

AFFIDAVIT OF LORA REINBOLD

I, Lora Reinbold, being of sound mind and conscience, hereby depose and state the following to the best of my belief and personal knowledge:

The Select Committee on Legislative Ethics "SCLE" violated the Rules of Procedure* while addressing the ethics complaint filed against me, by Rick Sinnott, S21-01 including but not limited to the examples below:

1) At times, the SCLE failed to send my attorney correspondence, as required per Rules of Procedure Section 14 (c)(2)

(c) *LEGAL REPRESENTATION:*

(1) *Under AS 24.60.170(r) the subject of the complaint may choose to be represented by legal counsel or another person. The choice of counsel or another person is not subject to review and approval or disapproval by the committee. This choice does not constitute a waiver of any confidentiality provisions outlined in AS 24.60.*

(2) *When the subject of the complaint is represented by legal counsel or another person, **all correspondence shall be sent to both the representative and the subject of the complaint. Verbal communication shall be directed to the representative.***

2) I was not provided an opportunity, as required in the rules of procedure cited below, to meet before the committee to explain my alleged conduct. The complaint alleged that blocking comments/or a person (or in this case, even troll accounts) on my Facebook page, was a violation to the ethics code. However, my conduct was not a violation to the ethics code nor the social media policy.

SECTION 17 COMPLAINTS – DECISIONS

(a) **COMMITTEE MEETINGS** - *Subject of the Complaint:*

(1) *A letter shall be sent notifying the subject of the complaint,*

and the subject's representative, of the committee meeting date, time, and location along with a brief outline of the committee process and a copy of the subject's interview transcript. The administrator shall obtain acknowledgment of receipt of the correspondence by the subject, and the subject's representative if appropriate.

(2) **Pursuant to the provisions of AS 24.60.170(d), the committee shall afford the subject of the complaint an opportunity to explain the conduct alleged to be a violation of AS 24.60.**

(A) **The subject may appear in person at a time set by the committee or may choose to provide a written statement.**

(B) **The subject may choose to be accompanied by legal counsel or another person who may also present arguments before the committee pursuant to AS 24.60.170(r).**

3) I was denied equal protection under the law. I was not allowed an opportunity as required by law, as Senator Micciche was, to discuss the alleged conduct in the complaint. Further, I was told that Peter Micciche's ethics complaint, that was nearly the same as the one filed against me, was dismissed because:

(a) **DISMISSAL PRIOR TO INVESTIGATION: Complaints dismissed after a pre- liminary investigation under AS 24.60.170(c) for lack of jurisdiction, due to insufficient credible information that could be uncovered to warrant further investigation, as frivolous on its face or if the allegation, even if true, would not constitute a violation of the Act, will not be made public.** Therefore, the committee will not reconvene in public session to affirm the committee's decision. However, the subject of the complaint has the right to waive confidentiality under the provisions of Section 14(d). The committee will only notify the complainant and the subject of the complaint and the subject's representative, if applicable, of the committee's decision. The notification will only contain the determination that the complaint is dismissed based on the grounds as stated above.

4) Kelli Toth submitted a letter on October 19, 2022, to the ethics investigator, stating she and her boss Senator Lora Reinbold, never

discussed blocking people for posting, for differences in viewpoint. I affirm this statement. (see exhibit 8 amended complaint)

5) I was following the social media guidelines at the time of the alleged behavior in the ethics complaint, and do not believe my conduct was a violation of the ethics act. Striving to uphold page rules is important to promote decorum and productive discussions. In addition, the non-constituent had a history of harassment. Some of his comments violated page rules.

6) I did not formally waive confidentiality, according to and confirmed by an email from Jerry Anderson January 2023. Rules of Procedure Section 14 (e)(3)(A) and (B)

7) At the confidential meeting executive session on March 24, 2022, neither my attorney nor I, were able to launch a proper defense at the meeting, for we were told the purpose of the hearing, was to inform us why SCLE found probable cause. Rules of Procedure Section 17 (a)(2)(A) and (B)

8) The Committee failed to issue a written decision identifying the specific reasons for the findings of probable cause for a violation of the ethics code. Rules of Procedure Section 17 (e)(1)

9) The decision that the SCLE made public on December 24, 2021, did not provide a specific explanation behind its finding of probable cause that I had violated the Ethics Act. Rules of Procedure Section 17 (e)(2)

10) The Committee was unclear about “a date by which the action must be accomplished or a statement specifying the period of time that the corrective action remains in effect.” Rules of Procedure Section 17 (e)(3)(D)

11) The Committee did not provide the required information about “when and how compliance with the recommendations will be reviewed. Rules of Procedure Section 17 (e)(3)(E)

12) SCLE violated the publication procedures when they issued a press release, prior to providing a hearing or giving me the opportunity to meet with them to discuss the alleged conduct. The Committee issued a misleading press release on December 24, 2021, saying “no further sanctions” were warranted. The truth is no sanctions were even recommended by SCLE. The committee clearly knew this. I believe the statement about “no further sanctions” in the press release, was malicious.

13) In the Confidential meeting on March 24, 2022, the Committee did not provide an explanation for why or how they found probable cause as determined probable cause decision, which is required in the ethics act. SCLE re-emphasized their decision in the hearing. Rules of Procedure Section 17

(b) **DETERMINATION OF PROBABLE CAUSE:**

- (1) *If the committee finds probable cause, the committee shall issue a written decision explaining the finding of probable cause under AS 24.60.170(g). The decision shall identify the subject of the complaint and the allegations made against the subject.*
- (2) *The committee will publicly issue a finding of probable cause under the distribution provisions outlined in (b) of this section.*
- (3) *In cases under AS 24.60.170(g) where the committee finds probable cause of a violation and recommends corrective action(s), the following information will be included with the recommendation in the public decision:*
 - (A) *An explanation of the subject’s right to request, within 20 days after receiving the decision, a confidential in-person meeting or teleconference meeting with the committee at which the committee shall explain the reasons for the decision.*

14) The published decision was premature. For SCLE did not give me the informed option to accept the recommended corrective action or request a public hearing, prior to the release. My request for them to delay going public, was denied.

15) I was given a (new policy) directive, in the finding of probable cause on December 23, 2023, to refrain from blocking people

solely for a difference of opinion. I did not block Rick Sinnott for his view. I blocked Rick because of his harassment in the past. I never submitted a letter stating that I accepted the proposed corrective actions. Rules of Procedure Section 17 (e)(3)(C)

16) Even after timely requests, the SCLE failed to allow a **public hearing and discovery**, as allowed under AS 24.60.170 (g) and in the rules of procedure. In addition, I request a public hearing in writing, and by emails, numerous times on or about 12/24/21, 12/29/21, 1/5 and 1/13/22. Rules of Procedure cited below SCLE clearly denied me due process and violated the rules of procedure cited below:

SECTION 18 COMPLAINTS - HEARING PROCEDURES

(a) **GENERAL:**

- (1) *A person, who is subject to charges under AS 24.60.170(h) **or findings of probable cause with corrective action under AS 24.60.170(g)**, is entitled to a hearing*
16) However, SCLE failed to provide me a public hearing, clearly violating the established rules of procedure. SCLE denied me due process rights as guaranteed in the law.
- (2) *16) in accordance with AS 24.60.170(j).*
- (3) *The intent of these procedures is to provide due process to people charged under the Ethics Law and to protect the privacy and rights of the victims, complainants and the public in the process. Every effort has been made to make these procedures consistent with and parallel to those for State Administrative Hearings pursuant to AS 44.62.330-630, Alaska Bar Rule 22 Procedure and the Commission on Judicial Conduct Rule 10 Subpoenas.*
- (4) *These procedures are applicable to all hearings of the Select Committee on Legislative Ethics pursuant to AS 24.60.170(g)(h)(j)(m). These procedures are adopted under AS 24.60.150(a)(1).*

(b) **PRE-HEARING PROCEDURES:**

- (1) *The committee may issue a pre-hearing order including such items as: time limits on opening statements, presentation of evidence and closing arguments and deadlines for submitting witness lists, exhibit lists and any motions raising issues resolvable prior to the beginning of the hearing. Pre-trial motions should be submitted to the committee at least one*

week prior to the hearing.

- (2) *Counsel for the committee and the person subject to charges or their counsel, are encouraged to stipulate prior to hearing, as to any matters including evidentiary matters or undisputed facts.*

(c) **CONDUCT OF HEARING:** *The hearing shall be in front of the appropriate committee of the Select Committee on Legislative Ethics and presided over by the chair of that committee.*

(1) *Hearing Officer:*

- (a) *The committee may determine the need for an impartial Hearing Officer to facilitate and expedite aspects of the hearing.*

- (b) *The committee chair shall compile a list of Hearing Officers. The list will be provided to the committee counsel and the counsel for the person charged or the person charged. The counsels or the person charged may submit recommendations to the chair for selection or disqualification of any candidates. The committee chair selection of a Hearing Officer is final.*

- (c) *The Hearing Officer will rule on whether a witness is to appear in person or on teleconference; on admission and exclusion of evidence; advise the chair on matters of law; and control the conduct of participants and the time allotments to participants. Decisions on all procedural matters will be made by the Hearing Officer, subject to a right to appeal to the chair of the committee. The committee may overrule a determination by the Hearing Officer. The chair and the members may question the witnesses and the person charged or ask clarifying questions of either counsel, the person charged or the hearing officer.*

- (2) **Person Charged:** *The person charged shall have the right to appear personally before the committee at the hearing. The hearing will proceed with or without the appearance of the person charged.*

- (3) **Witnesses:** *Both counsel or the person charged if counsel is not used, have the right to subpoena witnesses. All witnesses shall testify under oath. In the event of problems in travel arrangements, especially for witnesses not subject to subpoena; depositions or affidavits may be used in lieu of live testimony. If agreed to by both parties, a witness may participate via teleconference. The Hearing Officer will decide the issue if agreement is not reached. The opposing party must have*

been offered the opportunity to participate in any deposition or to refute any affidavit which is admitted.

- (4) **Order of Proceedings:** The person charged and the committee counsel will have the opportunity to make opening and closing statements. Each party will have the right to examine and cross-examine witnesses and present evidence in his or her behalf. One opportunity for redirect for each witness will be allowed. The entire proceeding will be recorded and evidence will be secured and preserved.
- (5) **Decorum in the Hearing Room:** All persons will be required to conduct themselves in an orderly manner consistent with courtroom protocol. Failure to do so or disruption of the hearing may result in removal from the hearing room and charges of disturbing the peace in a public place. If the person charged is disruptive, that lack of cooperation will be considered during deliberations on any sanctions recommended. Media personnel will be provided a designated place and will not be allowed to move freely throughout the hearing room.
- (6) **Teleconference:** In the interest of the public, the proceedings of the hearing shall be teleconferenced

(d) **POST-HEARING:**

- (1) At the end of the hearing and prior to committee deliberations, the Hearing Officer will provide to the chair, a summary of the rulings and issues unresolved. Only committee members will participate in the deliberations and those deliberations shall be confidential as required by AS 24.60.170(m).
- (2) After deliberations and vote in executive session, pursuant to AS 24.60.170(f), the committee will reconvene in a public session. The motion approved in executive session stating a violation(s) of AS 24.60 based on clear and convincing evidence or a dismissal of the charge(s) will be read. The statement will include an affirmation indicating the decision was by a majority vote of the committee.
- (3) Decisions will include the names of committee members in attendance and state the motion was approved by a majority vote of the committee. The committee will subsequently issue a written public decision under the distribution provisions outlined in Section 17(b).
- (4) If the committee finds that a violation occurred or the subject did not cooperate, the committee will make a written recommendation of sanctions to the appropriate body of the legislature.

17) SCLE closed my case illegitimately, denying an appeals process afforded in the rules of procedure. (see emails from April 11, 2022 in the amended complaint)

18) In summary, the SCLE committee's actions or lack thereof, violated the rules of procedures of the law, infringing on my right to a fair process, equal protection, an effective defense, and adequate redress of the allegations brought against me.

On this 17 day of November, 2023, before me, a Notary Public in and for said county and state, personally appeared Lora Reinbold, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged the statements above to be true to the best of her knowledge.

Respectfully submitted by Lora H. Reinbold

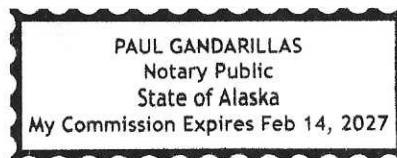
Lora Reinbold, Pro Se Plaintiff

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public: Paul Gandarillas 11/17/23

My Commission Expires: Feb 14, 2027

(State of Alaska)



Lora Reinbold
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IN THE DISTRICT COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

LORA H. REINBOLD)	Plaintiff's 2 nd Amended Complaint
Plaintiff.)	
v)	
SELECT COMMITTEE LEGISLATIVE ETHICS))	
SUBCOMMITTEE)	Case No. 3AN-22-06447CI
DEB FANSLER)	
DENNIS SKIP COOK)	Judge Thomas Matthews
LEE HOLMES)	
H. CONNOR THOMAS)	
JERRY ANDERSON)	
JOYCE ANDERSON)	
SENATOR TOM BEGICH)	
SENATOR DAVID WILSON)	
GOVERNOR MIKE DUNLEAVY)	
RICK SINNOTT complaintent)	
<u>Defendants.</u>)	

**Second Amended Complaint
Introduction**

As a former State Representative and Senator over the past ten years, I have enjoyed a well-respected reputation for my integrity, dedication, and commitment to public service. My reputation has contributed to my standing within the community and professional and political achievements. The ethics complaint and governors' letter were highly published across the state and has negatively impacted my reputation. In addition, the subsequent statutory and procedural violations, by the Select Committee on Legislative Ethics "SCLE" have been so significant, that judicial intervention is needed, to ensure justice.

The amended complaint, in its entirety, with the exhibits as if restated herein verbatim, are incorporated. Please accept my apology, as a pro se litigant, for the previous irregularities in my pleading due to misguided advice from paralegals and legal counsel and plaintiff being unfamiliar with the complex process and challenging rules. I request leniency as a pro se litigant who is seeking justice. These pleadings, in lieu of an appeal at this time, strive to bring clarity to the complaint.

The amended complaint focuses on the failure of the Select Committee on Legislative Ethics (SCLE) subcommittee to follow the ethics statute and the rules of

procedure for the legislative ethics law. According to rules of civil procedure Rule 15, leave of court to amend a complaint, should be granted liberally. I respectfully urge the court to intervene to ensure the Select Committee on Legislative Ethics complies with the ethics law **AS. 24.60** and its rules of procedure.

The complaint includes violations to my civil liberties, lack of due process and denial of protections guaranteed in our State Constitution, US Constitution, the ethics statute, and the accompanying rules of procedure. For example, on February 18, 2021, Governor Dunleavy released an egregious letter about me, to the public media, where he illegitimately stated that I violated the ethics code, without any justification or due process. On or about the same time the ethics complaint against me was filed. The only reference the governor made to the alleged violations, was a handful of Facebook posts, that I had made on social media. However, statements on social media often came directly from some of the scientific, political, religious, and medical experts during the pandemic. My posts on social media have not only been the target of the governor, but also the ethics complaint and the civil suit that was filed against me by McDow.

These unprecedented, possibly coordinated attacks on me, have shown that their actions were taken to suppress my constitutional rights of free speech, to violate my civil rights and civil liberties granted to all, never mind a sitting Senator. There are many important issues for the court to review, including the misuse of state assets by the SCLE and the governor, the desire to suppress opposition, deny due process, while inflicting emotional distress with malice.

While I was whistleblowing and exposing the executive branch's overreaching Covid mandates, I was upholding my oath to the constitution to defend inalienable rights of life liberty, and the pursuit of happiness, which was being trod upon by the Dunleavy administration. I initiated the Peoples' Petition to Their Government and revealed how the executive branches Covid mandates violated laws, and both the State, and Federal Constitutional rights of the citizens of Alaska. (Petition exhibit 1)

Sec. 24.60.035. Protection of whistle blowers.

A legislator or legislative employee may not, directly or indirectly, subject a person who reports to the committee, or another government entity conduct the person reasonably believes is a violation of this chapter or another state law, to reprisal, harassment, or discrimination. A legislative employee who is discharged, disciplined, involuntarily transferred, or otherwise penalized by a legislator or another legislative employee in violation of this subsection may

(1) bring a complaint before the committee; and

(2) bring a separate civil action in the courts seeking damages, payment of back wages, reinstatement, or other relief.

History. (§ 4 Ch 127 SLA 1992)

After an ethics complaint was launched against me for my stance on the Covid mandates, the Select Committee on Legislative Ethics intentionally denied me due process rights that are guaranteed in the ethics act **AS 24.60** including discovery and a public hearing. Please carefully review exhibit Rules of Procedure Highlighted key areas of concern for likely violations of SCLE. (Rules of Procedure Exhibit 2)

In addition, SCLE unnecessarily used state resources to hire an investigator to interrogate my staff, and hired outside council Brent Cole, that misguided the committee to pursue an uncalled-for investigation. SCLE intentionally took improper actions against, me finding "probable cause" for not allowing "unencumbered access" to a *non-constituent*, who had a history of documented harassment. The SCLE violated procedures and rushed to the media on Christmas Eve, negligently making malicious and false statements that were published across the state. For example, in the SCLE press release said "No further sanctions" are recommended. However, SCLE knew at the time, that no sanctions had been imposed, and to this date, sanctions never were imposed. The legislature imposes sanctions, not the SCLE, for the SCLE can merely make recommendations. The Ethics statute **Sec. 24.60.010** states: *(4) a part-time citizen legislature implies that legislators are expected and permitted to earn outside income and that the rules governing legislators' conduct during and after leaving public service must be clear, fair, and as complete as possible; the rules, however, should not impose*

unreasonable or unnecessary burdens that will discourage citizens from entering or staying in government service.

However, the invasive McCarthy-like investigation and violation of ethics laws and procedures by SCLE, clearly caused tremendous burden and discouraged me from staying in government service. Defendants' actions were intended to damage my reputation and hinder my government service.

Jurisdiction & Venue

Unfortunately, the Ethics statute **Sec. 24.60** itself, fails to provide legislators an appeal or right of action. Nor does it provide a procedural process to protect them from a state actor, when the ethics committee violates the ethics law. The committee's "confidential" verbal explanation to me of the alleged wrongdoing, was illogical, arbitrary, and capricious and included unfounded threats of prosecution. When the SCLE violates a statute, the Court has a basis to hold SCLE responsible, having subject matter and legal jurisdiction. According to our judge's order from July 17, 2023 :*The Superior Court is the court of general jurisdiction in Alaska, having "original jurisdiction in all civil and criminal matters." The Court has broad power to issue injunctive relief in appropriate circumstances and may issue other writs and orders "necessary or proper to the complete exercise of its jurisdiction." The Superior Court may also act as an appellate court in certain circumstances. The Court can have subject matter jurisdiction over the legislature and administrative agencies in certain circumstances.*

Early Timeline of Events & Relevant Background Information

2008-2011 Rick Sinnott actively opposed the proposed Trails from the Eagle River Trails committee, of which Lora Reinbold was a Co-Chair alongside John Rodda, both appointed by then Mayor Mark Begich.

2008 During the building of the Eagle River Trail system, Rick Sinnott regularly undermined the trail plan in the media. Rick went to extremes of calling Co-Chair Lora Reinbold a "Mata Hari" and "reality challenged" in state email because of my position on moving the trails plan forward. I received an official apology (exhibit 3) on Dec 11, 2008, from Rick Sinnott on state letterhead. However, Rick continued to undermine the trail system and proponents of the trails publicly. After the harassment continued, Lora Reinbold requested a foia and obtained information from ADFG, and learned even after the formal apology, Rick continued mocking,

harassing, and undermining me and the trails project from his state email. Subsequently, I filed a formal complaint to the Ombudsman.

On Oct 5, 2009, one example of continued harassment was, when the Rover's Run trails had been closed due to bear activity, people were prohibited from using these trails. Sinnott's staff, Jessie Coltrane, had been running on the closed trails. In order to protect Jessie from reprimand, Rick photoshopped Lora's (my) face onto Jessie's face. Unbelievably Rick's staff was ok with this misconduct. Ricks staff Jessie replied to his email "perfect." (Jessy Exhibit 4)

2009-2010 An Official complaint was filed by Lora Reinbold against Rick Sinnott to the Ombudsman office. Part of the alleged violations were found to be true, and interventions took place. Lt Governor Sean Parnell was involved in reviewing and intervening to some of the issues in the complaint.

September 29, 2011, Alaska Legislature Social Media Guidelines were Adopted by Legislative Council. The legislative guideline implemented, was vague about social media and its regulatory law, because this topic was in a state of continual evolution. This guideline was in place when the events of this case occurred and to the best of my knowledge the policy was being followed. (exhibit 5 the Social Media Policy in place at time of alleged Ethics Violation).

Current Timeline of Events

April 2020, I helped initiate "Constitutional Freedom Fighters" and worked with community groups to re-open Alaska from the executive branch covid lockdowns. In **May**, I almost succeeded in the Senate, to strip the Governor of his continued disaster declaration power. Historically disasters were only to last up to 30 days. I had emailed Jerry Anderson regarding my involvement with this group and asked for guidance.

Jan 26, 2021, Rick Sinnott shopped around the complaint to ombudsman and potentially others, thus qualifying it for dismissal by the Ethics Committee. The rules around confidentiality help prevent weaponization of the ethics committee.

Feb 15, 2021, Senator Lora Reinbold inquired with Legislative legal and ccd the ethics administrator Jerry Anderson, about proposed legislation requesting help with official language in her proposed legislation. The legislation would have required legislators to declare a "conflict" in the sponsor statement, if a lobbyist or person with a financial interest in their proposed legislation, had asked them to "sponsor" and or "carry" a bill.

Feb 15, 2021, the Court Order from July 17, 2023, states Rick Sinnott filed the Ethics complaint on Feb 15, 2021. However, the date stamped on the ethics is **Feb 19, 2021**. However, the original complaint with the affidavit is dated **Feb 16, 2021**. The date inconsistencies are genuine issues of dispute and need to be investigated.

February 18, 2021

Governor Dunleavy issued an unprecedented, cruel and egregious formal letter using state resources, to bear false witness against Senator Lora Reinbold. He used only a handful of my Facebook posts, to back up his outlandish claims. (Gov D letter exhibit 6)

Feb/March 2021, The Governors egregious letter was on the front page of ADN (Alaska Dispatch News), got wide publicity and was distributed by Alaskans for Posterity broadly in my senate district. I met with a board member of Alaskans for

Posterity who stated the people they worked with got a copy of the Governors scathing letter from his administration. (exhibit and transcript to be provided at discovery)

February 19-21, 2021, Jerry Anderson repeatedly contacted Senator Lora Reinbold via email, called my cell, sent certified mail, and called my office about an ethics complaint from Rick Sinnott, the day following the release of the Governors letter. I responded stating my office was in a crisis, with Chief of Staff out on an emergency. I informed him the Governors letter was creating chaos, and I only had one new staff person present in my office. My plate was full being chair of Judiciary, Vice Chair of State Affairs and Legislative Counsel and a member of three additional legislative committees. In addition, I served on four finance sub committees. I was required to attend floor sessions etc.

Feb 19, 2021, Bobbie McDow posted the ADN article regarding Gov Dunleavy's egregious letter, to my Senator Lora Reinbold page that was irrelevant to my post about an Alaskan judge ruling in favor of Legislative Council and interim appointment.

On or about **Feb 19, 2021,** I ran into our Attorney General Treg Taylor at the baggage claim area at Anchorage Airport. Treg stated he reviewed Governor Dunleavy's letter and approved it prior to release but alluded to the fact he recommends it not go out. Treg Taylor had met with me on or about Feb 18, 2021, for an hour, to request I schedule a confirmation hearing in Judiciary. Even after the egregious letter, I chose to continue working with the executive branch and hosted a confirmation hearing and formally requested a meeting with the governor, which he did not respond to.

February 23, 2021, I sent Jerry Anderson an email requesting a delay to any tribunal until after session, for my office was in crisis mode, with my Chief of Staff out on a medical emergency. I did not want to be held to a tribunal during session. My schedule was extremely full, and I was facing a media crisis due to Governor Dunleavy's egregious letter and political assault from February 18th.

On or about **Feb 25, 2021,** I sent a formal response to Governor Dunleavy asking him to retract his letter & issue a formal apology. (Sen Reinbold response to Gov D exhibit_7)

March 3, 2021, the only staff I had working in my office (one was on emergency leave) was Aaron Weaver who bizarrely left my office abruptly to work for the Governor on this day. Aaron had been telling me he was being enticed/recruited out of my office.

March 10, 2021, Sen Tom Begich, Democrat Minority leader and member of SCLE, brought outrageous false gun allegations, from an unidentified source, about me, to Senate President Peter Micciche and Majority leader Senator Shelley Hughes. Tom later apologized to me for his involvement in this unfounded incident. The false allegation was discussed in caucus (in the absence of Senator Reinbold) just prior to a vote on enforcing Covid 19 mitigation rules in the Capital. Nicki Rose of Sen Hollands' office informed Senator Reinbold of the rumor going around the Capital. I reported to this false allegation to security, called the Juneau police dept and placed a formal report and emailed the FBI about inquiring what could be done about the false allegations. Should Tom be dismissed from voting and/or impeached in ethics for his bias against me? (the police report and the security report can be provided upon discovery).

April 13 or 15th, 2021, The chair of Health and Social Services and member of SCLE, Senator David Wilson, threatened to expel me/Senator Reinbold from the legislature, using rule 49, right after I urged Senator David Wilson to consider stating a conflict of interest, prior to voting on a bill in his committee if his wife could

potentially benefit from the legislative action. Should David's threat toward me disqualify him for conflicts of interest on SCLE and voting to punish me by furthering the ethics complaint in this committee. (the threat to expel incident was published in Must Read Alaska)

4-13-21 Ethics voted for a resolution to launch an investigate into the ethics complaint filed against Senator Lora Reinbold.

April 18, 2021, Senator Lora Reinbold unexpectedly without explanation, lost her Chair on Judiciary, for unknown reasons, but was told by Senator Mia Costello, she thought it was because of a Facebook post.

April 22, 2021, Senator Reinbold was unexpectedly banned on Alaska Airlines and unable to fly back to Juneau for a critical vote on HB76, Governor Dunleavy's Covid Disaster bill, which Senator Lora Reinbold vehemently disagreed with. Senator Micciche was notified by phone call from a consultant of Alaska Airlines of the unexpected ban. I was only sent an unfortunate email from Alaska Airlines on April 23, 2021, regarding the ban.

(see federal lawsuit case 3:23 CV-00087 JMK Reinbold v Alaska Airlines)

April 24-26, 2021, Senator Lora Reinbold drove unexpectedly and took a ferry to Juneau. I encountered harsh interrogations at the border.

April 24, 2021, right after I had been banned on Ak Airlines and as I was driving to Juneau, the media crisis was hitting the international stage. Jerry Anderson urgently called my cell phone, when I was in Tok, Alaska and informed me the SCLE was pursuing an official investigation and that me and my staff, would be contacted by an investigator.

April 25, 2021, Jerry Anderson emailed the scope of investigation. I requested delay until after session, to defend my constitutional legislative immunity rights and requested time to get legal counsel. At this time, I thought they were delaying the investigation.

April 26, 2021, Governor Dunleavy's HB 76, the Covid disaster declaration extensions bill, was on the Senator floor for a vote. The administration and legislative leadership knew I disagreed with HB76. I had critical legislative duties to tend to, including gaining votes to amend this bill, but was hindered due to the Alaska Airlines ban requiring days of unexpected travel.

April 30, 2021, Lora Reinbold was sued by Bobbie McDow (what she thought was a troll) for alleged 1st am violations due to a temporary ban, for violating the page rules. All official communications were always available to McDow, but she failed to use them. Interesting the allegations were very similar to Rick Sinnott's ethics complaint.

Unknown date Spring/Summer 2021 I was contacted by ethics and asked to give cell phone numbers of current and former staff, which I did to the best of my ability.

July 2021, I was contacted by an ethics investigator and scheduled a meeting. I notified my legal counsel, who stated I should delay the investigation until after McDow case had been adjudicated. I then notified investigator of my decision to postpone the interrogation until after the McDow lawsuit had been adjudicated.

July 21, 2021, I was officially "served" by McDow a civil lawsuit.

On or about July 26, 2021, my Chief of Staff was interrogated harshly by Monique Rappozzi an investigator from ethics. (notes to be provided at discovery)

On or about Aug 15- Sept 15, 2021, another Special Session was called by the Governor. I was still banned on Alaska Airlines so required to fly the only other airline, Delta, who did not fly directly between Anchorage and Juneau. There were significant travel challenges for me getting to and from Juneau, for the last flight out of Juneau by Delta, to Seattle, was September 11, 2021.

Sept 13-19,2021 I was required to take the Ferry en route back to Anchorage because Delta had quit seasonal flights from Juneau to Seattle.

September 24th, 2021, Brent Cole sent a legal opinion to SCLE on Sept 24, 2021, stating if the committee found that some or all the allegations would be an ethics violation, it was ok for SCLE to proceed with an investigation. Brent Cole stated that I had been accused of similar “misconduct” in the McDow case. Jerry wanted me to acknowledge I had received the letter at the beginning of the private hearing. Note- the committee was aware of the McDow case, so they likely violated: AS 11.56.510 interference with official proceedings.

Oct 1, 2021, I got an awkward email from Monique Rappozzi alleging I had been uncooperative. I immediately reported this to Jerry Anderson, denying her allegations, for I had provided personal cell numbers from my current and previous staff to her, and made a good faith effort to communicate with her.

On or about Oct 8-21, 2021, during this time frame I had Covid.

October 15, 2021, My Chief of Staff Kelli Toth sent an email to Jerry Anderson and Jacque Yagel stating an investigator named Monique Rappozzi wanted her to interview about her Supervisor, Senator Lora Reinbold. Kelli stated we were in our 4th special session, and she thought they had to wait until the interim to investigate legislators. She informed them of the active litigation against her boss, on the same topic, and was concerned the investigation could impact the outcome of the lawsuit. She stated her boss was out sick with covid and she was extremely busy covering the office and asked if she was expected to put her legislative duties aside for the investigation.

Oct 19, 2021, Kelli Toth my Chief of staff was contacted around this time and went thru additional tough interviews by Monique Rappozzi. Post interview she wrote an email to the investigator stating that Senator Lora Reinbold and Kelli had never had a discussion on banning anyone for “viewpoint” only for violation of rules on page (Oct 19 email Kelli Toth exhibit 8).

November 8, 2021, the subcommittee investigation ended. Interestingly, I was informed and reviewed the McDow “amended complaint” on this day.

Nov 24, 2021, Ethics committee meeting was unexpectedly canceled and for unknown reasons postponed to Dec 17, 2021.

December 17, 2021, the SCLE subcommittee met again to discuss the complaint against me. At that meeting in executive session, the subcommittee found “probable cause” violation on complaint against Senator Lora Reinbold and stated they had belief there were violations of the Legislative Ethics Act *findings* section.

Dec 22, 2021, I got a phone call from Jerry on my personal phone, where he informed me about the alleged ethics violation. I Christmas get together with my staff. I immediately left the celebration to tend to ethics matter.

December 23, 2021, the subcommittee’s decision was revised. I was emailed the decision; it read that SCLE had “probable cause” to believe the ethics law in the findings section, may have been violated. the committee made it

clear under the “recommendations: sanctions were **not** warranted” no sanctions were ever administered (probable cause Dec 23, 2021, exhibit 9)

Jerry D. Anderson Administrator, Ethics Committee
Enc: Determination of Probable Cause Decision As 24.60.170 (g)

Dec 24, 2021, 10:19 am Senator Lora Reinbold received the email of a press release. Christmas Eve SCLE media release to the public to the news, prior to confirming I had received notification, as required by law. Jerry Anderson stated with malice, in the news release that SCLE had probable cause of an ethics violation and “NO FURTHER SANCTIONS” were recommended. (exhibit 10 press release)

December 24th, 2021, I told Jerry Anderson that my privacy rights/confidentiality had been violated. I ask Jerry to delay the press release, until I had the opportunity for due process. My request was denied.

Alaska News Source Please see by [Tim Rockey](#)
Published: Dec. 24, 2021, at 12:46 PM GMT-9|Updated: Dec. 24, 2021, at 3:06 PM GMT-9And Ktoo

“Committee finds that Sen. Reinbold violated statutes, no further sanctions recommended.”

They took this quote directly from the new release issued by SCLE, Jerry Anderson who knows the SCLE cannot issue sanctions.

<https://www.adn.com/politics/alaska-legislature/2021/12/27/alaska-legislative-ethics-committee-tells-eagle-river-lawmaker-to-stop-blocking-critics-on-facebook/>

Alaska legislative ethics committee tells Eagle River lawmaker to stop blocking critics on Facebook. By James Brooks Updated: December 29, 2021 Published: **December 27, 2021**.

Sinnott said he isn’t happy that it took the ethics committee 10 months to rule on his complaint.

Dec 24, 2021, Rick Sinnott stated to the press

“I also wasn’t very happy that Senator Reinbold wasn’t chastised, at the very least, over this ethics violation. I am certainly not the only person she has attempted to silence,” he said.

My quote in newspaper: Senator Lora Reinbold quoted “Their sanction against hiding comments or blocking people can be considered ex post facto law. There is no current state law or policy addressing blocking or hiding comments on social media,” she said. “The Legislature needs clarification as to whether the preemptive ethics committee directive/sanction is for all legislators or just one specific legislator. Ethics recommended social media policies need to be updated, yet they seem to have made a determination to enforce a policy that is unwritten and unapproved, which is ex post facto law.”

Dec 24, 2021, 11:16 am I wrote a response to the SCLE expressing deep dissatisfaction and stated she was appealing the decision regarding ethics finding of probable cause. I emphasized Rick was not a constituent and had a history of harassing me that caused intervention for management at the state. (exhibit 3)

December 29, 2021, Lora wrote an email voicing that she did not agree with the subcommittee's decision, and that she was appealing decision and asked for all her rights at this point and she believed her rights including her constitutional rights had been violated and the decision was premature. (appeal exhibit 11)

On **December 29th, 2021**, I wrote a letter to Jerry Anderson that I was under the impression that my staff and I were required not to be investigated or interrogated while the active McDow litigation was being adjudicated. I wanted my constitutional rights protected. I was happy to work with legislative ethics once the litigation had been adjudicated. I ask that the committee not violate my constitutional rights nor my due process rights nor put my staff in awkward situations while litigation was in process.

I requested a public hearing/an appeal on or about **Dec 24, 29, 2021, and Jan 5 and Jan 13, 2022**. (I was enroute to Juneau by car in harsh winter conditions from January 9-13, 2022)

On **December 29th, 2021**, at 4:02 PM I requested an *appeal* to the premature ethics decision that was wrongly issued against me explaining my great disappointment regarding their decision.

Dec 30, 2021, the Rules, and ethics law procedures were sent to me by Jerry Anderson along with the decision of probable cause. These clearly gave me *rights to a public hearing and discovery*, after a decision of probable cause was issued. (see the ethics law and rules of procedure attached)

Jan 5, 2022, I informed the Ethics Committee that because there were many trolls and haters on the page due to the ethics complaint going public, on my own initiative I had (temporarily) deactivated my FB page out of "extreme precaution." I needed to get clarity from legislative counsel and SCLE during the appeals process, and specific directions on who is appropriate to block on social media. I inquired who was required to abide by the new policy/directive SCLE had recently created in their decision to not block people on social media? It was obvious, I was going to be away from the internet several days, during travel to Juneau, and could not monitor violations to the page rules. I requested an appeal hearing and asked for the available timeframe/dates. I also informed ethics I was concerned their public decision was impacting the active litigation against me in the McDow case.

Jan 8, 2022, Colton Boyles my lawyer asked for subpoenas, but I was preparing for treacherous journey to Juneau in blizzard conditions.

Jan 8, 2022, I wrote an email to Leg Ethics stating I was moving forward on a full *appeal* with my legal counsel regarding SCLE decision of "probable cause."

Jan 9-13, 2022, I had to drive to Juneau, due to my ban on Alaska Airlines in negative 40 below conditions, and the Ethics Committee knew it. If I was a day late, with any official responses, it was due to compelling circumstances.

On **January 13th, 2022**, when I arrived in Juneau after the brutal trip, I sent an e-mail requesting the committee to honor the law for they "shall" explain the reasons for the decision of finding of "probable cause" related to complaint 21-01. I requested a confidential meeting and a reserved my right again for a public hearing.

January 14th, 2023, in an email from Jerry Anderson, he told me to go to Brent Cole to request any breach of confidentiality issues and/or any possible conflicts of interest, between ethics and the McDow lawsuit.

On **January 19th, 2022**, I told my lawyer I was being held to ex post facto, non-written unclear law, that is being adjudicated in the lawsuit with McDow. The

lawsuit is a case of first impression. I was disillusioned because I was never allowed an opportunity to go before the committee. My staff was investigated, yet I broke no law, no binding case law, no regulation or even a policy or a guideline. I was following the social media policy from Legislative Council from September 29th, 2011.

Jan 15, 2022, I email Jerry again reiterating I was formally requesting a public hearing.

Jan 22, 2022, a point of factual dispute, the email that was referenced in the judge's order alleging that I informed SCLE that "I removed my Facebook page, the source of the complaint." I have no email thus far I can find, showing that this statement is accurate. (Judge's Order July 17, 2023)

Jan 24, 2022, A month after they went public, Jerry Anderson sent the legislative ethics report for the decision on Senator Lora Reinbold ethics complaint, to the print shop to be distributed. The report was interestingly put on legislators' desks on Jan 25, 2022, for the Joint Session State of the State Governor Dunleavy. The timing is notable for this night was the only chance for the Governor to be on House/Senate floor the entire session. I was humiliated for the ethics report of a violation of probable cause, was on each member's desk, and was in full view of the media during the joint session.

Feb 12, 2022, I sent a formal request for early discovery to SCLE, Jerry Anderson because according to the procedures when there is a finding of "probable cause", a hearing, discovery and early discovery may be requested.

March 24th, 2022, SCLE waived confidentiality on a letter Brent Cole, the Ethics attorney wrote on September 24, 2022. Mr. Cole alleged I had similar "misconduct" for blocking someone on social media and referenced the McDow case. In executive session, SCLE voted and denied my request for early discovery. This was relayed to me by Jerry Anderson.

March 24, 2022,

During the confidential hearing, with my lawyer Colton Boyles present, I was intimidated and threatened by subcommittee members who were once again impugning my motives and making veiled threats. There was only a "belief" in the final report, that a violation occurred but no clarity of probable cause was provided as required in law. The SLCE decided that I blocked comments on social media site, due *only* to a disagreement in views. Again, my motives were decided and impugned without talking to me. However, I wanted minimal to no interactions, with Rick Sinnott, a non-constituent, who had caused me deep grief in the past. SCLE knew about my concerns with the complaint but negligently disregarded them.

I asked SCLE, in the March 24, 2022, private hearing what law prohibits a legislator from blocking anyone? The Chair of the committee, Deb Fansler, said "this law does NOT exist!" It is important to note blocking people is an extremely common practice including for elected officials, for it is a tool that Facebook provides to protect users from harassment. (documentation will be provided upon discovery).

April 9, 2022, and April 11, 2022 .

From: Sen. Lora Reinbold <Sen.Lora.Reinbold@akleg.gov>

Sent: Saturday, April 9, 2022, 11:57 PM

To: Jerry Anderson <jerry.anderson@akleg.gov>

Cc: colton@cboyleslaw.com; Jacqui Yeagle <Jacqui.Yeagle@akleg.gov> **Subject:** Hearing

Jerry

We were quite disappointed we did not learn why the probable cause decision was issued against me. By law I was supposed to learn why the decision was issued and I left with more questions than I had prior to the hearing.

What steps need to take place in order to get our public hearing? I had requested it prior to the private hearing but have not heard back from you on the next steps.

Was our motion to discovery accepted or denied, I did not hear from you. Please spell out the process and let us know what you need from us.

Thank you.

April 11, 2022, although it appears there is no procedure to deny due process and close a case prematurely, SCLE "closed" my case, denying my right to a public hearing and discovery which were allowed in the rules of procedure for the ethics act.

From: Jerry Anderson <jerry.anderson@akleg.gov>
Sent: Monday, **April 11, 2022**, 8:53 AM
To: Sen. Lora Reinbold <Sen.Lora.Reinbold@akleg.gov>
Cc: colton@cboyleslaw.com <colton@cboyleslaw.com>; Jacqui Yeagle <Jacqui.Yeagle@akleg.gov>; Jerry Anderson <jerry.anderson@akleg.gov>

Subject: No Hearing will be scheduled

Senator Reinbold,

Your complaint process is complete. The ethics committee determined at the hearing on March 24 that you had complied with the decision of the Subcommittee, you had the opportunity to hear an explanation of the committee decision, and that further proceedings were not necessary or appropriate. There will be no public hearing set for this complaint.

Jerry D. Anderson, Administrator Select Committee on Legislative Ethics Ph. 907 269-0150
Fax 907 269-0152
Cell 907 201-0125

From: Sen. Lora Reinbold <Sen.Lora.Reinbold@akleg.gov>
Sent: Thursday, April 21, 2022, 3:06 PM
To: Jerry Anderson <jerry.anderson@akleg.gov>
Cc: colton@cboyleslaw.com; Jacqui Yeagle <Jacqui.Yeagle@akleg.gov> **Subject:** Re: No Hearing will be scheduled

Jerry

According to the law at the confidential hearing the law says the committee "shall" tell me why there was a finding a probable cause. That did NOT happen. I formally requested a public hearing way back in December. Not only me has my due process in this committee been undermined, but you have likely negatively impacted/influenced an active court case.

I have had no opportunity outside an active legislative session or with when an active court case was in process to defend myself nor address the complaint officially. I asked the complaint to be put on pause till after the session, that apparently did not happen. You chose instead to ramp it and investigate broadly, even when I told you

the complainant was NOT a constituent, and we had a rough history where he had harassed me. I made this clear last spring and on December 24, 2021, letter to the committee.

A public hearing is my right and I expect the legislative ethics committee to follow the law. Senator Lora Reinbold

From: Jerry Anderson <jerry.anderson@akleg.gov> **Sent:** Tuesday, April 26, 2022, 8:53 AM

To: Sen. Lora Reinbold <Sen.Lora.Reinbold@akleg.gov>
Cc: colton@cboyleslaw.com; Jacqui Yeagle <Jacqui.Yeagle@akleg.gov>; Jerry Anderson <jerry.anderson@akleg.gov> **Subject:** RE: No Hearing will be scheduled

Senator Reinbold,

The Senate Subcommittee has determined that you have complied with the decision in Complaint S 21-01. Based on that determination there will be no public hearing scheduled in this matter.

Jerry D. Anderson, Administrator Select Committee on Legislative Ethics Ph. 907 269-0150
Fax 907 269-0152
Cell 907 201-0125

From: Sen. Lora Reinbold <Sen.Lora.Reinbold@akleg.gov> **Sent:** Tuesday, April 26, 2022, 3:30 PM
To: Jerry Anderson <jerry.anderson@akleg.gov>
Cc: Jacqui Yeagle <Jacqui.Yeagle@akleg.gov>

Subject: RE: No Hearing will be scheduled Jerry

Are you officially denying my due process rights to a public hearing? Are you denying access to the information of the finding of probable that is set out in statute? Are you denying my ability to go before the committee and finally be heard? My goal was to delay the entire investigation until after the court case was adjudicated, yet you chose to march forward, against my sincere request to delay. I did not want any preemptive determination to impact the active litigation against me.

What have I “complied” with? Please explain.

Senator Lora Reinbold

May 4, 2022, Letter from my Lawyer sent to ethics-informing them of pending lawsuit on

From: Jerry Anderson <jerry.anderson@akleg.gov>
Sent: Thursday, May 5, 2022, 1:22 PM
To: Sen. Lora Reinbold <Sen.Lora.Reinbold@akleg.gov>
Cc: colton@cboyleslaw.com; Jerry Anderson <jerry.anderson@akleg.gov>

Subject: No Hearing will be scheduled

This email is in response to a letter dated April 26, 2022, from Kenneth P. Jacobus, which was also faxed to the Ethics Office on May 4, 2022.

The Senate Subcommittee determined Senator Lora Reinbold has complied with the decision in Complaint S 21- 01. Based on that determination, there will be no public hearing scheduled in this matter. This complaint matter is closed.

Jerry D. Anderson, Administrator Select Committee on Legislative Ethics Ph. 907 269-0150
Fax 907 269-0152
Cell 907 201-0125

April/May 2022 my lawyer Ken Jacobus sent letters informing SCLE of a pending lawsuit and encouraged cooperation by SCLE to rectify the wrongdoings, prior to the lawsuit.

May 3-20, 2022, Definitions from Megan Wallan Director of Legislative emails to Senator Lora Reinbold That helped bring some clarity to functions of the SCLE and asked if social media was an official duty.

Senator Lora Reinbold sought help from her legislative attorneys after I was wronged by SCLE.

Emails from Megan Wallace, director of legislative legal services May 2022

Constituent **Webster’s New World Dictionary defines constituent as “a person who appoints another as his agent or representative.”**
. The Legislative Ethics Act provides that legislative resources can only be expended for a public and legislative purpose. Political issues do not have a legislative purpose.

Legislative duties include:

- **voting;**
- **speaking on a house floor or in a committee;**
- **authoring committee materials;**
- **introducing legislation; and**
- **questioning witnesses in legislative hearings**

Other states have defined legislative duties to also include:

- **gathering information for potential legislation or investigation;**
- **publishing legislative reports;**
- **drafting memorandum and documents;**
- **lobbying other legislators to enact legislation;**
- **making recommendations on executive appointments;**
- **making budgetary decisions; and**
- **denying press credentials**

The following acts are NOT considered part of legislative duties:

- **solicitation of bribes;**
- **communications with the press;**
- **communications to constituents;**
- **communications to a legislator's spouse;**
- **communications concerning enforcement of law;**
- **pressure on the executive branch;**

- **travel on legislative business;**
- **calendars and expense reports; and**
- **personnel decisions.**

Issues surrounding social media use are personal or involve communications to constituents, for which this office does not advise.

Are Ethics decisions binding? Even if I appeal, yet my appeal is denied?

If the ethics committee issues a formal decision with findings and recommendations, those recommendations are forwarded to the presiding officer of the appropriate house for further action, if necessary (See AS 24.60.174). The ethics committee does not impose sanctions directly on a member. If a member does not comply with the recommendations of the ethics committee, the member risks further complaint.

Can ethics committee write legislative policy? The chair told me they cannot but they may enforce policy as specified in law. Their directive to me is writing NEW POLICY-THIS IS WRONG.

No, the ethics committee does not write policy. The ethics committee might recommend to the legislature that certain policies be drafted or updated; but those actions are taken by the legislature, not the ethics committee. Similarly, the ethics committee might recommend to the legislature statutory changes for the legislature to consider.

What if I was made privy to confidential info by someone that was interviewed or part of the committee after or before the decision was made?

If there was a violation of the confidentiality provisions of AS 24.60.170(D), a person could file an ethics complaint against a person who improperly disclosed confidential information. This office does not assist with the filing of ethics complaints made against legislators or legislative staff. For questions on how to file an ethics complaint, see <https://ethics.akleg.gov/complaint.php>.

Megan Wallace
Legislative Legal Director

June 2, 2022, I filed the lawsuit against SCLE and indirectly Governor Dunleavy.

Fall 2022: Michael Chambers filed a similar ethics complaint against Sen Peter Micciche for blocking him from social media in which SCLE dismissed. (affidavit to be submitted upon request in discovery)

January 11, 2023, Lora received a letter from Jerry Anderson, stating that I never waived any confidentiality.

On Oct 2, 2023, I called the new ethics administrator Joyce Anderson, who was a member of SCLE at the time of the complaint. I asked if SCLE had any jurisdiction over the internet policy, Joyce agreed that the ethics does not set policy, legislative counsel does. When I asked her what SCLE thought I complied to, Joyce was unclear what I "complied" to. Ethics committee members had previously said would not define *constituent* and nor did they define *unencumbered access*. I had informed

them, if I was being accused of violating these principles, I needed definitions, so I could understand what was expected of me. (emails and transcript to be given at discovery).

Background From the Ethics complaint:

The official ethics complaint against Senator Lora Reinbold, by Rick Sinnott, who is not a constituent, raised several issues. Here are some highlights from Rick's complaint:

Rick Sinnott's complaint alleges ethics violations are only in the "finding and purpose" section of the ethics law, AS 24.60.010 (1), (9) & (6). Rick signed an oath saying one commits the crime of false accusation if the person knowingly or intentionally initiated a false complaint AS 11.56.805. In the complaint, Rick states he is no expert on ethics, on page 3 of complaint. But claims his interpretation of failure to uphold an oath of office, would appear to violate the findings section of Ethics AS 24.60.010 1) high moral standard, 2) no code of conduct can anticipate all situations 9) fair and open government requires constituents have unencumbered access to legislator about issues important to state by protecting the right of a person to petition their government.

On page 3 of the complaint: Is Lora Reinbold's Facebook page a person or government? He asks if it is sanctioned by our state government or person account set up by Senator Lora Reinbold, for her business as a public official? He alleges there is some case precedent that viewpoint discrimination can happen "solely" on viewpoint. Rick says that "all" her posts involve public policy and matter in her official capacity (however, there are many of personal posts on the page).

On page 4, number 1-6, Rick's complaint looks very similar to McDow's lawsuit.

Rick's actual complaint begins on page 4. Rick pushes the government narrative on vaccines on masks and on page 5, he says he has no facts if his comments ever existed!

On page 8, Rick states that some people have disagreed with her, and their comments have not been deleted. (there are thousands of these)

He then calls out Trump and his twitter account). Rick said he reported his complaint to the Ombudsman on Jan 26, 2021, who referred him to the SCLE/Select Committee on Legislative Ethics.

On page 10 Mr. Sinnott states he was critical of the "misinformation" and "disinformation" on my Senator Lora Reinbold page. Rick stated he set up multiple (troll) accounts to continue to inject his views. Rick makes personal attacks on me in the complaint saying I am thin skinned. Rick notably states on page 10, that some people who disagreed with Senator Lora Reinbold, have not been deleted.

On page 11 Rick wants more than simply “forcing her to unblock my account” and deserves some sort of censure. Also, on page 11 of the Ethics Complaint against Senator Lora Reinbold he goes on to say Senator Lora Reinbold posts involve conspiracy theories or disinformation promulgated by One America News, Newsmax, Breitbart, Must Read Alaska and all the sources that have been judged by independent journalists to be long on opinion short of facts.

Rick knew of intent of the page and page rules he says. He claimed to not be a troll. (However, he only had a few posts on one account and zero on the other two accounts. One of his accounts, he has an intimidating picture of werewolf hands as his profile picture. Rick is basically a troll on social media. Rick stated “respectfulness” is in the eye of the beholder and SCLE to decide if he “crossed the line”.

On page 12 of the complaint Rick stated he scrolled back 2 and ½ months and stated posts on ***her personal page are almost “identical” to those on her Senator page.***

Some of Ricks’s comments, that violated page rules, which he published on the Senator Lora Reinbold Facebook page:

To Sharon Kay: Do you have an actual source for this information other than your local witch doctor?

To: O C Madden III Thank you for responding with actual medical research. That's a novel concept on Lora's Facebook page.

LEGAL DISCUSSION

I believe I have a Constitutional and Statutory right to the judicial review of the wrongful actions taken by the Alaska Select Committee on Legislative Ethics. They crossed bright lines and clearly violated the ethics statutes and their own Rules of Procedures for implementing the Legislative Ethics Act, which will be shown below.

A judicial review is critical for the furtherance of justice. The Select Committee for Legislative Ethics was “conducting a ‘McCarthyistic’ investigation” that resulted in the finding of “probable cause” of an alleged ethics violation over an unclear, unwritten policy. The investigation usurped undelegated powers that the Alaska Legislature did not have, and powers the Alaska Constitution does not grant. In addition, their actions were **arbitrary and capricious**, for Senator Peter Micciche received an almost identical ethics complaint, in the late fall 2022. That

complaint got dismissed, even though Micciche was under new social media policy, that recommended legislators to refrain blocking people solely for viewpoint differences, that was adopted on September 30, 2022.

The SCLE proceeding themselves were based on faulty grounds. Rick Sinnott, who filed the complaint, was not a constituent for his did not vote in my senate district. The nearly 6-month investigation was a possible breach of ethics, for they did not vet the complaint even after I had informed the ethics director of serious issues with the complaint in the past, including an ombudsman complaint I had filed roughly ten years earlier, against him. The complaint is a possible/probable connection and/or retaliatory action taken by Mr. Sinnott complaint coincided with the timing of a public letter by the governor where he, without facts, alleges an ethics violation. In the end, the SCLE never proved an actual violation to the ethics law and found that no further action would be taken.

State of Alaska Legislative Ethics Act

*AS 24.60 as amended 2019. SB 89, Chapter 45 **Chapter 60. Standards of Conduct.***

1. *Purpose and Applicability (§§ 24.60.010, 24.60.020)*
2. *Standards of Conduct (§§ 24.60.030 - 24.60.115)*
3. *Legislative Ethics Committee; Opinions; Complaints (§§ 24.60.130 - 24.60.178)*

Article 1. Purpose and Applicability. Sec. 24.60.010. Legislative findings and purpose.

The legislature finds that

(1) high moral and ethical standards among public servants in the legislative branch of government are essential to assure the trust, respect, and confidence of the people of this state;

(2) a fair and open government requires that legislators and legislative employees conduct the public's business in a manner that preserves the integrity of the legislative process and avoids conflicts of interest or even appearances of conflicts of interest;

(3) the public's commitment to a part-time citizen legislature requires legislators be drawn from all parts of society and the best way to attract competent people is to acknowledge that they provide their time and energy to the state, often at substantial personal and financial sacrifice;

(4) a part-time citizen legislature implies that legislators are expected and permitted to earn outside income and that the rules governing legislators' conduct during and after leaving public service must be clear, fair, and as complete as possible; the rules, however, should not impose unreasonable or unnecessary burdens that will discourage citizens from entering or staying in government service;

(5) in order for the rules governing conduct to be respected both during and after leaving public service, the code must be administered fairly without bias or favoritism;

(6) no code of conduct, however comprehensive, can anticipate all situations in which violations may occur nor can it prescribe behaviors that are appropriate to every situation; in addition, laws and regulations regarding ethical responsibilities cannot legislate morality, eradicate corruption, or eliminate bad judgment;

(7) compliance with a code of ethics is an individual responsibility; thus all who serve the legislature have a solemn responsibility to avoid improper conduct and prevent improper behavior by colleagues and subordinates;

(8) the purpose of this chapter is to establish standards of conduct for state legislators and legislative employees and to establish the Select Committee on Legislative Ethics to consider alleged violations of this chapter and to render advisory opinions to persons affected by this chapter;

(9) a fair and open government requires that constituents have unencumbered access to legislators about issues important to the state under art. I, secs. 5 and 6, Constitution of the State of Alaska, which protect the right of a legislator and a constituent to meet and the right of a person to petition the government, and this chapter is not intended to restrict those rights.

SCLE's finding of probable cause they allege I violated subsections 2, 6 and 9 above in the **purpose and applicability** section of the ethics code.

However, my personal, private, or public comments have no state action, which gives the state nor the SCLE any oversight or power to demand relief. The complaint that the SCLE acted on, and used state resources to investigate, should not be a state or state-based action, for SCLE has no given authority over the internet. The federal government regulates the internet. The 2011 social media guidelines, adopted by Legislative Ethics were in place were being followed. The federal laws regulating the internet were being upheld.

The abuse of power, by SCLE, in its private and public statements and actions, are in fact an abuse and contradiction, of the codes they accused me of. In fact, a violation of Oath and breach of public trust are both adequate reasons to remove someone from their service position. Their actions could be federal crimes under

Color of the law (Ethics Committee), 18 U.S.C. § 242 this provision makes it a crime for someone acting under color of law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States. Defendants could be accountable for their actions under their own code.

There is nothing in my actions or statements in public that I benefited from personally, financially, or otherwise. My actions of blocking a person on social media from my page for bullying and perpetrating in writing what is now known to be misleading information, appears to be the reason they filed the complaint. Mr. Sinnott's complaint and actions of SCLE continues to interrupt and cause personal and financial harm. Their actions for violating the ethics procedures need to be addressed in the proper venue, a court of law.

The Executive branch Code of Ethics has similar principles. Code of Ethics sec. 39.52.110 the "code" as it pertains to their power of the is limited. "A code of ethics is a guide of principles designed to help professionals conduct business honestly and with integrity." It is a guideline and guideline only. However, the basis for the Governors letter and public accusations of constitutional and statutory violations, with the intent of insinuating, in public, potential criminal violations, is malicious.

In the SCLE Rules of Procedure after a decision of probable cause in section 18 complaints – the hearing procedures allow for discovery and a public hearing:(a) GENERAL:(1)A person, who is subject to charges under AS 24.60.170(h) or findings of probable cause with corrective action under AS 24.60.170(g), is entitled to a hearing in accordance with AS 24.60.170(j).

A decision of probable cause was issued December 24, 2021, against Senator Reinbold. However, I, was repeatedly denied a public hearing after I requested one, multiple times, including but not limited to Dec 24 & Dec 29, 2021, Jan 5 & Jan 13, 2022.

In addition, the ethics law states SCLE must get in writing, that the subject admitted to an ethics violation/allegation, which I did not, and given a timeline to comply, I was not given this timeline. SCLE is believed to have violated the Rules of Procedure sections underlined and other violations to law that are discussed below.

AS.24.60 Rules of Procedure Sec 17 Complaints-Decisions

(e) DETERMINATION OF PROBABLE CAUSE:

(1) If the committee finds probable cause, the committee shall issue a written decision explaining the finding of probable cause under AS 24.60.170(g). The decision shall identify the subject of the complaint and the allegations made against the subject.

(2) The committee will publicly issue a finding of probable cause under the distribution provisions outlined in (b) of this section.

(3) In cases under AS 24.60.170(g) where the committee finds probable cause of a violation and recommends corrective action(s), the following information will be included with the recommendation in the public decision:

(A) An explanation of the subject's right to request, within 20 days after receiving the decision, a confidential in-person meeting or teleconference meeting with the committee at which the committee shall explain the reasons for the decision.

(B) Requirement for the subject to submit a letter to the committee, within 20 days from the date of receipt of the public decision, either accepting the corrective actions or requesting a public hearing.

(C) If the subject accepts the recommended corrective actions, the letter must also contain a statement acknowledging the violation.

(D) Each recommended corrective action must include a date by which the action must be accomplished or a statement specifying the period of time that the corrective action remains in effect. (e.g., if the action is a commitment to file timely disclosures, the decision would include a statement "for as long as the subject serves in the legislature").

(E) The public decision must state when and how compliance with the recommendations will be reviewed. (e.g., the committee will review the status of the recommended actions by (date), or the committee authorizes the chair to review the status by (date) and to report any non-compliance to members.)

(F) The public decision may also include the statement; "If the actions have not been completed as specified, the committee may issue formal charges on the complaint".

SECTION 18 COMPLAINTS - HEARING PROCEDURES

(a) GENERAL:

(1) A person, who is subject to charges under AS 24.60.170(h) or findings of probable cause with corrective action under AS 24.60.170(g), is entitled to a hearing in accordance with AS 24.60.170(j).

(2) The intent of these procedures is to provide due process to people charged under the Ethics Law and to protect the privacy and rights of the victims, complainants and the public in the process. Every effort has been made to make these procedures consistent with and parallel to those for State Administrative Hearings pursuant to AS 44.62.330-630, Alaska Bar Rule 22 Procedure and the Commission on Judicial Conduct Rule 10 Subpoenas.

(3) These procedures are applicable to all hearings of the Select Committee on Legislative Ethics pursuant to AS 24.60.170(g)(h)(j)(m). These procedures are adopted under AS 24.60.150(a)(1).

(4) No waiver of confidentiality is required by the subject of the complaint at the public hearing stage of the complaint process.

(b) **REPRESENTATION AT HEARING:** The subject of the probable cause determination or the charge shall be entitled to be represented by counsel in all pre-hearing and hearing matters. The committee shall designate its own counsel to present the evidence supporting the violations alleged in the probable cause findings. Pursuant to AS 24.60.170(i), the committee may appoint an individual to present the case against the person charged if that individual does not provide and

has not provided legal advice to the committee except in the course of presenting cases under AS 24.60.170.

(c) COMMITTEE RESTRICTIONS:

(1) In order to assure a separation between the determination of probable cause and the hearing, committee members shall confine themselves to the evidence presented at the hearing.

(2) Following a finding of probable cause, committee members should avoid any ex parte discussions with the committee counsel, subject of the complaint, the subject's counsel and others providing information on the merits of the matter.

(d) TIMELINES:

(1) A hearing will be scheduled no sooner than 20 days and no later than 90 days from the date of service of charges or probable cause findings on the person subject to the charges unless the committee schedules a later hearing or the conditions in Committee Procedures Sec. 4(a) apply.

(2) If the complainant prevents the hearing from starting before the 90-day deadline passes and a quorum of the committee determines by vote of a majority of committee members the delay is not supported by a compelling reason or will result in the person charged being deprived of a fair hearing, the committee may dismiss the complaint with prejudice or enter some other order the committee determines is appropriate.

(3) Upon summons and notice of hearing, the person subject to the charges pursuant to AS 24.60.170(h) shall have 10 days to admit to the charges or request a hearing.

(e) DISCOVERY:

(1) The subject and/or the counsel for the subject shall have the right to reasonable discovery, under Section 19 in these Procedures.

(2) The counsel for the committee, in a manner consistent with the Alaska Civil Rules of Procedure, shall have rights of discovery and production of documents relating to the hearing once a hearing has been requested and scheduled.

(f) PRE-HEARING PROCEDURES:

(1) The committee may issue a pre-hearing order including such items as: time limits on opening statements, presentation of evidence and closing arguments and deadlines for submitting witness lists, exhibit lists and any motions raising issues resolvable prior to the beginning of the hearing. Pre-trial motions should be submitted to the committee at least one week prior to the hearing.

(2) Counsel for the committee and the person subject to charges or their counsel, are encouraged to stipulate prior to hearing, as to any matters including evidentiary matters or undisputed facts.

(g) CONDUCT OF HEARING: The hearing shall be in front of the appropriate committee of the Select Committee on Legislative Ethics and presided over by the chair of that committee.

(1) Hearing Officer:

(a) The committee may determine the need for an impartial Hearing Officer to facilitate and expedite aspects of the hearing.

(b) The committee chair shall compile a list of Hearing Officers. The list will be provided to the committee counsel and the counsel for the person charged or the person charged. The counsels or the person charged may submit recommendations to the chair for selection or disqualification of any candidates. The committee chair selection of a Hearing Officer is final.

(c) The Hearing Officer will rule on whether a witness is to appear in person or on teleconference; on admission and exclusion of evidence; advise the chair on matters of law; and control the conduct of participants and the time allotments to participants. Decisions on all procedural matters will be made by the Hearing Officer, subject to a right to appeal to the chair of the committee. The committee may overrule a determination by the Hearing Officer. The chair and the members

may question the witnesses and the person charged or ask clarifying questions of either counsel, the person charged or the hearing officer.

(2) Person Charged: The person charged shall have the right to appear personally before the committee at the hearing. The hearing will proceed with or without the appearance of the person charged.

(3) Witnesses: Both counsel or the person charged if counsel is not used, have the right to subpoena witnesses. All witnesses shall testify under oath. In the event of problems in travel arrangements, especially for witnesses not subject to subpoena; depositions or affidavits may be used in lieu of live testimony. If agreed to by both parties, a witness may participate via teleconference. The Hearing Officer will decide the issue if agreement is not reached. The opposing party must have been offered the opportunity to participate in any deposition or to refute any affidavit which is admitted.

(4) Order of Proceedings: The person charged and the committee counsel will have the opportunity to make opening and closing statements. Each party will have the right to examine and cross-examine witnesses and present evidence in his or her behalf. One opportunity for redirect for each witness will be allowed. The entire proceeding will be recorded and evidence will be secured and preserved.

(5) Decorum in the Hearing Room: All persons will be required to conduct themselves in an orderly manner consistent with courtroom protocol. Failure to do so or disruption of the hearing may result in removal from the hearing room and charges of disturbing the peace in a public place. If the person charged is disruptive, that lack of cooperation will be considered during deliberations on any sanctions recommended. Media personnel will be provided a designated place and will not be allowed to move freely throughout the hearing room.

(6) Teleconference: In the interest of the public, the proceedings of the hearing shall be teleconferenced

(h) POST-HEARING:

(1) At the end of the hearing and prior to committee deliberations, the Hearing Officer will provide to the chair, a summary of the rulings and issues unresolved. Only committee members will participate in the deliberations and those deliberations shall be confidential as required by AS 24.60.170(m).

(2) After deliberations and vote in executive session, pursuant to AS 24.60.170(f), the committee will reconvene in a public session. The motion approved in executive session stating a violation(s) of AS 24.60 based on clear and convincing evidence or a dismissal of the charge(s) will be read. The statement will include an affirmation indicating the decision was by a majority vote of the committee.

(3) Decisions will include the names of committee members in attendance and state the motion was approved by a majority vote of the committee. The committee will subsequently issue a written public decision under the distribution provisions outlined in Section 17(b).

(4) If the committee finds that a violation occurred or the subject did not cooperate, the committee will make a written recommendation of sanctions to the appropriate body of the legislature.

CAUSES OF ACTION

NEGLIGENCE Failure to Perform Known duties: against SCLE members.

Alleged violations of the law include but are not limited to, the underlined sections in AS 24.60 and Rules of Procedure cited above. The committee had the duty to follow the ethics law and accompanying procedures but negligently failed to do so. Many of the members are long term members and familiar with the ethics law and

the accompanying rules of procedure. SCLE breeched its duty in numerous ways. SCLE did not disclose specifics regarding their reasons for finding of probable cause as required by law in the private hearing on March 24, 2021. As the subject of the complaint, I did not acknowledge a violation to the ethics law, and I was not given a timeline by which the corrective action was to be completed. SCLE gave a new policy/directive that stated I was to refrain from blocking people solely for difference of opinion. I agree with this and already allowed a wide variety of opinions on my page. Nobody has stated a single viewpoint I did not allow. I strove to uphold the content neutral page rules, however, as time allowed to promote the manner restrictions. A viewpoint that was not allowed on the page has not been identified by anyone.

Negligently, I was denied early discovery a formal public hearing that I was entitled to after the probable cause decision. In addition, there was not a public decision on when and how the corrective action would be implemented as required.

SCLE simply decided I “complied” without getting the mandatory letter stating she violated and would comply, and to this date SCLE is unclear on what I complied to. There was no training in ethics about banning someone on social media which augments the negligence claim. Ethics took a major jump creating new policy were trying to enforce an ex post facto policy they illegitimately created and were enforcing it arbitrarily.

The inaccurate determination of probable cause was made by SCLE who knew Mr. Sinnott was not a constituent-yet they wrongly stated, they have probable cause against me: AS 60.21.010 (9) unencumbered access between **constituents** and legislators. However, even as a non-constituent, Mr. Sinnott had all the official ways to communicate with my office. Even after the private hearing SCLE refused to correct their unlawful actions. The proceeding itself on lawfulness in assembly for reasons given to investigate possible breach of ethics without vetting the complaint and or his background. There is a concern of possible retaliatory actions filing the ethics complaint against me, due to the complaint I filed against him years ago.

In addition, SEC 24.60.170 proceedings: if the committee finds confidentiality violations (for example Rick Sinnott shopping his complaint around, prior to it being filed) the complaint shall be dismissed. Rick Sinnott also spoke to the media, against the rules, on December 24, 2021, as shown in the timeline. I never waived confidentiality of the complaint as stated in the timeline and confirmed by Jerry Anderson in January 2023.

Plaintiff pleads the following causes of action against the Select Committee on Legislative Ethics (SCLE) for negligence:

Duty: SCLE had a duty to follow the ethics law and accompanying procedures, as established by AS 24.60 and the Rules of Procedure cited above.

Breach of Duty: SCLE negligently breached its duty by:

1. Failure to Disclose: SCLE did not disclose specifics regarding their reasons for finding probable cause, as required by law, during the private hearing on March 24, 2021.
2. Denial of Procedural Safeguards: Plaintiff was denied a formal public hearing that they were entitled to after the probable cause decision was made.
3. Denial of Discovery: Plaintiff was denied early discovery and general discovery, impeding my ability to mount an effective defense.
4. Lack of Specificity in Determination: SCLE simply decided that Plaintiff had "complied" without providing any clear explanation or documentation of what specifically Plaintiff had complied with.
5. Inaccurate Determination of Probable Cause: SCLE inaccurately determined probable cause by wrongly stating that they had probable cause against Plaintiff, even though Mr. Sinnott was not a constituent.
6. Failure to Address Confidentiality Violations: SCLE failed to address confidentiality violations, such as Plaintiff shopping the complaint around prior to filing and speaking to the media against the rules, as outlined in SEC 24.60.170.

SCLE's negligent actions were the proximate cause of harm and damage to my reputation and legal rights. I suffered harm and damages as a direct result of SCLE's negligence, including reputational damage and infringement of their legal

rights. Based on the foregoing, I request that the court find SCLE liable for negligence and award appropriate damages to compensate for the harm and damages suffered because of SCLE's negligence.

DEFAMATION against Governor Dunleavy, Jerry Anderson & SCLE members

SCLE, and Jerry Anderson released a misleading press release on December 24, 2023 (see SCLE press release exhibit). And Jerry went to the media on Christmas Eve saying "No further sanctions" are necessary, when they knew at the time, that no sanctions had been imposed, and to this date, sanctions have not been imposed. However, for sanctions to be imposed, you must be charged by committee then the legislature votes on the sanctions. SEC 24.60.174 (b) If the legislature is in session, the appropriate house shall determine the sanctions, if any, that are to be imposed. The vote shall be taken within 10 legislative days of receipt of the committee's recommendations.

The ethics report sent to me stated: no sanctions were warranted. However, the SCLE press release stated to "NO FURTHER SANCITONS"....are necessary. The inaccurate and defamatory statements by SCLE were widely publicized across the state. SCLE statements that were published were malicious. SCLE knew that no sanctions had been imposed and that sanctions could only be imposed after the legislature voted, as required by SEC 24.60.174 (b). (see exhibit 10)

Further, Governor Dunleavy's egregious letter against me on February 18, 2021, was published and/or referenced across the state: ADN, Alaska Landmine, KTUU, Must Read Alaska etc. Governor Dunleavy's false allegations accompanied by state action without any due process, created tremendous defamation to my reputation. In addition, his administration provided the letter to Alaskans for Posterity who mailed his letter out to my senate district caused IIED and Defamation. It can be assumed that this targeted mail was intended to damage my reputation. (transcript of meeting with Ak for Posterity to be supplied at discovery)

Damages: I suffered damages as a direct result of the defendants' defamatory statements and actions, including harm to my reputation, emotional distress, and other damages suffered as a direct and proximate cause of the defendants' conduct.

Based on the foregoing, I request that the court find defendants liable for defamation, award appropriate damages for the harm and damages suffered as a result of the defendants' defamatory statements and actions, and issue any other relief deemed just and proper in the circumstances.

Cause of action IIED against Mike Dunleavy, SCLE, Jerry Anderson

Governor Dunleavy's egregious letter about me, containing false unsubstantiated allegations, dated February 18, 2021, was released to the media and published broadly across the state. The letter has been the worst, most painful action taken against me, in my life. Relationships with some of my family members, colleagues and my reputation with the public were damaged after the governors' outlandish letter. Senator Mike Shower called the release of the letter a political "nuclear weapon." The significance and negative impact of the letter cannot be underestimated. Unfortunately, the governor's action, has had a lasting effect on my personal life, my government service, and my professional life. The violations to law and negative impacts caused by his actions, deserve adjudication.

The Governor's letter was nothing more than a political attack and an abuse of state resources. In addition, denying resources/executive branch members to attend the Judiciary committee meeting, was a violation of separation of powers. As a duly elected Senator, in my official position as Judiciary Chair, was exposing the violations to medical and constitutional rights, when the Governor was imposing the 18 covid mandates and multiple health alerts. The constitution allows the legislature the power of the purse. Checks and balances are identified in the constitution. The legislative branch is expected to question the administration, especially when there are gross violations to the citizens' rights. The Covid mandates were the worst constitutional violations in the history of America, according to Justice Gorsuch. Sadly, Governor Dunleavy was trying to shut down my voice, and should be held

accountable for attempting to silence opposition and be held responsible for his evident “viewpoint discrimination” while acting as the minister of truth.

Two days after I was banned on Ak Airlines, Jerry Anderson called me when I was in Tok Alaska, on **April 24, 2021**, and told me I was now under investigation. I do believe this was coordinate and harsh for he knew I had been banned. The unnecessary stress he caused at this was an IIED. He appears to be working with administration and my political opponents to coordinate efforts against me, during the ethics complaint process. Refer to the timeline including the timing of events, for at times events were closely aligned with the administration’s and/or political opponents’ actions.

Brent Cole, the ethics lawyer, wrote a legal opinion Sept 24, 2021, stating I had engaged in “misconduct” for banning someone on Facebook, referencing the McDow case. The legal opinion issued by Brent Cole, characterizing my banning of an individual on Facebook (for violation of page rules) as "misconduct," was inflammatory and an unwarranted allegation. In addition, Cole's misleading of the committee to a prolonged an inappropriate investigation against the me demonstrates intentional and reckless behavior. Additionally, the untimely release of the confidentiality letter by SCLE on March 24, 2022, further exacerbates the distress caused to me just prior to the hearing.

The McCarthy like interrogations that were conducted by Monique Rappozzi, also caused unnecessary IIED and stress to my staff and strained the relationship between me and my Chief of Staff, that continue to this day.

SCLE member Tom Begich has made egregious false gun allegations against me to leadership, causing IIED. The harmful allegations were brought up in caucus on March 10, 2021, just prior to a vote on the Senate floor upholding Covid policy. Subsequently I was punished extensively including fines, blocked from the Senator floor, escorted around by security etc. There is a conflict of interest where Tom Begich should have asked to be excused from voting, for he has taken part in biased inappropriate actions against me including voting to strip me from Judiciary Chair

and brought false allegations to leadership. (data from this incident will be provided upon request in discovery).

SCLE member David Wilson has a bias and conflict of interest against me. Senator Wilson threatened to expel me during a Health and Social Service Committee on or about April 13, 2021, approximately the same day an ethics investigation was launched against me. David inflicted IIED by voting numerous times against me, threatened to expel me, and made statements to the newspaper, all were actions of serious concern, that create doubt if his actions on the SCLE were fair and unbiased, or improper.

In addition, SCLE not only decide my motive for but impugned my motive without any input from me when SCLE alleged, I blocked him “solely” for viewpoint discrimination. SCLE made veiled threats to me in the presence of my lawyer, in the March 24, 2022, were caused IIED meeting including threats of prosecution if state resources were used inappropriately. I discovered they allowed Senator Peter Micciche the opportunity to go before ethics in executive session to explain why he had banned someone. In their decision, without any input from me, SCLE not only decided my motive but impugned my motive, which is against sections 121 and 124 of Masons’ Rules of procedure. They alleged I blocked Rick for viewpoint which was incorrect. According to Collins’ dictionary If you impugn something such as someone's motives or integrity, you imply that they are not entirely honest or honourable. In addition, legislators are not to be questioned about our motives for legislative responsibilities.

Mason's Manual of Legislative Procedure, 2010 edition, Chapter 13, Section 121 (2): "No person may indulge in personalities, impugn motives of members, use indecent or profane language, or participate in conduct that disrupts or disturbs the orderly proceedings of the body.

I seek redress for the intentional infliction of emotional distress suffered due to the actions and statements of the defendants. The conduct of Governor Dunleavy, Jerry Anderson, Brent Cole, SCLE, Monique Rappozzi, Rick Sinnott, Tom Begich, and David Wilson supports the claim of IIED. The deliberate and calculated nature of their actions warrants accountability and adjudication. By addressing the emotional

harm suffered by the plaintiff, the court will affirm the importance of upholding individuals' rights and ensuring justice is served in our legal system.

Cause of Action Against Mike Dunleavy for Violations to Executive Branch Ethics Act

Mike Dunleavy has a history taking state action, against individuals, like me, he disagrees with. Another example would be his history of firing and/or using the power of the state government to require loyalty and support his views, or else.

www.adn.com/politics/2021/10/08/federal-judge-says-gov-mike-dunleavy-and-former-chief-of-staff-violated-us-and-alaska-constitutions-with-transition-firings/.

The Executive branch ethics act

Article 02. CODE OF ETHICS

Sec. 39.52.110. Scope of code.

(a) The legislature reaffirms 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. In addition, the legislature finds that, so long as it does not interfere with the full and faithful discharge of an officer's public duties and responsibilities, this chapter does not prevent an officer from following other independent pursuits. The legislature further recognizes that...

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

(1) seek other employment or contracts through the use or attempted use of official position;

(2) accept, receive, or solicit compensation for the performance of official duties or responsibilities from a person other than the state;

(3) use state time, property, equipment, or other facilities to benefit personal or financial interests;

(4) take or withhold official action in order to affect a matter in which the public officer has a personal or financial interest;

(5) attempt to benefit a personal or financial interest through coercion of a subordinate or require another public officer to perform services for the private benefit of the public officer at any time; or

(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 a

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

(ii) political party or group;

Sec. 39.52.230. Reporting of potential violations.

A person may report to a public officer's designated supervisor, under oath and in writing, a potential violation of AS 39.52.110 - 39.52.190 by the public officer. The supervisor shall provide a copy of the report to the officer who is the subject of the report and to the attorney general and shall review the report to determine whether a violation may exist. The supervisor shall act in accordance with AS 39.52.210 or 39.52.220 if the supervisor determines that the matter may result in a violation of AS 39.52.110 - 39.52.190.

If this section of the ethics code is applied, the governor's public and personal letter provided to the media, with the violations and accusations of violations, should have been given directly to the attorney general for action. This never happened, the governor went directly to media and released the unsubstantiated accusations of misconduct to media. The Attorney General told me he had approved the letter prior to it going out, so the court is my only alternative for addressing the wrongdoing. Pay close attention to the underlined areas in the executive branch ethics law above for probable violations by the administration.

The Governor's letter is the very basis for this very personal and public attack while using the weight and power of state assets, to quash free speech of an opposing view from a sitting Senator, who disagreed with the overreaching covid mandates implemented by his administration.

Using public assets for self-gain is a state ethics violation. There is gain in the actions, especially while in a state of emergency and public federal funds are involved and dispersed by the administration. My public questions about the emergency, extension of emergency powers and restrictions of citizens personal civil liberties were part of my duties as a legislator, but the Governor used state resources striving to silence me, stating "the misinformation must end" while punishing me harshly for my view, in the public arena.

Violation of the Executive Branch Ethics Act: The evidence presented suggests that Governor Dunleavy's actions contravene the provisions of the Executive Branch Ethics Act. These violations undermine the public's trust in the government and

impede the exercise of fundamental rights, such as freedom of speech and fair employment practices.

Breach of Duty: As a public officer, Governor Dunleavy has a duty to act in the best interests of the public and to follow the laws that govern his position. The plaintiff contends that Governor Dunleavy breached this duty by engaging in the alleged violations, causing harm and detriment to individuals and the public at large. **Relief Requested:** Considering the severity of the alleged violations, the plaintiff respectfully requests the following relief: **Judicial Review:** The plaintiff seeks a thorough and impartial investigation by the appropriate authorities or the court to ascertain the veracity of the allegations and determine whether Governor Dunleavy violated the Executive Branch Ethics Act.

Disciplinary Actions: If the court determines Governor Dunleavy's guilt, the plaintiff requests the imposition of appropriate disciplinary measures. These measures should be commensurate with the gravity of the offenses committed and serve as a deterrent to prevent future misconduct.

Any Other Relief Deemed Just and Equitable: The plaintiff defers to the court's judgment in determining any additional remedies that are deemed just and equitable considering the circumstances surrounding this case.

The alleged violations of the Executive Branch Ethics Act by Governor Dunleavy have had a detrimental impact on individuals and damaged the public's trust in our government's integrity. By pursuing this cause of action, the plaintiff seeks to obtain justice, accountability, and the restoration of ethical standards within the administration.

CAUSE OF ACTION INTERFERENCE WITH A LEGAL PROCEEDING against SCLE, Jerry Anderson

AS 11.56.510 Interference with official legal proceedings in McDow case-moved forward when asked to delay until case adjudicated so could have a fair trial.

AS 11.56.510. Interference With Official Proceedings.

(a) A person commits the crime of interference with official proceedings if the person

(1) uses force on anyone, damages the property of anyone, or threatens anyone with intent to

- (A) improperly influence a witness or otherwise influence the testimony of a witness;
- (B) influence a juror's vote, opinion, decision, or other action as a juror;
- (C) retaliate against a witness or juror because of participation by the witness or juror in an official proceeding; or
- (D) otherwise affect the outcome of an official proceeding; or
- (2) confers, offers to confer, or agrees to confer a benefit
- (A) upon a witness with intent to improperly influence that witness; or
- (B) upon a juror with intent to influence the juror's vote, opinion, decision, or other action as a juror or otherwise affect the outcome of an official proceeding.
- (b) Interference with official proceedings is a class B felony.

SCLE likely violated legislative immunity and constitutional rights to privacy, when they investigated my staff, including my Chief of staff during session, for a faulty complaint, based on unclear law. SCLE's interrogation was concerning, for my Chief of staff, warned the investigator, she was concerned her interview would affect concurrent litigation. This could be construed as an intentional interference and prejudicing an official proceeding.

The Ethics case decision on many levels including going to the public on December 24, 2021, with misleading statements, has negatively impacted a fair, unbiased due process in the civil matter. The Ethics decisions has impacted my civil suit in the public arena. I asked SCLE to protect my constitutional rights of privacy and a due process. I asked them to delay action, until the McDow lawsuit had been litigated to prevent interference with an official proceeding, yet they denied my rights.

Violation of AS 11.56.510: The plaintiff asserts that SCLE, and Jerry Anderson interfered with an official legal proceeding in the McDow case by refusing to delay their actions until the case had been adjudicated. This interference undermines the plaintiff's right to a fair trial and due process.

Violation of Constitutional Rights: The plaintiff contends that SCLE violated their legislative immunity and constitutional rights to privacy by launching an investigation into their staff, including their Chief of Staff, during a legislative session based on a faulty complaint and unclear law. The plaintiff's Chief of Staff expressed concern that the investigation could affect concurrent litigation, suggesting an intentional interference and prejudice against an official proceeding.

Impact of Ethics Case Decision: The plaintiff alleges that the Ethics case decision, including the release of misleading statements to the public on December

24, 2021, has negatively impacted the fair and unbiased due process in the civil matter. The plaintiff explicitly requested SCLE to protect their constitutional rights and delay actions until the McDow lawsuit was litigated to prevent interference with an official proceeding, but their request was denied.

Based on the facts, the plaintiff asserts the following cause of action:

Interference with a Legal Proceeding: SCLE, and Jerry Anderson's refusal to delay their actions and their investigation into the plaintiff's staff during a legislative session constitute interference with an official legal proceeding in violation of AS 11.56.510. This interference compromises the plaintiff's right to a fair trial and due process.

Violation of Constitutional Rights: SCLE's investigation into the plaintiff's staff, without proper grounds, and the release of misleading statements to the public have infringed upon the plaintiff's legislative immunity and constitutional rights to privacy. These actions have further prejudiced the plaintiff's civil suit and undermined the integrity of the legal proceeding.

Relief Requested: considering the seriousness of the alleged violations, I respectfully requests the following relief: **Judicial Review:** I seek a thorough and impartial investigation by the appropriate authorities or the court to determine whether SCLE, and Jerry Anderson interfered with an official legal proceeding in violation of AS 11.56.510. This review is essential to uphold my right to a fair trial and due process.

Protection of Constitutional Rights: If the court finds merit in the claims, I request the implementation of measures to protect their legislative immunity and constitutional rights to privacy. Such actions should aim to prevent any further interference with the ongoing legal proceeding and restore confidence in the system. **Injunctive Relief:** Given the potential for ongoing interference and prejudice, the plaintiff appeals for the implementation of injunctive relief, such as restraining orders or court-ordered oversight, to ensure that SCLE, do not impede the fair adjudication of the legal proceeding.

Compensation for Damages: If it is determined that the plaintiff suffered damages because of the alleged interference, the I request compensation for any harm, including but not limited to reputational damage and hindered legal proceedings.

Any Other Relief Deemed Just and Equitable: The plaintiff defers to the court's judgment in determining any additional remedies that are deemed just and equitable considering the circumstances of this case.

The interference with a legal proceeding allegedly committed by SCLE, and Jerry Anderson has compromised my constitutional rights and undermined the fairness and due process of their civil matter. By pursuing this cause of action, the plaintiff seeks to establish accountability, protection of their rights, and a restoration of a fair and unbiased legal proceeding.

VIOLATIONS TO ALASKA CONSTITUTIONAL RIGHT TO PRIVACY & LEGISLATIVE IMMUNITY Against SCLE

The Alaska Constitution in Article 1 Section 22 states the right to privacy shall be recognized and shall not be infringed, the legislature is to implement this section. The right to privacy violations against SCLE, Brent Cole, Monique Rappozzi are clear with the ethics investigation, violations of the rules of procedure and going public with their premature decision.

Legislative immunity should have been granted rather than a broad investigation. In *Gravel v. United States*, that arose out of Senator Mike Gravel's attempt to publicize the Pentagon Papers, concerned the scope of the immunity conferred upon a legislator and his aide under article I, section 6, of the United States Constitution. "*Gravel v. United States*, 408 U.S. 606 (1972). Legislative Immunity is provided under Civil Rule12(b)(2) - Alaska Court System.

In addition, the complaint should have been dismissed due to a likely violation of confidentiality for the complaintent shopped complaint around to Ombudsman office on Jan 26, 2021. It is unknown where else the complaint was taken between January 26 and the date it was officially received in ethics on Feb 19,2021. Also, Rick

Sinnott appeared to violate the mandatory confidentiality in the ethics rules, when he spoke to the press on Dec 24, 2021.

EQUAL RIGHTS PROTECTIONS VIOLATIONS Against SCLE

The SCLE dismissed a complaint against Sen Peter Micciche in January 2023, for a very similar ethics complaint. SCLE's dismissal of the Micciche complaint was after new social media policy, that addressed blocking of individuals, was approved by legislative council , on September 30, 2022.

I was clearly denied equal protection under the law by the aggressive investigation, denial of due process, violation of rules of procedure and SCLE defamatory action, going public with their decision. SCLE's arbitrary and capricious actions taken against me, while treating others differently, are a clear violation to equal protection laws and my constitutional rights. (I have an affidavit disclosing this information from Michael Chambers available upon request)

Interestingly the connections of the complainent and the McDow civil litigation, are a near carbon copy of the ethics complaint filed against me. The accusation interestingly mirrors some of Governor Mike Dunleavy's accusations as well, however, he only used approximately six of my Facebook posts, to justify his egregious allegations.

In addition, blocking individuals on social media is common practice, that does not violate a clear law or standard of conduct. SCLE members Tom Begich and David Wilson posted that they block people for violations to their rules section on their social media pages. Qualified immunity applies when the laws are unclear and should have been applied in this ethics complaint. The complaint should have been dismissed as they did for Micciche. There is clearly a double standard. The Ethics process was a violation of my equal protection rights.

Constitutional Violations: My rights to equal protection under the law and due process were violated by the SCLE's actions, which arbitrarily and capriciously treated them differently from other legislators. Furthermore, the complaint should have been dismissed as they did for Sen Peter Micciche, and the application of

qualified immunity (unclear policy/law) was not applied, which further shows unequal treatment towards me.

Relief Requested: Considering the seriousness of the alleged violations, I respectfully request the following relief: Judicial Review: I seeks an impartial review from the court to determine whether the SCLE violated their rights to equal protection under the law and due process. This review is essential to uphold my constitutional rights.

Protection of Constitutional Rights: If the court finds merit in these claims, the plaintiff requests the implementation of measures to protect my constitutional rights to equal protection under the law and due process. Such actions should aim to restore and preserve confidence in the system.

Compensation for Damages: If it is determined that the plaintiff suffered damages because of the alleged discrimination and violation of their rights to due process, the plaintiff requests compensation for any harms suffered or losses incurred as a result. Any Other Relief Deemed Just and Equitable: The plaintiff defers to the court's judgment in determining any additional remedies that are deemed just and equitable considering the circumstances of this case.

The equal rights protections violations allegedly committed by the Select Committee for Legislative Ethics have compromised my constitutional rights to equal protection under the law and due process. By pursuing this cause of action, the I seek to establish accountability, protection of their rights, and a restoration of a fair and unbiased legal proceeding.

CAUSE OF ACTION: VIOLATIONS DUE PROCESS by SCLE, Jerry Anderson

In the ethics rules of procedure, if a public hearing is requested all documents become public. However, after I requested a public hearing, I requested important documents from the committee, but they have not provided them. My request for this information was necessary to prepare for my defence, my due process was denied once again.

Following the governor's letter and the subsequence ethics complaint, the ethics procedures were followed denying me due process. See the violations

highlighted in the ethics procedure. This is a contradiction of the legislative ethics rules themselves. If the process was followed the complaint would have and should have been dismissed. They admitted that their review of my complaint was based on a 2011 social media guideline, that was vague. I ran a limited social media forum on a private platform, the complaint could be frivolous at best, irrelevant at minimum for the social media policy that legislative council had in place had not been violated.

Alaska Constitution Article. I, § 7. Due Process
*No person shall be deprived of life, liberty, or property, without due process of law. **The right of all persons to fair and just treatment in the course of legislative and executive investigations shall not be infringed.***

However, multiple times in the ethics procedures, my due process was violated by the SCLE.

AS 24.60.010 (5) in order for the rules governing conduct to be respected both during and after leaving public service, the code must be administered fairly without bias or favoritism;

However, favoritism was clearly shown to Micciche and he was afforded an opportunity to go before the SCLE in executive session and subsequently got his complaint dismissed.

The safeguard which due process assures is not that a court may examine each factual finding to see that it is correct, or even that it is supported by substantial evidence. Rather, to review and assure that the trier of fact was an impartial tribunal, that no findings were made except on due notice and opportunity to be heard. And to ensure that the procedure was followed, and a hearing was consistent with a fair trial. The court should ensure a hearing is conducted and ensure whether the applicable rules of law and procedure were observed. I respectfully request the court adjudicate this important matter and accept this valid amended complaint in the interest of justice.

Alaska Statute AS 24.60.010(5) - Fair Administration Code: This statute mandates that the rules governing conduct must be applied fairly, without bias or favoritism.

The SCLE's failure to afford me due process rights is a violation of this requirement.

Mandatory Public Hearing: The SCLE's denial of my request for a public hearing, as provided by the legislative ethics rules, further exacerbates the violations

of due process. Denying me this opportunity undermines transparency and fairness, denying me the ability to fully present my case.

Relief Sought: Considering the aforementioned facts and legal arguments, the plaintiff respectfully seeks the following relief: Adjudication by the Court: The plaintiff requests that the court considers this amended complaint and addresses the causes of action and violations of due process presented. It is in the interest of justice to afford the plaintiff a fair proceeding and ensure compliance with established procedural rules.

Granting of Requested Relief: The plaintiff seeks an order from the court directing the SCLE to act in accordance with its statutes and rules and afford the plaintiff their due process rights, including a timely requested public hearing.

Incident Documentation: The plaintiff requests the court order the SCLE to provide all relevant documents and correspondence related to the incident, ensuring a complete and transparent record of the proceedings.

The violations of due process allegedly committed by the SCLE have significantly compromised the plaintiff's fair treatment and constitutional rights. By pursuing this amended complaint, I have diligently pled the cause of action and provided a comprehensive argument in support of their claims. I fervently advocate for justice to be upheld and for the protection of my constitutional rights.

Conclusion

I, therefore, respectfully request that this Honorable Court consider my amended complaint for defendants' violations to the ethics law and rules of procedure, defamation of character, intentional infliction of emotional distress, and other causes of action and grant the requested relief to uphold justice and protect my guaranteed constitutional rights. Please order the SCLE to act in accordance with its statutes and rules and afford me due process rights including my right to a public hearing, that was timely requested.

The Select Committee on Legislative Ethics intentionally denied my due process rights and a public hearing, in clear violation of the ethics act and the rules of procedure. In addition, they interrogated staff, hired outside counsel used against the

Senator Lora Reinbold, and intentionally took improper actions against me, finding "probable cause" for not allowing "unencumbered access" to a non-constituent, that had a known history of harassment. After violating numerous provisions in the legislative ethics act, SCLE illegitimately "closed" the case, denying the appeals process.

Prejudice and unjust consequences will prevail if my motion to amend the complaint is denied. Without thorough legal analysis may lead to unjust outcomes in the court. Such action deprives the plaintiff of the opportunity for a fair proceeding and compliance with established procedural rules. I rely on legal authorities and case law that support my position in the amended complaint. I earnestly ask this honorable court to address causes of action and the clear due process violations that are established ethics law and rules of procedure.

Prayer for Relief:

I seek damages for the loss of reputation, harm to relationships, emotional distress, and defamation of character. I seek damages for the emotional distress inflicted upon me by the defendant's intentional actions, including but not limited to embarrassment, anxiety, and humiliation. The distress I have endured has impacted my well-being. I seek compensation for the harm caused by the defendant's actions and defamatory statements, which have diminished my standing in the community and resulted in the loss of professional opportunities and government service. Civil conspiracy and tortious interference by defendants causing negative impacts to my personal and professional relationships. The defendant's defamatory statements specifically targeted my professional reputation, need to be rectified. I allege that the defendants conspired to defame my character and cause emotional distress. I seek damages for the compensatory damages to be decided by the court, as the appropriate relief for this claim.

Considering the claims and causes of action mentioned above, I respectfully request the following relief from this Honorable Court:

Compensatory damages in the total amount of \$2.5 million from Governor Mike Dunleavy, SCLE, and Jerry Anderson, to justly compensate for defamation of

character, violations to ethics law and rules of procedure, the harm to my reputation, emotional distress, loss of future employment opportunities, invasion of privacy, interference with business relations, and other damages incurred.

Punitive damages, as deemed appropriate by the Court, to hold the defendant accountable for their willful, malicious, and intentional actions aimed at damaging my reputation and causing significant emotional distress.

Injunctive relief, requiring defendants to issue a public publicized apology for their statements and actions taken inappropriately against established rules and procedures. Restrain the defendants from further disseminating false and defamatory statements about me, thus preventing further harm and damage to my reputation.

Attorneys' fees and costs associated with this litigation, as allowed by law.

Other and further relief as the Court may deem just and appropriate under the circumstances. It is my earnest belief that the damages sought be granted by this Honorable Court to rectify the harm inflicted upon me by the defendants. A just outcome is one that effectively compensates the plaintiff for their losses, ensures the defendants are held accountable for their actions, and reinforces the importance of upholding justice in our legal system.

Respectfully submitted,

November 17, 2023

/s/ Lora Reinbold

Lora Reinbold
Pro Se Plaintiff

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was served on the appropriate parties by email as follows:

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/s/ Lara Reinbold 11/17/23