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Media Note: Attached to this news release are some of the 101 e-mails released today. A full copy of the redacted e-mails is available in the County Communication Services Office, Arapahoe County Administration Building, 5334 S. Prince St., Fourth Floor.

Appeals Court OKs release of 101 e-mails exchanged between Tracy Baker and County employee Leesa Sale

The Colorado Court of Appeals gave Arapahoe County the authorization Friday to release 101 of 622 e-mails exchanged between Clerk and Recorder Tracy K. Baker and his girlfriend Leesa Sale.

The Court directed the County to release the 101 e-mails that Tracy Baker and Leesa Sale 'effectively concede may be disclosed,' after redacting the names of those individuals involved in the sexual harassment claim, according to the order issued Friday. The Court of Appeals, along with the District Court, confirmed in earlier rulings that there is a compelling public interest in releasing those e-mails because they demonstrate why Baker failed to fire Sale despite allegations of embezzlement in a prior job, and why he has given her significant raises, bonuses, promotions and overtime during the course of their affair.

The release of the remaining e-mails, described by Baker and Sale's attorney as "passionate and explicitly sexual," is still under review by the Colorado Courts. The 101 e-mails released today are among the 622 uncovered last year during the investigation into the Clerk and Recorder after Baker's former Chief Deputy Clerk Mary Whitley filed a complaint in July 2002 concerning Baker's work-related activities.

The investigation substantiated allegations of mismanagement, misuse of public funds and County equipment, sexual harassment and violations of County policy and civil law. Since then six additional Clerk and Recorder employees have come forward and filed similar complaints with the county and some have filed complaints with the Equal Employment Opportunity Council. An investigation currently is underway into the allegations made by four Clerk and Recorder employees, who along with Whitley are on paid administrative leave. Two employees who have filed intent to sue notices no longer work for Arapahoe County.

"The court has ordered us to release these e-mails today, which are just the tip of the iceberg of Tracy Baker's inappropriate workplace conduct," said Board Chair Commissioner Susan Beckman. "The e-mails,

which both Tracy and Leesa agreed to be released, clearly demonstrate this is not about his private life. This is about what is going on in the office and how his relationship with this County employee poisons the work environment and clouds his judgment. It will be good to finally end this horrible situation when voters recall Mr. Baker on Feb. 24.”

Uncovered during the investigation were 622 e-mails exchanged between Baker and Sale – 570 of which were explicitly sexual in nature and most appear to have been conducted during business hours. The 101 e-mails released today imply:

- Baker and his Assistant Chief Deputy had sexual relations at work, during work hours and in the presence of employees.
- Baker used County equipment, staff and time to work on his re-election campaign.
- Support for allegations of a hostile work environment based on comments made about fellow employees.
- How preoccupied Baker was with his relationship with Sale and that it interfered with his duties as Clerk and Recorder.
- Discussions of the February 2002 Ethics Committee investigation into complaints of favoritism and misuse of County funds by Baker.

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