

# Lobbyist recounts receiving explicit photos of Arizona lawmaker and her future husband

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*She says Sen. Michelle Ugenti-Rita called her a 'liar' in a later confrontation and the 2018 report on harassment allegations at the Capitol inaccurately depict what happened to her*

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Sen. Michelle Ugenti-Rita, R-Scottsdale, sits in the Senate at the Arizona state Capitol in Phoenix on Monday, May 27, 2019. (Photo: Thomas Hawthorne/The Republic)

A lobbyist says she felt harassed and intimidated by a Scottsdale lawmaker and her future husband after receiving sexually explicit photos of the couple, and that a sweeping report on sexual harassment at the state Capitol did not accurately portray her allegations.

The lobbyist said in a sworn deposition that she believes Brian Townsend, then an aide to the governor, was soliciting her for sex with him and his future wife, state Sen. Michelle Ugenti-Rita, when he sent her nude images of Ugenti-Rita.

The lobbyist said she believes Ugenti-Rita, R-Scottsdale, knew about the photos at the time.

The information became public Tuesday as part of an ongoing lawsuit by former state Rep. Don Shooter, [himself expelled by the House of Representatives in early 2018](#) for lewd, inappropriate behavior toward women.

[Ugenti-Rita denounced Shooter publicly](#) for his behavior toward her a few months before he was expelled.

The lobbyist, in an incident not previously reported, said Ugenti-Rita confronted her about the allegations at a conference in 2018.

"She stopped me and got in my face and said everyone was going to find out what a liar I was," the lobbyist said.

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The House hired a lawyer in late 2017 to probe allegations of misconduct, including the lobbyist's claims, but relegated her allegations to [just a few paragraphs in a 75-page report](#). The investigation cleared Ugenti-Rita of wrongdoing. The final report said Townsend had acted alone and that there was no independent, credible evidence Ugenti-Rita even knew of the messages he sent to the lobbyist.

But the lobbyist's comments raise new questions about the evenhandedness of the investigation. Shooter, its initial target, argued it was slanted from the start.

Shooter contended the probe was completed with the intention of ousting him. Ugenti-Rita had accused him of harassment, alleging he had made unwanted advances and lewd remarks about her body. Shooter said the investigation ultimately glossed over claims of misconduct against Townsend and Ugenti-Rita, who later sued him for defamation, leading to depositions of the lawmaker and lobbyist last year.

When approached by reporters about the latest court filings Tuesday night at the Capitol, Ugenti-Rita walked away without answering questions. She did not respond to a follow-up message.

The Arizona Republic is not identifying the lobbyist. The news organization generally does not identify victims of sexual harassment without their permission. The lobbyist declined through a spokesman to discuss the matter.

Her deposition offers the first public account of events described only in outline by the official 2018 report on harassment at the Legislature.

## 'A potentially dangerous situation'

The series of events detailed in the depositions began in June 2016, when the lobbyist invited Ugenti-Rita and Townsend to drinks in an effort to get to know the lawmaker, who was then a member of the House of Representatives.

The lobbyist knew the couple from working in the House, although she said she only had a professional rather than a social relationships with the couple. Socializing with

legislators can be part of the job for lobbyists who often rely on building relationships with power brokers inside the Capitol to craft policy or stop bills they oppose.

Townsend did not join them that summer night, but the lobbyist said she and Ugenti-Rita each had four beers before going to a Mexican restaurant.

Before long, Ugenti-Rita lay supine on the establishment's bar while the lobbyist did at least one body shot, where she drank alcohol out of a shot glass placed on the lawmaker's belly cavity, according to their separate sworn accounts of the evening.

The lobbyist's then boyfriend picked the pair up and drove Ugenti-Rita home.

But something seemed off to him. When they dropped Ugenti-Rita off, he told the lobbyist "we're not going in that house no matter what," she later recounted.

The lobbyist awoke the next morning to find a nude photo of Ugenti-Rita sent from Townsend's phone. The image showed the lawmaker from the neck down, and Ugenti-Rita said in a deposition later that Townsend had taken the photo.



State Rep. Michelle Ugenti-Rita has sued former Rep. Don Shooter, alleging he made defamatory comments about her after she publicly accused him of sexual harassment. (Photo: Sean Logan/The Republic)

The lobbyist said she did not respond to the message.

The next month, Townsend sent a photo of himself performing a sexual act on the legislator and a message like "she wants you to be with us," the lobbyist recounted. He later sent the same image using a different photo filter.

The lobbyist said she replied to Townsend, indicating she was not interested in a sexual encounter with the couple. She said she did not mention the messages to Ugenti-Rita and instead tried to maintain a friendly relationship with the lawmaker.

The two saw each other at a conference that summer of 2016.

"When we got a glass of wine from the bar, she asked to take a selfie to send it to Brian. That made me uncomfortable. And she had asked me if I could tell that she wasn't wearing a bra," the lobbyist told lawyers during questioning in Phoenix.

Ugenti-Rita invited the lobbyist back to her suite. The lobbyist later said she felt like she could not refuse, noting Ugenti-Rita chaired a committee and Townsend was in a high-ranking position at the Governor's Office.

But the encounter made the lobbyist uncomfortable.

The lobbyist said Ugenti-Rita invited her to stay the night in her suite and described her as lying "very provocatively" on the couch while they spoke.

"At this point I had fully realized that I believe she knew about the text messages and that she was involved in the threesome request," she said.

The lobbyist added: "I felt like if Brian showed up, it would have put me in a potentially dangerous situation."

The lobbyist left the room when she sent a text message to her boss, asking him to provide an excuse to leave.

Townsend later sent the lobbyist a photo of him having sex with a woman.

"Following that text, I said, 'Brian, I'm not interested, please stop messaging me,'" she said in her deposition.

That was the last message she reported receiving from Townsend.

The series of events led to anxiety and weighed on career decisions, the lobbyist said, recounting that she decided against pursuing certain jobs after the incident.

Meanwhile, the #MeToo movement was casting new scrutiny on workplace culture in media, politics and beyond.

Reporting exposed long-running harassment by prominent officials and celebrities.

The Arizona state Capitol would come in for scrutiny, too.

## 'She was being a hypocrite'

Several women alleged Shooter made inappropriate comments and Ugenti-Rita arguably was the most vocal among them, becoming something of a face for the #MeToo movement at the Legislature.

Ugenti-Rita wrote on Facebook in October 2017 said she had been harassed by male lawmakers and faced retaliation for reporting her experience. In November 2017, she said Shooter harassed her on several occasions, accusing him of lewd remarks and unwanted gestures of affection, such as giving her gifts.

"It made me feel like she was being a hypocrite," the lobbyist said of Ugenti-Rita's allegations against Shooter.

The House launched an investigation into Shooter. But talk of Townsend's messages to the lobbyist had been stirring around Capitol. Investigators learned of Townsend's messages and eventually interviewed him, the lobbyist and Ugenti-Rita.

Ugenti-Rita told an investigator that she did not know that Townsend had sent the sexually explicit images to the lobbyist. The lawmaker later said the revelation shocked her and added that she broke up with Townsend for a time after the report.

Townsend took all the blame, breaking down in front of an investigator when asked about the messages, according to their report.

Townsend, by that time, had resigned from the Governor's Office following a drunken driving arrest.

The investigator concluded that Townsend acted without Ugenti-Rita's knowledge or participation.

Nearly two years later, the lobbyist said the investigator's report inaccurately depicted the harassment she experienced.

"Do you feel like you were being harassed?" a lawyer asked the lobbyist during the deposition in November.

"Yes," she said.

"Do you feel like that was accurately depicted in the final report that was produced?" a lawyer added.

"I do not," the lobbyist replied.

The lobbyist noted, for example, that the investigator did not interview her boss, with whom she had discussed the messages.

"At some point did you feel that the investigators ... did not believe your account of what happened or chose not to believe?" a lawyer asked the lobbyist during her deposition.

"Maybe, yes," she said.

The report focused almost entirely on Shooter, who had been the subject of multiple complaints by women working in and around the Capitol. The investigation found some of the complaints against him did not amount to violations of House policy but also found what the report described as credible evidence that Shooter behaved inappropriately toward women. The report also determined that he had created a hostile work environment.

Rep. Don Shooter speaks to the Arizona House during a House vote on whether to remove him from office following the release of a report detailing allegations of sexual harassment and inappropriate behavior at the Capitol. Carly Henry/azcentral.com

Shooter argued the investigation was an effort to railroad him from the chamber, rather than earnestly probe harassment at the Capitol. He has said the Governor's Office wanted him gone after he threatened to issue subpoenas tied to state technology contracts he found questionable. Gov. Doug Ducey also vetoed a bill that Shooter argued would have ensured competition for these same contracts.

Ducey's administration previously confirmed that Shooter threatened to issue subpoenas on the contracts, but it has vehemently denied the allegations of questionable procurement activities.

Shooter has maintained that the lobbyist's case and its treatment also illustrates that the investigation was a pretext to get him out of office.

"How dare this young woman be dismissed and hidden when she risked so much to come forward," Shooter wrote in a letter circulated to colleagues and others before his expulsion.

The lobbyist recounted during her deposition that then-House Speaker J.D. Mesnard, R-Chandler, called shortly after the letter's release. The lobbyist told Mesnard that while she was displeased Shooter had drawn attention to her case, she did not disagree with points made in that letter.

Months later, at a work-related conference in late 2018, Ugenti-Rita confronted the lobbyist in a manner that Shooter's lawsuit described as accosting.

The lobbyist said Ugenti-Rita followed her to a bathroom, where she called her a liar.

Ugenti-Rita later said she was "very upset" when she approached the lobbyist.

"You know, it was probably — would have been best if I didn't, but I saw her out of the blue coming out of the bathroom and in light of her saying I had sent those photos that I did not, I said she was lying," Ugenti-Rita said during a deposition last year.

The lobbyist said she walked away instead of engaging with the lawmaker.

Ugenti-Rita accused Shooter of weaponizing the photos Townsend sent the lobbyist.

"He has been a part of making sure everyone associated with me in my private life, in my work life, know about the pictures," she said in her deposition last year. "He has weaponized them. And it feels like a virtual rape over and over again."

[Ugenti-Rita sued Shooter](#), accusing him of slander for his statements about harassing the lobbyist. [He filed a counterclaim](#), charging that Ugenti-Rita's comments about him were false and defamatory.

That former case, wending through state court, led lawyers for Shooter to depose the lobbyist, Ugenti-Rita and Mesnard in November. [Shooter has sued Mesnard and the state](#), too, over his expulsion.

Now a state senator, Mesnard oversaw Shooter's expulsion. But he claimed legislative privilege more than 50 times over the course of the approximately four-hour deposition to avoid answering questions about the investigation into Townsend and Ugenti-Rita as well as questions about Shooter's expulsion and other issues.

Mesnard did not respond to a message seeking comment late Tuesday.

With his latest filing, Shooter is asking a Maricopa County Superior Court judge to dismiss Ugenti-Rita's suit against him, arguing his statements about her either were factually correct or amounted to opinion and not slander.

In asking a court toss the case, Shooter argued that Mesnard's actions and those of the investigator while "burying" the allegations against Ugenti-Rita all were evidence of a conspiracy against the Republican from Yuma.

*Contact Andrew Oxford at [andrew.oxford@arizonarepublic.com](mailto:andrew.oxford@arizonarepublic.com) or on Twitter at [@andrewboxford](#).*

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