

**COMMONWEALTH OF KENTUCKY
EXECUTIVE BRANCH ETHICS COMMISSION
CASE NO. 14-022**

**IN RE: LIBERTY CAMPBELL
ALLEGED VIOLATION OF KRS CHAPTER 11A**

**INITIATING ORDER
Initiation of Administrative Proceeding
And Formal Complaint**

The Executive Branch Ethics Commission (the “Commission”), upon its own motion, initiated a preliminary investigation of Liberty Campbell (the “Respondent” or “Campbell”), pursuant to KRS 11A.080(1), on September 15, 2014.

At all relevant times the Respondent was a “public servant” as defined in KRS 11A.010(9), and thus subject to the jurisdiction of the Commission.

The Commission initiated the preliminary investigation to determine whether it has sufficient probable cause to believe the Respondent violated provisions of KRS Chapter 11A, Executive Branch Code of Ethics (also referred to herein as the “Ethics Code”).

The Commission focused its investigation upon the Respondent’s possible violation of the Ethics Code by using her influence in matters that involved a substantial conflict between her personal or private interest and her duties in the public interest; influencing a public agency in derogation of the state at large; using her official position to give her family member financial gain; using her official position to secure or create privileges, exemptions, advantages, or treatment for others in derogation of the public interest; and failing to avoid all conduct which might in any way lead members of the general public to conclude that she was using her official position to further her professional or private interest.

The Commission notified the Respondent of the preliminary investigation by letter dated July 17, 2014. During the course of the investigation, the Commission found probable cause to believe that violations of KRS Chapter 11A had occurred and voted on September 15, 2014, to initiate an administrative proceeding, pursuant to KRS 11A.080(4)(b) and KRS Chapter 13B, to determine whether the Respondent violated the Ethics Code as set forth in the Allegations of Violations, attached hereto and incorporated fully herein as Appendix A to this Initiating Order.

IT IS THEREFORE ORDERED that:

1. This Initiating Order and Appendix shall be served on the Respondent pursuant to KRS 13B.050(2) by certified mail, return receipt requested, to the last known address of the Respondent.

2. The Respondent shall file her answer to this Initiating Order within twenty (20) days from the date of service, verifying the truth and accuracy of any answer submitted.

3. The Respondent shall appear at a hearing to be scheduled by subsequent order and be prepared to defend against the Commission's allegations that she committed the Ethics Code violations set forth in the Allegation of Violations, attached hereto and incorporated fully herein as Appendix A to this Initiating Order.

4. The Commission will request the designation of a Hearing Officer by the Administrative Hearings Branch of the Office of the Attorney General, 1024 Capital Center Drive, Suite 200, Frankfort, Kentucky 40601-8204.

5. The Commission is represented by Kathryn H. Gabhart, General Counsel, and John R. Steffen, Executive Director and co-Counsel. They may be contacted through

the Commission's office at (502) 564-7954.

6. All original material shall be submitted to the Executive Branch Ethics Commission, #3 Fountain Place, Frankfort, Kentucky 40601. A copy of all materials shall be served on the designated Hearing Officer.

7. The Respondent has the right to legal counsel during this proceeding. If the Respondent retains legal counsel, that person shall file an appearance with the Commission, and thereafter all correspondence from the Commission to the Respondent shall be mailed or delivered to the Respondent's attorney.

8. The Respondent has the right to examine upon request, at least five (5) days prior to the hearing, a list of witnesses the Commission expects to call at the hearing, any evidence that will be used at the hearing and any exculpatory information in the Commission's possession.

9. The Respondent has the right to subpoena witnesses on her own behalf. If the Respondent subpoenas witnesses, she shall pay for all costs associated with the subpoenas' issuance, including any applicable witness fees.

10. If the Respondent fails to attend or participate as required at any stage of the administrative hearing process without good cause shown, she may be held in default pursuant to KRS 13B.050(3)(h).

11. The Respondent has a right to appeal any final Commission order to the Franklin Circuit Court within thirty (30) days of service.

12. This proceeding is subject to KRS Chapter 11A, the Commission's regulations, the provisions of KRS Chapter 13B, and any Order issued by the Commission or its hearing officer issued during this administrative proceeding.

So ordered this 15th day of September, 2014.

EXECUTIVE BRANCH ETHICS COMMISSION:



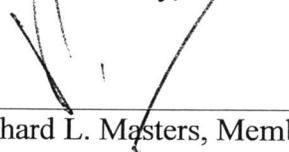
W. David Denton, Chair

abstain

William G. Francis, Vice-Chair



Lewis G. Paisley, Member



Richard L. Masters, Member

Absent

Martin E. Johnstone, Member

**APPENDIX A
CASE NO. 14-022
INITIATING ORDER**

ALLEGATION OF VIOLATIONS

The Respondent, Liberty Campbell, was at all relevant times an employee of the Commonwealth of Kentucky, serving in the Department of Corrections, the Justice and Public Safety Cabinet. As such, the Respondent was subject to the jurisdiction of the Commission. KRS 11A.010(9)(h).

During the course of its preliminary investigation, the Commission found probable cause to believe that Liberty Campbell committed the following violations:

COUNT I

Liberty Campbell, during her course of employment as Probation and Parole Officer, Department of Corrections, Justice and Public Safety Cabinet, used her influence in matters that involved a substantial conflict between her personal or private interest and her duties in the public interest; and influenced a public agency in derogation of the state at large.

Specifically, at some time between December 2011 and January 2012, Campbell used her influence to pressure an employee of the Letcher County Commonwealth Attorney's office to fraudulently issue a Grand Jury Subpoena Duces Tecum to obtain the cell phone records from Appalachian Wireless for a cell phone used by Campbell's husband to gather information she intended to use for her own personal purposes unrelated to her duties as a public servant. Furthermore, Campbell waited approximately eleven months in which to inform her supervisor of her conduct in order to conceal the improper conduct to garner the use of a Grand Jury subpoena for her personal interests, only telling her supervisor of her transgression once she believed the conduct would be revealed.

These facts constitute violations of KRS 11A.020(1)(a) and (b).

.KRS 11A.020(1)(a) and (b) provide:

- (1) No public servant, by himself or through others, shall knowingly:
 - (a) Use or attempt to use his influence in any matter which involves a substantial conflict between his personal or private interest and his duties in the public interest;
 - (b) Use or attempt to use any means to influence a public agency in derogation of the state at large . . .

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