

October 19, 2016

**(VIA HAND-DELIVERY)**

Honorable Sharon Minnich  
Office of Administration  
207 Finance Building  
613 North Street  
Harrisburg, PA 17120

**COMPLAINT: McGinty Violation of the Governor's Code of Conduct**

Dear Secretary Minnich:

This communication serves as an official complaint against former Chief of Staff Kathleen McGinty for material violation of the *Governor's Code of Conduct* (hereinafter referred to as the "Code").

On October 19, 2016, the website *WikiLeaks* released a cache of emails sent and received by Hillary Clinton for President Campaign Chairman John Podesta. Among the emails received by Mr. Podesta was a July 17, 2015 message from Kathleen McGinty regarding her potential campaign for United States Senate. The email was sent by Ms. McGinty at 4:08 PM on a Friday.<sup>1</sup>

Section 1(8)(a) of the Code prohibits all state employees from "engag[ing] in any political activity such as campaigning [...] during his or her specified working hours," (emphasis added).<sup>2</sup>

The Office of Administration further defines "political activity" in the *Guideline for Political Activity*, in part as: "involves running for office or as a delegate."<sup>3</sup>

Ms. McGinty's 7/17/15 email to Hillary Clinton's chief political advisor was designed to solicit specific advice on running for the United States Senate. Although the email was sent from Ms. McGinty's personal email account, the prohibited activity was transacted during the course of Commonwealth business hours.

I am alarmed that Ms. McGinty – on Day 17 of the Wolf Administration's budget impasse – would conduct political business rather than perform her duties as Governor Wolf's Chief of Staff.

In addition, Ms. McGinty appears to have requested Mr. Podesta contact her on a Commonwealth-issued mobile phone. This, too, is an egregious violation of the law since Commonwealth resources are prohibited from being utilized for political activity.

Today's *WikiLeaks* revelation of Ms. McGinty's politically-charged email is another reason Governor Wolf must promptly release all of the former Chief of Staff's work emails

<sup>1</sup> <https://wikileaks.org/podesta-emails/emailid/17752>

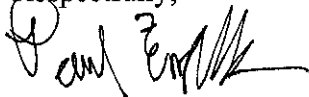
<sup>2</sup> [http://www.oa.pa.gov/Policies/eo/Documents/1980\\_18.pdf](http://www.oa.pa.gov/Policies/eo/Documents/1980_18.pdf)

<sup>3</sup> <http://www.hrm.oa.pa.gov/Documents/political-activity-guidelines.pdf>

pursuant to the Commonwealth Court order of October 14, 2016.<sup>4</sup> Pennsylvania voters have a right to examine whether Ms. McGinty utilized her Commonwealth email account for political gain.

I request your immediate attention to this matter. Should you have any questions regarding my complaint, please contact me at 717-234-4901.

Respectfully,



Paul Engelkemier  
Republican Party of Pennsylvania

cc: Honorable Tom Wolf

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<sup>4</sup> [http://www.pacourts.us/assets/opinions/Commonwealth/out/13CD16\\_10-14-16.pdf?cb=1](http://www.pacourts.us/assets/opinions/Commonwealth/out/13CD16_10-14-16.pdf?cb=1)