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Travis County District Attorney Margaret Moore responded today to allegations of impropriety made by Emily Borchardt regarding a telephone conversation that occurred last September. Ms. Borchardt is a plaintiff in a class action suit filed in federal court that names the City of Austin, Travis County, and DA Moore, among others, as defendants. Borchardt was a plaintiff before this telephone call took place.

Moore said, "I have reviewed the transcript, and I believe that the allegations of impropriety are unfounded."

The telephone conversation was initiated by Dawn McCracken to First Assistant District Attorney Mindy Montford to discuss the reasons why the District Attorney's Office declined to prosecute a case of alleged sexual assault wherein Ms. Borchardt was the complainant.

Ms. McCracken led Montford to believe that she was calling on behalf of the victim and her parents, describing her relationship with the Borchardts as very close. Ms. McCracken is Montford's former sister-in-law, and had enjoyed a close relationship with Montford and her son.

Without Montford's knowledge or permission, Ms. McCracken recorded the conversation and provided the recording to Emily Borchardt and her counsel in the lawsuit pending in federal court. Subsequently, the recording was also given to a reporter.

Ms. Montford and the District Attorney learned about the recording when the reporter gave the transcript to Montford in the course of an interview.

"I realize that Ms. Borchardt and her family are deeply traumatized and in much pain," said Moore. "However, I think it is important for the public to understand that Ms. Montford believed she was providing information to Ms. Borchardt through an intermediary acting on Borchardt's behalf."