

7/22

11:30 am

I. Talk w/ Terry Kitchell

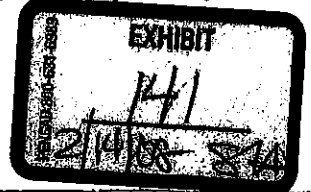
- a. If he needs to take the hit he'll do it. Feels that things are being taken out of context and spun. My friend is telling me that he didn't spy on ~~anybody~~ and that things are being taken out of context.
- b. Spoke w/ Dan last night and again this morning; he's given me a bunch of documents and I'm trying to get up to speed.
- c. Lots of inquiries
 - 1. Dan, when asked, looked at me like an idiot and said I've had things as Potols been doing this for a long time, about you think it could see it coming.
- d. I ~~got~~ understand what you long saying but I really don't get it, why isn't he just doing a good job.

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1:56 pm

I. Dan's call w/ Dan

- a. We can't have goals
 - 1. You want accuracy
 - 2. You want a result
 - 3. We want finally; one tomorrow; we'll give a statement
 - 4. We want you to be silent or cooperative
- b. We're offering sworn statements from ~~Tramm~~ & ~~Ray~~, denying ~~the~~ ^{your} allegations and, in Dan's case, expressing some contrition. We think that would be helpful.



7/22/07
2pm

QAG:

Lewis
Lacewell
Hicks

Gary Goldfaden

Murray
Rovatski
Pope

I. 5/c w/ the OAG / Report Briefing

a. Opening

1. Parents apologizing for late start (was supposed to be @ 11 am)
2. Went in briefing on the report and everyone's statements

b. Pope

1. We can't have goals. We have 2.
 - a. We want an "a" for cooperation
 - b. and fidelity
2. your goals
 - a. accuracy
 - b. a result

3. our costs

- a. Can you give us a representation re: what you'll say about cooperation. Hoping the report be silent and, if asked, you'll say we cooperated. We're prepared to offer sworn statements.

c. Lacewell

1. We need to talk about your proposal - why do we have to do this first.

d. Lewis

1. "AG is on a boat" and I can't reach him easily, but I'll be talking him

e. PAUSE AND CAUCUS

II. Second Call

- a. We're going forward and like the staff in consensus

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b. The Report

1. Begins w/ the context of what's going on
 - a. Were they responding to FOIC - found there was "a plan" motivated in part by FOIC but by a desire to put out a negative media story
 - b. Dupp/Bruno demands are just facts
 - c. Shows there was a "struggle"
2. Went to extent there were FOIC requests, we see it 2: 6/27 and 7/10. We make the point that the first is "immediate search" and "did not require the collection and dissemination of documents done in this way"
3. Putting aside the motivation, even if you accept they were responding to FOIC, there was a FOIC directed for SOP in the following ways:
 - a. In response to Howard's request, Felt's directed the creation of docs not ordinarily maintained and he did so notwithstanding that FOIC doesn't require the creation of records.
 - b. Through use of investigator they begin reporting upcoming information and then FOIC as a continuing request w/ an on-going creation of docs. We make the point that creating records carries the risk of making mistakes, which, in fact, occurs. [May 17/April]
 - c. Howard requested only selective information, focusing on Bruno, and Felt's creates Bruno-focused materials -- it's selective.

derived from FOIC & SOP

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b. The Report

- 3. Even if a FOIA, says how it depicted
- d. Released sensitive information w/o doing any kind of security review
- e. Sup't personally handled this - unprecedented. Determined past 3 Sup'ts.
- 4. We also mention that Howard's Felt's accounts are inconsistent. Not a big part, but it's there. There are other parts of testimony that's clearly wrong
 - 1. Have got stuff ahead of time.
 - 2. Have spoke to anyone but Popo.
 - 3. Giving a heads up for a 90% - surprise when it arrived, not ~~that~~ his role, thought someone else was handling
- 5. Howard concedes that he knew it was a politically sensitive matter and intentionally didn't tell Talbot
- 6. Felt's felt pressured by a supervisor
- 7. We reference the public statement that are informal
 - a. That record-keeping procedures were changed in April
 - b. Complaints made by Richard Low and his daughter & had nothing to do w/ driving any going into procedures that should result in any record policies being changed.

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The Report

- 6.7. Unforgotten public statement
- 6. Explain confusion about Hoover's use of ground transportation - ~~that~~ not related to security or that assessment
- 8. We do point out that Howard seemed genuinely concerned/offended by what he believed was invasion of state assets. Since b/c he ends up running an agency he ought to protect Howard has many mechanisms to protect the SP and, even w/ an e-mail from Felt on 5/23 asking should I keep doing it, he doesn't do it
- 9. stress the need to not politicize the SP. Former Sup'to says that is critical. This is one of the Sup'to's jobs. Makes a statement and never says to an aviator's captain - "I can't discuss that" when the captain says "what are we doing?"
* Sup'to was too vulnerable and was not asking questions. Picture coming off the page
- 10. Finishing
 - a. Under pretext of FOIA request the Dir's liaison planned to give media access deep as transportation, schools. Reviewer fears Sup'to and involvement of FCC news and regs
 - b. integrity of FOIA must be protected - should let agencies know what they can FOIA

liaison covered Felt's

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10. Findings
- c. Govt should set the standard for delays for not interfering in BP business. SP must be a political need a new ethics rule
 - d. Civilly right, and for & communication which should be evaluated in light of the above findings.
11. Bureau's use of state aircraft
- a. Policy & certification changes. seems to allow mixed usage w/ reimbursement. Policy is permissive.
 - b. Went through dots
 1. First May date when there's justification than all other
 - 2
 3. For every date there was at least 2 legislative meetings or cost of space, shut meetings and at one point the official purpose is canceled.
 4. Found there are no violations
 5. Review other policies and recommend a new one
 - a. clear guidelines
 - b. clear limits on use
 - c. Findings
 1. In accordance w/ state policy practice
 2. all trips in 2007; some legs broken but was often minimized.
 3. current policy is overly permissive and porous.

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b. The Report

12. Governor's office cooperation

a. all still being reviewed. We include that was initial cooperation but at a certain point, after Felt's - Howard, we had interviews scheduled. We heard that SP had been notified and had to cancel. Interfered w/ the investigation because it slowed us down. Found it troubling. Sending the message. Certain candid requests were declined. Too much time to get answers on the FOIC thing. Disappointed that our interview requests were declined.

13. "We find it troubling and counterfactual" that we didn't cooperate. If it stays in its present form, it's going to be extremely difficult for the office to embrace your report. Your description is "a counterfactual and not fact."

14. Nocenti

a. Didn't know you had stuff planned on Friday
b. Why is anyone moved by getting into a dispute about our cooperation