



CITIZEN OUTREACH FOUNDATION

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TO: Nevada Commission on Ethics
FROM: Chuck Muth, President, Citizen Outreach
DATE: August 31, 2023

To Whom It May Concern:

According to an August 25, 2023, investigative report by Taylor Avery of the Las Vegas Review-Journal, Nevada State Assemblywoman Michelle Gorelow was hired as Arc of Nevada’s executive director shortly after voting to appropriate \$250,000 of public tax dollars for the organization.

<https://www.reviewjournal.com/news/politics-and-government/nevada/2023-legislature/lawmaker-was-hired-to-lead-nonprofit-weeks-after-voting-to-give-it-250k-in-funds-2894331/>

According to Ms. Avery’s report, the appropriation was “a last-minute amendment to Assembly Bill 525 - a bill earmarking state funds for more than 50 nonprofit organizations.”

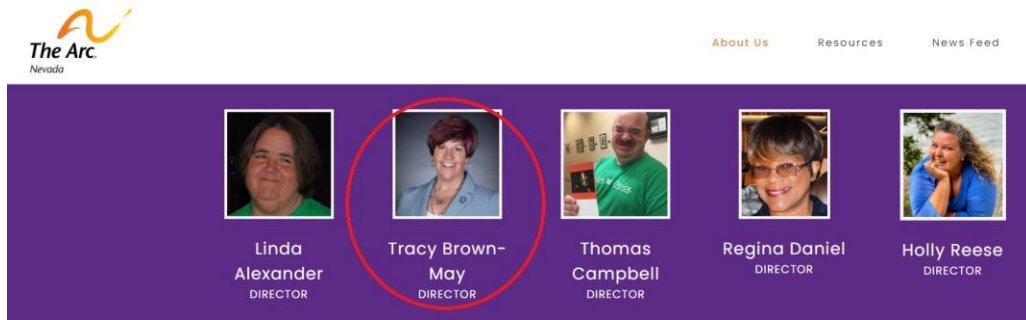
Ms. Gorelow’s vote in favor of the appropriation and subsequent employment was described by Fred Lokken, a political science professor at Truckee Meadows Community College in Reno, as “unseemly.”

Assemblywoman Gorelow publicly announced her hiring on social media just days after the 2023 session of the Legislature adjourned...



“I am excited to announce that I have joined The Arc of Nevada as the Executive Director,” the assemblywoman wrote on Linked In. “I became familiar with the organization during session, and looking forward to joining the team!”

Making this even more unseemly, one of Ms. Gorelow’s Assembly colleagues, Assemblywoman Tracy Brown-May sits on the Board of Directors for The Arc and also voted for the bill that provided funding for Ms. Gorelow’s employment.



In addition, it appears Ms. Gorelow “became familiar with the organization” in April 2023 after joining a number of her colleagues, including Ms. Brown-May, in creating a new “Non-Profit Caucus” in the Legislature.



“By forming this groundbreaking caucus,” Brown-May said in a statement at the time, “we will be better able to support non-profits...”

To which Ms. Gorelow responded in a tweet on April 21, 2023, “Very excited to be a founding member of the nonprofit caucus.”



While supporting non-profits is certainly a laudable goal, using public tax dollars to fund a politically-favored organization that almost immediately used the funding to hire one of the legislators who voted for the funding is far more than “unseemly.”

Since the Legislature has exempted itself from most of the state's open meeting and public record laws, the citizens of Nevada have no means to investigate and obtain answers to serious questions about the propriety of Ms. Gorelow's actions.

Unfortunately, the "Code of Ethical Standards" outlined in NRS 281A.400 is not written in plain English that the average citizen can understand, which is why I'm requesting the Nevada Commission on Ethics use its experience, resources, and authority to investigate this matter.

The statute applies to "public officers," which includes state legislators such as Ms. Gorelow. At the time this request was filed, the assemblywoman has refused to answer questions about the matter from the public and media.

The bottom-line question is whether Ms. Gorelow used her position as a member of the Nevada State Assembly to seek employment from The Arc through the use of her official position. More specifically...

1.) What was the purpose behind the creation of the "Nonprofit Caucus" and did Ms. Gorelow use it to direct public tax dollars to The Arc in the hope of obtaining employment after the funding was secured?

2.) When and how did Ms. Gorelow become "familiar" with The Arc during the session?

3.) Did she and Ms. Brown-May, a board member of the nonprofit, ever discuss possible future employment with the organization prior to the \$250,000 funding being added in the last-minute amendment to the bill?

4.) Were there any private discussions with The Arc about using the proposed \$250,000 in funding to hire Ms. Gorelow before her vote was cast? If so, did those discussions improperly influence Ms. Gorelow "to depart from the faithful and impartial discharge of" her duties."

5.) Did Ms. Gorelow use her position in government "to secure or grant unwarranted privileges" through the appropriation of the \$250,000 of public tax dollars and the almost immediate subsequent hiring of Ms. Gorelow with those funds?

6.) Did Ms. Gorelow improperly use her position in the Legislature as "an agent of government" to negotiate for the \$250,000 appropriation in which a commitment to future private employment constituted a "significant pecuniary" (financial) benefit?

7.) Was Ms. Gorelow's acceptance of a salary and/or other compensation from The Arc a violation of Section 4 of the statute even though the commitment of

employment wasn't executed until shortly after Ms. Gorelow voted for the funding request?

8.) Did Ms. Gorelow acquire, through her position as a legislator and member of the Nonprofit Caucus, information about the possibility of employment at The Arc - which the general public was not aware of - and use that information to seek a "significant pecuniary" (financial) benefit through her votes?

9.) Did The Arc objectively open the executive director's position to the public or was Ms. Gorelow, in appreciation for her efforts to secure the \$250,000 in funding, the only job applicant who was considered?

10.) Did Ms. Gorelow collude with other members of the Nonprofit Caucus, and/or other members of the Legislature, to secure the funding for The Arc as a last-minute amendment to the bill before it was voted on?

As the Las Vegas Review-Journal noted in an editorial after Ms. Avery's investigative report was published...

"The conflict of interest is obvious, unless you're a lawyer with the Legislative Counsel Bureau. The LCB asserted she didn't need to abstain or make a disclosure because the bill affects most citizens in the state.

"That's a plausible claim to make about some bills, such as an across-the-board tax cut, but not this one. The money isn't going to the general public. It's steered to favored groups — one of which is now paying Ms. Gorelow's salary.

"Enriching yourself from the public treasury isn't acceptable just because you launder the money through a nonprofit that does good work."

<https://www.reviewjournal.com/opinion/editorials/editorial-gorelow-scandal-highlights-lcbs-questionable-legal-advice-2896014/>

If Ms. Gorelow's actions are not a violation of the state's ethics law, they should be.

As such, I urge the Commission to use this investigation to advocate for any necessary changes in NRS to protect the public from what clearly appears to be unethical behavior by this public officer.

Thank you for your consideration.