

DougCo attorney: Thomas could 'arguably' face charges; sheriff's department seeks outside review



L-R: Douglas County commissioners George Teal, Lora Thomas and Abe Laydon. | Douglas County

 *By Mike McKibbin/NewsBreak Denver / Aug. 16, 2022*

[DOUGLAS COUNTY, COLO.] — Douglas County Commissioner Lora Thomas could face criminal offenses for likely providing a copy of a then-privileged [investigation report](#) into Thomas' actions to a Denver TV reporter, according to a memo from the county attorney.

The memo was released late Monday afternoon as part of a lengthy public dispute among the three commissioners.

A Douglas County Sheriff's Department spokesman said Tuesday the memo was sent to the Arapahoe County Sheriff's Department to investigate.

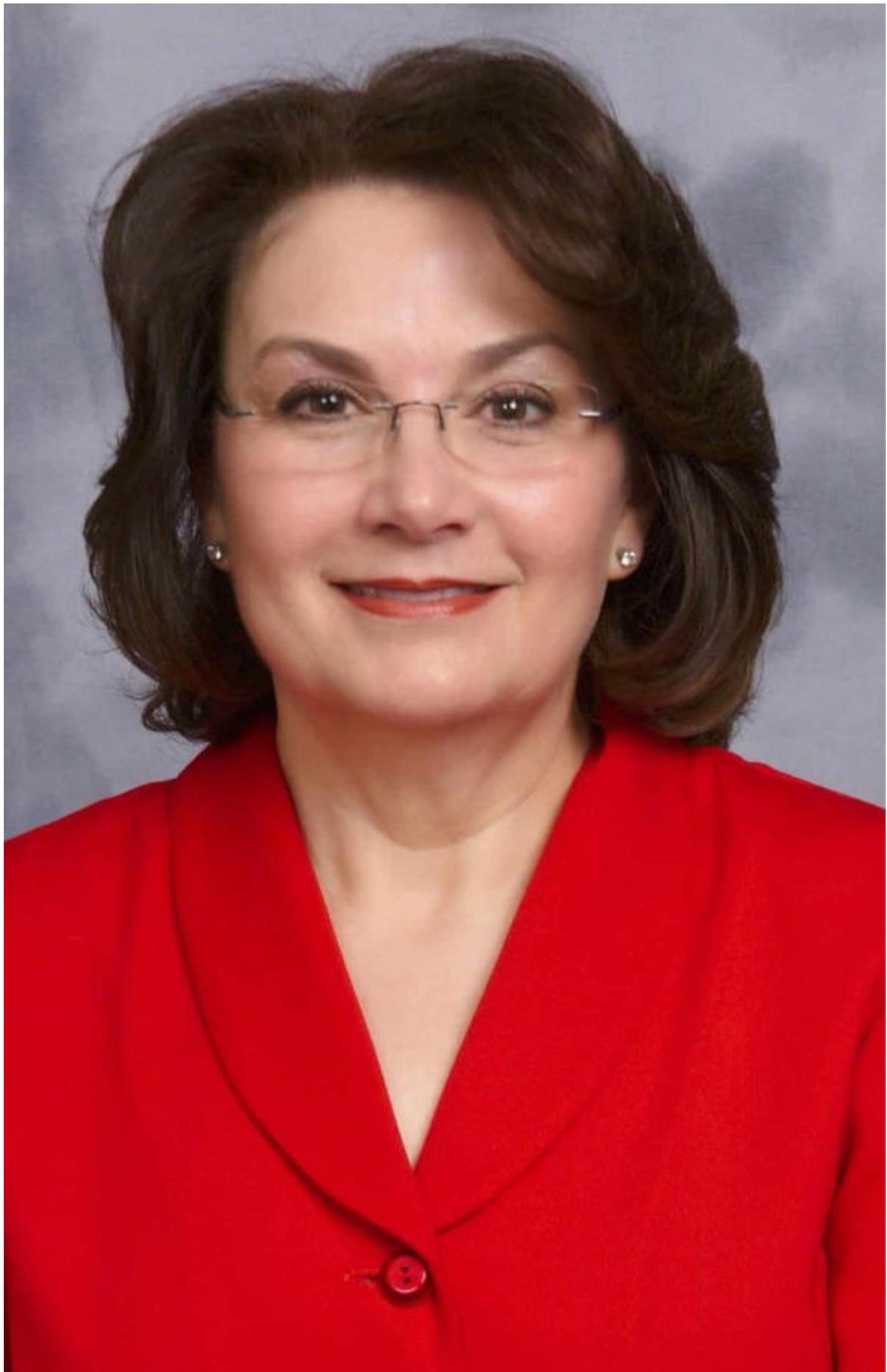
In a brief phone interview with NewsBreak on Tuesday, Thomas said she did not want to address any of the memo's findings.

"I will say this has been an ongoing assassination of my character," she added. "It's a sad day for Douglas County that we've gone down this road as long as we have."

Thomas noted Denver radio talk shows have focused on the conflicts among the commissioners. She called that "truly

embarrassing for our citizens, and I want to apologize they have to see their government act this way."

When asked if she is represented by an attorney other than the county attorney, Thomas replied, "I am represented by counsel. That's all I can say."



Douglas County Commissioner Lora Thomas. |
Douglas County

Report likely leaked by Thomas, memo says

In the memo, County Attorney Lance Ingalls wrote that Thomas "at least in part, and more likely than not, in full" [released the report](#) to reporter Shaun Boyd on July 26. The information was [made public](#) by the commissioners on Aug. 9.

Ingalls also cited state criminal statutes to note that Thomas "arguably" could face charges of first- and second-degree official misconduct and embezzlement of public property. The investigation report was considered county property at the time.

Ingalls stated there was a less likely chance Thomas could face charges of abuse of public records and theft of trade secrets. Also, second degree criminal tampering, commercial bribery and breach of duty to act disinterestedly.

Ingalls concluded that "the viability of the charges ... and the ethical considerations related to such a prosecution may

be viewed by the court and/or the fact-finder as use of the justice system for purposes of political retribution."

Copies of the memo are available by making an open records request by [email](#) or phone 303-660-7401.

The investigation focused on Thomas' actions earlier this year as commissioners' chair. Commissioners Abe Laydon and George Teal removed her from that position in April. The three have often [argued publicly](#) over the investigation and its findings.





Douglas County Commissioner George Teal. |
Douglas County

Teal claims Thomas lied

After the memo release decision, Thomas accused her fellow Republicans of communicating with a county lobbyist in Washington, D.C., via email without including her in the discussion.

"You're a liar," Teal shot back. "That never occurred. If you think it's true, pursue a legal remedy. Tell more lies all you

want."

Teal then motioned to withhold Thomas' commissioner salary until the bill for the legal firm hired to conduct the investigation — said to have reached \$17,000 — was repaid. It failed for lack of a second.

On Tuesday, Thomas presented copies of the emails and said, "I am not a liar. All I'm asking is that all three of us are included in emails like this so we all know what's going on."

Laydon said Thomas was welcome and entitled to all information. But he added, "the reason we had not engaged you in this was due to your attempts to undermine the intentions of this board before we had a chance to move forward. So we didn't send you these communications."

He also noted County Manager Doug DeBord provides all three commissioners summaries of their public communications.

Thomas responded that a Douglas County District Court ruling against the Douglas County school board over open meetings law violations "doesn't give you the ability to decide who gets what information."



Douglas County Commissioner Abe Laydon. |
Douglas County

Closed session move fails

On Monday, Teal tried twice to get a second to a motion to exclude Thomas from two scheduled closed-door sessions. They concerned property negotiations for a parcel that might benefit at-risk county residents, according to Laydon, plus Ingalls' memo.

"You don't have the right to do that," Thomas said after Teal's initial motion.

Teal said he based his motion on a note in Ingalls' memo regarding a Jefferson County case. Ingalls said it concerned the exclusion of one commissioner from a closed session regarding litigation over the county airport, after that commissioner released county documents that prevented the county from defending against the lawsuit.

Neither motion garnered a second from either Laydon or Thomas. Laydon said it was "critically important" that all three commissioners participate in closed sessions. All three attended both sessions.