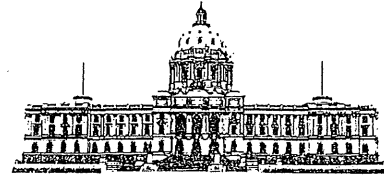


Michelle L. Fischbach

Senator District 14
226 State Capitol Building
75 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, MN 55155-1606
Office phone: (651) 296-2084



Senate

State of Minnesota

Senator Bill Ingebrigtsen
303 Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

May 31, 2011

Senator Kathy Sheran
127 State Office Building
100 Rev. Dr. Martin Luther King Blvd.
St. Paul, MN 55155

Senator John M. Harrington
17 State Office Building
100 Rev. Dr. Martin Luther King Blvd.
St. Paul, MN 55155

Dear Senators Harrington, Ingebrigtsen, and Sheran:

I have attached a copy of the first amended complaint dated May 27, 2011, submitted to the Senate Subcommittee on Ethical Conduct regarding Senator Gretchen Hoffman. I have also included a copy of the letter that Senator Rest sent with the complaint.

As I wrote to you previously, I intend to hold a probable cause hearing regarding this complaint before Sunday, June 19, 2011. The receipt of the first amended complaint and the change in subcommittee membership made by the Senate Rules Committee today will not alter this schedule.

If you have any additional questions or concerns, please contact Brooke Listug in my office at 296-7136.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Fischbach".

Michelle Fischbach, Chair
Subcommittee on Ethical Conduct

Enclosures



May 27, 2011

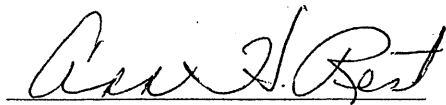
Senator Michelle Fischbach, Chair
Senate Rules Subcommittee on Ethical Conduct
226 State Capitol Building
75 Reverend Martin Luther King Jr. Blvd.
St. Paul, MN. 55155

Dear Madam Chair,

Attached to this letter is an amended complaint regarding the conduct of Senator Gretchen M. Hoffman. The attached amended complaint includes revisions to the original complaint filed on May 20, 2011. The amended complaint includes the content of the original complaint, reordered and renumbered, with one additional article—number 7.

It is not my intent to withdraw my original complaint, but that the attached amended complaint should substitute for the original complaint going forward. Please contact me if I can provide any additional information or materials to the Subcommittee.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann H. Rest", written over a horizontal line.

Senator Ann H. Rest

1st AMENDED COMPLAINT

**COMPLAINT
TO THE
SUBCOMMITTEE ON ETHICAL CONDUCT
REGARDING THE ACTIONS
OF
SENATOR GRETCHEN M. HOFFMAN**

Senator Ann H. Rest, being first duly sworn, state and allege under oath the following based upon information and belief:

1. On May 18, 2011 Senator Gretchen M. Hoffman wrote and published the following public statement from her personal online communication platform:

#Sen Goodwin just called people with mental illness- idiots and imbeciles- while debating HHS bill #offensive #mndfl #mnsr #mnleg

2. Senator Hoffman published this statement online at <http://twitter.com/#!/Gretchenmh> at approximately 7:30 p.m. on May 18, 2011.

3. Senator Hoffman's statement was published online following Senator Goodwin's comments on the floor of the Senate during debate on the conference committee report of Senate File 760, a health and human services omnibus finance bill, on May 18, 2011.

4. Senator Goodwin's comments on the floor of the Senate during debate on the conference committee report of Senate File 760 included the following:

"This is how far we've come: the way state institutions used to be—they were called 'Institutions for Idiots, Imbeciles, and the Insane.'"

5. Senator Goodwin's comments continued:

"And that's what it said right, right on the hospital—'Idiots, Imbeciles, and the Insane.'"

6. Later during the same speech on the floor of the Senate, Senator Goodwin said:

"We might not have the ten state 'Hospitals for the Idiots and the Insane and the Imbeciles' like we used to, but that's because a lot of people put a lot of hard work and logic into how to develop the absolute basic services that we need in our communities."

7. Following the complainant's original filing to the Subcommittee on Ethical Conduct regarding the actions of Senator Gretchen M. Hoffman, Senator Hoffman released this statement to the press:

"On Wednesday, May 18, Senator Barb Goodwin referred to people with mental illnesses as idiots and imbeciles in the Minnesota State Senate floor. As a registered nurse who has worked with patients with mental illnesses for many years, I was offended by her remarks. I shared Senator Goodwin's remarks with my Twitter followers.

Until the Subcommittee on Ethical Conduct completes their work, I have no further comment."

8. Senator Hoffman's public statements falsely describe Senator Goodwin's actions and comments on the floor of the Minnesota Senate.

9. Senator Hoffman misled the public by writing and publishing statements which falsely describe Senator Goodwin as personally using derogatory labels for those with mental illness.

10. Senator Hoffman's public statements are damaging and misleading with respect to Senator Goodwin's position on public policy issues relating to mental illness and those with mental illness.

11. Senate Permanent Rule 56.2 provides the standard that "A member shall not publish or distribute written material if the member knows or has reason to know that the material includes any statement that is false or clearly misleading, concerning a public policy issue or concerning the member's or another member's voting record or position on a public policy issue."

12. Senate Permanent Rule 56.1 states that "Members shall adhere to the highest standard of ethical conduct as embodied in the Minnesota Constitution, state law, and these rules."

13. It is your complainant's belief that Senator Gretchen M. Hoffman violated Senate Permanent Rule 56.

14. Your complainant asks that the Subcommittee on Ethical Conduct investigate the details of this matter. Your complainant respectfully requests that all hearings on this matter be open to the public.

15. Your complainant asks that the Subcommittee on Ethical Conduct find that Senator Gretchen M. Hoffman violated Senate Permanent Rule 56 and that it recommend such disciplinary action as the Subcommittee finds appropriate.

Date: May 27, 2011


Senator Ann H. Rest

Subscribed to, and sworn before me, a notary public, on May 27, 2011.



