

1 MR. ROBERT: Richard Mack was, for a period of time,
2 the sheriff of Grant County, a county in which Pima is
3 situated, a county in which the Quaintances live. Mr. Mack,
4 of course, is a part of law enforcement, was charged with the
5 interdiction and investigation of drug crimes. And part of
6 that, as everybody over on that side knows, is keeping your
7 ear to the ground and acting on tips and information. And a
8 part of what I expect Mr. Mack to testify to is that he never
9 heard a whisper of any sort of illicit drug trafficking going
10 on at the Quaintances.

11 MR. MARTINEZ: I don't know if that's relevant
12 because, I mean I --

13 MR. ROBERT: I think it's essentially relevant.

14 MR. MARTINEZ: I guess, does this go to a period of
15 time after his arrest?

16 MR. ROBERT: Let's ask the witness.

17 THE COURT: Yeah, we're going to have to just hear
18 the testimony.

19 RICHARD MACK
20 after having been first duly sworn under oath,
21 was questioned and testified as follows:

22 DIRECT EXAMINATION

23 BY MR. ROBERT:

24 Q. Tell us your name, please?

25 A. My name is Richard Mack.

1 Q. Mr. Mack, where do you live?

2 A. I actually live in Pima, Arizona, just a few miles
3 from the county seat in Safford.

4 Q. Safford is where the federal prison is?

5 A. Yes.

6 Q. Which, unfortunately, we know about.

7 A. Yes.

8 Q. What do you do there?

9 A. I'm a car salesman and I'm presently running for the
10 United States senate.

11 Q. Good luck. Were you ever the sheriff of Grant
12 County?

13 A. Yes, I was.

14 Q. Tell us, sir, what period of time.

15 A. I first ran in 1988. I was a police officer before
16 that in Utah for 11 years, and Safford, Arizona is my home
17 town, and I moved home to run for sheriff in '88. I was
18 elected, and reelected in '92, and lost my third election in
19 '96, and moved away in '97.

20 Q. All right. So you were the sheriff during the time
21 period from 1991 to 1996?

22 A. Yes.

23 Q. Do you know Mr. Quaintance?

24 A. Yes, I know him.

25 Q. And could you tell us in what context you knew him?

1 A. While I was sheriff I was the DARE instructor at Pima
2 Elementary School, where their son attended. And I was
3 actually -- he was my student. And I knew the Quaintances
4 just, just because it's small community. I never associated
5 with them socially, or anything like that, but I knew of them
6 and saw them in town, or around town. And I was always
7 friendly with them.

8 Q. During the time that you were sheriff did you
9 investigate drug crimes?

10 A. Of course.

11 Q. Did you have occasion to act on information
12 concerning illicit drug transactions?

13 A. Yes, I had my own informants, that were private
14 citizens, that kept me aware of that.

15 Q. All right. So, as an example, how would information
16 come to you?

17 A. Either through my officers and their informants, or
18 my own informants. That's basically -- or the Narcotics Task
19 Force, which was a combination of local departments.

20 Q. And if something, or if information were to come to
21 the attention of the task force, would that also come to your
22 own attention?

23 A. Yes, absolutely; that was a requirement.

24 Q. Okay. And when information would come to you, what
25 would you do, how would you act on it?

1 A. Well, if we got wind or information that, you know,
2 wasn't enough to justify an arrest, and if we heard any kind
3 of information or intelligence reports, we would try to send
4 in informants to make a case.

5 Q. All right. And did that happen often?

6 A. Oh, yes.

7 Q. During the time that you were sheriff, did you ever
8 hear of anything of the sort at the Quaintances' residents?

9 A. No.

10 Q. Or among their family, who also lived in the area?

11 A. No.

12 MR. ROBERT: May I have a moment, please?

13 THE COURT: You may.

14 MR. ROBERT: That's all. Thank you.

15 I pass the witness.

16 THE COURT: Cross-examination, Mr. Martinez?

17 MR. MARTINEZ: Yes, Your Honor. Thank you.

18 CROSS-EXAMINATION

19 BY MR. MARTINEZ:

20 Q. Mr. Mack, where do you live now?

21 A. Pima, Arizona.

22 Q. You still live in Pima?

23 A. Yes. Before I did, I lived in Thatcher when I was
24 sheriff, but I taught school in Pima.

25 Q. And your last date as sheriff was 1996?

1 A. I left office January 1st of '97.

2 Q. So you haven't been in law enforcement for ten years;
3 is that right?

4 A. Yes.

5 Q. And you weren't a sheriff when the Quaintances were
6 arrested in February, 2006, were you?

7 A. No.

8 Q. And you weren't part of that investigation, were you?

9 A. No.

10 Q. You weren't at the scene when they were arrested,
11 were you?

12 A. No.

13 Q. You don't know what they said at the time of their
14 arrest, do you?

15 A. No.

16 Q. You don't know how much marijuana was in the vehicles
17 that they were in control of, do you?

18 A. No.

19 Q. You're friends of Mr. Quaintance; isn't that right?

20 A. Friendly. To say we're friends would mean that we
21 did things socially together, and we never did.

22 Q. Do you know if Mr. Quaintance has rented or leased
23 vehicles for the last year?

24 A. Do I know if he rented vehicles?

25 Q. Has he leased any vehicles in that area in the last

1 year?

2 A. No.

3 Q. Have you been to Mr. Quaintance's trailer, for lack
4 of a better word, compound, in the last year?

5 A. Yes.

6 Q. You have been there in this last 12 months?

7 A. Yes.

8 Q. And are you part of the Church of Cognizance?

9 A. No, I'm a Mormon.

10 MR. MARTINEZ: I pass the witness, Your Honor.

11 THE COURT: Anything further?

12 MR. ROBERT: No, thank you, not from me.

13 THE COURT: May this witness be excused?

14 MR. ROBERT: Yes, Your Honor.

15 THE COURT: All right. Mr. Mack, you may be
16 excused. Thank you for your testimony here this afternoon.

17 You may call your next witness, Mr. Robert.

18 MR. ROBERT: Your Honor, I call Michael Singer.

19 MS. CONVERSE: I'm Carrie Converse, I'm appointed
20 counsel for Mr. Singer. May I sit by the witness?

21 THE COURT: You may.

22 MS. CONVERSE: Thank you.

23 MR. MARTINEZ: Your Honor, just for the record, I
24 believe that Mr. Singer has been advised by counsel as to the
25 ramifications regarding his Fifth Amendment right to remain