

3. Check the specific provisions(s) of Nevada's Ethics in Government Law (NRS Chapter 281) you allege were violated. *(The Nevada Commission on Ethics has no jurisdiction to render an opinion regarding any other provision of the Nevada Revised Statutes.)*

- | | | |
|---|--|---|
| <input type="checkbox"/> NRS 281.481(1) | <input type="checkbox"/> NRS 281.481(6) | <input type="checkbox"/> NRS 281.491 |
| <input type="checkbox"/> NRS 281.481(2) | <input checked="" type="checkbox"/> NRS 281.481(7) | <input type="checkbox"/> NRS 281.501(2) |
| <input type="checkbox"/> NRS 281.481(3) | <input type="checkbox"/> NRS 281.481(8) | <input type="checkbox"/> NRS 281.501(4) |
| <input type="checkbox"/> NRS 281.481(4) | <input type="checkbox"/> NRS 281.481(9) | <input type="checkbox"/> NRS 281.505 |
| <input type="checkbox"/> NRS 281.481(5) | <input type="checkbox"/> NRS 281.481(10) | <input type="checkbox"/> NRS 281.553 |
| | | <input checked="" type="checkbox"/> NRS 281.554 |

4. Identify all persons who might have knowledge of the facts and circumstances you have described. Include the address and telephone number for each person.

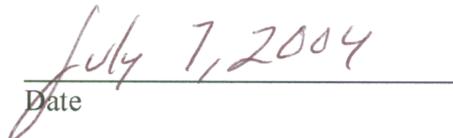
CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED.

Please see attached.

5. Attach copies of all documents you believe provide credible evidence to support your allegations. *A newspaper article or other media report is not "credible evidence" if the article or report is offered by itself without some other reliable and competent form of proof, such as witness statements, records, documents, exhibits, concrete objects, etc.*

SUBMITTED BY:


Signature


Date

Please return completed form with all supporting documents to:

**Executive Director
Nevada Commission on Ethics
3476 Executive Pointe Way, Suite 16
Carson City, Nevada 89706-7945**

**Ethics Complaint
Kathy Augustine, State Controller**

Section 2.

On January 27, 2003, former Chief Deputy Controller Jeannine Coward reported to the office of the Attorney General that during the years 2001 and 2002, State Controller Kathy Augustine directed, induced, or required a number of state employees to work hundreds of hours on Augustine's reelection campaign during state business hours. Controller Augustine also used state facilities and equipment in furtherance of her campaign purposes.

Between February, 2003 and February, 2004, investigators with the Office of the Attorney General interviewed seven former State Controller employees, State Controller Kathy Augustine, and reviewed computer evidence obtained from the State Controller's office that were provided on twelve computer floppy disks and on a backup disk from the Controller's network server. Attorney General investigators obtained and reviewed the State Controller's Policy Handbook and the Nevada State Employee's Handbook.

The following is a summary of the investigative findings generated from those interviews and document reviews.

Jennifer Normington, former Executive Assistant to the Controller

On February 24, February 27, and June 18, 2003, Attorney General Investigator Dale Liebherr interviewed Jennifer Normington. Ms. Normington was Kathy Augustine's Executive Assistant from October 4, 2001 until January 31, 2003.

Normington's official job duties, as originally told by Augustine, consisted of keeping Augustine's calendar, confirming attendance at functions, taking messages, writing letters, composing speeches and correspondence, making travel arrangements, answering phones, and other general tasks. Ms. Normington was also assigned as Office Manager.

Within approximately one month of Normington's hire, Augustine began to direct Normington to work on Augustine's reelection campaign. Beginning in approximately November of 2001, the Controller assigned Normington to create a guest list for a Republican Women's campaign function and input this data into an Excel spreadsheet. Normington was directed by Augustine to print out address labels and to design invitations for a fundraiser sponsored by a Reno-area jewelry store. Normington was directed to type and print lists of Augustine's campaign contributions for Augustine's review, and was directed to type and print Augustine's candidacy filings with the Secretary of State's Office.

Normington used state phones, a state photocopier, and her state computer to complete these tasks. Normington drafted form letters on the state computer for Augustine's campaign, entering names, addresses, and other related information, then printed the letters on campaign stationary using the State printer. Augustine directed Normington to use the State Controller's letterhead and the State fax to send campaign information to various parties. Augustine reviewed all such correspondence before Normington faxed it out. Normington worked so frequently on Augustine's campaign that her state computer had a desktop icon labeled "campaign."

All of the above described activity was conducted on state time and had a detrimental impact on Normington's official state duties. While Normington worked on the campaign she was also expected to complete her official state work, such as personnel duties, answering phones, and composing official letters for Augustine. While Augustine would tell Normington that state work had to come first, she would both explicitly and implicitly require that Normington put campaign work as her first priority. When Augustine first asked Normington to work on campaign matters, Normington asked Augustine if she should be doing the work after hours. Augustine replied, "Well, you will have to stay after 5 sometimes, but just as things happen, you know, you will close the door and you'll be on a break."

On other occasions, Augustine demanded that Normington immediately perform a campaign task, such as locating an invitation list, and instructed Normington to put official work aside for the moment. At virtually the same time, Augustine would admonish Normington that the state work had to come first. Augustine would discipline Normington for not completing official job duties, such as logging incoming checks, and then at the same time would bring campaign work to Normington and tell her to put the official work aside and update her campaign financial reports.

Normington told Augustine that the workload was excessive and she would have to take some work home. Augustine told her she did not need to take work home. Normington replied that if she did not take work home, she would be unable to complete the campaign work and her regular duties. Augustine told Normington, "Well, you have to do whatever needs to be done."

Normington was required to attend Republican Women's Club meetings during work hours. Augustine instructed Normington to inform the attendees at these meetings of up-coming Augustine fundraisers and make other announcements pertaining to Augustine's campaign. Augustine instructed Normington to take campaign literature to the functions and set them up in a display. Normington stated that she attended these functions as a representative of the Controller's office, not as a representative from the Committee to Elect Kathy Augustine.

At a 2002 campaign function, an Incline Village group hosted a candidates' night. Augustine invited Jennifer Normington, Jeannine Coward, and Sheri Valdez to attend

the function and listen to Augustine speak. This occurred on a state workday. All four went to Coward's residence near Incline Village to stuff envelopes for the campaign. According to Normington, Augustine allowed Sheri Valdez, a classified employee, to leave between 2:30 and 3 p.m. that afternoon, but allowed Valdez's time sheet to reflect she worked an eight hour day.

Normington felt obligated to do this work for Augustine. Other employees described a similar belief that assignments from Augustine were commands, not requests. For example, in assigning Normington to work on campaign finance reports, Augustine did so by approaching Normington's desk during work hours with the forms in hand and saying, "Okay, this needs to be updated."

Normington reported that Augustine had asked Deputy Controller Jim Wells to assist her with campaign finance forms. Augustine told Normington that Wells had refused to fill out the forms because he believed it was a violation of the law. From that point forward, it was Normington's belief that Jim Wells no longer enjoyed the same stature in the Controller's office.

Augustine also asked Judy Hetherington, who worked in the Las Vegas office, to be a representative at functions. Hetherington explicitly told Augustine she would only work on her campaign after 5pm or on her breaks. According to Normington, Augustine told Normington about Hetherington's statements, saying, "Unfortunately, since you are my executive assistant, we cannot do that. There's just too much work to be done."

Normington never directly confronted Augustine about working on the campaign during state time. In a general discussion of this topic, Augustine once stated, "It's the nature of the beast." Normington told Jeannine Coward of her concerns. Coward advised her to confront Augustine. Normington feared she would be fired if she questioned the Controller about doing campaign work on state time.

Normington estimated that during the 2002 year, there was hardly a day that she did not work on the campaign. At the beginning of the campaign, Normington worked three to four hours a week on campaign matters. As the election got closer, and Augustine had more fundraisers, Normington's job duties became more campaign-related. In the final months of the campaign, Normington estimates that she worked approximately thirty hours a week on Augustine's campaign during state business hours. Normington estimates that in total she devoted approximately three months, five days per week, eight hours per day assisting Augustine's campaign during work hours.

Jeannine Coward, former Assistant Controller

On March 4, 2003, Investigator Liebherr interviewed Jeannine Coward. The conversation was tape-recorded by both parties. Ms. Coward provided information that Controller Augustine had used state employees and state resources to run her campaign for re-election.

Ms. Coward was the Assistant Controller for the State of Nevada, in charge of debt collections. She gave details of her job description and that of Jennifer Normington. She stated both positions were unclassified.

Coward reported that Normington was assigned the bulk of the work in furtherance of Augustine's campaign. Coward reported that Augustine instructed Normington to draft invitations, stuff envelopes with campaign literature, maintain mailing lists for events, work out details for events, keep in touch with the hosts of the events, keep a list of those who contributed to the campaign, keep track of those who attended the events, and compute how much money was contributed at the conclusion of the events.

Coward confirmed that work on the campaign was conducted on state time. She also said when the work was not completed in time, Normington felt obligated to take the work home on the weekends. Normington told Coward she felt she could not say anything about taking the work home because, as an unclassified employee, she could be terminated.

Coward reported that Judy Hetherington, from the Controller's Las Vegas office, had also been asked to work on the campaign. Ms. Hetherington allegedly told Augustine that she would assist on her campaign, but only after hours. Coward reported that Augustine told her and Normington that this was, "...fine for Las Vegas, but that's not how it's going to happen here in the north."

Coward estimated that during the 2001 to 2002 campaign, Normington spent about 80% of her work hours working on the campaign. Coward reported that due to the amount of time Normington was spending on the campaign, Normington's supervisor, Michelle Miles, had to reassign Normington's official duties, such as completing the incoming check log.

Coward estimated that she devoted approximately 40 hours total state time to work on Augustine's campaign. Coward reported that none of the campaign work conducted during state hours was reported in employee timesheets. Coward never confronted Augustine about the inappropriateness of working on campaign issues during state time.

Coward reported that all of the documents generated throughout the campaign either by Normington or herself had been saved to the "F" drive on the Controller's

network. She also said that the electronic documents had been backed up and, at Coward's request, were being held by Forest Fox who works in the basement of the Capitol building. Coward said she asked Fox to save this data to verify the work had been completed at the office.

Jim Wells, former Chief Deputy Controller

On March 3, 2003, Investigator Liebherr conducted a telephonic interview with Jim Wells, the Chief Deputy Controller for the State of Nevada from August of 1998 to November of 2002. Mr. Wells has since resigned his position and has moved to Roanoke, Virginia. His duties as Deputy Controller were to oversee the day-to-day operations, data processing, and agency services section.

On July 30, 2002, Augustine walked into Wells's office and asked him to complete her expense report on his free time. Wells indicated the tone was more of a demand, not a request. Augustine asked him to do this during off hours. Wells reviewed the campaign expense reports at home, then returned to work and informed Augustine that he felt her request and the manner in which she made the request was inappropriate. Wells explained that he felt when Augustine asked him to work on her campaign, her requests were framed as demands.

Wells decided it was his duty as Chief Deputy to let Augustine know that her requests should not be imposed on employees as job requirements. He explained to Augustine that those who chose to work on her campaign did so because they wanted to help out, but working on the campaign during state time violated Nevada law. This communication is confirmed by emails dated August 13, 2002 between Augustine and Wells.

Wells witnessed Jennifer Normington composing mailing lists for invitations to fundraisers, logging campaign contributions, and recording RSVPs for fundraisers. When Wells went into Normington's office he saw stacks of invitations she was working on. He said he mentioned how inappropriate this was to Normington and he advised her to confront Augustine. Normington responded to him she knew it was against policy, but she felt it was a condition of her employment. Wells told Normington to formally tell Augustine this was against the policies and procedures.

Wells estimated that Normington spent more than 25% of her time over four months on the campaign.

Wells also witnessed one of his employees, Sheri Valdez, working on campaign tasks on state time. Wells immediately went to speak with Augustine and told her it was inappropriate for Valdez to do campaign work for Augustine on state time. Augustine responded that she never told Valdez to do the task on state time. Wells indicated that even after expressing his concerns, Augustine never instructed Ms. Valdez to stop her

activity and he witnessed Valdez working on campaign matters for the next several hours.

Wells indicated Augustine revised the office policy when she was elected into office. In those revisions, it specifically stated campaigning on state time is against Controller's Office policy and procedure.

Wells spoke with Jeannine Coward concerning Normington, who was doing most of the work on the campaign during state time. Wells and Normington discussed possible steps they could take to resolve Normington's concerns. Wells never confronted Augustine regarding Normington.

Sheri Valdez, Accountant Assistant III

On April 9, 2003, Investigator Liebherr interviewed Sheri Valdez. Valdez worked as an Accountant Assistant III with the Controller for approximately 18 months. Valdez confirmed she saw other employees working on the campaign during state time and that she had helped, although not always during state time. Valdez explained her job consists of performing miscellaneous jobs for the Controller. She stated that when the Controller asked her to do something, whether or not it was for the campaign, she did it.

Valdez reported that Jennifer Normington worked on the campaign daily. Normington confided in Valdez and they discussed how much time Normington spent working on the campaign. Normington mentioned she was uncomfortable doing the work, but felt obligated to do as she was told. She sensed she should not be doing campaign work on state time, but did not know if she should say something about it. Valdez and Normington also discussed that Normington was unclassified and could lose her job if she said anything. Valdez had no knowledge of whether Normington confronted Controller Augustine. Valdez never confronted the Controller.

Valdez confirmed that she attended a function with the Controller in the Tahoe area. Valdez indicated she left work for the function at approximately 4 p.m. Valdez claims she worked approximately two to four hours during state time on Augustine's 2001 - 2002 campaign.

Valdez confirmed that when Augustine assigned campaign tasks, she would sometimes say, "Be sure you do these after work." However, Valdez often could not stay after work and, even though she felt uncomfortable, she did the job during work hours because she felt it needed to be done.

Valdez reported that Deputy Controller Wells approached her while she was working on envelopes for the campaign and informed her that she was not to be working on the campaign during state time. He told Valdez he would resolve this issue with the Controller. Valdez stated she quit working on the envelopes, rubber-banded

them, returned them to the Controller, and went back to her desk. Valdez said that Augustine did not question her about it, nor did she question Augustine. Valdez said Augustine had originally brought this work to her and said, "I need these done." The Controller did not direct Valdez to do the task after hours.

Jeanine Coward also instructed Valdez not to do any more campaign work on state time. Valdez stated she saw Wells go to Augustine and tell her he wasn't going to work on the campaign. Valdez explained her decision not to confront Augustine was based on Wells's apparent failure to stop Normington from working on the campaign during work hours. Valdez believed that when Augustine asked her to do a task, either for the campaign or official state work, she should simply do it. Valdez recognized when Augustine expected a task to be done immediately. Valdez stated she never questioned Augustine; she just did her work.

Valdez reported that she was a classified employee and Normington was unclassified. Valdez stated Normington specifically told her if she confronted Augustine, then she believed she could lose her job.

Michelle Miles, Chief Accountant of Operations

On June 23, 2003, Investigator Liebherr conducted a tape-recorded interview with Michele Miles, employed as the Controller's Chief Accountant of Operations from July of 1975 through December 13, 2002. Her supervisor was Chief Deputy Controller Jim Wells.

Miles stated that Jennifer Normington was the employee most affected by Augustine's practice of having employees conduct campaign work on state time. Miles confirmed that Augustine had Normington compose letters, place phone calls, set appointments and stuff letters for the campaign.

Miles reported that Augustine had to reassign Normington's work, particularly the task of logging incoming checks, to another staff member because Normington was unable to keep up with the dual tasks of her regular workload and the campaign duties. Miles stated that Normington came to her and told her she could not keep up with the checks due to working so much on the campaign activities.

Prior to the beginning of the campaign, Miles stated she was able to use Normington for overflow work and general duties; however, during the campaign Normington was not available because she was too busy working on the campaign.

Jim Wells told Miles that he did not care to work on Augustine's campaign. After Wells related this to Augustine, it was evident to Miles that Augustine's relationship with Wells had changed.

Susan Kennedy, Executive Assistant

On August 22, 2003, Investigator Liebherr conducted an interview with Susan Kennedy in the Carson City Office of the Attorney General.

Ms. Kennedy was employed as Controller Augustine's Executive Assistant from February 14, 2000 through September 14, 2001. Kennedy worked on Augustine's campaign reports, but tried to do them after 5 p.m. Kennedy was aware she was not supposed to work on campaign matters during state time. She spoke with Assistant Controller Jeannine Coward who stated she would speak with the Controller.

Ms. Kennedy explained that one of her responsibilities was to log all of the incoming monies to the Controller's office. While performing that function, she also logged all of the donations that were coming in for Controller Augustine's campaign. Kennedy explained the checks for the campaign were made out to either "Committee to Elect" or "Kathy Augustine." She again stated she knew that doing this on state time was wrong so she tried to do them after 5pm.

Kennedy said it is written in the Controller's policy and procedures hand book and Assistant Controller Coward warned her about working on the campaign issues during work hours. Coward also told Kennedy to inform her whenever she was put into that situation.

Kennedy explained she had asked Deputy Controller Mark Weinberger to finish the campaign report and went to him because she felt she was not supposed to be working on the campaign during work hours. Kennedy also witnessed Jeannine Coward working on the campaign while on state time.

Kennedy stated that Augustine would hand her campaign work and state, "Don't do this on state time." Kennedy was not paid overtime for staying late. Kennedy estimated she worked five hours on the campaign during state time toward the end of her employment at the Controller's office.

Kathy Augustine, State Controller

On January 28, 2004, Attorney General Chief Investigator Linda Honey and Investigator Dale Liebherr met with Controller Kathy Augustine. The interview took place in Augustine's office and was attended by Deputy Attorney General Shane Chesney. During the recorded interview, Ms. Augustine was given her Miranda rights and signed a Waiver of Rights form.

Augustine explained she was her own campaign manager for her re-election campaign. She stated she knew what she was doing, and they were on a tight budget. All money raised was going into TV, radio, and billboard ads.

Augustine stated that Jennifer Normington, Jeannine Coward, and Sheri Valdez did work as volunteers in her campaign. Valdez went to Coward's house one night to stuff invitations. Valdez also worked an event on a Sunday. Augustine said Kim Becker Riggs coordinated fund-raising in Las Vegas, and Candy Bowser, Jennie Corm, and Connie Swanson volunteered.

Augustine stated she never directed or mandated anybody do anything politically oriented. She said work done by employees in her office was purely voluntary. Augustine stated she approached Jim Wells, her Chief Deputy Controller at the time, and asked him to help her prepare some of her financial contribution forms. She gave records of her contributions to Mr. Wells and asked him if he would be willing to help her with the accounting. Mr. Wells responded he was not comfortable, but asked her to leave the documents with him to review. Wells later brought the documents back and told Augustine he was "a-political" although he knew he worked for an elected official he did not feel comfortable doing this work nor did he want to participate in any political activity or affairs outside of the office.

Augustine said Jennifer Normington, her executive assistant at the time, enjoyed working on Augustine's campaign. Augustine explained that Normington was the president of Toastmaster and enjoyed public speaking. Augustine blamed Normington's involvement in Toastmasters as the reason for Normington's official work being neglected. Augustine denied that Normington's state work suffered because of the campaign duties. Augustine stated she reprimanded Normington on January 9, 2003.

Augustine acknowledged that Normington worked on her campaign during work hours. Augustine explained, "Normington was very creative. She wasn't working on the campaign as... I mean you think of a person working on a campaign sitting in an office with banners and yard signs and all of those types of things." Normington was always showing Augustine things she had created on her computer. Augustine said Normington was not asked to do it. It was voluntary and Normington would share her ideas with them.

Augustine admitted that Jeannine Coward worked on speeches during work hours. Augustine explained that Coward did the majority of her speech writing and prepared her remarks when she went to different functions. When Coward moved to the new Collection Unit, Coward no longer wrote speeches for Augustine.

Augustine acknowledged that Sheri Valdez also worked on her campaign, but denied it was on state time. Augustine acknowledged that Judy Hetherington, who worked in the Las Vegas office, complained about working on the campaign during state time. Hetherington told Augustine she did not want to work on a campaign related task. Augustine told Hetherington that was fine and did the work herself.

Augustine described a Republican's Women Club event in Incline Village on July 11, 2002. Augustine explained she picked up all the invitations and envelopes and had them in the back of her car. Augustine, Valdez, Normington, and Coward all decided they would go to the event and have a slumber party afterward at Jeannine Coward's home, which was in the area. Augustine also said she had actually paid for a couple of the individuals to attend this function. After the function they went back to Coward's home and stuffed envelopes.

Augustine acknowledged that employees attended campaign functions during work hours. She explained if they were classified employees they were not allowed to attend any events during work hours. Augustine said no one was asked to take time off work to attend. Augustine stated, "The unclassified people can come in for an hour or five, they are paid for the entire day." Augustine stated she did not know if she had created a policy regarding campaign work.

Augustine stated that Sheri Valdez left work at 5pm for the Lake Tahoe function and that the other function Valdez attended was at Ron Knecht's home on a Sunday afternoon.

Augustine attributed the complaints by her former employees to various personnel matters. For example, she stated that Normington's work problems were related to her Toastmaster activities. She stated that Coward was upset because of an office reorganization that resulted in responsibilities being taken away from Coward in the Debt Collection Unit. She stated that Michele Miles had received a poor performance review from Jim Wells.

Augustine stated "no one was paid for their services." She said the State was not paying overtime, but she did not pay anyone for campaign work at all. She stated no one was coerced, no one was forced, and it was strictly voluntary.

DOCUMENTARY AND COMPUTER EVIDENCE

Transcripts and tapes of all interviews have been retained by the Attorney General's Office.

The Attorney General's Office has retained 12 computer floppy disks, obtained from Jeannine Coward, marked as follows:

- Campaign Fundraiser (listed as #1 on the diskette)
- Campaign Fundraiser (listed as #2 on the diskette)
- Campaign Fundraiser (listed as #3 on the diskette)
- Campaign Fundraiser (listed as #4 on the diskette)
- Campaign Stationary & Press Kit Campaign Fundraiser
- Forms Submitted to the Secretary of State #2

- Campaign Mailing List #1
- Campaign Mailing List #2
- Record of Events /Record of Projects
- Campaign Speeches and Candidates Questionnaires.

These disks were analyzed by Attorney General Deputy Chief Investigator Jeannette Supera using the Encase program. The analysis of these disks confirms that many documents related to Kathy Augustine's 2002 reelection campaign were created on a state computer during state business hours. Examples of folders and documents found on the above disks include: "contributions," "stump speeches," "scripts," "PRESS KIT," "GOP Women," "Nov30-Dec2 Fundraiser," "mailing lists," "Nurses Association," "Campaign Letterhead," "August 20th Fundraiser," "August 6th Fundraiser," "Greenawalt Fundraiser," "Oct 9th Fundraiser," "July 28th Fundraiser," "June 9th Fundraiser," and "Seeking \$, etc."

Additionally, the Office of the Attorney General obtained a 250 megabyte "zip disk" downloaded from a backup of the State Controller's Novell Network server. Files and folder on the zip disk were examined by Attorney General Deputy Chief Investigator Jeanette Supera using the Encase program. The examination revealed, among others, the following documents, files, or folders created on the State computer and created or worked on during state business hours: "Contributions 8-22 THRU 10-29 new form.xls," "Invitation – RSVP.doc," "Invitation.doc," "List for Tea.xls," "List Reno Rep Women.xls," "CAMPAIGN 2002," "Lobbyists List," "Response Form," "Asian American Political Action Committee," "CONTRIBUTIONS," "Running Totals for 2002 Campaign," "CAMPAIGN LETTERHEAD," "Polling Results fax request," "Seeking Endorsement letter," "AUG 20TH FUNDRAISER," and "Kathy's WEB Site Picture."

The Attorney General's Office has retained copies from the State Controller's Employee Policy Handbook and the State Employee Handbook. The State Controller's Employee Policy Handbook states in section F, under the heading "Political Activity" that "no employee shall engage in political activity in or about the State Controller's office during the hours of state employment."

CONCLUSION

Based on the statements of the named witnesses, and evidence gathered from Controller's computer records, Kathy Augustine has committed the following willful violations of the Code of Ethical Standards:

NRS 281.481(7) – A public officer or employee, other than a member of the Legislature, shall not use governmental time, property, equipment or other facility to benefit his personal or financial interest.

State Controller Kathy Augustine willfully used governmental time and property to benefit herself in her campaign for reelection to the office of state controller. Kathy Augustine's misuse of governmental time severely interfered with the employees' performance of their public duties. Kathy Augustine committed at least 2 violations of NRS 281.481(7) as follows:

- 1) Using state employees Jennifer Normington, Jeannine Coward, Sheri Valdez, and Susan Kennedy to compile guest lists for campaign fundraisers, type campaign contribution lists, type secretary of state campaign filings, draft campaign function invitations, write campaign speeches, log campaign contributions, work on campaign mailers, and attend political fundraisers on governmental time;
- 2) Using state computers for word-processing and data storage of documents relating to her campaign, using State Controller letterhead to send campaign correspondence to various parties, using state telephones and fax machines for transmitting messages and correspondence relating to her campaign, and using state printers and labels for printing address labels for campaign mailings.

Kathy Augustine also committed numerous and on-going violations of NRS 281.554(1)(b) as follows:

NRS 281.554(1)(b) – Except as otherwise provided in subsections 4 and 5, a public officer or employee shall not request or otherwise cause a governmental entity to incur an expense or make an expenditure to support or oppose: a candidate.

- 3) State Controller Kathy Augustine willfully caused the Office of the Controller to incur expenses in support of her candidacy for State Controller. Such expenses include: salaries paid to employees while not performing official duties, office supplies such as letterhead, address labels, fax paper and other material used for creating and transmitting campaign correspondence.

**Ethics Complaint
Kathy Augustine, State Controller**

Section 4.

Jennifer Normington
1611 Quail Bar Ct
Reno, Nevada
Phone # 775-324-6684(W)
775-852-9044 (H)

Susan Kennedy
865 Washoe Dr.
Carson City, Nevada 89704
775-849-0596

Michele Miles
1312 Ashby Court
Carson City, Nevada 89701
77-882-3750

Jeannie Coward
2740 Spinnaker Dr.
Reno, Nevada 89509
775-825-2740

Jim Wells
4368 Hidden Meadow Dr.
Carson City, Nevada 89701
775- 887-9699

Forest Fox
2016 Hamilton Ave
Carson City, Nevada
775-883-0857

Sheri Valdez
1217 Stonewall
Carson City, Nevada 89701
775-888-2099

Dale Leibherr, Investigator
Nevada Attorney General's Office
100 N. Carson St.
Carson City, NV 89701
(775) 644-1100

Linda Honey, Chief of Investigations
Nevada Attorney General's Office
100 N. Carson St.
Carson City, NV 89701
(775) 644-1100

Jeanette Supera, Deputy Chief Investigator
Nevada Attorney General's Office
100 N. Carson St.
Carson City, NV 89701
(775) 644-1100