

Kitzhaber scandal timeline

The following are some of the key dates related to the ethics scandal now threatening Oregon Gov. John Kitzhaber's unprecedented fourth term.

Oct. 8: Willamette Week reports that first lady Cylvia Hayes used taxpayer resources to aid her consulting business.

Oct. 9: Hayes admits during a press conference that she broke federal law in 1997 when she was paid \$5,000 for a sham marriage to an 18-year-old Ethiopian man seeking U.S. resident status.

Oct. 13: Hayes issues a statement confirming a report that she purchased property in 1997 in Washington state that she and a boyfriend intended to be used for a marijuana growing operation.

Oct. 23: Dennis Richardson, Kitzhaber's Republican opponent in the governor's race, says calls the U.S. attorney to investigate whether Hayes' consulting work violated the law.

Nov. 7: The Oregon Government Ethics Commission opens a preliminary investigation into

Hayes' consulting work after complaints are filed by Republicans.

Jan. 13: Kitzhaber and Hayes announce they have hired lawyers to represent them in the Ethics Commission investigation.

Jan. 27: EO Media Group/Pamplin Media Group reporter Hillary Borrud reports that Hayes confirms in email she was paid \$118,000 over two years while on a fellowship from the Clean Economy Development Center of Washington, D.C. Hayes said her "primary work was to implement communications strategies promoting clean economy development."

Jan. 28: The Oregonian reports that the income from Clean Economy Development Center does not appear on the Hayes' tax returns. She had previously provided copies of the tax returns.

Jan. 30: Kitzhaber holds a press conference in Portland in

response the developments since the Pamplin/EO Media Group's capital bureau reporting on Hayes' consulting pay. Kitzhaber says he will not resign. He says that Hayes will have no future role in his administration. The governor says he still loves Hayes, who was in Europe visiting friends.

Feb. 4: The Oregonian editor board calls for Kitzhaber's resignation because he can no longer effectively govern.

Feb. 6: Kitzhaber's office releases public records that confirming he fired his then-communications director in July after she criticized Hayes in meeting. Nkenge Harmon Johnson had said in November that she was fired because she offended Hayes, but the governor's office blamed performance issues.

Feb. 9: Kitzhaber asks Oregon Attorney General Ellen Rosenblum to conduct a "full and independent factual review" of issues surrounding his office's handling of Hayes' contracts. Rosenblum responds by telling the governor her office has already launched a criminal investigation.

Feb. 10: A memo surfaces in which Kitzhaber and Hayes argued that the Oregon Govern-

ment Ethics Commission has no jurisdiction to investigate her.

Feb. 11: Secretary of State Kate Brown abruptly returns from a conference in Washington, D.C., fueling intense speculation that Kitzhaber was about to step down. Brown would become governor if Kitzhaber resigned. Kitzhaber issues a statement saying he has no intention of doing so.

Feb. 12: Secretary of State Brown issues a statement saying she met with Kitzhaber upon her return to Oregon. During the meeting Kitzhaber said he wasn't going to resign but wanted to discuss transition, according to Brown. "This is clearly a bizarre and unprecedented situation. I informed the governor that I am ready, and my staff will be ready, should he resign." Three of the state's top Democratic party leaders: Senate President Peter Courtney, House Speaker Tina Kotek and Treasurer Ted Wheeler: called on Kitzhaber to resign. Willamette Week and 101.9 KINK/FM News 101 KXL report that they had obtained documents that the governor's staff had sought to remove thousands of documents from Kitzhaber's personal email accounts from state servers.

BROWN: 'I am ready, and my staff will be ready, should he resign'

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that Kitzhaber planned to resign.

"This is clearly a bizarre and unprecedented situation," Brown wrote in the statement.

Kitzhaber issued a statement Wednesday afternoon, while Brown was flying back from Washington, D.C., saying he did not plan to resign.

Brown said Kitzhaber called on Tuesday afternoon and "asked me to come back to Oregon as soon as possible to speak with him in person and alone."

Brown arrived in Oregon at 3:40 p.m. Wednesday.

"I was escorted directly into a meeting with the governor," Brown wrote. "It was a brief meeting. He asked me why I came back early from Washington, D.C., which I found strange. I asked him what he wanted to talk about. The governor told me he was not resigning, after which, he began a discussion about transition."

Brown did not provide any further details of their discussion about a transition. The Oregonian and The Associated Press have reported Kitzhaber planned to resign late this week, but changed his mind after speaking with his personal attorney and with his fiancée Cylvia Hayes.

"I informed the governor that I am ready, and my staff will be ready, should he resign," Brown wrote. "Right now I am focused on doing my job for the people of Oregon."

News of the meeting left observers scratching their heads.

"I am stunned," says former Gov. Ted Kulongoski, Kitzhaber's successor and predecessor, who otherwise did not want to elaborate on Brown's statement after it was read to him by phone. "This is not the John Kitzhaber I know."

Paul Gronke, a political science professor at Reed College, said Brown was attending a conference of the National Association of Secretaries of State, where she was to give an address on Oregon's motor voter bill. She is president of the organization.

"It's not a small thing to leave a meeting like that in the middle," she said. "That is a big important meeting and you don't just leave it on a lark," he said. "Now why would you call the secretary of state back on an emergency, overnight expensive flight to tell her you're not resigning?"

"That is just not credible," he said. "It's strange."

The Capital Bureau is a collaboration between EO Media Group and Pamplin Media Group.

KITZHABER: Ethics-law violations are punishable by a max \$5,000 fine on each count

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of state. "I hope the governor will do the right thing for Oregon and its citizens."

Although four governors have resigned since Oregon statehood in 1859, the most recent instance was in 1952 — when Gov. Douglas McKay was appointed U.S. interior secretary — and none has involved a scandal.

The most recent mid-term vacancy for Oregon governor was in 1956, when Paul Patterson died of a heart attack.

Kitzhaber was sworn in for a fourth term on Jan. 12.

After voter rejection of his proposed tax overhaul in May 1973, Gov. Tom McCall vowed he would resign, but was talked out of it. He completed his term in January 1975.

Changed nature

Former Gov. Ted Kulongoski said that Kitzhaber must be considering all his options in addition to resignation — and that the nature of the allegations against Kitzhaber and Hayes changed sig-

nificantly after Attorney General Ellen Rosenblum said Monday that her agency was conducting an investigation of potential criminal violations.

Kulongoski said he is not advising Kitzhaber. He also says he does not know what Kitzhaber will ultimately decide.

He did say that he sent an email a few weeks ago offering any assistance, but that Kitzhaber declined in a response.

Hayes has reportedly retained a criminal lawyer, separate from the lawyers who were jointly representing Kitzhaber and Hayes in ethics-law complaints. Kitzhaber has retained lawyers from the Portland firm of Ball Janik, which does not specialize in criminal defense.

The Department of Justice normally investigates potential criminal violations, which are of a different magnitude than the ethics-law complaints against Kitzhaber and Hayes that were pending before the Oregon Government Ethics Commission.

Under the ethics law, the commission must suspend its proceedings when the Department of

Justice informs it that a criminal investigation is pending — and commission director Ron Bersin said Thursday that he received such notice Wednesday.

Unlike the ethics commission, which has deadlines in the law to determine its proceedings, the Department of Justice has no such limits.

Ethics-law violations are punishable by a maximum \$5,000 fine on each count, plus personal gain. The law bars use of public office for personal financial gain.

Other options

Other options under state law are a voluntary leave of absence — in which case Brown would step in for Kitzhaber for a defined period — and a legal defense fund.

The Oregon Constitution provides for succession not only upon the death or resignation of a governor, but also upon a disability.

Under a 2009 change, which Kulongoski requested when he was governor, state law specifies how a governor may take a voluntary leave for disability or be determined to be incapacitated and

unable to do the job.

The provision for voluntary leave allows the governor to estimate the period of disability, provide for temporary succession, and set a return to duty.

Kulongoski said he asked for the provision to cover instances such as surgeries like the eye operation he had in 2010.

Kulongoski said he never contemplated a scenario such as the one Kitzhaber faces.

The changes were really prompted by a 2007 national-security exercise in Portland, when Kulongoski said there was a debate over who could declare the governor incapacitated. At that time, just three people could make such a declaration — the chief justice of the Oregon Supreme Court, the "dean" of Oregon Health & Science University, and the medical director of the Oregon State Hospital.

A 2007 revision of the Oregon's government ethics law — whose floor manager was Brown, then the Senate majority leader — does allow for public officials to set up legal defense funds separated from campaign funds.

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Subscriber services and classified advertising details, including contact information for Jennine Perkinson.

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AccuWeather.com Forecast for Pendleton and Hermiston, including regional and national forecasts, winds, and UV index.

Regional Cities and World Cities weather forecast table with high/low temperatures for various locations.

National Weather Today map and summary, showing weather systems and precipitation across the United States.