



## TEXAS ETHICS COMMISSION MEETING MINUTES

**Formal Hearing Minutes**  
February 24, 2022, 4:09 p.m.  
Capitol Extension, Room E1.014  
Austin, Texas 78701



**COMMISSIONERS PRESENT:** Mary K. “Katie” Kennedy, Chair; Randall H. Erben, Vice Chair; Chad M. Craycraft, Chris Flood, Patrick W. Mizell, Richard S. Schmidt, Joseph O. Slovacek, and Steven D. Wolens

**COMMISSIONERS NOT PRESENT:** All Present

**STAFF PRESENT:** Joe Brocato, Margie Castellanos, Carmen Dalpaiz, Nick Espinosa, Betty Gallegos, Jessie Haug, Cristina Hernández, Jordan Hunn, J.R. Johnson, Natalie McDermon, Amy Padilla, Anne Temple Peters, Lindsay Powers, Frances Ramirez, Margaret Sanchez, Patti Shannon, Scarlett Scalzo and Jim Tinley.

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### MINUTES

These minutes are a summary record of the Commission’s actions at the meeting. For a detailed record of discussions and statements made by persons speaking at the meeting, please consult the audio recordings on file at the Commission’s office.

**Agenda Item 1: Call to Order/Roll Call.**

The meeting was called to order by Chair Kennedy. Anne Temple Peters, Executive Director, called the roll. All Commissioners were present.

**Agenda Item 2: Formal hearing notice pursuant to Sections 551.002 and 571.139(b), Government Code, Open Meetings Requirement, and Section 12.117, Ethics Commission Rules.** Contested Case Proceeding; In the Matter of Matthew Wiggins, Respondent. Sworn Complaint Nos. SC-32009187, SC-32010205 and SC-32011255. These sworn complaints contain allegations under section 255.003 of the Election Code.

Chair Kennedy addressed the Commission. Exhibits had been pre-admitted. Mr. Matthew Wiggins, Respondent, was present and was sworn in. Mr. James Tinley, Deputy General Counsel, gave his opening statement. Respondent gave his opening statement. Mr. Tinley called Respondent

as a witness. Mr. Tinley questioned Respondent. Chair Kennedy, Vice Chair Erben and Commissioners Flood and Schmidt responded with questions and comments. Mr. Tinley rested. Respondent did not call any witnesses. Mr. Tinley gave his closing arguments. Respondent gave his closing arguments. Mr. Tinley gave his rebuttal.

The Commissioners went into Executive Session to deliberate at 5:11 p.m., and reconvened at 5:26 p.m. Chair Kennedy announced findings of violations of Tex. Elec. Code § 255.003, and a fine of \$1,000.

**Agenda Item 3: Formal hearing notice pursuant to Sections 551.002 and 571.139(b), Government Code, Open Meetings Requirement, and Section 12.117, Ethics Commission Rules.** Contested Case Proceeding; In the Matter of SC-31912186, Eric Dick, and SC-31912187, Phillip Bryant. These sworn complaints contain allegations under sections 252.001, 253.031, 254.031, 255.001 and 255.004 of the Election Code.

Chair Kennedy recused herself from the proceedings. Vice Chair Erben addressed the Commission. Ms. Natalie McDermon, Assistant General Counsel, elected to proceed in default against Respondent Phillip Bryant, who had been served with a subpoena to appear in person and did not appear. Ms. McDermon gave her statement. Vice Chair Erben announced findings of violations of Tex. Elec. Code § 255.001 against Respondent Phillip Bryant, and a fine of \$6,000.

Mr. Chris Carmona, attorney for Respondent Eric Dick, was present. Exhibits had been pre-admitted. Ms. Natalie McDermon, Assistant General Counsel, gave her opening statement. Respondent reserved his opening statement. Ms. McDermon stated that she was ready to provide an Offer of Proof since Respondent Eric Dick, who had been served with a subpoena to appear in person, did not appear. Mr. Carmona objected. Vice Chair Erben overruled the objection. Ms. McDermon and Ms. Carmen Dalpaiz, Assistant General Counsel, gave an Offer of Proof. Mr. Carmona gave a running objection to the Offer of Proof. Vice Chair Erben and Commissioner Wolens responded with questions and comments. Mr. Carmona gave his opening statement. Vice Chair Erben and Commissioners Mizell and Wolens responded with questions and comments.

The Commissioners went into Executive Session to deliberate at 6:28 p.m., and reconvened at 6:36 p.m. Vice Chair Erben announced findings of violations of Tex. Elec. Code §§ 254.031, 255.001 and 255.004 against Respondent Eric Dick, and a fine of \$30,000. Pursuant to Tex. Gov't Code § 571.175, the Commission will notify the State Bar of these violations.

**Agenda Item 4: Adjourn.**

Motion by Chair Kennedy to adjourn. **Commission meeting adjourned by unanimous consent.**

Meeting adjourned at 6:38 pm.