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Unlawful Use of Town of Midland Resources for Political Purposes

1 message

David Goldberg <david.goldberg.unt@gmail.com>

Fri, Mar 15, 2024 at 4:21 PM

To: ktatron@ncsbi.gov

Assistant Director Tabron:

I am writing to report a possible crime involving the misuse of the Town of Midland's resources for political purposes in violation of G.S. 160A-169(e). Midland Town Manager Doug Paris is using Town's resources for private and political gain. The attached evidence was obtained through a public records request. It also aligns with public reports.

These records show that Mr. Paris actively supported the candidacy of Chris Measmer, Kenny Wortman, and Barbara Strang in the 2022 county elections. Most recently, he has used Town resources to support the campaigns of Larry Pittman and Laura Blackwell. He used his public authority to support his preferred candidates.

Paris Plotted with His Preferred Candidates to Become County Manager

The Independent Tribune reported on Oct 26, 2022 and Nov 30, 2022 that past Cabarrus County Commissioner Barbara Strang and Candidate (now Commissioner) Chris Measmer worked with Mr. Paris to remove Cabarrus County Manager Mike Downs and replace him with Mr. Paris, along with other personnel changes.

Paris Used Town Resources to Provide VIP Seating to His Preferred Candidates at Memorial Day Ceremony.

One of the ways this support manifested itself is that Mr. Paris ordered a town employee to arrange VIP seating for the Town's 2022 Memorial Day program for "Commissioner Strang", "Commissioner-Elect Measmer" and "Commissioner-Elect Wortman".

One could argue that providing special seating for Commissioner Strang was appropriate because she currently held office. However, it was inappropriate to provide similar honors to Wortman and Measmer. It is also telling that Mr. Paris referred to them as "Commissioner-Elect" about six months before the actual election.

Paris May Have Hired Employee to Curry Favor with Preferred Candidate

On May 31, 2022, Shannon Owens sent an unsolicited inquiry to Doug Paris, "Chris Measmer provided me your contact information and said you might have a need in the future for an Assistant Town Clerk." Mr. Paris responded the same day, "Great resume! I'm thankful Chris sent you my way." Some of the text messages provided in these reports were also provided by Midland in response to a public records request.

On July 21, 2022, Mr. Paris emailed the council and town department heads to announce she was being hired. "She is currently the Office Manager for Waste Pro. Prior to being the Office Manager, she was a Dispatcher and Customer Service Representative where we first met her as she successfully helped us resolve customer complaints."

That was not truthful based on the previous email. Mr. Paris said that Chris Measmer introduced Ms. Owens to him. Mr. Paris may have misrepresented this fact to avoid linking Ms. Owens with Mr. Measmer.

Paris Has Used Official City Communications to Support His Preferred Candidates

On March 15, the [Town of Midland's Facebook page](#) posted in part "Congratulations to Larry Pittman and Laura Blackwell Lindsey for their primary election wins for Cabarrus County Commissioner." The post included a picture of Mr. Paris standing with these two candidates at what appears to be a polling location while wearing a Town of Midland shirt. Once again, Mr. Paris appears to be using his official position to support his political and career goals.

Possible Violations

This use of Town resources may violate G.S. 160A-169(e), which states: "No [city] employee may use city funds, supplies, or equipment for partisan purposes, or for political purposes except where such political uses are otherwise permitted by law." I would argue that use of staff time and communications channels, like their Facebook page, would come under this prohibition.

Further, Mr. Paris's conduct could violate several provisions in the International City/County Management Association (ICMA) Code of Ethics, which has also been adopted by the North Carolina City and County Management Association (NCCCMA). While the Code of Ethics is not law and Mr. Paris has chosen to not join either of these organizations, they provide a widely-accepted standard of the local government management profession.

- 1. Tennet 7 of the ICMA Code of Ethics prohibits city managers from participating in electoral politics, especially those with control over employment.

"Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body."

"However, in order not to impair their effectiveness on behalf of the local governments they serve, they shall not participate in political activities to support the candidacy of individuals running for any city, county, special district, school, state or federal offices. Specifically, they shall not endorse candidates, make financial contributions, sign or circulate petitions, or participate in fund-raising activities for individuals seeking or holding elected office."

- 2. Tenet 3 commentary says:

Seeking Employment. Members should not seek employment for a position that has an incumbent who has not announced his or her separation or been officially informed by the appointive entity that his or her services are to be terminated. Members should not initiate contact with representatives of the appointive entity. Members contacted by representatives of the appointive entity body regarding prospective interest in the position should decline to have a conversation until the incumbent's separation from employment is publicly known.

Overall, this conduct calls into question Mr. Paris's commitment to competent, professional, and non-political management. Mr. Paris's apparent entanglement with partisan politics could undermine the public's confidence in its government and could create circumstances conducive for further waste, fraud, and abuse.

Please let me know if you have any questions.

Best,
 David Goldberg
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 David Goldberg
 Attorney at Law
 (919) 675-1042

6 attachments



Midland Partisan Post 3-15-2024.png
544K

Paris Email Arranging VIP Seating May 24 2022.pdf
10K

Wortman reveals texts discussing county manager replacement, defunding EDC- Nov 30, 2022.pdf
361K

Paris-Owens Hiring Emails.pdf
26K

Wortman-Paris Texts.pdf
366K

Defunding EDC, 'hit list' of Cabarrus employees discussed by Measmer, Strang and Wortman- Oct 26, 2022.pdf
1521K