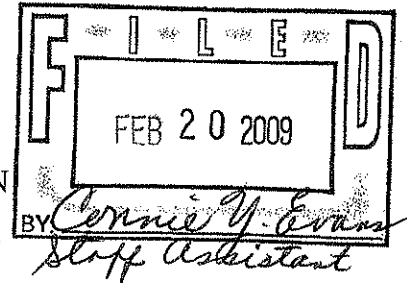


KENTUCKY LEGISLATIVE ETHICS COMMISSION
22 MILL CREEK PARK
FRANKFORT, KY 40601



PATRICK MALONE, KLEC ENFORCEMENT COUNSEL

COMPLAINANT

VS.

NO. 08-LEC-06

J. RONALD GEOGHEGAN

RESPONDENT

**FINDING OF PROBABLE CAUSE
ORDER ON WAIVER OF SEPARATE ADJUDICATORY HEARING
AND
PUBLIC REPRIMAND**

* * * * *

This matter is before the Kentucky Legislative Ethics Commission on the complaint of its Enforcement Counsel alleging that the Respondent violated KRS 6.811(6), a section of the Kentucky Code of Legislative Ethics, by making campaign contributions to Senate candidates Steve Newberry and Kathy Groob on September 4, 2008, when he was employed as a legislative agent. The Respondent admitted in his answer to the complaint that the relevant facts contained in the Complaint are accurate.

At a Preliminary Inquiry on February 10, 2009, the Commission heard evidence presented by its Enforcement Counsel and the Respondent. At the conclusion of the evidence, the Commission found there was probable cause to believe the Respondent had violated KRS 6.811(6).

Following the determination that probable cause existed, the Respondent stated he wished to waive a separate adjudicatory hearing and asked that the Commission hold the adjudicatory hearing at that time. The Respondent agreed to stipulate that the evidence the Commission had

heard at the preliminary inquiry was correct, and asked the Commission to rely on that evidence in determining the outcome of the case. Having accepted the Respondent's waiver, the Commission thereafter began the Adjudicatory Hearing.

The weight of the evidence before the Commission indicates the Respondent was not aware at the time he made them that his contributions to the candidates were prohibited by law. This, however, provides no defense for the Respondent's actions. Respondent has been a legislative agent for many years, and presented no justification for being unaware Kentucky law prohibits a legislative agent from making a campaign contribution to a candidate for the legislature. Indeed, the Respondent has not attempted to excuse his ignorance of this provision of KRS 6.811(6) and has indicated his regret and embarrassment to the Commission.

Respondent's regret, however, offers little consolation to the candidates who received the Respondent's contributions. The Respondent made the campaign contributions in question without identifying himself to the candidates as a legislative agent. Even though the candidates returned the contributions when they learned the Respondent's occupation, they were faced with misconduct charges filed by the opposing political party. This Commission has previously dismissed those ethical misconduct charges lodged against the candidates for lack of probable cause.

WHEREFORE, the Legislative Ethics Commission has determined that the Respondent J. Ronald Geoghegan violated KRS 6.811(6) and imposes the following penalties: The Respondent is hereby PUBLICLY REPRIMANDED for ethical misconduct. He is further fined the sum of \$500. The Commission acknowledges the Respondent's cooperation with the investigation and notes that he has no previous record of misconduct with this Commission. The Commission is satisfied that the Respondent will not engage in the same conduct in the future

but it is noted that a subsequent violation of this statute would be a Class D felony. It should be noted additionally that the Respondent has agreed to participate in an ethics training program to be formulated by the Commission staff.



GEORGE TROUTMAN, CHAIRMAN