



4. Attach two copies of all documents or items you believe provide credible evidence to support your allegations. NRS 281A.440.2(b)(1) requires you to submit all related evidence to support your allegations. NAC 281A.435.3 defines credible evidence as a minimal level of any reliable and competent form of proof provided by witnesses, records, documents, exhibits, minutes, agendas, videotapes, photographs, concrete objects, or other similar items that would reasonably support the allegations made within the complaint. Credible evidence does not include a newspaper article or other media report if the article or report is offered by itself.

State the total number of additional pages attached (including evidence) \_\_\_\_\_.

**REQUESTOR'S INFORMATION:**

NAME: Chris Wedge	E-MAIL: cwedge67@gmail.com
ADDRESS: 2725 Everett Dr	
CITY, STATE, ZIP: Reno, Nevada 89503	
TELEPHONE	CELL PHONE: 775 750 2214

By my signature below, I do affirm that the facts set forth in the foregoing complaint and attachments thereto are true and correct to the best of my knowledge and belief and I am willing to provide sworn testimony if necessary regarding these allegations.



Signature \_\_\_\_\_  
 Print Name: Chris Wedge

092910  
 Date \_\_\_\_\_

**Please return an original signed form, two copies of the form, and three copies of the supporting documents and evidence to:**

**Executive Director  
 Nevada Commission on Ethics  
 704 W. Nye Lane, Suite 204  
 Carson City, Nevada 89703**

Ethics complaints submitted by facsimile will not be considered as properly filed with the Commission.  
NAC 281A.255.3

**TO: NEVADA ETHICS COMMISSION**  
**FROM: CHRIS WEDGE, 750-2214**  
**RE: RICHARD A. "DICK" GAMMICK**  
**CAMPAIGN**  
**DATE: OCTOBER 1, 2010**

**Witnesses**

Sharon Spangler 775 544-6043 (made video and took photos of Gammick vehicle) 775 544-6043

Chris Wedge 775-750-2215 (witnessed events at Republican Jewish Coalition)

Sherrie Powell 775 828-0827 (witnessed events at Republican Jewish Coalition and received Washoe County Business card Kelly Cusanelli)

Ross Armstrong 775 848-9871 (witnessed events at Republican Jewish Coalition)

Mark Moser 775 287-7385 a former DA employee, will confirm that the campaign website for Dick Gammick was created by the Washoe County District Attorney's IT employee. This is a violation of Washoe County Code 5.341.

**Factual Background**

On September 16, 2010, I provided this complaint to Washoe County Registrar Dan Burk. Then, on September 24 I provided additional information to him regarding the complaint. I was informed on September 27, 2010, by Mr. Burk that he had submitted this complaint to the Ethics Commission. When I queried the Commission office by phone this week, the Commission would neither confirm nor deny that this complaint existed.

Out of caution I am providing this directly to the Commission.

It is my belief that the following issues are relevant to the Commission's

mission, as that mission also pertains to Richard A. "Dick" Gammick's (hereinafter "Gammick") campaign for Washoe County District Attorney.

1. Gammick held a campaign event with the Republican Jewish Coalition at the Atlantis Casino on August 30, 2010. Gammick gave a "power point" presentation on the history of the District Attorney's Office and then took questions from the audience.

Gammick asked the audience to vote for him and encouraged them to take campaign signs.

He handed out pens which read, "Washoe County District Atty. Richard "Dick" Gammick" with the phone number (775) 328-3200. This phone number is the County given number for the office itself. These pens were clearly meant for use as hand outs for day to day office use to hand out to citizens, etc. They are not meant to be used for campaigning for office, especially since the public phone number of that office is on the pens.

These pens are a regular hand out at campaign events such as the Associated General Contractors, the Channel 5 TV event and others.

The power point presentation has been produced at County expense and has been used by Gammick in the past. The evidence indicates that the equipment was County equipment. Use of equipment appears to violate NRS 281A.400(7).

2. At the event Gammick introduced his administrative assistant, Sharon Flanery (an at-will employee) as "helping" for the evening. She ran the power point for Gammick.

Gammick also introduced Kelly Cusanelli, his office manager (and an at-will employee) as another "helper" for the evening.

Mr. Cusanelli handed out his County business card, from the District Attorney's Office, to an attendee at this August 30 event and represented himself to be "Dick Gammick's campaign manager". He wrote his personal email address on the back of the card and gave it to the attendee. A photocopy of this card is included in the package Mr. Burk says he gave to the Commission. The use of these employees violates Washoe County Code

5.341.

3. Emails have been sent out by Gammick on a regular basis from his County address.

The first is an email to Don Kaplan of the Jewish Coalition (who put on the August 30 event referenced above). This email is from the address [dammick@da.washoecounty.us](mailto:dammick@da.washoecounty.us), Gammick's personal County office email.

It is sent on Thursday, August 19, 2010, at 3:31 pm during work hours.

He also sent it to his friend Sam Shad of Nevada Newsmakers and former State Bar President Rew Goodenow, among others.

The subject matter of the email is only about the campaign.

Most troublesome is his offer to show Mr. Kaplan a confidential police report (now about 25 years old) regarding Judge Robert Perry.

As you may know, Gammick has claimed that although Judge Perry was never arrested or allowed to defend himself, Gammick has said he "used drugs". Further, several local attorneys are also undoubtedly mentioned in those reports. I am sure they would not want their names made public. Gammick tells Mr. Kaplan that this minor drug case, on which the statute of limitations ran two decades ago, is a "major case" which he keeps in a vault.

This is a blatant use of not only public equipment but public intellectual property owned and produced by the police for the sole use of responsible prosecutors in the pursuit of wrongdoers.

It is not a police report designed to be kept of decades as part of a file on citizens as J. Edgar Hoover was known to do, much to the fear of his fellow citizens.

The use of County equipment, during work hours, and the offer to disclose to a private citizen highly confidential information about a sitting judge, and other local attorneys, is beyond the pale.

This entire scenario is a clear misuse of public funds and equipment for

political gain.

Below are two examples of Gammick's course and practice of using public funds and equipment to advance his personal agenda.

Gammick used his County email (see the last page of the exhibit attached hereto) to attack his opponent, Roger Whomes, in the Lake Tahoe Bonanza Newspaper.

Another example is his July 26, 2006, letter, on District Attorney letterhead, to Ty O. Cobb, then a candidate for the Assembly. The letter is about Cobb's race against Matt Dillon. Gammick states he abhors "negative campaigning", that he has never done it and does not support it.

He then sent the letter to many powerful people, including John Madole of the AGC, Jesse Haw, Senator Raggio, Senator Townsend, Barbara Vucanovich, Matt Dillon and Mike Wurm of the Boys and Girls Club.

All of this appears to violate WCC 5.341.

4. Mark Moser, a former District Attorney Information Technology employee can inform the Commission that Gammick's campaign website listed the current District Attorney's Office IT employee as the creator of the site. Mr. Moser is at 287-7385.

5. Included is a jpeg file photo from the Republican Jewish Coalition event of August 30. This was the last slide of the power point presentation. It is of the official seal of the District Attorney's Office (with the words "truth-justice" in the center).

Gammick has placed the Disney character, Mickey Mouse, riding atop the emblem's eagle. Gammick has apparently made Mickey Mouse his office "mascot" by wearing ties with the character on them, and using the mouse on top of an official County seal.

Not only does this slide suggest that the District Attorney has a "Mickey Mouse" operation but it is a clear use of County, and thereby public, property for Gammick's political gain.

6. Included are photos of Gammick's assistant Sharon at the recent Cal v. UNR game. As you can see, Gammick campaign signs are outside by a table.

Most importantly, the vehicle is a County vehicle used by Gammick. The emergency lighting system on the inside ceiling of the grey Chevrolet are clearly visible.

Gammick is using his at-will employee to campaign at a public event while using a County vehicle. Gammick was reportedly at the game handing out the pens referenced above.

7. Included is a short DVD of Gammick at the August 30 event telling the audience to say hello to Sharon and Kelly, the employees referenced above.

8. On the evening of September 26, 2010, Bristlecone Treatment held a Candidates Forum at Hug High School. John Helzer, Assistant District Attorney, appeared at the campaign event in the stead of Gammick, who was at a fundraiser for his campaign at the Atlantis.

Helzer utilized his Washoe County District Attorney business cards, paid for at public expense, to identify himself at said event. One of the cards is attached; it was collected by Ross Armstrong who attended the event.

**From:** Gammick, Richard A. [mailto:[dgammick@da.washoecounty.us](mailto:dgammick@da.washoecounty.us)]  
**Sent:** Thursday, August 19, 2010 3:31 PM  
**To:** [donkaplan@pyramid.net](mailto:donkaplan@pyramid.net)  
**Cc:** [sam@shad.reno.nv.us](mailto:sam@shad.reno.nv.us); [jbmarketing@sbcglobal.net](mailto:jbmarketing@sbcglobal.net); [heidibasmith@charter.net](mailto:heidibasmith@charter.net);  
[ralphandvicky@yahoo.com](mailto:ralphandvicky@yahoo.com); [lyndabb@charter.net](mailto:lyndabb@charter.net); [dbuell@gbrminc.com](mailto:dbuell@gbrminc.com); [office@washoecountygop.org](mailto:office@washoecountygop.org);  
[richard@wellsgaminig.com](mailto:richard@wellsgaminig.com); [rgoodenow@mhcl-law.com](mailto:rgoodenow@mhcl-law.com); [dgammick@nvbell.net](mailto:dgammick@nvbell.net)  
**Subject:** Information

**Don,**

**Below is an example of what Roger Whomes is putting out concerning this campaign. Please note the fact that he is using "sponsored by a Republican Organization" in his rhetoric. As you are well aware he is a registered Democrat and has filed against me as a Democrat. After reading this I hope you have a better understanding as to why I am not interested in debating him.**

**As I understand it, Jim Clark, whose by line is "President of Republican Advocates, a vice chair of the Washoe County GOP and a member of the Nevada GOP Committee", approached you on behalf of Democrat Whomes to set up the debate sponsored by the Republican Jewish Coalition. Jim Clark has further been involved as the go between for you and Whomes during the time we were discussing the possibility of such a debate. During this campaign season Jim Clark has authored and had published several articles for the Tahoe Bonanza critical of me and supporting the Democrat Whomes while using his Republican positions.**

**I am a Republican, have run every time as a Republican and have been told numerous times that the Republican Party supports me in this campaign. It is not appropriate nor is it supportive to continually fight two supposedly fellow Republicans in addition to my Democrat opponent. I am still more than willing to attend a Republican Jewish Coalition meeting, present my qualifications, experience, education and ideas and answer questions from the audience on August 30, 2010 as scheduled, just as I have done with a lot of other organizations.**

**I have answered Whomes' false or misleading allegations numerous times in numerous venues. With his aversion to discussing the issues, qualifications and experience and his propensity to go negative and stay there, I have no desire to have an uncontrolled brawl with Whomes. I have faith in and respect Sam Shad since he knows the issues, the parties and is able to moderate such an event in a professional manner. I have always found him to be fair to all parties and know that he will call me on the carpet if I am out of line as he will anyone else.**

**Now to address the below allegations made again by Whomes. I told Don Kaplan on Thursday, August 12, 2010, that the debate was cancelled mainly due to who was involved and the inability to settle on a moderator. I am not aware of when that was relayed to the media.**

**The vast majority of my appearances on Nevada Newsmakers has been as one member of a panel of pundits, just in case there is some issue here.**

**Sam Shad was selected by the Board of Directors of the Washoe County Bar without any input from me. I was advised yesterday that Roger Whomes agreed to Sam Shad for that debate. Confusing?**

**The Judge Perry issue has been discussed ad nauseum and I am certain the Judge is not happy about Whomes continually raising it. If anyone would like to see the report I will be happy to show it. By the way, as covered before, we do keep major cases in vaults and the case which included the Judge was just such a case.**

**I hope that you share this with your membership so we can get on with the meeting schedule August 30. I look forward to making a presentation and answering questions for them. Have a great day. Dick**



Dick Gammick guest column: Be careful what you wish for

By Richard A. Gammick

Special to the Bonanza,

RENO, Nev. — On October 20, 2009, Jim Clark wrote a column that was critical of the Washoe County District Attorney's Office, and me in particular. Since Jim never inquired of me or anyone in this office concerning the allegations, his article was definitely one-sided as to the tax issue and the claims made by Roger Whomes.

In my 15 years as Washoe County District Attorney, I have found it is not unusual for disgruntled former employees to harbor resentment which results in half truths and exaggerations. Mr. Whomes left the office on Dec. 6, 2006, and soon afterward became a Washoe County Deputy Public Defender representing criminal defendants, a position which he still holds today. If Mr. Whomes is willing to sign a waiver of confidentiality, I will be glad to discuss the circumstances of his departure and provide even more of the rest of the story.

Over the last 10 years there have been 28 legal actions filed by property owners of Incline Village in various courts. While it is true that there is a continuing legal conflict between the Village League to Save Incline Assets, Washoe County Assessor Josh Wilson and Washoe County, I am not aware of any efforts by this office or any of our clients which have resulted in "jerking the Village League around for years."

As the attorney for Washoe County, I have an ethical and sworn obligation to give my clients the best legal advice possible, which is accomplished through a professional and dedicated staff. Incline Village taxpayers who have complied with the current laws and rules and have received a favorable ruling from a competent court have already received tax refunds. Unfortunately, several decisions and rulings have not adequately resolved many of the legal issues created by the various forms of legal filings. Those issues impact much larger areas of the law and the county. The entire legal system in this country is premised on settling issues such as this through a structured set of laws and procedures. A proper administrative appeal gives authorities the opportunity to review these procedures and correct them if necessary. On the other hand, a lawsuit makes the entire process much more formalized which necessarily incorporates all of those laws and procedures.

With respect to the employee-related lawsuit that was filed, there are former employees of the District Attorney's Office making claims against some of their supervisors. That case is currently proceeding through the legal process to determine if there is any legitimacy to their allegations. As the litigation unfolds, the rest of the story will be told there too.

As to the claim that my conduct in the Mack case was “outrageous,” I suggest that knowledge of the facts reveals how appropriate my conduct really was. On June 12, 2006, Judge Weller was shot in the chest through the window of his judicial chambers. A short time later it was discovered that Charla Mack, the wife of Darren Mack, had been slashed and murdered in Darren's residence. Darren Mack could not be located and a massive manhunt involving local, state and federal agencies began. His known death threats toward other Washoe County residents were particularly concerning. On June 19, 2006, Darren Mack telephoned me. Other law enforcement agencies traced his calls to Mexico. During subsequent telephone conversations, all of which Darren Mack initiated, he made statements confirming that he had killed Charla and shot Judge Weller. While arrangements were being made to get Mack back to Reno, he contacted attorneys and I have not spoken to him since. Later there was an issue raised as to whether a recently revised Nevada Supreme Court Rule governed the calls Mack made to me. To ensure that Mack's contact with me would not be an issue in his prosecution I asked the Clark County District Attorney's Office to take the case and it turned out I was not a witness at trial. If assisting in returning an international fugitive to Reno to face justice is “outrageous conduct,” I'll continue to be outrageous.

As to the comments concerning my family, the statement that my son “was being shielded by the district attorney's office” for his arrearages in child support is absolutely false and a figment of someone's imagination. This office does not have the case nor have I done anything to interfere with it. This leads to the same question I asked the Reno Gazette Journal — how is this private matter between my son and his ex-wife newsworthy?

Jim, here is the “rest of the story.”

By the way, Roger Whomes the self-styled “strict constructionist” and “supporter of the 2nd Amendment” is a registered Democrat as of May 12, 2009.

Richard A. Gammick is Washoe County District Attorney. He can be reached for comment at [dgammick@da.washoecounty.us](mailto:dgammick@da.washoecounty.us).

[http://www.tahoebonanza.com/apps/pbcs.dll/article?AID=/20091026/NEWS/910269992&parent\\_profile=search&template=printart](http://www.tahoebonanza.com/apps/pbcs.dll/article?AID=/20091026/NEWS/910269992&parent_profile=search&template=printart)



# Washoe County District Attorney

**RICHARD A. GAMMICK  
DISTRICT ATTORNEY**

*Jesse - FYI 336-0432*

July 26, 2006

SENT VIA FACSIMILE TO 786-1177

Ty O. Cobb  
7648 Stone Bluff Way  
Reno, NV 89523

Dear Ty:

Prior to the announcement of your candidacy for the District 26 Assembly seat, I agreed to support you. We have a longstanding relationship which is both personal and professional. This endorsement was not part and parcel agreement for me to support a negative campaign against your opponent Matt Dillon. I am in receipt of copies of your mailer, and flyers attacking Matt. I have never engaged in, nor do I support your engaging in negative campaigning.

Please immediately cease and desist using my name in any way relating to negative campaigning. This includes negative attacks on your opponent and/or any organizations that may be supporting him.

If I can be of any assistance with positive campaigning please don't hesitate to contact me.

Sincerely,

*Richard A. Gammick*  
RICHARD A. GAMMICK  
District Attorney

RAG/tlr

cc: John Madoie, Executive Director, AGC  
Jesse Haw, President, BANN  
Senator Bill Raggio  
Senator Randolph Townsend  
Barbara Vucanovich  
Matt Dillon  
Mike Warm, CPO, BGCTM

Post-It® Fax Note	7671	Date	7/26/06	Page #	1
To	Jesse Haw	From	Richard Gammick		
Co/Dept	BANN	Co	WCDA		
Phone #		Phone #			
Fax #	329-5687	Fax #	785-4587		

P.O. Box 30083, Reno, NV 89520-3083  
(775) 328-3200 Fax - Criminal 328-3844 Civil 328-3415

This fax was received by GFI FAXmaker fax server. For more information, visit <http://www.gfi.com>

QUESTIONS



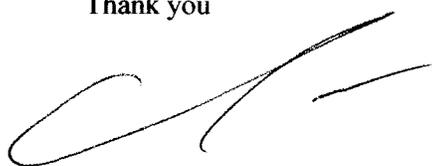
Chris Wedge  
150 Ridge Street  
Reno, Nevada 89509

Dan Burk  
Washoe County Voter Registrar  
1001 E Ninth St, Bldg A, Room 135  
Reno, Nevada 89512

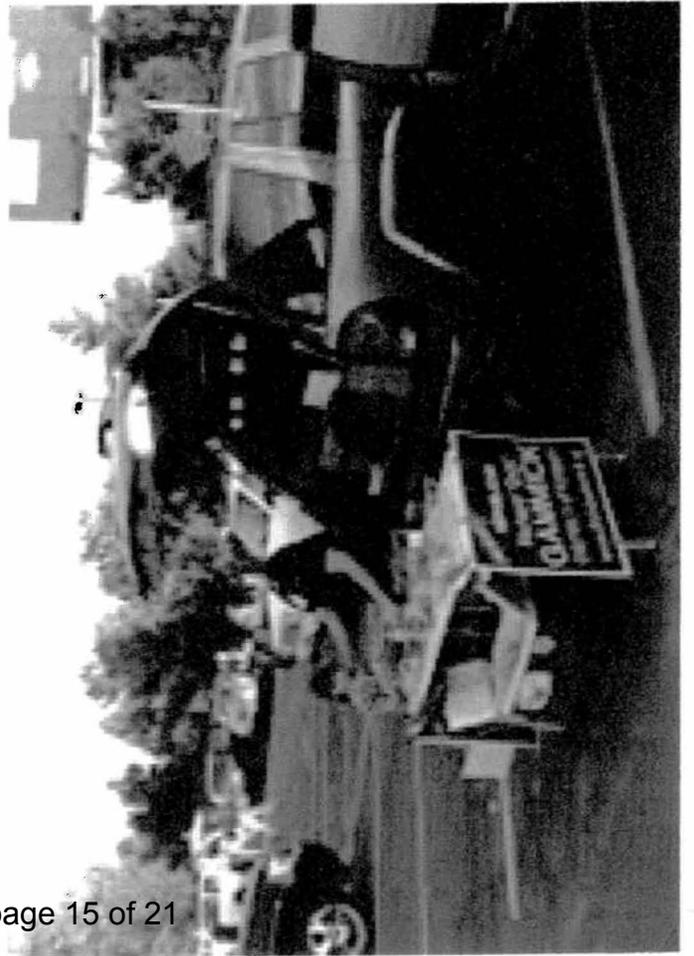
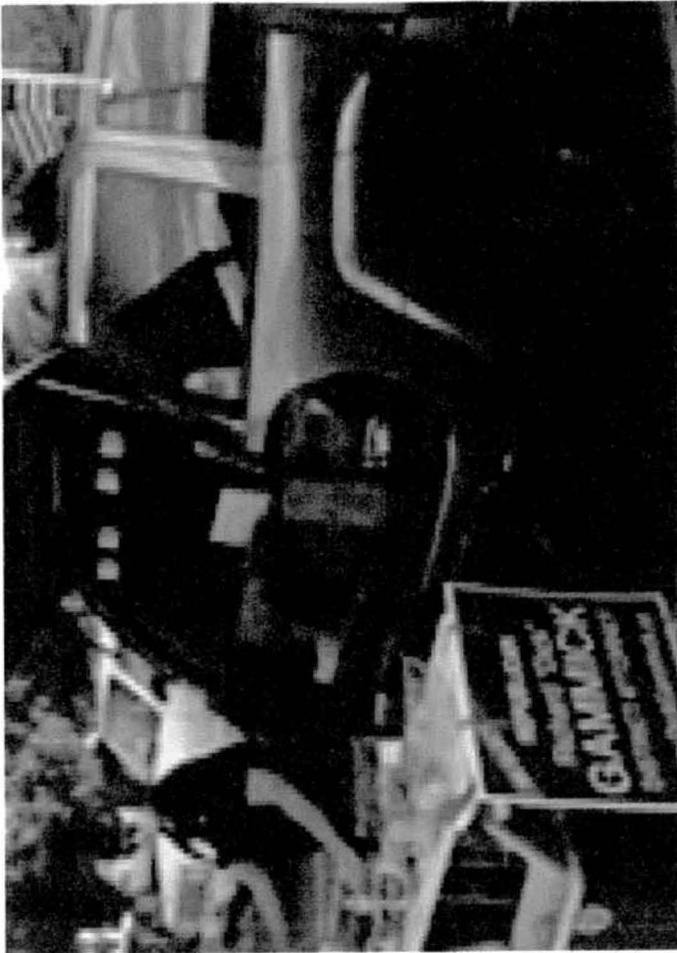
Mr. Burk,

I want to add some photos to our complaint against the District Attorney. These four photos are from tailgating in the parking lot prior to the Nevada vs. Cal game on the 17<sup>th</sup> of September. The photos show that the District Attorney is using his County Vehicle and his Secretary to Campaign. These are violations of Washoe County Code 5.341. I have included a single page with 4 different views and also included a DVD disk with all 4 photos on it.

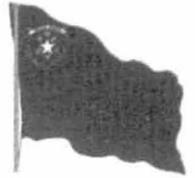
Thank you

A handwritten signature in black ink, appearing to read 'Chris Wedge', with a large, sweeping flourish at the end.

Chris Wedge



OFFICE OF THE REGISTRAR OF VOTERS  
DANIEL G. BURK, REGISTRAR



September 20, 2010

Nevada Ethics Commission

To Whom It May Concern,

The Washoe County Registrar of Voters Department has received a complaint from a Mr. Christopher Wedge of Reno alleging that, Richard Gammick, current Washoe County District Attorney and a candidate for re-election to that position, has used and is using his public office in various ways to promote his candidacy.

I have enclosed all materials forwarded to me by Mr. Wedge regarding these allegations.

If there are any question concerning this matter I can be reached at [dburk@washoecounty.us](mailto:dburk@washoecounty.us) or by phone at 775-328-3683.

Thank You,

A handwritten signature in black ink, appearing to read "Daniel G. Burk", written over a faint, larger version of the same signature.

Daniel G. Burk  
Registrar of Voters  
Washoe County, NV

Chris Wedge  
Ridge St  
Reno, Nevada 89503

R E C E I V E D

SEP 30 2007

COMMISSION  
ON ETHICS

Dan Burk  
Washoe County Voter Registrar  
1001 E Ninth St, Bldg. A, Room 135  
Reno, Nevada 89512

Mr. Burk,

It has come to my attention that the campaign of Washoe County District Attorney Richard "Dick" Gammick has run afoul of the ethics rules regarding campaigns for offices in Washoe County. I have compiled a list of breaches that I feel are worthy of your review.

- 1) During the Republican Jewish Coalition meeting of August 30 which featured Mr. Gammick, the District Attorney started out his remarks with a power point presentation that gave history of the office and some break down about how the office works. He then took questions. Most of the questions were about his policies as to this or that case and remained out of the campaign mode. However, at this same event, Dick Gammick asked for the audience to vote for him, encouraged them to take campaign signs that were available at his campaign table and he handed out pens (included) that has printed on them "Washoe County District Atty- Richard "Dick" Gammick- (775) 328-3200". These pens are a regular campaign handout and have been seen at numerous campaign events despite being intended for the official use by the DA. We believe that the power point and pens were produced at tax payer expense, and a violation of NRS 281A.400(7);
- 2) At the same event, the District Attorney introduced his Law Office Manager, Kelly Cusanelli, and a secretary in his office, Sharon, who was running his Power Point Presentation as helping for the evening. His Law Office Manager was handed out his office card (photo copy included) and claimed that he was Dick Gammick's campaign manager. It is not clear if these employees were working as county employees at the time or as campaign employees. These are violations of Washoe County Code 5.341.
- 3) There are several emails (included) that are clearly sent from his washoecounty.us email address. These include an email to Don Kaplan, head of the Republican Jewish Coalition, about the above mentioned event where he is clearly campaigning, and an email to the Tahoe Bonanza where he talks about his opponent, Roger Whomes. In addition, I have included a 2006 letter to Ty Cobb printed on official Washoe County letterhead and faxed from the Washoe County District Attorney's office. I included the last one to show that he has a pattern of disregard for campaign email protocol. These are violations of Washoe County Code 5.341.
- 4) Mark Moser, who is a former DA employee, will confirm that the campaign website for Dick Gammick was created by the Washoe County District Attorney's IT employee. Mark Moser's phone number 287-7385. This is a violation of Washoe County Code 5.341.

- 5) Also included is a print out of a jpeg file of a photo at the Republican Jewish Coalition event that was the last slide in his presentation. It is the official seal of the Washoe County District Attorney that has been modified to include the copyrighted Walt Disney character Mickey Mouse riding on the eagle's shoulders. If nothing else it would put the District Attorney's office in jeopardy of another lawsuit as well as seeming to suggest that the District Attorney's office is somewhat of a Mickey Mouse run operation.
- 6) Finally, it has come to our attention that Mr. Gammick intends to use Washoe County resources to produce 4 "Public Service Announcements" to be broadcast during the month of October. We believe the purpose of these commercials will be to promote his campaign rather than truly serve as PSAs. It is unclear if the rules allow such a use of County resources so near an election to enhance a political campaign.

|



Washoe County District Attorney

**KELLY CUSANELLI**  
Law Office Manager



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FAX 785-4587  
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Kusanelli@  
Yahoo.com



**Washoe County District Attorney**

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