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October 9, 2026

Mr. Jon M. Paladini
Town Attorney
Town of Sahuarita

Via Email: jon@piercecoleman.com

Re: Response to Town's September 22, 2026 letter concerning SPD public statements

Dear Mr. Paladini:

Thank you for the Town's September 22, 2026 response to our letter dated September 16, 2026 on behalf of Save the Scenic Santa Ritas Association ("SSSR").

In the Town's response, the Town acknowledges that Cmdr. Amado's statements to the media[1] were "too categorical." While we appreciate that Cmdr. Amado is now distancing himself from his public statements, this does not adequately rectify the Town's handling of the situation. It also fails to adequately reflect the Town's recognition of SSSR's "unequivocal denial" that anyone with the organization was involved in an alleged confrontation by three individuals at Councilmember Lytle's home on (or several days prior to) September 10, 2026.

While the Town also acknowledges that "[t]he present record does not definitively establish that the three individuals were authorized representatives of SSSR," the Town's response has been deficient and undercuts the Town's claims that it "takes seriously" SSSR's concerns regarding the unsubstantiated public statements made by the Sahuarita Police Department ("SPD").

First, the Town is in a position to conduct a full investigation, including reviewing all police records and requesting and reviewing footage from Councilmember Lytle's

[1] *Green Valley News* article, dated September 15, 2026.

security camera. Referring to "the present record" is disingenuous avoidance of the Town's duty to determine the truth.

Second, the Town is obligated to address and correct the false and misleading public statements made by the Town regarding SSSR, which are derogatory, defamatory and harmful to SSSR. "Conversation by a police officer with a news reporter can under appropriate circumstances be shown to rise to the level of an occasion which evokes a qualified privilege. Repetition by a police officer of an unverified statement ... and nothing more, does not rise to that level." *Portonova v. Wilkinson*, 128 Ariz. 501, 503 (1981).

Although the Town acknowledges that Cmdr. Amado "should have said" that the three individuals "reportedly identified themselves as associated with SSSR," that is not what he said. According to the news article (which the Town has not denied), Cmdr. Amado stated categorically that "three members of the SSSR organization walked up to the council member as the council member was parking their vehicle…,"and that "we know they're from the Scenic Santa Ritas because they introduced themselves as such." The title of the article is "Anti-mining group members accused of confronting councilman at home." Cmdr. Amado represented to the media that he had sufficient knowledge of the interaction to state publicly that the councilmember responded "politely." At a minimum, the Town must investigate why Cmdr. Amado believed he had sufficient information at that point, during an uncompleted investigation, to make these statements to the media.

The Town's unsubstantiated comments to the media, unwillingness to fully investigate the incident, failure to correct the record, and failure to provide readily available public records requested by SSSR, have caused harm to SSSR and have raised serious questions as to how this incident is being handled. To date:

1. No police reports, dispatch records or call logs have been released despite public records requests made on September 15, 17, and October 1, 2026.
2. No body camera or dash camera footage has been released despite the public records request on September 17, 2026.
3. No audio recording of Councilmember Lytle's September 10, 2026, phone call notifying SPD of the alleged incident despite a public records request on September 15, 2026.
4. No detailed description of the individuals or their vehicle(s) has been released despite the public records request on September 15 and 17, 2026.
5. No official and recorded chain of custody or process approving or authorizing release of information to the media, per SPD Code of Conduct, has been released despite the public records request on September 17, 2026.
6. No private party camera footage appears to have been requested or obtained by SPD as part of its investigation. A security camera above Councilmember Lytle's garage pointing to his driveway is clearly visible on Google Maps Street View. This camera would have recorded the alleged incident.

Additionally, and perhaps most troubling, even though SPD's daily call log shows the incident purportedly occurred around 17:52 hours on Thursday, September 10, 2026, and despite Cmdr. Amado's implication that the events occurred on September 10,[2] it appears the incident did not happen that day. Upon information and belief, Councilmember Lytle has publicly stated the incident occurred several days before September 10. Given that this evidence directly contradicts SPD's call logs and Cmdr. Amado's statements (or contradicts the information provided to SPD on September 10), it is unknown on what day and at what time the alleged incident even occurred. If not on September 10, then why was reporting delayed? For the Town to continue to fail to investigate is inexcusable, and unfair to SSSR.

Finally, we assume the Town's position, contained in the final two sentences of the letter, is in error. For the Town to offer to "correct the public record" only "in return" for SSSR withdrawing its "assertions" (which are mischaracterized) is improper. The Town has an obligation to correct the record. The Town now acknowledges that misleading statements were made by SPD's public information officer. The misstatements and the overall impression they created were harmful. The Town has the ability to investigate what happened but has failed to do so. The Town cannot offer SSSR a *quid pro quo* to avoid its own obligations.

SSSR therefore reiterates its request that the Town conduct a full investigation into the incident.

SSSR further reiterates its request that the Town promptly provide the requested public records.

Finally, because the Town has now acknowledged that Cmdr. Amado's statements to the media were misleading, SSSR requests that the Town promptly and publicly correct the record by retracting the misleading statements and provide the same media outlets with an accurate statement of the facts.

Regards,

/s/ Adriane Hofmeyr
Adriane J. Hofmeyr

/s/ Rui Wang
Rui Wang

cc:

Mayor Murphy, tmurphy@sahuaritaaz.gov
Deputy Mayor Egbert, kegbert@sahuaritaaz.gov

[2] According to the *GVN* article, "Amado said the council member in question called Chief John Noland Thursday night to report two women and one man in their 30s and 40s approached him."

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