

Andrée McLeod
Anchorage, Alaska

January 23, 2009

Attorney General Office
1031 W. 4th Avenue, Suite 200
Anchorage, AK 99501-1994



To Attorney General Talis Colberg:

Please consider this ethics complaint naming governor's office employee Kris Perry and what appear to be violations of the Alaska Executive Branch Ethics Act.

AS 39.52.120, Misuse of official position states that a public officer may not use, or attempt to use, an official position for personal gain, and may not intentionally secure or grant unwarranted benefits or treatment for any person. A public officer may not use or authorize the use of state funds, facilities, equipment, services, or another government asset or resource for partisan political purposes; ... in this paragraph, "for partisan political purposes" means having the intent to differentially benefit or harm a candidate or potential candidate for elective office; or political party or group.

As you consider this ethics complaint, please heed the following statements from one of Alaska's elder statesmen Jack Coghill, a cherished member of the group who created our Alaska Constitution:

In the 2000 presidential campaign, then Texas-Gov. George W. Bush turned over his duties to Lt. Gov. Rick Perry when Bush was out of state. In identical circumstances in the 1992 presidential campaign, then Arkansas Gov. Bill Clinton turned over his duties to the lieutenant governor, Jim Guy Tucker, as called for in that state's constitution.

Coghill, an author of the state constitution, said he remains unwavering in his conviction that Palin should have done the same in her cross-country campaign as the state constitution implies but doesn't explicitly require.

"It's not a moot issue. It's a constitutional issue, even after the fact," he said. "Now you can have someone come back later and say, 'Well, Palin did it.'"

Still, such a lengthy absence by the acting head of state is unprecedented in Alaska, and one author of the state constitution believes Palin should have turned her duties over to the lieutenant governor before leaving Alaska two months ago to campaign for the nation's second highest job.

"When she took on the candidacy for vice president, she should have then created a letter saying, 'I am temporarily away from the Office of Governor and I hereby notify the lieutenant governor that he is constitutionally in charge,'" said constitutional convention delegate and former Lt. Gov. Jack Coghill. "That's the way it should be."

The overriding issue for former Lt. Gov. Jack Coghill, however, is that Palin continued to call the shots as governor during her unprecedented absence from the state to run for national office.

AP/Juneau Empire Palin governs Alaska from afar http://www.juneauempire.com/stories/103008/sta_350013838.shtml
Anchorage Daily News Palin aide discloses campaign travel costs <http://www.adn.com/news/alaska/story/647290.html>

Kris Perry used her official position and state time, property and resources to benefit Sarah Palin's personal and political interests unrelated to state business.

During the last week in August when the republican VP nomination was still top secret, records show that Perry appropriately claimed leave when accompanying Sarah Palin to Arizona.

And although a September 4, 2008 Anchorage Daily News article reports that Kris Perry was among state staffers following Palin to Minnesota to attend the national republican convention. Records show Perry claimed leave, although the leave slip shows that the leave was requested for after the fact and after she had already spent time at the convention.

(Anchorage. Daily News, Palin staffers follow Palin to St. Paul <http://www.adn.com/politics/story/515514.html>)

So, it would be reasonable to surmise that Perry was providing partisan political campaign-related support services to Sarah Palin in the days following Palin's nomination and while at the convention in Minneapolis. Perry claimed leave during this period and that is a good thing.

But, an August 27, 2008 email with the following header shows, among other things, Perry being included with other state staffers regarding Palin's itinerary in the on-going collaboration with Republican National Committee convention staff:

```
Subject: current media itinerary in Minnesota
To: gov.Sarah@yahoo.com; Perry, Kristina Y (GOV); Mason, Janice L (GOV);
Leighow, Sharon W (GOV)
From: "McAllister, William D (GOV)" </O=SOA/OU=FIRST ADMINISTRATIVE
GROUP/CN=RECIPIENTS/CN=WDMCALLISTER>
Cc: Burkert, Erin E (GOV)
```

```
--The convention itself is requesting you to act as a surrogate for
McCain for national media. Available blocs of time, daily, are 5-9 a.m.,
11 a.m.-9 p.m. Within those, they ask when you might be available for
this purpose.
```

Anchorage Daily News, Before the Storm-Palin e-mails from Aug. 27th <http://community.adn.com/adn/node/136346>

On September 17th, a KTUU reporter previously camped out at the governor's office finally located Perry inside offices unrelated to state business during her state working hours. Perry attempted to hide from the cameras by slinking behind a computer monitor. Records show Perry claimed leave that day.

Within ten days of that incident Perry was dispatched out of the governor's office to provide assistance to republican vice-presidential candidate Sarah Palin. At the time, Palin was collecting \$10,416/month as governor making stump speeches at republican rallies throughout the contiguous United States speaking about national campaign issues. Perry joined Palin on September 27th and spent the following six weeks on the campaign trail. Records show Perry did not claim leave during this period. *"She was dispatched from the governor's office to be right with the governor, staffing her as it relates to state business," said Linda Perez, state director of administrative services. "The governor is at rallies and things, and if we need to get information to her and get responses back, Kris is the one used to do that." "Perry continues to draw her regular salary of \$105,060 annually, and the state will pick up the tab for her travel and expenses."*

AP/Juneau Empire Palin governs Alaska from afar http://www.juneauempire.com/stories/103008/sta_350013838.shtml

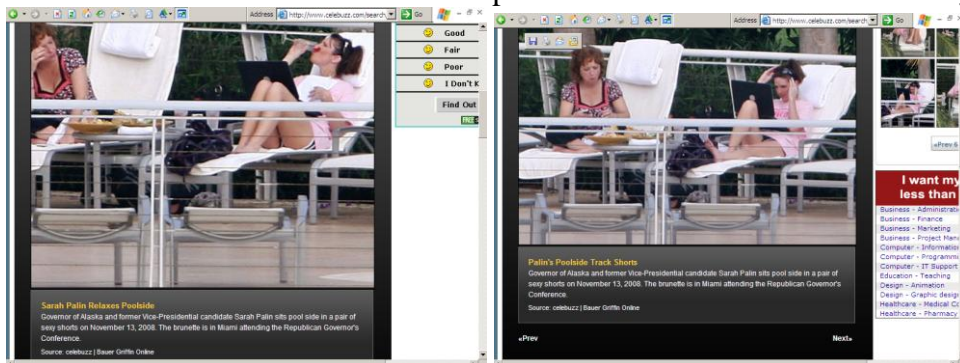
On November 30th, 2008, Perry is once again dispatched to be right with the governor in order to staff her as it relates to state business by accompanying Palin to Florida for another partisan political event unrelated to state business. Records show Perry did not claim leave during this period:

"Less than a week after returning home from the campaign trail, Gov. Sarah Palin is headed out of state again, this time to Miami. She'll be the shiniest star at the annual Republican Governors

Association meeting Thursday and Friday. Palin will hold a press conference Thursday at the convention and then will appear on a panel titled "Looking Toward the Future." The panel's conservative luminaries -- Palin is the only woman -- will include retired Army Gen. Tommy Franks, Rep. Mike Pence, R-Indiana, New York Times columnist William Kristol, Minnesota Gov. Tim Pawlenty and South Carolina Gov. Mark Sanford.

While on the road, she'll continue to do television interviews. Palin spokesman Bill McAllister said the governor turned down requests last week for interviews with Oprah Winfrey, Barbara Walters and George Stephanopoulos of ABC, and PBS's Charlie Rose. She's also turned down requests to appear on Jay Leno's and David Letterman's shows. But she does plan to do interviews with CNN's Wolf Blitzer and Larry King. Also possible is an interview with Fox News' Bill O'Reilly, if the logistics work out. (GOP governors to get a look at Palin: interviewers line up <http://www.adn.com/sarah-palin/story/585042.html>)

Here is Perry sitting poolside as she's dispatched to staff the governor as it relates to state business; between national media interviews to promote Palin while both collectively still collect \$230,060/year.



<http://www.celebuzz.com/search/palin/photos/32203861/?p=7>

December 1, 2008, Perry again accompanied the governor in order to staff her as it relates to state business to attend a governor's Conference in Philadelphia, with a partisan political campaign stopover in Georgia. Perry did not claim leave during this period.

"Today, Gov. Sarah Palin traveled to Georgia to campaign for Sen. Saxby Chambliss (R), who faces a tough runoff election tomorrow against Democratic challenger Jim Martin. In the first of four stops today, in Augusta, Palin told the crowd, 'The eyes of the nation are on you,' adding, 'The stakes are so high' and that 'America is counting on you'"

Palin Recycles Old Stump Speech In Georgia, But Replaces 'McCain' With 'Chambliss'

<http://thinkprogress.org/2008/12/01/palin-chambliss-stump/>



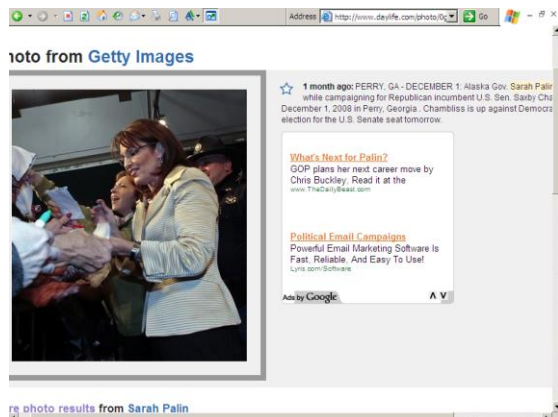
Here are pictures taken by Mony Morgan at a Chambliss rally at the James Brown Arena in Augusta at 8:30 on Monday morning:

Palin 2012 t-shirts for sale in various colors.

[Live From Georgia: Palin Fever, Negative Attacks, Civil Rights Anthems \(VIDEO\) \(PHOTOS\)](#)

http://www.huffingtonpost.com/2008/12/01/live-from-georgia-palin-f_n_147601.html

It was during these republican fundraising events that the photos below were taken and show Perry's role on the campaign trail. She appears to provide services that are campaign related, not state related.



1 month + ago:

PERRY, GA - DECEMBER 1:

Alaska Gov. Sarah Palin signs autographs while campaigning for Republican incumbent U.S. Sen. Saxby Chambliss (R-GA) on December 1, 2008 in Perry, Georgia. Chambliss is up against Democrat Jim Martin in a runoff election for the U.S. Senate seat tomorrow.

(Perry is next to Palin's right.)

http://www.daylife.com/photo/0g4V5LnfNQekI/Sarah_Palin



1 month + ago:

PERRY, GA – DECEMBER 1:

Alaska Gov. Sarah Palin poses for pictures while campaigning for Republican incumbent U.S. Sen. Saxby Chambliss (R-GA) on December 1, 2008 in Perry, Georgia. Chambliss is up against Democrat Jim Martin in a runoff election for the U.S. Senate seat tomorrow.

(Perry is to Palin's left)

http://www.daylife.com/photo/0f6I8AHdpp2nv/Sarah_Palin

Based on these facts, Kris Perry violated the Alaska Executive Branch Ethics Act. She improperly used her position and state resources to serve Sarah Palin's personal interests and gains. Perry conducted partisan political activities that benefit Sarah Palin's past, present and future national partisan political interests and not the interests of the State of Alaska or its people.

The Scope of ethics code states:

...that each public officer holds office as a public trust, and any effort to benefit a personal or financial interest through official action is a violation of that trust;

...standards of ethical conduct for members of the executive branch need to distinguish between those minor and inconsequential conflicts that are unavoidable in a free society, and those conflicts of interests that are substantial and material.

The definitions of the ethics code states that "benefit" is defined as anything that is to a person's advantage or self-interest, or from which a person profits, regardless of the financial gain...

I'm requesting that the Alaska Personnel Board investigate Kris Perry's misuse of official position and abuse of state time, property and resources for purposes unrelated to state interests, but rather to Sarah Palin's past, present and future personal interests. Thank you for your prompt attention to this.

Sincerely,

Andrée McLeod