



ABC15 INVESTIGATES

WHAT ABC15 ASKED MCAO

Questions and responses from Aug. 4-10, 2026

MARICOPA COUNTY ATTORNEY RACHEL MITCHELL DID NOT AGREE TO AN INTERVIEW REQUEST

ABC15 ASKED

Besides the Clifton case, has MCAO used NCIC to investigate jurors in other cases? If so, what cases? Does MCAO track how often it has happened?

MCAO RESPONSE

"We keep no such tracking but are confident that this kind of review of jurors is rare and is done only with good cause appearing."

ABC15 ASKED

Has the Court contacted MCAO about the practice and given any direction about whether it would be allowed in the future?

MCAO RESPONSE

"No."

ABC15 ASKED

Is there more information MCAO can provide about considering an NCIC policy? What is the process, and who is involved?

MCAO RESPONSE

"We do not discuss policy creation or our internal policy review process."

ABC15 ASKED

Does MCAO believe prosecutors should be able to secretly investigate jurors using a confidential FBI database without telling the court?

MCAO RESPONSE

NO DIRECT RESPONSE TO THIS QUESTION IN THE EMAIL CHAIN.

ABC15 ASKED

Do investigated jurors have a right to know? Has MCAO notified the jurors investigated in this case?

MCAO RESPONSE

NO DIRECT RESPONSE TO THESE QUESTIONS IN THE EMAIL CHAIN.

INITIAL MCAO STATEMENT ON NEXT PAGE →



MCAO STATEMENT

MCAO'S FULL STATEMENT

Sent to ABC15 on Aug. 10, 2026

Researching the background of jurors is a **common practice among attorneys, including prosecutors**. Arizona is the only state without peremptory strikes, which makes confirming accurate and complete answers from jurors even more critical to protecting the integrity of the criminal justice system and preventing issues that could potentially lead to a conviction being overturned.

While we do not research jurors in every case, it is something that we do when **we feel it is warranted**. It's not about disliking anyone's answers but ensuring that we are doing our due diligence during jury selection. In fact, there have been instances where research has resulted in the dismissal of a juror due to inaccurate or omitted information during jury selection.

That being said, MCAO has been **considering a policy** as it relates to the use of NCIC and jury selection. Revisiting our policies is something we routinely do when new issues or questions arise in court, either locally or nationally.

While the judge is entitled to her opinion, we respectfully disagree and **stand by our position** in the filings on November 18 and December 1 **that nothing done was illegal or unethical**.

Regarding your follow-up questions, we **cannot give legal advice** to members of the public.

— Spokesperson, Maricopa County Attorney's Office

Source: MCAO email to ABC15, Aug. 10, 2026, 3:55 p.m.