

# **DUNCAN & ASSOCIATES**

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## **BACKGROUND REPORT**

June 5, 2007

This agency was requested to conduct an investigation into allegations against Thomas Papania to determine if any of the charges are valid.

With one exception, this investigation produced no valid documentation or other evidence to support any of the allegations that have been posted on various websites.

It is true that in 1986, Tom Papania testified in court, under oath that he did not belong to the mafia and has never had any connection with the mafia or any of its members.

I spoke with Mr. Papania and asked him about the discrepancy. Without hesitation, Mr. Papania explained that his lawyer for the trial, Mr. Alan Begnar of Atlanta, Georgia, advised him that he was a New Yorker in the south and that if he admitted that he had ever been connected with the Mafia, the jury would very likely send him to prison for the rest of his life. Mr. Papania told me he made the decision to lie to the court in hopes he could avoid a potential life sentence in prison. The jury found him innocent of all charges.

I could find no evidence that Mr. Papania's distracters posted this explanation on any of their web sites. Neither could we find any evidence that Mr. Papania's distracter's actively sought the truth behind the discrepancies. Mr. Papania said his critics have not asked him for an explanation.

Further, I asked Mr. Papania, a born again Christian, how he deals with the fact that the Bible repeatedly states that God hates lies. Mr. Papania stated that if he had it to do over again he would tell the jury the truth and let God's will be done. Mr. Papania says he deeply regrets the decision he made in that Atlanta courtroom that day.

There is no documentation to prove or disprove any of the allegations against Mr. Papania regarding his criminal case or cases in Sedgwick County, Kansas.

I was the investigative reporter for KAKE-TV in Wichita, Kansas from 1970 through 1977. I am very familiar with Sedgwick County, its people and its judicial system. It was probably little changed in 1970 from the mid 1960's when Mr. Papania was in the middle of his troubles there. Based on this experience, I have no reason to doubt Mr. Papania's statements about his legal problems in Wichita. Also, it should be noted that a judge has the right to expunge a criminal case. An expungement means that by law, any record of the police, jail or court actions in the case must be destroyed. And also by law, there is not even a record of the actual Order of expungement issued by a judge. Therefore, I cannot state with any certainty that this case was expunged.