

These facts constitute violations of KRS 11A.020(1)(a), (b), (c) and (d), KRS 11A.020(2), and KRS 11A.040(2) and (5).

KRS 11A.020(1)(a), (b), (c) and (d) 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;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

KRS 11A.040(2) and (5) provide:

- (2) A public servant shall not knowingly receive, directly or indirectly, any interest or profit arising from the use or loan of public funds in his hands or to be raised through any state agency.
- ***
- (5) A public servant shall not knowingly accept compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

COUNT XX

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his influence in a matter that involved a substantial conflict between his personal or private interest and his duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used

his official position to give himself a financial gain; used his official position to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest; failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest; received, directly or indirectly, an interest or profit arising from the use of public funds in his hands or to be raised through any state agency; and accepted compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer directed Department staff to use state resources and funds donated for the SASDA conference to purchase excessive amounts of food, candy, alcohol, and other items over and above the amount of items necessary for the registered attendants at the SASDA conference, and, after the conference ended, directed Department Staff to relinquish these extra items to his spouse who took possession of these items for Farmer's personal benefit.

These facts constitute violations of KRS 11A.020(1)(a), (b), (c) and (d), KRS 11A.020(2), and KRS 11A.040(2) and (5).

KRS 11A.020(1)(a), (b), (c) and (d) 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;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

KRS 11A.040(2) and (5) provide:

- (2) A public servant shall not knowingly receive, directly or indirectly, any interest or profit arising from the use or loan of public funds in his hands or to be raised through any state agency.

- (5) A public servant shall not knowingly accept compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

COUNT XXI

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his influence in a matter that involved a substantial conflict between his personal or private interest and his duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used his official position to give himself a financial gain; used his official position to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest; failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest; and accepted compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer used his position to solicit outside entities to donate items for the SASDA conference including alcohol, and other items meant for the registered attendants at the SASDA conference and, after the

conference ended, directed Department employees to relinquish the remainder of these items to his spouse who took possession of these items for Farmer's personal benefit.

These facts constitute violations of KRS 11A.020(1)(a), (b), (c) and (d), KRS 11A.020(2), and KRS 11A.040(5).

KRS 11A.020(1)(a), (b), (c) and (d) 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;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

KRS 11A.040(5) provides:

- (5) A public servant shall not knowingly accept compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

COUNT XXII

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his influence in a matter that involved a substantial conflict between his personal or private interest and his duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used

his official position to give himself or his family members a financial gain; used his official position to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest; and failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer used state time and resources to provide his extended family members with hotel rooms at the hotel where SASDA was held and waived registration fees for his family members to participate in the conference.

These facts constitute violations of KRS 11A.020(1)(a), (b), (c) and (d), and KRS 11A.020(2).

KRS 11A.020(1)(a), (b), (c) and (d) 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;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family;
or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

COUNT XXIII

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his influence in a matter that involved a substantial conflict between his personal or private interest and his duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used his official position to give himself a financial gain; used his official position to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest; failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest; and accepted compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer used his position to acquire, for his personal use, the hotel rewards points for a conference held by the Department that were accrued by the Department from the rooms occupied by employees and out-of-state travelers to the conference.

These facts constitute violations of KRS 11A.020(1)(a), (b), (c) and (d), KRS 11A.020(2), and KRS 11A.040(5).

KRS 11A.020(1)(a), (b), (c) and (d) 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;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment

for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

KRS 11A.040(5) provides:

- (5) A public servant shall not knowingly accept compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

COUNT XXIV

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his influence in a matter that involved a substantial conflict between his personal or private interest and his duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used his official position to give himself a financial; used his official position to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest; failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest; received, directly or indirectly, an interest or profit arising from the use of public funds in his hands or to be raised through any state agency; and accepted compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer directed Department staff, after the SASDA conference, to use state resources and donated funds devoted for the SASDA conference to purchase approximately one hundred and eleven (111) extra

watches, in excess of the approximately sixty-four (64) watches ordered as gifts for the Department employees who worked on the conference. Farmer took possession of these extra watches for his own personal benefit.

These facts constitute violations of KRS 11A.020(1)(a), (b), (c) and (d), KRS 11A.020(2), and KRS 11A.040(2) and (5).

KRS 11A.020(1)(a), (b), (c) and (d) 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;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

KRS 11A.040(2) and (5) provide:

- (2) A public servant shall not knowingly receive, directly or indirectly, any interest or profit arising from the use or loan of public funds in his hands or to be raised through any state agency.

- (5) A public servant shall not knowingly accept compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

COUNT XXV

Richard D. Farmer, II, during his course of employment as the Commissioner of

Agriculture, Department of Agriculture, used his official position to give himself and a family member a financial gain; and used his official position to secure or create privileges, exemptions, advantages, or treatment for himself and others in derogation of the public interest.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer used his position to influence a Kentucky Proud vendor, who was making wooden hats as gifts for the visiting Agriculture Commissioners attending the SASDA Conference, to make additional hats, valued at \$600 each, for free for his family members and himself, as well as wooden bowls for his family members, promising the hat maker that Farmer would give the hat maker special treatment within the Gubernatorial administration in return.

These facts constitute violations of KRS 11A.020(1)(c) and (d).

KRS 11A.020(1)(c) and (d) provide:

- (1) No public servant, by himself or through others, shall knowingly:
 - ***
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

COUNT XXVI

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his influence in a matter that involved a substantial conflict between his personal or private interest and his duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used his official position to give himself a financial; used his official position to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest; failed to avoid all conduct which might in any way lead members of the general public to

conclude that he was using his official position to further his professional or private interest; received, directly or indirectly, an interest or profit arising from the use of public funds in his hands or to be raised through any state agency; and accepted compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer used his position, on two different occasions, to direct a Department employee to use donated and purchased Kentucky Proud items to make over a dozen total gift baskets for Farmer's personal benefit. Farmer directed the employee to relinquish these gift baskets to his spouse who picked them up from the Department. The employee was required to use state time and resources, as well as her personal funds, to make these gift baskets for Farmer. On the second occasion, the Department submitted to Farmer an invoice for the cost of the gift baskets, which Farmer never paid to the Department.

These facts constitute violations of KRS 11A.020(1)(a), (b), (c) and (d), KRS 11A.020(2), and KRS 11A.040(2) and (5).

KRS 11A.020(1)(a), (b), (c) and (d) 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;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

KRS 11A.040(2) and (5) provide:

- (2) A public servant shall not knowingly receive, directly or indirectly, any interest or profit arising from the use or loan of public funds in his hands or to be raised through any state agency.

- (5) A public servant shall not knowingly accept compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

COUNT XXVII

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his influence in a matter that involved a substantial conflict between his personal or private interest and his duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used his official position to give himself a financial gain; used his official position to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest; failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest; received, directly or indirectly, an interest or profit arising from the use of public funds in his hands or to be raised through any state agency; and accepted compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer used his position to direct a Department employee to use a state Procurement Card ("ProCard") to

purchase a refrigerator that he gave to his former spouse to use at her workplace outside of state government.

These facts constitute violations of KRS 11A.020(1)(a), (b), (c) and (d), KRS 11A.020(2), and KRS 11A.040(2) and (5).

KRS 11A.020(1)(a), (b), (c) and (d) 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;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

KRS 11A.040(2) and (5) provide:

- (2) A public servant shall not knowingly receive, directly or indirectly, any interest or profit arising from the use or loan of public funds in his hands or to be raised through any state agency.

- (5) A public servant shall not knowingly accept compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

COUNT XXVIII

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his influence in a matter that involved a substantial

conflict between his personal or private interest and his duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used his official position to give himself a financial gain; used his official position to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest; failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest; received, directly or indirectly, an interest or profit arising from the use of public funds in his hands or to be raised through any state agency; and accepted compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer used his position on multiple occasions to direct Department employees to use state funds to purchase in excess of 50 shirts for his own personal benefit from a Department vendor. These shirts ranged in price from \$30 to \$78 a piece.

These facts constitute violations of KRS 11A.020(1)(a), (b), (c) and (d), KRS 11A.020(2), and KRS 11A.040(2) and (5).

KRS 11A.020(1)(a), (b), (c) and (d) 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;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

KRS 11A.040(2) and (5) provide:

- (2) A public servant shall not knowingly receive, directly or indirectly, any interest or profit arising from the use or loan of public funds in his hands or to be raised through any state agency.

- (5) A public servant shall not knowingly accept compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

COUNT XXIX

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his influence in a matter that involved a substantial conflict between his personal or private interest and his duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used his official position to give himself and a family member a financial; used his official position to secure or create privileges, exemptions, advantages, or treatment for himself and others in derogation of the public interest; failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest; received, directly or indirectly, an interest or profit arising from the use of public funds in his hands or to be raised through any state agency; and accepted compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer used his position to direct Department employees to deliver to his home three laptop computers that had

been purchased by the Department for the use of three Department employees. Farmer gave these computers to his then current spouse and children for their personal use and benefit. Farmer directed a Department employee to install software on one of the laptops for Farmer's then current wife's direct sales business.

These facts constitute violations of KRS 11A.020(1)(a), (b), (c) and (d), KRS 11A.020(2), and KRS 11A.040(2) and (5).

KRS 11A.020(1)(a), (b), (c) and (d) 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;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

KRS 11A.040(2) and (5) provide:

- (2) A public servant shall not knowingly receive, directly or indirectly, any interest or profit arising from the use or loan of public funds in his hands or to be raised through any state agency.

- (5) A public servant shall not knowingly accept compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

COUNT XXX

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his influence in a matter that involved a substantial conflict between his personal or private interest and his duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used his official position to give himself a financial gain; used his official position to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest; failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest; received, directly or indirectly, an interest or profit arising from the use of public funds in his hands or to be raised through any state agency; and accepted compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer used his position to direct Department employees to purchase filing cabinets in excess of \$600 with locks, which were delivered to his home. These filing cabinets were never returned to the Department after Farmer's term in office was complete.

These facts constitute violations of KRS 11A.020(1)(a), (b), (c) and (d), KRS 11A.020(2), and KRS 11A.040(2) and (5).

KRS 11A.020(1)(a), (b), (c) and (d) 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;

- (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
- (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

KRS 11A.040(2) and (5) provide:

- (2) A public servant shall not knowingly receive, directly or indirectly, any interest or profit arising from the use or loan of public funds in his hands or to be raised through any state agency.

- (5) A public servant shall not knowingly accept compensation, other than that provided by law for public servants, for performance of his official duties without the prior approval of the commission.

COUNT XXXI

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest; and failed to report on his Statement of Financial Disclosure gifts valued at over \$200 that he had received during a calendar year.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer received gifts when he attended annual SASDA conferences. Farmer also received gifts he solicited from Kentucky Proud vendors. Some of the gifts Farmer received included a wooden cowboy hat with the Kentucky Proud Logo, valued at \$1200-\$1500, and a firearm, priced at \$449, from attending the 2008 SASDA conference in Kentucky, as well as a wooden "UK" baseball cap,

valued at \$1200-\$1500, and wooden hat stand with "32" engraving, valued at \$250, from a Kentucky Proud vendor. Farmer failed to report receiving any gifts in excess of \$200 dollars in a given year on his Statements of Financial Disclosure filed with the Executive Branch Ethics Commission during each of his eight years in office.

These facts constitute violations of KRS 11A.020(2) and KRS 11A.050.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

KRS 11A.050 provides:

- (1) Each officer, each public servant listed in KRS 11A.010(9)(a) to (g), and each candidate shall file a statement of financial disclosure with the commission, as follows:
 - (a) Each officer and each public servant listed in KRS 11A.010(9)(a) to (g) who occupies his position during any portion of a calendar year shall file the statement for that portion of the calendar year he occupied the position on or before April 15 of the following year, whether or not he remains an officer or public servant as listed in KRS 11A.010(9)(a) to (g).

- (3) The statement shall include the following information for the preceding calendar year:

 - (k) Sources, including each source's name and address, of gifts of money or property with a retail value of more than two hundred dollars (\$200) from any one (1) source to the filer, his spouse, or dependent children, except those from a member of the filer's family.

COUNT XXXII

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his

professional or private interest; and failed to report on his Statement of Financial Disclosure sources of income over \$1000 that he had received during a calendar year.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer received complimentary tickets for various functions through his position as Commissioner, including, but not limited to, tickets to the Kentucky Oaks and Derby, the Sweet Sixteen tournament, and events held at the Kentucky Exposition Center. Farmer oftentimes sold these tickets for an amount greatly exceeding the face value of the ticket, and in the case of the Derby tickets, received in excess of \$1000 for these tickets. Farmer failed to report receiving these sources of income beyond his salary as Commissioner on his Statements of Financial Disclosure filed with the Executive Branch Ethics Commission during each of his eight years in office.

These facts constitute violations of KRS 11A.020(2) and KRS 11A.050.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

KRS 11A.050 provides:

- (1) Each officer, each public servant listed in KRS 11A.010(9)(a) to (g), and each candidate shall file a statement of financial disclosure with the commission, as follows:
 - (a) Each officer and each public servant listed in KRS 11A.010(9)(a) to (g) who occupies his position during any portion of a calendar year shall file the statement for that portion of the calendar year he occupied the position on or before April 15 of the following year, whether or not he remains an officer or public servant as listed in KRS 11A.010(9)(a) to (g).

- (3) The statement shall include the following information for the preceding calendar year:

 - (f) The name and address of any source of gross income exceeding one thousand dollars (\$1000) from any one (1)

source to the filer, his spouse, or dependent child, as well as information concerning the nature of the business, and the form of the income.

COUNT XXXIII

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest; and failed to properly file a Statement of Financial Disclosure with the Executive Branch Ethics Commission for the 2011 calendar year.

Specifically, Farmer failed to file a timely and complete 2011 Statement of Financial Disclosure within the time period required by statute for calendar year 2011 during which he served as the Commissioner of Agriculture. Farmer belatedly filed an incomplete 2011 Statement of Financial Disclosure with the Commission on June 15, 2012, in which he failed to properly respond to the request concerning disclosure of any gifts valuing over two hundred dollars (\$200) received during the calendar year and the request concerning disclosure of any business opportunity, investment opportunity, or other benefit, tangible or intangible, Farmer or his family members received that may reasonably be construed as being offered in return for favorable treatment or any other benefit, tangible or intangible, from state government during the calendar year.

These facts constitute a violation of KRS 11A.020(2) and KRS 11A.050 (1), (2), and (3).

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

KRS 11A.050 (1), (2), and (3) provide:

- (1) Each officer, each public servant listed in KRS 11A.010(9)(a) to (g), and each candidate shall file a statement of financial disclosure with the commission, as follows:
 - (a) Each officer and each public servant listed in KRS 11A.010(9)(a) to (g) who occupies his position during any portion of a calendar year shall file the statement for that portion of the calendar year he occupied the position on or before April 15 of the following year, whether or not he remains an officer or public servant as listed in KRS 11A.010(9)(a) to (g).
 - (b) Each officer and public servant listed in KRS 11A.010(9)(a) to (g) who does not remain an officer or public servant listed in KRS 11A.010(9)(a) to (g) for the entire calendar year shall file the statement for the portion of the calendar year that the person served as an officer or public servant listed in KRS 11A.010(9)(a) to (g). The statement shall be filed with the commission within thirty (30) days after the date the person no longer serves as an officer or public servant listed in KRS 11A.010(9)(a) to (g).
 - (c) A candidate shall file the statement reflecting the previous calendar year with the commission no later than February 15.
- (2) The statement of financial disclosure shall be filed on a form prescribed by the commission. The commission shall provide copies of the form upon request without charge.
- (3) The statement shall include the following information for the preceding calendar year:
 - (a) Name and entire residential and business address of filer;
 - (b) Title of position or office whereby filing is required;
 - (c) Any other occupations of filer and spouse;
 - (d) Positions held by the filer or his spouse in any business, and the name and address of the business;
 - (e) Names and addresses of all businesses in which the filer, his spouse, or dependent children has or had an interest of ten thousand dollars (\$10,000) at fair market value or five percent (5%) ownership interest or more;
 - (f) The name and address of any source of gross income exceeding one thousand dollars (\$1,000) from any one (1) source to the filer, his spouse, or dependent child, as well as information concerning the nature of the business, and the form of the income;
 - (g) Sources of retainers received by the filer or his spouse relating to matters of the state agency for which the filer works or supervises or of any other entity of state government for which the filer would serve in a decision-making capacity, including each source's name and address;

- (h) Any representation or intervention for compensation by the filer or his spouse for any person or business before a state agency for which the filer works or supervises or before any entity of state government for which the filer would serve in a decision-making capacity, including the name and address of the person or business;
- (i) All positions of a fiduciary nature held by the filer or his spouse in a business, including the name and address of the business;
- (j) Information, including a street address or location, regarding any real property in which there is an interest of ten thousand dollars (\$10,000) or more held by the filer, his spouse, or dependent children;
- (k) Sources, including each source's name and address, of gifts of money or property with a retail value of more than two hundred dollars (\$200) from any one (1) source to the filer, his spouse, or dependent children, except those from a member of the filer's family; and
- (l) Identity, including an address, of creditors owed more than ten thousand dollars (\$10,000), except debts arising from the purchase of consumer goods.

Paragraphs (a) to (l) of this subsection shall not require disclosure of specific dollar amounts or of privileged information.

COUNT XXXIV

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his influence in a matter that involved a substantial conflict between his personal or private interest and his duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used his official position to secure or create privileges, exemptions, advantages, or treatment for himself and others in derogation of the public interest; and failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer interfered with the Department's grant-giving process by instructing Department employees to award the

remainder of outstanding grant money to a grantee, which was a business managed by a former University of Kentucky basketball player, that was not performing according to the terms of the grant agreement.

These facts constitute violations of KRS 11A.020(1)(a), (b), and (d), and KRS 11A.020(2).

KRS 11A.020(1)(a), (b), and (d) 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;

 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

COUNT XXXV

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his official position to give himself a financial gain; used his official position to secure or create privileges, exemptions, advantages, or treatment for himself in derogation of the public interest; and failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer used his position to influence a private business to give him two all-terrain vehicles for his personal use in exchange for the promise of grant money from the Department.

These facts constitute violations of KRS 11A.020(1)(c) and (d), and KRS 11A.020(2).

KRS 11A.020(1)(c) and (d) provide:

(1) No public servant, by himself or through others, shall knowingly:

- (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
- (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

COUNT XXXVI

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his official position to give a family member a financial gain; used his official position to secure or create privileges, exemptions, advantages, or treatment for others in derogation of the public interest; and failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer used his position to influence a private business to give his father one all-terrain vehicle for his personal use in exchange for the promise of grant money from the Department.

These facts constitute violations of KRS 11A.020(1)(c) and (d), and KRS 11A.020(2).

KRS 11A.020(1)(c) and (d) provide:

(1) No public servant, by himself or through others, shall knowingly:

- (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
- (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

COUNT XXXVII

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his influence in a matter that involved a substantial conflict between his personal or private interest and his duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used his official position to give himself and a family member a financial gain; used his official position to secure or create privileges, exemptions, advantages, or treatment for himself and others in derogation of the public interest; and failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer used his position to attempt to influence employees of the Department to grant a for-profit business state

funds in the form of grant money as compensation for three all-terrain vehicles that the business had given Farmer for his and his father's personal use.

These facts constitute violations of KRS 11A.020(1)(a), (b), (c) and (d), and KRS 11A.020(2).

KRS 11A.020(1)(a), (b), (c) and (d) 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;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

COUNT XXXVIII

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his influence in a matter that involved a substantial conflict between his personal or private interest and his duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used his official position to give a family member a financial gain; used his official position to secure or create privileges, exemptions, advantages, or treatment for others in derogation of the public interest; and failed to avoid all conduct which might in any way lead members of the general

public to conclude that he was using his official position to further his professional or private interest.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer used his position to influence his Department to use \$20,000 in Kentucky Proud funds to sponsor a racing team owned by a member of his family.

These facts constitute violations of KRS 11A.020(1)(a), (b), (c) and (d), and KRS 11A.020(2).

KRS 11A.020(1)(a), (b), (c) and (d) 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;
 - (c) Use his official position or office to obtain financial gain for himself or any members of the public servant's family; or
 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

COUNT XXXIX

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his influence in a matter that involved a substantial conflict between his personal or private interest and his duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; used

or attempted to use any means to influence a public agency in derogation of the state at large; and used his official position to secure or create privileges, exemptions, advantages, or treatment for others in derogation of the public interest.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer used his position to influence Department management personnel to give an employee, who was a Department inspector and an extended family member of Farmer, a vehicle without a GPS unit despite the employee's supervisor showing Farmer evidence that this employee had tampered with his GPS unit on multiple occasions and was using his Department vehicle for his personal business and otherwise failing to perform his job duties.

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

KRS 11A.020(1)(a), (b), and (d) 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;

 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

COUNT XL

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used or attempted to use any means to influence a public agency in derogation of the state at large; and failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer submitted to the

Kentucky Registry of Election Finance (“the Registry”), in response to an audit being conducted by the Registry of Farmer’s campaign account for his second bid for Commissioner, copies of receipts that were not his own, but were incurred by his family member who was a current employee of the Registry, which had been used by Farmer to gain reimbursement for himself from his campaign account in derogation of the state at large. The receipts were for gas and food expenses incurred by Farmer’s family member on her personal time and not by Farmer for any campaign-related expenses.

These facts constitute violations of KRS 11A.020(1)(b) and KRS 11A.020(2).

KRS 11A.020(1)(b) provides:

- (1) No public servant, by himself or through others, shall knowingly:
 - (b) Use or attempt to use any means to influence a public agency in derogation of the state at large;

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

COUNT XLI

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used or attempted to use any means to influence a public agency in derogation of the state at large; and failed to avoid all conduct which might in any way lead members of the general public to conclude that he was using his official position to further his professional or private interest.

Specifically, during his tenure as the Commissioner of Agriculture, Farmer submitted to the Registry, in response to an audit being conducted by the Registry of Farmer’s campaign account for his second bid for Commissioner, a letter, that he knew had been drafted by his

family member who was a current employee of the Registry, which was misleading concerning the legitimacy of his campaign reimbursements and in derogation of the state at large.

These facts constitute violations of KRS 11A.020(1)(b) and KRS 11A.020(2).

KRS 11A.020(1)(b) provides:

- (1) No public servant, by himself or through others, shall knowingly:
 - (b) Use or attempt to use any means to influence a public agency in derogation of the state at large;

KRS 11A.020(2) provides:

- (2) If a public servant appears before a state agency, he shall avoid all conduct which might in any way lead members of the general public to conclude that he is using his official position to further his professional or private interest.

COUNT XLII

Richard D. Farmer, II, during his course of employment as the Commissioner of Agriculture, Department of Agriculture, used his influence in a matter that involved a substantial conflict between his personal or private interest and his duties in the public interest; used or attempted to use any means to influence a public agency in derogation of the state at large; and used his official position to secure or create privileges, exemptions, advantages, or treatment for himself and others in derogation of the public interest.

Specifically, during November and December 2011, Farmer influenced the Department to hire an individual with whom he had an ongoing intimate relationship and placed her under Farmer's direct supervision. This individual was placed into a position with a significantly higher salary than the previous holder of the position. Farmer allowed this individual to claim work time without the individual actually performing work-related activities for the Department. Farmer allowed this individual to continue to falsely claim work time over a six-week interval over the objection of management within the Department. Farmer directed management to sign timesheets for this individual even though Farmer and management had knowledge that she was

not performing state work during the time claimed on her timesheets and was not present at her assigned work station for long intervals during which she claimed state time on her timesheets.

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

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

- (1) No public servant, by himself or through others, shall knowingly:
 - (a) Use his influence in a matter that involved 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; or

 - (d) Use or attempt to use his official position to secure or create privileges, exemptions, advantages, or treatment for himself or others in derogation of the public interest at large.

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