

April 27, 2009

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

Dear acting Attorney General Svobodny,

Please accept this letter as an Ethics Complaint against Governor Sarah Palin under Alaska Executive Branch Ethics Act (Alaska Statute, Title 39, Chapter 52) (AEBEA), stating as follows:

Sec. 39.52.120. Misuse of official position: (a) 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.

Sec. 39.52.130. Improper gifts: (a) A public officer may not solicit, accept, or receive, directly or indirectly, a gift, whether in the form of money, service, loan, travel, entertainment, hospitality, employment, promise, or in any other form, that is a benefit to the officer's personal or financial interests, under circumstances in which it could reasonably be inferred that the gift is intended to influence the performance of official duties, actions, or judgment.

The AEBEA 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. It is declared that high moral and ethical standards among public officers in the executive branch are essential to assure the trust, respect, and confidence of the people of this state; and that a code of ethics for the guidance of public officers will discourage those officers from acting upon personal or financial interests in the performance of their public responsibilities.

Governor Palin is using her official position for personal gain and to intentionally secure unwarranted benefits to state workers who are poised to derive benefits from the Alaska Trust Fund; a newly formed group whose primary purpose is to collect huge amounts of money from people in Alaska and the Lower 48 for the Palin's and selected state officials' personal use for a time in perpetuity, under Alaska law.

Governor Palin is perched to improperly receive an enormous amount of money for herself and her family and position a pool of pre-paid defense lawyers organized to deflect consequences of wrongdoings, among other things. This fund corrupts the integrity of the Governor's Office, the governmental and public process. It corrupts the people's right to hold their governor and administration officials accountable. It increases Palin's conflicts of interests and erodes the faith and confidence of Alaskans in their public officers. This fund violates the intent, purpose and spirit of the Alaska Executive Branch Ethics Act. (The Alaska Fund Trust <http://thealaskafundtrust.com/>)

Sarah Palin accrued legal bills because of her misconduct, her husband's misconduct, and the misconduct of some of her staffers. The conclusion of the October 10, 2008 Alaska Legislative Council Branchflower Report found that Governor Palin abused her power by violating the Alaska Executive Branch Ethics Act when she allowed her husband and staffers to pressure Public Safety Commissioner Monegan to fire the trooper Mike Wooten. Prior to August 28, 2008 the governor consistently stated that she would cooperate with the independent investigation. After a recording surfaced that shows Palin aide Frank Bailey acted inappropriately Governor Palin agreed to turn over findings of an inquiry by the Alaska Department of Law regarding the termination of former Public Safety Commissioner Walt Monegan. But upon being selected as John McCain's running mate, Governor Palin recanted and refused to cooperate with the independent investigator. On September 3, 2008 Palin made the decision to quite publicly file an ethics complaint against herself with the

Alaska Personnel Board, a board embedded within several bureaucratic layers that Governor Palin controls. That report concluded that no violations were found. This served Palin's interest to mitigate damage caused by the other legislative investigation and served the McCain campaign interests. Eventually, Todd Palin admitted to lobbying state officials to fire Wooten. Governor Palin came back to Alaska after losing her national bid and finally, the Alaska Senate found Todd Palin and nine aides in contempt for failing to show up when ordered by subpoena to testify in the Legislature's "Troopergate" investigation of the governor.

July 18, 2008: Lawmakers seek outside inquiry of Monegan firing. <http://www.ktuu.com/Global/story.asp?S=8701623>

July 24, 2008 Lawmakers move to investigate Monegan ouster. <http://www.ktuu.com/global/story.asp?s=8733790>

July 28, 2008: Hired help will probe Monegan dismissal. <http://www.adn.com/monegan/story/478090.html>

Aug. 13, 2008: Governor to turn over findings. <http://www.gov.state.ak.us/archive.php?id=1407&type=1>

Sept. 13, 2008: Governor seeks review of Monegan firing case. <http://www.adn.com/monegan/story/514163.html>

Oct. 8, 2008: Todd Palin subpoena http://www.mahalo.com/Todd_Palin_Subpoena

Nov. 3, 2008: Troopergate's newest report clears Palin http://www.juneauempire.com/stories/110408/sta_351867809.shtml

Feb. 2009: Senate finds ten in contempt over Troopergate subpoenas <http://www.adn.com/monegan/story/681638.html>

For Governor Palin, Todd Palin and state aides to now personally benefit for this wrong behavior by collecting money through the Alaska Fund Trust goes against every conceivable notion of right and wrong. Their bad behavior is void of punishment as deterrence. Governor Palin and her family and state aides are financially rewarded for breaking laws. Where are the disincentives so Governor Palin, her family and aides can correct their actions by taking responsibility for their misconduct?

According to the Alaska Fund Trusts website: <http://www.thealaskafundtrust.com/>

Kristen Cole states, *"I joined with fellow Alaskans in forming the Alaska Fund Trust to help alleviate the Governor's legal debt incurred while performing her job as well as eliminate the incentive for future attacks by her opponents"*

"The Alaska Fund Trust is the official legal fund created to defend the integrity of the Alaska Governor's Office from an onslaught of political attacks launched against current Governor Sarah Palin, the First Family, and state-employed colleagues."

"For Alaskans, the time has come to end the siege on our government by political tricksters. Enough is enough. With the help of reform-minded advocates from across our nation, we will stand up for what is right. Your maximum contribution of \$150.00. Governor, her family, and her colleagues to retire their legal debt at no cost to Alaskans and reduce the incentive for mischief by her opponent.,"

Firstly, this fund interferes with Alaskans' right to address the wrongdoings of their public officials. Although Alaska laws provide various legal methods to redress Alaska's public officials, the insertion of this trust and its money corrupts Alaska's governmental and public processes by creating disparities between public officials and averages citizens concerned about official misconduct. The way it is set up is also rife with conflicts of interests that go against every tenet of the scope and purpose of the Alaska Executive Branch Ethics Act. The governor can secure, and inversely not secure, monetary help to her cronies.

Governor Palin has at least 500,000 supporters between her Facebook, TeamSarah, and other groups in support of Sarah Palin. If each of them were to contribute an average of \$100 it would equate to \$50 million. If they contribute an average of \$50 it equates to \$25 million. If half of them send \$10 it equals \$2.5 million. That's personal wealth created for Governor Palin by putting a for sale sign on our Alaska Governor's Office. That kind of money injected into the complaint process does not provide the opportunity for Governor Palin, Todd Palin and aides to take responsibility for their misconducts. This sort of large pot of newly found personal money will influence and encourage Governor Palin, Todd Palin and public officials to continue to thwart Alaska's rules of law and conduct and is based on improper motivation. Ultimately, this Alaska Fund Trust does not provide Alaskans with better government and only corrupts it further.

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. Sarah Palin's conflicts of interests with regards to this fund are significant and material as her interest in the fund is presumed to be more than \$5,000.

Based on the facts set forth above I'm requesting that the Alaska Personnel Board investigate Gov. Palin's use of official position for personal gain and the improper solicitation and acceptance of money for the Alaska Trust Fund to give to the Palin's and selected state officials. This fund does not serve the purposes or interests of Alaska or Alaskans and corrupts public and governmental processes. The Alaska Fund Trust only serves the purposes and interests of the Palin family and selected state officials, and breaches the scope and spirit of the Alaska Executive Branch Ethics Act.

Thank you for your prompt attention to this.

Sincerely,
Kim Chatman
Eagle River, AK