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SUPPORT GROWS FOR ATTEMPT TO RECALL CONSTABLE

Yvonne Wingett, The Arizona Republic

Tamera Thomas raced around a sweltering apartment rental office one afternoon, working the phones and instructing people on the rules of collecting voter signatures.

For several hours, she dispatched volunteers to gather signatures from east Phoenix ZIP codes. She passed out clipboards and petitions, patted volunteers on the back, called them "honey," and thanked them for "stepping up" as she guided them out the door.

Thomas is on mission to recall the county constable from the East Phoenix No. 2 precinct. Four years ago, a judge stripped **Annette Clark** of her duties. But under Arizona law she still collects a \$56,000 paycheck from Maricopa County. **Clark's** term is up Dec. 31, 2008; it's unclear whether she will seek re-election.

Constables serve papers for justice courts, including evictions, notices in lawsuits and restraining orders. The county has had to hire temporary help to do **Clark's** work.

Thomas is sick of it. She is the property manager of the Courtyards at 24th apartment complex and says the **Clark** situation often holds up evictions. The county assigned a deputy constable to pick up **Clark's** duties, but the precinct is the second-busiest in the county.

The only way **Clark** can be removed from office is if she commits a malfeasance of office, a felony, or is voted out.

"I run my properties efficiently and if you don't pay, you're going to be out the same month," said Thomas, 39. "I'm ticked off because I can no longer pre-rent my projected evictions because I can't predict when they're going to be evicted. It affects me and every property owner in the area."

Thomas has reached out to about 25 other property owners, managers and companies that work with the landlords, asking them to gather signatures for the recall. Among them is Matthew Koglmeier, a lawyer whose firm represents dozens of landlords statewide and some in east Phoenix.

"The consequence of this is the additional time it takes to regain possession of property that the courts have decided the landlord is entitled to," said Koglmeier. "(**Clark**) was elected to do the job, and she can't do the job, yet she's collecting the job's salary. People need to know about this."

Board urged resignation

Voters elected **Clark**, a Democrat, in November 2000. Complaints about her started shortly after, ranging from failure to serve court papers on time to rude behavior and harassment. A state ethics board recommended **Clark** resign in July 2002, but had no authority to remove or suspend her.

In October 2003, a Maricopa County Superior Court judge stripped **Clark** of her duties. **Clark** was not available for an interview, her attorney said, but in previous Republic interviews, she said the allegations were unfounded.

"What they're trying to do is get rid of an elected official with a stroke of a pen and taking the law and using it any way they want to," she said in 2003.

Clark has filed a lawsuit against county officials, challenging their authority to keep her from performing her job.

Notices cost time, money

Much of Thomas' recall movement takes place in the rental office. A district map hangs on the wall, along with a picture of **Clark**. Clipboards are neatly lined up and fastened with voter-registration forms and petitions.

"We're the ones that put her in office," Thomas said. "It's time to get her out.

"I have been in this business going on 15 years, and I have always been able to manage a property effectively," she said. "This constable situation has cost me time and money. And us taxpayers have paid her thousands and thousands of dollars for doing nothing."

Thomas and her crew of volunteers have until June 21 to turn in 7,876 signatures from registered voters who live in the district to county elections officials. So far, Thomas has collected about 2,000 signatures, she said.

If county officials determine there are sufficient qualified signatures, **Clark** will be notified and she will have five days to resign, said Karen Osborne, county elections director.

If **Clark** doesn't resign, there would be a special election and any registered voter from the district could run. **Clark** is automatically a candidate for the seat under Arizona law. The election could be as early as September of this year and as late as March 2008.

Key events

A timeline of key events involving Constable

Annette Clark:

* November 2000: **Clark** unseats a GOP incumbent.

* 2002: Complaints about **Clark's** behavior, including allegations of harassing a bellhop during a Nevada conference, trying to have a cook arrested for burning her food and failing to serve papers on time. A state ethics board recommends that **Clark** resign. **Clark** says the complaints are unfounded.

* 2003: Maricopa County Presiding Judge Colin Campbell strips **Clark** of her duties. He also issued a letter indicating that her services were no longer required, followed by a similar administrative order.

* 2004: Voters re-elect **Clark**. Court officials tell her that her services "are not required during your next term of office." She continues to draw a salary.

* 2007: A recall effort begins.

CAPTION: 1) CONSTABLE RECALL EFFORT GAINING STEAM / Tamera Thomas puts up signs in front of her house in Phoenix as part of her mission to recall **Annette Clark**, a Maricopa County constable from the East Phoenix No. 2 precinct. **Clark** was stripped of her duties four years ago yet continues to collect a \$56,000 salary from the county. CAPTION: 2) **Annette Clark** CAPTION: Constable recall area