

COMMONWEALTH OF PENNSYLVANIA

COURT OF JUDICIAL DISCIPLINE

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2012 MAY 18 P 3:24

IN RE:

Joan Orié Melvin;
Justice of the Supreme Court :
of Pennsylvania; :
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5 JD 2012

IMPORTANT NOTICE

TO: JOAN ORIE MELVIN:

You are hereby notified that the Pennsylvania Judicial Conduct Board determined that probable cause exists to file formal charges against you for conduct proscribed by Article V, §17(b) and §18(d)(1) of the Constitution of the Commonwealth of Pennsylvania and the Code of Judicial Conduct. The Board’s counsel will present the case in support of the charges before the Pennsylvania Court of Judicial Discipline.

You have an absolute right to be represented by a lawyer in all proceedings before the Court of Judicial Discipline. Your attorney should file an entry of appearance with the Court of Judicial Discipline in accordance with C.J.D.R.P. No. 110.

You are hereby notified, pursuant to C.J.D.R.P. No. 302(B), that should you elect to file an omnibus motion, that motion should be

filed no later than thirty (30) days after the service of this Board Complaint in accordance with C.J.D.R.P. No. 411.

You are further hereby notified that, if you elect not to file an omnibus motion, you may file an Answer admitting or denying the allegations contained in this Board Complaint within thirty (30) days after the service of this Complaint in accordance with C.J.D.R.P. No. 413. Otherwise, you may file an Answer within twenty (20) days after the entry of an order dismissing all or part of your omnibus motion. Failure to file an Answer shall be deemed a denial of all factual allegations in the Board Complaint.

COMPLAINT

AND NOW, this 18th day of May, 2012, comes the Judicial Conduct Board of the Commonwealth of Pennsylvania (the Board) and files this Complaint against Joan Orié Melvin, Justice of the Supreme Court of Pennsylvania (Justice Orié Melvin). The Board alleges that Justice Orié Melvin violated the Constitution of the Commonwealth of Pennsylvania, Article V, §§ 17(b) and 18(d)(1), and the Code of Judicial Conduct by virtue of her conduct, delineated specifically as follows:

1. Article V, § 18 of the Constitution of the Commonwealth of Pennsylvania grants to the Board the authority to determine whether there is probable cause to file formal charges against a judicial officer in this Court and, thereafter, to prosecute the case in support of such charges before this Court.

2. Since January 2010, Justice Orié Melvin has served as a Justice of the Supreme Court of Pennsylvania. Prior to her election to the Supreme Court, Justice Orié Melvin served as a Judge of the Superior Court of Pennsylvania from January 1998 until December 2009. Before her service on the appellate courts, Justice Orié Melvin served as a Judge of the Court of Common Pleas of Allegheny County and as a Magistrate Judge for the City of Pittsburgh.

PART A. CRIMINAL CHARGES AGAINST JUSTICE ORIE MELVIN

3. In 2003, while a sitting Superior Court Judge, Justice Orie Melvin campaigned for election to the Supreme Court of Pennsylvania, but she was unsuccessful.
4. In 2009, while a sitting Superior Court Judge, Justice Orie Melvin campaigned for election to the Supreme Court of Pennsylvania and was successful.
5. As more fully-described *infra at Part B*, Justice Orie Melvin had actual knowledge during her 2003 and 2009 Supreme Court campaigns that Janine Orie, her sister and her former Superior Court Judicial Secretary II, engaged in partisan political activity on her behalf, both during Commonwealth working hours and during her non-working hours.
6. As more fully-described *infra at Part B*, Justice Orie Melvin directed Janine Orie, *inter alia*, to engage in prohibited partisan political activity and to transmit directions made by Justice Orie Melvin to third parties, including other members of her Superior Court judicial staff, to engage in prohibited partisan political activity on her behalf.
7. The partisan political activity required of her judicial staff by Justice Orie Melvin through Janine Orie was performed by Justice Orie Melvin's staff during Commonwealth working hours and during non-working hours.
8. The 2003 and 2009 campaign activity of Justice Orie Melvin, Janine Orie, and former Senator Jane Orie, their sister, was the

subject of an investigation by the Allegheny County District Attorney's Office and the 2010 Allegheny County Investigating Grand Jury (the Grand Jury) for potential violations of the Pennsylvania Crimes Code, Title 18 Pa.C.S.A., and the Public Official and Employee Ethics Act, Title 65 Pa.C.S.A., resulting from the alleged use of Commonwealth paid-employees of Justice Orié Melvin and former Senator Orié to perform political campaign work while on Commonwealth time.

9. As a result of its investigation into the activity of Justice Orié Melvin, the Grand Jury returned a presentment (Presentment C-2) against Justice Orié Melvin on May 18, 2012. The Grand Jury's presentment is attached as **Exhibit "A"** and the factual assertions underlying the presentment are incorporated herein by reference.

10. Based upon the Grand Jury's presentment, the District Attorney of Allegheny County on May 18, 2012, charged Justice Orié Melvin with three felony counts of theft of services, 18 Pa.C.S.A. § 3926(b) (F3); one felony count of Criminal Conspiracy (theft of services), 18 Pa.C.S.A. §§ 903, 3926(b)(F3); two misdemeanor counts of Official Oppression, 18 Pa.C.S.A. § 5301(1) or (2) (M2); one misdemeanor count of Criminal Solicitation (tamper with or fabricate physical evidence), 18 Pa.C.S.A. §§902, 4910(1)(M2); one misdemeanor count of Criminal Conspiracy (tampering with physical evidence), 18 Pa.C.S.A. §§903, 4910 (M2); and one count of misapplication of entrusted property, 18 Pa.C.S.A. § 4113(a) (M2). These charges are attached as **Exhibit "B"** and the charges and the factual assertions underlying the charges are incorporated herein by reference.

11. On December 16, 2011, the Grand Jury returned a presentment (Presentment C) against Janine Orié for her role in directing Commonwealth-paid Superior Court judicial staff employees of Justice Orié Melvin to engage in partisan political activity on behalf of Justice Orié Melvin's Supreme Court candidacy. The presentment is attached as ***Exhibit "C."***

12. Based upon the Grand Jury's December 16, 2011 presentment, the District Attorney of Allegheny County (District Attorney) charged Janine Orié with one felony count of theft of services, 18 Pa.C.S.A. § 3926(b) (F3), and the following misdemeanor offenses: (1) misapplication of entrusted property, 18 Pa.C.S.A. § 4113(a) (M2); (2) tampering with or fabricating physical evidence, 18 Pa.C.S.A. § 4910(1) (M2); (3); and (4) criminal solicitation (tampering with or fabricating physical evidence) 18 Pa.C.S.A. §§ 902, 4910(1) (M2). These charges are attached as ***Exhibit "D."***

13. In addition to the December 16, 2011 presentment, the Grand Jury previously issued a presentment (Presentment H) against Janine Orié on April 1, 2010, for her role in directing Senator Jane Orié's staff to engage in partisan political activity for Justice Orié Melvin's 2009 campaign. The presentment is attached as ***Exhibit "E."***

14. Based on the April 1, 2010 presentment, the District Attorney charged Janine Orié with the following felonies (1) theft of services, 18 Pa.C.S.A. § 3926(b) (F3); and (2) criminal conspiracy to commit theft of services, 18 Pa.C.S.A. §§ 903, 3926(b) (F3).

15. Also based on the April 1, 2010 presentment, the District Attorney charged former Senator Jane Orié for her role in directing her Senatorial staff to work on Justice Orié Melvin's political campaigns.
16. Former Senator Orié was tried and convicted of the following felonies: (1) theft of services, 18 Pa.C.S.A. § 3926(b) (F3) (two counts); (2) criminal conspiracy (theft of services), 18 Pa.C.S.A. §§ 903, 3926(b) (F3); and conflict of interest, 65 Pa.C.S.A. § 1103 (ungraded felony). Former Senator Orié was also convicted of the following misdemeanors: (1) forgery, 18 Pa.C.S.A. § 4101 (M1) (two counts); and (2) tampering with or fabricating physical evidence, 18 Pa.C.S.A. § 4910 (M2) (seven counts).

PART B. FAILURE TO ADMINISTER STAFF/PERMITTING VIOLATION OF SUPREME COURT ORDER REGARDING PARTISAN POLITICAL ACTIVITY

17. All facts alleged above at **Part A** and all attached exhibits are incorporated by reference and made a part hereof.
18. At all times during Justice Orié Melvin's tenure as a Superior Court Judge, all court-appointed employees of the Courts of this Commonwealth were forbidden from engaging in "partisan political activity" by order of the Supreme Court of Pennsylvania. ***See In re: Prohibited Political Activity by Court-Appointed Employees***, 201 Judicial Adm. Dkt. 1 (1998).

19. The operative language of ***In re: Prohibited Political Activity by Court-Appointed Employees***, 201 Judicial Adm. Dkt. 1 (1998) states, in pertinent part, the following:

1. Definitions.

(a) The term “partisan political activity” shall include, but is not limited to, running for public office, serving as a party committee-person, working at a polling place on Election Day, performing volunteer work in a political campaign, soliciting contributions for political campaigns, and soliciting contributions for a political action committee or organization, but shall not include involvement in non-partisan or public community organizations or professional groups.

(b) The term “court-appointed employees” shall include, but is not limited to, all employees appointed to and who are employed in the court system, statewide and at the county level, employees of the Administrative Office of Pennsylvania Courts, Court Administrators and their employees and assistants, court clerks, secretaries, data processors, probation officers, and such other persons serving the judiciary.

2. Prohibition of Partisan Political Activity.

(a) Court-appointed employees shall not be involved in any form of partisan political activity.

(b) This prohibition shall not apply to court-appointed employees who are duly sworn Court-

appointed full-time masters and members of Board of Viewers, who are attorneys in good standing admitted to the practice of law in this Commonwealth, who may become candidates for higher judicial office. Said employees shall, during such candidacy, be subject to the provisions of the Code of Judicial Conduct and, particularly, Canon 7, which governs judicial campaigns.

3. Termination of Employment.

Except as provided in paragraph 2(b), above, henceforth, a court-appointed employee engaging in partisan political activity shall cease such partisan political activity at once or shall be terminated from his or her position. In the event an employee chooses to become a candidate for any office, such employee shall be terminated, effective the close of business on the first day of circulating petitions for said office.

4. President Judge.

The President Judge of each appellate court or county court of common pleas shall be responsible for the implementation of these guidelines and shall be subject to the review of the [Judicial Conduct Board] for failure to enforce.

See In re: Prohibited Political Activity by Court-Appointed Employees, 201 Judicial Adm. Dkt. 1 (Pa. 1998), at §§ 1-4 (bold removed from original;

bracketed language supplied), *amending, In re: Prohibited Political Activity by Court Appointed Employees*, 82 Judicial Adm. Dkt. 1 (Pa. 1987).

20. The prohibition on partisan political activity by court-appointed employees is adopted verbatim in the ***Code of Conduct for Employees of the Judicial System***, § V, at 3-4, 10/1/2010.
21. Superior Court Internal Operating Procedure (IOP) 65.13 prohibits appointed judicial employees from engaging in partisan political activities and cites ***In re: Prohibited Political Activity by Court Appointed Employees***, 82 Judicial Adm. Dkt. 1 (Pa. 1987), in its comment.
22. At all times, including during the 2003 and 2009 Supreme Court elections, all members of Justice Orié Melvin's Superior Court staff fell within the ambit of the above-cited prohibitions on partisan political activity.
23. During the 2003 election, Justice Orié Melvin's Superior Court office staff consisted of the following individuals: (1) Janine Orié, Judicial Secretary II, and Justice Orié Melvin's sister; (2) Katherine M. Squires, Judicial Secretary I; (3) Lisa L. Sasinoski, Judicial Clerk III ("Chief Law Clerk"); (4) John "Jack" Degener, Deputy Judicial Clerk III ("Deputy Chief Law Clerk"); (5) Cathy A. Skidmore, Law Clerk; and (6) Molly M. Creenan, Law Clerk.
24. At all times during her employment as a Superior Court Judicial Secretary II for Justice Orié Melvin, Janine Orié exercised authority over the rest of Justice Orié Melvin's Superior Court staff, including, but not limited to, the following areas: (1)

assignments of judicial legal work to law clerks; (2) assignments of non-legal work to all staff; (3) prioritization of work assignments; and (4) general personnel management and supervision.

25. Justice Orié Melvin issued many directives to her Superior Court staff through Janine Orié.
26. Justice Orié Melvin's staff, including attorney law clerk employees, treated all directives from Janine Orié as if they came directly from Justice Orié Melvin, her sister.
27. Justice Orié Melvin continued this management hierarchy after she was elected to the Supreme Court.
30. Throughout the course of the 2003 election, Janine Orié engaged in prohibited partisan political activity in support of Justice Orié Melvin's 2003 Supreme Court campaign, both during Commonwealth working hours and after Commonwealth working hours.
31. Janine Orié's partisan political activity for the 2003 Supreme Court campaign included, but were not limited to, the following acts:
 - a. Creating and printing campaign letters;
 - b. Stuffing envelopes for campaign mailings;
 - c. Copying campaign literature;
 - d. Collecting campaign contributions;

- e. Preparing deposit slips for campaign contributions;
 - f. Arranging Justice Orié Melvin's campaign travel details with her drivers;
 - g. General day-to-day management of Justice Orié Melvin's campaign; and
 - h. Traveling with Justice Orié Melvin to polling places on Election Day 2003.
32. During the 2003 election, Janine Orié directed members of Justice Orié Melvin's staff to engage in prohibited partisan political activity in support of Justice Orié Melvin's 2003 Supreme Court campaign, both during Commonwealth working hours and outside of Commonwealth working hours.
33. During the 2003 election, Justice Orié Melvin's Superior Court Judicial staff's partisan political activity (as directed by Janine Orié) included, but was not limited to, the following acts:
- a. Picking up and delivering campaign-related mail to the office of Attorney Jack Orié (Justice Orié Melvin's brother) (Squires);
 - b. Making deposits of campaign contributions (Squires, Skidmore, Creenan);
 - c. Generating Microsoft Excel spreadsheets of campaign contributors (Squires);
 - d. Sending "thank you" notes to campaign contributors (Squires);
 - e. Generating campaign finance reports (Squires);
 - f. Filling out answers to campaign questionnaires addressed to Justice Orié Melvin from various interest groups (Sasinoski, Creenan, Degener, Skidmore); and

- g. Preparing speeches for Justice Orié Melvin to deliver (Sasinowski, Creenan, Degener, Skidmore).
34. Justice Orié Melvin's Superior Court Judicial staff utilized Superior Court office property and working hours to accomplish the tasks described at Paragraph 33 a-g.
 35. Janine Orié directed all judicial staff members to work at polling places in the Allegheny County/Pittsburgh area on Election Day 2003.
 36. Janine Orié instructed judicial staff to disguise themselves so that they would not be recognized at polling places in the Pittsburgh/Allegheny County area.
 37. Creenan refused to work at the polls on Election Day 2003.
 38. As a result of her refusal, either Janine Orié or Sasinowski required Creenan to work at the office on Election Day, where she answered telephone calls from citizens who were angered by repeated Orié Melvin campaign "robo-calls" to their residences.
 39. Janine Orié also directed staff members of former Senator Jane Orié to engage in activities that assisted Justice Orié Melvin in her 2003 campaign.
 40. At some point prior to the Supreme Court elections of 2003 and 2009, Jamie Pavlot, former Senator Orié's past Chief of Staff was directed by former Senator Orié to treat all directives

coming from Janine Orié as having come from the former Senator.

41. Janine Orié directed former Senator Orié's staff members to drive Justice Orié Melvin to campaign events.
42. Janine Orié directed former Senator Orié's staff to work at the polls on Election Day 2003 for Justice Orié Melvin's campaign.
43. During the 2003 election, Justice Orié Melvin routinely compelled Sasinoski to accompany her to political events that she attended throughout the Commonwealth during the 2003 election season. On these trips, both Justice Orié Melvin and Sasinoski drove.
44. Throughout the course of the 2003 campaign, Justice Orié Melvin asked Sasinoski directly to supply answers to campaign questionnaires provided to Justice Orié Melvin due to her familiarity with pending issues that arose in court opinions and memoranda that Sasinoski drafted for Justice Orié Melvin.
45. In December 2003, shortly after the 2003 Supreme Court election ended, Sasinoski approached Justice Orié Melvin and told her that she would not engage in further political activity for her and that such activity in the office must cease.
46. In response to Sasinoski's statement, Justice Orié Melvin replied, "Well, if you can't handle it. . .," but she did not finish her statement because she was interrupted by an incoming telephone call.

47. Shortly after the meeting in December 2003, Sasinoski's employment on Justice Orie Melvin's judicial staff was terminated by Janine Orie, who instructed her to clear out her desk and to return her ID card.
48. During Justice Orie Melvin's successful 2009 campaign, her Superior Court staff consisted of the following individuals: (1) Janine Orie, Judicial Secretary II; (2) Katherine M. Squires, Judicial Secretary I; (3) John "Jack" Degener, Judicial Clerk III ("Chief Law Clerk"); (4) Molly M. Creenan, Deputy Judicial Clerk III ("Deputy Chief Clerk"); (5) Cathy A. Skidmore, Law Clerk; and (6) Robert P. Woods, Jr., Law Clerk.
49. On or about December 2008, around the time that she learned that Justice Orie Melvin would again seek election to the Supreme Court of Pennsylvania in 2009, Creenan found political campaign questionnaires in her work "in box."
50. During the previous 2003 election, Janine Orie placed similar questionnaires in Creenan's "in box" for her to complete for Justice Orie Melvin.
51. After Creenan found the questionnaires in her "in box," she approached Degener and Skidmore and expressed that she did not want the staff to be engaged in political activity for Justice Orie Melvin's campaign because such activity was prohibited by the Supreme Court, the Superior Court, and the Administrative Office of Pennsylvania Courts.
52. Creenan advised both Degener and Skidmore that she was going to approach Justice Orie Melvin with her concerns, but

the two declined to join Creenan in the upcoming meeting with Justice Orié Melvin.

53. Shortly after her conversation with Degener and Skidmore, Creenan met with Justice Orié Melvin in her private office.
54. Janine Orié repeatedly entered and left Justice Orié Melvin's office during the meeting between Justice Orié Melvin and Creenan, but Creenan did not converse with Janine Orié when she entered or left Justice Orié Melvin's office.
55. During their meeting, Creenan expressed her concerns about the upcoming Supreme Court campaign and stated that she wanted to be sure that the staff did not engage in any prohibited partisan political activity.
56. Specifically, Creenan presented the following points to Justice Orié Melvin during their discussion:
 - a. Creenan referenced the criminal case involving Commonwealth House of Representatives Member Jeffrey Habay, who was prosecuted for improper political and campaign-related activity in his legislative offices (***See, e.g., Commonwealth v. Habay***, 934 A.2d 732 (Pa. Super. 2007));
 - b. If Janine Orié was going to work on Justice Orié Melvin's campaign, then Janine should take a leave of absence during the campaign;
 - c. Creenan did not want Justice Orié Melvin's staff working at polling places as they had in the 2003 election;
 - d. Creenan did not want the Superior Court's office equipment to be used for campaign purposes; and

- e. Creenan did not want Justice Orié Melvin's staff members to be required to work on campaign questionnaires because such activity bore the appearance of impropriety.
57. After Creenan presented these matters to Justice Orié Melvin, she appeared to Creenan to be visibly upset.
 58. Justice Orié Melvin then asked Creenan if she would be willing to perform campaign work on her own time after working hours.
 59. Creenan responded to Justice Orié Melvin that she would not, and Justice Orié Melvin ended the conversation abruptly by stating "Okay. Thanks."
 60. Despite the conversation between Creenan and Justice Orié Melvin, Janine Orié continued to provide political campaign questionnaires to Creenan to complete for Justice Orié Melvin during the 2009 campaign.
 61. On one occasion during the 2009 campaign, Justice Orié Melvin, *via* fax, provided Creenan with a campaign questionnaire to complete.
 62. Throughout the 2009 campaign, Janine Orié utilized Superior Court office equipment and Superior Court working hours to do the following:
 - a. Produce and copy campaign letters;
 - b. Prepare "thank you" notes for donors; and

- c. Correspond frequently with members of Senator Jane Orié's office staff, who performed the lion's share of day-to-day work for Justice Orié Melvin's 2009 campaign.
63. Janine Orié's primary point of contact for Senator Jane Orié's office staff for both the 2003 and 2009 Supreme Court campaigns was Jamie Pavlot, former Chief of Staff.
64. At some point during the 2009 election, Creenan confronted Janine Orié in the Superior Court chambers about her use of Superior Court property for campaign purposes, to which Janine Orié responded that she was utilizing a laptop.
65. Throughout the 2009 campaign, Justice Orié Melvin, Janine Orié, former Senator Jane Orié, the Senator's staff, Casey Melvin, Justice Orié Melvin's daughter, Joanne Tsucalas, a professional fundraiser hired by Justice Orié Melvin's 2009 campaign, and other paid employees of the Orié Melvin Campaign engaged in frequent emails exchange with each other regarding the needs of the 2009 campaign.
66. These email exchanges were obtained in part by the District Attorney's Office in the course of its investigation and were presented as exhibits at the joint trial of Janine Orié and former Senator Jane Orié, which ended in a mistrial.
67. After the first trial of Janine Orié and former Senator Orié ended in a mistrial on March 3, 2011, the District Attorney provided these emails to the Board on April 5, 2011, to assist it in its investigation. ***See Exhibits "G" – "M"***

68. The Board also obtained emails involving Justice Orié Melvin and her campaign personnel through its own independent investigation. **See, E.g. Exhibit "F."**
69. These email exchanges reveal that Janine Orié engaged in partisan political activity on behalf of Justice Orié Melvin's 2009 campaign and that Justice Orié Melvin had actual knowledge of Janine Orié's activity.
70. In these email exchanges, the parties named below primarily utilized the following email addresses to correspond with each other:
- a. Justice Orié Melvin - oriemelvin@yahoo.com;
judgeoriemelvin4supreme@yahoo.com;
 - b. Janine Orié - bbboru@yahoo.com;
 - c. Former Senator Jane Orié - janeorie@aol.com;
 - d. Casey Melvin - cmelvin@princeton.edu;
 - e. Jamie Pavlot, former Chief of Staff for former Senator Orié - jombie1013@yahoo.com;
 - f. Joshua "Josh" Dott, former staff member of former Senator Jane Orié - joshuadott@gmail.com and jdott@pasen.gov;
 - g. Noel Burch (now Noel Nyquist), Commonwealth Strategic Solutions employee (retained by Orié Melvin Campaign) - noel@commonwealthstrategic.com;
 - h. Michael "Mike" Long, Commonwealth Strategic Solutions co-owner (retained by Orié Melvin Campaign) - mike@commonwealthstrategic.com; and

- i. Todd Nyquist, Commonwealth Strategic Solutions co-owner (retained by Orié Melvin Campaign) – toddn25@yahoo.com.
71. In the attached **Exhibit "F"** Justice Orié Melvin was a direct recipient of an email from Noel Burch (now Noel Nyquist).
72. In **Exhibit "F"**, Justice Orié Melvin, utilizing her judgeoriemelvin4supreme@yahoo.com address, told Ms. Burch the following:
 - a. That Ms. Burch should email her at her "personal email [sic] address," and she indicated oriemelvin@yahoo.com;
 - b. That the email addresses of "jane" (referring to former Senator Orié) and "janine" (referring to Janine Orié) were janeorie@aol.com and bbboru@yahoo.com, respectively;
 - c. That she (meaning Justice Orié Melvin) did not read the judgeoriemelvin4supreme@yahoo.com address;
 - d. That she (meaning Justice Orié Melvin) wanted the judgeoriemelvin4supreme@yahoo.com address for "scheduler & campaign staff;" that she "didn't always check" the email at that address; and
 - e. That her (meaning Justice Orié Melvin's) "blackberry has my personal email connected. If you email me send it there where I can access it."
73. In **Exhibits "F" – "M,"** Justice Orié Melvin was either named as a direct recipient of Janine Orié's email correspondence or was listed in the copy count.
74. In the attached **Exhibits "F" – "M,"** Justice Orié Melvin took the following actions:

- a. She replied directly to the politically-related email exchanges that Janine Orié participated in;
 - b. She replied to the politically-related emails that Janine Orié forwarded to Justice Orié Melvin that were sent to Janine Orié originally by other campaign-related persons; and
 - c. She replied to politically-related emails generated by other campaign-related persons wherein Janine Orié was included as a recipient in the copy count.
75. **Exhibit "G"**, is an email exchange dated September 17-18, 2009, involving Janine Orié questioning Noel Burch and Mike Long regarding a scheduling error that resulted in Justice Orié Melvin missing a "law firm walkthrough" political event.
76. Justice Orié Melvin was not a direct participant to the email exchange presented in **Exhibit "G"**, though Noel Burch forwarded the entire email exchange to Justice Orié Melvin.
77. **Exhibit "H"** is an email dated August 10, 2009, with an invoice dated June 9, 2009, from Mike Long to Janine Orié regarding Marie Conley, a fundraiser formerly employed by the 2009 Orié Melvin Campaign.
78. **Exhibit "H"** reflects that Janine Orié forwarded Mike Long's email and invoice to Justice Orié Melvin with the following original message: "Joan please email that she was working for other candaite [sic] and due to her deficiencies we were double charged for invites to pat solaro event invoice# 6081 from krick graphic 439.37 then invoice 6083 same invites 425.86 both

dated may 13 addition of moran and also misspelled Eileen Melvin's name in invite to Somerset event."

79. **Exhibit "I"** is an email exchange dated August 10, 2009, between Justice Orié Melvin and Mike Long, wherein Justice Orié Melvin presented to Mike Long the complaints made by Janine Orié about Marie Conley referenced in **Exhibit "H"**, among other complaints about Ms. Conley's performance.
80. **Exhibit "I"** reflects that, at the conclusion of the email exchange, Justice Orié Melvin forwarded Mike Long's response to her to both Senator Orié and Janine Orié.
81. **Exhibit "J"** is an email exchange dated October 9, 14-15, 2009, between Janine Orié, Joanne Tsucalas, and Justice Orié Melvin. The email exchange is summarized as follows:
 - a. Janine Orié directed Joanne Tsucalas to contact Chris Sepesy and Dick Howden;
 - b. Ms. Tsucalas replied to Janine Orié on October 14, 2009;
 - c. Janine Orié responded to Ms. Tsucalas on October 15, 2009, and, within the response, states "joanne we really need to find money – panella is on tv with ads all last night – they said he has 2 negatives scheduled for next week – nothing from templeton[?] he gave BIG to lally-green and the entire superior court ticket last run --- over 300, 000 each[...]"
 - d. Joanne Tsucalas responded to Janine Orié on October 15, 2009, with the question "Give me the \$ amount I can shop to Templeton and Alan Walker ie Ad to counter the 2 negatives. That's what these guys like to do."

- e. Janine Orie forwarded Joanne Tsucalas' previous question to Justice Orie Melvin on October 15, 2009.
 - f. Justice Orie Melvin responded to Janine Orie's forward by stating "I need 100,000 from templeton. That's what he gave lally green. Tell him Panella has \$1million from philly trial lawyers has \$600,000 from out of state unions. He has gay lesbian & pro choice groups. This is about majority court & future. I NEED to talk to him. Ask alan for \$25,000."
 - g. Janine Orie forwarded Justice Orie Melvin's response regarding the Walker and Templeton question to Joanne Tsucalas on October 15, 2009.
 - h. Ms. Tsucalas responded to Janine Orie's forwarded message on October 15, 2009, by stating "Walker only sending \$1,000 out today to Jack's office. He said that's the best he can do."
82. **Exhibit "K"** is an email exchange dated September 17-18, 2009, between Justice Orie Melvin and Janine Orie about "notes," wherein Justice Orie Melvin closed the exchange by directing Janine Orie to "send letter from jane [(referring to former Senator Orie)] to toomey & corbett's campaign [(referring to Senator Patrick Toomey and then-Attorney General Thomas Corbett, candidate for Governor)] asking for contribution[.]"
83. **Exhibit "L"** is an email exchange dated September 21-22, 2009 between Jamie Pavlot, Janine Orie, and Justice Orie Melvin. The email exchange is summarized as follows:
- a. Jamie Pavlot sent an email to Janine Orie, carbon copied to Justice Orie Melvin and Jane Orie regarding a suggestion by Ms. Pavlot to provide 2009 Orie Melvin campaign literature (poll cards) to

the McDonald Sportsmen's Association's September 26, 2009 event.

- b. Janine Orie forwarded Ms. Pavlot's message to Justice Orie Melvin and asked "Joan do you have some handouts maybe can take or whoever is attending for jane".
- c. Justice Orie Melvin responded to Janine Orie's message by stating "I ordered kinko nra. Will pick up today and take to josh"
- d. Janine Orie then forwarded the entire preceding email exchange to Joshua "Josh" Dott, carbon copy to Justice Orie Melvin, with the following directive to Mr. Dott: "can you make sure they get them and the sportsmen the judge will tell you where they need to go thank you".

84. **Exhibit "M"** is an email exchange dated September 21, 2009, between Jamie Pavlot, Justice Orie Melvin and Joshua Dott regarding Ms. Pavlot's suggestion to Janine Orie, former Senator Jane Orie, and Justice Orie Melvin to provide 2009 Orie Melvin campaign literature to the McDonald Sportsmen's Association September 26, 2009 event.

85. In the email exchange in **Exhibit "M"**, Justice Orie Melvin's final message to Mr. Dott was as follows: "I can drop off 800 handcards for this. I also have 2 boxes of hand cards Janine needs you to drop off at Laborers office across from Palumbo. Thanks"

86. During Justice Orie Melvin's 2009 campaign, Janine Orie continued to direct Justice Orie Melvin's judicial staff to engage in prohibited partisan political activities on Justice Orie Melvin's behalf, as Janine Orie had done in the unsuccessful 2003 campaign.

87. Janine Orié directed the staff to undertake the following actions on behalf of Justice Orié Melvin's 2009 campaign:
- a. Pick up and deliver campaign-related mail to the office of Attorney Jack Orié (Squires);
 - b. Make deposits of campaign contributions (Squires);
 - c. Generate campaign finance reports (Squires);
 - d. Fill out and fax answers to campaign questionnaires addressed to Justice Orié Melvin from various interest groups (Creenan, Degener, Skidmore);
 - e. Generate summaries of court cases authored by Justice Orié Melvin regarding topics of political importance to her (Creenan, Degener, Skidmore); and
 - f. Gather on Election Day 2009 for an Election Day event held jointly with Senator Jane Orié and her staff (Justice Orié Melvin's entire staff).
88. Justice Orié Melvin's Superior Court judicial staff utilized Superior Court office property and working hours to accomplish the tasks described in Paragraph 87 a-f.
89. Creenan refused to complete the questionnaires assigned to her in the 2009 campaign, and she gave them to Degener to complete.
90. Ultimately, Justice Orié Melvin approved the content of the questionnaire responses prior to their dissemination to the questioning bodies.

91. At all times during the 2003 and 2009 Supreme Court campaigns, Justice Orié Melvin required, was aware of, participated in, assisted, encouraged, tolerated and/or permitted both Janine Orié and the rest of Justice Orié Melvin's Superior Court staff to engage in the proscribed partisan political activity delineated above.
92. Despite being warned by both Sasinoski (in late 2003) and Creenan (in late 2008), Justice Orié Melvin did not take any action to stop her staff from participating in prohibited partisan political activity for her (Justice Orié Melvin's) benefit.

PART C. CHARGES

93. By virtue of some or all of the facts alleged above in Parts A and B, Justice Orié Melvin is subject to discipline pursuant to Article V, § 18(d)(1) for the following reasons:

COUNT 1

CANON 3

B. Administrative responsibilities.

- (1) Judges should diligently discharge their administrative responsibilities, maintain professional competence in judicial administration, and facilitate the performance of the administrative responsibilities of other judges and court officials.
- (2) Judges should require their staff and court officials subject to their direction and control to observe the standards of fidelity and diligence that apply to judges.
- (3) Judges should take or initiate appropriate disciplinary measures against a judge or lawyer for

unprofessional conduct of which the judge may become aware.

Justice Orié Melvin violated Canon 3 by failing to administrate her judicial staff in a proper fashion. Specifically, Justice Orié Melvin engaged in a pattern of activity when campaigning for election to higher judicial office whereby she required, was aware of, participated in, assisted, encouraged, tolerated and/or permitted both Janine Orié and the rest of her (Justice Orié Melvin's) Superior Court staff to engage in the proscribed partisan political activity delineated above. Despite her knowledge of its impropriety, Justice Orié Melvin also failed to stop the prohibited partisan political activity that took place in her Superior Court chambers, and she failed to ensure that it would not take place in 2009 after learning about it in late 2003 and late 2008 from her staff members. Likewise, Justice Orié Melvin did not take any disciplinary measures against **any** member of her staff, either an attorney or a non-attorney, for the partisan political activity that they performed on her behalf in her Superior Court chambers.

COUNT 2

ARTICLE V, § 17(b)

Justices and judges shall not engage in any activity prohibited by law and shall not violate any canon of legal or judicial ethics prescribed by the Supreme Court.

Justice Orié Melvin violated Article V, § 17(b) of the Pennsylvania Constitution by engaging in a pattern of conduct when campaigning for election to higher judicial office whereby she violated the Crimes Code of this Commonwealth, Canon 3 of the Code of Judicial Conduct, Superior Court Internal Operating Procedure 65.3, and ***In re: Prohibited Political Activity by Court-Appointed Employees***, 201 Judicial Adm. Dkt. 1 (Pa. 1998).

COUNT 3(A)-(D)

ARTICLE V, § 18(d)(1)

A justice, judge, or magisterial district judge may be suspended, removed from office, or otherwise disciplined for [(A)] conviction of a felony...[(B)]

violation of section 17 of this article...or [(C)] conduct which...brings the judicial office into disrepute whether or not the conduct is prohibited by law; or [(D)] conduct in violation of a canon or rule prescribed by the Supreme Court.

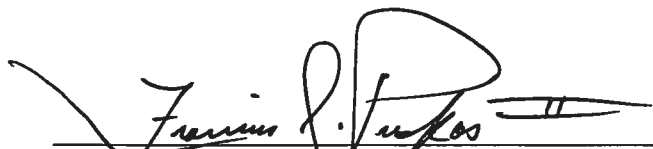
Justice Orié Melvin violated Article V, § 18(d)(1) of the Pennsylvania Constitution by engaging in a pattern of conduct when campaigning for higher judicial office whereby she violated the Crimes Code of this Commonwealth, Canon 3 of the Code of Judicial Conduct, Superior Court Internal Operating Procedure 65.3, and ***In re: Prohibited Political Activity by Court-Appointed Employees***, 201 Judicial Adm. Dkt. 1 (Pa. 1998), and Article V, § 17(b) of the Pennsylvania Constitution.

The criminal activity committed by Justice Orié Melvin in furtherance of her political efforts to gain higher judicial office brings disrepute upon the judiciary and, therefore, constitutes a separate violation of Article V, § 18(d)(1).

WHEREFORE, Joan Orié Melvin, Justice of the Supreme Court of Pennsylvania, is subject to disciplinary action pursuant to the Constitution of the Commonwealth of Pennsylvania, Article V, § 18(d)(1).

Respectfully submitted,

JOSEPH A. MASSA, JR.
Chief Counsel



BY: FRANCIS J. PUSKAS II
Deputy Chief Counsel
Pa. Supreme Court ID No. 76540

DATE: May 18, 2012

Judicial Conduct Board
601 Commonwealth Avenue, Suite 3500
P.O. Box 62525
Harrisburg, PA 17106
(717) 234-7911

**PART D. PETITION FOR RELIEF REQUESTING INTERIM SUSPENSION
WITH PAY**

AND NOW, this 18th day of May, 2012, comes the Judicial Conduct Board of the Commonwealth of Pennsylvania, by and through Joseph A. Massa, Jr., Chief Counsel, and files this Petition for Relief under Rule 701 of the Court of Judicial Discipline Rules of Procedure and Rule 13(A) of the Judicial Conduct Board Rules of Procedure Requesting Interim Suspension With Pay, and avers the following:

1. Petitioner is the Judicial Conduct Board of the Commonwealth of Pennsylvania, constituted pursuant to Article V, Section 18(a) of the Pennsylvania Constitution (the Board).
2. Respondent is Joan Orié Melvin, Justice of the Supreme Court of Pennsylvania.
3. The Board incorporates all factual allegations set forth above in Parts A and B of its complaint herein by reference.
4. The Pennsylvania Constitution at Article V, § 18(d)(2) provides the following :

Prior to a hearing, the Court (Court of Judicial Discipline) may issue an interim order directing the suspension, with or without pay, of any justice, judge or justice of the peace against whom formal charges have been filed with the Court by the Board (Judicial Conduct Board) or against whom has been filed an indictment or information charging a felony. An interim order under this paragraph shall not be considered a final order from which an appeal may be taken.

5. As a result of its investigation into the activity of Justice Orié Melvin, the Grand Jury returned a presentment (Presentment C-2) against Justice Orié Melvin on May 18, 2012. The Grand Jury's presentment is attached as **Exhibit "A"**, and the factual assertions underlying the presentment are incorporated herein by reference.

6. Based upon the Grand Jury's presentment, the District Attorney of Allegheny County on May 18, 2012, charged Justice Orié Melvin with three felony counts of theft of services, 18 Pa.C.S.A. § 3926(b) (F3); one felony count of Criminal Conspiracy (theft of services), 18 Pa.C.S.A. §§ 903, 3926(b)(F3); two misdemeanor counts of Official Oppression, 18 Pa.C.S.A. § 5301(1) or (2) (M2); one misdemeanor count of Criminal Solicitation (tamper with or fabricate physical evidence), 18 Pa.C.S.A. §§902, 4910(1)(M2); one misdemeanor count of Criminal Conspiracy (tampering with physical evidence), 18 Pa.C.S.A. §§903, 4910 (M2); and one count of misapplication of entrusted property, 18 Pa.C.S.A. § 4113(a) (M2). These charges are attached as **Exhibit "B"**, and the charges and the factual assertions underlying the charges are incorporated herein by reference.

7. The Board has filed a contemporaneous Board Complaint with this Honorable Court alleging that Justice Orié Melvin violated the Canons of the Code of Judicial Conduct and the Pennsylvania Constitution by virtue of the conduct delineated therein. **See Complaint Part A-C.** The alleged conduct also forms some or all of the bases of the charges filed against Justice Orié Melvin by the District Attorney.

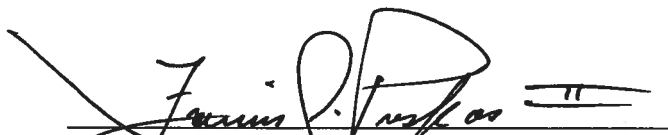
8. The pending felony criminal charges against Justice Orié Melvin undermine both public confidence in the judiciary and its reputation. If Justice Orié Melvin is permitted to continue participating in cases before the Supreme Court of Pennsylvania, the public's confidence in the judiciary and the judiciary's reputation will continue to erode.

WHEREFORE, the Board, by and through Joseph A. Massa, Jr., Chief Counsel, and Francis J. Puskas II, Deputy Chief Counsel, respectfully requests that this Honorable Court enter an interim order suspending Justice Joan Orié Melvin with pay pending trial on the criminal charges filed against her, and, if the fact finder at ***Commonwealth v. Joan Orié Melvin***, Allegheny County Lower Court Docket No. CR-0005030-12, enters a verdict of guilty on the felony charges, then the Board moves this Court to immediately convert the suspension to a suspension without pay pending further order of the court. The Board also requests this Court to enter any such other relief as may be deemed appropriate.

Respectfully submitted,

JOSEPH A. MASSA, JR.
Chief Counsel

DATE: May 18, 2012


BY: FRANCIS J. PUSKAS II
Deputy Chief Counsel
Pa. Supreme Court ID No. 76540

Judicial Conduct Board
601 Commonwealth Avenue, Suite 3500
P.O. Box 62525
Harrisburg, PA 17106
(717) 234-7911

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

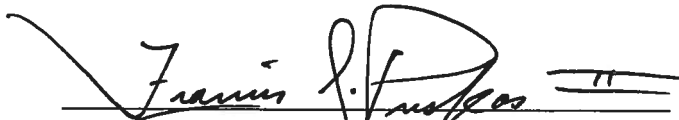
IN RE:

Joan Orié Melvin;
Justice of the Supreme Court : **5 JD 2012**
of Pennsylvania; :
: :
:

VERIFICATION

I am Deputy Chief Counsel for the Judicial Conduct Board and I am authorized to make this verification and file the foregoing *BOARD COMPLAINT AND PETITION FOR SUSPENSION*. I verify that the Judicial Conduct Board found probable cause to file the formal charges contained in this Board Complaint and has a reasonable basis to seek Justice Orié Melvin's interim suspension. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S Section 4904, relating to unsworn falsification to authorities.

Respectfully submitted,



DATE: May 18, 2012

BY: FRANCIS J. FUSKAS II
Deputy Chief Counsel
Pa. Supreme Court ID No. 76540

Judicial Conduct Board
601 Commonwealth Avenue, Suite 3500
P.O. Box 62525
Harrisburg, PA 17106
(717) 234-7911

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA

IN RE: 2010 ALLEGHENY COUNTY : Criminal Division
 INVESTIGATING GRAND JURY : CP-02-AD-112-2010

PRESENTMENT C-2

TO THE HONORABLE JOSEPH M. JAMES, SUPERVISING JUDGE:

We, the 2010 Allegheny County Investigating Grand Jury, duly charged by the Court to inquire into offenses against the criminal laws of the Commonwealth alleged to have been committed within Allegheny County and having obtained knowledge of such instances from witnesses sworn by this Court and testifying before us, and having examined the evidence presented to us, and finding thereon reasonable grounds to believe, and so believing, upon our respective oaths, not fewer than twelve concurring, do hereby make this Presentment to this Honorable Court.



INTRODUCTION

The Notice of Submission that began this inquiry with this investigative body was reviewed and approved by the Supervising Judge of the 2010 Allegheny County Investigating Grand Jury on July 26, 2010.

The investigative inquiry before this Grand Jury has focused most recently upon the circumstances under which employees of the Superior Court staff of Justice Joan Orié Melvin (hereinafter "Orié Melvin"), as well as other state-paid, senatorial employees, were utilized to engage in political and campaign-related activities in order to promote and facilitate Orié Melvin's candidacy for election as a Justice of the Supreme Court of Pennsylvania during political campaigns in both the years 2003 and 2009. At this point in the investigation, it now appears that not only was Justice Orié Melvin directly and knowingly involved in using state paid staffers from both the judicial and legislative branches of the Pennsylvania government in her political campaign activities, but it also appears that she was aided in those endeavors by two accomplices, co-conspirators, and siblings - Janine Mary Orié and Jane Clare Orié.

As an elected Judge of the Superior Court of Pennsylvania, Justice Joan Orié Melvin employed her sister, Janine Orié, as a member of her court-paid staff from 1997 to 2010, a period of time that includes the years 2003 and 2009 that are particularly pertinent to this Presentment.

Staff attorneys from the Office of the District Attorney of Allegheny County, as legal advisers to this Grand Jury, filed a Notice of Submission requesting access to the tools of the Grand Jury in order to investigate this matter

adequately. Because a number of the prospective witnesses who had information concerning the alleged abuses of her judicial office by then-Judge Orié Melvin were still on her staff, several of the investigative tools that are available only through the powers of the Grand Jury became essential components of the investigative process that has resulted in the filing of this Presentment.

The unique investigative tools of a Grand Jury that were utilized in this investigative process included the power through the Court-supervised subpoena process to compel and obtain essential witness testimony under oath and to require the production of various documents that were otherwise unavailable to law enforcement investigators; the ability to seek and obtain grants of immunity from the Court, in instances where such considerations were required; and, access to all other resources that are provided under the Pennsylvania Grand Jury Act.

As the investigation progressed, an interim Presentment was issued on December 15, 2011, against Janine Mary Orié. The allegations within that earlier Presentment by this Grand Jury were predicated upon the same underlying criminal activity which is described within the instant Presentment. As Janine Mary Orié and Joan Orié Melvin are co-conspirators and accomplices in the crimes alleged herein, substantial portions of the earlier Presentment have been incorporated into this Presentment.

This Grand Jury submits that the actions of Joan Orié Melvin, now a sitting Justice on the Supreme Court of Pennsylvania, give rise to the following alleged violations of the Pennsylvania Crimes Code:

Theft of Services - Diversion of Services Three Counts

[18 Pa.C.S.A. § 3926 (b)];

Criminal Conspiracy to commit Theft of Services - Diversion of Services

[18 Pa.C.S.A. § 903 and 3926 (b)];

Criminal Conspiracy to Commit Tampering With or Fabricating Physical Evidence

[18 Pa.C.S.A. § 903 and 4910 (1)];

Criminal Solicitation to Commit Tampering With or Fabricating Physical Evidence

[18 Pa.C.S.A. § 902 and 4910 (1)];

Official Oppression Two Counts

[18 Pa.C.S.A. § 5301];

Misapplication of Entrusted Property of Government

[18 Pa.C.S.A. § 4113 (a)].

FINDINGS

TESTIMONY OF COURT EMPLOYEES

During the ongoing investigation by this Grand Jury into the illegal use of state-paid workers for political campaign-related activities, employees - both former and current employees of Joan Orié Melvin ("Orié Melvin"), who, at the time was Judge of the Pennsylvania Superior Court, but who now serves as a Pennsylvania Supreme Court Justice, provided statements to members of the

Office of the District Attorney of Allegheny County, and testimony to this Investigating Grand Jury:

TESTIMONY OF LAW CLERK LISA SASINOSKI

One of these employees was Lisa Sasinoski (Sasinoski), a former Superior Court law clerk. Sasinoski was employed by Orié Melvin in 1990 as a law clerk in the Allegheny County Court of Common Pleas and she remained in Orié Melvin's employ after Orié Melvin successfully ran for Pennsylvania Superior Court in 1997. She continued to work for Judge Orié Melvin until Orié Melvin's unsuccessful campaign run for the Pennsylvania Supreme Court in 2003.

The term of employment of Sasinoski as a member of Orié Melvin's court staff came to an abrupt end in December, 2003, and she is currently employed as a law clerk in the chambers of another Pennsylvania Supreme Court Justice.

Sasinoski stated that Janine Orié was hired in 1991 as a secretary for Orié Melvin in the Court of Common Pleas, but shortly thereafter, Janine Orié took over a number of supervisory roles in that office; these included handling staff leave time, work assignments, and scheduling, among other responsibilities.

According to Sasinoski, a court employee on the Orié Melvin staff never questioned Janine Orié or any directive coming from Janine Orié. Indeed, it was Janine Orié, who, on a daily basis, dictated the priorities of tasks to be done by staffers, be it of a political or judicial nature.

Janine Orié continued as a secretary for Orié Melvin after her ascension to the Superior Court in 1997, and she continued to work in the same offices with Sasinoski. During that period of time, Sasinoski experienced first-hand the on-

going political work involving and undertaken by Orié Melvin court employees. Indeed, Sasinoski acknowledged that political and/or campaign-related activities took place within every judicial office of Orié Melvin during the 1991 – 2003 time period in which she (Sasinoski) was employed by Orié Melvin.

Sasinoski testified that during her time as a law clerk with Orié Melvin, she was directed by Janine Orié to do a myriad of political tasks for Orié Melvin. These tasks included: writing political speeches; filling out campaign questionnaires in furtherance of obtaining endorsements from political action committees; and traveling with Orié Melvin to, and attending political functions with, the Judge during the 2003 campaign year. In addition, Sasinoski observed and/or had knowledge of fellow court staff members Kathleen Squires, Molly Creenan, John Degener, and Cathy Skidmore being directed by Janine Orié to participate in political and/or campaign-related activities on behalf of Orié Melvin. Sasinoski acknowledged that, to a degree, every Orié Melvin employee did some type of political work while within the court offices. Sasinoski advised that oftentimes there was a duplication of political work by staffers, in part, because Janine Orié attempted to isolate the staffers' knowledge from one another as to what particular political assignment each staffer had been tasked by Janine to complete. Sasinoski characterized Janine Orié's office role in 2003 as Orié Melvin's "campaign manager".

Sasinoski stated that these campaign or political assignments were normally generated by Janine Orié, and those "non-judicial" tasks were communicated by handwritten notes left at her desk or in her mailbox within the

Superior Court offices of Orié Melvin. Sasinoski stated that she recognized the handwriting on these notes as always having been written by Janine Orié, but she added that the notes sometimes were signed by Janine as "Judge" or "Joan". The amount of political work also required Sasinoski to sometimes bring judicial work home, because her normal work hours doing judicial assignments were interrupted by the political work demands of Janine, which, in turn, resulted in her inability to maintain her judicial workload during office hours.

Sasinoski stated that she was also directed by Orié Melvin herself to engage in political activities in the office. One example provided by Sasinoski in this regard was when Orié Melvin requested her to research opinions, issued by Orié Melvin, that were favorable to injured workers or plaintiffs; this research was then to be used to foster the endorsement of Orié Melvin by the Pennsylvania Trial Lawyers. Several weeks after that assignment, Orié Melvin requested that legal research be conducted by Sasinoski regarding cases previously issued by Orié Melvin which would further her solicitation of the defense bar endorsement.

Sasinoski also described how she traveled on a number of occasions with Orié Melvin during the 2003 campaign year. According to Sasinoski, Janine Orié sometimes tried to schedule political or campaign-related activities around judicial sessions in Harrisburg or Philadelphia in an effort to save money, although some trips were solely political in nature. According to Sasinoski, it was Janine Orié who notified Sasinoski that she would be either travelling with Orié Melvin, writing campaign speeches, and/or filling out campaign questionnaires. At that time, Sasinoski states that she would also discuss the nature or content of

the campaign speeches with Judge Orié Melvin. Sasinoski estimated that she traveled with Orié Melvin over 20 times on such trips, some of which were completed within one day, while others required overnight stays.

Sasinoski also said that she was aware that Orié Melvin herself utilized the facilities of the office for politicking. Sasinoski described a period of time in 2003 when she overheard Orié Melvin in her chambers on her office telephone soliciting multiple Republican committee people in furtherance of her own campaign for Supreme Court Justice. Sasinoski stated that she knew that the judicial telephone within Orié Melvin's office had been used for these political contacts that she had overheard being done by Judge Orié Melvin, because several months later she, Sasinoski, was berated by Janine Orié about the high telephone bills that had been incurred by the office; Janine blamed those high bills on Sasinoski and the other law clerks.

As a result of this chastisement, Sasinoski subsequently requested detailed billing records for those particular phone calls. The records that were received displayed the outgoing calls attributable to particular phone extensions, and reflected that the overwhelming majority of additional billed calls were from both Orié Melvin's own office extension, and also from the additional telephone line that had been installed by the court at the residence of Orié Melvin for home office use. Those billing records that were reviewed by Sasinoski reflected calls to a variety of telephone numbers across the state during the very same time period in which Orié Melvin had been overheard by Sasinoski, as Orié Melvin telephoned various Republican committee people. Sasinoski advised that there

were between 280 and 400 committee people, and it was her understanding that Orié Melvin contacted each one of them during that time period.

Sasinoski stated that she had also been required to work the polls on behalf of Orié Melvin's candidacy for the Pennsylvania Supreme Court on the 2003 general election day. Among the tasks that she said she was directed to do on that occasion was to travel to a polling place and distribute poll cards to prospective voters; these cards, she said, had been provided by Janine Orié.

According to Sasinoski's recollection, this directive first came from Janine Orié, who announced to the staff members: "Everyone, we're going to work the polls." Sasinoski described how she subsequently received a follow-up telephone call message from Orié Melvin's sister, Senator Jane Orié, in which the Senator told Sasinoski she had "better work the polls on Tuesday and get your clerks in line, and if not, tell them they needed to be in the office on Tuesday and find two people to replace them at the polls." Sasinoski related that this recorded message by Jane Orié had been very loud, forceful and was laced with profanities; she said that she perceived this voice mail message to be an "order" to be followed just as if it had been given by either Orié Melvin or Janine Orié.

Sasinoski acknowledged that she herself knew that it was wrong for judicial staff to work at the polls on behalf of Orié Melvin, and because of this fact, she was too embarrassed to require fellow staff members to work the polling places on Election Day. However, Sasinoski was later specifically directed by Janine Orié to appear at a particular polling place in Penn Hills. Sasinoski also was aware that fellow law clerk John Degener had also been directed by Janine

to appear on behalf of Orié Melvin at a polling place in Penn Hills, and Sasinoski said that she had both talked with Degener over the telephone and also met with him on that day. Sasinoski said that she was very uncomfortable about working the polls on behalf of Orié Melvin, since she knew that such activity amounted to a clear violation of court-mandated rules that prohibited partisan political activities by judicial employees. She nonetheless went along with the directive handed down to her by Janine Orié, because she feared that the penalty for not participating as required would have been termination of her employment.

Sasinoski further related that in the Orié Melvin judicial office, Janine's directives were never questioned, and that Janine had both the apparent and the actual authority to direct the staff to do whatever work needed to be accomplished – whether such tasks were political or judicial in nature.

Sasinoski went on to describe that she never questioned Janine's directives because she, Janine, was the Judge's sister, and, in any event, any conversation that she, Sasinoski, had with Janine, the Judge seemed to know about, and, any conversation that she had with the Judge, Janine seemed to know about. It was clear to Sasinoski that Janine's directives were to be considered in the same fashion as if they had come from Judge Orié Melvin herself.

Sasinoski detailed her knowledge of the involvement of fellow Orié Melvin staff members in political and/or campaign-related activities while employed by the courts; she described the following:

Kathleen Squires - a secretary. She data-based campaign contribution checks in Microsoft Excel and merged the names of contributors onto subsequent "thank you" letters. Sasinoski recalled one instance in the judicial office in 2003 when Squires had approached her after Squires had been working on a database for several hours. Squires was very upset and related that she had inadvertently deleted the file. Sasinoski contacted Linda Ollio, the Court's local computer IT employee, in order to try to have that file recovered. Ollio was ultimately successful in locating that particular file, but she refused to recover it as it contained political material that was forbidden to be on the judicial computers in the first place. (In a separate telephone interview, Linda Ollio corroborated the details of this incident with investigators.)

Molly Creenan - a judicial law clerk. Creenan, who like Sasinoski herself, also worked on campaign questionnaires for Orié Melvin on the premises of Orié Melvin's judicial office.

Cathy Skidmore – also a judicial law clerk. Skidmore photocopied campaign checks, and deposited campaign checks at the bank.

John Degener – another law clerk. Degener was required to attend Penn Hills polling place on Election Day, 2003 on behalf of Orié Melvin.

According to Sasinoski, the pressure to perform these political tasks on behalf of Orié Melvin, which Sasinoski knew to be illegal, became so extreme that she became physically ill. The breaking point for her, according to Sasinoski, took place a week or so before the 2003 election, when Janine Orié placed a stack of Orié Melvin's travel expenses on her desk and directed her to prepare a duplicate of each of those expense vouchers under the name of Jane Orié. Sasinoski was told to then submit these fabricated expense claims to the Orié Melvin campaign. Sasinoski saw this to be an illegal attempt to obtain cash, described to her by Janine as "street money", by circumventing the mandated campaign finance reporting requirements.

Sasinoski chose not to act upon this directive from Janine, and subsequently those travel expense forms were removed from her desk by Janine after they laid there for several days.

On a Monday in early December 2003 (after Orié Melvin's failed bid for a seat on the Supreme Court), Sasinoski approached Orié Melvin and told her that the political activities that had occurred in the office in the past needed to cease, and that she (Sasinoski) could not do them anymore.

According to Sasinoski, Orié Melvin stated, "Well, if you can't handle it..." then turned to answer an incoming telephone call. Sasinoski then got up and left the office and went back to work. Sasinoski worked her normal schedule that Tuesday without further encountering Orié Melvin; however, when she arrived at work on Wednesday, the following day, Sasinoski was directed by Janine to turn in her building ID card and her court ID, and to clear out her desk.

When asked why, Janine reportedly advised Sasinoski that she would need to talk to Orié Melvin. Sasinoski then cleared out her desk, left the office, and her employment with Orié Melvin ceased at that time.

TESTIMONY OF LAW CLERK CATHY SKIDMORE

Another person in the employ of Orié Melvin's judicial office was Cathy Skidmore (Skidmore), who was employed as a law clerk by Orié Melvin from September 2002 through November 2009.

While a judicial law clerk at the time of Orié Melvin's unsuccessful run for Superior Court in 2003, Skidmore recounted a circumstance during which she observed printed campaign solicitation letters and envelopes spread out on the conference room table in the judicial office. Skidmore said that she and other staff members assisted Janine Orié during the judicial work day in stuffing this campaign-related literature for Orié Melvin into envelopes on that occasion. Skidmore said that she also occasionally observed other campaign literature and brochures in the judicial office that dealt with the 2003 Orié Melvin campaign for Supreme Court. Among those were letters soliciting campaign funds or endorsements that were sent out under the name of Orié Melvin's sister, Senator Jane Orié. Skidmore advised that she helped Janine complete this task by signing the name of Jane Orié to the letters prior to their being stuffed into the waiting envelopes.

Skidmore stated that a substantial number of Orié Melvin campaign checks were processed in the judicial office during the 2003 campaign as well. These checks were then usually deposited into the bank by secretary Kathy

Squires, although Skidmore admitted that occasionally she made such deposits as well.

According to Skidmore, on the day before the general election in 2003, the judicial staff was called into the reception area and given a bag of campaign literature. Skidmore recalls being directed to work the polls on behalf of Orié Melvin, handing out the Judge's campaign literature. Skidmore recalled that Janine was responsible for giving all campaign-related directives in the office at that time. Present at that time were Skidmore, Lisa Sasinowski, Jack Degener and Kathy Squires. Skidmore stated that she subsequently worked the polls on Election Day, and believed other members of the Judge's staff did as well.

In 2009, Skidmore stated that she had been provided several computer floppy disks by Janine Orié, and Skidmore was asked to copy the contents onto CD discs. Skidmore recalled there being Excel spreadsheets contained within these floppy disks, and that one had the term "Republican" in the title. Skidmore took the disks home and used her computer to copy the files as instructed; the following day she returned both sets to Janine Orié.

Skidmore stated that she knew that engaging in political activities in the judicial office was wrong, but she generally tried to do what was asked of her.

TESTIMONY OF SECRETARY KATHY SQUIRES

Kathy Squires was initially employed as a secretary by Orié Melvin in the late 1980's when Orié Melvin was the Chief Magistrate in the City of Pittsburgh. Squires left that position in 1989 in order to raise her family, but she later returned to work for Orié Melvin in Superior Court. Squires has worked for Orié

Melvin approximately 13 years, and is currently employed as a secretary for Orié Melvin at the Supreme Court.

Squires acknowledged that she had both observed and engaged in political and/or fund raising activities in Orié Melvin's judicial office, particularly in 2003. Squires told of how, during that time period, she had been directed by Janine Orié to pick up photocopies of Orié Melvin campaign checks from the office of attorney (and brother of Orié Melvin), John "Jack" Orié; she then entered the check information into Excel spreadsheets on the court's computer during her judicial work day. Squires described how she subsequently used such spreadsheets in order to create mail-merged "thank you" letters that were addressed to contributors to the Orié Melvin campaign. Squires estimated she spent an average of three hours per day working on these political activities, and she not only utilized judicial resources such as the office computers, but also the Superior Court printers and paper in order to accomplish these tasks. The Excel spreadsheets that were both created and used by Squires were originally kept on floppy disks, but at one point, Janine Orié directed Squires to copy the files to the "H" drive of her judicial computer as a backup.

Squires stated that Janine Orié was constantly working on political campaign material in the office, and Squires said that she often observed stacks of literature and paperwork related to the Orié Melvin campaign at or near the printer/copier in the office.

According to Squires, prior to Election Day in 2003, Janine Orié directed Squires and other judicial employees that they were to attend the polls on

Election Day and hand out literature on behalf of Orié Melvin's campaign for the Supreme Court. Squires recalled that she was directed by Janine Orié to attend the polls at Colfax School on Beechwood Boulevard in the City of Pittsburgh. Also in attendance at that polling place with Squires was fellow employee Cathy Skidmore. Squires related that she felt she had no choice in this issue, and that her job would have been in jeopardy had she refused to attend the polls as directed by Janine Orié.

Squires advised that during Orié Melvin's 2009 Supreme Court campaign, she was relieved when she was not required to do the data basing of campaign checks in Excel. Squires had not been provided an explanation for this change, and she said that she did not inquire any further about that subject once she realized that a change had taken place. It should be noted that, as set forth in a prior Presentment by a Grand Jury, it was during Orié Melvin's run for the Supreme Court in 2009 that the staff of Senator Jane Orié was enlisted to carry out these campaign-related functions. In sworn testimony at two separate trials involving Jane Orié, staffers Jamie Pavlot and Josh Dott admitted that during the 2009 campaign for Supreme Court, data basing of Orié Melvin campaign contribution receipts took place in the Orié senatorial district office. (A trial for Janine Orié regarding her role in facilitating the use of Senator Orié staffers to assist in the campaign activity of Joan Orié Melvin is now scheduled for late summer of this year).

Squires stated that late in the year 2009 when the criminal investigation regarding Senator Jane Orié became known, Janine Orié left Squires a note

which Squires recognized as being in the hand-writing of Janine Orie; that note directed Squires to delete all of the campaign related files from her "H" drive that were on her judicial computer. Squires then deleted these files as directed, and subsequently provided the original floppy disks that contained the same data to Janine Orie.

A search of the computer "backup" data from Squires' Superior Court computer hard drive – those "backup" computer files had been created as part of the shutdown process of Orie Melvin's Superior Court offices in or around January, 2010 - failed to reveal the existence of any files of a political and/or campaign nature. The absence of any political files on Squires' computer, as captured on the back up data during this shutdown process, is consistent with Squires' testimony regarding Janine Orie's previous directive to delete any and all political and/or campaign files from her Superior Court computer.

Squires was shown copies of certain Excel spreadsheets (ones previously obtained from a USB jump drive during the course of the Senator Jane Orie criminal investigation) which contained a list of political contributors and associated data. The metadata associated with these files indicated that the original author of these campaign files was "ksquires", and further, that the respective files originated from a computer at Pennsylvania Superior Court. Although Squires could not recognize to a certainty the contents of the spreadsheet as having been inputted by her, she did recognize the type of spreadsheet as similar to what she previously described as having completed in 2003. Squires also acknowledged that the metadata associated with those files

that had been located by investigators on the Senator Orie USB jump drive that had been regularly used by Josh Dott appeared to reflect files that were authored by her from a computer in the Superior Court Office of then Judge Joan Orie Melvin.

TESTIMONY OF LAW CLERK MOLLY GREENAN

Another judicial law clerk, Molly Greenan, was employed on Orie Melvin's Superior Court staff from January 1998 through December 2009; after that time she continued on as a Deputy Staff Attorney with Orie Melvin upon her subsequent election to the Pennsylvania Supreme Court in November 2009. Greenan remained in the employ of Orie Melvin in the Supreme Court until just recently.

During Orie Melvin's 2003 campaign for Supreme Court, Greenan was aware that members of the judicial staff, under the direction of Janine Orie, conducted political or campaign work on behalf of Orie Melvin at the Superior Court office. Greenan stated that on occasion within that office, she observed deposit slips and campaign contribution checks that had been placed by Janine Orie on the chair of judicial secretary Kathy Squires. The checks were subsequently deposited at the Allegheny Valley Bank into the Orie Melvin campaign account by Squires. Greenan knew this to be true, as she had occasionally assisted Squires by making deposits at the bank during her lunch hour. Squires also was tasked to pick up campaign fundraising checks and other political campaign mail that had been mailed to the nearby law office of Orie Melvin's brother, John "Jack" Orie. Greenan said that she was also aware that

Squires had political campaign databases on her computer. Squires admitted that she also was asked to complete campaign finance reports, which she did on behalf of the Orié Melvin political campaign.

According to Creenan, Janine Orié would often use the judicial copier, printer, fax and computers to do campaign work.

Creenan was also aware that in 2003, Chief Clerk Lisa Sasinoski traveled regularly with Orié Melvin to Superior Court sessions, and then attended activities relating to Orié Melvin's political campaigning.

Creenan stated that she too was occasionally required by Janine Orié or Orié Melvin to draft summaries of prior Orié Melvin court cases which Creenan believed were then being used for campaign purposes. Like other judicial staffers, according to Creenan, she considered any order from Janine Orié to be an order from Orié Melvin.

Creenan recalled one specific occasion when she had been telephoned by Senator Jane Orié, who requested that Creenan fax from the judicial office a political questionnaire on behalf of Orié Melvin. Creenan advised the Senator that she was uncomfortable with that request, because it involved faxing political material from a judicial office. According to Creenan, Senator Orié screamed at her over the telephone and demanded that she do it; again Creenan refused. Creenan subsequently decided to fax that political material from a nearby Kinko's shop, in order to comply with the Senator's request and to avoid what she knew to be unlawful.

Creenan stated that just before the general election in 2003, Janine Orie indicated to her that Senator Jane Orie wanted everyone in the office to work a polling place on Election Day. Creenan believed that other staff members were aware of this request as well. Janine then handed out bags labeled with the name and address of a specific polling place, each containing Orie Melvin campaign literature such as poll cards to be handed out to prospective voters. According to Creenan, Janine also advised the staff to make attempts not to be recognized at the polls.

Creenan admitted that she was very uncomfortable with this request for court employees to work the election polls in order to promote Orie Melvin's campaign, so she reviewed her Judicial Law Clerk Handbook. Within that court employees handbook, was an Order of November 24, 1998, that explicitly forbade court employees to engage in partisan political activities - including working polling places on Election Day.

Creenan advised then Chief Clerk Lisa Sasinoski that she refused to attend the polls on Election Day as had been directed by Janine Orie. Creenan said that after her refusal to work the polls as mandated, Creenan was directed by Janine Orie, either directly or indirectly through Lisa Sasinoski, that she would instead have to work in the Superior Court office instead on Election Day; this was in spite of the fact that Election Day was a "holiday" for court employees – a day that court employees did not have to work. Creenan said that she did appear as directed and worked at the Superior Court office on Election Day, despite the fact that it was a day off for court employees. She said that she did

as directed because she feared retribution from her supervisors, Joan Orié Melvin and Janine Orié, if she refused. It was Creenan's understanding that fellow court staffers Lisa Sasinoski, Jack Degener, Cathy Skidmore and Kathy Squires all worked at the polls pursuant to Janine Orié's directive.

Creenan explained that late in the year 2008, she became aware of the fact that Orié Melvin was intending to run once more for Supreme Court in the 2009 election. Creenan said that she spoke to Cathy Skidmore and to Chief Clerk Jack Degener regarding her ongoing concerns that the office and staff would again be required to provide assistance in an upcoming Orié Melvin political campaign.

Creenan advised both Skidmore and Degener that she was going to address her concerns with Orié Melvin, and she asked if either or both of them would accompany her in that effort. Both Skidmore and Degener declined to accompany Creenan when she went to confront the Judge with her concerns. Creenan said she therefore took it upon herself to approach Orié Melvin about these issues.

Creenan explained that when she met up with Orié Melvin to talk about staffers being used to do political campaign work, Creenan first congratulated Orié Melvin on her announcement that she intended to run once more for a seat on the Pennsylvania Supreme Court. Creenan said, however, that she then expressed her deep concerns to Orié Melvin regarding the judicial staff being used to participate in performing political tasks as they had been required to do during the 2003 election. She said that she informed Orié Melvin that "what had

happened in 2003 cannot happen in 2009. I told her that no one should be asked to work a poll on Election Day as they were in 2003. I also told her that the Superior Court copiers, printers and computers should not be used in any way for this campaign.”

Creenan says that she went so far as to suggest to Orie Melvin that Janine Orie should take a leave of absence from her position with Superior Court in order to work on the Judge's new campaign, rather than stay and perform political work in the judicial office as had been done in the previous 2003 campaign. To support the wisdom of this proposal, Creenan said that she went on to discuss with Orie Melvin two related matters. The first of these had arisen with the Habay prosecution. Habay, a Pittsburgh-area state legislator had been convicted and sentenced to jail because of the use of his staff for illegal political work while on “state time.” The second concern was the then-ongoing “Bonusgate” investigation that was prominent in news reports at the time.

Creenan said that she went on to tell Orie Melvin that she could no longer assist her with any campaign work at the office. Orie Melvin reportedly then asked Creenan if she would be willing to do campaign-related work on her own time; Creenan said that she told Orie Melvin that she would not do that either. Creenan said she told Orie Melvin that if there were ever a criminal investigation into the campaign activities occurring in the office, Creenan would tell the truth. According to Creenan, the conversation with the judge ended at that time; Creenan believed that Janine Orie was present or overheard this conversation from her nearby office.

Creenan said that after that conversation with Orié Melvin, both Janine and Orié Melvin were very upset and refused to speak to her for a long time.

However, even after Creenan's blatant refusal to work on Orié Melvin's campaign material, Janine Orié still continued to place campaign questionnaires in Creenan's mail inbox; accompanying these were attached handwritten notes stating "complete for Judge", or "FYI". Instead of doing this assigned political work, Creenan says that she gave those questionnaires instead to Orié Melvin's Chief Law Clerk John Degener.

Creenan said that she knew that Orié Melvin continued to be aware of Creenan's ongoing refusal to engage in this political work, and she recalled one particular instance in which a questionnaire was faxed to her attention from Orié Melvin, with Orié Melvin's handwritten comment "Are you above this" contained thereon. Creenan stated that although she was fearful of losing her job as a result of her refusal to do political campaign work for the Judge, she nonetheless felt that her ethical obligations as an attorney were more important.

In the 2009 Supreme Court campaign, Creenan continued to observe Janine Orié printing out campaign material at the printer. When confronted about this by Creenan, Janine advised that she was "using a laptop" - as if that explanation made the political campaign-related work somehow "permissible". Creenan stated that Janine subsequently began to work behind the closed doors of her office, but Creenan said that Janine Orié routinely continued to use the judicial office printer for campaign related purposes.

TESTIMONY OF LAW CLERK JOHN DEGENER

John Degener (Degener) was first employed as a law clerk in the Superior Court office of Orié Melvin in January, 1998, and he became Chief Law Clerk under Orié Melvin upon Lisa Sasinowski's termination of employment in 2003. Degener continued his employment with Orié Melvin as Pennsylvania Supreme Court Chief Law Clerk when the Judge took office in 2010. Degener remains employed as Orié Melvin's Chief Law Clerk at the present time.

Degener stated that Orié Melvin's sister Janine Orié has been employed as a secretary for Orié Melvin in both Pennsylvania Superior and Supreme Court. Degener described Janine Orié's role and authority as different from that of other judicial secretaries. Degener advised that in addition to traditional secretarial work, Janine would handle the schedules of all staff employees, and she regularly assigned cases to the clerks.

Degener stated that Orié Melvin would pass her directives to the staff through Janine. Because of this procedure, any directive from Janine was assumed to be with the full knowledge of Orié Melvin, and the perception by office staff was that whatever was conveyed to the staff by Janine Orié was what Orié Melvin wanted done. In addition, as the sister of Orié Melvin, Janine enjoyed a greater autonomy than might have been expected of someone in her position as secretary.

Overall, Degener described Janine as having the "ultimate authority" over the entire complement of Orié Melvin's judicial staff.

During Orié Melvin's 2003 campaign for Supreme Court, Degener was aware that members of the judicial staff, under the direction of Janine Orié, conducted political or campaign work on behalf of Orié Melvin at the Judge's office. Degener himself said that he had been tasked by Janine Orié to complete judicial candidate questionnaires on behalf of (then) Supreme Court candidate Orié Melvin. Degener also knew that fellow Orié Melvin law clerks Molly Creenan and Lisa Sasinoski had been similarly tasked by Janine during the 2003 campaign.

Degener estimated that each questionnaire might take approximately one day to complete, and he said that he assumed that Creenan and Sasinoski required approximately the same amount of time to complete such tasks. This work was done during their normal work day at Superior Court. Degener acknowledged that this work detracted from time that would have been utilized for judicial work, and that he would be required to make up that lost time on his own in order to keep up with the judicial workload.

Degener also admitted that he prepared outlines and speeches that were subsequently used or given by Orié Melvin for campaign purposes.

Degener further recalled that the day before the 2003 general election, he had received a note from Janine Orié which directed him to attend a polling place for the purpose of handing out poll cards on behalf of Orié Melvin's Supreme Court candidacy. Degener stated that he was also aware that then-Chief Law Clerk Lisa Sasinoski received a similar directive from Janine Orié, and that both he and Sasinoski appeared at the same polling place the next day. Degener said

that it is his belief that both Molly Creenan and Cathy Skidmore also received directives from Janine to attend polling locations as well.

Degener also observed Janine Orie, Kathy Squires, and possibly one other staff member stuffing a large stack of political letters in the conference room at Superior Court. Degener said he knew that Squires would "run errands" of a political nature during her work day, such as delivering envelopes to Orie Melvin's campaign office, located within the law office of her brother, Jack Orie. Degener acknowledged that he himself made one such delivery to Jack Orie's office as well.

Degener was also aware that Orie Melvin was driven to campaign events by then - Chief Law Clerk Sasinoski, but he said that he believed that such activities took place "after hours."

Degener admitted that he was aware that computer files of a campaign or political nature had been stored on the public drive of Orie Melvin's Superior Court's computer network, and he stated that he had access to these political files. Degener recalled one such file as a "contributors list" or "contribution list", and that was within a folder or folders that contained other similar political files. Degener believed that Janine and Kathy Squires accessed and used these files for political purposes during that time period.

Degener estimated that during the 2003 campaign cycle, Janine Orie spent approximately three hours per day on political or campaign-related activities.

In 2005 or 2006, according to Degener, Janine Orié directed him to transfer all political or campaign-related files from the judicial computer network onto floppy disks. Degener stated that he searched the public drive of the network, identified those files of a political or campaign nature, and moved them to floppy disks as directed. He then gave those disks to Janine Orié. Degener expressed his belief that this directive was given as a result of the then-ongoing criminal investigation and/or prosecution of Pittsburgh area State Representative Jeffrey Habay. As also described by others in the Orié Melvin office, it was Degener's recollection that Habay was alleged at that time to have engaged in illegal political or campaign-related activities in his legislative offices.

In 2009, when Orié Melvin was again running for election to the Supreme Court, Degener related that similar political activities occurred, but to a lesser degree. He described still being directed to complete campaign questionnaires on behalf of Orié Melvin through Janine, which, after the content was approved by Orié Melvin, were then faxed by Degener from the judicial offices directly to the special interest groups that had generated the respective questionnaires.

Degener acknowledged that Molly Creenan approached him around the time of the 2009 election and she expressed her concerns about the political work required of the staff by Janine. Degener said he recalled specifically Creenan's comments to him about the campaign questionnaires being faxed from the judicial office, and about the use of the office equipment for campaign purposes. Degener recalled telling Creenan that "we" needed to tell Orié Melvin that this activity was going on, and to make sure it was appropriate – yet

Degener admitted that he himself never approached either Janine Orié or Orié Melvin with any such concern; he admitted that he instead chose not to get involved.

Degener went on to describe that in his opinion such an approach would “not resonate” with Orié Melvin, as he understood Janine Orié’s political directives as “being in concert with what Orié Melvin wanted done.”

Degener did acknowledge telling Creenan that if she was unhappy about the situation, she should go to the Judge herself. Degener related that he was not aware whether or not Creenan ever approached Orié Melvin to voice her expressed concerns. Degener stated that he had no reason to believe that Orié Melvin did not know of the political and/or campaign activities tasked to staff members by Janine Orié, and which occurred in Orié Melvin’s judicial office during both the 2003 and 2009 campaign cycles.

Degener admitted having knowledge and understanding of the court’s policy against political work being done by court staffers, and he expressed his understanding that such partisan political work was strictly prohibited. He also acknowledged that this mandate was not adhered to by the staff of Orié Melvin, and he admitted that he had fielded complaints from other staff members who had been asked to participate in these prohibited activities.

Degener explained that Janine Orié held the ultimate authority among the staffers in the office, and that the only recourse would have been to go directly to Orié Melvin. Degener related that he did not believe any such complaint about Janine’s political directives with Orié Melvin would be “fruitful”. Degener, even

during those time periods when he served as Chief Law Clerk for Orié Melvin in both the Superior and Supreme Court, admitted that he never took any of these complaints to either Janine Orié or to Orié Melvin herself, advising that it was not "in his bailiwick" because Janine Orié had that authority in the office. Instead, Degener suggested to these staff members that they address their own concerns directly with Orié Melvin.

Degener related that he felt obligated to do the political or campaign work assigned to him during the 2003 and 2009 campaigns, because he did not want to jeopardize his position by refusing Janine Orié's directives.

PROHIBITION AGAINST POLITICAL ACTIVITIES BY COURT EMPLOYEES

Some of the judicial staffers listed above from the Judge's own office, realizing that their continued employment within the court system was predicated on refraining from participating in any form of political activity, nonetheless were induced to violate the court-mandated rules of employment by directives from those who were in their immediate chain of supervisory authority: court staffer Janine Orié, and even Judge Joan Orié Melvin herself. A number of these judicial staffers admitted that although they realized at the time that by doing these campaign related acts they were placing their continued employment with the court in jeopardy, they also were acutely aware of the fact that to refuse a directive from either then-Judge Orié Melvin or either of the Judge's sisters,

Janine or Jane, would have resulted in an even more certain end of their tenure with that office.

Rule 65.13 of the Superior Court's Internal Operating Procedures reads:

§ 65.13. Political Activity

Appointed judicial employees are not permitted to engage in partisan political activities.

Comment: See Supreme Court Order of June 29, 1987, 82 Judicial Administration Docket No. 1., In re: Prohibition of Political Activities by Court-Appointed Employees.

The staffers admitted that they were placed in a truly untenable predicament by the situation in which they found themselves as staffers in the Orié Melvin Superior Court office during Orié Melvin's 2003 and 2009 political campaigns. They could choose to openly disregard the directives of Orié Melvin and her sister Janine Orié to engage in activity aimed at promoting Orié Melvin's candidacy for higher office – an act of “disloyalty” which was perceived by the staffers as a sure way to risk adverse retaliatory actions by their office supervisors who had directed them to engage in such improper conduct - or else they could choose to do “as told” and thereby risk possible sanctions from the court if their political activities were discovered by others within the court system.

Orié Melvin's staffers admitted that they knew, and were concerned about, the fact that court employees who engaged in political and campaign activity, regardless of whether performed on or of state time, or even on or off judicial office premises, would place their professional careers at risk.

It had been made known to all court employees at the time that they were hired by the Superior Court that political, campaign-related tasks by court employees were simply not permitted. However, based upon staffers' observations, failure to participate in the political activity as was directed by Orie Melvin and/or her sister Janine, or even by her sister, state Senator Jane Orie, exposed those staffers to the type of retaliatory action as was experienced by Chief Law Clerk Lisa Sasinoski.

As described above, Sasinoski was fired after she had personally expressed concerns to Orie Melvin about political tasks being assigned to judicial office personnel. Law Clerk Molly Creenan related to this Grand Jury how she was ostracized by both Judge Melvin and her on-site supervisor Janine Orie for a period of six months after she, Creenan, personally expressed to Joan Orie Melvin, prior to the 2009 campaign, her unwillingness to repeat the type of political activities performed by office staff in the 2003 election. Creenan described how sister Jane Orie unexpectedly exhibited her displeasure with Creenan at a social event that occurred soon after Creenan's expression of reluctance to become engaged in Orie Melvin's then-upcoming 2009 election; in Creenan's mind this was just one example of how the Orie sisters would speak at times with one voice.

RESULTS OF SUBPOENA REQUESTS TO SUPERIOR AND SUPREME
COURTS OF PENNSYLVANIA REGARDING COMPUTER FILES OF COURT
EMPLOYEES

As a result of subpoenas issued by this Grand Jury, certain evidence has been acquired from the Administrative Office of Pennsylvania Courts. This evidence includes search results of the archived materials that were retained from the computer network of then-Superior Court of Pennsylvania Judge Orié Melvin and her staff. Among the words and phrases that were searched were the following file names: "\$250 + contributors 2007.xls", "08 A NA.xls" as well as any other file containing the keywords "campaign", "contributor" and/or "fundraising". The following is a breakdown of the results of that search by computer user within the Orié Melvin office staff:

Kathleen Squires

- No files titled "\$250 + contributors 2007.xls", "08 A NA.xls" (or similar) were found on the Home Drive (H:) files or on the user's PC image
- No file titles containing the words "Campaign", "Contributor", or "Fundraising" were found.

Janine Orié

- No files titled "\$250 + contributors 2007.xls", "08 A NA.xls" (or similar) were found on the Home Drive (H:) files or on the user's PC image

- File title containing "Contributors"
"2003 Orié Contributors by Employer[1].xls.LNK" dated 3/4/2009 was found in the list of "Recent Documents" on this PC image.

- File title containing "Campaign"
"CAMPAIGN LETTERS.LNK" dated 7/6/2006 was found in the list of "Recent Documents" on this PC image.

- File title containing "Campaign"
"C:\Orié Melvin recent campaign picture.doc.LNK" dated 2/3/2009 was found in the list of "Recent Documents" on this PC image.
No file titles containing the word "Fundraising" were found.

Molly Creenan

- No files titled "\$250 + contributors 2007.xls", "08 A NA.xls" (or similar) were found on the Home Drive (H:) files or on the user's PC image
- No file titles containing the words "Campaign", "Contributor", or

"Fundraising" were found.

John Degener

- No files titled "\$250 + contributors 2007.xls", "08 A NA.xls" (or similar) were found on the Home Drive (H:) files or on the user's PC image
- No file titles containing the words "Campaign", "Contributor", or "Fundraising" were found.

Cathy Skidmore

- No files titled "\$250 + contributors 2007.xls", "08 A NA.xls" (or similar) were found on the Home Drive (H:) files or on the user's PC image
- File title containing "Contributors"
"combined list - contributors 2007 - .xls.LNK" dated 7/27/2009 was found in the list of "Recent Documents" on this PC image.
- File title containing "Contributors"
"Contributors Thank You.xls.Ink" dated 7/27/2009 was found in the list of "Recent Documents" on this PC image.
- File title containing "Campaign"
"2007 CAMPAIGN QUESTIONAIRES.Ink" dated 10/23/2006 was found in the list of "Recent Documents" on this PC image.
- File title containing "Campaign"
"CAMPAIGN LETTERS.Ink" dated 10/6/2006 was found in the list of "Recent Documents" on this PC image.
- File title containing "Campaign"
"CAMPAIGN QUESTIONAIRES.Ink" dated 9/28/2006 was found in the list of "Recent Documents" on this PC image.
- File title containing "Campaign"
"Orie Melvin recent campaign picture.doc.Ink" dated 10/23/2006 was found in the list of "Recent Documents" on this PC image.
- File title containing "Campaign"
"PBA questionnaire campaign staff.doc.Ink" dated 10/21/2009 was found in the list of "Recent Documents" on this PC image.
- No file titles containing the word "Fundraising" were found.

It should be noted that the computer sources searched only include the users' "H" drive image, which was that local network drive specific to a user. The local "C" drive of each computer and the office public "P" drives were not backed up or retained in any way.

The positive search results under the user names of Janine Orie and Cathy Skidmore contain references to ".lnk", aka "link" or "shortcut" files. File shortcuts (also known as Shell Links) were first introduced in Microsoft Windows 95. Microsoft Windows uses ".lnk" as the filename extension for shortcuts to local files. Commonly referred to as "shortcuts" or "link files", both are displayed with a curled arrow overlay icon by default, and no filename extension. Generally the effect of double-clicking a shortcut is intended to be the same as double-clicking the application or document to which it refers, but Windows shortcuts contain separate properties for the target file and the "Start In" directory. If the latter parameter is not entered, attempting to use the shortcut for some programs may generate "missing DLL" errors not present when the application is accessed directly. Although shortcuts when created point to specific files or folders, they may break if the target is moved to another location. The shortcut, however, would remain in place.

In this instance, shortcuts of files that were either not originally located within the available "H" drive backup, or had been deleted, remained in place. Shortcuts to original file titles **"2003 Orie Contributors by Employer[1].xls.LNK"**; **"CAMPAIGN LETTERS.LNK"**; **"combined list - contributors 2007 - .xls.LNK"** and **"C:\Orie Melvin recent campaign picture.doc.LNK"** were discovered within the computer backup for Janine Orie.

Shortcuts to original file titles **"combined list - contributors 2007 - .xls.LNK"** ; **"Contributors Thank You.xls.lnk"**; **"2007 CAMPAIGN QUESTIONAIRES.lnk"** ; **"CAMPAIGN LETTERS.lnk"** ; **"CA" PBA**

"questionnaire campaign staff.doc.lnk" MPAIGN QUESTIONAIRES.lnk" and "Orie Melvin recent campaign picture.doc.lnk" were discovered within the computer backup for Cathy Skidmore.

All of these shortcuts appear to reference political and/or campaign-related files as opposed to judicial materials.

A file named "campaign list – contributors 2007.xls" was also located within the contents of a USB flash drive previously seized pursuant to a search warrant from one of Senator Jane Orie's legislative staffers, Josh Dott. The contents of this file consisted of a list of organizations, addresses and contribution amounts, that was consistent with prior testimony of senatorial staffer Josh Dott and others in describing a database of political campaign contributions. The metadata for that particular file indicated that it was 1 of 37 files located on the USB flash drive and indicated that the files had been authored using Microsoft software registered to either "Superior Court of PA" or Superior Court of Pennsylvania". The following file names and types of these files authored under software registered to "Superior Court of PA" are listed below:

FILE NAME

\$250 + contributors Thank You Retention07.xls
\$250 + contributors Thank You SCR03.xls
\$250 + contributors Thank You.xls
2004 Orie Melvin Thank You.xls
2004 Orie Melvin Thank You1.xls
2004 Orie Melvin Thank YOU2.xls

April 14th Letter Pg1.doc
 BIO20092009[1].doc
 Chris – Thank You Letter – Fundraiser.doc
 Contrib Letter Pge1 Only.doc
 Contribution Letter Joan 9-18-03.doc
 Orié Melvin Bio Retention.doc
 Judge Melvin Endosrement (sic) Letter.doc
 Merged 2.doc
 Merged April 1 09.doc
 Merged L 4_14_09.doc
 Merged Letters Sheet 2.doc
 My Page One.doc
 Nuns Letter for Joan 10-21-03.doc
 Nuns Letter revised 10-21-03.doc
 Nuns Letter Second Revision 10-21-03.doc
 Orié Melvin Bio.doc
 SCJM Thank Yous.xls
 SCJM Thank Yous1.xls

In all of the above files, the author was listed as “computer user”. The file “Orié Melvin Bio Retention.doc” metadata indicated that the file was last saved by Janine Orié on October 5, 2007.

The following file names and types of these files authored under software registered to “Superior Court of Pennsylvania” are listed below:

<u>FILE NAME</u>	<u>AUTHOR</u>
\$250+ contributors 2007.xls	ksquires
250 + PAC Contributors Retention 07.xls	ksquires

Combined list – contributors 2007.xls	ksquires
Combined list – contributors 20071.xls	ksquires
Combined list – contributors 2007-.xls	ksquires
Contributors 10-4-07.xls	ksquires
Contributors 10-12-07.xls	ksquires
Contributors 10-12-071.xls	ksquires
Contributors.xls	ksquires
Copy of contributors 10-12-07.xls	ksquires
Endorsement 07.xls	ksquires
Invitation.doc	computer user
Response card.doc	computer user

According to information received from Nick Williams, a Programmer Analyst IV from the Legal Systems section of the Superior Court of Pennsylvania, documents recovered from the USB flash drive which had been created in Microsoft Word or Excel and whose metadata indicated the “company” name of either “Superior Court of PA” or “Superior Court of Pennsylvania”, are consistent with files created utilizing software licensed to and installed on computers of the Superior Court of Pennsylvania.

In addition, metadata of files entitled “Orie Melvin Retention Campaign ATTORNEYLETTER.doc” and “Orie Melvin Retention Thank You Letter.doc”, located within the contents of the aforementioned USB flash drive, indicated them as being last saved by Janine Orie on September 26, 2007 and September 28, 2007, respectively. Neither of these two files was originally created using software licensed to the Pennsylvania Superior Court.

TESTIMONY OF WITNESSES OTHER THAN COURT EMPLOYEES

During the ongoing investigation by this Grand Jury into the illegal use of state-paid workers for campaign-related services of then Pennsylvania Superior Court Judge, and current Pennsylvania Supreme Court Justice, Joan Orié Melvin, several past or current employees of Commonwealth Strategic Solutions, a Harrisburg-based business hired by Orié Melvin to assist in her 2009 political campaign for Pennsylvania Supreme Court, provided testimony pursuant to subpoena.

TESTIMONY OF NOEL MARIE NYQUIST (BURCH)

One of these employees was Noel Marie Nyquist, née Burch (Burch), who was hired on January 1, 2009 as an employee of Commonwealth Strategic Solutions, and is currently an employee of Long, Nyquist and Associates, the parent company of Commonwealth Strategic Solutions.

Burch testified that as an employee of Commonwealth Strategic Solutions in 2009, she was assigned to work on Orié Melvin's 2009 election campaign.

Burch initially assisted in scheduling appointments, and later in the campaign became involved in the invoicing of political campaign-related material or services as well. Burch testified that she was assisted at Commonwealth Strategic Solutions in the work on the Orié Melvin campaign by Tracy Kolich, who scheduled meetings, dealt with political questionnaires, and worked on campaign finance reports for the Orié Melvin campaign. Burch stated that, as part of her

involvement in Orié Melvin's 2009 political campaign, she regularly communicated by email with Orié Melvin herself.

Burch testified that at some point in time early 2009, she recalled receiving an email from Orié Melvin providing her (Burch) with the personal email addresses of Orié Melvin's sisters, Senator Jane Orié and Janine Orié, the latter being a person whom Burch testified she knew at the time of the political campaign to be an employee of the Court. Burch described the emails that she sent to Orié Melvin's sisters were to: "...basically keep them in the loop on things." Burch identified one email from Orié Melvin at judgeoriemelvin4supreme@yahoo.com to Burch, dated February 13, 2009 at 3:50 PM that stated:

"Noel

Email me at the personal email (sic) address

oriemelvin@yahoo.com

(jane) janeorie@aol.com

(Janine) bbboru@yahoo.com

I don't read this email

[meaning:judgeoriemelvin4supreme@yahoo.com] I want this for scheduler & campaign staff. I don't always check this. My blackberry has my personal email connected. If you email me send it there where I can access it.

thanksJOM"

Burch identified numerous email correspondence in which Burch was either directly or indirectly (that is - through being cc'ed, or "copied") a party to some portion of political campaign-related communication with Orié Melvin at the

oriemelvin@yahoo.com email address. Burch recognized that email address as the one that Joan Orié Melvin used herself and was the best email address through which Orié Melvin could be contacted. She confirmed that bbboru@yahoo.com and janeorie@aol.com were used to contact Janine and Jane Orié, respectively.

Burch identified similar political campaign-related email correspondence involving Senator Jane Orié's Chief of Staff Jamie Pavlot through Pavlot's personal email address of jombie1013@yahoo.com. Burch testified that through a series of emails in which she was a party, Pavlot was directly involved in the planning and execution of an Orié Melvin campaign photo and video recording referred to as the "St. Barnabas shoot." Within these same emails, Burch testified, Orié Melvin was not only copied within the emails, but was actively engaged in the direction and planning of this event through her personal email account, oriemelvin@yahoo.com.

Burch testified that to her knowledge there was no person who had been designated "campaign manager" for Orié Melvin's 2009 campaign for Pennsylvania Supreme Court, and acknowledged that the lack of an identified "campaign manager" was unusual. Burch testified to the extent of Janine Orié's role in the 2009 Orié Melvin campaign, and she made it clear that Janine Orié engaged in the activities that are normally associated with the role and responsibility of a "campaign manager."

Examples of Janine Orié's directives or involvement in areas of the campaign, as illustrated through emails entered into evidence before this Grand

Jury, included, but were not limited to, the following: the ordering, payment, procurement, delivery, storage or disbursement of campaign signage; the ordering, payment, procurement, delivery, storage or disbursement of other printed campaign material such as poll cards; the monitoring of campaign contribution checks; the scheduling of campaign-related appearances by Orié Melvin as part of her political campaign; the coordination or directing of persons to complete, transfer or forward political questionnaires on behalf of Orié Melvin; the monitoring, solicitation or documentation of endorsement solicitations of various organizations or entities on behalf of Orié Melvin; input into the hiring, direction and correspondence to and from Orié Melvin's campaign fundraiser, Joanne Tsucalas, and; involvement in questioning or scrutinizing the billing and invoices submitted to the Orié Melvin campaign by Commonwealth Strategic Solutions.

Burch testified to, and the emails identified by her clearly corroborated, the fact that the Judge herself, Joan Orié Melvin, was "cc'ed or copied" on a majority of these campaign-related emails involving Janine Orié's role in the political campaign activity that took place throughout the 2009 election cycle. And, based upon emails placed into evidence before this Grand Jury, while some of Janine Orié's involvement in the political work may have taken place over the weekend or even outside of office hours, the majority of Janine Orié's involvement took place while she was at work during office hours. Many of the campaign-related emails that were copied to Orié Melvin bear time and date stamps proving how much of Janine Orié's political activities were being done while she was "working"

at the office and on the court payroll. A review of the court's attendance records of Janine Orié for 2009, that is, sick days, annual leave, and personal days, confirms that Janine Orié was not away from the office when so many of those emails were processed.

In any event, Burch testified that she believed that Orié Melvin had knowledge of the active involvement of both Janine Orié and Jane Orié in Orié Melvin's 2009 campaign for Pennsylvania Supreme Court.

TESTIMONY OF TRACY KOLICH HALL

Another witness before this Grand Jury was Tracy Kolich Hall, (Kolich) who testified that in 2009 she had been employed by the Pennsylvania Senate Republican Campaign Committee to work on fundraising and campaigns on behalf of members of the Pennsylvania Senate Republican Caucus. Kolich stated that in March of 2009, she had been directed to commit half of her work hours to work with Commonwealth Strategic Solutions on the Orié Melvin campaign for Supreme Court.

Kolich testified that she worked on the campaign with Noel Burch at Commonwealth Strategic Solutions on a daily basis. Kolich stated that she also maintained regular contact with the candidate Orié Melvin through the email address oriemelvin@yahoo.com, which Kolich knew to be the address primarily monitored and used by Orié Melvin. Kolich testified that from the beginning of her involvement in the Orié Melvin campaign, it had been her understanding that Orié Melvin's sisters Jane Orié and Janine Orié were to be included in the

campaign emails. In fact, Kolich testified that a campaign-related directive received from Jane Orié or Janine Orié was to be acted upon in the same manner as a directive from the candidate herself.

Kolich also testified that to her knowledge there was never a named "campaign manager" for Orié Melvin's 2009 campaign for Pennsylvania Supreme Court. Kolich also testified that Janine Orié was directly involved in the 2009 Orié Melvin campaign and engaged in activities normally associated with the role and responsibility of a "campaign manager."

Kolich testified to the content of multiple Orié Melvin campaign-related emails that had been subpoenaed by this Grand Jury – many of which were obtained from Kolich's "gmail" account, tkolich@gmail.com. Kolich stated that within these emails - all related to the 2009 Orié Melvin campaign and many of which were obviously done during business day work hours – is a contemporaneous record of how frequently Kolich was in contact with Janine Orié in regard to campaign-related questions or information, while also copying Orié Melvin so as to keep her "in the loop" and to provide the Judge with the same information regarding the dynamics of the campaign activity. This Grand Jury find those email records to be corroborative of Kolich's testimony, and to be illustrative of the extent to which Janine Orié immersed herself in campaign matters during the business day.

Kolich testified to one such email from Kolich to Janine Orié, whom Kolich knew at the time to work in Judge Orié Melvin's Superior Court office, dated March 20, 2009 at 1:19 PM. The email related to a question from her to Janine

Orie as to the existence of a campaign credit card to be used for an Orié Melvin Harrisburg Hilton fundraising event. Orié Melvin was copied on this email exchange, and replied in a subsequent email to Kolich, inquiring about how to get one.

Another email exchange, dated March 27, 2009, at 1:12 PM, during the business day, from Kolich to Janine Orié, in which Orié Melvin and Burch were both copied, contained the subject line "LWV Questionnaire," referring to a voter questionnaire. According to Kolich, voter questionnaires normally contained a list of questions that an organization would send to a political candidate in order to gauge that candidate's stance on issues pertaining to that organization. In this instance, the emailed message stated:

"Janine,
Mike and Noel just spoke with the Judge and she is fine with the League of Women Voters questionnaire. *The questionnaire is due today.* When it is completed can you please fax us a copy of the completed questionnaire.
Also, we have yet to receive the NRA questionnaire. Would you mind faxing a copy of that over as well?
Thanks!!!
Tracy" [*Emphasis added*]

Kolich stated that she routinely contacted Janine Orié through Janine Orié's bbboru@yahoo.com email account, requesting Janine Orié's assistance, approval or notification regarding campaign signs, poll cards, campaign

contributions, questionnaires, campaign donors, fundraising events and "thank you" letters, and, that in essence, Janine Orie directed the Orie Melvin campaign.

In an email from Janine Orie to Kolich, dated October 21, 2009 at 2:16 PM, and in response to several emails regarding in-kind Orie Melvin contribution documents attached to emails previously sent to Orie Melvin's campaign treasurer Ted Neighbors and Janine Orie, Janine Orie wrote:

"I printed invoice but none of the images appear can you print and fax to me ted is at the dentist."

On October 21, 2009 at 2:04 PM, Kolich replied and asked for the fax number to which the documents could be sent to Janine Orie. On October 21, 2009 at 2:16 PM, Janine Orie replied:

"412-880-5894 OR JACKS OFFICE 412-232-0813"

The Grand Jury noted that the above-mentioned telephone number (412) 880-5894 was listed in 2009 as a fax number in the Pittsburgh Superior Court chambers of Orie Melvin.

Kolich testified, and was corroborated by emails presented to the Grand Jury, that Orie Melvin was cc'ed or copied on a majority of these emails, and, in any event, Kolich believed that Orie Melvin had knowledge of the involvement of both Janine Orie and Jane Orie in her 2009 campaign for Pennsylvania Supreme Court.

TESTIMONY OF SENATOR JANE ORIE'S CHIEF OF STAFF

Another area that was further explored by this Grand Jury was the extent of the role that Judge Orié Melvin personally played in the utilization of Senator Jane Orié's legislative office staff. It appears from evidence received by this Grand Jury, that after judicial law clerk Molly Creenan's expressed reluctance to Orié Melvin to engage in the "same type" political activity that had been undertaken by judicial staff members in 2003, the "Plan B" measure that was adopted in response to those expressed concerns, was simply to redirect the vast majority of campaign work to staff members from Senator Jane Orié's legislative office. Thus, certain campaign activities that needed to be done for the Orié Melvin campaign were shifted from Superior Court staffers to senatorial staffers such as Josh Dott and Senator Orié's Chief of Staff Jamie Pavlot.

Josh Dott's efforts included driving the Judge to campaign events across the state, and also using senate-paid time to do data-basing of campaign receipts from Orié Melvin fund-raising events. Jamie Pavlot's efforts were directed, as is reflected in email correspondence from the Judge herself, to securing military veterans' endorsements for Orié Melvin's candidacy, making sure position responses got into political publications when required, and also facilitating the production of a video that was taped at St. Barnabas retirement and health care community in northern Allegheny County.

As to the latter, acquiring access to the location for most of the scenes that were shot, contacting and coordinating with persons who were willing to become involved in the taping itself, and arranging for the local police

department's involvement, was delegated in great part to Pavlot. Pavlot admitted that she did most of this campaign-related work for Orie Melvin on state-paid time.

Jamie Pavlot was chief of staff of Senator Jane Orie from 2001 through 2009, working at the main legislative office of the Senator located on the first floor of the Casa Blanca Building at 9400 McKnight Road. She was removed from that position and transferred to a satellite office in Butler after the Senator's arrest in 2010.

Pavlot testified that during her employment as chief of staff, she took directives from both Janine Orie and then-Judge Joan Orie Melvin, noting that "when you work for the Senator, you're basically working for the family." She also was told by Senator Orie that a request from "Janine or the Judge" was to be followed. As a result, both she, as well as selected members of the legislative staff, performed campaign work for Orie Melvin's 2003 and 2009 election during the legislative work day, and/or received compensatory time for doing so after office hours.

During Orie Melvin's 2003 Supreme Court campaign, Pavlot testified that Orie Melvin used Room 205 of the La Casa Blanca Building as a campaign office. Located on the second floor, this office could be reached either via the back of the building or through a staircase down a corridor from the Senator's legislative office. It was sparsely equipped with some tables, chairs and a laptop, and a person assigned by the campaign to work there, Nick Havens, would come

downstairs to the legislative office to use the copier and interact with the legislative concerning campaign work that needed to be done.

Pavlot confirmed her previous testimony, given during the recent trial of Senator Jane Orié, relating to the work of members of the Senator's legislative staff in performing campaign and fund-raising related work for the Orié Melvin campaign. In the majority of instances, Janine Orié would give campaign directives to Pavlot to assign to the legislative staff. However, in some instances, Janine Orié would contact particular staff members directly.

Specifically, during the 2003 campaign Jason Davidek, and Sharon Cochran, assisted Havens with driving Orié Melvin to campaign events throughout the state, and Davidek and Cochran received compensatory time if the travel took place beyond the legislative work day.

Senate staffers, Ginger Hope and Barbara Brown, employed in Senator Jane Orié's Harrisburg office, were tasked with performing political campaign duties for Joan Orié Melvin's campaign during the same time period in the Harrisburg area.

Pavlot said that both she and legislative staff members were expected to work the polls for Orié Melvin during the 2003 election, even though it was a state holiday for the senatorial staff. Pavlot recalled communications about campaign matters with members of Orié Melvin's judicial staff during that election, including Lisa Sasinowski, Molly Creenan, Cathy Skidmore and Kathy Squires.

In the 2009 Pennsylvania Supreme Court election, Orié Melvin contacted Pavlot through text messaging and asked her to make the necessary arrangements for a political commercial to be video-taped at the retirement community at St. Barnabas on August 11, 2009. Pavlot said she also contacted the Sisters of Divine Providence for use of their facilities as an alternate filming site.

Pavlot testified that she had previous experience in arranging a similar film shoot at St. Barnabas for one of the Senator's prior election campaigns. Pavlot did not deal with the film company directly, but took care of the on-site logistics including reserving a date, getting permission to use specific sites within St. Barnabas, and securing senior citizen residents for the Orié Melvin campaign film shoot. Orié Melvin requested Pavlot by email to, "round up 5 to 6 women mid 20s to 50 for a domestic violence scene." Pavlot also made arrangements to have a police car and police officers available to show that Orié Melvin was endorsed by law enforcement. Pavlot identified a series of emails conversations between Orié Melvin and Burch that detailed the logistical details of the shoot. All of these communications occurred during the legislative working day while Pavlot was employed as the Senator's chief of staff.

Pavlot identified other email communications, through personal email addresses, with Orié Melvin (oriemelvin@yahoo.com), and Janine Orié (bbboru@yahoo.com), which outlined other political/campaign work that she performed during her legislative workday. Among these multiple communications were a series of emails in September, 2009, when Orié Melvin tasked her with

securing an endorsement from a veteran's group ("I need a Vpac endorsement asap.") to put up on her website.

Pavlot explained that a relative of hers was affiliated with Soldiers and Sailors Hall in Pittsburgh and a series of emails communicate her successful efforts at that assignment during the 2009 campaign.

Pavlot also served as the liaison for a paid fundraiser for the Orié Melvin campaign, Joanne Tsucalas, who lived and worked in Philadelphia, and an individual who would be willing to underwrite the cost of an event at a Pittsburgh venue for an October 2009 fundraiser for Orié Melvin. In addition, she and some members of the Senator's legislative staff were tasked by Janine Orié to make the name tags for this fundraiser using equipment and supplies from the senatorial office.

Pavlot also testified to her role in promoting Orié Melvin's candidacy at a September gun bash. Pavlot emailed Janine Orié, copying both the Judge and Senator Orié, to tell them that the Senator had made a contribution to the event and suggested that the Judge might want to set out about 500 poll cards. Orié Melvin responded to Pavlot, asking her if a one of the Senator's legislative staff, Josh Dott, would be going and whether he needed more hand cards. Pavlot replied that she could send Dott and he would need cards. Orié Melvin replied that she could drop off the hand cards at the Senator's district office.

One particular communication to Pavlot illustrates the involvement of the entire Orié family in a relatively minor campaign matter that occurred during a legislative work day. Pavlot and Senator Orié received an email on Tuesday,

October 27, 2009, from a politically active resident of the North Hills who sought approval for the inclusion of an article (attached to the email) about Judge Orié Melvin's candidacy in the Ross Township Republican newspaper. The article was then forwarded by Pavlot to two of the Senator's legislative staffers, Kurt Acker and Josh Dott with the instruction to "show casey judge janine jco and get approval asap thanks." Staffer Josh Dott, in turn, forwarded the article to Janine Orié, Casey Melvin, Orié Melvin's daughter, (cmelvin@princeton.edu) and Orié Melvin. In a response to Dott, Orié Melvin wrote, "Approved. Excellent." Dott then emailed a "thanks" to the Judge.

Pavlot related to this Grand Jury an outline of the events that occurred during the last weekend in October 2009 when a University of Pittsburgh graduate student and intern in Senator Orié's legislative office, Jennifer Knapp Rioja, filed a complaint with the District Attorney's Office, asserting that political activity related to the Orié Melvin campaign was occurring in the senatorial district office. In response to that complaint, the senator tasked Pavlot with coming into the office on Sunday, November 1, 2009, to write a letter to Rioja indicating that no political activity had occurred. Pavlot then removed two boxes from the office that contained political files, including Orié Melvin campaign material, and with the assistance of Dott, transferred the boxes to her vehicle. The next day, Pavlot and Jane Orié received an email attachment from Orié Melvin that contained "twitter" communications of Knapp Rioja, which had been sent to Orié Melvin and Jane Orié by Casey Melvin.

Orie Melvin won the election to the Supreme Court the next day. During the week following that election, Pavlot received a phone call from both Jane Orie and Orie Melvin asking Pavlot about whether the files that she had removed had contained "political things". When Pavlot advised them both that there was fund raising information and other political materials in those boxes, Orie Melvin and Senator Orie requested that Pavlot remove "any information that was political" from the files. Pavlot had by that time consulted with counsel, and ultimately turned over the boxes to her attorney without removing any of the materials.

EXTENT OF TIME UTILIZED IN POLITICAL ACTIVITY ON STATE TIME

The Grand Jury has considered evidence regarding the amount of time spent by state-paid staff on political campaign activity as outlined herein. Testimony by one judicial staff member asserted that during the election year of 2003, Janine Orie spent most of her office time doing politically related work. Two additional judicial staff members testified that during the 2009 election year they observed Janine Orie doing political work on an "ongoing nature" and on a "daily basis." The Grand Jury has also been provided estimates of the time spent by members of Jane Orie's senatorial staff during the legislative workday on political activities in 2003 and 2009 performed for the campaigns of Orie Melvin.

Evidence presented to this Grand Jury included numerical calculations by Detective Jackelyn Weibel, certified fraud examiner, based upon estimates by several staff members of both Orie Melvin and Senator Orie of time spent by

themselves as well as Janine Orie, performing political campaign work during the judicial or senatorial work day.

Even a cursory analysis of the time spent by staff members, multiplied by their respective compensation, demonstrates to this Grand Jury that the loss to the Commonwealth far exceeds the \$2,000 threshold that is required to support a charge at the Felony level for each of the Theft offenses charged.

EMAILS INVOLVING JUSTICE JOAN ORIE MELVIN

A great number of emails have been obtained, reviewed, and analyzed from the email accounts of Justice Joan Orie Melvin and from her sisters, court secretary Janine Orie and Senator Jane Orie as well as campaign workers Tracy Kolich and Noel Burch. Literally hundreds of those emails, dating from the May primary election in 2009 through and including the general election in November 2009, provide documentary evidence that Orie Melvin herself was deeply involved in the then-ongoing political campaign activity that was taking place within her judicial office. The emails also reflect the utilization of other state-paid employees to actively promote and facilitate the campaign efforts of Joan Orie Melvin even during the business day, namely staff members from Jane Orie's senatorial district office. Also among the emails that were reviewed were ones from professional campaign workers who interacted with staffers from both the respective judicial and legislative offices.

A small number of emails, as previously referenced, are attached as Exhibit "A" through and including Exhibit "J."

The question of whether Orié Melvin personally knew of the political/campaign work occurring within her judicial office during office business hours appears to be readily answered by a review of the email traffic in which she was either a recipient or sender. An analysis of emails from primary election day through the general election in 2009 that included Joan Orié Melvin in the email distribution and were of a political nature, involved judicial staffer Janine Orié, occurred during the judicial work day, and numbered no less than two hundred. Those email records show that Joan Orié Melvin not only was exposed to, but also regularly participated in, almost daily email threads, the contents of which were obviously political in nature, as opposed to matters of judicial concern, emanating from, or going to or through, her judicial office staffer and sister, Janine Orié.

Examples of these emails include correspondence to/from judicial staffer Janine Orié regarding palm cards and campaign signs and correspondence from Orié Melvin to judicial staffers Creenan and Degener in which Orié Melvin directed Creenan and Degener to locate and provide court decisions for Orié Melvin's use when scheduled to meet or interact with specific political lobbying or advocacy groups.

That the Defendant had personal involvement in having these campaign-related activities accomplished by senatorial staffers can be seen within emails from Judge Orié Melvin herself that are attached to this Presentment as Exhibits "K" through and including Exhibit "N."

Examples of these emails include correspondence to/from Senator Orie's Chief of Staff Jamie Pavlot regarding the recording of Orie Melvin's campaign filming at St. Barnabas, in which Pavlot coordinated details of the event; the McDonald Sportsman's Association 1st Annual Gun Bash event, in which Pavlot and Orie Melvin corresponded over the delivery of Orie Melvin's poll cards by Orie staffer Josh Dott; and correspondence to/from Pavlot requesting assistance in obtaining a political endorsement from a veterans group.

A review of Janine Orie's personal email account "bbboru@yahoo.com", obtained by search warrant pursuant to the prior criminal investigation of Jane Orie, revealed a multitude of political and/or campaign-related communications that took place between Janine Orie and others during the normal business day and during hours in which Janine Orie is believed to have been working in Superior Court, based upon her attendance records that were obtained from the Pennsylvania Superior Court.

Examples of these emails include correspondence to/from "judy@patriotsigns.com" regarding orders, invoices and deliveries of Orie Melvin campaign signs. Another example included similar email correspondence to Joanne Crane Tsucalas of UTA Associates of Philadelphia, a political fundraising company, that include discussions regarding fundraising activities of Orie Melvin. Among these and other related emails were ones found to have been copied to Orie Melvin's email account of "oriemelvin@yahoo.com."

In one such email thread, Janine Orie responds to an accusation by campaign workers that she is not contributing to the political work. In the email,

sent on Friday, September 18, 2009 at 12:01pm, Janine Orié responds, with a copy to Orié Melvin, that she has done "letters/solicitations thank yous /campaign reports [. . .]"

The Grand Jury has been provided with the report of an interview of Orié Melvin's daughter, Casey Melvin, conducted on April 13, 2012, by an investigator employed by the Judicial Conduct Board. In that interview, provided to law enforcement pursuant to Judicial Conduct Board Rules of Procedure 17 and 18(C), Casey Melvin elaborated upon her role in her mother's 2009 judicial campaign. Casey Melvin said that she was with her mother for a period of approximately four and one half (4 1/2) months of the campaign - from early May until September 15, 2009.

Casey Melvin stated that after her mother had obtained the Republican endorsement for the PA Supreme Court in February 2009, she began receiving copies of Orié Melvin's emails at cmelvin@princeton.edu. (She opened a second email account halfway through the campaign: casey.a.melvin@gmail.com). Casey Melvin described her primary function in the campaign as maintaining her mother's Blackberry while she was with her at campaign events. However, she said that she did not take Orié Melvin's Blackberry with her when she returned to college in September. Casey Melvin stated that if pertinent emails were received, addressed to her mother, she (Casey Melvin) would reply to them if she "...100% knew the answer..." to what was being asked. If she was less certain or lacked authority to respond to an incoming email, she would consult Orié Melvin and then reply in a manner consistent with her mother's answer.

When asked on several occasions why she was copied on her mother's emails, Casey Melvin responded that her mother was not good at checking emails so people would send her copies so that she could respond to questions. Her mother's typical mode of response, she said, was by telephone. In addition, she explained that she was the only one who always knew how to contact her mother, and she was always with her on weekends as her driver.

When asked about any campaign role of Orie's chief of staff, Jamie Pavlot, Casey Melvin corroborated a portion of Pavlot's testimony, telling the Judicial Conduct Board investigator of Pavlot's role in organizing the St. Barnabas film shoot that had been done for Orie Melvin.

When asked about whether Janine Orie played an active role in her mother's campaign, Melvin stated that Janine was "cc'ed" on emails because she was the only person who had knowledge of Orie Melvin's court and campaign schedule, and she, Janine Orie, needed to separate expenditures for court and campaign purposes.

The investigator then showed Melvin seventeen (17) emails for the purposes of determining, first, whether a particular email that included a response from Orie Melvin was, in reality, a response from Casey, and second, whether the content of email threads from Janine Orie was limited to scheduling and expense matters as Melvin had claimed earlier during the interview. Of the seventeen emails shown to Casey Melvin involving Janine Orie in the conversation thread, sixteen did not concern scheduling at all. One email did include a reference to the Judge's schedule by Janine who, at the same time,

advised Tracy Kolich that she (Janine) would be sending Kolich contact information for people who wanted to do a fundraiser. The majority of these emails included direct communications between Janine Orié and Orié Melvin.

One, for example, was an email exchange on October 7, 2009; the beginning of that thread began with an email from Joanne Tsucalas, a fund-raiser from Philadelphia who was employed in the latter part of the campaign to raise money in the eastern part of the state. That initial email went to Noel Burch, with the subject: "Palm Cards." Tsucalas then replied asking who she should contact in order to send 200 palm cards to a named person. In a follow-up email, Burch replied, copying Janine Orié's Yahoo account: (bbboru@yahoo.com), that "we normally send these requests to Janine Orié since they hold most of the inventory. I have cc:'ed her on this email." Janine Orié then forwarded this exchange to Casey Melvin (cmelvin@Princeton.EDU) along with a copy to Orié Melvin at her Yahoo account: (oriemelvin@yahoo.com). Orié Melvin thereafter responded to Janine Orié that: "I have josh (sic) on it." Casey Melvin explained to the investigator that this response meant that Josh would pick up the cards at Kinko's, acknowledging at the same time, that Janine's role in this communication did not concern "scheduling."

In an October 27, 2009, email from one of Senator Orié constituents to Jamie Pavlot concerning approval of an article for the Ross Township Republican newsletter, (See page 50 of this Presentment for a more detailed discussion of this email) wherein both Casey Melvin and Orié Melvin were copied for approval of the article, Casey Melvin indicated to the JCB investigator that the final reply

from Orié Melvin, "Approved. Excellent", was probably authored by her mother, i.e., Joan Orié Melvin.

In an email exchange on September 17, 2009, that took place between Tsucalas and Janine Orié, Janine Orié asked who the final host committee members were for the upcoming Pittsburgh fundraiser; Tsucalas, copying Senator Orié's Chief of Staff Pavlot, replied to Janine Orié: "This is the one I gave to Jane last night but with the \$500 level that was suggested this morning." Janine Orié thereafter forwarded that response to Jane Orié, with copies to Casey Melvin and to Orié Melvin. Casey Melvin admitted to the investigator that "this {email} means nothing to me. When asked why Janine Orié would need host committee information, she responded: "That's a good question."

On that same day, September 17th, 2009, Janine Orié emailed Casey Melvin and asked her to call a campaign volunteer to instruct him that signs were at the Greentree Republican headquarters, that he needed to see Monica Douglas, and that the larger signs were for distribution throughout Allegheny, Beaver, Butler, Westmoreland and Washington Counties. Casey Melvin again admitted that this particular email did not concern a "scheduling" matter.

In making reference to any emails that the investigator had shown to her that included emails directed to or copied to her mother's name and account, Casey Melvin told the investigator that the replies in those email threads were "almost always me." Casey Melvin went on to note that her mother was not skilled at using the Blackberry for email or text messages and if a reply amounted to more than a couple of lines of text, it was almost surely Casey Melvin who

responded. Melvin stated that she had no recollection of her mother ever replying to an email herself. Her mother received “hundreds” of emails a day and Casey Melvin would tell Orié Melvin about the contents of an email “only if it was a big issue.” Otherwise, she, Casey Melvin, would simply reply on her own.

The testimony of grand jury witnesses tends to cast doubt about Casey Melvin's assertions that she played such a prominent role in responding to many of the campaign-related emails addressed to Judge Melvin. John Degener, the chief staff attorney for Orié Melvin, testified that as part of his office duties, he had been tasked with answering judicial candidate questionnaires sent to the Judge from various public interest groups, and received approval of his drafted responses directly from Orié Melvin. One of these is reflected in a September 29, 2009 email wherein Degener forwards an attachment titled “Pro Business Decisions List of JOM” to Orié Melvin, who responds as follows: “I'm going before Pa chamber (sic) & Business Council tomorrow. Are these up to date. I don't see Blood v. Old Guard or Toth v Donegal. Can you check & see what else I may be missing? I need them by (sic) 9:30 am. Thanks.”

Another series of emails concerning a judicial questionnaire were sent by the news editor of the publication Pennsylvania Law Weekly to Burch and Orié Melvin. Orié Melvin then forwarded the email thread to Molly Creenan, asking: “Were you able to track down 2007 responses from Supreme candidates.”

Many such emails illustrate that Casey Melvin is not included at all in emails relating to these campaign questionnaires, decision summaries, such as “law and order decisions” “pro business decisions,” and “decisions that impact

defense institute”, that were prepared by her clerks at the request of Orié Melvin herself. In some communications, Casey Melvin appears to serve only as a conduit to give reminders, pass on messages, and design hand cards for her mother’s approval while travelling. One group of pertinent emails are attached hereto as Exhibit “O” through and including Exhibit “V”; the very verbiage of these emails contradicts Casey Melvin’s assertions that it was she, not Joan Orié Melvin, who was responsible for those campaign-related emails.

Other emails in evidence before this Grand Jury demonstrate that Casey Melvin and the use of her email address served the Orié Melvin political communications for another purpose. In one such email thread, dated September 22, 2009, a “Law journal questionnaire” attachment originally sent to Peter Hall was sent from the email account of Casey Melvin to Janine Orié. Janine Orié then forwarded the email and attachment on to judicial staff member Kathy Squires with the message, “see judge/she and molly have corrections and then you will open judgeoriemelvin4supreme@yahoo.com password cardinal09 and send to peter hall- see meal [sic] address below.” See attached email marked Exhibit “W.” It appears this email was intended to be used to conceal the real source of that email that was generated in the Orié Melvin judicial office.

Another email included a “voter guide” from a media source that was forwarded from the judgeoriemelvin4supreme@yahoo.com account to Janine Orié with the instruction, “I just got this. Due tomorrow. Need Jack & Molly to do.” That message was subsequently forwarded to staff member Creenan by Janine Orié with the message, “can you and jack due [sic] and forward to casey

at cmelvin@princeton.edu to send for the judge.” See attached email marked Exhibit “X.”

In each of these examples, the judgeoriemelvin4supreme@yahoo.com and cmelvin@princeton.edu addresses were each used as a “filter” to shield the actual email addresses from which the emails were generated, such as those of Janine Orié, Creenan or Degener, which would have made it obvious to the recipient that those political activities were being handled by judicial staffers of the Pennsylvania Superior Court.

SUMMARY

In the months that have passed since the Presentment against Janine Orié was handed down, this Grand Jury has focused upon acquiring and reviewing documentary evidence which has established to the satisfaction of this Investigative Grand Jury that Judge Joan Orié Melvin was the beneficiary of concerted efforts to have her court staff, as well as other state paid employees, perform political campaign activity. It is also clear from both testimonial evidence provided by court staff and others, as well as substantial documentary evidence that has come before this investigative body, that Judge Joan Orié Melvin not only knew that such illegal activity was occurring, but this Grand Jury has also found probable cause to conclude that the Judge herself fostered the use of state employees, both judicial and legislative, to do such political campaign work through her own acts and directives, as well as through those of two of her sisters who served as accomplices and co-conspirators.

Both testimonial and documentary evidence reflect that Superior Court personnel, court-provided office facilities, and court-supplied office equipment in the judicial office (including computers, copiers, printers, telephones, and fax machines) were all utilized in furtherance of Judge Orié Melvin's political aspirations for higher judicial office during two different election cycles, 2003 and 2009.

The 2010 Investigating Grand Jury has heard the testimony of numerous witnesses, and has received and analyzed a significant quantity of documentary evidence that establishes the extent to which Justice Orié Melvin herself created

an environment for, and in certain instances, actually participated in and promoted the illegal conduct of Janine Orié as she, Janine Orié, literally acted as an "*ex officio* campaign manager" who directed and facilitated many of the Judge's political activities in both the election years of 2003 and 2009. Both testimonial evidence heard by this Grand Jury, and documentary evidence in the form of email communications, confirm that both Judge Orié Melvin and Janine Orié, through their respective supervisory authority in Orié Melvin's Superior Court office, directed other judicial staffers to promote Orié Melvin's candidacies, all while on state-paid time.

It is clear to this Grand Jury that campaign related activity by state paid workers, both hers and her sister's, was actively condoned and even promoted by the Orié Melvin herself. This is most clearly evidenced in the verbiage within numerous 2009 emails that were either sent or received by, or copied to, then-judge, now justice, Joan Orié Melvin - emails that on-their-face evidenced to all who were on the respective email threads that prohibited campaign activity was taking place regularly during state-paid time, and was being done by state-paid employees.

The tale of corruption that is evidenced by the emails that have been revealed as a result of this investigation demonstrates that the abuse of state-paid, office staffers reached its pinnacle in the judicial office of one of the highest appellate court judges in this Commonwealth. The acts of criminality that are described within this Presentment were pervasive throughout two separate, year-long election cycles that took place six years apart, a time period during which

the consequences of such acts of abuse of the taxpayers dollars by public office holders should have been made evident by high-profile events such as the federal prosecution of State Senator Vincent Fumo, the years-long Bonusgate investigation, and the well-known conviction of a local state legislator, Jeffrey Habay, in December of 2005.

As a result of its investigation, this Grand Jury, based on our findings at this time, recommends criminal prosecution against Pennsylvania Supreme Court Justice Joan Orié Melvin. Specifically, this Grand Jury submits that the actions of Justice Joan Orié Melvin as identified in this investigation and outlines within this Presentment give rise to the following alleged violations of the Pennsylvania Crimes Code:

CONCLUSIONS

We, the 2010 Allegheny County Investigating Grand Jury, do hereby conclude as follows:

1. That there is probable cause to believe that Joan Orie Melvin committed the crime of Theft of Services-Diversion of Services, specifically that she, the Defendant, having control over the disposition of services of others to which the Defendant was not entitled, knowingly diverted such services valued in excess of \$2000.00 to her own benefit when she utilized a member of her judicial staff, namely her sister Janine Orie, to facilitate and promote then-Judge Joan Orie Melvin's election campaigns for a position on the Supreme Court of Pennsylvania at various diverse times in both 2003 and 2009.; a violation of [18 Pa.C.S.A. § 3926(b)].

2. That there is probable cause to believe that Joan Orie Melvin committed the crime of Theft of Services-Diversion of Services, specifically that she, the Defendant, having control over the disposition of services of others to which the Defendant was not entitled, personally and also through accomplices Janine Orie and Jane Orie, pursuant to 18 Pa.C.S.A. § 306, knowingly diverted such services valued in excess of \$2000.00 to her own benefit when at various diverse times she utilized members of her judicial staff, including Lisa Sasinowski, Molly Creenan, Kathy Squires, and others, to facilitate and promote then-Judge Joan Orie Melvin's political campaigns for a position on the Supreme Court of

Pennsylvania during election cycles in both 2003 and 2009; a violation of [18 Pa.C.S.A. § 3926(b)].

3. That there is probable cause to believe that Joan Orié Melvin committed the crime of Theft of Services-Diversion of Services, specifically that she, the Defendant, having control over the disposition of services of others to which the Defendant was not entitled, personally and also through accomplices Janine Orié and Jane Orié, pursuant to 18 Pa.C.S.A. § 306, knowingly diverted such services valued in excess of \$2000.00 to her own benefit when at various diverse times she utilized certain members of the Pennsylvania Senatorial staff of her sister, Senator Jane C. Orié, to facilitate and promote then-Judge Joan Orié Melvin's political campaigns for a position on the Supreme Court of Pennsylvania during election cycles in both 2003 and 2009, those legislative staffers including, but not being limited to, Sharon Cochran, Jason Davidek, Josh Dott and Jamie Pavlot; a violation of [18 Pa.C.S.A. § 3926(b)].

4. That there is probable cause to believe that Joan Orié Melvin committed the crime of Criminal Conspiracy to Commit Theft of Services – Diversion of Services, specifically that she, the Defendant, conspired with co-conspirators, her sisters Janine Orié and Senator Jane Orié, to direct staffers from both Judge Orié Melvin's Superior Court judicial staff, including Lisa Sasinoski, Molly Creenan, Kathy Squires and others, and also, certain staffers from Senator Jane Orié's legislative staff including Jamie Pavlot, Sharon Cochran, Jason Davidek, and

Josh Dott, to facilitate and promote Defendant's election campaigns for higher judicial office as a Justice of the Pennsylvania Supreme Court in both 2003 and 2009, a violation of [18 Pa.C.S.A. § 903, 3926(b)].

5. That there is probable cause to believe that Joan Orie Melvin committed the crime of Criminal Conspiracy to Commit Tampering with Physical Evidence, specifically that she, the Defendant, conspired with Senator Jane Orie, when, believing that an official investigation was pending or about to be initiated, encouraged or requested Jamie Pavlot to engage in conduct that would constitute the crime of Tampering With Physical Evidence, or that would establish Defendant's complicity in the said crime, when the Defendant, while on a telephone call with her sister, Senator Jane Orie and Senator Jane Orie's Chief of Staff Jamie Pavlot, told Pavlot to remove any political documents from two boxes of materials which Pavlot had removed from Senator Orie's senatorial district office on Sunday, November 1, 2009, a violation of [18 Pa.C.S.A. § 903, 4910].

6. That there is probable cause to believe that Joan Orie Melvin committed the crime of Criminal Solicitation to Tamper With or Fabricate Physical Evidence when, with the intent of promoting or facilitating the crime of Tampering With Physical Evidence, the Defendant, believing that an official investigation was pending or about to be initiated, encouraged or requested Jamie Pavlot to engage in conduct that would constitute the crime of Tampering With Physical

Evidence, or that would establish Defendant's complicity in the said crime, when the Defendant, while on a telephone call with her sister, Senator Jane Orié and Senator Jane Orié's Chief of Staff Jamie Pavlot, told Pavlot to remove any political documents from two boxes of materials which Pavlot had removed from Senator Orié's senatorial district office on Sunday, November 1, 2009, a violation of [18 Pa.C.S.A. §902 and 4910(1)].

7. That there is probable cause to believe that Joan Orié Melvin committed the crime of Official Oppression when the Defendant, personally and through accomplice Janine Orié, pursuant to 18 Pa.C.S.A. § 306, unlawfully subjected a member of then-Judge Joan Orié Melvin's Superior Court staff, to wit, Lisa Sasinowski, to infringement of her personal or property rights, and denied and/or impeded that member of Joan Orié Melvin's judicial staff in the exercise or enjoyment of her rights, privileges, powers or immunities, that is by requiring her to perform political and campaign related acts in 2003 that were prohibited by Pennsylvania Supreme Court Order of Court and Procedures for all court personnel and/or by requiring her to perform political and campaign related acts during office hours when use of state employees in that manner violated Pennsylvania criminal law, and/or by terminating her employment with the Court after she expressed concerns about such work., a violation of [18 Pa.C.S.A. § 5301].

8. That there is probable cause to believe that Joan Orié Melvin committed the crime of Official Oppression when the Defendant, personally and through accomplice Janine Orié, pursuant to 18 Pa.C.S.A. § 306, unlawfully subjected a member of then-Judge Joan Orié Melvin's Superior Court staff, to wit, Molly Creenan, to infringement of her personal or property rights, and denied and/or impeded that member of Joan Orié Melvin's judicial staff in the exercise or enjoyment of rights, privileges, powers, or immunities, that is by requiring her to perform political and campaign related acts in 2003 and 2009 that were prohibited by Pennsylvania Supreme Court Order of Court and Procedures for all court personnel and/or by requiring her to perform political and campaign related acts during office hours when use of state employees in that manner violated Pennsylvania criminal law, and/or by continuing to exert pressure on Creenan to perform political work despite her expressed opposition. [18 Pa.C.S.A. § 5301].

9. That there is probable cause to believe that Joan Orié Melvin committed the crime of Misapplication of Entrusted Property of Government, when, as a Judge of the Pennsylvania Superior Court, Defendant personally, and through her accomplice Janine Orié, pursuant to 18 Pa.C.S.A § 306, used her Superior Court office facilities and office equipment to facilitate and promote Orié Melvin's political campaign activities in her bid for higher judicial office as a Justice of the Pennsylvania Supreme Court in both 2003 and 2009, a violation of [18 Pa.C.S.A. § 4113(a)].

RECOMMENDATIONS

The Grand Jury therefore recommends the following charges be filed against Supreme Court Justice Joan Orié Melvin:

A. Theft of Services - Diversion of Services [18 Pa.C.S.A. § 3926(b)] -

Felony of the Third Degree – 3 Counts -

COUNT 1 – Having control over the disposition of services of others to which the Defendant was not entitled, the Defendant knowingly diverted such services valued in excess of \$2000.00 to her own benefit when she utilized a member of her judicial staff, namely her sister Janine Orié, to facilitate and promote then-Judge Joan Orié Melvin's election campaigns for a position on the Supreme Court of Pennsylvania at various diverse times in both 2003 and 2009.

COUNT 2 – Having control over the disposition of services of others to which the Defendant was not entitled, the Defendant personally and also through accomplices Janine Orié and Jane Orié, knowingly diverted such services valued in excess of \$2000.00 to her own benefit when at various diverse times she

utilized members of her judicial staff, including Lisa Sasinoski, Molly Creenan, Kathy Squires, and others, to facilitate and promote then-Judge Joan Orie Melvin's political campaigns for a position on the Supreme Court of Pennsylvania during election cycles in both 2003 and 2009.

COUNT 3 – Having control over the disposition of services of others to which the Defendant was not entitled, the Defendant personally and also through accomplices Janine Orie and Jane Orie, knowingly diverted such services valued in excess of \$2000.00 to her own benefit when at various diverse times she utilized certain members of the Pennsylvania Senatorial staff of her sister, Senator Jane C. Orie, to facilitate and promote then-Judge Joan Orie Melvin's political campaigns for a position on the Supreme Court of Pennsylvania during election cycles in both 2003 and 2009, those legislative staffers including, but not being limited to, Sharon Cochran, Jason Davidek, Josh Dott and Jamie Pavlot.

B. Criminal Conspiracy to Commit Theft of Services - Diversion of Services,

[18 Pa.C.S.A. § 903, 3926(b) - Felony of the Third Degree

Defendant conspired with co-conspirators Janine Orie and Senator Jane Orie, to direct staffers from both Judge Orie Melvin's Superior Court judicial staff, including Lisa Sasinoski, Molly Creenan, Kathy Squires and others, and also certain staffers from Senator Jane Orie's legislative staff including Sharon Cochran, Jason Davidek, Josh Dott, and Jamie Pavlot, to facilitate and promote

Defendant's election campaigns for higher judicial office as a Justice of the Pennsylvania Supreme Court in both 2003 and 2009.

C. Criminal Conspiracy to Commit Tampering With Physical Evidence -

[18 Pa.C.S.A. § 903, 4910] – Misdemeanor of the Second Degree

Defendant conspired with Senator Jane Orié, when, believing that an official investigation was pending or about to be initiated, encouraged or requested Jamie Pavlot to engage in conduct that would constitute the crime of Tampering With Physical Evidence, or that would establish Defendant's complicity in the said crime, when the Defendant, while on a telephone call with her sister, Senator Jane Orié and Senator Jane Orié's Chief of Staff Jamie Pavlot, told Pavlot to remove any political documents from two boxes of materials which Pavlot had removed from Senator Orié's senatorial district office on Sunday, November 1, 2009.

D. Criminal Solicitation to Tamper With or Fabricate Physical Evidence

[18 Pa.C.S.A. §902 and 4910(1)] - Misdemeanor of the Second Degree

With the intent of promoting or facilitating the crime of Tampering With Physical Evidence, the Defendant, believing that an official investigation was pending or about to be initiated, encouraged or requested Jamie Pavlot to engage in conduct that would constitute the crime of Tampering With Physical Evidence, or that would establish Defendant's complicity in the said crime, when the Defendant, while on a telephone call with her sister, Senator Jane Orié and

Senator Jane Orie's Chief of Staff Jamie Pavlot, told Pavlot to remove any political documents from two boxes of materials which Pavlot had removed from Senator Orie's senatorial district office on Sunday, November 1, 2009.

E. Official Oppression [18 Pa.C.S.A. § 5301]

– Misdemeanor of the Second Degree – 2 Counts

COUNT 1 - Defendant, personally and through accomplice Janine Orie, unlawfully subjected a member of then-Judge Joan Orie Melvin's Superior Court staff, to wit, Lisa Sasinowski, to infringement of her personal or property rights, and denied and/or impeded that member of Joan Orie Melvin's judicial staff in the exercise or enjoyment of her rights, privileges, powers or immunities, that is by requiring her to perform political and campaign related acts in 2003 that were prohibited by Pennsylvania Supreme Court Order of Court and Procedures for all court personnel and/or by requiring her to perform political and campaign related acts during office hours when use of state employees in that manner violated Pennsylvania criminal law, and/or by terminating her employment with the Court after she expressed concerns about such work.

COUNT 2 – Defendant, personally and through accomplice Janine Orie, unlawfully subjected a member of then-Judge Joan Orie Melvin's Superior Court staff, to wit, Molly Creenan, to infringement of her personal or property rights, and denied and/or impeded that member of Joan Orie Melvin's judicial staff in the exercise or enjoyment of rights, privileges, powers, or immunities, that is by

requiring her to perform political and campaign related acts in 2003 and 2009 that were prohibited by Pennsylvania Supreme Court Order of Court and Procedures for all court personnel and/or by requiring her to perform political and campaign related acts during office hours when use of state employees in that manner violated Pennsylvania criminal law, and/or by continuing to exert pressure on Creenan to perform political work despite her expressed opposition.

F. Misapplication of Entrusted Property of Government,

[18 Pa.C.S.A. § 4113(a)] - Misdemeanor of the Second Degree

As a Judge of the Pennsylvania Superior Court, Defendant personally, and through an accomplice Janine Orié, used her Superior Court office facilities and office equipment to facilitate and promote Orié Melvin's political campaign activities in her bid for higher judicial office as a Justice of the Pennsylvania Supreme Court in both 2003 and 2009.

5/17/12
Date

X
Foreperson

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF ALLEGHENY



POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA

VS

MDJ: PITTSBURGH MUNICIPAL COURT
Magisterial District Number: 05-0-03
Address: 660 FIRST AVENUE
PITTSBURGH, PA 15219

DEFENDANT:

(NAME and ADDRESS):

JOAN ORIE MELVIN
First Name Middle Name Last Name Gen
750 STONEGATE DRIVE WEXFORD, PA 15090

Phone: 412.350.6715

NCIC Extradition Code Type

Felony - Full Extradition

Distance _____

DEFENDANT IDENTIFICATION INFORMATION

Docket Number CR-5030-12	Date Filed 5-18-12	OTN Live Scan Number G 562109-2	Complaint/Incident Number C-316-10	SID	Request Lab Services? <input type="checkbox"/> Yes
GENDER FEMALE	DOB 04/06/1956	POB	Add'l DOB	Co-Defendant(s) <input type="checkbox"/>	
RACE WHITE	First Name		Middle Name	Last Name	Gen
ETHNICITY	AKA				
HAIR COLOR BRO (BROWN)	EYE COLOR GRN (GREEN)				
Driver License	State PA	License Number 17070611	Expires	WEIGHT (lbs.)	
DNA	DNA Location				
FBI Number	MUN Number		FT HEIGHT In		
Defendant Fingerprinted					5 07
Fingerprint Classification					

DEFENDANT VEHICLE INFORMATION

Plate #	State	Hazmat	Registration Sticker (MMYY)	Comm'l Veh Incl	School Veh	Oth. NCIC Veh Code	Reg Same as Def.
VN		Year	Make	Model	Style	Color	<input type="checkbox"/>

Office of the attorney for the Commonwealth Approved Disapproved because _____

(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. See Pa.R.OlmP. 507).

name of the attorney for the Commonwealth _____ (Signature of the attorney for the Commonwealth) _____ (Date)

I, FRANCES LAQUATRA 26260
(Name of the Affiant) (PSRP/PCETC - Assigned Affiant ID Number & Badge #)

of DISTRICT ATTORNEYS DETECTIVES PA002013A
(Identify Department or Agency Represented and Political Subdivision) (Police Agency ORI Number)

do hereby state (check appropriate box)

1. X I accuse the above named defendant who lives at the address set forth above
I accuse the defendant whose name is unknown to me but who is described as _____

I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have, therefore, designated as John Doe or Jane Doe

with violating the penal laws of the Commonwealth of Pennsylvania at 301 PITTSBURGH CITY
(Subdivision Code) (Place/Political Subdivision)

In Allegheny County 02 on or about 01/01/2003
(County Code)





POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN LiveScan Number G 562109-2	Complaint/Incident Number C-316-10
Defendant Name	First JOAN	Middle	Last ORIE MELVIN

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a *brief* summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA Code §§213.1--213.7.)



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN LiveScan Number G 562109-2	Complaint/Incident Number C-316-10
Defendant Name	First JOAN	Middle	Last ORIE MELVIN

Inchoate Offense	<input type="checkbox"/> Attempt 18901 A	<input type="checkbox"/> Solicitation 18902 A	<input type="checkbox"/> Conspiracy 18903						
X	1	3926	B	of the	18	3	F3		
Lead?	Offense#	Section	Subsection		PA Statute (Title)	Counts	Grade	NOIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)		Accident Number				<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Wbrk Zone	

Statute Description/Acts of the accused associated with this Offense

18 3926B THEFT OF SERVICES F3 3 COUNTS

The actor having control over the disposition of services of others, namely THE ACTOR KNOWINGLY DIVERTED SUCH SERVICES VALUED IN EXCESS OF \$2000.00 TO HER OWN BENEFIT WHEN SHE UTILIZED A MEMBER OF HER JUDICIAL STAFF, NAMELY HER SISTER, JANINE ORIE, TO FACILITATE AND PROMOTE THEN-JUDGE JOAN ORIE MELVIN'S ELECTION CAMPAIGNS FOR A POSITION ON THE SUPREME COURT OF PENNSYLVANIA AT VARIOUS DIVERSE TIMES IN BOTH 2003 AND 2009, to which the actor was not entitled, knowingly diverted such services to his own benefit or to the benefit of another not entitled thereto in violation of 18 Pa.C.S.§3926(b).

The actor having control over the disposition of services of others, namely THE ACTOR, PERSONALLY AND ALSO THROUGH JANINE ORIE AND JANE ORIE, ACCOMPLICES PURSUANT TO 18 PA CS §306, KNOWINGLY DIVERTED SUCH SERVICES VALUED IN EXCESS OF \$2,000.00 TO HER OWN BENEFIT WHEN AT VARIOUS DIVERSE TIMES SHE UTILIZED MEMBERS OF HER JUDICIAL STAFF, INCLUDING LISA SASINOSKI, MOLLY GREENAN, KATHY SQUIRES AND OTHERS, TO FACILITATE AND PROMOTE THEN-JUDGE JOAN ORIE MELVIN'S POLITICAL CAMPAIGNS FOR A POSITION ON THE SUPREME COURT OF PENNSYLVANIA DURING ELECTION CYCLES IN BOTH 2003 AND 2009, to which the actor was not entitled, knowingly diverted such services to his own benefit or to the benefit of another not entitled thereto in violation of 18 Pa.C.S.§3926(b).

The actor having control over the disposition of services of others, namely THE ACTOR, PERSONALLY AND ALSO THROUGH JANINE ORIE AND JANE ORIE, ACCOMPLICES PURSUANT TO 18 PA CS §306, KNOWINGLY DIVERTED SUCH SERVICES VALUED IN EXCESS OF \$2,000.00 TO HER OWN BENEFIT WHEN AT VARIOUS DIVERSE TIMES SHE UTILIZED CERTAIN MEMBERS OF THE PENNSYLVANIA SENATORIAL STAFF OF HER SISTER, SENATOR JANE ORIE, THOSE LEGISLATIVE STAFFERS INCLUDING, BUT NOT BEING LIMITED TO, SHARON COCHRAN, JASON DAVIDEK, JOSH DOTT AND JAMIE PAVLOT, TO FACILITATE AND PROMOTE THEN-JUDGE JOAN ORIE MELVIN'S POLITICAL CAMPAIGNS FOR A POSITION ON THE SUPREME COURT OF PENNSYLVANIA DURING ELECTION CYCLES IN 2003 AND 2009, to which the actor was not entitled, knowingly diverted such services to his own benefit or to the benefit of another not entitled thereto in violation of 18 Pa.C.S.§3926(b).



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTNLiveScan Number G 562109-2	Complaint/Incident Number C-316-10
Defendant Name	First: JOAN	Middle:	Last: ORIE MELVIN

Inchoate Offense	<input type="checkbox"/> Attempt 18901A	<input type="checkbox"/> Solicitation 18902A	<input checked="" type="checkbox"/> Conspiracy 18903						
Lead?	2	3926	B	of the	18	1	F3		
Offense#	Section	Subsection	PA Statute (Title)	Courts	Grade	NIJC Offense Code	UCR/NIBRS Code		
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone				
Statute Description/Acts of the accused associated with this Offense:									
<p>18 903A1 CRIMINAL CONSPIRACY F3 1 COUNT</p> <p>The actor, with the intent of promoting or facilitating the crime of 18: 3926: B conspired and agreed with JANINE ORIE AND SENATOR JANE ORIE, TO DIRECT STAFFERS FROM BOTH JUDGE ORIE MELVIN'S SUPERIOR COURT JUDICIAL STAFF, INCLUDING LISA SASINOSKI, MOLLY CREENAN, KATHY SQUIRES AND OTHERS, AND ALSO CERTAIN STAFFERS FROM SENATOR JANE ORIE'S LEGISLATIVE STAFF INCLUDING SHARON COCHRAN, JASON DAVIDEK, JOSH DOTT AND JAMIE PAVLOT, TO FACILITATE AND PROMOTE THE ACTOR'S ELECTION CAMPAIGNS FOR HIGHER JUDICIAL OFFICE AS A JUSTICE OF THE PENNSYLVANIA SUPREME COURT IN BOTH 2003 AND 2009 that they or one or more of them would engage in conduct constituting such crime or an attempt or solicitation to commit such crime, and in furtherance thereof did commit an overt act in violation of 18 Pa. C.S. §903 (a)(1).</p>									

Inchoate Offense	<input type="checkbox"/> Attempt 18901A	<input type="checkbox"/> Solicitation 18902A	<input type="checkbox"/> Conspiracy 18903						
Lead?	3	4113	A	of the	18	1	M2		
Offense#	Section	Subsection	PA Statute (Title)	Courts	Grade	NIJC Offense Code	UCR/NIBRS Code		
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone				
Statute Description/Acts of the accused associated with this Offense:									
<p>18 4113A MISAPPLICATION OF ENTRUSTED PROPERTY AND PROPERTY OF GOVERNMENT OR FINANCIAL INSTITUTIONS M2 1 COUNT</p> <p>The actor applied or disposed of property, namely THE ACTOR, PERSONALLY AND THROUGH JANINE ORIE, AN ACCOMPLICE PURSUANT TO 18 PA CS §306, USED HER SUPERIOR COURT OFFICE FACILITIES AND OFFICE EQUIPMENT TO FACILITATE AND PROMOTE JOAN ORIE MELVIN'S POLITICAL CAMPAIGN ACTIVITIES IN HER BID FOR HIGHER JUDICIAL OFFICE AS A JUSTICE OF THE PENNSYLVANIA SUPREME COURT IN BOTH 2003 AND 2009, that had been entrusted to the actor as a fiduciary, or property of the government or of a financial institution, in a manner which said actor knew was unlawful and involved substantial risk of loss or detriment to the owner of the property or to a person for whose benefit the property was entrusted, in violation of 18 Pa.C.S. §4113(a).</p>									



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTNLiveScan Number G 562109-2	Complaint/Incident Number C-316-10
Defendant Name	First JOAN	Middle	Last ORIE MELVIN

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903						
Lead?	4	5301	1	of the	18	2	M2		
	Offense#	Section	Subsection		PA Statute (Title)	Counts	Grade	NDIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)		Accident Number				<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone		
Statute Description/Acts of the accused associated with this Offense:									
<p>18 53011 OFFICIAL OPPRESSION M2 2 COUNTS</p> <p>The actor, acting or purporting to act in an official capacity or taking advantage of such actual or purported capacity namely JUDGE OF THE SUPERIOR COURT OF PENNSYLVANIA, knowing that said actor's conduct was illegal subjected another to arrest, detention, search, seizure, mistreatment, dispossession, assessment, lien or other infringement of personal or property rights; or denied or impeded the exercise or enjoyment of any right, privilege, power or immunity by another, namely LISA SASINOSKI, REQUIRING HER TO PERFORM POLITICAL AND CAMPAIGN RELATED ACTS IN 2003 THAT WERE PROHIBITED BY PENNSYLVANIA SUPREME COURT ORDER OF COURT AND PROCEDURES FOR ALL COURT PERSONNEL AND/OR BY REQUIRING HER TO PERFORM POLITICAL AND CAMPAIGN RELATED ACTS DURING OFFICE HOURS WHEN USE OF STAFF EMPLOYEES IN THAT MANNER VIOLATED PENNSYLVANIA CRIMINAL LAW AND/OR BY TERMINATING HER EMPLOYMENT WITH THE COURT AFTER SHE EXPRESSED CONCERNS ABOUT DOING SUCH WORK, THE ACTOR COMMITTING THIS OFFENSE PERSONALLY AND THROUGH JANINE ORIE, AN ACCOMPLICE PURSUANT TO 18 PA CS §306, in violation of 18 Pa. C.S. §5301(1) or (2) .</p> <p>The actor, acting or purporting to act in an official capacity or taking advantage of such actual or purported capacity namely JUDGE OF THE SUPERIOR COURT OF PENNSYLVANIA, knowing that said actor's conduct was illegal subjected another to arrest, detention, search, seizure, mistreatment, dispossession, assessment, lien or other infringement of personal or property rights; or denied or impeded the exercise or enjoyment of any right, privilege, power or immunity by another, namely MOLLY CREENAN, REQUIRING HER TO PERFORM POLITICAL AND CAMPAIGN RELATED ACTS IN 2003 AND 2009 THAT WERE PROHIBITED BY PENNSYLVANIA SUPREME COURT ORDER OF COURT AND PROCEDURES FOR ALL COURT PERSONNEL AND/OR BY REQUIRING HER TO PERFORM POLITICAL AND CAMPAIGN RELATED ACTS DURING OFFICE HOURS WHEN USE OF STATE EMPLOYEES IN THAT MANNER VIOLATED PENNSYLVANIA CRIMINAL LAW AND/OR BY CONTINUING TO EXERT PRESSURE ON CREENAN TO PERFORM POLITICAL WORK DESPITE HER EXPRESSED OPPOSITION, THE ACTOR COMMITTING THIS OFFENSE PERSONALLY AND THROUGH JANINE ORIE, AN ACCOMPLICE PURSUANT TO 18 PA CS §306, in violation of 18 Pa. C.S. §5301(1) or (2) .</p>									



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/LiveScan Number G 562109-2	Complaint/Incident Number C-316-10
Defendant Name	First JOAN	Middle	Last ORIE MELVIN

Indicate Offense	<input type="checkbox"/> Attempt 18 901 A	<input checked="" type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903						
Lead?	5	4910	1	of the	18	1	M2		
Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NOIC Offense Code	UCR/NIBRS Code		
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone				
Statute Description/Acts of the accused associated with this Offense									
<p>18 902A CRIMINAL SOLICITATION M2 1 COUNT</p> <p>The actor with the intent of promoting or facilitating the crime of 18: 4910: 1 commanded, encouraged or requested JAMIE PAVLOT TO ENGAGE IN CONDUCT THAT WOULD CONSTITUTE THE CRIME OF TAMPERING WITH PHYSICAL EVIDENCE, OR THAT WOULD ESTABLISH THE ACTOR'S COMPLICITY IN THE SAID CRIME, WHEN THE ACTOR, ON OR ABOUT EARLY NOVEMBER 2009, WHILE ON A TELEPHONE CALL WITH HER SISTER, SENATOR JANE ORIE AND SENATOR JANE ORIE'S CHIEF OF STAFF JAMIE PAVLOT, TOLD PAVLOT TO REMOVE ANY POLITICAL DOCUMENTS FROM TWO BOXES OF MATERIALS WHICH PAVLOT HAD REMOVED FROM SENATOR ORIE'S SENATORIAL DISTRICT OFFICE ON SUNDAY, NOVEMBER 1, 2009. to engage in specific conduct which would constitute the aforesaid crime or an attempt to commit the aforesaid crime, or which would establish that person's complicity in its commission or attempted commission, in violation of 18 Pa. C.S. §902 (a).</p>									

Indicate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input checked="" type="checkbox"/> Conspiracy 18 903						
Lead?	6	4910	1	of the	18	1	M2		
Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NOIC Offense Code	UCR/NIBRS Code		
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone				
Statute Description/Acts of the accused associated with this Offense									
<p>18 903A1 CRIMINAL CONSPIRACY M2 1 COUNT</p> <p>The actor, with the intent of promoting or facilitating the crime of 18: 4910: 1 conspired and agreed with SENATOR JANE ORIE, WHEN, BELIEVING THAT AN OFFICIAL INVESTIGATION WAS PENDING OR ABOUT TO BE INITIATED, ENCOURAGED OR REQUESTED JAMIE PAVLOT TO ENGAGE IN CONDUCT THAT WOULD CONSTITUTE THE CRIME OF TAMPERING WITH PHYSICAL EVIDENCE, OR THAT WOULD ESTABLISH THE ACTOR'S COMPLICITY IN THE SAID CRIME, WHEN ON OR ABOUT EARLY NOVEMBER 2009, THE ACTOR, WHILE ON A TELEPHONE CALL WITH HER SISTER, SENATOR JANE ORIE AND SENATOR JANE ORIE'S CHIEF OF STAFF JAMIE PAVLOT, TOLD PAVLOT TO REMOVE ANY POLITICAL DOCUMENTS FROM TWO BOXES OF MATERIALS WHICH PAVLOT HAD REMOVED FROM SENATOR ORIE'S SENATORIAL DISTRICT OFFICE ON SUNDAY, NOVEMBER 1. 2009. that they or one or more of them would engage in conduct constituting such crime or an attempt or solicitation to commit such crime, and in furtherance thereof did commit an overt act in violation of 18 Pa. C.S. §903 (a)(1).</p>									



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/LiveScan Number G 562109-2	Complaint/Incident Number C-316-10
Defendant Name	First JOAN	Middle	Last ORIE MELVIN

- I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA.C.S. §4904) relating to unsworn falsification to authorities.
- This complaint is comprised of the preceding page(s) numbered _____ through _____.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited (Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

(Date)

James Laguardia
(Signature of Affiant)

AND NOW on this date

I certify that the complaint has been properly completed and verified.

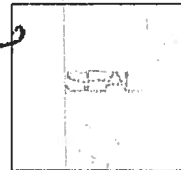
An affidavit of probable cause must be completed before a warrant can be issued.

JRC.

(Magisterial District Court Number)

[Signature]

(Issuing Authority)



5-18-12.



Docket Number:	Date Filed:	OTNLiveScan Number G 562109-2	Complaint/Incident Number C-316-10
Defendant Name	First JOAN	Middle	Last ORIE MELVIN

AFFIDAVIT of PROBABLE CAUSE

1. WHEN:

a) Date when Affiant received information:

10/30/2009

b) Date when the source of information (Police Officers, Informant, Victim, Co-Defendant, Defendant, etc.) received information:

10/30/2009

2. HOW:

a) How Affiant knows this particular person committed crime: (personal observation, defendant's admissions, etc.):

evidence and/or information obtained from participants and eyewitnesses to the alleged criminal acts described herein; evidence or information personally observed and/or obtained during the course of the investigation; evidence or information obtained or observed by other Detectives directly involved in this investigation and the conclusion of the 2010 Allegheny County Investigating Grand Jury investigation resulting in the issuance of Grand Jury presentment C-2

b) How the source of information knows this particular person committed the crime:

evidence and/or information obtained from participants and eyewitnesses to the alleged criminal acts described herein; evidence or information personally observed and/or obtained during the course of the investigation; evidence or information obtained or observed by other Detectives directly involved in this investigation and the conclusion of the 2010 Allegheny County Investigating Grand Jury investigation resulting in the issuance of Grand Jury presentment C-2

c) How both Affiant and/or source of information knows that a particular crime has been committed:

evidence and/or information obtained from participants and eyewitnesses to the alleged criminal acts described herein; evidence or information personally observed and/or obtained during the course of the investigation; evidence or information obtained or observed by other Detectives directly involved in this investigation and the conclusion of the 2010 Allegheny County Investigating Grand Jury investigation resulting in the issuance of Grand Jury presentment C-2

3. WHAT CRIMES:

- 18 3926 B THEFT OF SERVICES
- 18 903 A1 CRIMINAL CONSPIRACY
- 18 902 A CRIMINAL SOLICITATION
- 18 3926 B THEFT OF SERVICES
- 18 3926 B THEFT OF SERVICES
- 18 5301 1 OFFICIAL OPPRESSION
- 18 5301 1 OFFICIAL OPPRESSION
- 18 4113 A MISAPPLICATION OF ENTRUSTED PROPERTY AND PROPERTY OF GOVERNMENT OR FINANCIAL
- 18 903 A1 CRIMINAL CONSPIRACY

4. WHERE CRIME(S) COMMITTED:

PITTSBURGH, PENNSYLVANIA



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTNLiveScan Number	Complaint/Incident Number
		G 562109-2	C-316-10
Defendant Name	First	Middle	Last
	JOAN		ORIE MELVIN

5. WHY AFFIANT BELIEVES THE SOURCE OF INFORMATION:

- X Source is presumed reliable, i.e. other Police Officer, Eyewitness, Victim of Crime, etc.
- X Source has given information in the past which has led to arrest and/or conviction
 - Defendant's reputation for criminal activity
 - This source made declaration against his/her penal interest to the above offense
- X Affiant and/or other Police Officers corroborated details of the information

The affiant of this affidavit is Frances Laquatra, a law enforcement officer of the Commonwealth of Pennsylvania within the meaning of Section 5702 of the Pennsylvania Crimes Code and, as such, I am empowered to make arrests for criminal offenses enumerated therein. I am currently employed as a Detective with the Allegheny County District Attorney's office and have been employed in this capacity for the past fourteen years. My current duties involve the investigation of all facets of criminal activity, including the investigation and prosecution of white collar crime.

The information contained in this affidavit is based on: evidence and/or information obtained from participants and eyewitnesses to the alleged criminal acts as described herein; evidence and/or information personally obtained or observed during the course of the investigation; evidence and/or information obtained and/or observed by other Detectives (including Allegheny County Detective's Perann Tansmore, Patricia Parker, Kevin Flanigan, Tim Cross, Alan Ballo, Rick Byers, Jackelyn Weibel and Lyle Graber) directly involved in this investigation; the conclusion of the 2010 Allegheny County Investigating Grand Jury investigation resulting in the issuance of Grand Jury Presentment (C-2); the criminal trial which led to the conviction of Senator Jane Clare Orie in March 2012 and the conclusion of the 2010 Allegheny County Investigating Grand Jury investigation resulting in the issuance of Grand Jury Presentment (C).

During the course of the investigation, your affiant has personally interviewed or otherwise been present during the interview of witnesses; of those interviews not personally interviewed, your affiant has reviewed the investigative reports prepared by other Detectives of such interviews. Your affiant has reviewed all available evidence received during this investigation and read all grand jury testimony provided under oath by witnesses. Your affiant has read Grand Jury Presentment (C-2) in its entirety, and avers that the contents contained therein comport to your affiant's aforementioned knowledge and understanding of this investigation as a result of both your affiant's and other officers' investigative activities that have been told to me. There exists a presumption of regularity which surrounds the Grand Jury proceedings and as such your affiant avers that the source of this information, the Grand Jury Presentment, is presumed reliable. Your affiant has attached a copy of said Presentment (C-2) which is made part of this affidavit of probable cause by this reference thereto and offers the information contained therein as probable cause for the issuance of process, namely, a criminal complaint for the herein named actor.

Based upon the aforementioned information which is believed to be true and correct, and noting that the accused herein has at all times pertinent to these charges (that being the time period spanning January 2003 through November 2009) and at the current time, Actor continues to be an elected member of the Judiciary of the Commonwealth of Pennsylvania and thus a 'public officer or employee' and therefore subject to the provisions of the Judicial Code, 42 PA C.S. 5552 (c)(2) regarding the applicable statute of limitations for the initiation of criminal proceedings, your affiant respectfully requests that a criminal complaint and warrant of arrest be issued:



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/LiveScan Number G 562109-2	Complaint/Incident Number C-316-10
Defendant Name	First JOAN	Middle	Last ORIE MELVIN

I, FRANCES LAQUATRA, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Frances Laquatra
(Signature of Affiant)

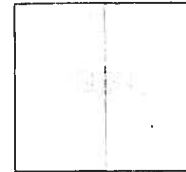
Sworn to me and subscribed before me this 12 day of _____

_____, Date _____, Magisterial District Judge

My commission expires first Monday of January,

2018.

PMC



5-18-12.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA

IN RE: 2010 ALLEGHENY COUNTY INVESTIGATING GRAND JURY : Criminal Division
: CP-02-AD-112-2010

PRESENTMENT C

TO THE HONORABLE JOSEPH M. JAMES, SUPERVISING JUDGE:

We, the 2010 Allegheny County Investigating Grand Jury, duly charged by the Court to inquire into offenses against the criminal laws of the Commonwealth alleged to have been committed within Allegheny County and having obtained knowledge of such instances from witnesses sworn by this Court and testifying before us, and having examined the evidence presented to us, and finding thereon reasonable grounds to believe, and so believing, upon our respective oaths, not fewer than twelve concurring, do hereby make this Presentment to this Honorable Court.



INTRODUCTION

The allegation before this Grand Jury is that Janine Mary Orié, an employee of the Superior Court and Supreme Court of Pennsylvania from 1997 to the present, engaged in political and campaign-related activities while being paid by the Commonwealth of Pennsylvania as well as directed other state-paid employees to engage in political and campaign-related activities. Orié furthermore caused significant resources of the Court to be applied to these campaign activities. It is also alleged that Janine Orié directed a Court staff member to conceal and/or destroy evidence of the above-described activity upon learning of an active investigation.

Legal advisors to this Grand Jury filed a Notice of Submission requesting access to the tools of the Grand Jury in order to investigate this matter adequately, particularly the power to compel and obtain witness testimony under oath, grant immunity in necessary instances, require the production of various documents and initiate civil and criminal contempt proceedings, in addition to other resources as provided under the Grand Jury Act. The Notice of Submission was then reviewed and approved by the Supervising Judge of the 2010 Allegheny County Investigating Grand Jury on July 26, 2010. Since that time, numerous witnesses have testified before this Grand Jury, and documentary evidence was received, and as a result, this Grand Jury, based on our findings at this time, recommends criminal prosecution against Janine Orié.

This Grand Jury submits that the actions of Janine Orié give rise to the following alleged violations of the Pennsylvania Crimes Code: Theft of

Services [Diversion of Services] (18 Pa.C.S.A. § 3926(b)); Misapplication of Entrusted Property (18 Pa.C.S.A. § 4113(a)); Tampering with or Fabricating Physical Evidence (18 Pa.C.S.A. § 4910(1)), and; Criminal Solicitation (18 Pa.C.S.A. § 902).

FINDINGS

During the ongoing investigation by this Grand Jury into the illegal use of state-paid workers for campaign-related services, employees, both former and current, of then Superior Court Judge, and current Pennsylvania Supreme Court Justice, Joan Orié Melvin (hereafter referred to as "Orié Melvin"), provided statements to members of the Office of the District Attorney of Allegheny County, and testimony to this Investigating Grand Jury:

One of these employees was Lisa Sasinoski (Sasinoski), a former Superior Court law clerk, and now Supreme Court law clerk. Sasinoski was employed by Orié Melvin in 1990 as a law clerk in the Allegheny County Court of Common Pleas and remained in her employ after Orié Melvin successfully ran for Pennsylvania Superior Court in 1997, and continued until Orié Melvin's unsuccessful 2003 campaign run for the Pennsylvania Supreme Court. Sasinoski left the employ of Orié Melvin in December, 2003, and is currently employed as a clerk in the chambers of another Pennsylvania Supreme Court Justice. According to Sasinoski, Janine Orié was hired in 1991 as a secretary for Orié Melvin in the Court of Common Pleas, but shortly thereafter Janine Orié took over a number of supervisory roles, such as handling staff leave time, work assignments, and scheduling, among others. According to Sasinoski, a court employee on the Orié Melvin staff never questioned Janine Orié or any directive coming from Janine Orié. Indeed, it was Janine Orié, who, on a daily basis, dictated the priorities of tasks to be done by staffers, be it of a political or judicial nature.

Janine Orié continued as a secretary for Orié Melvin after her ascension to the Superior Court in 1997, and continued to work in the same offices with Sasinoski. During that time, Sasinoski experienced first-hand the on-going political work involving and undertaken by Orié Melvin court employees. Indeed, Sasinoski acknowledged that political and/or campaign-related activities took place within every judicial office of Orié Melvin during the 1991 - 2003 time period in which she (Sasinoski) was employed by Orié Melvin.

Sasinoski testified that during her time as a law clerk with Orle Melvin, she was directed by Janine Orle to do a myriad of political tasks for Orle Melvin. These tasks included: writing political speeches; filling out campaign questionnaires in furtherance of obtaining endorsements from political action committees, traveling with Orle Melvin and attending political functions with the Judge during the 2003 campaign year. In addition, Sasinoski observed and/or had knowledge of fellow court staff members Kathleen Squires, Molly Creenan, John Degener, and Cathy Skidmore being directed by Janine Orle to participate in political and/or campaign-related activities on behalf of Orle Melvin. Sasinoski acknowledged that, to a degree, every Orle Melvin employee did some type of political work while within the court offices. Sasinoski advised that there was oftentimes a duplication of political work by staffers, in part because Janine Orle attempted to isolate the staffers' knowledge from one another as to what particular political assignment each staffer had been tasked by Janine to complete. Sasinoski characterized Janine Orle's office role in 2003 as Orle Melvin's "campaign manager".

Sasinoski stated that these campaign or political assignments were normally generated by Janine Orle, and those "non-judicial" tasks were communicated by handwritten notes left at her desk or in her mailbox within the Superior Court offices of Orle Melvin. Sasinoski stated that she recognized the handwriting on these notes as always having been written by Janine Orle, but she added that the notes sometimes were signed by Janine as "Judge" or "Joan". This political work also required Sasinoski to bring judicial work home, because her normal work hours were interrupted by the political work demands of Janine, which, in turn, resulted in her inability to maintain her judicial workload during office hours.

Sasinoski stated that she was also directed by Orle Melvin herself to engage in political activities in the office. One example provided by Sasinoski in this regard was when Orle Melvin requested her to research opinions - issued by Orle Melvin - that were favorable to injured workers or plaintiffs; this research was then to be used to foster the endorsement of Orle Melvin by the

Pennsylvania Trial Lawyers. Several weeks after that assignment, Orié Melvin requested that legal research be conducted by Sasinoski regarding cases previously issued by Orié Melvin which would further her solicitation of the defense bar endorsement.

Sasinoski also described how she traveled on a number of occasions with Orié Melvin during the 2003 campaign year. According to Sasinoski, Janine Orié sometimes tried to schedule political or campaign-related activities around judicial sessions in Harrisburg or Philadelphia in an effort to save money, although some trips were solely political in nature. According to Sasinoski, it was Janine Orié who notified Sasinoski that she would be either travelling with Orié Melvin, writing campaign speeches, and/or filling out campaign questionnaires. At that time, Sasinoski states that she would also discuss the nature or content of the campaign speeches with Orié Melvin. Sasinoski estimated that she traveled with Orié Melvin over 20 times on such trips, which included both day and overnight trips.

Sasinoski also described a period of time in 2003 when she overheard Orié Melvin in her chambers on her office telephone soliciting multiple Republican committee people in furtherance of her own campaign for Supreme Court Justice. Sasinoski stated that she knew that the judicial telephone within Orié Melvin's office had been used for these political contacts that she had overheard being done by Judge Orié Melvin because several months later she, Sasinoski, was berated by Janine Orié about the high telephone bills that had been incurred by the office; Janine blamed those high bills on Sasinoski and the other law clerks. As a result of this chastisement, Sasinoski subsequently requested detailed billing records for those phone calls. The records that were received displayed the billing in greater detail, and those records reflected that the overwhelming majority of additional billed calls were from both Orié Melvin's office extension and the additional telephone line that had been installed by the court at the residence of Orié Melvin. Those billing records further indicated calls to telephone numbers across the state during the very same time period in which Orié Melvin had been overheard by Sasinoski as Orié Melvin telephoned various

Republican committee people. Sasnoski advised that there were between 280 and 400 committee people, and it was her understanding that Orle Melvin contacted each one of them during that time.

Sasnoski stated that she had also been required to work the polls on behalf of Orle Melvin's candidacy for the Pennsylvania Supreme Court on the 2003 general election day. Among the tasks that she said she was directed to do on that occasion was to travel to a polling place and distribute poll cards to prospective voters; these cards, she said, had been provided by Janine Orle.

According to Sasnoski's recollection, this directive first came from Janine Orle, who announced to the staff: "Everyone, we're going to work the polls." Sasnoski described how she subsequently received a follow-up telephone call message from Orle Melvin's sister, Senator Jane Orle, in which the Senator told Sasnoski she had "better work the polls on Tuesday and get your clerks in line, and if not, tell them they needed to be in the office on Tuesday and find two people to replace them at the polls". Sasnoski related that this recorded message by Jane Orle, which she perceived to be an "order", had been very loud, forceful and laced with profanities.

Sasnoski acknowledged that she knew that it was wrong for judicial staff to work at the polls on behalf of Orle Melvin, and because of this fact, she was too embarrassed to require fellow staff members to work the polling places on Election Day. However, Sasnoski was later specifically directed by Janine Orle to appear at a particular polling place in Penn Hills. Sasnoski also was aware that fellow law clerk John Degener had also been directed by Janine to appear on behalf of Orle Melvin at a polling place in Penn Hills, and Sasnoski said that she had both talked with Degener over the telephone and also met with him on that day. Sasnoski said that although she was very uncomfortable about working the polls on behalf of Orle Melvin since she knew that such activity amounted to a clear violation of court-mandated rules that prohibited partisan political activities by judicial employees, she nonetheless went along with the directive handed down to her by Janine Orle because she feared that the penalty for not participating as required would have been termination of her employment.

Sasinoski further related that in the Orié Melvin judicial office, Janine's directives were never questioned, and that Janine had both the apparent and the actual authority to direct the staff to do whatever work needed to be accomplished – whether such tasks were political or judicial in nature. Sasinoski advised that she never questioned Janine's directives because she, Janine, was the Judge's sister, and, in any event, any conversation that she, Sasinoski, had with Janine, the Judge seemed to know about it, and, any conversation that she had with the Judge, Janine seemed to know about it. It was clear to Sasinoski that Janine's directives were to be considered in the same fashion as if they had come from Orié Melvin herself.

Sasinoski detailed her limited knowledge of the involvement of fellow Orié Melvin staff members in political and/or campaign-related activities while employed by the courts; she described the following:

Kathleen Squires - a secretary. She data-based campaign contribution checks in Microsoft Excel and merged the names of contributors onto subsequent "thank you" letters. Sasinoski recalled one instance in the judicial office in 2003 when Squires had approached her after Squires had been working on a database for several hours. Squires was very upset and related that she had inadvertently deleted the file. Sasinoski contacted Linda Ollio, the Court's local computer IT employee to recover the file. Ollio located the file, but she refused to recover it as it contained political material that was forbidden to be on the judicial computers. (In a separate telephone interview, Linda Ollio corroborated the details of this incident with investigators.)

Molly Creenan - a judicial law clerk. Creenan, like Sasinoski herself, also worked on campaign questionnaires for Orié Melvin on the premises of Orié Melvin's judicial office.

Cathy Skidmore – also a judicial law clerk. Skidmore photocopied campaign checks, and deposited campaign checks at the bank.

John Degener – another law clerk. Degener was required to attend Penn Hills polling place on Election Day, 2003 on behalf of Orié Melvin.

According to Sasinoski, the pressure to perform these political tasks on behalf of Orié Melvin, which Sasinoski knew to be illegal, became so extreme that she became physically ill. The final episode for her, according to Sasinoski, took place a week or so before the 2003 election, when Janine Orié placed a stack of Orié Melvin's travel expenses on her desk and directed her to prepare a duplicate of each of those expense vouchers under the name of Jane Orié. Sasinoski was told to then submit these fabricated expense claims to the Orié Melvin campaign. Sasinoski saw this to be an illegal attempt to obtain cash, described to her by Janine as "street money", by circumventing the mandated campaign finance reporting requirements.

Sasinoski chose not to act upon this directive from Janine, and subsequently those travel expense forms were removed from her desk by Janine after they laid there for several days.

On a Monday in early December 2003 (after Orié Melvin's failed bid for a seat on the Supreme Court), Sasinoski approached Orié Melvin and told her that the political activities that had occurred in the office in the past needed to cease, and that she (Sasinoski) could not do them anymore.

According to Sasinoski, Orié Melvin stated, "Well, if you can't handle it..." then turned to answer an incoming telephone call. Sasinoski then got up and left the office and went back to work. Sasinoski worked her normal schedule that Tuesday without further encountering Orié Melvin; however, when she arrived at work on Wednesday, the following day, Sasinoski was directed by Janine to turn in her building ID card and her court ID, and to clear out her desk.

When asked why, Janine reportedly advised Sasinoski that she would need to talk to Orié Melvin. Sasinoski then cleared out her desk, left the office; and her employment with Orié Melvin ceased at that time.

Another person in the employ of Orié Melvin's judicial office was Cathy Skidmore; she was employed as a law clerk by Orié Melvin from September 2002 through November 2009.

While a judicial law clerk at the time of Orié Melvin's unsuccessful run for Superior Court in 2003, Skidmore recounted a circumstance during which she observed printed campaign solicitation letters and envelopes spread out on the conference room table in the judicial office. Skidmore said that she and other staff members assisted Janine Orié during the judicial work day in the stuffing of this campaign-related literature for Orié Melvin into envelopes on that occasion. Skidmore said that she also occasionally observed other campaign literature and brochures in the judicial office that dealt with the 2003 Orié Melvin campaign for Supreme Court. Among those were letters soliciting campaign funds or endorsements that were sent out under the name of Orié Melvin's sister, Senator Jane Orié. Skidmore advised that she helped Janine complete this task by signing the name of Jane Orié to the letters prior to their being stuffed into the waiting envelopes.

Skidmore stated that a substantial number of Orié Melvin campaign checks were processed in the judicial office during the 2003 campaign as well. These checks were then usually deposited into the bank by secretary Kathy Squires, although Skidmore admitted that occasionally she made such deposits as well.

According to Skidmore, on the day before the general election in 2003, the judicial staff was called into the reception area and given a bag of campaign literature. Skidmore recalls being directed to work the polls on behalf of Orié Melvin handing out the Judge's campaign literature. Skidmore recalled that Janine was responsible for giving all campaign-related directives in the office at that time. Present at that time were Skidmore, Lisa Sasinoski, Jack Degener and

Kathy Squires. Skidmore stated that she subsequently worked the polls on Election Day, and believed other members of the Judge's staff did as well.

In 2009, Skidmore stated that she had been provided several computer floppy disks by Janine Orile and Skidmore was asked to copy the contents onto CD discs. Skidmore recalled there being Excel spreadsheets contained within these floppy disks, and that one had the term "Republican" in the title. Skidmore took the disks home and used her computer to copy the files as instructed; the following day she returned both sets to Janine Orile.

Skidmore stated that she knew that engaging in political activities in the judicial office was wrong, but she generally tried to do what was asked of her.

Kathy Squires was initially employed as a secretary by Orile Melvin in the late 1980's, when Orile Melvin was the Chief Magistrate in the City of Pittsburgh. Squires left that position in 1989 in order to raise her family, and she later returned to work for Orile Melvin in Superior Court. Squires has worked for Orile Melvin approximately 13 years, and is currently employed as a secretary for Orile Melvin at the Supreme Court.

Squires acknowledged that she had both observed and engaged in political and/or fund raising activities in Orile Melvin's judicial office, particularly in 2003. Squires told of how, during that time period, she had been directed by Janine Orile to pick up photocopies of Orile Melvin campaign checks from the office of attorney (and brother of Orile Melvin) John "Jack" Orile; she then entered the check information into Excel spreadsheets on the court's computer during her judicial work day. Squires described how she subsequently used such spreadsheets in order to create mail-merged "thank you" letters that were addressed to contributors to the Orile Melvin campaign. Squires estimated she spent an average of three hours per day working on these political activities, and she not only utilized judicial resources such as the office computers, but also the Superior Court printers and paper in order to accomplish these tasks. The Excel spreadsheets that were both created and used by Squires were originally kept on

floppy disks, but at one point Janine Orié directed Squires to copy the files to the "H" drive of her judicial computer as a backup.

Squires stated that Janine Orié was constantly working on political campaign material in the office, and Squires said that she often observed stacks of literature and paperwork related to the campaign at or near the printer/copier in the office.

Prior to Election Day in 2003, Janine Orié directed Squires and other judicial employees that they were to attend the polls on Election Day and hand out literature on behalf of Orié Melvin's campaign for the Supreme Court. Squires recalled that she was directed by Janine Orié to attend the polls at Colfax School on Beechwood Boulevard in the City of Pittsburgh. Also in attendance at that polling place with Squires was fellow employee Cathy Skidmore. Squires related that she felt she had no choice in this issue, and that her job would have been in jeopardy had she refused to attend the polls as directed by Janine Orié.

Squires advised that during Orié Melvin's 2009 Supreme Court campaign, she was relieved when she was not required to do the data basing of campaign checks in Excel. Squires had not been provided an explanation for this change, and she said that she did not inquire any further about that subject once she realized that a change had taken place. It should be noted that as set forth in a prior Presentment by a Grand Jury, it was during Orié Melvin's run for the Supreme Court in 2009 that the staff of Senator Jane Orié was enlisted to carry out these campaign-related functions; trial in that case is now pending.

Squires stated that late in the year 2009 when the criminal investigation regarding Senator Jane Orié became known, Janine Orié left Squires a note which Squires recognized as being in the hand-writing of Janine Orié; that note directed Squires to delete all of the campaign related files from her "H" drive that were on her judicial computer. Squires then deleted these files as directed, and subsequently provided the original floppy disks that contained the same data to Janine Orié. (A search of the computer backup data of Squires' Superior Court computer, a backup created as part of the shutdown process of Orié Melvin's

Superior Court offices in or around January, 2010, failed to reveal any files of a political and/or campaign nature. The absence of these files on Squires' computer as captured during this shutdown process is consistent with Squires' testimony regarding Janine Ori's previous directive to delete the political and/or campaign files from her Superior Court computer).

Squires was shown copies of certain Excel spreadsheets (ones previously obtained from a USB jump drive during the course of the Senator Jane Ori criminal investigation) which contained a list of political contributors and associated data. The metadata associated with these files indicated that the original author of these campaign files was "ksquires" and that the respective files were from a computer at Pennsylvania Superior Court. Although Squires could not recognize to a certainty the contents of the spreadsheet as having been input by her, she did recognize the type of spreadsheet as similar to what she previously described as having completed in 2003. Squires also acknowledged that the metadata accurately reflected files that would have been authored by her from a computer of the Superior Court.

Another judicial law clerk, Molly Greenan, was employed on Ori Melvin's Superior Court staff from January 1998 through December 2009; after that time she continued on as a Deputy Staff Attorney with Ori Melvin upon her subsequent election to the Pennsylvania Supreme Court in November 2009. Greenan currently remains in the employ of Ori Melvin in the Supreme Court.

During Ori Melvin's 2003 campaign for Supreme Court, Greenan was aware that members of the judicial staff, under the direction of Janine Ori, conducted political or campaign work on behalf of Ori Melvin at the office. Greenan observed deposit slips and campaign contribution checks that were placed by Janine on the chair of secretary Kathy Squires, which Squires subsequently deposited at the Allegheny Valley Bank into the Ori Melvin campaign account. Greenan knew this to be true as she had occasionally assisted Squires by making the deposits at the bank during her lunch hour. Squires also picked up these campaign check and other campaign mail which

had been mailed to the nearby law office of Orié Melvin's brother, John "Jack" Orié. Creenan said that she was also aware that Squires had political campaign databases on her computer. Squires also was asked to complete campaign finance reports, which she did.

According to Creenan, Janine Orié would often use the judicial copier, printer, fax and computers for campaign work.

Creenan was also aware that in 2003 Chief Clerk Lisa Sasinoski traveled regularly with Orié Melvin to Superior Court sessions, and then attended activities relating to Orié Melvin's political campaign.

Creenan says that she too was occasionally required by Janine Orié or Orié Melvin to draft summaries of prior Orié Melvin court cases which Creenan believed were used for campaign purposes. Like other judicial staffers, according to Creenan, she considered any order from Janine Orié to be an order from Orié Melvin.

Creenan recalled one occasion when she had been telephoned by Senator Jane Orié, who requested Creenan fax from the judicial office a political questionnaire on behalf of Orié Melvin. Creenan advised the Senator that she was uncomfortable with that request to fax political material from a judicial office. According to Creenan, the Senator screamed at her over the telephone and demanded that she do it, and again Creenan refused. Creenan subsequently agreed to fax that political material from a nearby Kinko's shop, which she did.

Creenan stated that just before the general Election Day in 2003, Janine Orié indicated to her that Senator Jane Orié wanted everyone in the office to work a polling place on Election Day. Creenan believed that other staff members were aware of this request as well. Janine then handed out bags labeled with the name and address of a specific polling place, and containing Orié Melvin campaign literature such as poll cards. According to Creenan, Janine also advised the staff to make attempts not to be recognized at the polls. Creenan admitted that she was very uncomfortable with this request and reviewed her Judicial Law Clerk Handbook, within which was an Order of November 24, 1998, that explicitly forbade court employees to engage in partisan political activities -

including working polling places on Election Day. Creenan advised (then) Chief Clerk Lisa Sasinoski that she refused to attend the polls as directed by Janine Orié. Creenan said that after her refusal to work the polls, Creenan was directed by Janine Orié, either directly or indirectly through Lisa Sasinoski, and in spite of the fact that Election Day was a "holiday" for court employees, that she nonetheless would have to work instead in the office on Election Day. Creenan did appear and work at the Superior Court office on Election Day as directed, because she feared retribution if she refused. Creenan believed that Sasinoski, Jank Degener, Skidmore and Squires all worked at the polls pursuant to Janine Orié's directive.

Creenan explained that late in the year 2008, she became aware that Orié Melvin was going to run again for Supreme Court in 2009. Creenan spoke to Cathy Skidmore and current Chief Clerk Degener regarding her ongoing concerns that the office and staff would again be required to assist in the Orié Melvin campaign.

Creenan advised both Skidmore and Degener that she was going to address her concerns with Orié Melvin, and she asked if they would accompany her in that effort. Both Skidmore and Degener refused to go with her to confront the Judge. Creenan took it upon herself to approach Orié Melvin.

Upon meeting up with Orié Melvin, Creenan congratulated Orié Melvin on her announced intention to run once more for a position on the Pennsylvania Supreme Court. Creenan said, however, that she then expressed her deep concerns regarding the Orié Melvin judicial staff performing political tasks as they had been required to do during the 2003 election. She said that she informed Orié Melvin that "what had happened in 2003 cannot happen in 2009. I told her that no one should be asked to work a poll on Election Day as they were in 2003. I also told her that the Superior Court copiers, printers and computers should not be used in any way for this campaign."

Creenan says that she went so far as to suggest to Orié Melvin that Janine Orié should take a leave of absence in order to work on the Judge's new campaign, rather than stay and perform political work at the office as had

occurred the Judge's office in 2003. To support this suggestion, Creenan said that she went on to discuss with Orié Melvin two related matters; the first of these had arisen with the Habay prosecution wherein a Pittsburgh-area state legislator had been convicted and sentenced to jail because of the use of his staff for illegal political work while on "state time", and also the then-ongoing "Bonusgate" investigation that was prominent in the news at the time.

Creenan said that she told Orié Melvin that she could no longer assist her with any campaign work at the office. Orié Melvin reportedly then asked if Creenan would be willing to do campaign work on her own time, which Creenan says that she declined to do. Creenan told Orié Melvin that if there were ever a criminal investigation into the campaign activities occurring in the office, Creenan would tell the truth. According to Creenan, the conversation ended at that time, and Creenan believed that Janine Orié was present or overheard this conversation from her nearby office.

Creenan said that after this conversation with Orié Melvin, both Janine and Orié Melvin were very upset and refused to speak to her for a long time.

Even after Creenan's blatant refusal to work on Orié Melvin's campaign material, Janine Orié nonetheless continued to place campaign questionnaires in Creenan's mail inbox; accompanying these were attached handwritten notes stating "complete for Judge", or "FYI". Instead of doing this assigned political work, Creenan says that she gave those questionnaires instead to Orié Melvin's Chief Law Clerk John Degener. Creenan said that she was aware that Orié Melvin continued to be aware of Creenan's refusal to engage in this political work, and she recalled one particular instance in which a questionnaire was faxed to her attention from Orié Melvin, with Orié Melvin's handwritten comment "Are you above this" contained thereon. Creenan stated that she was fearful of losing her job as a result of her refusal, but she felt that her ethical obligations as an attorney were more important.

In the 2009 Supreme Court campaign, Creenan continued to observe Janine Orié printing out campaign material at the printer. When confronted about this by Creenan, Janine advised that she was "using a laptop", as if that

explanation made the campaign-related work somehow "permissible". Creenan stated that Janine subsequently began to work behind the closed doors of her office, but she said that Janine Orle routinely continued to use the judicial office printer for campaign purposes.

John Degener was first employed as a law clerk in the Superior Court office of Orle Melvin in January, 1998, and he became Chief Law Clerk under Orle Melvin in 2003. Degener continued his employment as Pennsylvania Supreme Court Chief Law Clerk for Orle Melvin in 2010, when she was elected to the Pennsylvania Supreme Court. Degener remains employed as Orle Melvin's Chief Law Clerk at the present time.

Degener stated that Orle Melvin's sister Janine Orle has been employed as a secretary for Orle Melvin in both Pennsylvania Superior and Supreme Court. Degener described Janine Orle's role and authority as different than other secretaries. Degener advised that in addition to traditional secretarial work, Janine would handle the schedules of all staff employees, and she regularly assigned cases for the clerks. Degener stated that Orle Melvin would pass her directives to the staff through Janine. Because of this procedure, any directive from Janine was assumed to be with the full knowledge of Orle Melvin, and the perception by office staff was that whatever was conveyed to the staff by Janine Orle was what Orle Melvin wanted done. In addition, as the sister of Orle Melvin, Janine enjoyed a greater autonomy than might have been expected of someone in her position as secretary. Overall, Degener described Janine as having the "ultimate authority" over the entire complement of Orle Melvin's judicial staff.

During Orle Melvin's 2003 campaign for Supreme Court, Degener was aware that members of the judicial staff, under the direction of Janine Orle, conducted political or campaign work on behalf of Orle Melvin at the office. Degener himself had been tasked by Janine Orle to complete judicial candidate questionnaires on behalf of (then) Supreme Court candidate Orle Melvin. Degener also knew that fellow Orle Melvin law clerks Molly Creenan and Lisa Sasinoski had been similarly tasked by Janine during the 2003 campaign. Degener estimated that each questionnaire might take approximately one day to

complete, and assumed that Greenan and Sasinoski required approximately the same amount of time. This work was done during their normal work day at Superior Court. Degener acknowledged that this work required time taken away from the court work, and that he would be required to make up that lost time on his own in order to keep up with the judicial workload.

Degener also admitted that he prepared outlines and speeches that were subsequently used or given by Orié Melvin for campaign purposes.

Degener further recalled that the day before the 2003 general election, he had received a note from Janine Orié which directed him to attend a polling place for the purpose of handing out poll cards on behalf of Orié Melvin's Supreme Court candidacy. Degener stated that he was also aware that then-Chief Law Clerk Lisa Sasinoski received a similar directive from Janine Orié, and that both he and Sasinoski appeared at the same polling place the next day. Degener said that it is his belief that both Molly Greenan and Cathy Skidmore also received directives from Janine to attend polling locations as well.

Degener also observed Janine Orié, Kathy Squires, and possibly one other staff member stuffing a large stack of political letters in the conference room at Superior Court. Degener said he knew that Squires would "run errands" of a political nature during her work day, such as delivering envelopes to Orié Melvin's campaign office, located within the law office of her brother, Jack Orié. Degener acknowledged making one such delivery to Jack Orié's office as well.

Degener was also aware that Orié Melvin was driven to campaign events by then - Chief Law Clerk Sasinoski, but believed that such activities took place "after hours."

Degener admitted that he was aware that computer files of a campaign or political nature had been stored on the public drive of Orié Melvin's Superior Court's computer network, and he stated that he had access to these political files. Degener recalled one such file as a "contributors list" or "contribution list", and was within a folder or folders that contained other similar political files. Degener believed that Janine and Kathy Squires accessed and used these files for political purposes during that time period.

Degener estimated that during the 2003 campaign cycle, Janine Orié spent approximately three hours per day on political or campaign-related activities.

In 2005 or 2006, according to Degener, Janine Orié directed him to transfer all political or campaign-related files from the judicial computer network to floppy disks. Degener stated that he searched the public drive of the network, identified those files of a political or campaign nature, and moved them to floppy disks. He then gave those disks to Janine Orié. Degener expressed his belief that this directive was given as a result of the then-ongoing criminal investigation and/or prosecution of Pittsburgh area State Representative Jeffrey Habay. As described above by others in the Orié Melvin office, it was Degener's recollection that Habay was alleged at that time to have engaged in illegal political or campaign-related activities in his legislative offices.

In 2009, when Orié Melvin was again running for election to the Supreme Court, Degener related that similar political activities occurred, but to a lesser degree. He described still being directed to complete campaign questionnaires on behalf of Orié Melvin through Janine, which, after the content was approved by Orié Melvin, were then faxed by Degener from the judicial offices directly to the special interest groups.

Degener acknowledged that Molly Creenan approached him in 2009 and expressed her concerns about the political work required of the staff by Janine. Degener said he recalled specifically Creenan's comments to him about the campaign questionnaires being faxed from the judicial office, and about the use of the office equipment for campaign purposes. Degener recalled telling Creenan that "we" needed to tell Orié Melvin that this activity was going on, and make sure it was appropriate - yet Degener admitted that he himself never approached Janine Orié or Orié Melvin with any such concern; he admitted that he instead chose not to get involved.

Degener went on to describe that in his opinion such an approach would "not resonate" with Orié Melvin, as he understood Janine's political directives as "being in concert with what Orié Melvin wanted done."

Degener did acknowledge telling Creenan that if she were unhappy about the situation, she should go to the Judge herself. Degener related that he was not aware whether or not Creenan ever approached Orié Melvin to voice her concerns. Degener stated that he had no reason to believe that Orié Melvin did not know of the political and/or campaign activities tasked staff members by Janine Orié, which occurred in Orié Melvin's court in both the 2003 and 2009 campaign cycles.

Degener admitted having knowledge and understanding of the court's policy against political work being done by court staffers, and he expressed his understanding that such partisan political work was strictly prohibited. He also acknowledged that this mandate was not adhered to by the staff of Orié Melvin, and he admitted that he had fielded complaints from other staff members who had been asked to participate in these prohibited activities.

Degener explained that Janine Orié held the ultimate authority among the staffers in the office, and that the only recourse would have been to go directly to Orié Melvin. Degener related that he did not believe any such complaint about Janine's political directives with Orié Melvin would be "fruitful". Degener, even during that time period as Chief Law Clerk in both the Superior or Supreme Court, admitted that he never took any of these complaints to either Janine Orié or Orié Melvin, advising that it was not "in his ballwick" because Janine Orié had that authority in the office. Instead, Degener suggested to these staff members that they address their own concerns directly with Orié Melvin. Degener related that he felt obligated to do what political or campaign work as had been assigned him during the 2003 and 2009 campaigns because he did not want to jeopardize his position by refusing Janine Orié's directives.

RESULTS OF SUBPOENA REQUESTS TO SUPERIOR AND SUPREME COURTS OF PENNSYLVANIA

As a result of subpoenas issued by this Grand Jury, certain evidence has been acquired from the Administrative Office of Pennsylvania Courts. This

evidence includes search results of the archived materials that were retained from the computer network of then-Superior Court of Pennsylvania Judge Orié Melvin and her staff. Among the words and phrases that were searched were the following file names: "\$250 + contributors 2007.xls", "08 A NA.xls" as well as any other file containing the keywords "campaign", "contributor" and/or "fundraising". The following is a breakdown of the results of that search by computer user within the Orié Melvin office staff:

Kathleen Squires

- No files titled "\$250 + contributors 2007.xls", "08 A NA.xls" (or similar) were found on the Home Drive (H:) files or on the user's PC Image
- No file titles containing the words "Campaign", "Contributor", or "Fundraising" were found.

Janine Orié

- No files titled "\$250 + contributors 2007.xls", "08 A NA.xls" (or similar) were found on the Home Drive (H:) files or on the user's PC Image
- File title containing "Contributors" "2003 Orié Contributors by Employer[1].xls.LNK" dated 3/4/2009 was found in the list of "Recent Documents" on this PC image.
- File title containing "Campaign" "CAMPAIGN LETTERS.LNK" dated 7/8/2008 was found in the list of "Recent Documents" on this PC image.
- File title containing "Campaign" "C:\Orié Melvin recent campaign picture.doc.LNK" dated 2/3/2009 was found in the list of "Recent Documents" on this PC image. No file titles containing the word "Fundraising" were found.

Molly Greenan

- No files titled "\$250 + contributors 2007.xls", "08 A NA.xls" (or similar) were found on the Home Drive (H:) files or on the user's PC Image
- No file titles containing the words "Campaign", "Contributor", or "Fundraising" were found.

John Degener

- No files titled "\$250 + contributors 2007.xls", "08 A NA.xls" (or similar) were found on the Home Drive (H:) files or on the user's PC Image
- No file titles containing the words "Campaign", "Contributor", or

"Fundraising" were found.

Cathy Skidmore

- No files titled "\$250 + contributors 2007.xls", "08 A NA.xls" (or similar) were found on the Home Drive (H:) files or on the user's PC Image

- File title containing "Contributors"
"combined list - contributors 2007 - .xls.LNK" dated 7/27/2009 was found in the list of "Recent Documents" on this PC Image.

- File title containing "Contributors"
"Contributors Thank You.xls.lnk" dated 7/27/2009 was found in the list of "Recent Documents" on this PC image.

- File title containing "Campaign"
"2007 CAMPAIGN QUESTIONAIRES.lnk" dated 10/23/2006 was found in the list of "Recent Documents" on this PC Image.

- File title containing "Campaign"
"CAMPAIGN LETTERS.lnk" dated 10/6/2006 was found in the list of "Recent Documents" on this PC image.

- File title containing "Campaign"
"CAMPAIGN QUESTIONAIRES.lnk" dated 9/28/2006 was found in the list of "Recent Documents" on this PC image.

- File title containing "Campaign"
"Orle Melvin recent campaign picture.doc.lnk" dated 10/23/2006 was found in the list of "Recent Documents" on this PC image.

- File title containing "Campaign"
"PBA questionnaire campaign staff.doc.lnk" dated 10/21/2009 was found in the list of "Recent Documents" on this PC image.

- No file titles containing the word "Fundraising" were found.

It should be noted that the computer sources searched only include the users' "H" drive image, which was that local network drive specific to a user. The local "C" drive of each computer and the office public "P" drives were not backed up or retained in any way.

The positive search results under the user names of Janine Orle and Cathy Skidmore contain references to ".lnk", aka "link" or "shortcut" files. File shortcuts (also known as Shell Links) were first introduced in Microsoft Windows 95. Microsoft Windows uses ".lnk" as the filename extension for shortcuts to local files. Commonly referred to as "shortcuts" or "link files", both are displayed with a curled arrow overlay icon by default, and no filename extension. Generally the effect of double-clicking a shortcut is intended to be the same as double-

clicking the application or document to which it refers, but Windows shortcuts contain separate properties for the target file and the "Start In" directory. If the latter parameter is not entered, attempting to use the shortcut for some programs may generate "missing DLL" errors not present when the application is accessed directly. Although shortcuts when created point to specific files or folders, they may break if the target is moved to another location. The shortcut, however, would remain in place.

In this instance, shortcuts of files that were either not originally located within the available "H" drive backup, or had been deleted, remained in place. Shortcuts to original file titles "2003 Orié Contributors by Employer[1].xls.LNK"; "CAMPAIGN LETTERS.LNK"; "combined list - contributors 2007 - .xls.LNK" and "C:\Orié Melvin recent campaign picture.doc.LNK" were discovered within the computer backup for Janine Orié.

Shortcuts to original file titles "combined list - contributors 2007 - .xls.LNK" ; "Contributors Thank You.xls.lnk"; "2007 CAMPAIGN QUESTIONAIRES.lnk" ; "CAMPAIGN LETTERS.lnk" ; "CA" PBA questionnaire campaign staff.doc.lnk" MPAIGN QUESTIONAIRES.lnk" and "Orié Melvin recent campaign picture.doc.lnk" were discovered within the computer backup for Cathy Skidmore.

All of these shortcuts appear to reference political and/or campaign-related files as opposed to judicial materials.

A file named "campaign list - contributors 2007.xls" was also located within the contents of a USB flash drive previously seized pursuant to a search warrant from one of Senator Jane Orié's legislative staffers, Josh Dott. The contents of this file consisted of a list of organizations, addresses and contribution amounts, consistent with prior testimony of senatorial staffer Josh Dott and others in describing a database of political campaign contributions. The metadata for that particular file indicated that it was 1 of 37 files located on the USB flash drive and indicated that the files had been authored using Microsoft software registered to either "Superior Court of PA" or Superior Court of

Pennsylvania". The following file names and types of these files authored under software registered to "Superior Court of PA" are listed below:

FILE NAME

\$250 + contributors Thank You Retention07.xls
\$250 + contributors Thank You SCR03.xls
\$250 + contributors Thank You.xls
2004 Orié Melvin Thank You.xls
2004 Orié Melvin Thank You1.xls
2004 Orié Melvin Thank YOU2.xls
April 14th Letter Pg1.doc
BIO20092009[1].doc
Chris – Thank You Letter – Fundraiser.doc
Contrib Letter Pge1 Only.doc
Contribution Letter Joan 9-18-03.doc
Orié Melvin Bio Retention.doc
Judge Melvin Endorsement (sic) Letter.doc
Merged 2.doc
Merged April 1 09.doc
Merged L 4_14_09.doc
Merged Letters Sheet 2.doc
My Page One.doc
Nuns Letter for Joan 10-21-03.doc
Nuns Letter revised 10-21-03.doc
Nuns Letter Second Revision 10-21-03.doc
Orié Melvin Bio.doc
SCJM Thank Yous.xls
SCJM Thank Yous1.xls



In all of the above files, the author was listed as "computer user". The file "Orie Melvin Bio Retention.doc" metadata indicated that the file was last saved by Janine Orie on October 5, 2007.

The following file names and types of these files authored under software registered to "Superior Court of Pennsylvania" are listed below:

<u>FILE-NAME</u>	<u>AUTHOR</u>
\$250+ contributors 2007.xls	ksquires
250 + PAC Contributors Retention 07.xls	ksquires
Combined list – contributors 2007.xls	ksquires
Combined list – contributors 20071.xls	ksquires
Combined list – contributors 2007-.xls	ksquires
Contributors 10-4-07.xls	ksquires
Contributors 10-12-07.xls	ksquires
Contributors 10-12-071.xls	ksquires
Contributors.xls	ksquires
Copy of contributors 10-12-07.xls	ksquires
Endorsement 07.xls	ksquires
Invitation.doc	computer user
Response card.doc	computer user

(According to information received from Nick Williams, a Programmer Analyst IV from the Legal Systems section of the Superior Court of Pennsylvania, documents recovered from the USB flash drive which had been created in Microsoft Word or Excel and whose metadata indicated the "company" name of either "Superior Court of PA" or "Superior Court of Pennsylvania", is consistent with files created utilizing software licensed to and installed on computers of the Superior Court of Pennsylvania.)

In addition, metadata of files titled "Orie Melvin Retention Campaign ATTORNEYLETTER.doc" and "Orie Melvin Retention Thank You Letter.doc",

located within the contents of the aforementioned USB flash drive, indicated them as being last saved by Janine Orié on September 26, 2007 and September 28, 2007, respectively. Neither of these two files were originally created using software licensed to the Pennsylvania Superior Court.

Finally, a review of Janine Orié's personal email account "bbboru@yahoo.com", obtained by search warrant pursuant to the prior criminal investigation of Jane Orié revealed a myriad of political and/or campaign-related communications that took place between Janine Orié and others during the normal business day and during hours in which Janine Orié is believed to have been working in Superior Court; this is based upon her attendance records that were obtained from the Pennsylvania Superior Court. Examples of these emails include correspondence to/from "judy@patriot signs.com" regarding orders, invoices and deliveries of Orié Melvin campaign signs. Another example included similar email correspondence to Joanne Crane Tsucalas of UTA Associates of Philadelphia, a political fundraising company, in which discussions regarding fundraising activities of Orié Melvin are discussed. Among these and other related emails were ones found to have been copied to Orié Melvin's email account of "oriemelvin@yahoo.com" as well.

CONCLUSIONS

We, the 2010 Allegheny County Investigating Grand Jury, do hereby conclude as follows:

1. That there is probable cause to believe that Janine Mary Ori committed the crime of Theft of Services-Diversion of services, specifically that she, having control over the disposition of services of others, namely, the services of the Superior Court staff of Judge Ori Melvin, for political purposes, to which she was not entitled, knowingly diverted such services to her own benefit or to the benefit of another not entitled thereto and the services had a total value greater than \$2,000 (18 Pa.C.S.A. § 3926(b)).

2. That there is probable cause to believe that Janine Ori committed the crime of Misapplication of Entrusted Property, namely that she applied or disposed of property that had been entrusted to her as a fiduciary, or property of the government, in a manner which she knew was unlawful and involved substantial risk of loss or detriment to the owner of the property or to a person for whose benefit the property was entrusted. (18 Pa.C.S.A. § 4113(a)).

3. That there is probable cause to believe that Janine Ori committed the crime of Tampering or Fabricating Physical Evidence, specifically that, believing that an official investigation was pending or about to be instituted, destroyed, concealed or removed campaign-related computer files with intent to impair its availability in said investigation, specifically that Janine Ori, having become

aware that a criminal investigation by the Office of District Attorney of Allegheny County had commenced into campaign procedures surrounding the 2009 election campaign of then-Superior Court Judge Orié Melvin, directed Kathy Squires, a member of Orié Melvin's Superior Court office staff to transfer to disk and then delete all original campaign and/or political computer files that had been located on Judge Orié Melvin's Pennsylvania Superior Court computer network. (18 Pa.C.S.A. § 4910).

4. That there is probable cause to believe that Janine Orié committed the crime of Criminal Solicitation to Commit Tampering with Physical Evidence, namely believing that an official proceeding or investigation was pending or about to be instituted, solicited another, Kathy Squires, an employee of the Pennsylvania Superior Court, to alter, destroy, conceal or remove removed campaign-related computer files with the intent to impair its availability in said investigation, specifically that Janine Orié, having become aware that a criminal investigation by the Office of District Attorney of Allegheny County had commenced into campaign procedures surrounding the 2009 election campaign of then-Superior Court Judge Orié Melvin, directed Kathy Squires, a member of Orié Melvin's Superior Court office staff, to transfer computer data that had been stored upon a Superior Court computer to a disk, taking possession of the disk and subsequently directing that all campaign and/or political computer files that had been located on Judge Orié Melvin's Pennsylvania Superior Court computer network be deleted. (18 Pa.C.S.A. § 902).

RECOMMENDATIONS

The Grand Jury therefore recommends the following charges be filed against Janine Mary Ori:

1) Theft of Services [Diversion of Services], 18 Pa.C.S.A. § 3926(b)

Felony of the Third Degree

2) Misapplication of Entrusted Property, 18 Pa.C.S.A. § 4113(a)

Misdemeanor of the Second Degree

3) Tampering with or Fabricating Physical Evidence (18 Pa.C.S.A. § 4910(1))

Misdemeanor of the Second Degree

4) Criminal Solicitation to commit Tampering with or Fabricating Physical

Evidence (18 Pa.C.S.A. § 902)

Misdemeanor of the Second Degree

12/15/11
Date

X
Foreman

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF ALLEGHENY



POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA
VS.

MDJ: PITTSBURGH MUNICIPAL COURT
Magisterial District Number: 05-0-03
Address: 660 FIRST AVENUE
PITTSBURGH, PA 15219

DEFENDANT: **JANINE MARY ORIE** (NAME and ADDRESS):
1471 MONTGOMERY RD., ALLISON PARK, PA 15101
First Name Middle Name Last Name Gen.

Phone: 412.350.6715

COPY

Felony - Full Extradition
Distance: _____

DEFENDANT IDENTIFICATION INFORMATION

Doclet Number CR-11677-11	Date Filed 12-16-11	OTN/Scan Number G 848392-5	Complaint/Incident Number H-284-10	SD:	Request Lab Services? <input type="checkbox"/> Yes
GENDER FEMALE	DOB 05/18/1954	POB	Adm DOB	Co-Defendant(s) <input type="checkbox"/>	
RACE WHITE	First Name		Middle Name	Last Name	Gen.
ETHNICITY	AKA				
HAIR COLOR BLN (BLONDE/STRAWBERRY)	EYE COLOR BLU (BLUE)				
Driver License	State PA	License Number 16403645	Expires	WEIGHT (lbs) 130	
DNA	DNA Location		FE HEIGHT: M 5 08		
FBI Number	MSU Number				
Defendant Fingerprinted					
Fingerprint Classification					

DEFENDANT VEHICLE INFORMATION

Plate #	State	Year	Make	Registration Sticker (month)	Convict Veh. Ind.	School Veh.	Other NCIC Veh. Code	Reg. Status on Def.
VIN	Year	Make	Model	Style	Color			

Office of the attorney for the Commonwealth Approved Disapproved because: _____

(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. See Pa.R.Crim.P. 607).

Name of the attorney for the Commonwealth: _____ (Signature of the attorney for the Commonwealth) _____ (Date)

I, **LYLE GRABER** 37392
(Name of the Affiant) (PBP/PCOETC -Assigned Affiant ID Number & Badge #)

of **DISTRICT ATTORNEYS DETECTIVES** PA002013A
(Identify Department or Agency Represented and Political Subdivision) (Police Agency ORI Number)

do hereby state: (check appropriate box)

1. X I accuse the above named defendant who lives at the address set forth above:
I accuse the defendant whose name is unknown to me but who is described as _____

I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have, therefore, designated as John Doe or Jane Doe

with violating the penal laws of the Commonwealth of Pennsylvania at 301 PITTSBURGH CITY
(Subdivision Code) (Place-Political Subdivision)

In Allegheny County 02 on or about 01/01/2003 9:00
(County Code)



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/Livescan Number G 548392-5	Complaint/Incident Number H-284-10
Defendant Name	First JANINE	Middle MARY	Last ORIE

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 Pa.Code §§213.1 - 213.7.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903						
X	1	3926	B	of the	18	1	F3		
Lead?	Offense	Section	Subsection		PA Statute (Title)	Counts	Grade	NCG Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number				<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone		
Statute Description/Acts of the accused associated with this Offense:									
18 3926B THEFT OF SERVICES F3 1 COUNT The actor having control over the disposition of services of others, namely THAT SHE, HAVING CONTROL OVER THE DISPOSITION OF SERVICES OF OTHERS BETWEEN JANUARY 1, 2003 THROUGH AND INCLUDING JANUARY 10, 2010, SAID SERVICES BEING THE SERVICES OF THE SUPERIOR COURT STAFF OF JUDGE ORIE MELVIN, FOR POLITICAL PURPOSES,, to which the actor was not entitled, knowingly diverted such services to his own benefit or to the benefit of another not entitled thereto in violation of 18 Pa.C.S. §3926(b).									

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903						
	2	4113	A	of the	18		M2		
Lead?	Offense	Section	Subsection		PA Statute (Title)	Counts	Grade	NCG Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number				<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone		
Statute Description/Acts of the accused associated with this Offense:									
18 4113A MISAPPLICATION OF ENTRUSTED PROPERTY AND PROPERTY OF GOVERNMENT OR FINANCIAL INSTITUTIONS M2 1 COUNT The actor applied or disposed of property, namely THAT BETWEEN JANUARY 1, 2003 THROUGH JANUARY 10, 2010, SHE APPLIED OR DISPOSED OF PROPERTY THAT HAD BEEN ENTRUSTED TO HER AS A FIDUCIARY, OR PROPERTY OF THE GOVERNMENT, that had been entrusted to the actor as a fiduciary, or property of the government or of a financial institution, in a manner which said actor knew was unlawful and involved substantial risk of loss or detriment to the owner of the property or to a person for whose benefit the property was entrusted, in violation of 18 Pa.C.S. §4113(a).									

POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/InvoScan Number G 648392-5	Complaint/Incident Number H-284-10
Defendant Name:	First JANINE	Middle MARY	Last ORIE

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903					
Lead?	3	4910	1	of the:	18	1	M2	
Period Data (if applicable)	Accident Number			PA Statute (Title)	Counts	Grade	UCR/NCRS Code	UCR/NCRS Code
					<input type="checkbox"/> Safety Zone		<input type="checkbox"/> Work Zone	

Statute Description/Acts of the accused associated with this Offense:

18 49101 TAMPER WITH/FABRICATE PHYSICAL EVIDENCE M2 1 COUNT

The actor, believing that an official proceeding or investigation was pending or about to be instituted, did alter, destroy, conceal or remove, with intent to impair its verity or availability in such proceeding or investigation OR did make, present or use any record, document or thing knowing it to be false and with intent to mislead a public servant, who was or might have been engaged in such proceeding or investigation, namely BETWEEN JANUARY 1, 2003 THROUGH JANUARY 10, 2010, BELIEVING THAT AN OFFICIAL INVESTIGATION WAS PENDING OR ABOUT TO BE INSTITUTED, DESTROYED, CONCEALED OR REMOVED CAMPAIGN-RELATED COMPUTER FILES WITH INTENT TO IMPAIR ITS AVAILABILITY IN SAID INVESTIGATION, SPECIFICALLY THAT JANINE ORIE, HAVING BECOME AWARE THAT A CRIMINAL INVESTIGATION BY THE OFFICE OF DISTRICT ATTORNEY OF ALLEGHENY COUNTY HAD COMMENCED INTO CAMPAIGN PROCEDURES SURROUNDING THE 2008 ELECTION CAMPAIGN OF THEN-SUPERIOR COURT JUDGE ORIE MELVIN, DIRECTED KATHY SQUIRES, A MEMBER OF ORIE MELVIN'S SUPERIOR COURT OFFICE STAFF TO TRANSFER TO DISK AND THEN DELETE ALL ORIGINAL CAMPAIGN AND/OR POLITICAL COMPUTER FILES THAT HAD BEEN LOCATED ON JUDGE ORIE MELVIN'S PENNSYLVANIA SUPERIOR COURT COMPUTER NETWORK, in violation of 18 Pa. C.S. §4910 (1) or (2).

POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTM/hascan Number G 548392-5	Complaint/Incident Number H-284-10
Defendant Name	First JANINE	Middle MARY	Last ORIE

Indicate Offense:	<input type="checkbox"/> Attempt 18 901 A	<input checked="" type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903					
4	4910	1	of the 18	1	M2			
Leads?	Offense	Section	Subsection	PA Statute (Title)	Counts	Grade	MOVC Offense Code	UCR/IBRS Code
Form/DOI Data (If Applicable)	Accident Number:				<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone		

Statute Description/Acts of the accused associated with this Offense:

18 902A CRIMINAL SOLICITATION M2 1 COUNT

The actor with the intent of promoting or facilitating the crime of 18: 4910: 1 commanded, encouraged or requested KATHY SQUIRES, AN EMPLOYEE OF THE PENNSYLVANIA SUPERIOR COURT, TO ALTER, DESTROY, CONCEAL OR REMOVE REMOVED CAMPAIGN-RELATED COMPUTER FILES WITH THE INTENT TO IMPAIR ITS AVAILABILITY IN SAID INVESTIGATION BETWEEN THE DATES OF JANUARY 1, 2003 THOROUGH JANUARY 10, 2010, SPECIFICALLY THAT JANINE ORIE, HAVING BECOME AWARE THAT A CRIMINAL INVESTIGATION BY THE OFFICE OF DISTRICT ATTORNEY OF ALLEGHENY COUNTY HAD COMMENCED INTO CAMPAIGN PROCEDURES SURROUNDING THE 2009 ELECTION CAMPAIGN OF THEN-SUPERIOR COURT JUDGE ORIE MELVIN, DIRECTED KATHY SQUIRES, A MEMBER OF ORIE MELVIN'S SUPERIOR COURT OFFICE STAFF, TO TRANSFER COMPUTER DATA THAT HAD BEEN STORED UPON A SUPERIOR COURT COMPUTER TO A DISK, TAKING POSSESSION OF THE DISK AND SUBSEQUENTLY DIRECTING THAT ALL CAMPAIGN AND/OR POLITICAL COMPUTER FILES THAT HAD BEEN LOCATED ON JUDGE ORIE MELVIN'S PENNSYLVANIA SUPERIOR COURT COMPUTER NETWORK BE DELETED to engage in specific conduct which would constitute the aforesaid crime or an attempt to commit the aforesaid crime, or which would establish that person's complicity in its commission or attempted commission, in violation of 18 Pa. C.S. §902 (a).

POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTIN/Investigator Number G 548392-5	Complaint/Incident Number H-284-10
Defendant Name	First JANINE	Middle MARY	Last ORIE

- I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 P.A.C.S. §4904) relating to unsworn falsification to authorities.
- This complaint is comprised of the preceding page(s) numbered _____ through _____

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.
(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

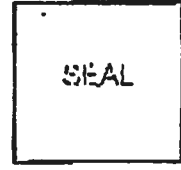
(Date)

[Handwritten Signature]
(Signature of Affiant)

AND NOW, on this date 12-16-11 I certify that the complaint has been properly completed and verified.
An affidavit of probable cause must be completed before a warrant can be issued.

05-004
(Magisterial District Court Number)

[Handwritten Signature]
(Issuing Authority)



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/LiveScan Number G 548392-6	Complaint/Incident Number H-284-10
Defendant's Name	First JANINE	Middle MARY	Last ORIE

AFFIDAVIT of PROBABLE CAUSE

1. WHEN:

- a) Date when Affiant received information:
10/30/2009 - date
- b) Date when the source of information (Police Officers, Informant, Victim, Co-Defendant, Defendant, etc.) received information:
10/30/2009 - date

2. HOW:

- a) How Affiant knows this particular person committed crime: (personal observation, defendant's admissions, etc.):
evidence and/or information obtained from participants and eyewitnesses to the alleged criminal acts described herein; evidence or information personally observed and/or obtained during the course of this investigation; evidence or information obtained or observed by other detectives directly involved in this investigation and the conclusion of the 2010 Allegheny County Investigating Grand Jury investigation resulting in the issuance of Grand Jury Presentment (C)
- b) How the source of information knows this particular person committed the crime:
evidence and/or information obtained from participants and eyewitnesses to the alleged criminal acts described herein; evidence or information personally observed and/or obtained during the course of this investigation; evidence or information obtained or observed by other detectives directly involved in this investigation and the conclusion of the 2010 Allegheny County Investigating Grand Jury investigation resulting in the issuance of Grand Jury Presentment (C)
- c) How both Affiant and/or source of information knows that a particular crime has been committed:
evidence and/or information obtained from participants and eyewitnesses to the alleged criminal acts described herein; evidence or information personally observed and/or obtained during the course of this investigation; evidence or information obtained or observed by other detectives directly involved in this investigation and the conclusion of the 2010 Allegheny County Investigating Grand Jury investigation resulting in the issuance of Grand Jury Presentment (C)

3. WHAT CRIMES:

18 4113 A MISAPPLICATION OF ENTRUSTED PROPERTY AND PROPERTY OF GOVERNMENT OR FINANC
18 902 A CRIMINAL SOLICITATION
18 3926 B THEFT OF SERVICES
18 4910 1 TAMPER WITH/FABRICATE PHYSICAL EVIDENCE

4. WHERE CRIME(S) COMMITTED:

JUDICIAL OFFICES OF (THEN) SUPERIOR COURT JUDGE JOAN ORIE MELVIN

POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/Incident Number G 548392-5	Complaint/Incident Number H-264-10
Defendant Name	First JANINE	Middle MARY	Last ORIE

5. WHY AFFIANT BELIEVES THE SOURCE OF INFORMATION:

- Source is presumed reliable, i.e. other Police Officer, Eyewitness, Victim of Crime, etc.
Source has given information in the past which has led to arrest and/or conviction
Defendant's reputation for criminal activity
This source made declaration against his/her penal interest to the above offense
- Affiant and/or other Police Officers corroborated details of the information

The affiant of this affidavit is Detective Lyle M. Graber, a police officer of the Commonwealth of Pennsylvania within the meaning of Pennsylvania statutory law and Rules of Criminal Procedure, and, as such, I am empowered to file criminal charges and to make arrests for criminal offenses enumerated therein. I was a Pennsylvania State Police Officer from March 15, 1982 until my retirement on August 24, 2007. During my tenure with the Pennsylvania State Police, I was assigned as a criminal investigator in May of 1995, the function of which was to investigate all facets of criminal activity. On July 20, 1987, I was assigned to the Pennsylvania State Police Bureau of Criminal Investigations, Western Organized Crime Unit, Allegheny County, Pennsylvania. I worked in that capacity until my retirement in August of 2007, after which I was sworn as a Detective in the Office of the District Attorney of Allegheny County within the Investigations unit, a position that has continued to date.

The information contained in this affidavit is based upon: evidence and/or information obtained from participants and eyewitnesses to the alleged criminal acts as described herein; evidence and/or information personally obtained or observed during the course of this investigation; evidence and/or information obtained and/or observed by other detectives directly involved in this investigation and the conclusion of the 2010 Allegheny County Investigating Grand Jury investigation resulting in the issuance of Grand Jury Presentment (C).

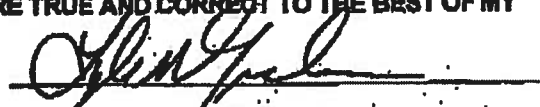
During the course of this investigation, your affiant has personally interviewed or otherwise been present when witnesses have been interviewed; of those witnesses not personally interviewed, your affiant has reviewed the investigative or other documented reports prepared of such interviews. Your affiant has reviewed all available evidence received during this investigation and read all grand jury evidence testimony provided under oath by witnesses. Your affiant has read the original Grand Jury Presentment (C) in its entirety, and avers that the contents contained therein comport to your affiant's aforementioned knowledge and understanding of this investigation and as a result of your affiant's investigative activities. There exists a presumption of regularity which surrounds Grand Jury proceedings and as such your affiant avers that this source of information, the Grand Jury Presentment, is presumed reliable. Your affiant has attached a copy of said Presentment which is made a part of this Affidavit of Probable Cause by this reference thereto and offers the information contained therein as probable cause for the issuance of process, namely, a criminal complaint for the herein named actor.

Based upon the aforementioned information which is believed to be true and correct, and noting that the accused herein has at all times pertinent to these charges (that being the time period spanning January 1, 2003 through and including January 10, 2010), - although currently suspended with pay from the Supreme Court - an employee of the Pennsylvania Superior Court and thus a "public employee" and therefore subject to the provisions of the Judicial Code, 42 Pa. C.S. 5552 (c)(2) regarding the applicable Statute of Limitations for the initiation of criminal proceedings, your affiant respectfully requests that a criminal complaint for the above-described charges be issued:

POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OTN/Video Scan Number G 548382-5	Complaint/Incident Number H-284-10
Defendant Name:	First JANINE	Middle MARY	Last ORIE

I, **LYLE GRABER**, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.


(Signature of Affiant)

Sworn to me and subscribed before me this 16 day of December 2011
12-16-11 Date J. M. [Signature] Magisterial District Judge

My commission expires first Monday of January, 2012.



IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,
PENNSYLVANIA

IN RE: 2008 ALLEGHENY COUNTY : Criminal Division
 INVESTIGATING GRAND JURY : CP-02-AD-5-2008

PRESENTMENT H

TO THE HONORABLE JOHN A. ZOTTOLA, SUPERVISING JUDGE:

We, the 2008 Allegheny County Investigating Grand Jury, duly charged by the Court to inquire into offenses against the criminal laws of the Commonwealth alleged to have been committed within Allegheny County and having obtained knowledge of such instances from witnesses sworn by this Court and testifying before us, and having examined the evidence presented to us, and finding thereon reasonable grounds to believe, and so believing, upon our respective oaths, not fewer than twelve concurring, do hereby make this Presentment to this Honorable Court.



INTRODUCTION

The allegation before this Grand Jury is that Jane Clare Orié (hereinafter "Orié"), a public official/public employee, while working in her capacity as a Pennsylvania State Senator in the 40th Senatorial District, on diverse occasions from 2001 through and including November 2009, used the authority and resources of her office to further the pecuniary and political interests of both herself and her sister, Pennsylvania Supreme Court Justice Joan Orié Melvin (hereinafter "Orié Melvin"). It is alleged that Orié's actions included, but were not limited to, using state paid office employees, office space, and equipment in furtherance of both Orié's and Orié Melvin's election campaign(s) in 2002 through and including November 2009. Detectives from the Allegheny County Office of the District Attorney Investigations Unit sought the assistance of the 2008 Allegheny County Investigating Grand Jury in order to complete this inquiry.

This Grand Jury submits that the actions of Senator Orié and her sister Janine Orié, give rise to the following alleged violations of the Pennsylvania Crimes Code including Theft of Services [Diversion of Services] (18 Pa.C.S.A. § 3926(b)), Tampering with or Fabricating Physical Evidence (18 Pa.C.S.A. § 4910(1)), Criminal Conspiracy (18 Pa.C.S.A. § 903), and violations of the Pennsylvania Public Official and Employee Ethics Act (65 Pa.C.S.A. § 1103(a)).

Legal advisors to this Grand Jury filed a Notice of Submission requesting access to the tools of the Grand Jury in order to investigate this matter adequately, particularly the power to compel and obtain witness testimony

under oath, grant immunity in necessary instances, require the production of various documents and initiate civil and criminal contempt proceedings, in addition to other resources as provided under the Grand Jury Act. The Notice of Submission was then reviewed and approved by the Supervising Judge of the 2008 Allegheny County Investigating Grand Jury on November 12, 2009. Since that time, numerous witnesses have testified before this Grand Jury, and documentary evidence was received, and as a result, this Grand Jury, based on our findings at this time, recommends criminal prosecution against Senator Jane Clare Orie and her sister, Janine Orie.

FINDINGS

Based upon the information presented before this Grand Jury, there is evidence to support the finding that Orié used her staff, employees of the Pennsylvania Senate, along with office facilities and equipment and supplies that were provided by the same, for political purposes for both herself and her sister, Joan Orié Melvin. This Grand Jury also finds that Orié conspired with her sister, Janine Orié and others, to further personal campaign interests of both Orié and Orié Melvin by directing and facilitating senate staff employees to conduct such activity during legislative work hours which activity included, but was not limited to, drafting letters, making phone calls, maintaining databases of past and future fundraising contributors, creating campaign-related materials, serving as a driver for Orié Melvin to political events, utilizing senate office equipment and supplies in furtherance of Orié and Orié Melvin's respective political campaigns, delivering campaign-related materials, making data entries of campaign contribution checks, and the pick-up and delivery of campaign contribution checks from a campaign-related post-office box and delivery of the same to Orié's personal residence. These activities occurred as early as 2001 and continued through the November 2009 general election.

This matter began on October 30, 2009, when Jennifer A. Knapp Rioja (hereinafter "Rioja"), provided a handwritten complaint to the Investigations Unit of the Allegheny County District Attorney's Office. Rioja later came before this Grand Jury and testified that she is enrolled at the University of Pittsburgh pursuing a Joint Master's Degree in the School of Social Work and in the School

of Public Administration. In order for Rioja to obtain a degree within her program, she was required to successfully complete a student internship. Rioja ultimately accepted an unpaid internship at the senatorial district office of Jane Clare Orié on McKnight Road. Rioja testified that she, Rioja, is a Democrat, but she accepted a position with a Republican's office in order to "broaden her horizons".

Rioja began her academic internship on May 11, 2009. She worked fifteen to twenty hours per week while enrolled in summer classes, and then became a full-time internship staffer when she completed the summer session.

Rioja testified that beginning in fall of 2009, she personally observed Orié's paid staff members performing political campaign work for Orié's sister, now Pennsylvania Supreme Court Justice Joan Orié Melvin. These activities that had been witnessed by Rioja occurred during regular business hours at Orié's McKnight Road district office and consisted of numerous employees conducting political campaign research, creating and working with fundraising and campaign literature, and making telephone calls on behalf of Orié Melvin's campaign.

Rioja became aware that various election and campaign materials for Orié Melvin were being created on Orié's district office equipment, including the photocopier, scanner, computer(s) and telephone(s) which were provided and paid for by the Pennsylvania Senate. In addition, Rioja stated that car magnets and other signs for both Orié Melvin and Orié herself that were used in

parades for campaign purposes were stored in the McKnight Road district office's break and supply rooms.

Rioja testified that a majority of the political work that she observed had been conducted in the Orié office during the legislative workday by senate staffers Joshua Dott (hereinafter "Dott") and Kurt Acker, Esquire (hereinafter "Acker"); Rioja testified that Dott handled a majority of the political work that was carried out for the Orié Melvin campaign. According to Rioja, Acker was more "controlled" than Dott about openly discussing political work. However, Rioja also stated that she had heard Acker state to fellow staffers on at least one occasion that if the Attorney General's Office knew what was occurring in Orié's office, that "they all would be in handcuffs".

Rioja indicated that a senate staffer Bonnie Shultz (hereinafter "Shultz") was an employee in Orié's Harrisburg, Pennsylvania office. Rioja recalled on at least one occasion, a conference call took place during which Shultz reprimanded both Charles Young (hereinafter "Young") and Dott for not completing their legislative workload requirements. Later, testimony from Dott during this Grand Jury investigation confirmed that the reason for those staffers falling behind on legislative work, especially as to Dott himself, occurred because of the time that he, Dott, was spending doing Orié Melvin campaign work during the legislative workday at Orié's senatorial office.

Rioja further testified that on the day of one of Orié Melvin's fundraising events, Dott printed nametags for the event on the printer in Orié's district office; this was confirmed by Dott to Rioja. Later, before this Grand Jury,

Dott admitted under oath that he had used the legislative printer in Orié's office for such political activities for Orié Melvin's campaign. Rioja also testified that she had observed both a check and a letter for Orié Melvin's fundraiser that had been left in open view on Dott's desk in the Orié legislative office. In fact, according to Rioja, a fellow senate staffer, Young, took a photograph of both of these documents as they lay on Dott's desk. A photograph of the check and the letter was subsequently admitted into evidence during Grand Jury testimony, and Young admitted under oath that he had taken that photo. Dott also confirmed during his testimony that he had left the check and its accompanying letter on his desk as described by Rioja, and he further admitted that it was just one of the many such items related to the Orié Melvin campaign that he had processed, as directed, in the Orié legislative office.

According to Rioja, Young discussed with her the fact that he had been asked to participate in an after-hours "phone bank" to make calls in support of Orié Melvin's 2009 election. Young indicated to Rioja that he stated to Orié's Chief of Staff, Jamie Pavlot (hereinafter "Pavlot"), that he did not want to participate in the phone bank. Pavlot responded to Young that he was hired with the expectation that he would participate in these types of activities, and if he did not, they would "have to discuss his future".

Rioja stated that on October 29, 2009, she was seated in the Cathedral of Learning at the University of Pittsburgh using AOL Instant Messenger (IM) on her laptop conversing with Young. As Young and Erika Frantz (hereinafter "Frantz"), who was at that time another of Orié's legislative

interns and also a student at the University of Pittsburgh, were IM chatting with Rioja, Young indicated via IM that Frantz had been directed to conduct certain campaign work for Orié Melvin's campaign during the legislative workday while at Orié's office. Rioja became aware that Frantz had been asked to call nursing homes or senior centers and convents in order to facilitate Orié Melvin's political campaigning in the 40th district. Young indicated to Rioja that he had been uncomfortable with Frantz handling political work.

Rioja testified that on October 30, 2009, at approximately 8:30 a.m., Rioja entered Orié's North Hills district office that was located on McKnight Road and expressed to Pavlot that she had serious ethical concerns about the political campaigning that was being carried out for Orié Melvin during legislative work hours by staffers at Orié's district office. Rioja then submitted her own resignation as an intern. According to Rioja, Pavlot reacted negatively to the conversation and demanded to know with whom she had discussed these allegations. Rioja said that it appeared that Pavlot was trying to confuse Rioja, and Pavlot told Rioja that all political activity done by staffers was either being conducted by staffers who were on "comp" or vacation time.

That day, after Rioja had submitted her resignation from her internship, Rioja called both the Pennsylvania Bureau of Elections and later the Pennsylvania Office of the Attorney General to report the political activities that were being carried out at Orié's legislative office. Rioja was told by the person with whom she spoke at the Pennsylvania Office of the Attorney General that her complaint should be directed instead to the Office of the District Attorney of

Allegheny County. Rioja's own telephone records for that day have been admitted into evidence, and they corroborate Rioja's description of the sequence of the phone calls that she made that day that ultimately led to her filing a written complaint with the Investigations Unit of the Allegheny County District Attorney's Office.

Rioja also sent a text message to Young that same day, October 30, 2009, telling him that she had resigned. In a return message Young cautioned Rioja that Orié knew "high-ranking people" at the University of Pittsburgh and Young speculated that Orié would contact these people and the "entire situation would go away". Transcripts of the aforementioned text messages subsequently were received into evidence by this Grand Jury after having been identified by Rioja.

Rioja stated that the day she resigned, Pavlot contacted her supervising professors at the University of Pittsburgh, John Delassandro (hereinafter "Delassandro") and Tracey Soska (hereinafter "Soska"), in order to determine what information Rioja may have related to them. Subsequently, on November 2, 2009, Rioja received a letter from Orié, dated October 30, 2009, denying any allegations of political campaigning during legislative time and alleging that Rioja may have had a "political agenda" when she agreed to work for Orié. The letter that Orié sent to Rioja was copied to Tracey Soska, John Delassandro, and Chancellor Mark A. Nordenberg of the University of Pittsburgh. Rioja subsequently denied any such motivation of a political agenda in testimony before this Grand Jury.

Also, Rioja's campus internship supervisors at Pitt, Professors Soska and Delassandro, testified that neither of them had any reason to believe that Rioja had any "political agenda" regarding her internship experience at the office of Senator Orié. Professor Soska testified that while seeking an internship placement, Rioja had considered several prospective sites in various federal, state and local legislative offices, but eventually accepted a position with Orié because Orié's North Hills office was in close proximity to Rioja's residence. Professor Delassandro also appeared before this Grand Jury and he testified that obtaining an internship is a formal, structured process with the school, and the internship program has an online directory of over 500 agencies. The student seeking the internship is required to select four prospective agencies and schedule interviews with the prospective staff. Delassandro indicated that in addition to Orié's office, Rioja had considered a number of other placements, including the offices of Senator Bob Casey, Senator Arlen Specter, and Tim Murphy because she was interested in learning about local social service problems in the area from a governmental perspective.

Soska described how, on October 30, 2009, he received a phone call from Pavlot wherein Pavlot indicated that she was angry about Rioja's resignation and "did not appreciate Rioja leaving under those circumstances". Pavlot further explained to Soska that Rioja was "misinformed" about what she had purportedly witnessed at Orié's senate office. Pavlot then cautioned that the actions by Rioja raised concerns as to whether Orié would want to continue to place other interns from the University of Pittsburgh in the future. This Grand

Jury subsequently heard testimony from Pavlot that she had been directed by Orié herself to contact the University of Pittsburgh through both the two supervising professors and Chancellor Nordenberg, in order to try to convince them that the claims that had been made by the then-former intern were the result of a "misunderstanding"; in reality, Pavlot admitted under oath before this Grand Jury that she had been directed by Orié herself to lie about what had actually occurred regarding the political-type work that had been conducted within the legislative office. In fact, Pavlot admitted that the contents of the letter that was hand-drafted by Orié herself were false when Orié claimed: "At no time has any member of my staff engaged in any political activity during, or on official state working time." Pavlot told this Grand Jury that parts of the letter were simply "untrue"; Pavlot admitted, though, that she nonetheless prepared this letter because she had been directed to do so by Orié herself.

Soska noted that in regard to the uniqueness of the Chancellor being copied with that letter that was sent to Rioja by Orié, in his experience, the Chancellor of the University of Pittsburgh generally does not become involved with issues involving internships; Soska's thoughts in this regard were echoed in testimony by Delassandro.

The incident on October 29, 2009, that became the core of the original complaint in this matter has become well-documented in this investigation through both the testimony of numerous witnesses who appeared before this Grand Jury, and from documentary evidence, as well.

Frantz described in testimony before this Grand Jury how, on the day of October 29, 2009, while performing her internship duties in Orié's legislative office, Pavlot told Frantz to contact various convents in the area for the "Senator's [Orié's] knowledge." Frantz testified that as part of the work detail she had been assigned that day, she also had been directed to make labels and create envelopes for what Frantz believed were campaign-related materials for Orié Melvin. Frantz described how she and another staffer had been assigned to stuff a number of large envelopes at the conference table in the Senator's legislative office. Into each of these envelopes she and the other staffer had placed a letter upon which was a masthead, or letterhead, which bore a photograph of Orié Melvin; each letter was signed by Orié. In addition, Frantz identified the palm cards that had been inserted into each of those envelopes. Those palm cards included a picture of Orié Melvin and recommended her for the Supreme Court.

Testimony by Orié staffers provided a more complete understanding of what occurred during this incident at the Orié legislative office.

One staffer, Young, testified that he worked for Orié as an intern from April to August of 2009, and subsequently became a paid staff member in August of 2009 earning \$20,000 per year. Regarding the incident at Orié's office on the 29th of October, 2009, Young stated that Orié communicated through Pavlot that she wanted a list created. Frantz was then asked to call and compile the information that had been requested. Young further testified that he had been asked to stay late that day and did, in fact, stuff the political envelopes in

the legislative conference room. Other witnesses that testified, including Dott and Kathy Campbell (hereinafter "Campbell"), confirmed that a number of those envelopes containing Orié Melvin literature were actually hand-delivered by the two of them to area convents during the legislative workday. All those staffers agreed that no "comp time" was utilized while doing this work; it was done on legislative time.

Although a number of the envelopes that were prepared and stuffed in the conference room of Orié's legislative office that day were delivered to convents, a larger amount of them were not actually delivered, but instead were later made available to this Grand Jury. Those large envelopes contained not only political correspondence on Orié Melvin's masthead, or letterhead, but also contained within those envelopes that had been stuffed that day were numbers of poll cards. Frantz testified that she had to call each convent and ask how many nuns were domiciled there, and from that reported number, a similar number of poll cards were added to each respective envelope. Frantz noted that only seven of the places that she had been directed to contact were even in Orié's legislative district.

Legislative staffer Campbell, who at the time was working for the Senator in "constituent relations", admittedly took part in the hand-delivery of those envelopes to some of the addressees. Campbell gave this Grand Jury her insight into how this incident developed.

On October 29, 2009, Campbell recalled walking outside the McKnight Road office to Orié's own car where Orié was present. Orié informed

her that Christine Bahr, a former employee of Orié who still authored correspondence for her, was going to draft a letter. Campbell was supposed to take the poll cards from the boxes and, along with the drafted letter, create mailings that were to be delivered to nuns at local convents. Campbell testified that she then helped to carry the boxes of the poll cards from Orié's car into the conference room in Orié's legislative office. Pavlot then requested that Campbell count out the poll cards in stacks of ten.

According to Campbell, there were seven to eight convents in the neighboring area and the poll cards had Orié Melvin's pro-life stance and photograph printed on them. Campbell said that Frantz assisted her in preparing the packets. Campbell also testified that she typed up a mailing list for the convents from researching the addresses on Google.

Campbell further stated that she helped stuff the envelopes for the convents during the regular workday; each envelope contained the letter, the pro-life cards, with an address label upon the front of each envelope. Campbell, accompanied by Dott, then dropped off these packets to a number of convents from approximately noon to 1:20 p.m. on October 29, 2009. According to Campbell, she did not conduct any of this activity on "comp" time, but it was just "part of her legislative workday".

Campbell brought another matter of interest to the attention of the Grand Jury; she stated that on October 29, 2009, extra poll cards for Orié Melvin were photocopied on the senate office copier in Orié's district office and, since they were not all used, some ultimately were discarded into the garbage.

Campbell went on to relate how, days later, on November 2, 2009, Campbell again went to work at the Orié office, and while at the office she informed Pavlot that surplus copies of Orié Melvin's poll cards had been placed in the office's trash container. Pavlot informed Orié of this revelation by Campbell and Orié specifically directed that those poll cards be removed from the trash and given to her. Campbell said that as had been instructed by Orié, Campbell gave the previously discarded poll cards to Orié and Orié then placed the poll cards into her purse. Campbell never saw them again.

During the first week of November, 2009, Frantz returned to Orié's office and spoke to Pavlot. Pavlot talked to Frantz about the letters that she stuffed into the envelopes on October 29, 2009, and during that conversation Pavlot tried to convince Frantz that she, Frantz, had "misunderstood the situation" and in any event that any campaign tasks that Frantz may have observed actually took place on "comp" time. Frantz testified that she knew that she had not received any "comp" time for that workday's activity. According to Frantz, it was her belief that Pavlot was trying to talk her into believing a scenario that had not actually occurred; i.e., that non-political letters had been stuffed into those envelopes that day.

Indeed, subsequent testimony from Pavlot confirmed those suspicions that had been voiced by Frantz to this Grand Jury. Jamie Pavlot testified that she had been an employee of the Pennsylvania Senate for thirteen years, and for most of that time, she served as Chief of Staff at Orié's McKnight Road office. According to Pavlot, she has conducted campaign work as directed

by Orié for as long as thirteen years prior, and for at least the last ten years she has continued doing political, non-legislative work on office time for Orié at Orié's directive.

Pavlot recalled that on October 29, 2009, Pavlot directed Frantz to make phone calls to convents because Orié wanted to deliver letters to nuns promoting Orié Melvin's campaign for Supreme Court Justice. According to Pavlot, the requested calls were made to the convents, then the addresses were placed into the Senate Information Bank (SIB); address labels were then printed to facilitate distribution of the envelopes. The subject of the letter that was originally put into the envelopes was an endorsement of Orié Melvin by Orié. Once those envelopes were created, Dott, a legislative staffer, was directed to deliver the envelopes to the respective convents for distribution to the resident nuns.

According to Pavlot, as per the directive by Orié, Campbell, Frantz, Young and another Orié staffer, Dan Soltesz, all helped to prepare those campaign materials for delivery to the convents; Pavlot admitted that this work was done at the legislative office using senate-owned equipment and supplies, as well as legislative workers who were on state time.

One e-mail dated October 29, 2009 was brought to the attention of this Grand Jury; that e-mail from Janine Orié to Pavlot, directed Pavlot to check with Orié about leaving Orié Melvin's campaign literature at the Vincentian/Divine Providence convent.

Another e-mail presented to this Grand Jury, dated October 29, 2009, was from Orie to Pavlot; that message was sent from Orie's Blackberry at 10:59 a.m. and it set forth the verbiage that ultimately was utilized in the campaign endorsement letter that was later distributed by staffers to the convents. Pavlot's response communication to Orie asking Orie whether those letters should be addressed as "Dear Sisters" was also placed into evidence, as was the response from Orie.

A third pertinent e-mail concerning this episode was also seen by the Grand Jury; that third correspondence is also dated October 29, 2009, and was from Janine Orie to Pavlot. In that e-mail, Janine Orie instructed Pavlot to copy and paste two pages of Orie Melvin's endorsement letters subsequently included in the packets that were destined for the convents as pages two and three of the three page political correspondence.

In testimony to the Grand Jury, Pavlot confirmed that on October 30, 2009, Rioja appeared at the Orie legislative office and told Pavlot that she was resigning because she did not feel comfortable with the campaign work that was being conducted during the legislative workday. Pavlot then informed Orie of this fact and according to Pavlot, Orie told her to generate a second letter - one which this Grand Jury later confirmed was unknowingly written as a "cover-up" letter by former Orie staffer Christine Bahr. This second "cover-up" letter was to be different from the original one that actually had been put into the envelopes that were originally destined for delivery to the convents; Pavlot conceded, as per Orie's directive, that this second letter was to serve as a "cover-up" for the

correspondence that had been actually prepared, and of which over half a dozen had been already hand-delivered to various area convents. According to Pavlot, Orié told her to show this "cover-up" letter to Frantz when she, Frantz, returned to work and Pavlot was tasked by Orié with trying to convince Frantz that she had not really seen what Frantz not only had seen, but actually done, in the legislative conference room on October 29th.

Pavlot also testified about other communications directed to her from Orié on October 30th, the day that Rioja resigned. Pavlot identified one of these items was a message in which Orié told Pavlot to post a sign on the door of the second floor of the building above Orié's district office; this sign was to state that the second floor was the "Campaign Office of Senator Jane Clare Orié." This was done in order to make it appear that the room had been used as an Orié campaign office, unassociated with the Orié Melvin campaign, which, in fact, was untrue. The actual wording of that message was as follows: [Discussing putting a sign to denote the room as an Orié campaign room, not Orié Melvin, on door of the room upstairs] "Yes...put it on letterhead so we co[i]ver (sic) ourselves...tell josh do letterhead on laptop at home...put sign on door Senator Jane orue[sic-Orié] camaoign[sic-campaign] office."

Pavlot also testified that she, along with Dott, went to the legislative office on Sunday, November 1, 2009. At the direction of Orié, Pavlot and Dott prepared the letter that was ultimately sent to Rioja and her professors about her resignation. When the two left the office, they took with them two large boxes which contained papers, including ones that were political in nature. Pavlot later

turned the contents of these two boxes over to the Allegheny County Office of the District Attorney, and during her Grand Jury appearance, Pavlot testified as to the political nature of the papers that she had removed from Orié's legislative office.

Pavlot also told this Grand Jury about an incident that occurred in the aftermath of the general election in November 2009. Pavlot described how she was going through older files of papers in the Orié office and from them had collected large packs of political papers which were sitting on the top of her desk. Orié herself came into the office and inquired about what was in those stacks. Pavlot explained that these were political papers that she had been storing in her own desk. Pavlot described how Orié, upon seeing this files and hearing Pavlot's explanation, told Pavlot that they "needed to be removed" as she, Orié, grabbed two of the packages of files, hid them under her coat so they couldn't be seen by a casual observer, and then hastily left the office leaving to dispose of the remaining files. When asked if she knew why Orié did not just carry the files outside to her car in plain view, Pavlot said that at that time Orié believed that the office was under surveillance and that she, Orié, did not want to be seen exiting with those political papers.

The extra office space that Pavlot discussed earlier was the subject of review by this Grand Jury. Evidence brought before this Grand Jury indicated that Alfred Thomson, the owner of the La Casa Blanca Building where Orié's district office is located, stated that he had been leasing out the actual space since December of 1998. In one instance, on January 23, 2001, Thomson stated

that another suite, Suite 105, was donated as an in-kind contribution for Orié's 2001 campaign. Thomson said that the value of the donated office space was \$1,000. Suite 105 was also made available as a senior citizen tax service area during tax time. According to Thomson, this was for very short periods of time.

After some period of time passed, Orié eventually required more office space and she had the senatorial office relocated to Suite 105. Although Orié had relocated, she still maintained the key and access to her former office, which was known as Suite 205. Thomson indicated that he has always allowed Orié to use the extra office space for the senior tax services, but that was the only use he had authorized it for.

Thomson then explained that he only allowed Orié to use this extra space because she was a tenant. Thomson stated that he would not have allowed Orié to use this space for free if she had not been a tenant. It was Thomson's understanding that Suite 205 was only used as a senior tax office and was not for use as Orié's campaign office. According to him, Orié Melvin did not have permission to use the office space on Thomson's property except for a few months in 2003 when, at the request of Pavlot, an in-kind contribution of office space was made. This procedure was not followed in the 2009 Orié Melvin campaign.

What started initially as a complaint somewhat limited both in time and scope regarding incidents allegedly occurring in the latter part of the year 2009 – that is, the unpaid intern's complaint to law enforcement that Orié's office staff were being used to further the election aspirations of her sister Joan Orié

Melvin – soon encompassed allegations of a much more expansive misuse of Orié's staffers, as both current and past employees came before the Grand Jury and described how they, and other Orié staffers like them, were required to perform non-legislative jobs fully over the past ten years that Orié has served in the Senate of this Commonwealth.

This Grand Jury takes note of the fact that during the pendency of this investigation, no fewer than fifteen either current or past members of Orié's Senatorial staff have testified under oath before this body that they either participated in, and/or observed non-legislative work occurring during legislative working hours. Staffers reported that directives to do this political and campaign work came from at least three sources: Orié herself, Orié's Chief of Staff, and, in regard to the 2009 political campaign of Joan Orié Melvin, from Orié's sister, Janine Orié.

At least four of these individual Orié staffers who testified have described instances wherein they themselves, or other staffers, were taken from their respective legislative office duties to either make calls at a telephone bank on Orié's behalf, or were taken to locations in the area to engage in "door knocking" in order to promote Orié's candidacy for political office. According to staffers, Orié herself was even present on occasion when such latter-described tasks were performed during senatorial office hours. Specifically recalled were trips to the Franklin Park area, the Middle Road area near Wagner's Market, and also in residential areas near the Orié district office.

A number of these staffers testified that during some periods of time – for example, during fundraising periods or at times when political petitions had to be processed in anticipation of an upcoming primary election – as much as one-third to one-half of the actual legislative work time of an individual Senatorial worker was devoted to non-legislative activities carried out on Orié's personal behalf. Several staffers further reported to this Grand Jury that Orié's staffers were even taken out of the legislative office during the workday in order to participate in telephone banks for candidates other than either Orié or Orié Melvin.

Regarding non-legislative acts done on behalf of Orié, those activities that were admittedly performed by senate staffers included yearly participation in the annual fundraising activities that were aimed at enlarging Orié's own political coffers from 2001 through and including the year 2009, and also for political campaign work that was performed during Orié's own Senatorial re-election campaigns in both 2002 and 2006.

Staffers have testified that while on state time, they participated in the yearly fundraising events that were set up for Orié; they also placed calls to invite prospective contributors to appear at fundraisers or make political contributions to the Senator; they confirmed attendance of persons in anticipation of the events themselves; they sent "thank you" notes to those who attended those fundraising events or who contributed money to the Senator's political campaigns; and they made sure that the names of contributors for each event were placed into various databases for use at future fundraising events – all of

this was done on state time. Testimony reveals that up until late spring of 2009, some of those very campaign and political records of Orié's were maintained on computer hard drives that were part of the state computer system; these were identified by Orié's staffers as "O" and "S" drives, at various times. Testimony from these staffers further revealed that in the late spring or early summer of 2009, Orié directed that these political files – specifically those still remaining on the "S" drive - be transferred to a "thumb drive" and the non-legislative data that was previously being maintained on the senate's system was then removed from the drives that up until that time were then on the state's computer system.

Regarding the type of activity that was conducted over a period of ten years in relation to Orié's fundraising efforts, numerous and/or former staffers presented testimony.

According to Pavlot, she conducted campaign and other political work on behalf of Orié for years, during legislative hours and at Orié's directive. Numerous e-mails were brought before this Grand Jury documenting the extent of the campaign work that Pavlot conducted on behalf of both Orié and Orié Melvin especially during the 2009 Orié Melvin campaign. In addition, e-mails presented to the Grand Jury gave substantive proof of the directives Orié gave to Pavlot in order to have Orié's legislative staff conduct such campaign activities as well.

Pavlot related how, at Orié's directive, in May or June of 2009, Pavlot participated in conducting a fundraiser for Orié. Pavlot testified that this was an actual event for Orié. According to Pavlot, on those occasions she would

make phone calls and write "thank you" letters during the legislative workday for Orié's fundraising. Pavlot testified that when she received an e-mail for Orié that included the notation "see me" or "FR" (*i.e.* "Fundraiser"), that indicated to Pavlot that the individual mentioned in the e-mail had been indentified by Orié as the person who should be solicited for a donation to Orié's campaign.

Pavlot stated that legislative staffer Audrey Rasmussen (hereinafter "Rasmussen"), was tasked to oversee the database for the Orié fundraiser; that political data was updated on her personal laptop and also on the senate computer in the district office. Around May or June of 2009, Rasmussen indicated to Pavlot that she felt uncomfortable doing campaign work during the legislative workday. Pavlot then shared these concerns with Orié. Orié then communicated to Pavlot a level of distrust towards Rasmussen.

According to both Pavlot and Rasmussen, Orié told Pavlot to remove all of the political files from the state computer and place that data instead on a digital storage "jump drive". Pavlot then stated that after Rasmussen was relieved of those duties, the task of working with this data was subsequently delegated to staffer Dott. Dott himself confirmed that he began to work with the political files on the "jump drive" in the summer of 2009.

Elaine Rickard (hereinafter "Rickard"), testified that she was employed in constituent relations at Orié's Cranberry, Pennsylvania, office from June 2004 through March 2006. Rickard testified that she initially made \$25,500 per year with a 3% yearly increase.

According to Rickard, the first task that was assigned to her when she joined Orié's staff was to organize a fundraiser for Orié in Butler County, Pennsylvania. Rickard stated that she was contacted by Jamie Pavlot and was told that the "Senator [Orié] wanted this done". Rickard testified that she was to contact Tom King (hereinafter "King"), an attorney in the Butler area who was actively involved with the Republican Party. Rickard stated that she was required to contact King, during legislative business hours, who provided her with a list of names of people to invite to the fundraiser. Rickard then told Pavlot that she would be more than happy to work on the fundraiser but that it would have to be after hours. Rickard further explained that her husband had been involved in politics in the Butler area and she knew that conducting campaign work during office hours was improper. Rickard was told that "this was not good enough" and to turn the fundraiser file over to the McKnight Road district office. Rickard testified that she sent the list she had been given via fax to the attention of another Orié staffer, Joe Smith (hereinafter "Smith") at the McKnight Road district office. Rickard said that she subsequently received a fax from Smith to proofread a copy of the invitation that had a handwritten note on it from Smith. Rickard testified that Smith was ultimately given the responsibility of maintaining fundraising lists because of her reluctance to continue this political activity.

Rickard was also asked to secure nominating petition signatures, but indicated that she would not do so on office time. She related one instance when she had to make a trip to the McKnight Road district office during the day and while en route, personally observed legislative staff members from that

district office circulating petitions in a neighborhood behind that office. Nominating petitions were kept at the Cranberry district office for that purpose, but staff was instructed to turn over petitions to voters "outside the office". Rickard further testified that if people came to the Cranberry district office and wanted yard signs they were then directed to the McKnight Road district office.

Johnna Kerner (hereinafter "Kerner"), testified that she had been employed as a full-time legislative aide for Orié between September 2004 and October 2006. Kerner stated that her starting salary had been approximately \$21,500, with annual 3% raises. Kerner testified that from September 2004 until December 2005, her duties consisted primarily of legislative activities. Kerner stated that she became actively involved in doing campaign-related activities during legislative work hours in the year 2006.

Kerner was given the duty of entering "FR" (fundraising) data into a spreadsheet for Orié's campaign. The "FR" information that was entered was normally given to her by Pavlot. Some of this information was received via mail that was sent either directly to Orié's legislative office or to a P.O. Box 516 in Ingomar, Pennsylvania. Kerner occasionally retrieved mail from P.O. Box 516. After the mail was sorted and given to Orié for review, some items would be sent back by Orié with a handwritten notation "FR" or "FR list", which Kerner stated would be her directive to enter such data into the appropriate spreadsheet. Kerner stated that the term "FR" was used often in e-mails to/from Orié during this time period, and that they would always be related to Orié's campaign fundraising.

Kerner stated that she also recalled being directed to assist another local candidate in another area of Allegheny County during legislative work hours by "door knocking" on that candidate's behalf. Kerner recalled that other legislative interns also participated in that activity – all of which was done on legislative time.

Orie's staffer Smith testified that he began work for Orie as a paid intern in the summer of 2002 through 2004 when he graduated from college. While serving as an intern, Smith made \$11-\$12 per hour. Smith testified that in 2004 he became a legislative aide, and he remained in that position through 2006. During that time, his salary went from an initial \$26,000 per year to the \$32,000 that he was making when he left in 2006.

Smith testified that while he was an intern he did campaign work that consisted of making fundraising phone calls and drafting invitations for Orie on office time. This type of non-legislative, political-type work for Orie increased, however, once he became a full-time legislative aide.

Smith testified that he was involved with Orie's annual fundraising event usually held at the Rivers Club in Pittsburgh, Pennsylvania. According to him, Smith would spend up to half of his legislative workday for a period of one and-a-half to two months prior to the event planning for that event, the work for which included, but was not limited to, coordinating guest speakers, creating invitations, stuffing invitation envelopes and preparing the site location for the event. Smith described this annual fundraising event as "Orie's premier event" and it often would generate close to \$80,000 - \$110,000 in contributions for Orie.

Smith also stated that during the legislative workday he would help facilitate Orié's "host committees" which would involve Smith calling and soliciting various members for various political program(s). Smith described these committees which he worked as being the "backbone" of Orié's ability to generate campaign capital.

Smith himself said that he would receive multiple senate e-mails or correspondences with the notation "FR" on him. This indicated to Smith that he was supposed to input the individual's names on the e-mail into a fundraising list. According to Smith, Orié "coveted" this information, and stated that she did not want this information "lost or leaked" to others.

Smith explained that since he was proficient with computers, he had to "back-up" several files that were campaign-related and kept on the senate computers that were located in Orié's district office. Smith described these files as being "Fat Cat" lists, "fundraising" lists, and "donor" lists. In addition, Smith testified that he helped to create the "O" drive on the senate system which gave limited access to data only to Orié, Pavlot and Smith himself, within which were stored political files.

Smith testified that during the 2006 senate election campaign, Smith went "door-knocking" for signatures for Orié's nominating petitions during the legislative workday. Furthermore, according to Smith, for sometime Orié did, in fact, have a campaign office but she never had any campaign staff there. Instead, Orié utilized and relied upon her legislative staff for conducting campaign activities.

After the Habay scandal erupted in a neighboring legislative office, Smith testified that the campaign activity during legislative time did not cease, but instead, Orié wanted to be more careful and conceal the improper activity that was occurring during the legislative workday.

Alexander Brodsky (hereinafter "Brodsky"), stated that he worked as an intern for Orié during the summer months of both 2003 and 2004. While working those summers, Brodsky testified that he made between \$7 – \$8 per hour.

Brodsky testified that after his internship in 2003, he wanted to return to work for Orié in the summer of 2004. However, Brodsky stated to Pavlot that he would like to receive a pay raise or a promotion for his next summer's work. Pavlot indicated to Brodsky that she would "check with the Senator and get back to him." Brodsky then stated that Pavlot called him and told him that due to budget restrictions that he could not receive an hourly raise, but he could be paid an extra couple of weeks of work for time that he would not have to be in attendance at the office. Brodsky testified that he received this pay for two to three weeks that he did not actually work in summer of 2004.

Jamie Pavlot testified that this extra pay that was received by Brodsky was approved directly by Orié herself.

During the second summer of his employment, Brodsky also stated that he was directed by legislative office staff members from the McKnight Road district office to make calls at a the 2004 Bush campaign phone bank during regular work hours. This activity occurred over a course of a week for two to

three days, and required him to be taken from the legislative office to an off-site location.¹

Brodsky testified that at this phone bank he used the fictitious name "Austin" and he received a script from a legislative staffer as to what he should say during the telephone calls. He would then dial *67 on his phone to block where the call came from and would read from the script endorsing the candidate. Pavlot corroborated that Brodsky did work at the phone banks during the legislative workday for George W. Bush.

Christine Bahr (hereinafter "Bahr"), testified that she was at one time a paid employee of Orie. She stated that she started her employment in October of 1998 when Orie was a member of the Pennsylvania House of Representatives. Bahr stated that she left her position with Orie for three to four months, but later returned to work for her until 2005. During this time, Bahr served as a legislative aide performing such tasks as writing, constituent work, speaking on Orie's behalf and attending meetings. Bahr's weekly salary was \$750 per week while on staff.

Bahr testified that while she was a senatorial employee she was directed to do campaign work such as making phone calls for Orie's election during normal legislative working hours as early as 1999 and 2000 when Orie was a State Representative and this political work continued throughout the years that Orie was a senator. Bahr stated on occasion she was directed by Pavlot to make phone calls to citizens and impersonate Orie. Bahr testified that

¹ A 2004 e-mail from Orie to Kim Ward where Orie personally committed "volunteers" to make 250 calls on behalf of George W. Bush was presented before this Grand Jury.

such actions made her uncomfortable. These calls were made on legislative time at another office near Orié's district office. When Bahr made these campaign-related calls, she did not take vacation or "comp" time, and she would do so roughly two days per week. In addition, Bahr testified that she would occasionally be detailed to write election-related correspondence while working as a legislative staff member.

Pamela Wahal (hereinafter "Wahal") was another witness who testified that she worked for Orié during the 2002 election campaign until June 2006 and that she had participated in improper campaign activity through directives from Pavlot who would usually preface her remarks "per the Senator" or "per JCO". For example, Wahal testified that at times she was instructed by Orié herself during working hours to go "door knocking" and obtain signatures on nominating petitions for Orié's candidacy. She was chastised because she did not get enough signatures on nominating petitions which she had requested to do on her own time, rather than office time. She also recalled being directed to go "door knocking" to pass out Orié literature on Martin Luther King, Jr. Day.

Christa Meeder (hereinafter "Meeder") stated that she worked for Orié from 2001 to 2003. Initially, Meeder began working as an intern for one semester and then she became a legislative assistant. Her position was full-time.

Meeder stated that most instructions to conduct political work during legislative time came from Pavlot but occasionally such directives came directly from Orié. Meeder indicated that she conducted ongoing fundraising

tasks, such as data entry and organization of the actual political events. Meeder stated that she would input "RSVPs", and also file contribution checks. According to her, the data entry consisted of the names of individuals who contributed to the campaign. Such work occurred during the legislative workday and was done by her on the senate computer and printer.

Christa Meeder testified that the majority of the political work that she did was in 2002 and 2003; she testified that the political portion of her work amounted to about 50% of her legislative workday. Meeder acknowledged that there were numerous attempts to shield the non-legislative work from constituents.

Meeder also was tasked to pick up campaign contribution checks at the P.O. Box 516 that was kept in Ingomar, Pennsylvania. When Meeder would receive the Orié contribution checks, she would photocopy them on the district office copier, place the copies in a binder, and then give the envelopes to Jamie Pavlot. The binder was then kept in Pavlot's office in Orié's headquarters. Meeder would then drive the checks to Orié's residence on a daily basis and leave them in a bag hanging on the door of the house. Meeder also testified that she photocopied poll cards on the legislative copier and she would print 1,000 copies at a time.

Jason Davidek (hereinafter "Davidek") is another staffer who testified that he worked for Orié from May 2002 through January 2004. Davidek said that he began his employment for Orié as an intern in Natrona Heights, then became a legislative assistant, and later moved to the McKnight Road district

office. Once Davidek became a legislative assistant, his salary increased to \$24,000.

On one occasion, Davidek recalled being directed to obtain nominating petition signatures for Orié. Davidek carried out this assignment during the legislative workday while being paid as a senate staffer. Davidek further stated that he obtained signatures in the North Hills and Butler County areas with other legislative staffers, including Christa Meeder. In addition, Davidek admitted that he also assembled campaign signage during the legislative workday, as directed.

Sharon Cochran (hereinafter "Cochran"), testified that she worked for Orié from April 2001 until May 2004. Cochran initially was employed as a staff member in the Natrona Heights office and was later moved to the North Hills office when Orié no longer had that area within her district.

On one occasion, Cochran stated that she, Orié, and Christa Meeder left the legislative office to go "door knocking". At the time, Cochran made \$24,900 per year and was required to leave her legislative responsibilities for several hours when doing such political activity. In addition, Cochran stated that she made several non-legislative phone calls during the workday and was even taken to an off-site location in order to participate in a phone bank to make calls that were political in nature. Cochran testified that the orders to do these types of non-legislative acts came typically from Jamie Pavlot, but would occasionally be at the direction of Orié herself.

Johnna Kerner (hereinafter "Kerner") was a full-time legislative aide for Orié from the fall of 2004 to the fall of 2006. During late 2005, Orié asked Kerner to become involved in political work for the upcoming primary election. Kerner stated that she became involved in such non-legislative activities as: "door knocking" for Orié's nomination petition; entering and/or printing data on Orié's campaign fundraising lists; stuffing envelopes; setting up and copying nomination petitions and faxing fundraiser invitations. Kerner stated that in 2006, Orié had a campaign office in the building across McKnight Road from her district office, but she had no campaign staff at that location. According to Kerner, Orié instead used her legislative staff for those election purposes, including staffers George Dorko, Joe Smith and Jaime Pavlot.

In February 2006, Kerner stated that she and other legislative staff members were directed to conduct "door knocking" during legislative work hours. Kerner stated that she personally went "door knocking" during legislative work hours for at least one full week, a weekend, and part of a second week. Kerner recalled soliciting signatures in areas off of Babcock Boulevard, behind Orié's district office, and in the area off of Middle Road, in Allegheny County. During the week and the weekends, she was accompanied by Orié. Kerner advised that even though they had obtained many more than the required number of signatures, there was pressure by Orié staffers to acquire as many signatures as possible on those election forms that were filed.

Kerner testified that she was provided with a new senate laptop from Harrisburg, Pennsylvania, within which political and fundraising data was to

be entered. Kerner stated that Senator Orié provided her with a flash drive to use for campaign-related files. Kerner related that she was unable to connect the laptop computer to the office printer provided by the Senate, so she would transfer any file or document that needed printed to the flash drive. The flash drive would then be inserted into the legislative computer and printing was done from the legislative equipment. According to Kerner, campaign-related files, including databases for nominating petitions, yard signs and fundraising, were also transferred from the flash drive and stored on the legislative computers in an "O" drive, and access to that particular drive was given to only certain staff members. According to Kerner, the "O" drive was Orié's own private drive, which contained political and/or campaign files, including folders labeled "FR" and "FR Harrisburg". Kerner said that "FR" meant "fundraiser". She further testified that her computer access to the "O" drive was facilitated through Harrisburg, Pennsylvania, but only certain legislative staffers had access. When she left, staffer Audrey Rasmussen took over most of her duties and was given access to the "O" drive.

According to Kerner, Orié was careful to issue most campaign-related directives through Jamie Pavlot. Kerner stated that Orié often left voice-mails overnight for Pavlot in which Orié gave campaign-related directives to Pavlot. Kerner herself personally heard these voicemails, and was given permission to listen to them by Pavlot when Pavlot delegated the particular directive to Kerner; according to Kerner, Pavlot wanted to make sure that Orié's instructions were heard and completed.

Kerner also stated that Pavlot herself transcribed some instructions from Orié, especially when the directives were made over the telephone. Pavlot used steno tablets to document this information, and Kerner estimated that Pavlot would fill about one tablet per month. Pavlot would keep the older notepads behind her desk in her office.

During her testimony before this Grand Jury, Kerner identified several e-mails from Orié to Pavlot that were ultimately forwarded to her attention and directed her to include the named individual on a "host" (host committee for a fundraiser), "FR" (fundraiser) or "petition list". Kerner testified that there were separate fundraiser lists for Butler, Pittsburgh and Harrisburg.

Kerner stated that from her date of hiring through December 2005, 100% of her work was legislative in nature. However, beginning in January 2006 until her resignation in October 2006, Kerner estimated that fully 25% of her legislative work hours were dedicated to campaign activities. She further testified that during the month of February 2006 approximately 50% of her legislative work hours were dedicated to campaign activities.

In addition to the above-described testimonial evidence, the Grand Jury was also provided with numerous non-legislative documents relating to Orié's office that covered the period of 2001 through and including November 2009. A number of witnesses who brought these documents forward were, in fact, either present or former employees of the Senator's staff who stated that they kept those records because they "thought that [those documents relating to non-legislative work done on office time] might become important later". More

than one of these witnesses before this Grand Jury testified that it was their respective perception that it was "only a matter of time" until the unlawful acts being required of Orié's senatorial staffers would become public, especially in light of similar investigations that were already known to be underway regarding other officeholders within the state. Those various witnesses indicated that they wanted to protect themselves by preserving some of the non-legislative documents with which they were required to work as Orié staff members.

Certain of those documents that were brought to the Grand Jury by witnesses as "hard copies", as well as the downloaded contents of the above-described "thumb drive", comprise a record of only a portion of the non-legislative activities that actually took place in the Orié office over the past decade.

Nonetheless, these documents include: individual spreadsheets showing contributor data that contains amounts given as well as pertinent identification information of those contributors; a "Fat Cat" list showing the more affluent contributors; templates from previous events which were used, and could also later be used to generate similar copy for future political events; correspondence marked "FR"- a means for notifying a staffer to mark the person or organization as a potential target for future fundraising attempts; and even documents that had handwritten notes personally inscribed by Orié telling staffers to include on political files the name of the person that appeared on the respective writings. Even the seemingly-innocuous phrase "see me", when placed upon an e-mail or other writing, was identified by staffers as a coded method by which Orié would alert a staffer to include the named-individual or

company as one to be added to Orié's political database for future campaign and fundraising purposes. Some designations also reportedly tipped-off staffers to mark a particular person for a future contact for a "petition list", or to participate as a future circulator for Orié's election petitions.

Orié Melvin's Campaigns

Further, multiple Orié senate staffers reported working, while on the Senatorial payroll, at the directives of both Orié herself and those of her Chief of Staff in both the 2003 and 2009 judicial campaigns of Orié's sister, Joan Orié Melvin. In both of those respective years, Orié Melvin, then a Superior Court Judge, was seeking a position as a Pennsylvania Supreme Court Justice; her 2003 election bid was lost to now-Justice Max Baer, but she won the 2009 general election for the same position as Justice of the Supreme Court.

Regarding the type of activity that was done towards promoting the Orié Melvin campaigns, a number of current and/or former staffers testified.

One of Orié's staffers who talked about her involvement in the Orié Melvin campaign was Jamie Pavlot. She testified that she would receive directives for both herself and other legislative staffers from Janine Orié to conduct campaign work for Orié Melvin. Janine Orié is Orié's and Orié Melvin's sister and was at the time an employee of Orié Melvin's staff. According to Pavlot, a request from Janine Orié was to be handled as if it was a request directly from Orié herself. This Grand Jury has observed no less than 86 e-mails corroborating Janine Orié's interaction with Orié's legislative staff concerning

campaign activities on behalf of Orié Melvin's candidacy from August through and including October of 2009.

In addition, during Orié Melvin's 2003 campaign for Supreme Court, Pavlot also testified that she was instructed by Orié to make calls for Orié Melvin.

Orié staffer Pamela Wahal testified that she was required to work for Orié Melvin on Election Day in 2003 at Orié's direct instruction, and she says she received "comp" time for Orié's office as a result of doing so. Wahal testified that she was also directed by Orié to organize Orié Melvin's anticipated victory party, and visited the Pittsburgh North Marriot with Pavlot during working hours in order to plan that event.

Christa Meeder, also stated that she was responsible for obtaining signatures on documents for election purposes during regular business hours instead of doing legislative duties at Orié's district office. Meeder testified that she gathered signatures for Orié Melvin during Orié Melvin's 2003 election campaign against Max Baer for Supreme Court, a task she was directed to do by Pavlot. Pavlot gave a list to Meeder at the Orié district office and instructed Meeder as to what neighborhoods she would have to canvas. It was Meeder's contention that Orié was aware of such activity because "no one in the office ever did anything absent an order from the Senator" and saying "no" to Pavlot was the same as defying an order from Orié herself.

Meeder also testified at that time that the second floor of the La Casa Blanca building [Orié's McKnight Road district office] contained boxes, materials, and campaign signs for both Orié and Orié Melvin.

Jason Davidek, previously identified as one of Orié's staffers, testified that during Orié Melvin's 2003 campaign, he was directed to act as the judge's personal driver and "handler" during the legislative workday while he was employed by Orié. According to Davidek, he drove Orié Melvin on trips to middle and eastern Pennsylvania that included: Scranton, Hazleton, Reading, Harrisburg, and Chester County. On occasion, those trips included overnight stays. Davidek stated that he would receive a copy of Orié Melvin's itinerary by fax from Janine Orié at Orié's office. As a result of serving as Orié Melvin's driver, he had the option of either receiving additional pay or "comp" time, and he said he generally accepted the "comp" time for most of the overnight stays. According to Davidek, during Orié Melvin's 2003 campaign for Supreme Court, he participated in over twenty trips where he acted as Orié Melvin's driver. During May to November of 2003, he stated that one-third of his legislative workday was devoted to conducting political work for Orié Melvin. Davidek's legislative salary at the time was \$24,000.

Sharon Cochran, also identified previously as an Orié staffer, testified that she also was tasked to drive Orié Melvin to and from an event in Johnstown, Pennsylvania, during the 2003 judicial campaign. As a result, Cochran too received "comp" time at the Orié office; an e-mail between herself and Pavlot documenting such approval was admitted into evidence before this Grand Jury.

Cochran also recalled that Orié specifically requested that Cochran speak with her ex-husband in order to get him to organize an event with the

Steelworker's Union for Orié Melvin. Cochran stated that the event was organized and held, but apparently was not well-attended by constituents. Orié became furious with Cochran; Cochran was told by Orié that Cochran "did not try hard enough to organize" that event for Orié Melvin. Orié complained to Cochran that the event had been "a waste of Orié Melvin's time".

An e-mail was introduced into evidence before this Grand Jury that confirmed how Cochran received legislative "comp" time for attending an event for Orié Melvin; this request was approved by Pavlot.

Jamie Pavlot indicated that she began campaign work for Orié Melvin's 2009 run for the Supreme Court began in May of 2009 and included the drafting of letters, placement of yard signs, and database entry for fundraising during the legislative staffers' normal working hours; all of this was done, Pavlot said, at the direction of either Orié and Janine Orié. In addition, the legislative office printer and copy machine was used for such activities.

Pavlot also stated that she was often required by Orié to direct Dott and Acker to conduct campaign work for Orié Melvin. Pavlot would send herself, Dott, or Rasmussen to the Orié's P.O. Box 516 in Ingomar, Pennsylvania, because that is where the Orié Melvin fundraising checks were mailed. In fact, the Grand Jury saw an e-mail to Joanne Tsculas, an individual working on the 2009 Orié Melvin election campaign, from Pavlot stating that the Ingomar, Pennsylvania P.O. Box 516 was to be used for Orié Melvin's campaign/fundraising checks.

The key to the Ingomar P.O. Box 516 was kept in Pavlot's desk drawer. When Pavlot would receive the campaign-related checks, she would then have the mail delivered to Orié's personal residence. In addition, Pavlot confirmed that Dott also delivered and processed campaign-related materials to be filed for the judge.

Pavlot stated that for at least two weeks prior to Orié Melvin's election, at least one hour to two hours a day of her time were used during the legislative workday for work on the Orié Melvin election. Such political activity by Pavlot was per the direct instruction from Orié, and sometimes a directive from Janine Orié.

Pavlot stated that campaigning during the legislative workday was not an exception. In fact, Pavlot estimated that in the latter part of October 2009, 20% of Orié's legislative staff time was being used strictly for campaign activities and she said that percentage rose as high as 50% for select employees.

Other Orié staffers corroborated Pavlot's testimony. One of those was Young, who was involved in the events of October 29, 2009. Young stated that he himself did not want to become involved in campaign-related work because "he knew it was wrong". Young further indicated that it was his impression that the other staff members knew that such non-legislative work was not permitted under those circumstances.

Young testified that there was an office upstairs from Orié's district office in which campaign signs were stored. Young further stated the he personally assembled signs for short periods of time during regular office hours.

In addition, Young averred that he was aware that campaign signs for Orié Melvin were stored in Pavlot's office.

Young also stated that Dott spent at least half of his workday performing campaign work for Orié Melvin.

It was Young's belief that Dott received orders for Orié Melvin's campaign from Orié herself because he, too, often received directives from Orié. Young stated that Orié was aware that campaign work for Orié Melvin was being conducted by her legislative staff.

Young stated that a week prior to Orié Melvin's election, there was a telephone bank across the street from Orié's office, and that all legislative employees were required to work there at least twice. Young admits that he told Pavlot, Acker, and Dott that he did not want to campaign during office time. However, he also felt that the atmosphere was such in the office that if he did not participate at the phone bank the attitude of the office towards him would change.

Dott confirmed that he became integrally involved in the 2009 Orié Melvin campaign. Dott told the Grand Jury that he worked for Orié in constituent relations and made a salary of \$20,000 per year. Dott began his tenure in Orié's office in April 2009 as an intern and he moved into a full-time position in the last week of August of 2009.

According to Dott, Orié would assign campaign-related work once she believed an employee was "loyal". Dott testified that Orié was known not to separate her legislative work from political work, and there was no separate campaign team in her office. Dott admitted that he knew that such activity was

illegal, and that close to 50% of his legislative workday for two to three weeks prior to the 2009 general election was dedicated to campaign work for Orié Melvin's campaign. In addition, Dott confirmed that Pavlot herself also participated in campaign-related work during the Orié Melvin run for office. Dott also said that it was not unusual for the staff of Orié Melvin, particularly Janine Orié, to direct the Orié's staff to do campaign work for Orié Melvin. On one occasion, Janine Orié contacted Dott and instructed him to call a group of Edinboro students who wanted to participate in Orié Melvin's campaign in order to facilitate their support.

On another occasion, at the request of Pavlot, Dott says he was asked to drive Orié Melvin to an event for a candidate in Wilkes-Barre, Pennsylvania. Because this task extended beyond the workday, Dott was then allowed to come into work at Orié's district office later in the day than usually required, and he also received "comp" time for the period that he had spent carrying out this assignment.

Dott also testified that he was delegated the responsibility for picking up campaign fundraising checks for Orié Melvin during the legislative workday from Orié's P.O. Box 516 in Ingomar, Pennsylvania. After bringing the mail from that location, Dott brought the mail back to the district office and scanned the Orié Melvin checks on the senate scanner and computer, and turned the original checks over to Pavlot so they could be processed. Dott would then enter the amount of the respective checks into a database that was kept on a "thumb" or "jump" drive – a digital storage device that was provided to him for

that purpose by Orié's staff. In addition, Janine and Pavlot then requested that he write a "thank you note" to each contributor of checks to the Orié Melvin campaign.

Dott stated that he would keep Orié Melvin contribution checks at Orié's district office in his drawers and sometimes even on top of his desk. Dott stated that he retained a photocopy of one check for \$1,000 which was written from Impel-Pac to Orié Melvin's campaign; this check copy was turned over the District Attorney's Office and was ultimately introduced into evidence before the Grand Jury. According to Dott, after he was done with the checks they were then delivered to Orié's residence on a daily basis.

Dott stated that often he would receive e-mails from Orié that contained the written words "see me" which was a "code" to him that meant that the person in the e-mail was a person to list as a potential contributor for future fundraising. Dott testified that when he did receive such coded directives, he would print out the respective information and input the relevant material onto a political database that he kept on the flash drive.

Dott also says that he kept palm cards, for Orié Melvin in his desk. Dott received these hand cards from Janine herself.

Dott testified that the photocopying for Orié Melvin's campaign occurred on the senate copier at the Orié district office. Dott testified that on one occasion, he processed the Orié Melvin contribution checks on his laptop during office hours in Orié's "upstairs office" one day in the summer of 2009. Dott further noted that campaign yard signs for Orié Melvin were also assembled in

that same upstairs office. Dott explained to the Grand Jury that he never took "comp" time when he did campaign-related tasks, nor, to his knowledge, was it ever expected of him to do so.

Soon after it was learned that Orie was being investigated, Dott, at the request of Pavlot, helped remove two boxes of material from Orie's office. It was later determined by the Grand Jury that that these boxes contained various political and campaign-related materials of Orie's dating from as early as the year 2000.

Dott recalled that on the day that Rioja left the Orie office, Pavlot received a text message from Orie stating that Pavlot was to make a sign that stated "Committee to Elect Jane Orie"; that sign was to be placed on the door of the upstairs office. Also, Pavlot was directed to create pro-life hand cards for Orie and another letter to replace the letter from Orie endorsing Orie Melvin in an attempt to try to confuse Frantz. It was Dott's perception at the time that Orie "could not undo what was already done"; he also said he thought it was unlikely that Frantz would be fooled by such an endeavor.

Dott stated that the phone list that was used at the phone banks for Orie Melvin's campaign was printed from the Orie district office computer. Dott indicated that it was the perception in the office that if an employee did not participate in the phone banks that they would be on Orie's "s--t list."

Dott also testified that he and Acker were in charge of placing yard signs for Orie Melvin, and they both did so during the legislative workday.

Other Orië staffers similarly confirmed that political work for the Orië campaign was done by Orië's staff. Campbell testified that she recalled seeing magnetic political signs kept in the Orië office. Campbell confirmed that the second floor of the La Casa Blanca Building where Orië's district office was located would on occasion be used for stuffing envelopes that were political in nature.

Another Orië staffer, Rasmussen, testified that she performed political campaign work at the direction of both Orië and Pavlot beginning in the end of 2007. According to her, the political campaigning at the Orië office for Orië Melvin's most recent Supreme Court run began in June of 2009. Rasmussen asserted that both Dott and Pavlot also conducted political work and she personally observed campaign material for Orië Melvin in Orië's district office.

Rasmussen indicated that political and fundraising information for both Orië and Orië Melvin were transferred from the "S" drive that had been on the senate computer, onto a "jump drive." Rasmussen stated that she was told to remove all of the information related to political campaigning from the senate database by both Orië and Pavlot.

Rasmussen further stated that although working at the phone banks for the election was "not mandatory", she felt pressure to participate by Orië. This perception was confirmed when Rasmussen later said that she no longer wished to conduct campaign work for Orië, and found herself "lowered on the totem pole" in the office. Rasmussen felt that Orië had a bad temper and she

was afraid that if she did not participate in the phone bank that she would lose her job. Rasmussen further corroborated that she too had heard the statement expressed by at least one legislative staffer that "if people knew what they were doing [regarding politicking] they would all be in handcuffs".

Summation

The body of evidence that this Grand Jury has received makes it clear that both Orié and her sister Janine Orié, a court employee directed staffers to perform certain non-legislative work such as campaigning and political fundraising in pursuit of Orié Melvin's 2009 campaign for Justice of the Pennsylvania Supreme Court.

Furthermore, this Grand Jury has reviewed some of those files from the above-described "thumb drive" and has confirmed that, as testified to by senatorial staffers before this investigative body, the contents of that digital storage device do, in fact, contain large amounts of non-legislative data – data that directly pertains to fundraising, campaigning, and other political activities of both Orié and Orié Melvin.

Testimony and certain documentary evidence including text messages, e-mails, and other writings that was reviewed during this Grand Jury investigation make it clear that during the months leading up to the 2009 general election there appeared to be a blatant disregard, by Orié and those she designated to direct her staff, of the restrictions that the law places upon public officeholders regarding the use of their office staff for legislative purposes only.

This Grand Jury notes that the events of October 29, 2009, as initially reported by Rioja, concerned only the 2009 judicial campaign of Orié Melvin. However, after the investigation was underway, an attorney for Orié "went public" with the fact that a criminal investigation of the Senator was in progress. After that disclosure, this investigation was expanded and enhanced when a significant number of individuals came forward to investigators.

When these witnesses were brought into the Grand Jury, the investigation into the scope and extent of the illegal use of staffers in the Orié office necessarily widened.

The fact that the utilization of office personnel to perform non-legislative work persisted throughout virtually the entirety of the 2009 election cycle was of special interest to this Grand Jury because of several factors:

- Orié herself is a lawyer, as well as a state Senator;
- Orié is also a former prosecuting attorney at both the county and state levels;
- Orié's own Senatorial district office was not only geographically close to that of former Representative Habay's legislative district office, but, according to Orié's own staffers who testified before this Grand Jury, the previous Habay investigation, and ultimately the multiple convictions that he faced for using his staff for non-legislative purposes, caused those very staff members of Orié's own office to become even more apprehensive because of the apparent illegality of the non-legislative work that they themselves were being required to perform for both Orié's, and later, Orié Melvin's, political campaigns;
- Much of Orié's most recent use of her legislative staff to promote the Orié Melvin campaign

allegedly occurred after a lengthy federal investigation resulted in the March 2009 conviction of former State Senator Vincent Fumo for similar misuse of his governmental staff;

- Much of the alleged use of Orie of her legislative staff for political purposes appears to have been ongoing during a portion of the almost two and-a-half year probe by the State Attorney General known as "Bonusgate" that recently led to the adjudication of guilt of at least one high ranking member of the Pennsylvania General Assembly for similar acts of public corruption; and
- Lastly, Orie, as a Senate Majority Whip, is a member of the State Senate's Committee of Management Operations (COMO) that provides interpretation of the Financial Operating Rules of the Senate and also policy guidance for the members and employees of the Pennsylvania Senate.

Indeed, the language in the decision by the Pennsylvania Superior Court which upheld the conviction of former Representative Jeff Habay should have been both a lesson to, and a guide for all, state lawmakers and their respective staffs when it comes to utilization of legislative employees for non-legislative, politically-related purposes. The portions of the Habay opinion which was handed down by the Superior Court on October 10, 2007 – a full two years before the Orie Melvin General Election in 2009 – and which this Grand Jury finds to have confirmed the standard of permissible conduct in such cases, includes the following language:

Appellant [Habay] had fair notice and could easily predict that, in his capacity as an elected representative, he was not allowed to direct state-paid employees under his authority to conduct campaign and/or fundraising-related work, during state-paid time, for his personal benefit. Through his actions, Appellant secured a private monetary advantage for

himself because, by having state employees work for him on his campaign and/or fundraising tasks while they were being paid by the state, he obtained the benefit of free campaign work funded by the taxpayers. In this same vein, Appellant, by virtue of using state employees, did not have to spend his own money to pay workers involved in such matters. The words of the statute surely allowed Appellant to understand that such conduct was prohibited by law. He could have easily gauged his contemplated actions and predicted they were unlawful.

Commonwealth v. Habay, PA Super 2007, 934 A.2d 732, at page 738.

One of the witnesses who testified before this investigative body was, Russell Faber (hereinafter "Faber"), Chief Clerk for the Pennsylvania Senate. Faber holds a nonpartisan position that is elected by full membership of the State Senate every two years. According to Faber, he is responsible for overseeing many aspects of the administration of senate staff.

Faber testified before this Grand Jury that a committee of the Senate known as COMO is the Committee of Management Operations; this is the management committee of the Senate that provides interpretation of the Financial Operating Rules of the Senate and provides additional policy guidance for the Senate and its members and employees. Faber indicated that Senator Orié is on the committee because she is the Senate Majority Whip.

Faber then testified before this Grand Jury as to his interpretation of the Pennsylvania Ethics Act as it relates to a conflict of interest which states that a person should not engage in any activity that will provide for a private pecuniary benefit to an individual officeholder or to a sibling of an officeholder as a result of the use or authority to his or her office. Faber further indicated that the

use of senate equipment or staffers during the legislative workday for a reelection campaign would qualify as a personal pecuniary benefit.

According to Faber, COMO, the Pennsylvania Ethics Act and Financial Operating Rules of the Senate all provide a framework on what type of activities are appropriate for a senate employee. Faber indicated that the two caucuses of the Senate even provide training on these areas. In addition, Faber stated that if a senate employee would have a question about whether they could, for example, expense a certain item; they could call him directly and seek guidance. According to him, neither Orié nor her staff has ever contacted him with any such questions.

Faber also testified that the rules governing legislative vs. nonlegislative work can be found on the senate Intranet, and there is also an orientation given to new employees as to what can and cannot be lawfully done.

Faber testified that each Senator has at least one district office and the expenses for the office are paid by his office specifically. Faber further stated that a campaign office and a district office should be separate offices.

Faber indicated the following as being impermissible activities as per the aforementioned guidelines:

- A senate employee cannot receive a bonus for doing work that is personal or political in nature;
- An employee cannot receive a couple of weeks advance pay for time he did not actually work;
- An employee cannot be hired as a personal assistant to the Senator or the Senator's family members;

- Senate office equipment cannot be used during the legislative workday to further the Senator's or Senator's sibling's campaign interests;
- Senate office equipment cannot be used after the workday to further the Senator's or the Senator's sibling's campaign interests;
- Senate office supplies such as paper or postage cannot be used further the Senator's or the Senator's sibling's campaign interests;
- The Senate information database cannot be used to generate names to create campaign literature;
- A Senator cannot have legislative employees attend parades on their behalf and distribute campaign literature;
- A Senator cannot use constituent contact information for the Senator's or his or her sibling's campaign interests;
- A Senator cannot have legislative staff members during the workday draft "thank-you" notes and maintain records of political contributions; and
- A Senator cannot use an employee as a driver to transport the Senator's siblings.

The Financial Impact

The actual cost that accrued to taxpayers as a result of Orié's alleged misuse of her legislative staff – according to testimony before this Grand Jury -- depended upon what was going on politically at any particular moment in time in the Orié office: i.e., during the time frames of Orié's own runs for office in 2002 and 2006 political activity among Orié's staff was most elevated; so too was it during those times that Orié held her yearly fundraising campaigns. As evidence has shown in this investigation, the same increase in the use of the Orié staff for non-legislative work took place during Orié Melvin's two campaigns

for Justice of the Supreme Court in 2003 and 2009. Peaks of non-legislative activity occurred during those periods of time that immediately preceded both the primary and general elections.

Based upon the time periods which Orié staffers admittedly devoted to non-legislative work, the monetary loss to the Commonwealth appears to range from a low of approximately \$37,000 to a high of \$74,000. Testimony has revealed that during the most active portions of those above-described times the non-legislative work of Orié's staffers could account for up to 50%, or on some occasions, even more, of the staffers' workdays. At least three of Orié's staffers so testified to this account: Joshua Dott, Jamie Pavlot and Christa Meeder. Orié's own Chief of Staff, Jamie Pavlot, admitted that as much as 20% of legislative staff time, and sometimes as high as 50% for some individual staffers, was expended to carry out campaign activities.

It should be noted that the above monetary calculations do not encompass all of the financial benefits that accrued to Orié, Orié Melvin, or their respective campaigns throughout the years that this scheme was ongoing. The unfettered access that was available for political purposes to Orié's legislative office space, equipment, and staffers willing to do their political bidding was virtually without cost- except to the taxpayers of the Commonwealth. The actual calculation of those benefits will, unfortunately, have to be left for a later time.

This Grand Jury is aware that after the attorney for Orié made the general public aware of the existence of this investigation, a few former employees were interviewed by the media and they were reported as saying that

they had seen no evidence of any such non-legislative work being done by staff of the Orié office. It appears to this Grand Jury that the evidence it has received during this investigation makes it clear that while the intermingling of legislative and political work was most pervasive during those times when either Orié or her sister actually was involved in electioneering, or fundraising, those types of activities weren't necessarily being pursued to the same degree of intensity at all times of the year as they would have been during the actual election cycles themselves, or, for that matter, during those times of Orié's most active periods of fundraising such as the annual efforts that generally took place in late spring or early summer.

It is thus entirely conceivable to this Grand Jury that some staffers, including some short-term interns working in the fall or winter in a non-election year, may never have been exposed to the type of non-legislative efforts that were taking place at other times in the very same legislative office. And most staffers agreed that the use of the senate employees by Orié for political purposes was not necessarily something that staffers generally talked about – especially to other workers who did not have a vested interest in continuing their respective employment with Orié's district office.

A number of these same people, both current staff members as well as some who had been previously-employed by the Orié office, have testified that they were well aware of the illegality of the acts that they were being required to perform on behalf of Orié herself and, at times, those that they did on behalf of Orié's sister, Joan Orié Melvin. Nonetheless, they said that they felt

compelled to carry out the directives handed down by Orié or her designates - who included Orié's Chief of Staff Pavlot and, during the two Orié Melvin campaigns, Janine Orié - because such activities were considered to be "part of the job".

Orié staffers who testified before this Grand Jury further reported how a member of Orié's senate office staff who would challenge directives handed-down for them to perform non-legislative work while on senate time would be met with repercussions by either Orié or her Chief of Staff. In some cases such an unwillingness to cooperate in non-legislative activities by a staffer while on state paid time was perceived as "evidence of disloyalty", a transgression that in some cases led to eventual termination of employment at Orié's office.

On the other hand, those who were deemed to be "loyal" to Orié's cause would sometimes reap significant benefits - such as through in-house promotions. One other example of this was reflected in an episode that occurred in 2004 when one temporary staffer, who could not receive an increase in salary because of a state-imposed cap on intern salaries, was actually permitted to accrue at least two weeks of pay even though the staffer was not actually required to be present at the office to perform any legislative duties.

A number of witnesses have observed to this Grand Jury that Orié seemed to staff her legislative positions with people who were least likely to complain about having to perform the non-legislative tasks in which they were required to participate, specifically staffers in a one income family who could ill-

afford to lose their jobs. The Grand Jury sees this common observation that was made by a number a witnesses who testified before it as a reasonable basis for understanding the reason why it took an unpaid intern who had no vested interest in an ongoing job to come forward and report the illegal activity that apparently had been going on for such an extended period of time within the Orié legislative office.

Evidence before this investigative body made it clear that although in actuality for years members of Orié's staff were being directed to do illegal, non-legislative, political work by the Senator for herself and for others – including her sister, Judge Orié Melvin - the public persona that was portrayed by Orié projected quite the opposite picture – that is, that hers was an office that was portrayed as having scrupulously adhered to the law when it came to assigning work to her legislatively-paid staff. This projection was clearly echoed in the letter that Orié herself originally hand-wrote to be typed up and sent to the complaining intern as well as to the intern's supervisory professors at the University of Pittsburgh in response to the allegations of improprieties that had been made by that intern on October 30, 2009. Those words of Orié's in that correspondence read as follows: "At no time has any member of my staff engaged in any political activity during, or on official state working time."

As has been observed by this Grand Jury in both the documents that it has reviewed and in the testimony of at least fifteen witnesses who testified under oath as to the nature of the political work that has done literally for years in her office, Orié's words in that correspondence appear to be substantially refuted

by evidence uncovered during this inquiry. To say the least, the myriad of e-mails, text messages, and other writings, as well as the actual testimony of those staffers – past and present – who worked regularly for her, including at least one who served as a supervisor in Orié's office for over ten years, directly contradict the assertions that Orié made in that letter.

One witness before this Grand Jury made a comment that seemed to especially "hit home" to this investigative body regarding the apparent the level of hypocrisy that appears to have existed within the supervisory personnel who worked within the Orié legislative office. When asked to describe a particular piece of correspondence that was ultimately identified by the witness as one of the innumerable political "thank you" notes that the witness had been tasked to send out for Orié to a person who had contributed to the Senator's political campaign, the worker directed the attention of the Grand Jurors to the words that appear on the bottom of the letter itself; those words were, "Not paid for at taxpayer's expense." As she read these words, the witness seemed to bristle as she explained that she was the very person who prepared that document, as well as others like it – all while she did this she was on the state payroll as a staffer for the Pennsylvania Senate. The staffer lamented that the printed words at the bottom of that letter just were not true.

Among the legislative items that were also used by staffers to promote the respective political activities of both Orié and her sister, Orié Melvin, were some of a more concrete nature.

The use of the office equipment in Orié's legislative office reportedly occurred frequently according to staffers, and apparently took place for both Orié's own political purposes and for those of Orié Melvin as well. While some of the print work for both Orié and Orié Melvin was sent out to commercial printers in the area, at least five of her staff reported that Orié's legislative office printer being used for political purposes at other times. As recently as October 29th, 2009, Orié's senate-owned equipment was utilized after Orié herself directed staffers to draw up poll cards for the Orié Melvin campaign for delivery to convents and nuns in the area (some of which were assigned destinations not even in the area covered by Orié's Senatorial district).

As reflected above, on another occasion a staffer reported being directed to draw up and print 1,000 poll cards at a time for use in one of Orié's campaign. Other staffers reported the regular use of the legislative office scanner to input political and campaign-related matters into databases for both the Orié and Orié Melvin campaigns. When hard copies of the data within the files of both Orié and Orié Melvin were needed, Orié's printer or photocopier equipment was utilized to provide those hard copies. All of these things had a cost to the taxpayers; but those costs are just not readily ascertainable at this time.

In summary, the value of the investigative Grand Jury process to pursue formal inquiries into allegations of public corruption was clearly evidenced in this case. An obvious impediment to law enforcement's ability to ferret out pervasive acts of illegality by public officials can often arise in such cases, as it

actually did occur on multiple occasions during this investigation. Here, subpoenaed witness after witness – the majority of who were either past or current employees of Orié – sought the protections embodied within their respective Constitutional rights against self-incrimination.

The Grand Jury noted throughout the investigation the reluctance of several witnesses to come forward and describe what had been going on behind the closed doors of the Orié office for so many years. Had it not been for the authority of the Grand Jury Supervising Judge's ability to grant immunity to those witnesses who expressed reluctance to testify, the results of this inquiry may have been very different.

Certainly the resolution and full scope of the allegations that had been made at the initiation of this case would have taken much longer if the Grand Jury had been denied access to the witness testimony and documentary evidence that ultimately was brought forward. Had judicial immunity not been available, most of the allegations now within this Presentment would still remain hidden beneath the shroud of secrecy imposed by concerns for job security and the desire to keep the fact of participation in such illegal acts from the public view.

Clearly, this investigation has disclosed the existence of a system of abuse of the services of legislative staff members of the Orié senate office that persisted over no less than a full decade. The widespread commingling of legislative versus non-legislative duties by staff members created an atmosphere of abuse and corruption that permeated the atmosphere of that Senatorial office.

By utilizing her own staffers, Orié was able to gain a financial advantage over those of her political competitors who were required to go the open market in order to obtain staff and equipment to mount a credible campaign; the situation for Orié was obviously different due to a ready-made staff of state-paid workers that she could draw upon to take care of her political needs as the occasion arose.

Certainly what this Grand Jury has observed through the testimony and documentary evidence in this case clearly demonstrate that Orié's on-going campaign activities for years were the antithesis of political competition on a "level playing field".

CONCLUSIONS

We, the 2008 Allegheny County Investigating Grand Jury, do hereby conclude as follows:

1. That there is probable cause to believe that Senator Jane Orié committed the crimes of three (3) counts of Theft of Services-Diversion of services, specifically that (1) between 2001 through and including November, 2009 {for her own personal political fundraising and campaign work}, (2) the 2002 and 2006 election cycles, {the election campaigns of Senator Orié}, and (3) the 2003 and 2009 election cycles {for the benefit of her sister, Joan Orié Melvin's Supreme Court races}, she, having control over the disposition of services of others, namely, the services of her legislative staff, for political purposes, to which she was not entitled, knowingly diverted such services to her own benefit or to the benefit of another not entitled thereto and the services had a total value greater than \$2,000 (18 Pa.C.S.A. § 3926(b)).

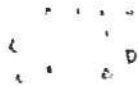
2. That there is probable cause to believe that Janine Orié, as an accomplice of Jane Orié, committed the crime of one (1) count of Theft of Services – Diversion of Services (18 PA.C.S.A. § Sec. 306(C)(1)(ii)), on diverse dates during the 2009 election cycle when she knowingly participated in the diversion of services of members of Jane Orié's legislative staff over which Senator Orié had control of the disposition of such services, in order that such staffers would conduct on legislative time political work for candidate Joan Orié Melvin when Senator Orié, Janine Orié, and Joan Orié Melvin were not entitled to

such services, such diverted services having a total value greater than \$2000 (18 Pa.C.S.A. §. 3926 (b)).

3. That there is probable cause to believe that Senator Jane Orié committed one (1) count of the crime of Criminal Conspiracy to Commit Theft of Services, specifically that between 2001 through December, 2009, with the intent of promoting or facilitating theft of services from the Commonwealth of Pennsylvania, agreed with Janine Orié, Jamie Pavlot, and legislative staffers known and unknown, to divert the services of Senator Orié's legislative staff for the personal benefit of Senator Jane Orié and/or Judge Joan Orié Melvin, neither of whom were entitled to these services. (18 Pa.C.S.A. §903).

4. That there is probable cause to believe that Janine Orié committed (1) one count of the crime of Criminal Conspiracy to Commit Theft of Services, specifically that during the 2009 election cycle with the intent of promoting or facilitating theft of services from the Commonwealth of Pennsylvania, agreed with Senator Jane Orié, Jamie Pavlot, and legislative staffers known and unknown, to divert the services of Senator Orié's legislative staff for the personal benefit of Judge Joan Orié Melvin, who was not entitled to these services. (18 Pa.C.S.A. § 903).

5. That there is probable cause to believe that Senator Jane Orié committed the crimes of (3) three counts of Tampering or Fabricating Physical Evidence, specifically that (1) between October 30, 2009 through early



November, 2009, (2) November 2, 2009 and (3) November 4, 2009 through early December, 2009, Senator Jane Orié, believing that an official investigation was about to be instituted, destroyed, concealed or removed campaign-related documents from her legislative office with the intent of impairing the availability of these documents to an investigation. (18 Pa.C.S.A. § 4910).

6. That there is probable cause to believe that Senator Jane Orié committed the crimes of three (3) counts of Conflict of Interest, specifically that during the time (1) beginning from 2001 through and including November, 2009 {for her own personal fundraising}, (2) the 2002 and 2006 election cycles, {the election campaigns of Senator Orié}, and (3) the 2003 and 2009 election cycles {for the benefit of her sister, Joan Orié Melvin's Supreme Court races}, Senator Jane Orié, a public official, engaged in conduct that constituted a conflict of interest, by using her office for the private pecuniary benefit of herself and her immediate family, specifically, her sister, Judge Joan Orié Melvin (65 Pa.C.S.A. §1103(a))

RECOMMENDATIONS

The Grand Jury therefore recommends the following charges be filed against the following:

Senator Jane Orié

- 1) Theft of Services [Diversion of Services], 18 Pa.C.S.A. § 3926(b), (3 Counts),
Felony of the Third Degree
- 2) Tampering with or Fabricating Physical Evidence, 18 Pa.C.S.A. § 4910(1)
(3 counts), Misdemeanor of the Second Degree
- 3) Criminal Conspiracy, 18 Pa.C.S.A. § 903, to commit Theft of Services,
18 Pa.C.S.A. § 3926(b), (1 count), Felony of the Third Degree
- 4) Pennsylvania Public Official and Employee Ethics Act, 65 Pa.C.S.A. § 1103(a)
(3 counts), Statutory Felony

Janine Orié

- 1) Theft of Services [Diversion of Services], 18 Pa.C.S.A. § 3926(b)
(one count), Felony of the Third Degree
- 2) Criminal Conspiracy, 18 Pa.C.S.A. § 903, to commit Theft of Services,
18 Pa.C.S.A. § 3926(b), (one count), Felony of the Third Degree

It is the further recommendation of this Grand Jury that, since the investigation into the conduct of other principals who may have been involved in these and related crimes remains unfinished at this time, as soon as practicable, a subsequent Grand Jury be empanelled to ascertain the full criminal liability of those individuals, known and unknown, who are not included within these recommendations.

4-1-10
Date

X
Foreman

Noel Nyquist

From: Noel Burch [Noel@commonwealthstrategic.com]
Sent: Friday, February 13, 2009 3:51 PM
To: 'Joan Orié Melvin'
Subject: RE:

Done.

Noel M. Burch
Commonwealth Strategic Solutions
717.234.5424 Office
717.234.5427 Fax
717-805-9790 Cell

From: Joan Orié Melvin [mailto:ljudgeonmelvin4supreme@yahoo.com]
Sent: Friday, February 13, 2009 3:50 PM
To: Noel Burch
Subject:

Noel
Email me at my personal email address

joanmelvin@yahoo.com
jane.janeone@aol.com
[\(janne\)hbborn@yahoo.com](mailto:(janne)hbborn@yahoo.com)

I don't read this email. I want this for scheduler & campaign staff. I don't always check this. My blackberry has my personal email connected. If you email me send it there where I can access it.
ThanksJOM



Re:

Subject: Re:
From: "Casey Melvin" <cmelvin@princeton.edu>
Date: Fri, 18 Sep 2009 18:45:21 +0000
To: "Jan Orié" <bbboru@yahoo.com>

Jan that is bullshit todd is just afraid to death of jane. Tracy hasn't done the job right from the start. Love you!!

From: janine Orié
Date: Fri, 18 Sep 2009 09:09:01 -0700 (PDT)
To: Casey A Melvin (cmelvin@Princeton.EDU)<cmelvin@Princeton.EDU>
Subject: Fw:

-- On Fri, 9/18/09, Noel Burch <Noel@commonwealthstrategic.com> wrote:

From: Noel Burch <Noel@commonwealthstrategic.com>
Subject:
To: "janine Orié" <bbboru@yahoo.com>
Cc: "judge orie melvin" <oriemelvin@yahoo.com>, "Mike Long" <Mike@commonwealthstrategic.com>, "toddn25@yahoo.com" <toddn25@yahoo.com>
Date: Friday, September 18, 2009, 8:27 AM

From: toddn25@yahoo.com [mailto:toddn25@yahoo.com]
Sent: Friday, September 18, 2009 11:20 AM
To: Noel Burch
Subject: Re: Sept 17

I want this sent to Janine! Janine, if u want to do some of this stuff instead of sitting on your ass lecturing, feel free to jump in and actually help....I don't appreciate this email and frankly am sick of your missives! This type of attitude doesn't help the judge and frankly does little benefit toward our combined goal of winning.....and don't respond to this email with a written response....Fell free to call me!.... but I will be damned if u will scold my staff who is working hard!

Sent from my Verizon Wireless BlackBerry

From: janine Orié [mailto:bbboru@yahoo.com]

BOARD'S
EXHIBIT

Sent: Friday, September 18, 2009 11:02 AM
To: Noel Burch; Mike Long; todd nyquest
Cc: janeorie@aol.com; judge orie melvin; joanne tsucalas
Subject: RE: Sept 17

I still believe it could have been avoided if Tracy had just forwarded the revised emailed daily schedule that Joanne sent her on Sept 15---with the updates of firms --it did not require her doing a new revised weekly schedule---This should never happen with firms---By the way, we actually sent you and Tracy a list of firms after the primary in Pittsburgh and requested that you contact them---the phone numbers were given---and this was never done in the summer--which we thought would be easier to coordinate---I do not believe it should have been Joanne apologizing and believe that Tracy owes the judge a personal apology for this error--which has not been done as yet!

--- On Fri, 9/18/09, Noel Burch <Noel@commonwealthstrategic.com> wrote:

From: Noel Burch <Noel@commonwealthstrategic.com>
Subject: RE: Sept 17
To: "Janine Orie" <bbboru@yahoo.com>
Cc: "Mike Long" <Mike@commonwealthstrategic.com>, "toddn25@yahoo.com" <toddn25@yahoo.com>
Date: Friday, September 18, 2009, 7:55 AM

Janine, it was honestly just an oversight. Joanne and Tracy are both doing separate schedules for the judge and as you know, during this last month things are getting a bit hectic.

I spoke with both Joanne and Tracy this morning and they are both going to forward their separate agendas to me so that I can meld the two together and send them to you and the Judge on the Friday before the up and coming week. We are hoping that adding a third set of eyes will help during this busy scheduling time.

Considering the number of events that are going on, I'm quite surprised there haven't been more errors! They are both doing a good job, but we will work to ensure that no events are missed in the future.

Thanks.

From: Janine Orie [mailto:bbboru@yahoo.com]
Sent: Friday, September 18, 2009 10:49 AM
To: Noel Burch
Cc: Mike Long
Subject: FW: Sept 17

How was the major error made????????????????????

Re:

--- On Thu, 9/17/09, Joanne <jct.uta@att.net> wrote:

From: Joanne <jct.uta@att.net>
Subject: FW: Sept 17
To: "Janine Orié" <bbboru@yahoo.com>, "Joan Orié Melvin" <oriemelvin@yahoo.com>, janeorie@aol.com
Date: Thursday, September 17, 2009, 4:13 PM

This is what I sent to Tracy as a final for Sept 17

From: Joanne <jct.uta@att.net>
Date: Tue, 15 Sep 2009 16:40:51 -0400
To: Tracy Kolich <tlkolich@gmail.com>
Subject: FW: Sept 17

Sept17:

9:30 am

Pepper Hamilton
One Mellon Bank Center
500 Grant Street, 50th Floor
Pittsburgh, PA 15219
POC: Richard Thomas, Esq., Managing Partner
412-454-5000

10:30 am

Jones Day
One Mellon Bank Building
500 Grant Street, 31st Floor
Pittsburgh, PA 15219
POC: Chuck Moellenberg, Esq.
412-391-3939

11:30 am

Zimmer Kunz
US Steel Tower
600 Grant Street, 33rd Floor
Pittsburgh, PA 15219
POC: Steven Perry, Esq.
412-434-5441

12:30 pm

Meeting Location:
The Terrace Room - Ground Floor
O'Brien Rulls
Omni William Pond Hotel

555 Grant Street, Suite 120
Pittsburgh, PA 15219
POC: Vito Bochicchio, Esq., Managing Partner
412-904-5206

1:30 pm

Edgar Snyder
US Steel Tower
600 Grant Street, 10th Floor
Pittsburgh, PA 15219
POC: Todd Berkey, Esq.
412-394-1000
Amy: asamarin@edgarsnyder.com

3:00 pm

Meyer Unkovic
Henry Oliver Building
535 Smithfield Street, Suite 1300
Pittsburgh, PA 15222
POC: Laurie Alderman
412-456-2854

Sept. 28

2:30 pm

Marshall Denehey
US Steel Tower
600 Grant Street, #2900
Pittsburgh, PA 15219
POC: Scott Dunlop, Esq.
412-803-1140

Subject: Fw:

From: janine Orié <bbboru@yahoo.com>

Date: Mon, 10 Aug 2009 06:38:44 -0700 (PDT)

To: janeorie@aol.com

CC: judge orie melvin <oriemelvin@yahoo.com>

Joan please email that she was working for other candaité and due to her deficiencies we were double charged for invites to pat solaro event invoice# 6081 from krick graphic 439.37 then invoice 6083 same invites 425.86 both dated may 13 addition of moran and also misspelled Eileen Melvin's name on invite to Somerset event

--- On Mon, 8/10/09, Mike Long <Mike@commonwealthstrategic.com> wrote:

From: Mike Long <Mike@commonwealthstrategic.com>

Subject:

To: "janine Orié" <bbboru@yahoo.com>

Cc: "Noel Burch" <Noel@commonwealthstrategic.com>

Date: Monday, August 10, 2009, 6:22 AM

Janine, Ms. Conley has sent me a number of emails regarding the attached. She claims here last invoice in the primary was reduced by \$2,000 when it was paid. Would you please check into this matter and let me know. Thanks.

Michael S. Long

Commonwealth Strategic Solutions

121 State Street, Harrisburg, PA 17101

mike@commonwealthstrategic.com

717-234-5424 - phone

717-234-5427 - fax

Conley Balance Due April.May Invoice.doc

Content-Description: Conley Balance Due April.May Invoice.doc

Content-Type: application/msword

Content-Encoding: base64

BOARD'S
EXHIBIT

H

Marie Conley
742 South 80th Street
Harrisburg, Pennsylvania 17111

Invoice:

To: Mike Long, Hallowell Branstetter and Long
From: Marie Conley
Date: June 9, 2009
Re: Invoice

PAST DUE
April 16, 2009 – May 15, 2009..... \$2,000.00

Total Amount Due: **\$2,000.00**

Payment due upon receipt.
Please make checks payable and send to:

Marie Conley
742 South 80th Street
Harrisburg, Pennsylvania 17111

Subject: Fw: Marie Conley
From: oriemelvin@yahoo.com
Date: Mon, 10 Aug 2009 20:10:58 +0000
To: "Jane Orie" <janeorie@aol.com>,"Jan" <Bbboru@yahoo.com>

Sent from my Verizon Wireless BlackBerry

From: Mike Long
Date: Mon, 10 Aug 2009 14:58:31 -0400
To: Joan Orie<oriemelvin@yahoo.com>; toddn25@yahoo.com<toddn25@yahoo.com>
Subject: RE: Marie Conley

Thanks, Judge. My email was not advocating for her but rather inquiring. She has constantly bugged me about it and I did not know the facts. Now I do. See you Thursday for the T.V. shoot.

From: Joan Orie [mailto:oriemelvin@yahoo.com]
Sent: Monday, August 10, 2009 2:35 PM
To: Mike Long; toddn25@yahoo.com
Cc: Jane orie; janine orie
Subject: Marie Conley

Mike,

The Primary was May 18, a mere 2 weeks of May. What was it she did in May? I remember her attending the Lancaster GOP Dinner working for Kevin Brobson in May. He wasn't paying her. She put out his handcards on all the tables while Senator Orie & my daughter put out my cards on the table. She then worked the private cocktail handing Brobson's cards to all the heavy hitters while I tried to work the room by myself. I'm furious she got paid for May.

Then there was double payment for the invitations for Pat Solano event. She had invitations printed and billed \$439.37 (invoice 6081) and then realized she made a mistake and had to have them reprinted at my expense \$425.86 (invoice 6083) because she left a principal's name (Moran) off the invitation. She did ABSOLUTELY nothing for my campaign in May with the exception of A Somerset event through mine & Jane's contact with the State Rep there. She was paid her expenses for that trip. By the way, it was truly EMBARRASSING that she misspelled Eileen Melvin's name on the invitation. Apparently she didn't catch her error on that invitation or I would have billed for her mistake on reprints of the invitation.

She made NO CONTACTS & did NOTHING for me in May. She should return her partial payment that covered to the primary on May 19th.

I complained to Todd in April and she said she was gone. That's why I had no contact with her in May. She didn't even speak to me or Jane in Lancaster. She knew she wasn't working for me.

Joan

BOARD'S
EXHIBIT
I

Subject: Re: Templeton & Walker
From: Joanne Crane Tsucalas <jct.uta@att.net>
Date: Thu, 15 Oct 2009 13:28:09 -0400
To: janine Orie <bbboru@yahoo.com>

Walker only sending \$1,000 out today to Jack's office. He said that's the best he can do.

From: janine Orie <bbboru@yahoo.com>
Date: Thu, 15 Oct 2009 07:08:28 -0700 (PDT)
To: joanne tsucalas <jct.uta@att.net>
Subject: Fw: Re: Re: Templeton & Walker

--- On Thu, 10/15/09, oriemelvin@yahoo.com <oriemelvin@yahoo.com> wrote:

From: oriemelvin@yahoo.com <oriemelvin@yahoo.com>
Subject: Re: Re: Templeton & Walker
To: "Jan" <Bbboru@yahoo.com>
Date: Thursday, October 15, 2009, 6:58 AM

I need 100,000 from templeton. That's what he gave lally green. Tell him Panella has \$1million from philly trial lawyers has \$600,000 from out of state unions. He has gay lesbian & pro choice groups. This is about majority court & future. I NEED to talk to him. Ask alan for \$25,000.

Sent from my Verizon Wireless BlackBerry

From: janine Orie <bbboru@yahoo.com>
Date: Thu, 15 Oct 2009 06:49:27 -0700 (PDT)
To: <oriemelvin@yahoo.com>
Subject: Fw: Re: Templeton & Walker

--- On Thu, 10/15/09, Joanne Crane Tsucalas <jct.uta@att.net> wrote:

From: Joanne Crane Tsucalas <jct.uta@att.net>
Subject: Re: Templeton & Walker
To: "janine Orie" <bbboru@yahoo.com>



Date: Thursday, October 15, 2009, 6:47 AM

Give me \$ amount I can shop to Templeton and Alan Walker
ie Ad to counter the 2 negatives. That's what these guys like
to do.

From: janine Orie <bbboru@yahoo.com>
Date: Thu, 15 Oct 2009 05:52:38 -0700 (PDT)
To: Joanne Crane Tsucalas <jct.uta@att.net>
Subject: Re:

please tell chris thank you for the offer but the
judge is booked thru election---
joanne we really need to find money -panella is
on tv with ads all last night ---they said he has 2
negatives scheduled for next week- ---nothing
from templeton???????????? he gave BIG to
lally-geen and the entire superior court ticket last
run---over 300, 000 each lastly NO one from
vrabanioc lsit showed last night---
--- On Wed, 10/14/09, Joanne Crane Tsucalas
<jct.uta@att.net> wrote:

From: Joanne Crane Tsucalas
<jct.uta@att.net>
Subject: Re:
To: "janine Orie"
<bbboru@yahoo.com>
Date: Wednesday, October 14, 2009,
1:51 PM

Just catching up on replies:
Spoke to Chris last Sunday and he
wanted to invite JOM to a class he
was teaching with a panel on the
Polanki extradition and new film out. It
was last minute but thought JOM as
well as the class would find it
interesting.

Last Friday sent Howden info on up
coming events he could attend.

From: janine Orié
<bbboru@yahoo.com>
Date: Fri, 9 Oct 2009
11:54:51 -0700 (PDT)
To: joanne tsucalas
<jct.uta@att.net>

can you please call chris
sepsey 724-322-1863 he
called for the judge but
she has been traveling
can you field this call
thanks

also did we ever find out
anything on dick howden
267-664-0749 remeber we
had you call him before

Subject: Re:
From: oriemelvin@yahoo.com
Date: Fri, 18 Sep 2009 15:04:00 +0000
To: "Jan" <Bbboru@yahoo.com>

Can you send letter from jane to toomey & corbett's campaigns asking for contribution

Sent from my Verizon Wireless BlackBerry

From: janine Orie
Date: Fri, 18 Sep 2009 07:53:26 -0700 (PDT)
To: Joan Orie<oriemelvin@yahoo.com>
Subject: Re:

you can then i will send a note from jane on your behalf
--- On Thu, 9/17/09, Joan Orie <oriemelvin@yahoo.com> wrote:

From: Joan Orie <oriemelvin@yahoo.com>
Subject: Re:
To: "janine Orie" <baboru@yahoo.com>
Date: Thursday, September 17, 2009, 11:47 PM

not yet do i do teamsters & ameris notes?

From: janine Orie <baboru@yahoo.com>
To: judge orie melvin <oriemelvin@yahoo.com>
Cc: "Casey A Melvin (cmelvin@Princeton.EDU)" <cmelvin@princeton.edu>
Sent: Thursday, September 17, 2009 9:29:52 AM
Subject:

did you ever get the german names/addresses



Subject: Fw: Re: 1st Annual Gun Bash
From: janine Orié <bbboru@yahoo.com>
Date: Tue, 22 Sep 2009 05:25:50 -0700 (PDT)
To: joshua dott <joshuadott@gmail.com>
CC: judge orie melvin <oriemelvin@yahoo.com>

can you make sure they get them and the sportsmen the judge will tell you where they need to go thank you

--- On Tue, 9/22/09, oriemelvin@yahoo.com <oriemelvin@yahoo.com> wrote:

From: oriemelvin@yahoo.com <oriemelvin@yahoo.com>
Subject: Re: 1st Annual Gun Bash
To: "Jan" <Bbboru@yahoo.com>
Date: Tuesday, September 22, 2009, 5:24 AM

I ordered kinko nra. Will pick up today & take to josh
Sent from my Verizon Wireless BlackBerry

From: janine Orié
Date: Tue, 22 Sep 2009 05:16:27 -0700 (PDT)
To: judge orie melvin <oriemelvin@yahoo.com>
Subject: Fw: 1st Annual Gun Bash
Joan do you have some handouts maybe can take or whoever is attending for jane

--- On Mon, 9/21/09, Jamie Pavlot <jombie1013@yahoo.com> wrote:

From: Jamie Pavlot <jombie1013@yahoo.com>
Subject: 1st Annual Gun Bash
To: "Janine Orié" <bbboru@yahoo.com>
Cc: "Joan Melvin" <oriemelvin@yahoo.com>, "Jane Orié" <janeorie@aol.com>
Date: Monday, September 21, 2009, 1:14 PM

Janine,

The Senator donated \$100.00 as a sponsor for the
McDonald Sportsmen's Association c/o
Jim Rozum, Chairman.

Their event is set for this Saturday, September 26th and I
thought Judge might want to send
about 500 poll cards so they can set them out. He claims
they will have between 500-800
attendees.

BOARD'S
EXHIBIT

They are strongly affiliated with the National Rifle Association, the Pennsylvania Rifle & Pistol Association, the National Shooting Sports Foundation, Washington County Sportsmen's and Conservation League, and a few more.

Contact:

Jim Rozum
478 Pinion Drive
Imperial, PA 15126
(412) 498-9977
james.rozum@verizon.net

Thanks,
Jamie

Subject: Re: 1st Annual Gun Bash
From: "Dott, Josh" <jdott@pasen.gov>
Date: 9/21/2009 5:34 PM
To: <oriemelvin@yahoo.com>

Ok I will take to labor union---i can drive anytime this week/ weekend as well so let me know if you need me to.

From: oriemelvin@yahoo.com
To: Dott, Josh
Sent: Mon Sep 21 17:28:25 2009
Subject: Fw: 1st Annual Gun Bash

I can drop off 800 handcards for this. I also have 2 boxes of hand cards Janine needs you to drop off at Laborers office across from Palumbo. Thanks

Sent from my Verizon Wireless BlackBerry

From: jombie1013@yahoo.com
Date: Mon, 21 Sep 2009 21:19:44 +0000
To: <oriemelvin@yahoo.com>
Subject: Re: 1st Annual Gun Bash

Yes

Sent from my Verizon Wireless BlackBerry

From: oriemelvin@yahoo.com
Date: Mon, 21 Sep 2009 21:07:54 +0000
To: Jamie Pavlot<jombie1013@yahoo.com>
Subject: Re: 1st Annual Gun Bash

Does he need more handcards?

Sent from my Verizon Wireless BlackBerry

From: jombie1013@yahoo.com
Date: Mon, 21 Sep 2009 20:18:26 +0000
To: Joan Orie<oriemelvin@yahoo.com>
Subject: Re: 1st Annual Gun Bash

I can send josh

Sent from my Verizon Wireless BlackBerry

From: Joan Orie
Date: Mon, 21 Sep 2009 13:17:32 -0700 (PDT)

BOARD'S
EXHIBIT
M

To: Jamie Pavlot <jombie1013@yahoo.com>
Subject: Re: 1st Annual Gun Bash

Who do i give them too? Will Josh be going?

From: Jamie Pavlot <jombie1013@yahoo.com>
To: Janine Orie <bbboru@yahoo.com>
Cc: Joan Melvin <oriemelvin@yahoo.com>; Jane Orie <janeorie@aol.com>
Sent: Monday, September 21, 2009 4:14:10 PM
Subject: 1st Annual Gun Bash

Janine,

The Senator donated \$100.00 as a sponsor for the McDonald Sportsmen's Association c/o

Jim Rozum, Chairman.

Their event is set for this Saturday, September 26th and I thought Judge might want to send

about 500 poll cards so they can set them out. He claims they will have between 500-800 attendees.

They are strongly affiliated with the National Rifle Association, the Pennsylvania Rifle & Pistol Association, the National Shooting Sports Foundation, Washington County Sportsmen's and Conservation League, and a few more.

Contact:

Jim Rozum

478 Pinion Drive

Imperial, PA 15126

(412) 498-9977

james.rozum@verizon.net

Thanks,

Jamie

COMMONWEALTH OF PENNSYLVANIA
COURT OF JUDICIAL DISCIPLINE

IN RE:

Joan Orié Melvin;
Justice of the Supreme Court : **5 JD 2012**
of Pennsylvania; :
: :
:

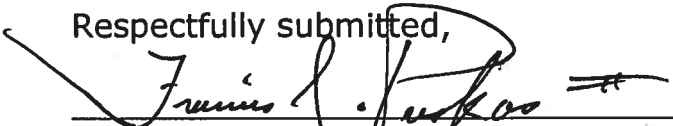
PROOF OF SERVICE

In compliance with Rule 122(D) of the Court of Judicial Discipline Rules of Procedure, on May 18, 2012, a copy of this *BOARD COMPLAINT AND PETITION FOR SUSPENSION* was sent by both email, read receipt requested, and Certified Mail to counsel for the Justice Orié Melvin, who agreed to accept service of this Board Complaint on behalf of his client:

William I. Arbuckle, III, Esquire
Mazza Law Group, P.C.
3081 Enterprise Drive, Ste. 2
State College, PA 16801-5923
Email: arbuckle@mazzalaw.com
Email Read receipt received: ___ P.M.

Certified Mail No. 71617145537302500124
Return Receipt Requested

Respectfully submitted,



DATE: May 18, 2012

BY: FRANCIS J. PUSKAS II
Deputy Chief Counsel
Pa. Supreme Court ID No. 76540

Judicial Conduct Board
601 Commonwealth Avenue, Suite 3500
P.O. Box 62525
Harrisburg, PA 17106
(717) 234-7911