

Lincoln County Casey Miller Investigation

Scope of Investigation

- Whether Commissioner Miller violated Lincoln County policy when making his Commissioner Reports at the September 18, 2024 and/or October 2, 2024 Board of Commissioners meetings.
- Allegations included:
 - Miller's actions included disclosure of confidential information related to personnel matters.
 - Miller's actions constituted bullying or disrespectful behavior towards his fellow Commissioners and/or County staff.
 - Miller's actions constituted conduct that reflected poorly on the County and/or were for personal gain.

Policies Reviewed

Lincoln County Personnel Rules Article 3: Non-Discrimination and Equal Opportunity, Subsection M: No-Bullying Policy

Lincoln County Personnel Rules Article 12: Code of Ethics and Conduct, Subsection A: Employee Expectations and Subsection B: Workplace Rules and Prohibited Conduct

Lincoln County Personnel Rules Article 12: Code of Ethics and Conduct, Subsection L: Confidentiality

Lincoln County Personnel Rules Article 12: Code of Ethics and Conduct, Subsection M: Misrepresentation

Lincoln County Personnel Rules Article 18: Personnel Files and Public Disclosure

Outline

- Witness reactions to Commissioner Miller's statement at the September 18, 2024 meeting
- How witnesses perceived/interpreted Commissioner Miller's statements at the September 18, 2024 meeting
 - Confidential information
 - Treatment of colleagues
 - Reflection on County
- How witnesses perceived/interpreted Commissioner Miller's statements at the October 2, 2024 meeting
- Commissioner Miller's response
- Findings and conclusions
- Impacts

Summary of Witness Reports

Witness reactions to Commissioner Miller's Statements at September 18 Meeting

- Witness: "From shocking to juvenile...an inappropriate use of power."
- Witness: "An ambush...stunning, disconcerting, disturbing...I saw a whole different side of him."
- Witness: "Grandstanding."
- Witness: "I don't think there was one person sitting at the desk that day that he didn't cause harm."
- Witness: "We had people in tears, and people you wouldn't imagine would do that, so it was -- what he did was brutal, thoughtless, unprofessional."
- Witness: "It was shocking to me, mostly how confusing it was. It was upsetting. He was throwing a grenade into the middle of the room."
- Witness: "It was just conspiratorial nonsense."
- Witness: "Just basically shocked."
- Witness: "I was very shocked and disappointed at the level he went to as far as a commissioner's report... it was so disappointing, disheartening."

Comments about the County Administrator

- Witness: “The discussion of an evaluation of [the County Administrator] [is] against state law relative to an evaluation that needs to go into executive session and not in public should not have even been discussed...To do that in a public forum like that is simply unacceptable and uncalled for, a violation of the public meeting laws. ”
- Witness: “There had not been, to the best of my knowledge, any conversations with the county administrator about what was going to happen. And so [Miller] shared this information in a public setting, whether it was true or not that at that time he was looking to leave, the employees had no idea. And so I personally, I was just shocked he brought it up in that setting like that.”
- Witness: “When he began talking about the evaluation and contract and the future of Mr. Johnson I was appalled. It is clear county policy that you don’t discuss the status of someone’s employment in a public setting.”
- Witness: “People were coming asking if Tim was leaving. Some of my staff were very distraught. I asked Tim, ‘are you leaving?’ He went into all of the reasons he had leverage over the County if they were to ask him to leave.”
- Witness: “The fact that the administrator isn’t pressing charges is amazing, because he could.”
- Witness: “The County administrator’s evaluation and insinuating that he was on his way out the door. I felt really sorry for Tim, but that seemed really unfair to him.”

Comments about Fellow Commissioners

- Witness: “He was throwing [the other commissioners] under the bus with no evidence...”
- Witness: “He thinks that as chair he has power to make rules over the other commissioners; he doesn’t understand that he is one of three.”
- Witness: “There were a lot of parts that I thought were terrible, asking questions he knows the other commissioners can’t answer, but are essentially accusations without any ability for the commissioners to defend themselves.”
- Witness: “[Miller] was accusing [the other Commissioners] of what perhaps he had been involved in because he was involved in the deflection meetings and they were supposed to have minutes and be public and they didn’t meet either of those things and that’s what he accused the commissioners of doing. The old ‘accuse somebody of what you’re doing’ kind of problem.”
- Witness: “It felt like it was manufactured to call people out. The same stuff seemed to be manufactured and created the last election cycle right before an election, to make it seem like the Board of Commissioners wasn’t doing their job.”

Perceived Reflections on the County

- Witness: “If staff inside the office leave, which I think is probable -- some are looking for other jobs -- I think about how difficult to be to rehire those positions. The people who we would want to recruit would do their homework, watch the meetings. Why would they want to come work for that person? So there’s an impact to the organization as well as to individuals.”
- Witness: “[It reflected] poorly. I think it made some people believe that there was great chaos in our office which I fundamentally reject.”
- Witness: “The people who communicated with me expressed embarrassment, maybe a little shame, that [] this act is sort of causing the County’s star to fall in the minds of the public; that his actions were diminishing.”
- Witness: “I feel like the trust level in our County has gone down. It was not that high to begin with. It took years to build it to where it was and they just made everyone feel like we’re hiding things and that’s absolutely not the case.”
- Witness: “It was very us against them...that’s not the way you conduct business. It was like airing dirty laundry, almost like he was feeding that conspiracy, whether he meant to or not.”
- Witness: “If you’re familiar with the subject matter, you may have gleaned something from it. But from the public, they won’t understand any of the subject matter. He piled situation on situation and it’s just perceived dysfunction...The statement itself was all inappropriate. He should know the effect it would have on a government agency trying to perform its duties. If people don’t trust us, we can’t do our jobs.”
- Witness: “Without warning, Casey [Miller] now basically takes the public meeting and turned it into a political spectacle was so jarring for some of us. The reason I came here was we don’t do stuff like that, not that kind of ‘gotcha’ in public, airing dirty laundry...We’re trying to hire finance director, I hope they don’t look at the tape. And we could see of our better employees if they sense the County is dysfunctional drunken cowboys fighting in the street they aren’t going to come here and they aren’t going to stay.”

Witness reactions to Commissioner Miller's Statements at October 2 Meeting

- Witness: "In the October meeting, [Miller] was bringing up this complaint, an employment issue, and it should not be talked about."
- Witness: "At the subsequent board meeting in his report, he started talking about his own situation and I believe the attorney and Commissioner Jacobson and I all recoiled in disbelief in what he was saying because some of the things potentially could have pointed at who the complainants came from."
- Witness: "The next meeting, the first meeting in October, and he tried to have a discussion about what was done at the previous setting and the rest of the commissioners and legal counsel would have nothing to do with it."
- [REDACTED]
- Witness: "He tried to do it a second time at the next meeting, talking about the fact that he was being investigated. Kristin [Yuille] tried to redirect him and say it was confidential and he would not stop."
- Witness: "At the next meeting during the report section, again, he started talking about stuff. He just did it again."
- Witness: "In the October 2nd meeting, he did it again. That was much more upsetting to me. He gave a report that had no place in a public meeting. He brought up confidential personnel information, some of his, and that was where it was not organized well."
- Witness: "He was spewing confidential information and talking about this – more trauma for me – telling the whole world this happened. He told paper he thinks it's someone who feels like their work was being criticized; only two staff members were at table [REDACTED] and we've had one or two crazy people come and specifically asked who filed the complaint – members of the community."
- Witness: "At the next BOC meeting in commissioner report, he's like 'hold onto you seats,' preparing for us again for what he was going to talk about and he started talking about personnel matters; he brought up that he was being investigated. It just made me upset because I didn't understand why he was doing that."

Findings and Conclusions

Themes and Observations

- Significant gap between Commissioner Miller's expressed intent versus how he was perceived
- Commissioner Miller's continued lack of understanding of why his actions were problematic
- Witness impacts are significant and real
- Ongoing trust issues

Finding # 1

Commissioner Miller violated Lincoln County Personnel Rules, Article 12, Section B.4 and Section L by disclosing confidential employee information concerning County Administrator Tim Johnson and discussing employee complaints against him.

- Commissioner Miller publicly discussed Administrator Johnson's medical leave and potential departure from position—topics that should have been handled confidentially in executive session and are exempt from public disclosure under Article 18 of the County Personnel Rules.
- He acknowledged in his interview that these details should not have been aired in a public forum. His prior request for an executive session further underscores that he knew the appropriate mechanism for addressing sensitive employment matters.
- Commissioner Miller further violated County policy by seeking to discuss employee complaints against him during the Oct. 2 board meeting. His belief that no violation occurred because the identity of the complainant(s) remained confidential and anonymous is not consistent with County policy. Further, his public remarks are potentially intimidating and threatening and could have interfered with an ongoing investigation.
- While not necessarily intentional (which is not required), the disclosure of confidential employee information is a clear policy breach and reveals a critical lapse in judgment and reasonable care that may have adverse implication for the County's credibility and erode trust among staff.

Finding # 2

Commissioner Miller did not engage in prohibited bullying or disrespectful conduct under the County Personnel Rules.

- Commissioner's remarks at the end of his Sept. 18 Commissioner Report about including his report in the meeting packet was a single, offhand statement—not a repeated or targeted pattern.
- Commissioner Miller stated that his remarks were aimed at ensuring the record was complete and he did not intend to accuse staff of misconduct or wrongdoing. He acknowledged and understood how his comments could be hurtful and interpreted that ██████████ was not doing her job properly.
- The County rules define “bullying” as repeated, intentional intimidation causing risk to health or safety. The evidence does not meet that threshold.
- Upon learning that ██████████ felt upset, Commissioner Miller promptly apologized to her via text, suggesting no intent to harm. ██████████ separately texted Commissioner Miller that he did not feel offended or intentionally targeted by the Commissioner's remarks, which he also shared in his interview.
- Commissioner Miller has no known record or history of bullying or disrespectful conduct; multiple witnesses consistently stated that his conduct at the Sept. 18 board meeting was out of character.
- While we find that ██████████ genuinely felt disrespected, Commissioner Miller's statements—though potentially thoughtless and poorly phrased—do not constitute bullying or harassment under the County's policy standards.
- During the public comment portion of the Sept. 18 board meeting, Commissioner Miller raised his voice to County Counsel asserting that he would allow additional time for Judge Bachart's testimony. While we find that he could have expressed himself in a more courteous manner, we do not find his remarks to be sufficiently disrespectful to give rise to a violation of County policies.

Finding # 3

Commissioner Miller likely violated County Personnel Rules against discrediting the County and acting against the County's best interests.

- County Personnel Rules require employees, including elected officials, to act in the best interests of Lincoln County and prohibits conduct that interferes with operations or discredits the County.
- Commissioner Miller raised concerns about possible serial meetings, public meeting law violations by staff and fellow Commissioners, and flaws in evaluation process for County Administrator in a public forum, portraying the County as disorganized, dysfunctional, and engaging in potential misconduct.
- Some of his concerns appear to be genuine based on evidence of prior emails related to compliance with public meeting laws, and he may have sincerely believed that a public forum was the only viable option for a full discussion to address the issues raised. But his decision to publicly air multiple sensitive topics in this manner discredited the County, which were further amplified by subsequent media coverage.
- Commissioner Miller stated that he was frustrated that the deflection program was removed from the Sept. 18 meeting agenda, and that this frustration contributed to his decision to make his report. We find that this decision without first exploring other potential avenues, such as formally requesting a work session or executive session or scheduling these items on a meeting agenda in advance, was not reasonable, especially in light of the fact that he provided advance notice of his report to the County Sheriff and DA but not his fellow commissioners or staff.

Finding # 3 (continued)

- The Sept. 18 board meeting drew an unusually large audience, including supporters of the Sheriff and DA's deflection model and an opponent in a highly-contested election against Commissioner Hall, raising suspicions of political motivations that were not necessarily in the best interests of the County.
- Commissioner Miller maintains he had no intention of influencing the election or orchestrating any political advantage to Rick Beasley. However, we do not find it credible that Commissioner Miller was unaware of the potential political impacts of his report, which were obvious and foreseeable. Notably, Commissioner Miller stated that he could not recall, but did not deny, whether Rick Beasley thanked him for his statements following his report, as other witnesses recounted.
- Further, Commissioner Miller did not raise similar potential meeting-law issues related to the deflection subcommittee on which he also served with the Sheriff and DA, focusing instead on perceived violations by Commissioners Hall and Jacobson. He also chose not to discuss the DA's statement that she would not participate in deflection if the program was not placed in her office, because he did not perceive it as a "real threat"—which we do not find credible.
- Acknowledged that his report could potentially reflect poorly on the County to some, although it might not to others. On reflection, Commissioner Miller would not change the substance or content of his report but may have changed the volume of what he put into a single report.
- Ultimately, even if some of his concerns were valid, the method and forum used to communicate them were arguably detrimental to the County's reputation and image. While there is no direct evidence of malicious intent, the report does appear to have been motivated at least in part by political interests; and in any event, intent is not a necessary element under the applicable County Personnel Rules.



Impacts

Impacts of Commissioner Miller's Actions

- Witness: "The office has been really impacted by this. The team we had on September 17 is not the team we have now. [Crying] It's like 'trauma,' and I don't use that term lightly. People are really traumatized...It wasn't just the people at the dais, it was the people in the audience, other management team members, people in offices, not at the meeting, that really felt bullied, that felt like Casey [Miller] is unsafe. They don't want to meet with him. I've had many conversations about I don't want to meet with this person."
- Witness: "The concern that staff has expressed to me, this is not just Board of Commissioners staff or County administration staff, even department heads are saying, 'I don't know if I can trust this individual? He may throw me under the bus,' and they're scared to death of that, so there are others who don't even want to be in a meeting with him."
- Witness: "I think for some it is irreparable; maybe for a lot, it's irreparable. That being said, I also think that I'm thinking of directors who have made comments to me. Most are professional and could continue to work with the individual but I think it would be difficult; but I also realize that he's an elected official and we don't get to just say this isn't working."
- Witness: "For me, I don't trust one of my commissioners, and I am saddened that even though he worked in the County for so many years, he did not seem to understand. This is just bad for the County to do something like this...This whole process has created enough of a disruption that I have just exited the conversation. That's an impact. We're just not going to be part of this discord."
- Witness: "For Casey [Miller] to act the way he did to county employees, I've never been fearful of my position, but I felt unsafe as well. I have relationships with commissioners. I've felt really confident in where I stand in Lincoln County. But after the meeting, I walked away thinking I'm nobody. And they don't understand me at all...People contacted me thinking I was still in that role with complaints and questions and a lot of fear. One person said, "it felt like we were going through a divorce and we were the kids of the divorce and watching our parents fight it out." It made people really uncomfortable and fearful for their positions. I was more floored and upset for the people that were sitting up there. The situation itself is pretty mind blowing."
- Witness: "He blew up the office. He blew us apart. Before this event everybody came to work with joy. It was a perfect place to work, including our fearless leader who can be a little weird at times. It was someplace that wasn't like I don't want to go to work or I want to call in sick. We work well together. We really are an office family with everything that means. He really hurt people in that attack."
- Witness: "It made me feel really insecure. Since I've been in the job I've been pretty supremely confident. For part of the period, home wasn't a safe place and the office was pretty special and that safety and motivation to be there has been disturbed."
- Witness: "I can only describe it as traumatic for some people and it had a ripple effect through the workplace. A lot of employees watched that video because they heard about it. It reinforced the trauma of it in a way."
- Witness: "He's made me physically ill. He's jeopardized my income. I feel unsafe with him."
- Witness: "It just brought me back into environment [that was] very toxic...When this happened, he publicly put staff and the people he works with down, thinking he's being transparent. It just brought me back to that place and seeing people coming from the meeting crying and headed to the bathroom, watching people leave for day. The office basically emptied out. It took me to a place where I didn't want to be. I didn't want to be in a hostile work environment, where you can't say anything."
- Witness: "That's why it hurt me so badly to think what I had fancied to be an oasis from that kind of thing is now we're there. So I think there's, to use word permanent damage might be overstated – all of a sudden our collaborative nature was blown up in knife fight in a public setting during a meeting, a calculated political takedown, oh, wow, and how do we undo that? How do you un-ring the bell?"