

MUNICIPALITY OF ANCHORAGE
ASSEMBLY INFORMATION MEMORANDUM
No. AIM XXX-2023



Meeting Date: January 19, 2023

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From: Chair LaFrance

Subject: Ombudsman's Referral to Municipal Prosecutor

The attached memo regarding an Ombudsman referral to the Municipal Prosecutor is provided for your review and information.

Prepared by: Darrel W. Hess, Municipal Ombudsman
Respectfully submitted: Suzanne LaFrance, Chair



OFFICE OF THE OMBUDSMAN

Memorandum

DATE: January 19, 2023

TO: Assembly Chair LaFrance
Mayor Dave Bronson

Cc: Blair Christensen, Acting Municipal Attorney

FROM: Darrel W. Hess, Ombudsman *DWH*

SUBJECT: Referral to Municipal Prosecutor

Recently, multiple Municipal employees have contacted the Ombudsman's Office alleging that an executive with the Municipality had stated that the Mayor's Office has been downloading copies of City Hall surveillance videos to see who is accessing the Ombudsman's Office and interacting with Assembly Members. Employees have stated that they are hesitant to visit our office because they are afraid that access to our office is being monitored. The employees perceive the alleged statements by the executive to be an attempt to intimidate them to not contact the Ombudsman's Office.

Anchorage's Home Rule Charter states that the people of Anchorage have the right to the services of an Ombudsman. Accusations of attempting to intimidate Municipal employees to discourage them from contacting the Ombudsman's Office are serious, chilling allegations – even if no videos have been pulled. Given the gravity of the accusations, and based on the statements of multiple Municipal employees, I reasonably believe that there may have been a breach of duty, misconduct, or illegal activity by a Municipal employee. I believe that I have an obligation under AMC 2.60.170* -Misconduct by municipal personnel - to refer this matter to the Municipal Prosecutor's Office for review, to determine if there have been any violations of Municipal Code or any other applicable laws.

**If the Ombudsman believes there is a breach of duty or misconduct by an officer or employee of the municipality, the Ombudsman may refer the matter to the appropriate department head, to the Mayor, to the Board of Ethics, or, when appropriate, to the Municipal Prosecutor, District Attorney, or any other agency.*

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