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House of Representatives

STATE OF OKLAHOMA

Office of the House Democratic Leader

SCOTT M. INMAN
State Representative
District 94

December 23, 2016

Honorable Speaker-elect Charles McCall
2300 N. Lincoln Blvd. RM 401
Oklahoma City, OK 73105

Dear Speaker McCall,

I hope this letter finds you well. I am writing in regards to the recent revelation that the Oklahoma House of Representatives has paid nearly \$45,000 of the taxpayer's money to settle a sexual harassment claim leveled at a member of the House Republican Caucus. As a result of the news concerning Representative Kirby's alleged misconduct with his former legislative assistant, Ms. Hollie Bishop, and the resulting payments from the House of Representatives to both his former legislative assistant and her lawyers, a number of questions have been asked of me by my caucus members, as well as the public. While I understand that you were not Speaker at the time that these events transpired and may not have played a role in the final settlement, for the sake of transparency and accountability, I am requesting that you or your office promptly provide the answers to the following questions.

- 1) When did the alleged conduct occur and for what duration?
- 2) Prior to the filing of a complaint, was the conduct ever brought to the attention of House Leadership or legal staff? If so, when?
- 3) Did the House of Representatives ever attempt to resolve the matter by relocating Ms. Bishop to another office or member?
- 4) Was Rep. Kirby the only State Representative involved in the alleged misconduct?
- 5) To what end, if any, was Rep. Randy Grau involved with the matter and/or the legislative assistant?
- 6) Did the House of Representatives initiate an independent investigation into the matter? If so, when and by whom was it authorized? If not, why not? And who made that decision?
- 7) If an investigation was initiated, what were the ultimate findings?
- 8) Was this matter ever submitted to the Oklahoma Ethics Commission for investigation?
- 9) Who negotiated the settlement agreement on behalf of the Oklahoma House and at whose request?
- 10) By what legal authority was such a payment justified?

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- 11) Please provide a detailed accounting of the costs and fees incurred by the House of Representatives because of this matter and paid to outside counsel, Courtney Warmington.
- 12) Why was outside counsel utilized for this personnel matter instead of using the services of our House general counsel?
- 13) Under what budgetary line item can those payments to Courtney Warmington be found?
- 14) Please explain the justification behind allocating more than \$16,000 of legal payments to Ms. Bishop's attorneys under the budgetary line item of housekeeping and cleaning supplies.
- 15) By what legal authority can the House of Representatives indemnify Rep. Kirby for his alleged misconduct outside the scope of his authority?
- 16) Assuming the House of Representatives would not have used taxpayer funds to pay a baseless claim against a member of the Republican caucus, has any course of disciplinary action been taken against Rep. Kirby in the form of sanctions, censure, removal, or impeachment? If not, are any such actions under consideration?
- 17) Has Rep. Kirby been asked to repay the Oklahoma taxpayers for the costs they have incurred because of his alleged misconduct outside the scope of his authority?
- 18) If a reservation of rights letter has been issued to Rep. Kirby, would you please provide a copy of it to my office?
- 19) Please provide a copy of any tort claim received by the House of Representatives.
- 20) Please provide a copy of any statement concerning these allegations provided to the House of Representatives by Ms. Bishop.
- 21) Have any other allegations of sexual misconduct or harassment been brought by members of the Oklahoma House of Representatives staff against sitting or former members of the legislature at any time in the last twelve years?

Due to the concerning nature of the allegations involved and the subsequent utilization of tax payer funds to settle them, I am requesting the House authorize an independent investigation into the matter to include, but not limited to, requesting an audit of our House finances from State Auditor, Gary Jones. My caucus believes an independent audit and investigation is necessary to ensure transparency and reassure the citizens of Oklahoma that this is just an isolated incident.

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Additionally, it is my understanding that members of your Caucus were recently invited to attend a seminar on proper workplace behavior, to include sexual harassment training. While I commend you for organizing that, it was brought to my attention that members of the House Democratic Caucus were unaware of such training. Could you provide some additional details on that seminar (content, date, location) and whether Representative Kirby was in attendance?

The members of my Caucus were just as surprised and concerned as I was by the news and details concerning Rep. Kirby and his former legislative assistant. Now, we find ourselves facing a litany of questions from understandably upset constituents. From our work together in the House, I know you understand the importance of maintaining a safe and professional workplace, being accountable to those who elected us, and being fiscally responsible with tax dollars. I will reiterate, I understand that you were not Speaker at the time these events took place, but any assistance you or your office could lend in helping us answer the above listed questions and alleviate frustrations of our constituents would certainly be appreciated.

Thank you in advance for your understanding, assistance, and cooperation. God bless.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Scott M. Inman', written over a large, stylized circular flourish.

Rep. Scott M. Inman
Minority Leader
Oklahoma House of Representatives