



Oregon Department of Administrative Services  
155 Cottage Street NE, U20 Salem, Oregon 97301-3966

# News Release

For Immediate Release

June 1, 2011

Contact: Lonh Hoklin, Public Affairs Manager, DAS  
(503) 378-2627  
lonh.hoklin@state.or.us

## Independent counsel clears state workers in Oregon Department of Energy probe

Mark Long, Joan Fraser, Paul Seesing and Shelli Honeywell will go back to work

Salem, Oregon—The Oregon Department of Administrative Services announced Wednesday that an exhaustive investigation by an independent legal counsel has cleared four state employees of any wrongdoing in the handling of a federal Energy Assurance Grant by the Oregon Department of Energy.

The grant went to R.W. Beck, a Seattle-based engineering and consulting firm.

Last year the state placed four employees on paid leave pending the investigation of allegations that the Department of Energy steered federal grant money to TEEM, an Oregon firm, in violation of state contracting rules. The four employees are Mark Long, Joan Fraser, Paul Seesing and Shelli Honeywell.

Beginning in May 2009, Long served as director of the department on a one-year rotation from the Department of Consumer and Business Services (DCBS), where he formerly served as Building Codes Administrator. He made the temporary move to Energy at the request of then-Governor Ted Kulongoski, but has since returned to DCBS.

Fraser, who is also an employee of DCBS, worked temporarily at the Department of Energy beginning in May 2009, also on a job rotation. She became the deputy director of Energy in August of that year. Fraser too has returned to DCBS.

Seesing is a project manager in the Department of Energy.

Honeywell works for the Oregon Department of Corrections, but took a temporary job rotation to Energy in July of 2009 to work as a program manager.

State Chief Operating Officer Michael Jordan said the employees' present employers notified them Wednesday that the investigation cleared them of any wrongdoing, and that they are to return to their jobs on June 2.

Barran Liebman, a Portland law firm, conducted the investigation for the state and recommended that the state reinstate the four employees to their regular jobs, and that they receive no formal discipline. The law firm also recommended that the state offer to hold “name-clearing hearings” for all four, even though none of them faces discipline or charges.

A name-clearing hearing provides an opportunity for an employee to give his or her side of the story in any employment matter. Ordinarily, such hearings are available to people whose jobs have been terminated. In this case, however, the state wishes to make the offer of a name-clearing hearing to Long, Fraser, Honeywell and Seesing, even though the investigation determined their actions did not justify termination.

Jordan said the state Departments of Corrections, Consumer and Business Services, Energy and Administrative Services support releasing all relevant and releasable documents concerning the case, including Barran Liebman’s full investigative report. But some records will not be available for release until the Marion County Circuit Court decides which records and documents developed by the Department of Justice’ criminal investigation are available to the public. Jordan expects to learn by June 3 whether any name-clearing hearings will take place.

Jordan’s office said reporters can expect access to relevant documents according the following projected timetable:

- June 3. If none of the affected employees requests a name-clearing hearing by June 3, the state will release the independent counsels’ investigative reports that determined what employment action the state should take (to the extent not under review by the Marion County Circuit Court; see below).
- June 8. If one or more of the affected employees requests a name-clearing hearing, the state will release the independent counsels’ reports on June 8, after the hearings have taken place (to the extent not under review by the Marion County Circuit Court; see below).
- Court ruling on Subpoenas issued by the Attorney General. The state will release documents concerning the Attorney General’s criminal investigation when the Marion County Circuit Court issues its decision in the *Matter of Subpoenas issued by the Attorney General* (while investigating the Oregon Department of Energy). Judge Joseph C. Guimond will determine which documents should be made available to the public and when. He will also determine which documents should not be available.