



**OFFICE OF THE DISTRICT ATTORNEY  
EIGHTEENTH JUDICIAL DISTRICT**

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November 13, 2020

Over the past two weeks, the Office of the District Attorney has conducted an investigation to determine whether County Commissioner Michael O'Donnell and two other individuals committed misconduct sufficient to warrant initiation of ouster proceedings pursuant to state law.

The alleged conduct involved Commissioner O'Donnell's role and involvement in funding, and developing a political advertisement aired on Youtube and Facebook that contained misleading statements regarding mayoral candidate, Brandon Whipple. The facts surrounding the video advertisement are widely known in the public domain having been reported on several occasions by most local television stations, radio stations, newspapers and other media outlets. The facts contained in the false political advertisement will not be specifically referenced further herein. After complaints were raised about the truthfulness of the advertisement, the video continued to air.

The investigation conducted by the District Attorney also addressed the efforts of Commissioner O'Donnell and others to cover up the fact that they participated in the development of the political advertisement and deflect blame onto another individual. The advertisement was funded in such a manner as to conceal the identity of those involved.

There is currently civil litigation pending regarding this matter. The Office of the District Attorney is not a party to that litigation and is not involved in those legal proceedings.

Upon the conclusion of our investigation, the District Attorney has concluded there is evidence which indicates ouster proceedings are appropriate against Commissioner O'Donnell.

The District Attorney notified legal counsel for Commissioner O'Donnell that the District Attorney intended to initiate a legal proceeding for forfeiture of public office through ouster proceedings the week of Monday, November 16, 2020. In response to this communication, Commissioner O'Donnell, through counsel, indicated his intent to resign from his position prior to 5:00 p.m. November 13, 2020 effectively terminating the need for official ouster proceedings. The Office of the District Attorney received confirmation that the Commissioner tendered his resignation before 5:00 p.m. this evening.

Additional information regarding the other two elected office holders who were also the subject of this investigation will be made public next week.

Marc Bennett  
District Attorney