

Ethics investigation of Kitzhaber, Hayes to move forward

By **PARIS ACHEN**
Capital Bureau

SALEM — The Oregon Ethics Commission will pursue an official investigation of former Gov. John Kitzhaber and first lady Sylvia Hayes.

The commission vote, taken in a meeting closed to the public as provided by Oregon law, was based on a preliminary review report and recommendation by ethics commission investigator Marie Scheffers.

The investigator reported “there appears to be a substantial objective basis” to believe that Kitzhaber and Hayes may have violated state government ethics law.

The vote to pursue an official investigation was unanimous, 7-0, said Ron Bersin, executive director of the ethics commission.

The watchdog agency in February 2015 had suspended a preliminary review of three complaints of alleged ethics violations against the couple,



Don Ryan/Associated Press

Oregon Gov. John Kitzhaber, left, is joined by his fiancée, Sylvia Hayes, as he is sworn in for an unprecedented fourth term in Salem in 2015. The Oregon Ethics Commission voted Friday to pursue an official investigation of the couple on complaints they used their public offices for profit, conflicts of interest and inappropriate acceptance of gifts.

triggered by pending state and federal investigations.

The allegations concerned use of the public office for profit, conflict of interest and inappropriate acceptance of gifts.

Janet Hoffman, Kitzhaber’s lawyer, wrote in a July 12 let-

ter to the commission that the preliminary review report by the commission staff “relies almost entirely on news stories based on speculation and cherry-picked excerpts from a handful of former Governor Kitzhaber’s personal emails.”

“Such speculation does not

amount to substantial objective basis for pursuing an (ethics commission) investigation, and this politically motivated complaint attacking former Governor Kitzhaber’s integrity should be dismissed,” Hoffman added.

Kitzhaber and Hayes had been under criminal investigation for more than two years after Willamette Week reported the first lady may have used her position to win several consulting contracts. The scandal eventually prompted Kitzhaber to resign from office in February 2015.

The commission resumed the ethics review late last month after the U.S. Attorney’s Office announced no criminal charges would be filed against the couple. The state Department of Justice abandoned its investigation of the couple because its statute of limitation had expired during the federal probe.

Under commission rules, ethics investigators must con-

duct a preliminary review to determine whether to launch a full investigation.

State ethics investigators have up to 180 days to complete the full investigation and can request a 30-day extension, if more time is needed.

The investigation could entail poring through as many as 4 million pages of documents obtained by the DOJ and two flash drives, according to preliminary review documents.

Even though Hayes was an unpaid adviser in Kitzhaber’s office, she and other volunteers are still subject to state ethics law.

Disclosures at the time showed Hayes used a desk, office and computers at the Capitol, according to a report by The Oregonian. Complaints further state that Hayes filed expenses with the state, advised on energy policy related to her environmental consulting business, and had staff from the governor’s office

make her travel arrangements. She benefited from receiving consulting contracts as a result of her public office, according to the October 2014 complaint. An Oregon Business Council grant paid \$35,000 to give Hayes her own spokesperson while Gov. Kitzhaber was promoting the council’s interest in the Oregon Business Plan, the complaint states.

Lisa Hay, Hayes’ federal public defender in the federal investigation, wrote in an April 18 letter that Hayes made a “good faith” effort to work within the boundaries of her role.

“Any errors in adhering to state ethics rules or statutes were the result of confusion with the administration, mistakes and the lack of clear guidelines for an unmarried partner and not due to criminal intent to commit fraud.”

Kitzhaber and Hayes could face fines of up to \$5,000 per violation or as little as a letter of reprimand.

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7-17 CRYPTOQUIP

Z Q D I I H Z F N Q Q R D W F Z L D O P A F
S B H W R D S H P D W P I N O D
I N X P R D J A L H Z D W J N X W P D H W
L D W Y A : L D Y Y A F B D W F A I .
Saturday's Cryptoquip: I DEFINITELY MEMORIZE EVERY LAST NOTE OF MUSICAL PIECES I PERFORM. I LEAVE NO TONE UNLEARNED.
Today's Cryptoquip clue: Z equals C

JANRIC CLASSIC SUDOKU

Fill in the blank cells using numbers 1 to 9. Each number can appear only once in each row, column and 3x3 block. Use logic and process elimination to solve the puzzle. The difficulty level ranges from Bronze (easiest) to Silver to Gold (hardest).

Rating: BRONZE

				4		2	3	
3		5	6	7				
	2	9	8		3	5		6
	4	6		7	2		3	
	5		3	6		7	4	
1		7	4		6	2	9	
			2		1	3		7
9	6		7					

Solution to 7/15/17

9	4	7	3	1	8	6	2	5
6	2	3	5	4	9	1	7	8
8	1	5	2	7	6	4	3	9
2	5	9	7	8	4	3	6	1
7	6	8	1	3	5	9	4	2
4	3	1	9	6	2	5	8	7
5	8	6	4	9	7	2	1	3
3	9	4	8	2	1	7	5	6
1	7	2	6	5	3	8	9	4

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