2 million. Page 6A.

• Conviction ends a stormy relationship with the Legislature. Page 6A.

• Comments kept Mecham in trouble. Page 6A.

• Prosecution called Mecham a liar; defense wanted voters to decide. Page 7A.

• Tucsonians react with little surprise. Page 8A.

• Senate drew on a mass of testimony. Page 8A.

Last hurrah for the governor they lost

By Douglas Kreutz
The Arizona Daily Star

PHOENIX — It was a day of last hurrahs, brave vows and, finally, bitter defeat for the supporters of Evan Mecham.

Six months of controversy, five weeks of testimony and a final day of gut-wrenching tension climaxed in yesterday's historic vote — a recall call that decided the political fate of Mecham and the state he was elected to lead.

Members of the Senate, sitting as jurors in Mecham's impeachment trial, voted yesterday to remove the Republican governor from office.

"It's sad, and I feel angry," said Debbie Pais, a Mecham supporter from Phoenix.

"I think the state's going to be very sorry for this before it's over," she said. "I feel it's totally unfair."

"I feel like my vote doesn't count anymore. It's like communism."

Andy Coontz, a Mecham supporter who published the Arizona Liberty Letter, called the Senate trial "a kangaroo court."

"It's a little bit sickening," Coontz said. "It's sickening to see people let special interests influence their vote."

"I believe they've trampled on justice today."

Earlier yesterday, as attorneys presented carefully crafted closing arguments to the senators, Dorte was an air of high drama inside and outside the Senate chamber.

An hour before the closing arguments began, a throng of Mecham supporters gathered in the Capitol courtyard for a pro-Mecham demonstration that seemed nearly as spirited as a University of Arizona basketball pep rally.

Members of the crowd, estimated at 400 to 700 people, chanted: "We love Ev! We love Ev!"

"Let us vote! Let us vote!"

Others waved placards with messages such as "We want our govern-

ment back" and "Give me liberty, or give me death."

A consort of four trumpeters, the Bronson Brothers from Hollywood, Calif., belted out spirited anthems such as the "William Tell Overture," known popularly as the theme song of the Lone Ranger.

Among those carrying signs was 8-year-old Michael Harrington of Mesa, whose placard advised senators: "You vote today. Mom and dad vote in November."

Becky Harrington, Michael's mother, said she and her son attended the rally because "We're just trying to show our support."

See SUPPORTERS, Page 7A

WEATHER

Sunshine. Look for another sunny and warm day with northwest winds from 5 to 15 mph. Today's high is expected to be near 90 and the low in the mid-50s. Yesterday's high was 89 and the low 51. Details on Page 2A.

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Mecham's angry backers pledge to go on supporting him

By Walt Nett
The Arizona Daily Star

PHOENIX — Baffled and angry, Evan Mecham's supporters pledged yesterday their continuing allegiance to their hero if he runs in the May 17 recall election.

The impeached governor, an archconservative standard-bearer, was ousted after 14 months from an office that he had sought since 1964.

But the Senate's decision against invoking the "Dracula" clause — which would have denied Mecham the right to hold public office again — left his backers enthralled.

About 150 Mecham supporters keeping a

vigil outside the state Senate building yesterday afternoon stood quietly as a roll was called on the vote to bar Mecham from future office.

But when Chief Justice Frank X. Gordon Jr. announced the 17-13 vote — three short of the minimum needed to invoke the clause — the crowd erupted into cheers for about five minutes.

"After the 36-4 vote on Article 3 (charges related to alleged misuse of state funds), I thought they would do it," said Linda Barber, Mecham's former Tucson office manager who now runs his Tucson campaign office.

"Some of the explanations were pretty tough," she said.

Barber said telephone calls, positive and

negative, started to pour in to the Tucson office after the Senate convicted Mecham on the first charge. That charge alleged that Mecham tried to interfere with an investigation into a death threat against former aide Donna Carson.

"The very first call we got was from someone who said, 'Pack it up, Murraina.' None of us working in his office are or were Murraina," Barber said. Mecham is a member of the Mormon church.

Barber said she will meet with the landlord soon to see if the campaign workers can stay at their 1723 W. Wenden Road office for a while.

"We're not going to go away and die. We

want to stay here and get the support network built up," Barber said.

Barber called the impeachment "a giant civics lesson for the state."

Edith Richardson, Mecham's campaign manager, declined to talk about the vote. "The governor does the talking, and he'll have something to say tomorrow," she said at the governor's Glendale headquarters.

Richardson also absided volunteers from the press, saying, "They deserve their due privacy," and she forbade front office staff from talking about the vote.

There was no crying or display of anger in

See SUPPORTERS, Page 6A