

Zane Henning
Wasilla, AK 99654

November 13, 2008

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

RE: Ethics Complaint

Dear Attorney General Colberg,

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

(b) A public officer may not

(6) use or authorize the use of state funds, facilities, equipment, services, or another government asset or resource for partisan political purposes; this paragraph does not prohibit use of the governor's residence for meetings to discuss political strategy and does not prohibit use of state aircraft or the communications equipment in the governor's residence so long as there is no charge to the state for the use; in this paragraph, "for partisan political purposes"

(A) means having the intent to differentially benefit or harm

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(i) candidate or potential candidate for elective office; or

(ii) political party or group;

(B) but does not include having the intent to benefit the public interest at large through the normal performance of official duties.

Gov. Palin did use her official position for her current and personal vice-presidential interests and future political interests and conducted partisan political activities upon

returning to her office on Friday, November 7, 2008 and again on November 10, 2008.

First of all, I'd like to remind you of something Gov. Palin said when asked whether her showing up with U.S. Senator Ted Stevens at his office was an endorsement of him for the 2008 U.S. Senate campaign. She responded by saying, **"Well it's, I'm on the clock and we're in a federal building. So we won't talk about campaigns or endorsements. All that comes later."** (July 2, 2008, ADN)

Clearly, Sarah Palin is aware of the difference between right and wrong when partisan political campaign discussions are brought up by reporters and has no problem telling them she will not discuss such partisan political matters. <http://community.adn.com/adn/node/133453> and <http://community.adn.com/adn/node/126372>

Soon after the November 4, 2008 election, reports circulated about vice-presidential candidate Sarah Palin's lack of knowledge about the African continent and the countries that form NAFTA that were attributed to former McCain/Palin campaign workers. According to CNN reporter Gary Tuchman, the VP candidate was very upset about anonymous criticism as she talked about her feelings after disembarking the McCain/Palin jet at the Anchorage airport the night of November 5, 2008. <http://www.cnn.com/2008/POLITICS/11/07/mccain.palin/index.html#cnnSTCVideo>

At the same time the Anchorage Daily News reported on Palin's frustrations with the media. <http://community.adn.com/adn/node/134082>

Within a couple of days, videos and articles were plentiful throughout the media and on the internet of Palin interviews improperly conducted with numerous national and local reporters by the governor upon returning to the governor's office on Friday November 7, 2008 and November 10, 2008 for the sole purpose of attempting to clear the damage to her reputation as the republican vice-president nominee. Issues discussed included her future role in national politics and whether she'll run for president or vice-president in 2012; her relations with democrats; her clothing during the campaign and, again, the anonymous criticism from McCain staffers relating to her behavior while in the role of national republican VP candidate, and much more. <http://community.adn.com/adn/node/134161>
<http://www.cnn.com/2008/POLITICS/11/07/mccain.palin/index.html#cnnSTCVideo>

The interview conducted by Fox News reporter Greta Van Susteren on November 10, 2008 in the Office of the Governor served the same purpose towards Sarah Palin's attempt at repairing her recent national republican VP nominee image as discussions of her most

recent partisan political activities were discussed in more specific detail. The following link includes links to four video files of the interview in the governor's office and a transcript. <http://www.foxnews.com/story/0,2933,449884,00.html>

These video reports show Sarah Palin speaking to numerous reporters in her republican vice-presidential candidate capacity defending and still promoting herself and not as the governor of Alaska representing Alaskans. For example, it's clear by listening to her when met by reporters in the governor's office on Friday, November 7, 2008 that the former vice-presidential candidate is in a post-election damage control mode focused on clearing her record to the media by calling people "jerks", among other things. This highly unbecoming, abhorrent and illegal public display by the governor that was broadcast nationwide is not the sort of partisan political attacks that the Alaska Executive Branch Ethics Act allows on state property. Nor is it the way most Alaskans of reasonable mind and manner would allow for their governor to behave on such a grand public international scale while representing the people of Alaska.

According to Title 39. Public Officers and Employees:
Sec 39.20.060. Exclusion of governor and lieutenant governor from personnel laws:

Notwithstanding the provisions of any other law, the governor and lieutenant governor are not considered employees of the state for the purpose of state personnel laws relating to hours of employment, annual leave, sick leave, overtime, compensatory time, and travel allowances...

Although the governor doesn't claim personal or annual leave, it doesn't exclude her from complying with the Alaska Executive Branch Ethics Act.

Based on the facts set forth above and publicly reported by the media, Gov. Palin violated the Alaska Executive Branch Ethics Act. She improperly conducted partisan political activities on state property to benefit her personal political interests and not the interests of the State of Alaska or its people.

I'm requesting that the Alaska Personnel Board investigate Gov. Palin's use of official position and resources for personal political gain and her conducting partisan political activities in the Office of the Governor.

Thank you for your prompt attention to this.