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Full Transcript of December 16th Senate GOP Leadership Press Conference:

Sen. Michel: "Alright, thank you for the last minute notice. We wanted to give you a little update given all the events of the last 48 hours, and I'll also start with an apology about my voice. I think if I keep it at about this strength it'll withstand. So, we're here today, with a lot of humility, and some sadness, and even shock. It's not been the kind of week we would've planned for, or wished for, and certainly not the reason that any of us ran for these offices to begin with, but having said that, we want to fill you in on some more of the details here. **So, over the course of the last several weeks, members of Senate staff, current Senate staff members, brought forward to at least two of us here at the table, some serious allegations of an inappropriate relationship between the majority leader and a senate staffer.** After, assessing our legal and ethical responsibilities, we did a number of things. We involved the Secretary of the Senate's office, again to determine, kind of, the legal boundaries that we needed to understand going forward, and then more importantly, well perhaps more importantly, last Wednesday evening, the four of us, except, excluding Senator Senjem who was on a bonding trip, but including Sen. Robling, sat down with Senator Koch. We felt it was our duty and obligation to bring forward what we had been hearing, again, from multiple sources, and bring it straight to the majority leader. In the course of that conversation, which was a difficult one, she brought up the potential of her own resignation. But I can't say that we left that meeting with any, any kind of understanding or agreement as to what the future was going to bring. But again, we thought that it was important and serious enough, given what people should expect from their elected officials. We do not want the Minnesota Senate to have that kind of conflict of interest. We don't want the Minnesota Senate to have that kind of a work environment for our employees and so that's why we felt we had to act. I can't stand before you today and suggest that we know all the facts, but those are the facts, and that is the conversation that we were involved in. I'll let some of these others fill in some of the blanks, but I'd also share with you we were nearly as surprised as all of you to see a resignation at the end of the day yesterday. We certainly thought it was something that she was considering, but we were given no notice and, again, took us all by some surprise too. I don't know is there some more that you'd like to...either of you guys...

Sen. Senjem: I would just offer in a couple of comments, that information that was received was obviously anguishing and painful and at the same time, as painful as it was, I think we decided collectively that we needed to move forward in a professional and strategic way, recognizing the responsibilities that we had, and frankly have to the Minnesota Senate. Again, not fun but, I think, we did what all of us feel was necessary and appropriate given the circumstances.

Sen. Gerlach: I'd like to say too, that it should be noted that at no time did the majority leader ever confess or admit anything nor deny anything to any of us here. She did want time to talk with her family, which is certainly very understandable and reasonable thing to do, and but I just wanted to make that point that nothing was admitted to us nor denied.



Sen. Michel: At least a couple other points then. You know, we, the members at this table, and indeed, the rest of our caucus, we think of Amy Koch as our sister. Every one of the folks here worked hard with her and for her. So we didn't go to that meeting feeling all excited and comfortable, and we don't come before you today feeling excited about it as well. Again, we want the Senate to be an open and transparent place. We want our staff, who work so hard and do so much for us, to be comfortable and to, frankly, to be able to come to us with this kind of information. And so we felt it was our obligation to move forward. So I appreciate the folks in here today, working with this kind of a subject with some sensitivity. We wish the best for Senator Koch and her family and believe we have really a succession plan in place. As you all know, we have a leadership team that has, we already met by conference call last night, we're ready to move forward. We have not picked a date yet for a caucus election but that will need to be done in the next two weeks, and we're prepared to move forward and get into January with what's going to be a very important session. We have a lot to do on a shorter calendar than usual. So, here we go. Thank you for coming at, with some short notice.

Reporter: Senator Michel, who is the Senate staffer, who is accused of having an improper relationship with Senator Koch?

Sen. Michel: Pat, we want to be as open as we can be, we want to disclose all that we can to you, but legally that's one of the things we cannot do at this point, is talk about individual names like that.

Reporter: Why? Are you afraid of a harassment lawsuit? What's the legal ramification?

Sen. Michel: We're comfortable, well, we're not comfortable but, we're comfortable talking to you about the member to member conversations that have been had this week, but when it comes to Senate staff and employees and human resources and legal issues, that is for the Secretary of the Senate's office.

Reporter: Is it a current staffer or former staffer?

Sen. Michel: It's a current staffer.

Reporter: Is Michael Brodkorb still the spokesperson for the caucus?

Sen. Michel: I believe so.

Reporter: You're the, now the temporary majority leader, so...

Sen. Michel: Interim

Reporter: Interim, sorry. Is he still, you have, obviously, you...

Sen. Michel: I don't know of any changes at this point.

Sen. Hann: I think he's on vacation today, I understand, but...

Reporter: Can you give any information about how long this was going on, how many reports have come forward, a little bit more detail about...?

Sen. Michel: Yeah, Jeff. I'd give you, I can share with you that we had multiple reports from staff to, to the members, and I couldn't speak to duration, I couldn't speak to, you know, what the facts are. I think in the end there are only two people who really know what kind of

relationship and how long that may have been happening. But it certainly had risen to a level within our Senate family that people were coming to us.”

Reporter: Did that staffer’s job, status, or title change during the time Senator Koch was majority leader? Did that staff member’s job position change during her tenure?

Sen. Michel: “I’m, again, I’m going to, as, I want to answer all of your questions as completely as we can, but I think answering those questions as you’ve put them, again, I don’t want to reveal specific names or identities at this point.

Reporter: What about the name? Is there a way to answer without the name? Status, promotion and demotion during her tenure.

Sen. Senjem: The answer is no.

Sen. Michel: We believe the answer is no, but I’d want to look into that further.

Reporter: Are you able to tell us how many complaints were filed, how many senators got complaints? How many people filed complaints, that kind of thing?

Sen. Michel: I think at this point, Pat, you know, another piece of the legal side of this is that those multiple staff who came forward, they fall into some kind of protected class. We actually have a whistleblower law in Minnesota and... So, I’m not sure if that was a complete answer for you, Pat.

Reporter: The number of complaints that were filed? Can you give us that?

Sen. Michel: More than one.

Kessler: More than one?

Reporter: Was there a Senate rule or a law broken in your opinion here? What makes it inappropriate under the law?

Sen. Michel: I guess I would say it this way, Don. There is no doubt that a manager cannot have such a relationship with a direct report. There is no doubt that a manager cannot have such a relationship with someone who they oversee, whose budget they oversee. You know, we talked about potential promotions, so I couldn’t quote you statute and verse, but you know, whether it’s the public sector or the private sector it’s pretty clear. That kind of relationship is inappropriate, it raises a conflict of interest, and it creates what we’ve talked about as an unstable, unsustainable work environment for our staff, for our staff, so that is why we moved forward and walked down this path. We had very... I’m not sure we could’ve predicted forty eight hours ago where this would end, we had no such plans, but we thought we had to raise this.”

Reporter: And to be clear, it was Wednesday night of this week?

Sen. Michel: Yes, sir.

Reporter: Is this a GOP caucus staffer?

Sen. Michel: I’m going to be careful again. And I’ve, what I’m comfortable saying is multiple staffers.

Reporter: But I mean, the person having the inappropriate relationship with the senator, that was a GOP caucus staffer?

Sen. Michel: I think I’ll give you the same answer there; it was senate staff.

Reporter: How did she react? Senator Gerlach mentioned that she did not confirm nor deny, how did she react when she was confronted by her colleagues in a meeting with these kinds of allegations?

Sen. Michel: It was a long and tough conversation, Pat. We're, we've been through a lot together, we've all, again, think of each other as family, so I'm not sure I'd characterize it any other way.

Reporter: Is it appropriate for her to remain in the senate? Could there be ethics charges if it was an inappropriate relationship with a subordinate?

Sen. Michel: I think, I don't know. I don't know, Rachel, I guess I'd say she's probably got some more thinking to do about her future and leave it at that.

Reporter: Have any of you spoken to her since that Wednesday night meeting?

Sen. Michel: No, well, I have not.

Sen. Hann: I have.

Reporter: Did she give you any more insight into her decision at all?

Sen. Hann: No.

Sen. Gerlach: The discussion Wednesday night was not entirely inclusive as I said, in somewhat answer to Pat's question, the reaction is like any human being would react, and that is concern for her family was utmost in her mind, I think, and as such she needs some time, and so, yeah, the following morning discussions continued, and that was left at that, and then the resignation came later. None of us were informed that that was imminent yesterday afternoon and it did catch us all off guard.

Reporter: And to be clear, at the Wednesday night meeting, did, was the tone one of you should resign from the majority leader post? Did you advise her to do that?

Sen. Michel: That was actually a word that she brought up first. I'm not sure I would characterize a tone. We just said we have some serious issues that we need to raise with you and need to understand what is going on.

Reporter: Do you all think she made the right decision by resigning the post?

Sen. Michel: I guess I would say yes.

Sen. Gerlach: I, I do.

Sen. Hann: Yeah, I do.

Reporter: To be clear, when you raised the allegations of a sexual, inappropriate sexual relationship, she didn't either confirm or deny? Did she say anything about that or?

Sen. Hann: She did not get into any discussion of the relationship at all. Her response to the conversation, as we talked about that was, as Senator Michel said, I think I need to consider resigning.

Reporter: Did you use inappropriate sexual relationship? What phrase are you using here?

Sen. Michel: I think the questioner used that word. We do not—I think there's only two people who could fully clarify that or characterize it. And that was not how we broached this topic with her and, again, this goes back to a manager and an employee.

Reporter: Have you folks talked to the employee about this?

Sen. Michel: Again, that is falling, kind of, into the senate human resources, into their jurisdiction, and so that would be, the Secretary of the Senate, Mr. Ludemann and his office.

Reporter: Are you saying you have not talked to this person?

Sen. Michel: I have not.

Sen. Hann: I have not.

Sen. Senjem: I have not.

Reporter: I'm sorry; you've used the term inappropriate relationship. Some of us have heard there was an affair between two people who were married to two other people. Was that the conversation that you had with the majority leader?

Sen. Michel: Why don't you repeat that, Rachel, you had a lot in there.

Reporter: "Was this a sexual affair?"

Sen. Michel: "I don't know. I don't know how I could know that."

Reporter: Well was that what you discussed with the majority leader?

Sen. Michel: Again, our focus was on a manager and someone who is either supervised by or directly reports to this person, and again, the conflict that creates, the work environment that creates, the apparent discomfort among staffers that it had created and that people were bringing to us.

Reporter: But was that the merits of the complaint brought to you, that there was an inappropriate sexual relationship going on between Senator Koch and someone else?

Sen. Michel: I don't think I ever heard that word used, Tom.

Reporter: But no one ever said there was a sexual issue going on?

Sen. Hann: Nobody said that to me. I did hear from members of the staff who talked about the, what they described as an inappropriate relationship that affected their job.

Reporter: Could you describe what other types of relationships you would consider inappropriate, other than a sexual one?

Sen. Michel: I don't know if I could divide it up in that fashion.

Sen. Senjem: I don't think we need to go down that road.

Reporter: Everybody is going to infer, I shouldn't say everybody, but I would guess, that there is an inference.

Sen. Michel: Jeff, there's only two people, alright, who could understand and clarify and answer that for you. The information that was brought to us was enough for us, to think that, on behalf of the Senate, and on behalf of our staff, that we needed to address it. So we didn't get into characterizations or anything more specific than that.

Reporter: Looking back did you ever think that, I mean you said that next year, any red flags pop up?

Sen. Michel: No.

Reporter: So you folks did not know about this relationship before the staff came to you?

Sen. Michel: Correct.

Reporter: Did Senator Koch know what the meeting was about, Wednesday night prior to the meeting? Or did she learn just when she came to the meeting what you wanted to talk to her about?

Sen. Hain: I think she was there for another meeting at the location and we joined her at the conclusion of that meeting, and I don't think she was anticipating meeting with us at that point.

Reporter: And it was just you four at the meeting?

Sen. Hann: Senator Senjem was not at the meeting, he was on a bonding trip with Senator Robling. And Senator Gerlach, myself, and Senator Michel.

Reporter: "You said that you had been hearing about this for some weeks, why did it take you that long if this possibly has legal ramifications...? **Sen. Michel: "I think it's, it's depending on the member. I've said weeks, that's certainly true from my, my personal knowledge as, as people approached me, and I was doing some, again, some immediate checking with, on the human resources, and the legal issues with this, and then reached out to some of my colleagues here on the leadership team."**

Reporter: As far as you know is Senator Koch still married?

Sen. Michel: I couldn't speak to that. I don't know. I believe so.

Reporter: So could be tell me why this staffer is still employed by the Senate? What's the grounds for this staffer, who is unnamed, why that individual is still employed by the Minnesota Senate right now? Are they going to be coming back to work tomorrow, or Monday, or Tuesday, or whenever?

Sen. Michel: Well again, Tom, the individual senate staffer has, that issue, has been referred to the Secretary of the Senate's office.

Reporter: So if we run upstairs to the Secretary of the Senate, and said, you know. I'm just trying to figure out why is it that there is a staffer who may have had inappropriate contact, which you guys are all saying are concerned about, would still be working for the Minnesota Senate, come Monday, Tuesday, whenever?

Sen. Michel: Well and again, we should be clear, our conversation with Senator Koch was about the potential impropriety of that from the manager's standpoint, right, from the member of the Senate, from indeed a leadership member of the Senate. You know, none of us our perfect, we don't claim to be, but we want to be proud of the Minnesota Senate. **We want to be proud of how it's run, and we understand that's a special obligation on those of us to maintain the highest standards."**

Reporter: Sen. Michel, are you concerned at all about liability issues, if it is indeed an employer/employee relationship with a subordinate? Are you concerned that the Senate is at legal risk?

Sen. Michel: "I think there's potential legal risk, and that was another reason for us to go with all deliberate speed to Senator Koch, to have this conversation. That definitely was one of our concerns."

Reporter: Can you tell us what people should think about the Minnesota Senate? What are you trying to do here and why? What's the reputation of the Minnesota Senate?

Sen. Michel: Well, I'm not sure. But, we, I hope, it's that they deal with some errors, or some mistakes, in an open and transparent way, and that we move forward because we've got a lot of other things we should be working on, right Pat? I was struck the other day that the monthly jobs report came out and it's probably more important for us to focus on the 13,000 Minnesotans who just lost their jobs, than the career of any one or five state senators. We need to get back to working on our legislative agenda and 2012 is going to be an important year.

Reporter: You've sat there this afternoon, and said you're concerned, and you want people to know about what the Minnesota Senate is, and you're trying to do the right thing.

Sen. Michel: Trying to do the right thing, Pat.

Reporter: And so, is it right for a senator who has been accused of an inappropriate relationship to not be brought up on ethics charges?

Sen. Michel: I don't have a complete answer for you, Rachel, when it comes to, I guess the Senate Ethics Committee. Again, things have been moving pretty fast this week.

Reporter: What does this do to the credibility of the GOP leadership?

Sen. Michel: Well, it's probably not our finest week. We get that. But we're willing to stand here in front of you, and in front of our staff.

Sen. Senjem: Can I say this though, Jeff, and I probably said it earlier? From moment one, when we four gathered, due diligence was the absolute mantra. As painful as this all is, we committed ourselves to doing what we thought the right thing was, regardless of the pain. Quite obvious, this is painful for all of us. But to not take that very appropriate, professional approach to this would have been wrong, and we committed ourselves to do it the right way.

Reporter: Are any of you interested in serving as leader?

Sen. Hann: I don't know that we want to talk about that at this point.

Sen. Senjem: We don't want to talk about things like that.

Sen. Michel: I was just going to add, before we get into the horse race, I actually look at this from another angle as well. I think it would have been a dereliction of our duty as members of the present leadership team to not advance down this road, to not have this conversation with the majority leader, to not work with the Secretary of the Senate's office. Given what we were presented, that was our obligation and so, again, this is not the week that we had planned out, but I think we're comfortable, not happy, but we're comfortable with what we've done, and how this has been handled today."

Sen. Gerlach: Initially, the reaction is well, what do you do with something like this. And it was very clear with an automatic consensus that, number one, is we do what's right, number one, we do it with speed and professionalism, and then also, sensitivity to the privacy of innocent people involved, people who may have come forward and those sorts of things. And although, regardless of how uncomfortable it may be, it is not comfortable for any of us to be here right now, but it's part of this process that we're going down, because it's right, doing it quickly, doing it professionally, and we want to get it done and then move on.

Reporter: Do you believe an ethics investigation would be in order of Senator Koch?

Sen. Michel: Again, we haven't completed that kind of analysis. **We're working on about the same calendar as you guys are.**

Reporter: Quick answer; is it right to assume this is a male staffer?

Sen. Michel: "It is right to assume that."

Reporter: And did you notify Senator Koch that you were talking to us this afternoon? Will this be a surprise?

Sen. Michel: Again, I'm not sure whose, we've had very little contact with Senator Koch since yesterday morning, or since her statement, so, again, our prayers are with her and her family, what I'm sure must be very difficult times.

Reporter: Does this staffer oversee anyone in the Minnesota Senate and are there any concerns about that?

Sen. Michel: I think I'm going to have to fall back, Tom. We want to be careful about revealing any specific names right now given the nature of this.

Reporter: How many people directly report to the senator?

Sen. Michel: To the senator? Well, I think you could make the argument that the entire senate does, but at least the caucus.

Reporter: You said this was a direct report.

Sen. Michel: Again, I think you could almost make that argument that the Senate is like a--this is the majority leader at the top of the pyramid, the leader, the chair of the Rules Committee, and in charge of all personnel and budgets. So it would be hard for me to distinguish between a senate employee who the senate majority leader is not the boss.

Sen. Senjem: And frankly, not to get too deep, but frankly our bylaws reflect that; the leader is the ultimate manager of the caucus.

Reporter: Based on the complaints you've heard, can you give an example or two of how this was getting in the way of Senate performing its business? How folks felt it impeded their work?

Sen. Michel: I wouldn't be comfortable giving, again, I trying to protect the privacy of those who may have come forward and want to be careful with that.

Reporter: Was the inappropriate behavior at the Capitol?

Sen. Michel: I can't speak to that because I would say I don't know.

Reporter: ...You haven't told us how many complaints you've received. Can you give us some type of idea? Are you talking about two complaints, a hundred complaints, can you give us some type of an idea of how widespread these complaints were that you received?

Sen. Hann: What I would say is that it doesn't really matter how many, but that there were, from different sources. So it's not just one complaint but if you have just one complaint, one allegation, I think you have a duty to investigate, if you believe it's credible. And there was more than one and from more than one person.

Reporter: And the complaint was that this created a hostile work environment? That this created favoritism?

Sen. Hann: It created an environment in the workplace that was not conducive to the work that needs to be done. It creates conflicts of interest. It's creates perhaps un-clarity about what responsibilities might be. There's just a host of things that can happen in that type of situation.

Reporter: Had the senator not been in a leadership role, would any of this had happened? If you had gotten complaints about a senator, would you have let that be their business, not in a leadership role, or would you have talked to them too? What would have happened in that case?

Sen. Michel: We would've talked to them too. Yes. No difference.

Sen. Senjem: Rules don't differ.

Reporter: Besides the five senators you have mentioned, the four of you and Robling, how many other senators knew about this, or at least, part of you the group discussing this? Was there a lot or just the five?

Sen. Hann: To our knowledge, just the five of us were the only people that were aware, and the only senators that went to the majority leader to get her confirmation or denial of what we had learned.

Reporter: And when you say five, you mean also Senator Robling too, right?

Sen. Hann: Senator Robling was in the meeting on Wednesday, Senator Senjem was not, but Senator Senjem was aware.

Reporter: There's another assistant majority leader--

Sen. Michel: There's two others.

Sen. Hann: There's two others.

Reporter: Why were they not involved in this?

Sen. Gerlach: How many does it take?

Sen. Michel: I think somewhere between the need to act on this quickly, so we felt we had enough, we felt we had, you know, we didn't want to overwhelm in that first conversation with a huge crowd.

Reporter: So were the two other assistant majority leaders aware of this?

Sen. Michel: I don't believe they're aware.

Reporter: Did each of the five of you receive, or was it just one of you, and you brought in the others? How did that work?

Sen. Michel: More than one of us and more than one complaint, again, not trying to dance around that Don, but we want to be sensitive to those employees who came forward.

Davis: I'm not asking employees' names yet. But for senators, how many of you here received complaints directly?

Sen. Michel: More than one.

Reporter: And the first complaint was about two weeks ago?

Sen. Michel: Yes. The days are starting to meld into each other here, Rachel, but...

Sen. Senjem: May I offer, just before we, and I don't know if we're finished, we don't have to be finished but, this is a painful experience for all of us, absolutely all of us, all involved. I think without question our love and respect for Senator Koch remains and remains strong, and certainly will remain. The senate is a family. It is and probably always will be. And so, again, these are painful times, but, we, I think all collectively, within our caucus are going to work with Senator Koch and support her in every way, and there will be a brighter day ahead.

Sen. Michel: Thank you all for coming on short notice here.