

From: Andrew Lower <AndrewLower@elpasoco.com>
Sent: Sunday, August 1, 2021 2:47:32 PM
To: DAO <DAO@elpasoco.com>
Subject: Fwd: My Last DAO

I know that this may seem hasty to you, but this is not to me. This email was actually written out about two months ago, with the exception of this intro. In fact I had planned on this 'hasty' retreat right after Scaggs and Donley, but sometimes your schedule just gets moved up. There were a couple of contingencies that might have changed things, but they never played out.

As most of my close friends in the office knew, I have not been happy here since the new administration took over, but also for some personal reasons as well. I have wanted out shortly after the first of the year, but stayed for the Peters case, and also Scaggs, (and then got roped into the Donley murder case as well). That has made 7 months of hard times.

Michael, I know you guys no longer do exit interviews anymore, and it is apparent to all of us why. Well, here is mine. I really wanted you to succeed. I had considered you a friend at one point, and Martha as well. So I hope you both know that I was sincere in this wish for you. But, you have shown little leadership and even less inspiration. You sit most often cloistered in your office or countless meeting which produce little if anything due to your inability to make decisions in a timely manner. You don't go talk to the troops. You have set up a new layer of management which insulates you from having to do this. Your speeches are lacking any conviction other than "let's put on a show once in a while" to keep up appearances.

But worst of all is that you have lied to the public, and in doing so you have lied to us. I understand that all politicians spin, but an outright lie? You are a district attorney. We don't lie. We argue from the truth and from the heart. God knows we don't do this because we enjoy getting

paid a 1/3 or a 1/4 of what every other lawyer of comparable stature makes.

The demoralization we have experienced when you publicly lied about Reggie and Kim Short's campaign contributions cannot be underestimated. How do we look at you the same after that???? That was the biggest reason that I never sought you out for anything.

I would point out to you that no one would believe that the excessive donation would have ever gone unnoticed by anyone running for office with any intelligence. And while you certainly miscalculated what you could get away with under these circumstances, you are not wholly a fool. So there is little choice of what we should believe.

But worse of all is that the people who work for you are trained to not only see through the smoke screens, but make sure juries and the community see through it as well. How could you fool us? Did you think we wouldn't read the articles? Or perhaps out of loyalty or fear of losing our jobs we would ignore it? Happy hour conversations don't bear this out.

Why does this matter? Because of the perception. You can be bought. You made it known to people in the office before all of this that when you came into power you would get rid of the Shorts. But now they have been promoted and solidified.

And I need to make it clear, I have considered Reggie and Kim friends. I have loved them as people and respect their talents but am disappointed beyond expression how they plotted and schemed what has transpired.

Worst of all, I feel bad for the other people that applied for Reggie's job but didn't have the funds to promote themselves. (And for those people reading this, I have not ever applied for any of the open management positions in your administration. This is not about me).

Your hiring of Dave Young has both mystified and disturbed those in your office. (And the press/community) You once dubbed Dave Young as your “trial expert”. Please tell us all how many trials he has done? I would gather less than 2 or 3 in the last eight years as he was simply a politician. I would guess that I have done 3-5 times as many as he has. And in our meeting to discuss the Pueblo judge, he clearly didn’t understand how lying to the police was a crime, even though Rachel Powell picked it up in moments. For Dave it took 10 mins of all us explaining to him why this was bad. Especially for a judge. And he is your “trial expert”?? I used to go riding with him over the lunch in Adams, and also considered him a friend then, but he was never a trial hound and that was widely known.

The saddest part was that Donna Billick lost her job so that you could make room for....what exactly?? Was this a political favor to Dan for someone that supported him? Was it to surround yourself with other DA’s because you had no clue what you were doing? Or perhaps so Dave could get his El Paso county retirement? Or even take over for you as this is nothing more than a stepping stone for you?

Donna was a true asset and a public servant. She didn’t deserve what you did to her. And most importantly the community you took an oath to protect didn’t deserve it either. Donna was our “Trunk Monkey”. She was our bad ass trial attorney that we called out on the most tough and complex cases! (And that is coming from a guy who has done just shy of 200 trials.)

Lastly I will say this. When I became part of Dan May’s management team he said something to me that I could never get over. He bragged to me how he always told people how he loved it when people quit, because it was great for his budget. I have only once before been so horrified with something a DA has ever said. The conveyance was twofold: “My employees are expendable” and “I care more about my budget (aka my political career) then what is actually good for not only the people that work for me, but also the victims and even defendants in this county”. The community could never fully appreciate the difference

between a da who was a year into the job and one that stayed for a decade. But HE could. WE could. And please never forget how much money he/you make compared to the troops on the front line who have stayed for 5+ years.

When I came back from the boat, after having given up my management spot in the process, I never put in for management again. I did this because of the above. Previously I had thought that we were all on the same team, but when I became a manager, Dan specifically told me I was now on HIS team, not employees. I have seen no difference in your administration. In fact, it seems worse.

So why did I write this? I have not done this to embarrass you in front of your employees. After all, I am just voicing what they already know this. And at this point I am not around any longer so this is not for me personally, other than hoping to do something worthwhile in the end that could help. I wrote this so those people that have expressed the same thought I have had could have a public voice. (And as you may recall, I did this before. Remember the demeaning mandatory lip sync/dance video. A far less noble cause but one that many thanked me for regardless.) Abnd

The other reason is that I did consider you a friend. Or at least a work acquaintance that I liked. As I said when you got elected I hoped the best for you. And to this day I still do. You have time. (Think gov Ralph Northam) For the sake of your employees and the community, please turn it around. Devote your time, not to keeping your job, but to doing your job.

And so I leave this office, I leave my friends, and the community I tried to make better. Also I leave you this message, in the hopes that it will make the difference I could not make otherwise.

And in closing:



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