

1
2 STATE OF ALASKA
OFFICE OF THE ATTORNEY GENERAL

3 In the Investigation of:)
4)
5 Randolph A. Ruedrich,)
A former public official)
6)
7)
8)
Attorney General File No. 665-04-0060

9 STIPULATION TO SETTLE ETHICS ACT COMPLAINT

10 A. Introduction

11
12 Mr. Ruedrich was appointed to serve as a commissioner of the Alaska Oil and Gas
13 Conservation Commission (AOGCC) beginning on February 18, 2003. He served in that
14 position from February 18, 2003 until November 7, 2003. During this same time period,
15 Mr. Ruedrich served as the voluntary chairman of the Republican Party of Alaska.

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17 On November 4, 2003, the Office of the Attorney General initiated a preliminary
18 investigation into allegations of misconduct by Mr. Ruedrich under the Executive Branch
19 Ethics Act, AS 39.52. The investigation culminated in the service of a complaint on Mr.
20 Ruedrich on February 27, 2004. The complaint alleged four violations of the Ethics Act,
21 one count of misuse of official position for using state facilities and equipment for partisan
22 political activity in violation of AS 39.52.120(b)(6), two counts of engaging in incompatible
23 outside voluntary service in violation of AS 39.52.170(a), and one count of improper
24 disclosure of confidential information in violation of AS 39.52.140(b).

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26 Mr. Ruedrich filed an answer to the complaint on April 12, 2004. As to the first
three charges, Mr. Ruedrich denied that the facts established violations of the Act. As to
the fourth charge (improper disclosure of confidential information), Mr. Ruedrich admitted
the disclosure but alleged that he did not realize the document was confidential when he
released it. Mr. Ruedrich asked that the complaint be dismissed.

On May 3, 2004, the state refused to dismiss the charges. The state indicated that
it was willing to meet to discuss the case to determine whether the parties would be able to
enter into a stipulation that addressed the violations and appropriate civil penalties. On May
17, 2004, Mr. Ruedrich requested a meeting to discuss resolution of the matter. The state
and Mr. Ruedrich met on June 22, 2004.

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2 The parties have agreed to resolve the complaint short of the filing of a formal
3 accusation and hearing. This stipulation recites the terms of the settlement.

4 **B. Admissions**

- 5 1. Mr. Ruedrich admits that he used state facilities and state equipment on occasion to
6 engage in partisan political activity while serving as a commissioner of the AOGCC.
7 He also admits that on occasion he used his personal cellular telephone in his
8 AOGCC office to conduct partisan political activity.
- 9 2. Mr. Ruedrich concedes that the facts stated in B.1 constitute a violation of AS
10 39.52.120(b)(6).
- 11 3. Mr. Ruedrich admits that, on March 27, 2003, he submitted disclosures to his
12 designated ethics supervisor indicating that he would conduct his Republican Party
13 activities outside of traditional working hours and that he would take leave if those
14 activities needed to be conducted during regular working hours. Mr. Ruedrich
15 admits that the facts stated in B.1 establish that on occasion he was involved in
16 partisan political activities during normal work hours for which he did not take
17 leave.
- 18 4. Mr. Ruedrich concedes that the facts stated in B.1 and B.3 constitute a violation of
19 AS 39.52.170(a).
- 20 5. Mr. Ruedrich admits that, on August 14, 2003, he received a confidential e-mail
21 message (with attachment) from an assistant attorney general and that he
22 subsequently forwarded that e-mail without authority to a third party who was not
23 within the confidential attorney-client relationship.
- 24 6. Mr. Ruedrich concedes that the facts recited in B.5 constitute a violation of AS
25 39.52.140(b).
- 26 7. The state agrees that it found no evidence during its Ethics Act investigation that Mr.
Ruedrich used his status as a public officer to raise funds for any partisan political
activity.

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2 **C. Civil Penalties**

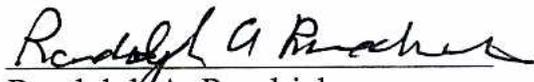
3 Based on the admissions in Section B, the state and Mr. Ruedrich stipulate as
4 follows:

- 5 1. For the violation of AS 39.52.120(b)(6)(Misuse of Official Position), Mr. Ruedrich
6 agrees to pay a civil fine of \$5,000.
- 7 2. For the violation of AS 39.52.170(a)(Incompatible Outside Voluntary Service) by
8 acting contrary to the manner he stated he would act in his Ethics Act disclosure
9 statements, Mr. Ruedrich agrees to pay a civil fine of \$2,000.
- 10 3. For the violation of AS 39.52.140(b)(Disclosure of Confidential Information), Mr.
11 Ruedrich agrees to pay a civil fine of \$5,000.
- 12 4. Mr. Ruedrich agrees that he will not accept a position with the State of Alaska as
13 long as he holds any office in a political party or group.
- 14 5. The state agrees that this stipulation resolves all Ethics Act charges against Mr.
15 Ruedrich contained in the state's February 27, 2004 complaint. The state agrees that
16 it will not pursue the AS 39.72.170(a) charge that Mr. Ruedrich engaged in political
17 activity in a manner that was incompatible with his position as a state supervisor.
- 18 6. Mr. Ruedrich hereby waives and releases the State of Alaska, its agents, officers,
19 employees and former officers or employees from any and all claims or causes of
20 action he may have related to his tenure at the AOGCC or the state's Ethics Act
21 investigation or proceedings or activities undertaken as a part of that investigation
22 and proceedings.
- 23 7. The civil fines assessed in this section C have been paid by Mr. Ruedrich.
- 24 8. This stipulation is a public document.
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26 /

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Dated: 6/22/04


Randolph A. Ruedrich

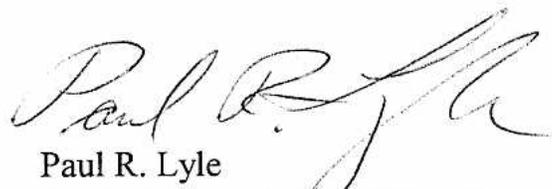
Dated: 6/22/04


Eric T. Sanders
Attorney for Mr. Ruedrich

OFFICE OF THE ATTORNEY GENERAL

Dated: 6/22/2004

By:


Paul R. Lyle
Sr. Assistant Attorney General
State Ethics Attorney

Settlement Accepted and Approved.

OFFICE OF THE ATTORNEY GENERAL

Dated: 6/22/04

By:


Barbara J. Ritchie
Chief Assistant Attorney General
Opinions, Appeals & Ethics

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