

**ALABAMA ETHICS COMMISSION  
MINUTES**

**February 7, 2024  
9:30 a.m.  
9<sup>th</sup> Floor, RSA Union Building  
Montgomery, Alabama**

The Alabama Ethics Commission met on February 7, 2024, at 9:30 a.m. in the Public Service Commission Hearing Room on the 9<sup>th</sup> Floor of the RSA Union Building.

**Commission Members Present:**

Honorable John Plunk, Chair  
Honorable Lyn Stuart, Ret. Chief Justice, Vice-Chair  
Honorable Stanton H. McDonald, Member  
Honorable BG (R) Edward Crowell (USAF), Member

**Commission Members Absent:**

**Commission Staff Present:**

Thomas B. Albritton, Executive Director  
Brian Paterson, Assistant General Counsel  
Cynthia Raulston, Special Assistant to the Director  
Byron Butler, Executive Assistant to the Director  
Chris Clark, Chief Special Agent  
Dustin Lansford, Senior Special Agent  
Chris McCay, Senior Special Agent  
Brian Baker, Special Agent  
Dylan Baker, Special Agent  
April Innes, Special Investigator  
Kayla Pfeil, Lobbyist/Principal Liaison  
Akira Williams, Administrative Support Assistant

Mr. Plunk served as chair for the meeting, called the meeting to order at 9:34 a.m. and introduced Minister Kurt Cooper from Trinity Presbyterian Church, Montgomery, Alabama, who gave the invocation.

**Old Business:**

Approval of the minutes from the December 7, 2023, meeting:

*General Crowell moved to adopt the minutes as written. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.*

**New Business:**

**Advisory Opinion No. 2024-01**

**Requested by Sheena Gamble, Director of Communications, Alabama Democratic Party**

Mr. Paterson explained the request for Advisory Opinion No. 2024-01. **Chief Justice Stuart moved to adopt Advisory Opinion No. 2024-01 as written. Mr. McDonald seconded the motion. Motion passed 4-0 with all those present voting.** Opinion No. 2024-01 holds that the term “ballot” in Ala. Code § 36-25-15(c) applies to the ballot of both the primary and the general election. Ala. Code § 36-25-15(c) prevents a party from re-nominating a candidate for any office who has been removed from the ballot for failing to file a statement of economic interests.

## **FCPA Appeals**

### **Robert Dale Bryant II**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. **General Crowell moved to set aside the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.**

### **Justin Castanza**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. **General Crowell moved to set aside the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.**

### **Heath Dewayne Ayers**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. **General Crowell moved to set aside the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.**

### **Kris Patton**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. **General Crowell moved to set aside the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.**

### **Missy Homan**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. **General Crowell moved to set aside the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.**

### **Melinda Robinson**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. **Chief Justice Stuart moved to uphold the first fine and offense imposed on December 13, 2023, and set aside the additional penalties and offenses. General Crowell seconded the motion. Motion passed unanimously with all those present voting.**

**Veronica Morton-Jones**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *General Crowell moved to set aside the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.*

**Johnny Lynville Curry**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *General Crowell moved to set aside the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.*

**William Ashley Tate**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *General Crowell moved to set aside the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.*

**David Fred Howle**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *General Crowell moved to set aside the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.*

**Winford L. Ashmore**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *General Crowell moved to set aside the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.*

**Chad Woodruff**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *General Crowell moved to uphold the first fine and offense imposed on January 9, 2024, and set aside the additional penalties and offenses. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.*

**Kenny Ellis Jordan**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *General Crowell moved to set aside the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.*

**William E. Hollingsworth IV**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *General Crowell moved to set aside the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.*

**Frederic Allen Bolling**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *General Crowell moved to set aside the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.*

**Delor Vern Baumann**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *Chief Justice Stuart moved to uphold the fine and offense imposed on January 4, 2024. General Crowell seconded the motion. Motion passed unanimously with all those present voting.*

**Shera Craig Grant**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *General Crowell moved to set aside the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.*

**RoadPAC HD 16**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *Chief Justice Stuart moved to uphold the first fine and offense imposed on January 9, 2024, and set aside the additional penalties and offenses. General Crowell seconded the motion. Motion passed unanimously with all those present voting.*

**RoadPAC HD 10**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *Chief Justice Stuart moved to set aside the penalty and offense. General Crowell seconded the motion. Motion passed unanimously with all those present voting.*

**Alonza B. Ellis**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *General Crowell moved to set aside the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.*

**Oscar Sylvester Mann**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *General Crowell moved to set aside*

*the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.*

**Jimmie Hardee Jr.**

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *General Crowell moved to set aside the penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.*

*At 9:56 a.m. General Crowell moved that the Commission go into Executive Session. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.*

*At 11:56 a.m. Chief Justice Stuart moved that the Commission go back into Open Session. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2023-0095**

**Patrick Browning, (Former) Head Football Coach, Pike Road Schools**

*General Crowell moved that based on the evidence as presented to this Commission, there exists insufficient facts to hold that Patrick Browning, has violated the Alabama Ethics Act. He further moved that this case be closed. Mr. McDonald seconded the motion. Motion passed 4-0 with all those present voting.*

**Case No. 2023-0144**

**Michele McClung, Superintendent, Escambia County Board of Education**

*Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists insufficient facts to hold that Michele McClung, has violated the Alabama Ethics Act. He further moved that this case be closed. Mr. McDonald seconded the motion. Motion passed 4-0 with all those present voting.*

**Case No. 2023-0220**

**Michael Brandon Freeman, City Councilmember, City of Rainsville**

*Mr. McDonald moved that based on the evidence as presented to this Commission, there exist cause to hold that Michael Brandon Freeman has committed a minor violation of the Alabama Ethics Act, and further moved that this case be handled administratively and referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.*

**Case No. 2023-0358**

**Dana McLaughlin, Sales Associate I, Alabama Alcoholic Beverage Control Board**

*Mr. McDonald moved that based on the evidence as presented to this Commission, there exist cause to hold that Dana McLaughlin has committed a minor violation of the Alabama Ethics Act, and further moved that this case be handled administratively and referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. General Crowell seconded the motion. Motion passed 3-0 with all those present voting.*

**Case No. 2023-0167**

**Laura Griggs, Employee, Phenix City Board of Education**

*General Crowell moved that based on the evidence as presented to this Commission, there exists insufficient facts to hold that Laura Griggs has violated the Alabama Ethics Act. He further moved that this case be closed. Mr. McDonald seconded the motion. Motion passed 4-0 with all those present voting.*

**Case No. 2023-0331**

**Rashaun Gibson, Employee, Birmingham Water Works Board**

*Mr. McDonald moved that based on the evidence as presented to this Commission, there exist cause to hold that Rashaun Gibson has committed a minor violation of the Alabama Ethics Act, and further moved that this case be handled administratively and referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. Chief Justice Stuart seconded the motion. Motion passed 4-0 with all those present voting.*

**Cases Recommended for Dismissal**

The following cases were presented to the Commission by Executive Director Albritton, with the recommendation that they be dismissed: Case No. 2023-0129; Case No. 2023-0130; Case No. 2023-0131, Case No. 2023-0132, Case No. 2023-0133; Case No. 2023-0134; Case No. 2023-0135; Case No. 2023-0136, Case No. 2023-0137, Case No. 2023-0138; Case No. 2023-0139; Case No. 2023-0140; Case No. 2023-0191, Case No. 2023-0249, Case No. 2023-0294 and Case No. 2023-0340. *Chief Justice Stuart moved that the Commission dismiss the cases as recommended. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.*

**Case No. 2023-0168**

**Erica Bates, Employee, Phenix City Board of Education**

*Mr. McDonald moved that on October 4, 2023, the Alabama Ethics Commission unanimously found Erica Bates, Employee, Phenix City Board of Education, had committed one (1) minor violation of the Alabama Ethics Act and approved an administrative resolution at the request of the Respondent. The Commission forwarded the case to the District Attorney of the 26<sup>th</sup> Judicial Circuit who approved the administrative resolution on or before January 19, 2024. Accordingly, I hereby move as follows: 1) An administrative penalty in the amount of \$25.00 be ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before March 27, 2024; 2) There is no restitution owing for this minor violation. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.*

**Case No. 2023-0205**

**Latoya Smitherman, Program Assistant to Federal Programs, Selma City Board of Education**

*Chief Justice Stuart moved that on December 7, 2023, the Alabama Ethics Commission unanimously found Latoya Smitherman, Program Assistant to Federal Programs, Selma City Board of Education, had committed one (1) minor violation of the Alabama Ethics Act and approved an administrative resolution at the request of the Respondent. The Commission forwarded the case to the District Attorney of the 4<sup>th</sup> Judicial Circuit who approved the administrative resolution on or before January 25, 2024. Accordingly, I hereby move as follows: 1) An administrative penalty in the amount of \$25.00 be ordered by the Commission to be paid to the Ethics Commission by cashier's check, money*

*order, or online payment on or before March 27, 2024; 2) There is no restitution owing for this minor violation. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.*

**Case No. 2023-0206**

**Barbara Moore, (Former) Local School Accountant Technician, Selma City Board of Education**  
*General Crowell moved that on December 7, 2023, the Alabama Ethics Commission unanimously found Barbara Moore, (Former) Local School Accountant Technician, Selma City Board of Education, had committed one (1) minor violation of the Alabama Ethics Act and approved an administrative resolution at the request of the Respondent. The Commission forwarded the case to the District Attorney of the 4<sup>th</sup> Judicial Circuit who approved the administrative resolution on or before January 25, 2024. Accordingly, I hereby move as follows: 1) An administrative penalty in the amount of \$2,000.00 be ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before March 27, 2024; 2) There is no restitution owing for this minor violation. Chief Justice Stuart seconded the motion. Motion passed 4-0 with all those present voting.*

**Case No. 2023-0342**

**Vince Miller, Lieutenant, Summerdale Police Department**  
*Chief Justice Stuart moved that on December 7, 2023, the Alabama Ethics Commission unanimously found Vince Miller, Lieutenant, Summerdale Police Department, had committed one (1) minor violation of the Alabama Ethics Act and approved an administrative resolution at the request of the Respondent. The Commission forwarded the case to the District Attorney of the 28<sup>th</sup> Judicial Circuit who approved the administrative resolution on or before December 27, 2023. Accordingly, I hereby move as follows: 1) An administrative penalty in the amount of \$500.00 be ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before March 27, 2024; 2) There is no restitution owing for this minor violation. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.*

**Adjournment**

*There being no further business at 12:07 p.m., General Crowell moved that the meeting be adjourned, and Chief Justice Stuart seconded the motion. Motion passed 4-0 with all those present voting.*

The next regularly scheduled meeting of the Commission is April 3, 2024.

  
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John Plunk, Chair

  
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Thomas B. Albritton, Executive Director

  
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Byron Butler, Recording Secretary