

# EXHIBIT 13

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## FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/29/2007

Mitchell R. Morrissey, District Attorney, was interviewed at her place of employment, The Office of the District Attorney, Second Judicial District, Mitchell R. Morrissey, District Attorney, 201 West Colfax Avenue, 8th Floor, Denver, Colorado 80202, telephone 720-919-9192. Present during the interview was Henry R. Reeve, General Counsel, Office of the District Attorney, Second Judicial District, Mitchell R. Morrissey, District Attorney, 201 West Colfax Avenue, 8th Floor, Denver, Colorado 80202, telephone 720-919-9000. After being advised of the identity of the interviewing Agent and Jan Dempsey Simkins, Agent in Charge, Program Support Unit, Colorado Bureau of Investigation, 690 Kipling, Suite 3000, Denver, Colorado 80215 and the nature of the interview, Morrissey furnished the following information:

Morrissey has been the District Attorney for the Second Judicial District since January 2005.

During the 2006 Gubernatorial Election, the District Attorney's Office received numerous inquiries for information from the media and even the Ritter for Governor Campaign. The Campaign's requests included budget information from the time period that Bill Ritter was the District Attorney. Dick Reeve, General Counsel, and Lynn Kimbrough, Communications Director, handled the requests and would advise Morrissey of the requests being made to produce records.

The District Attorney's Office received a flurry of requests concerning plea bargaining of cases involving illegal aliens. Walter Ramos was part of a large group of approximately 100 allegedly illegal aliens charged with felonies and then allowed to plead guilty to Trespass on Agricultural Land during Ritter's term as the District Attorney. Ramos was singled out by the Bob Beauprez for Governor Campaign and the focus of a TV commercial ad against Ritter. After the TV commercial ad aired, the District Attorney's Office received media requests for information on the Ramos case and they wanted to know if Ramos and the other name alleged in the TV ad were the same person. Kimbrough with help from Deputy District Attorney Chuck Lepley were looking into the media inquiry and requested assistance from Morrissey's Secretary Brenda Wellington. Lepley asked Wellington to run a "records check" on Ramos to determine if he and the other person referenced

Investigation on 11/19/2007 at Denver, Colorado

File # 58A-DN-65739

Date dictated \_\_\_\_\_

by SA John M Elvig

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in the TV ad were the in fact the same person. It was normal for Wellington to do a "records check" for Morrissey or his staff. A "records check" included an internal database query and if no information was located, additional checks may include a query of the CCIC/NCIC database.

It was normal for the District Attorney's Office to attempt to verify that a subject they had convicted had committed another crime using an alias. If it was the same person it raised questions like "was this a violation of his probation", "does he owe more time on his case" or "are there additional charges that can be filed against him". Morrissey does not recall seeing the actual criminal history for Ramos but does recall discussing it with Lepley.

After they were able to determine through NCIC that Ramos was probably the same person referenced in the TV ad, Morrissey wanted to further verify that fact. He told Lepley to call and ask for assistance from Rock Harmon, District Attorney, Alameda County, California. Harmon and Morrissey had gotten to know each other through the National District Attorney's Association. Morrissey can't recall if he called Harmon or if Lepley called him. Harmon referred them to a Sergeant in the San Francisco Police Department. Lepley contacted the Sergeant and the Sergeant sent Lepley some information about the case against Ramos' alias in California.

It was normal and not unusual for Morrissey to be involved in media requests at the level he was with the Ramos request. He wants to be informed because the media often directly asks him questions about criminal cases or issues.

It was normal during the campaign season, especially during elections for the State Legislature, for Morrissey to be involved in media inquires. The State of Colorado has a statute that prohibits elective candidates from making false statements about their opponent. Allegations of one candidate making a false statement about another are very common and are referred to the appropriate District Attorney. Because the State Capital of Colorado is located within the Second Judicial District, Morrissey's Office received a number of these false statement allegations. The State of Colorado District Attorney's Association formed a committee to handle, in a nonpartisan manner, allegations of campaign law violations made by opposing candidates. The committee will review the allegations and then give their prosecutive opinion to the appropriate District Attorney. The

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Committee is made up of District Attorneys from both the Republican and Democratic Parties.

Morrissey never talked to Bill Ritter, Stephanie Villafuerte or anybody else in the Ritter for Governor Campaign about the Ramos case or the issue of plea bargaining illegal immigrants. Morrissey did go to the Ritter for Governor Campaign Offices on one occasion to film a video giving Ritter his support. This would have been prior to the plea bargaining issue arising.

The District Attorney's Office no longer allows plea bargaining illegal aliens with drug charges to Trespass on Agricultural Land. The reason that illegal aliens wanted the Trespass charge was that the charge was not on the "federal list" that Immigration and Customs Enforcement uses in deportation cases and it gave them an opportunity for a "hearing" with ICE.

The Second Judicial District started a Drug Court to handle the high volume of drug cases. The Colorado State Legislature passed a law that does not allow illegal aliens to receive State benefits. This would have included services that an individual was entitled to through the Drug Court like treatment and probation. The plea bargaining practice, the Drug Court, and the state law were all happening about the same time. These issues surrounding illegal aliens were frustrating for all of the state prosecutors. The issue of how to handle illegal aliens over the years has changed based on who was in charge of the Administration in Washington DC.

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