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PROSECUTOR CHARGES MAYOR AND FORMER CHIEF OF STAFF

56 Day Investigation Yields 12-Count Felony Complaint

Prosecutor Kym L. Worthy announced multiple felony charges against Detroit Mayor Kwame M. Kilpatrick, 37 and his former Chief of Staff, Christine Beatty, 37 of Detroit. The charges are the result of a 56 day investigation by the Wayne County Prosecutor's Office that began on January 25, 2008. The investigation was initiated after the Detroit Free Press revealed that text messages supported allegations that Kilpatrick and Beatty lied under oath about their intimate relationship during the whistleblower trial brought by former Deputy Police Chief Gary Brown and Detroit Police Officer Harold Nelthorpe.

Charges Against Kwame M. Kilpatrick

(See Attachment A, Description of Charges)

Prosecutor Worthy has charged Kilpatrick with 8 felony counts:

- Count 1, Conspiracy to Commit Obstruction of Justice, which carries a maximum penalty of 5 years in prison (MCL 750.157-A.)
- Count 2, Obstruction of Justice, which carries a maximum penalty of 5 years in prison (MCL 750.505-A.)

- Count 3, Misconduct in Office, which carries a maximum penalty of 5 years in prison (MCL 750.505-C.)
- Count 4, Misconduct in Office, which carries a maximum penalty of 5 years in prison (MCL 750.505-C.)
- Count 5, Perjury – Court Proceeding, which carries a maximum penalty of 15 years in prison (MCL 750.442-B.)
- Count 6, Perjury – Court Proceeding, which carries a maximum penalty of 15 years in prison (MCL 750.442-B.)
- Count 9, Perjury – Other than Court Proceeding, which carries a maximum penalty of 15 years in prison (MCL 750.442-B.)
- Count 10, Perjury – Other than Court Proceeding, which carries a maximum penalty of 15 years in prison (MCL 750.442-B.)

Charges Against Christine Beatty

(See Attachment A, Description of Charges)

Prosecutor Worthy has charged Beatty with 7 felony counts:

- Count 1, Conspiracy to Commit Obstruction of Justice, which carries a maximum penalty of 5 years in prison (MCL 750.157-A.)
- Count 2, Obstruction of Justice, which carries a maximum penalty of 5 years in prison (MCL 750.505-A.)
- Count 3, Misconduct in Office, which carries a maximum penalty of 5 years in prison (MCL 750.505-C.)
- Count 7, Perjury – Court Proceeding, which carries a maximum penalty of 15 years in prison (MCL 750.442-B.)
- Count 8, Perjury – Court Proceeding, which carries a maximum penalty of 15 years in prison (MCL 750.442-B.)
- Count 11, Perjury – Other than Court Proceeding, which carries a maximum penalty of 15 years in prison (MCL 750.442-B.)
- Count 12, Perjury – Other than Court Proceeding, which carries a maximum penalty of 15 years in prison (MCL 750.442-B.)

Comments of Prosecutor Worthy Regarding Investigation and Charges

(See Attachment B, Statement of Prosecutor)

Wayne County Prosecutor's Office Trial Team

(See Attachment B, page 4 under "Trial Team")

Prosecutor Worthy has assigned this case to highly skilled and experienced members of her staff, including: Assistant Prosecutors Lisa Lindsey, Robert Moran, Athina Siringas, and Robert Spada; Tim Baughman, Chief of Research and Appeals; James Bivens, Chief of Investigations.

Arraignment

On the morning of March 25, 2008 by 7:00 a.m., Kilpatrick and Beatty will surrender themselves for processing and are expected to be arraigned at the 36th District Court, 421 Madison Avenue, Detroit, MI on the same day.

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CHARGES AGAINST KWAME M. KILPATRICK AND CHRISTINE BEATTY

Count 1: Conspiracy to Obstruct Justice (Both Defendants)

Did unlawfully conspire, combine, confederate and agree together with each other and others to commit the following listed offense: Obstruction of Justice, contrary to MCL 750.157a, punishable by a maximum penalty of 5 years in prison.

Count 2: Obstruction of Justice (Both Defendants)

Did commit the crime of obstruction of justice by firing Gary Brown to willfully and corruptly hamper, obstruct and/or interfere with a criminal investigation and/or commit perjury to hide the firing of Gary Brown and/or the relationship between Christine Beatty and Mayor Kilpatrick, contrary to MCL 750.505, punishable by a maximum penalty of 5 years in prison.

Count 3: Misconduct in Office (Both Defendants)

Did commit misconduct in office, an indictable offense at common law, by firing Gary Brown to willfully and corruptly hamper obstruct and/or interfere with a criminal investigation of Mayor Kilpatrick's personal conduct/or EPU conduct and/or committing perjury to hide the firing and the true nature of their relationship, contrary to MCL 750.505, punishable by a maximum penalty of 5 years in prison.

Count 4: Misconduct in Office (Kwame M. Kilpatrick)

Did commit misconduct in office, an indictable offense at common law, as the Mayor for the City of Detroit, by authorizing the City of Detroit to enter into an 8.4 million dollar settlement of the Gary Brown/Nelthorpe and Harris litigations with the corrupt motive of preventing the release of text messages or other information evidencing that Mayor Kilpatrick and his Chief of Staff Christine Beatty lied under oath, contrary to MCL 750.505, punishable by a maximum penalty of 5 years in prison.

Count 5: Perjury - Court Proceeding (Kwame M. Kilpatrick)

Did, being lawfully required to depose the truth as a witness in a jury trial, a court proceeding in the case of *Gary Brown and Harold Nelthorpe v. Kwame M. Kilpatrick and City of Detroit*, Case No. 03-317557-NZ, the case being a civil lawsuit before the Honorable Michael J. Callahan, for the 3rd Circuit Court for Wayne County, on August 29, 2007, commit perjury by: testifying he did not fire Gary Brown; and/or testifying that he did not know Gary Brown was investigating him or the Manoogian Mansion Party prior to his "un-appointment" ; and/or testifying falsely as to other circumstances surrounding the termination of Gary Brown including the reasons for the termination and how and why the decision was made, contrary to MCL 750.442-B, punishable by a maximum penalty of 15 years in prison.

Count 6: Perjury - Court Proceeding (Kwame M. Kilpatrick)

Did, being lawfully required to depose the truth as a witness in a jury trial, a court proceeding in the case of *Gary Brown and Harold Nelthorpe v. Kwame M. Kilpatrick and City of Detroit*, Case No. 03-317557-NZ, the case being a civil lawsuit before the Honorable Michael J. Callahan, for the 3rd Circuit Court for Wayne County, on August 29, 2007, commit perjury by testifying he did not have a romantic or sexual relationship with Christine Beatty, contrary to MCL 750.442-B, punishable by a maximum penalty of 15 years in prison.

Count 7: Perjury - Court Proceeding (Christine Beatty)

Did, being lawfully required to depose the truth as a witness in a jury trial, a court proceeding in the case of *Gary Brown and Harold Nelthorpe v. Kwame M. Kilpatrick and City of Detroit*, Case No. 03-317557-NZ, the case being a civil lawsuit before the Honorable Michael J. Callahan, for the 3rd Circuit Court for Wayne County, on August 28, 2007, commit perjury by: testifying Gary Brown was not fired; and/or testifying that she did not know Gary Brown was investigating Kwame M. Kilpatrick or the Manoogian Mansion Party prior to his "un-appointment"; and/or testifying falsely as to other circumstances surrounding the termination of Gary Brown including the reasons for the termination and how and why the decision was made, contrary to MCL 750.442-B, punishable by a maximum penalty of 15 years in prison.

Count 8: Perjury - Court Proceeding (Christine Beatty)

Did, being lawfully required to depose the truth as a witness in a jury trial, a court proceeding in the case of *Gary Brown and Harold Nelthorpe v. Kwame M. Kilpatrick and City of Detroit*, Case No. 03-317557-NZ, the case being a civil lawsuit before the Honorable Michael J. Callahan, for the 3rd Circuit Court for Wayne County, on August 28, 2007, commit perjury by testifying that she did not have a romantic or sexual relationship with Mayor Kilpatrick and that she did not use her Sky-Tel communication device to send or receive messages of a personal or sexual nature to Mayor Kilpatrick, contrary to MCL 750.442-B, punishable by a maximum penalty of 15 years in prison.

Count 9: Perjury - Other than Court Proceeding (Kwame M. Kilpatrick)

Did, being a person of whom an oath was required by law, willfully swear falsely before Sheila D. Rice, a Notary Public within the County of Wayne, on June 26, 2003 as to the circumstances surrounding the "un-appointment" of Gary Brown, contrary to MCL 750.423, punishable by a maximum penalty of 15 years in prison.

Count 10: Perjury- Other than Court Proceeding (Kwame M. Kilpatrick)

ATTACHMENT A

Did, being a person of whom an oath was required by law, willfully swear falsely before Sheila D. Rice, a Notary Public within the County of Wayne, on October 11, 2004 as to the circumstances surrounding the "un-appointment" of Gary Brown, contrary to MCL 750.423, punishable by a maximum penalty of 15 years in prison.

Count 11: Perjury - Other than Court Proceeding (Christine Beatty)

Did, being a person of whom an oath was required by law, willfully swear falsely before Sheila D. Rice, a Notary Public within the County of Wayne, on December 9, 2003 that she did not know Gary Brown was investigating the Manoojian Mansion party prior to his un-appointment and /or other circumstances surrounding the termination of Gary Brown, contrary to MCL 750.423, punishable by a maximum penalty of 15 years in prison.

Count 12: Perjury - Other than Court Proceeding (Christine Beatty)

Did, being a person of whom an oath was required by law, willfully swear falsely before Sheila D. Rice, a Notary Public within the County of Wayne, on December 9, 2003 that she was not aware of the Mayor's philandering, contrary to MCL 750.423, punishable by a maximum penalty of 15 years in prison.