

OFFICE OF THE STATE INSPECTOR GENERAL

MEMORANDUM OF RECORD

FILE NUMBER: 11-106	DATE OF ACTION: 07-11 to 10-25-2011
OIG STAFF: Wallace	DATE PREPARED: 11-02-2011
SUBJECT: Preliminary Inquiry - Closing	

OIG conducted a preliminary inquiry into complainant George Anderson's allegation that Governor Deal used his public office for personal gain. More specifically, the complaint alleged that Governor Deal had his political appointee, Patrick Millsaps, Chairman of the Georgia Government Transparency and Campaign Finance Commission, "get rid of former Executive Secretary Stacey Kalberman."

A summary of actions taken during the preliminary inquiry are outlined herein:

- Requested Chairman Millsaps provide OIG with any supporting documentation regarding the allegation; i.e., minutes from Board Meetngs, emails, memorandums, etc.
- Reviewed documentation provided by Chairman Millsaps and interviewed him. Millsaps denied the allegation and stated that Kalberman was not terminated but instead, she resigned. He added that her former Deputy, Sheryl Streicker, no longer works at the agency due to a reduction in force which occurred for budget reasons.
- Interviewed Kristin Youngquist, Director of Administration at the Secretary of State (SOS). Youngquist clarified that the Georgia Government Transparency and Campaign Finance Commission is administratively attached to SOS but that she had no authority to make changes to the agency's budget and only worked in conjunction with Kalberman when communicating on budget deadlines, etc. Youngquist had no information to support the allegation.
- Interviewed Stacey Kalberman, former Executive Secretary of the Commission, who believes the allegation is true but does not have documents from the Governor telling Millsaps to get rid o her. Kalberman provided details of her experiences at the agency during the past year as well as copies of pertinent emails and budget information. Kalberman also told OIG she had been contacted by Governor Deal's former Executive Counsel, Todd Markle, about some other employment opportunities in state government. Kalberman stated she believed

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the call occurred in an effort "to keep her quiet, basically." Kalberman provided OIG with copies of personal cell phone records reflecting the contact with Markle.

- Given that previous communication occurred between State Ethics Commission personnel and FBI, OIG discussed possible referral of case with FBI Special Agent Dan Odum, to avoid duplication of effort. FBI declined but expressed interest in reviewing file upon OIG's completion.
- Interviewed Todd Markle, former Executive Counsel to Governor Deal. Markle did not have information to support the allegation. When asked about his telephone contact with Kalberman, Markle acknowledged the contact and provided his recollection of how and why he made the call, stressing that the intent was no other than to simply offer Kalberman assistance in locating other potential state employment opportunities.
- Interviewed Senior Assistant Attorney General Stefan Ritter and Assistant Attorney General Maron Dagnew from the Georgia Department of Law, concerning their work with Kalberman and Streicker at the Commission. Neither Ritter or Dagnew had information about the allegation.
- Interviewed former Deputy Sheryl Streicker who worked for Kalberman at the Commission. Streicker stated she cannot prove it but she believes actions taken against Kalberman and her were politically motivated and that the personnel actions resulted from their work relating to the investigation pertaining to Governor Deal's campaign finances.
- Interviewed the following Commission Board Members Kevin Abernathy, Josh Belinfante, Hillary Stringfellow, and Kent Alexander. None had information to support the allegation.
- On September 5, 2011, OIG received an email from the complainant wherein he, as a member of the Ethics in Government Group, formally requested the Inspector General's recusal from his complaint against Governor Deal. The email was incorporated into the case file. However, I spoke with the IG and continued my efforts relating to the preliminary inquiry.
- Requested Governor Deal's response to the allegation and pertinent questions. Received written response for the record.

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- Reviewed the powers and duties of the commission as prescribed in Georgia statute which clearly state the commission has the power to employ an executive secretary and such additional staff as the commission deems necessary to carry out the powers delegated to the commission. Further, statute provides that the commission has the power to do any and all things necessary or convenient to enable it to perform wholly and adequately its duties and to exercise its powers.

Based on the documents reviewed and interviews conducted, no evidence was found to substantiate the allegation that Governor Deal used his public office for personal gain by "getting rid of" former Executive Secretary Stacey Kalberman from the Georgia Government Transparency and Campaign Finance Commission.

No further OIG action is warranted; therefore, the preliminary inquiry will be closed.