



STATE OF WEST VIRGINIA  
DEPARTMENT OF HEALTH AND HUMAN RESOURCES  
HUMAN RIGHTS COMMISSION

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Joe Manchin III  
Governor

Martha Yeager Walker  
Secretary

May 20, 2008

Kevin McCoy, President  
WV Family Foundation  
PO Box 3421  
Charleston, WV 25334

Re: Senate Bill 600 / Request for Investigation

Dear Mr. McCoy:

In response to your letter dated May 12, 2008, and filed with the Commission on May 14, 2008, in the above-referenced matter, requesting information, please find the following:

**Request No. 1**

*"An investigation immediately be opened to determine who provided West Virginia Human Rights Commission letterhead to the Commissioner's in order to send the letter dated February 28, 2008 to House Judiciary Chairwoman Carrie Webster supporting passage of SB-600."*

**Response**

An investigation was performed on March 6 and 7, 2008. An e-mail message was sent to all staff members and I asked them to provide me a written response and sign it as to whether they had provided letterhead to any commissioner or anyone outside of the West Virginia Human Rights Commission. Every staff member stated in writing that they had not given the agency letterhead to anyone—inside or outside of the agency. I called Paul R. Sheridan, Deputy Attorney General of the Civil Rights Division of the Attorney General's office who also attends our Commission meetings and asked him or if anyone from his staff would have provided a blank letterhead to any of the Commissioners. Mr. Sheridan's response was "no."

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After the investigation, I gave a direct order to all staff, that no staff member in the West Virginia Human Rights Commission has the authority to give anyone outside of our agency, including the Commissioners, agency letterhead without my direct knowledge or permission.

I publicly, at the April 10, 2008, Commission meeting requested that "if a commissioner is going to use our letterhead, I would ask that you get that letterhead from me, not from anyone else, but from me, because you do have to understand that it does have the Governor's name on it, that it does have the Secretary's name on it and I answer to those two people."

### **Request No. 2**

*"The identity of the person(s) who requested the letterhead for the letter signed by the Commissioner's dated February 28, 2008 and sent to Judiciary Committee Chairwoman Carrie Webster, and subsequently to all committee members, without knowledge of the Executive Director."*

### **Response**

Since I was away from the office at another meeting during the February Commission meeting, I am unaware of who would have made the request from the members of the commission for the letterhead to write the letter to Judiciary Committee Chairwoman Carrie Webster. Neither Governor Joe Manchin, Secretary Martha Walker nor I was aware of the letter dated February 28, 2008, and signed by Commissioners which was written on agency letterhead nor were we aware of the contents thereof.

Additionally, Chair Cummings asked the Commissioners at the April 10, 2008, Commission meeting if anyone knew where the letterhead came from. Their response was in the negative.

### **Request No. 3**

*"A letter be sent to all House Judiciary Committee members stating the letter dated February 28, 2008 was not the official position of the Commission but rather the position of individual Commissioner's as well as the Commissions resolve not to permit future occurrences of this nature without the knowledge of the Executive Director."*

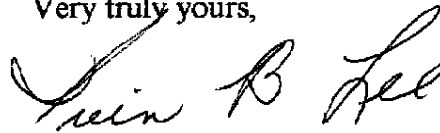
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**Response**

Since I do not have jurisdiction over the Commissioners and act just as their Secretary, I cannot write that letter on their behalf. The letter you seek would have to come from the Commissioners themselves. Therefore, I will send a copy of your letter along with this response to our commissioners.

Finally, I am enclosing, per your request for our organizational chart, a copy of the Human Rights Commission's 2006-2007 Annual Report which has our organizational chart located on page 9. If you have any questions, please do not hesitate to give me a call.

Very truly yours,



Ivin B. Lee  
Executive Director

cc: Dr. Darrell Cummings, Chair  
Ellen Allen, Commissioner  
Dr. Helen Bond, Commissioner  
Wesley Dobbs, Commissioner  
Karl S. Gattlieb, Commissioner  
Timothy Hairston, Commissioner  
William Williams, Commissioner  
Lisa Younis, Commissioner