

TIMELINE OF PALIN'S EFFORTS TO UNDERMINE ETHICS INQUIRY

On July 11, 2008, Governor Sarah Palin dismissed Public Safety Commissioner Walter Monegan – on the grounds that she wanted to go in a different direction – offering him the position of executive director of the Alcoholic Beverage Control Board, which he turned down. (Megan Holland, [Monegan Says He Was Pressured to Fire Cop](#), *Anchorage Daily News*, July 19, 2008).

On July 18, Monegan stated that his dismissal might have been related to his reluctance to fire Palin's former brother-in-law, Alaska State Trooper Michael Wooten. Monegan said former Palin chief of staff Mike Tibbles, Dept. of Administration Commissioner Annette Kreitzer and Director of Boards and Commissions Frank Bailey all pressured him about Monegan. Governor Palin's husband, Todd Palin, admitted calling a meeting with Monegan in the governor's office shortly after Sarah Palin took office, though she was not present for the meeting. Todd Palin showed Monegan a dossier on Wooten compiled by a private investigator, but finding nothing new in the file and because Wooten had already been investigated and disciplined for some of the allegations, there was nothing Monegan could do. In February, Gov. Palin raised the issue with Monegan and he told her she should not be involved. (Holland, *Anchorage Daily News*, July 19, 2008).

On July 19, Palin spokeswoman Sharon Leighow denied that Frank Bailey ever had such a conversation with Monegan and Annette Kreitzer said she could "not recall" such a conversation. (Holland, *Anchorage Daily News*, July 19, 2008).

On July 28, a bipartisan committee of the AK legislature voted 12-0 to hire an independent investigator to investigate Palin and her staff for possible abuse of power in firing Monegan. The governor's spokeswoman said that the governor would "fully cooperate with an investigation and her staff will cooperate as well." (Wesley Loy, [Hired Help Will Probe Monegan Dismissal](#), *Anchorage Daily News*, July 29, 2008).

Following the legislature's vote, Gov. Palin secretly asked AK Attorney General Talis Colberg to launch an inquiry into the firing, including interviewing state public safety officials. The AG's office started reviewing documents at the end of July. (Sean Cockerham, [Palin Launches Monegan Inquiry Ahead of Special Investigation](#), *Anchorage Daily News*, August 13, 2008).

On August 1, retired AK Assistant District Attorney Steve Branchflower was hired by the AK legislature to investigate Monegan's termination, with a three month contract, ending October 31. (Cockerham, *Anchorage Daily News*, Aug. 13, 2008).

On August 4, AG Colberg quietly began interviewing witnesses – though not under oath – before Branchflower had a chance to begin the legislative inquiry. (Cockerham, *Anchorage Daily News*, Aug. 13, 2008).

On August 6, Branchflower asked the governor's office for documents, emails, phone messages and other materials related to Monegan's firing as well as the names of anyone who might have relevant information. (Cockerham, *Anchorage Daily News*, Aug. 13, 2008).

On August 13, it became public that Gov. Palin had asked the AG to conduct an investigation.

The same day, Palin's office released a tape of a phone call made in February by Palin's Director of Boards and Commissions, Frank Bailey, to a police lieutenant complaining about Monegan's failure to act against Wooten. Bailey said Palin "really likes Walt a lot, but on this issue . . . she doesn't know why there is absolutely no action for a year on this issue. It's very, very troubling to her and the family." Palin admitted that Todd Palin, Attorney General Colberg and former chief of staff Mike Tibbles also contacted Monegan about Wooten. (Sean Cockerham, Palin Staff Pushed to Have Trooper Fired *Anchorage Daily News*, Aug. 14, 2008).

The same day, Governor Palin's office issued a release stating that she would turn the Alaska AG's findings over to Branchflower and that "immediately following the Legislative Council's move to hire Branchflower, Attorney General Talis Colberg ordered the preservation of all state documents that might be relevant to the investigation." Notably, no similar release or statement had been made by the AG's office on August 1, when Branchflower was appointed. (Office of the Governor, *Governor to Turn Over Findings from Department of Law*, August 13, 2008).

Also on August 13, Palin claimed that Monegan had been terminated in part because he did not do enough to "battle alcohol abuse issues," apparently finding no irony in the fact that she had offered him the position of executive director of the Alcoholic Beverage Control Board when she fired him. (Cockerham, *Anchorage Daily News*, Aug. 14, 2008).

On August 16, AK legislators cancelled an August 18th meeting scheduled to discuss whether and what subpoenas would be issued in the investigation because witnesses were cooperating with Branchflower's investigation. (Subpoenas Uncalled For in Wooten Matter, *Anchorage Daily News*, August 16, 2008).

On August 21, private attorney Thomas Van Flein began defending Palin and her staff in the investigation. Van Flein is being paid by the state of AK since the AG cannot represent Palin because of conflicts of interest in the case. (Lisa Demer, Attorney Challenges Monegan Firing Inquiry, *Anchorage Daily News*, September 2, 2008).

On August 21, AG Colberg issued an opinion concluding that state employees have a right to privacy while using state-issued communication equipment, after it was revealed that Governor Palin and her staff used their state-issued blackberrys and computers for communications related to Monegan's firing. This conflicts with previous AK state policy that contents of state computers are subject to public records requests. (Department of Law, Office of the Attorney General, *Memo re Personal Use of Electronic Equipment*, August 21, 2008; State of Alaska, *State Policy Regarding Personal Use of State Office Technologies*, October 9, 1996).

On August 29, Van Flein sent a letter to Branchflower demanding all witness statements and other evidence compiled in the course of the investigation. The letter further states that the Personnel Board "is statutorily mandated to oversee these proceedings" and the trust Branchflower will "work with [them]" in "submitting these issues to the body properly vested with primary jurisdiction." (Letter from Thomas V. Van Flein to Stephen Branchflower, August 29, 2008).

On September 1, Chairman of the AK Senate Judiciary Committee Hollis French responded that

the Personnel Board would not have jurisdiction unless someone filed a complaint there and no one had. Sen. French stated that regardless, the legislature “has its own separate powers of investigation” with power to investigate potential violations of law by members of the executive branch.” Sen. French noted that challenging the legislature’s jurisdiction seems at odds with Gov. Palin’s previous vows to cooperate with the investigation. Sen. French explained that he had instructed Branchflower not to turn over witness statements and other evidence and to adhere to a previously created witness interview schedule. He also noted that delays in interviews would force the legislature to reconsider issuing subpoenas and requested that the governor’s deposition be scheduled no later than September 5 to take place during the same month. (Letter from Chairman Hollis French to Thomas Van Flein, September 1, 2008).

On September 1, Van Flein said that the investigation suffers from “bad timing” and he could not guarantee the governor would be available for an interview this month. Van Flein also compared Sen. French to Ken Starr and claimed French is “using public money to pursue a political vendetta,” disregarding the fact that a bipartisan legislative committee had authorized the investigation and that independent attorney Steve Branchflower, not French, is conducting the inquiry. (Demer, *Anchorage Daily News*, Sept. 2, 2008).

On September 1, Gov. Palin submitted a complaint to the AK Personnel Board against herself and noting that the personnel board is “the only body in Alaska with legal authority” to oversee the investigation. (Ethics Disclosure Form, filed before the State of Alaska Personnel Board, September 1, 2008).

The Personnel Board consists of three members with six year terms, all three of whom were initially appointed by Governor Murkowski and one of whom was reappointed by Governor Palin in January 2008. (Ethics Disclosure Form, filed before the State of Alaska Personnel Board, September 1, 2008).

COMING SOON: AK LEGISLATURE WILL BE FORCED TO ISSUE SUBPOENAS FOR PALIN AND OTHER AK EMPLOYEES AND VAN FLEIN WILL EITHER: 1) MOVE TO QUASH, CLAIMING THE LEGISLATURE HAS NO JURISDICTION TO AUTHORIZE INQUIRY AND SUBPOENAS FOR RECORDS VIOLATE RIGHT TO PRIVACY; OR 2) IGNORE SUBPOENAS, FORCING LEGISLATURE TO GO TO COURT SEEKING ENFORCEMENT. (CREW Prediction, September 4, 2008).