

**Arizona Department of Administration – Human Resources Division**

**CONFIDENTIAL  
ADMINISTRATIVE INQUIRY  
SUMMARY REPORT**

**Agency Name:**

Arizona Department of Gaming

**Agency Contact & Phone:**

Daniel Bergin – Director  
602-255-3886

**Complainant Name:** Anonymous Letter

**Date Received:** 3/23/16

**SUMMARY COMPLAINT**

On March 22, 2016 an anonymous complaint was received by the Governor's Office and the Arizona Department of Administration's Director's office. The complaint alleged mismanagement of the Department of Gaming at the executive level, hostile working conditions, intimidation and bullying from agency executives and failure of the agency to fulfill its duty to protect the public and adequately regulate the casino industry in the state of Arizona. Additionally, the complaint alleges that agreements outlined in the Tribal-State Compact Fund and Problem Gambling Lottery was being violated. The complaint also states that the culture of the agency is that of a "frat party" and that agency leaders are bullies and engage in intimidation and sexual harassment. The complainants identified themselves only as "Concerned Employees."

**Lead Investigator:** Jan Plank

**Title:** Chief Human Resources Officer – Shared Services

**Phone:** 602-364-0126

**WITNESSES**

13 current Department of Gaming employees and five former Gaming employees who have transferred to other state agencies were interviewed as a part of this inquiry. 11 witnesses expressed significant fear of retaliation or potential damage to their careers here at the state due to the nature of the allegations, so specific witness names will not be documented in this report.

**SUMMARY FINDINGS**

- 13 witnesses described the culture at the agency to be unprofessional, a "frat party" environment, or a "three-ring circus." Multiple examples of inappropriate joking, rampant cussing, including the use of the "F" word in regular business conversations and meetings, and arrogance and abuse of authority by senior leadership team members were cited.
- Substantiated was the fact that John Briney, the Deputy Director, and Eric Sloan, the Chief of Public Policy and External Affairs, participate in these activities. Mr. Briney stated he believes in creating a work environment that is "fun" for

employees. Mr. Briney and Mr. Sloan both stated "everyone" cusses at the agency.

- Mr. Briney expressed disappointment that staff had not confronted him directly with these allegations. Mr. Sloan indicated that his ethics are "situational" and that his behavior "fits" the environment at the agency. He did not acknowledge that he, and others leaders, had a responsibility to be role models and mentors to junior staff and create an environment of professionalism as the highest paid executives at the agency. Mr. Sloan became somewhat argumentative and emphasized that everyone uses "colorful" language at the agency and he saw nothing wrong with it. He did state, however, that if I "showed him a policy" or he was told not to do it he would stop.
- 11 witnesses stated that Mr. Briney was the instigator of several sexually related jokes, one where Mr. Briney brought in Asian food for the staff and then asked them to add the phrase "in bed" while going around the table and reading aloud fortunes from the fortune cookies. Although Mr. Briney could not specifically recall this incident or several others, he did acknowledge that this "maybe happened."
- Substantiated was that in 2014 Mr. Briney told a former female staff member he had dreamt about her, they were in bed together and they were "doing it." Another former employee, now working at another state agency, stated this also happened to her. One of the staff members indicated Mr. Briney made a gesture with his hands to mimic the sexual act when he was relaying his dream to her. Mr. Briney did admit saying this to one employee but did not remember making the hand gesture. He also admitted this was very poor judgment on his part and he regretted it.
- Mr. Sloan recently had two complaints filed against him by current employees for "singing" in the workplace. Mr. Sloan acknowledged that he was singing in the workplace on a regular basis, but since the complaints were filed, he has ceased. One complaint, filed by an African-American employee, involved Mr. Sloan singing the song, "Swing Low, Sweet Chariot" as Mr. Sloan walked by the employee's desk. Mr. Sloan acknowledged doing this but could not in any way understand that this may be a culturally sensitive issue. Mr. Sloan stated that he mostly sings songs such as, "A Closer Walk with Thee," a religious hymn, or country western songs, although Mr. Briney recalls hearing Mr. Sloan singing "Hey There - You with the Stars in Your Eyes." Unsubstantiated was the claim that Mr. Sloan and [REDACTED] for the agency, were heard singing a rap song with lyrics related to oral sex.
- Mr. Sloan acknowledged allegations that he had yelled out of his office words like, "Kotterman, get over here" instead of getting up and going into the office of Chris Kotterman, his direct report, which witnesses said contributed to the "frat party" environment they described.
- Substantiated was the allegation that Mr. Sloan said, "Who can we fire today?" while joking around outside of his office.
- Mr. Sloan indicated that he focuses on interacting with "the executives" and that he was put forth by the Governor's Office, although Director Bergin had hired

him. He acknowledged that he had never supervised staff prior to this role, except "in his own business."

- Two witnesses indicated they heard John Briney, Eric Sloan and [REDACTED] laugh about an employee with [REDACTED] in his office and suggest he "gaslight" them, which is a form of mental abuse designed to confuse the victim into thinking they are going crazy. Mr. Briney suggested he "mess with the employee's desk" to create this reaction for the employee. Mr. Briney also said he vaguely remembered the incident but that it was a joke. He said he did not use the term "gaslight." The employee who was the brunt of the joke was outside Mr. Briney's office and overheard the comments and laughing, but stated she "considered the source."
- Several witnesses described a "fixation" that Mr. Briney had for a [REDACTED] at the agency. The [REDACTED] described Mr. Briney as "stalking" her. Both the employee and Mr. Briney stated they were "work friends," but the employee indicated that Mr. Briney wanted more than that. Mr. Briney acknowledged that he had placed a note on the employee's windshield and that he would go into her office on regular occasions and cry about personal issues he was having. The employee stated that her decision to [REDACTED] was heavily influenced by the extreme discomfort she had about Mr. Briney. This employee, as well as the other two who alleged Mr. Briney shared his dreams with them, indicated that they were ashamed, embarrassed and scared to come forward because of Mr. Briney's role in the organization and their need to support themselves financially.
- Three current staff indicated that they had made Director Bergin aware of Mr. Sloan's and Mr. Briney's behaviors over the past six months. Staff indicated that the Director had apparently talked with Mr. Sloan very recently because Mr. Sloan has "toned it down" of late. Mr. Briney stated that a short time ago he came to the conclusion that leadership should "come to work and be quiet professionals."
- Numerous examples of demeaning behaviors, including yelling and intimidating actions, were shared from employees describing Mr. Sloan's and Mr. Briney's behaviors. Three direct reports of these leaders stated they are extremely "terrified" of losing their jobs and being retaliated against. One staff member said she "sits in her car for about 10 minutes each morning, 'willing herself to come in' and gather the courage she needs to face her supervisor," Mr. Sloan.
- Allegations related to the reduced spending on regulatory and inspection activities and failure on the part of the agency to fulfill their obligations to the public and the tribes are outside the expertise and purview of this investigation and should be evaluated independently by a qualified source. Consultation with the General Accounting Office resulted in a recommendation that the Auditor General's office review the current practices and legal agreements in place for the Department. Many staff believe the cutbacks, blamed on LEAN, "hoarding" of funds and current staffing levels, which have gone from approximately 130 to 104 in the past year, has compromised the agency and they are not delivering the service to their customers and the public that is statutorily required.

**REMEDIES**

Mr. Briney and Mr. Sloan were involuntarily separated from the agency on April 13, 2016. Agency-wide training on Preventing a Hostile Work Environment will be conducted. The Arizona Department of Administration Shared Services team will work closely with agency leadership on any personnel actions involving witnesses in this investigation.

<b>Prepared by:</b>	<b>Jan M. Plank</b>	<b>Date: April 13, 2016</b>
<b>Title:</b>	<b>Chief Human Resources Officer – Shared Services</b>	
<b>Reviewed by:</b>	<b>Nancy Gomez</b>	<b>Date: April 14, 2016</b>
<b>Title:</b>	<b>Deputy Director – Human Resources Operations</b>	

**From:** Concerned Employees <[concernedemployees.adog@gmail.com](mailto:concernedemployees.adog@gmail.com)>

**Date:** March 22, 2016 at 7:24:03 PM MST

**To:** [craig.brown@azdoa.gov](mailto:craig.brown@azdoa.gov), [heather.ryan@azdoa.gov](mailto:heather.ryan@azdoa.gov)

**Subject:** Concerns regarding issues at the Department of Gaming

The Honorable Governor Ducey;

This letter contains disturbing information compiled from several current employees of the Arizona Department of Gaming, as well as comments made from former employees while compiling this letter, who are under intimidation and fear of retaliation. We have finally garnered the courage to speak out, be it anonymously. We ask that our voice be heard, and expect quick action instead of bureaucracy. If not, we will take our concerns to the press. Due to some of the conditions to be mentioned in this letter, numerous employees have left or are planning on leaving the agency. We hope we can rely on you to look into this situation as it is quickly getting out of hand.

With this letter, we hope to bring light to several issues; mismanagement at the executive level, hostile working conditions, intimidation and bullying at the executive level, low employee morale, and high employee turnover. All of these can be verified by obtaining the appropriate documents.

First and foremost, our agency's executive leaders are violating their lawful duty to protect the public and to regulate the casino industry. Under proposition 202 passed by the voters in 2002, tribally-owned casinos are required to pay \$8 million a year to fund the agency's regulatory activities. They also pay money to the agency for gambling addiction programs and to provide treatment to people with gambling addictions. The funds received are to be used to regulate the casinos, conduct background investigations of casino employees and vendors, slot machine inspections, as well as other regulatory duties. Unknown to the Arizona tribes, Director Dan Bergin and Deputy Director John Briney are intentionally hoarding millions of dollars that the tribes pay the agency for casino regulatory activities. Evidence of this can be found by looking at their reduced spending on regulation and their growing fund balances, of which there are several (AZ Benefits Fund, Tribal-State Compact Fund, Problem Gambling Lottery). However, none of the money the agency receives is from the general fund, but instead is specifically earmarked. Therefore, any money not spent does not save the tax payers any money. The intention Director Dan Bergin and Deputy Director John Briney have for this scale down are for their own personal agenda; to show the Governor's office how efficient and lean they operate the agency so they can receive recognition and career advancement or personal financial gain. However, by doing so, they are forsaking the mission of the agency; "To protect the public, ensure compliance with the Arizona Tribal State Gaming Compacts and regulate the gaming industry." Their personal agendas have resulted in several scale downs that you can verify. Over the past year, they have reduced the number of slot machine inspections; they are reducing the number of casino visits made by agents, auditors, and others; scaling back on critical work performed by regulatory employees; and have slashed the regulatory steps taken to conduct background investigations of casino vendors and have reduced those employees by more than half. A recent item that we find concerning is that Briney has given himself the ability to not only approve payment of invoices, he now has the rights to purchase as well. This seems to go against any generally accepted accounting principles. Where are the checks and balances?

They justify their actions to the employees as part of the "Lean Initiative" as well as the State's hiring freeze. Neither of these are supposed to be used for eliminating mission-critical positions or scaling back regulation or programs. When the hiring freeze was implemented last year, Bergin and Briney used this as an opportunity to reduce the number of employees in positions which are critical to protecting the public and regulating the casinos, as well as administrative positions. It is obvious to most employees that Briney targets certain employees he doesn't like personally and berates them in order to make them so uncomfortable they seek positions elsewhere. The positions are usually not filled. In the rare case that a position is filled, close friends of Briney get appointed to that position. Gone are the days of posting job openings, conducting interviews and giving current employees an opportunity for the promotion. They are using the appointment process to provide raises and promotions to people from their inner circle. You can find evidence of these management practices by looking at all the appointments, promotions, raises, transfers and hires over the last year (as recently as last week). If a request were made for all the organization charts over the past year (if they were ever completed), you would be able to verify these claims. And even when they tell the employees that there is a "hiring freeze" Director Bergin promoted John Briney to Deputy Director, even though Rudy Casillas currently holds a Deputy Director position. During the so called "hiring freeze" numerous employees (in the elite circle) have received promotions, again, as recently as last week. Please note that the Organizational Chart on our website is not accurate or up to date; it still indicates that John Briney is Assistant Deputy Director and does not reflect the personnel changes.

Many employees have noted that they are unable to get a timely response from Deputy Director Briney when he is out of the office (which is often) even though they email, text and leave voice messages indicating they had an urgent matter and needed to speak with him. It is not uncommon for Briney to be in the office for only four or five hours a day. In addition, Deputy Director Briney was arrested for an aggravated DUI about a year ago and the only reason he did not receive any type of punishment is due to the fact the arresting officer was killed in the line of duty, trying to protect others from DUI drivers. Briney bragged about the fact that he would receive no consequence for his actions and considered the fact that an officer lost his life as his good fortune.

Numerous and unnecessary construction build outs have taken place over the past year and a half. Funds are being used on this while telling all the employees that the "Governor wants us to practice the Lean Initiative" as an excuse when not filling necessary positions.

When the previous Public Affairs Manager left the agency, Eric Sloan was hired. One of the first things he insisted upon was that his title be changed to "Chief of Public Policy & External Affairs." His presence has the entire agency in fear of their jobs. He constantly intimidates people and is a bully to those that are beneath him. He made it known on his first day at the agency that the "Governor himself" wanted him here and that he enjoyed terminating positions. He has made numerous comments in front of staff or heard by staff "Who are we going to fire today," or "If there is no room for my files then you need to fire someone so there is room." This particular comment was made in front of the cube left vacant by a 10 year employee that they "leaned" out (we'd like to note that this employee that they terminated in the name of "lean" was extremely overweight and not very attractive, did this have something to do with her termination?). This was heard by several employees already upset about her termination. This was nothing more than a fear tactic. Even though the rest of the employees at

the agency have had to scale down due to the "Lean Initiative," Eric Sloan demanded and received the latest Surface Pro tablet even though he was assigned an iPad. The iPhone he received was not up to his standards and he demanded and received the newest iPhone on the market. He also demanded and received a new iPad (the one originally assigned to him was not sufficient), even though he had already received the Surface Pro tablet, which is functionally the same as an iPad. How is this lean? In addition, he required the Executive Administrative Assistant (who has recently quit due in part to the conditions listed in this letter) to create folders for all the legislative bills he printed out (hence the threat listed above). Again, how is this lean, especially when the rest of the agency is being told to reduce paper and eliminate unnecessary tasks?

Upon his hire, Eric Sloan also insisted he needed an assistant. His position has never needed an assistant and in fact, the previous Public Affairs Manager often made comments about being bored when the Legislation was not in session. The new hire, Christopher Kotterman was hired as the Senior Policy Advisor. Please note again, this position has never been needed before; in fact comments have been made by John Briney indicating they should have Kotterman answer phones at the front desk when the receptionist is away since he doesn't have anything to do. We are an agency of just over 100 employees and are a small agency (in the greater scheme of Arizona agencies) and now our executive staff is extremely top heavy. Kotterman and Sloan frequently speak inappropriately even though they are well aware that there are employees nearby that can hear them. A formal complaint was recently made regarding one of these events.

Deputy Director Briney and Eric Sloan continuously intimidate employees, speak often and openly about firing employees, are frequently inappropriate creating what employees refer to as a "frat party" environment. Inappropriate jokes or comments of sexual and racial nature, employee intimidation, complete lack of professionalism, all of this has created an extremely hostile and fearful work environment and employee morale is at an all-time low. Director Bergin is not only well aware of this behavior, he contributes to it. Numerous employees have left the agency and there are many looking elsewhere for new positions, being too intimidated and afraid to speak their concerns to the Director. Any time an employee does try to have a conversation with Director Bergin, Sloan interrupts making it nearly impossible to have a private conversation with Director Bergin. John Briney and Eric Sloan intentionally shut out Rudy Casillas and diminish his authority.

We, the concerned current and former employees, respectfully ask that you look into the allegations made here. There is so much more we could include but we hope the items listed here have gotten your attention and you deem it important enough to investigate. We also ask that discretion is used when addressing these issues as some of them point directly to specific employees and we do not wish to have anyone lose their jobs due to this letter. We recognize that some of the allegations are based on what has been overheard throughout the agency and some of these, taken by themselves, may not warrant an investigation; however, when looking at the pattern you can see the abuse is on a level requiring attention. We feel there is an immediate need for action on the part of the Governor's office. We have copied this letter to Craig Brown at ADOA and currently have a letter waiting to be emailed to New Times and The Arizona Republic in the event that our concerns are not addressed as we are sure the fact that the agency is not spending the money received by the tribes to properly regulate the casinos would be an item they would be interested in reporting to the citizens of Arizona that rely on the Department

of Gaming to regulate the casinos; not to mention the effect this information would have on the tribes themselves.

With much respect,

Concerned Employees

Cc: Craig Brown, Director ADOA



**ARIZONA DEPARTMENT OF ADMINISTRATION  
COMPLAINT REVIEW-ARIZONA DEPT. OF GAMING  
COMPLAINANT: Anonymous Letter  
EMPLOYEE INTERVIEW FORM  
CONFIDENTIAL**

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**EMPLOYEE NAME: ERIC SLOAN**

**DATE: 4/7/16**

The Arizona Department of Administration, Human Resources Division, is conducting an administrative review looking into a complaint that has been submitted to the Governor's office and ADOA. You are required to keep our interview confidential and not discuss it with anyone. You are also required to be truthful in all of your responses. Our department does not tolerate retaliation against anyone who participates in any investigation. If you feel you have been retaliated against for your participation, please contact the lead investigator, Jan Plank, 602-364-0126 to report your complaint.

**Interview Questions:**

For the record, please state your name:

Are you recording our interview today? *(Please be advised this is against ADOA policy and lack of disclosure may be grounds for discipline)*

What is your current job title? How long have you held this position? How long have you been with the Dept. of Gaming?

Have you worked for other state agencies? If so, what were your roles and the dates of those assignments?

Are you a supervisor? If so, how many staff do you supervise and what are their positions?

Previous to this assignment, have you ever been a supervisor?

Have you taken the required Supervisor Academy courses that all state supervisors must complete? If so, when?

Did you ever state to anyone at the agency that the "Governor himself" wanted you at Gaming? If not, what did you say about your assignment and your relationship with the Governor's Office?

Numerous witnesses report hearing you say, "If there is no room for my files then you need to fire someone so there is room,?" When, where and who was present when you said this?

Numerous witnesses also heard you pose the question "Who are we going to fire today?" in casual conversation. Why did you say that? Do you have authority to terminate employees at the agency?

Did you receive a Surface Pro tablet for business use at the agency? Did you then request an iPad? If so, why?

Were you given an iPhone when you joined the agency? Did you request and receive a newer model? If so, why?

Have you ever said words that may have been construed by some as "bragging" related to the state "*buying you all the newest toys*" in relation to the above requests?

All witnesses as well as the original complainants in this case have described the environment at the Department of Gaming as a "frat party" or "circus" environment that you contribute to with your comments of a sexual, racial or inappropriate nature. Do you have any idea why staff have made these claims?

Do you "sing" in the workplace? If so, what songs have you sung? In front of whom?

[REDACTED]

[REDACTED]

[REDACTED]

Have you ever told anyone to "*get the f---- out of my office*" or "*get the hell out of my office?*" If so, who? When? Were there any witnesses?

Instead of approaching Chris Kotterman directly or walking to his office have you ever yelled down the hallway, "Kotterman – get down here!" to summon him? If so, when? How many times? Who was present?

Are you aware of what the state teleworking policy is? Please share your understanding of it as a supervisor.



Numerous witnesses have stated that you routinely use cuss words when interacting with staff, including your peers, while at work. Is this true?

Do you think, holding a leadership position at the Dept. of Gaming, using the F word and other cuss words is appropriate?



Have you ever heard John Briney or other staff say inappropriate phrases to yourself or others, sing songs or intimidate female staff?

How would you describe the overall work environment at the Dept. of Gaming? The morale?

Do you have any personal concerns about the agency meeting its mission of protecting the public and monitoring the gaming industry in Arizona?

13 2 03

Do you have anything else to add that we have not covered?

Friday, April 8, 2016 at 1:30:27 PM Mountain Standard Time

**Subject:** Jan Plank and Nancy Gomez

**Date:** Friday, April 8, 2016 at 12:37:15 PM Mountain Standard Time

**From:** E.Sloan

**To:** Barry.wong@az.gov, Craig Brown

In the course of an investigation conducted by Jan Plank she asked me if I cursed I said yes she then asked was it ok to curse? I asked her to clarify. She asked if I thought it was ok to curse at work? I told her everyone curses at the department. That I had used language some would characterize as curse words But that if it was not appropriate that it should be pointed out and the policy should be cited and the employee counseled. I also said that every employee at the agency that I have come across has cursed, some more than others and gave a list of names.

After my answer she told me that "I lacked a moral compass and that her moral compass as a chief of human resources officer was greater than mine because she never cursed at work." Nancy Gomez said "let me get this straight your a chief at your agency and you think it is ok to curse at work." I said "first of all you have a 1st amendment issue and that it does depend on the culture of an office that determines what is and is not appropriate." Jan plank said "so you think right and wrong is cultural?" I said that "I do. But any remarks about sex or race were not appropriate. And we rely on HR and ADOA to set the limits of what can and can not be said"

I explained that we have employees that are worried about their jobs because of LEAN and that I am being associated with LEAN because I came on at the same time as LEAN was being rolled out. She asked if people liked me? I said "most do, but some do not." She then went on to say "Perception is reality and you are not someone who is perceived well" I told her that was very hurtful and it hurt my feelings but there were a group of employees set on derailing LEAN and that [REDACTED] had openly told me that she was "going to get rid of me either one way or another or another way." My perception is that the employees that organized this HR action who were on the path to be disciplined for incompetence, and insubordination, view getting rid of me as the way to derail the Governors efforts of implementing LEAN at the department.

She asked me if I ever said I was sent by the Governor, I said no I was recruited by Dan Bergin who got my name from Danny Seidan who works for the governor and that director Bergin had also told employees that I was recommended highly by the Governors office.

She asked what do you tell people about LEAN. I said that I say exactly what Director Bergin says which is LEAN is not about getting rid of employees, it is about efficiency. And that the reduction in workforce was being taken care of by not filling vacant positions. She then asked why did he hire you and Chris Kotterman if that is true? I told her that Chris Kotterman and I were both in mission-critical positions both highly qualified and that we were directors appointments we are both O status and not covered by FLSA, that our appointments were run through ADOA and signed off by ADOA.

Jan asked did I know that teleworking policy I said I did she told me To explain it. I said the director could tell me to telework she said that was wrong. I said I needed clarification. She said did I have a telework plan I said I don't know that is an HR question she said I did not. She asked if I ever said that state employees don't make enough money and they can use telecommute as annual leave. I said I absolutely did not ever tell any employee that they should telecommute instead of taking annual leave. If an o status employee comes into the office and works and then leaves to go home then they are not telecommuting.

I was asked about singing in the office and I told her that I sing to deal with stress it was part of my [REDACTED] Nancy Gomez asked what songs do I sing and that if it was part of a [REDACTED] than I should know them immediately. I told her a few songs and then stopped because I was uncomfortable with the question. This question is akin to asking someone what medication they take. It made very uncomfortable and she followed it by remarking I wonder if the [REDACTED] affected your memory. I felt she was belittling me.

I told her that "my main issue was that I have a problem employee and I need guidance on that issue. I had documented her actions as I was told by Dept. HR" Jan then cut me off and said that this was not the purpose of this

meeting and she would work with Dan and Ryan on that issue.

Jan ended the meeting by saying to me "you do not have the moral character that the state is looking for. You are a person who creates a culture of fear. we pay you a lot of money and we don't want people who have to be told what to do. We want people who know what to do, hopefully this will help you in your future career"

I am deeply offended by this remark and I do not think it is befitting that someone with such a serious responsibility should ever tell someone they just met that her moral compass is greater than theirs. I am a man of deep faith and her accusation carries the weight of the state and I am shocked that instead of using this meeting to find the truth she used it as a forum to mandate her personal morals on me and tell me that I don't deserve my position or the money that I make. My competency at my job has never come up in this meeting or any other meetings. I am very competent at my job and I am highly recommended for the work I do.

I request a written apology for the comments Jan made regarding my moral character and a written letter of reprimand be placed in her file. This type of council does not meet the standards of the state or the standards of the department of administration.

I also request that Nancy Gomez be given a memo of concern for asking me about my [REDACTED] and suggesting that my memory was affected by [REDACTED]

Eric Sloan  
Arizona Department of Gaming Employee of the state of Arizona

All the best,

E.Sloan



## GAMING INVESTIGATION UPDATE

(As of 7 p.m. 4/4/16)

<u>WITNESSES INTERVIEWED</u>	<u>REQUESTING ANONYMITY</u>	<u>REASON</u>
[REDACTED]	Yes	[REDACTED]; scared of retaliation-needs benefits
[REDACTED]	Yes	[REDACTED]
[REDACTED]	Yes	Fear of retaliation
[REDACTED]	Yes	[REDACTED]; fears career damage
Mary Ellen Klein	No	
[REDACTED]	Yes	"John's role is Badman Deputy"
[REDACTED]	Yes	Fears being pushed out; [REDACTED]
[REDACTED]	Yes	[REDACTED]
Ryan Ruelas	No	

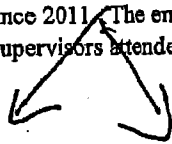
Multiple witnesses have shared the following thus far in the investigation:

- Gaming work environment is like a "frat party," "circus" or "absolute chaos." John Briney, (Deputy Director) Eric Sloan (Communications Director) and Chris Kotterman participate in this and intimidate employees, causing a "fear based" culture.
- HR Mgr. admits Briney cusses, uses the F word and tells some off color stories to him privately but he is not offended by it. He was quick to state, "I'm just a paper pusher here - I have no decision making authority." There is no HR oversight at the agency, only a transactional role.
- Eric Sloan walks around the agency singing. Two employees filed complaints about the songs but the findings were not conclusive. Sloan has said things like, "Who we can fire today?" "I've been sent over here by the Governor's Office," and "We need to fire some people to make room for these file drawers." [REDACTED] "Every morning I have to sit in my car for ten minutes or so to garner the courage to go into work. It is absolutely the most inappropriate work environment I have ever been in. (She has worked there [REDACTED] Witnesses report conditions have deteriorated since several people, including Leslie Welch, Paula Daniels and Mike McGee, got promoted to other agencies. They were known as the voice of reason amidst the chaos that had some influence with the Director. Now John Briney "runs the show." The Director has chastised John Briney for inappropriate remarks made in public several times but allegedly [REDACTED]

- [REDACTED] The HR Mgr. stated the Director has talked to Eric recently and Eric has "toned it down."
- LEAN process is being abused and John Briney is very vocal about it. Headcount has gone from 130 to 109 under the guise of LEAN, but short staff has allegedly caused backlogs in several

areas [redacted] concerned that the number of slot machine inspections is not meeting agreements with tribes and that the Office of Problem Gambling is \$1M down in spending this year. Direct hires are common. Briney has said, "Governor's Office doesn't care about fiscal savings, just headcount." The view of employees is "John runs the show and manipulates the Director to get what he wants."

- [redacted]
- [redacted]
- [redacted]
- Two [redacted] employees, [redacted] have indicated that John Briney told them, "I dreamt I was doing it with you." Currently waiting to question second employee who has allegedly stated that an offensive gesture was made with the comment. This occurred in 2013. The employees felt ashamed and embarrassed to come forward since they reported to Briney at the time.
- Have yet to substantiate allegations that John Briney asked employees at a restaurant to open up fortune cookies, read the fortune aloud and add "in bed" to each fortune. Two employees stated they had heard Briney make remarks about women's chests, however.
- ADOA has been aware of issues related to sexual harassment and inappropriate behavior in the workplace at the Dept. of Gaming since 2011. The entire agency attended Hostile Work Environment training in 2013, and supervisors attended GOEO training on similar topics in November 2015.



All. Frat party environ.

Volume of comments - theme - pervasive -

Briney - less than 2 years = sat through dy -  
abuse of authority = out.  
Gloan - hard hand slap/suspension?

**From:** Ryan Ruelas  
**To:** [Jan Plank](#)  
**Subject:** Interviews  
**Date:** Tuesday, April 5, 2016 12:38:06 PM  
**Attachments:** [image001.png](#)

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Are we still going to hold off on the Eric Sloan and John Briney interviews? I need to notify them if you want to reschedule those interview dates.

Ryan Ruelas  
Human Resources Administrator  
Arizona Department of Gaming  
1110 W Washington Street, Suite 450  
Phoenix, Arizona 85007  
Office: 602-255-3875  
Cell: 480-262-1060  
[rruelas@azgaming.gov](mailto:rruelas@azgaming.gov)



**From:** Katie Matysik  
**To:** Jan Plank  
**Subject:** RE: Hold on any Direct Hires for Gaming  
**Date:** Wednesday, April 6, 2016 9:51:58 AM

---

Hi Jan,

I recently processed several direct hires for them. I have documentation/correspondence if you need it.

Also, can we talk about this investigation before the NSA meeting? I am discussing direct hires at the meeting and want to provide a consistent message.

Thank you,

**Katie Matysik**

Talent Selection Manager | Employment Unit  
ADOA - Human Resources | State of Arizona  
100 North 15th Avenue, Suite 261, Phoenix, AZ 85007  
p: 602.542.4781 | f: 602.542.1980 | [katie.matysik@azdoa.gov](mailto:katie.matysik@azdoa.gov)

**From:** Jan Plank

**Sent:** Tuesday, April 5, 2016 6:43 PM

**To:** Kelly Hutchison <[Kelly.Hutchison@azdoa.gov](mailto:Kelly.Hutchison@azdoa.gov)>; Sally Balanon <[Sally.Balanon@azdoa.gov](mailto:Sally.Balanon@azdoa.gov)>; Katie Matysik <[Katie.Matysik@azdoa.gov](mailto:Katie.Matysik@azdoa.gov)>

**Subject:** Hold on any Direct Hires for Gaming

We are in the middle of an investigation at Gaming and abuse of direct hiring is one of the allegations. Please hold anything you get. Thanks.

**Jan M. Plank , SHRM SCP**

Shared Services Manager  
ADOA – Human Resources Division | State of Arizona  
100 North 15th Avenue, Suite 261, Phoenix, AZ 85007  
p: 602-364-0126 | f: 602-542-7544 | [jan.plank@azdoa.gov](mailto:jan.plank@azdoa.gov)

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<https://www.surveymonkey.com/r/VOCSPShSvces>

**From:** Elizabeth Thorson  
**To:** Jan Plank; Nancy M Gomez  
**Subject:** RE: Gaming Update  
**Date:** Wednesday, April 6, 2016 1:23:00 PM

---

Jan,

Thank you for the update. Please remember that these types of updates should be given in hard copy format.

Thanks,  
Elizabeth

**From:** Jan Plank  
**Sent:** Wednesday, April 06, 2016 11:59 AM  
**To:** Elizabeth Thorson <Elizabeth.Thorson@azdoa.gov>; Nancy M Gomez <Nancy.Gomez@azdoa.gov>  
**Subject:** Gaming Update

1. [REDACTED] substantiated what [REDACTED] stated in her interview yesterday about the stalking behaviors of John Briney. [REDACTED] indicated that Briney had even come to [REDACTED] one time looking for [REDACTED] sat in the lunchroom with him, telling him to cease following her around.
2. Additional information about Briney and Sloan laughing about an employee's medical condition [REDACTED] and suggesting they harass her by rearranging items on her desk (gaslighting) has come to light. The employee was fearful to come forward prior to this investigation. This allegedly occurred in Sept. 2015.
3. ARS 38-1101-1106 (M) exempts uncovered sworn officers from the notification process/right to representation requirements. [REDACTED] uncovered. The statute took effect in January 2015. I looked up the statute and verified this with Christine.
4. [REDACTED]
  
5. Nancy and I are scheduled to meet with Sloan and Briney tomorrow at 2 and 3 p.m. I have put together very detailed questions.

From additional information I have gathered I will share my recommendations following those interviews. Let me know if you need anything else. Thanks.

**Jan M. Plank , SHRM SCP**  
Shared Services Manager  
ADDA – Human Resources Division | State of Arizona  
100 North 15th Avenue, Suite 261, Phoenix, AZ 85007  
p: 602-364-0126 | f: 602-542-7544 | [jan.plank@azdoa.gov](mailto:jan.plank@azdoa.gov)

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<https://www.surveymonkey.com/r/VQCSPOShSvces>

**From:** Nancy M Gomez  
**To:** Jan Plank  
**Subject:** Accepted: Gaming Interviews

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When: Apr 7, 2016 2:00:00 PM  
Where: Jan's Office

**From:** [Monica Hart](#)  
**To:** [Jan Plank](#)  
**Subject:** Please call Ryan @ Gaming  
**Date:** Monday, April 11, 2016 12:54:27 PM

---

I'm trying to confirm the meeting for tomorrow afternoon (4/12) @ 2:30 pm with Director Bergan, but they are not answering my calls. Elizabeth asked that you call Ryan and work the request that way. Thanks!

**Ms. Monica Hart**

Executive Assistant to  
Director Elizabeth Thorson  
Deputy Director Ginger LaBine  
Deputy Director Nancy Gomez  
ADOA | Human Resources | State of Arizona  
100 North 15<sup>th</sup> Avenue, Suite 261, Phoenix, AZ 85007  
P: 602-542-0024  
[monica.hart@azdoa.gov](mailto:monica.hart@azdoa.gov)

**How am I doing? Please take a few moments to answer a few questions.**  
<https://www.surveymonkey.com/r/VOCHRAAdmin>

**From:** Monica Hart  
**To:** Jan Plank; Elizabeth Thorson; Nancy M Gomez  
**Subject:** Mtg w/ Gaming Director Bergin

---

Kim Jordan @ Gaming 602-255-3801

4/11: Jan Plank confirmed w/ Director Bergin, who insisted the meeting be held here at ADOA.



**From:** Daniel H. Bergin  
**To:** [Jan Plank](#)  
**Subject:** ADG Form Letterhead  
**Date:** Tuesday, April 12, 2016 4:48:12 PM  
**Attachments:** [ADG Form Letterhead.docx](#)

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Jan,

Our letterhead is attached. Please let me know if we need to talk.

Thanks for all of your help.

*Dan*

**Dan Bergin**

Director  
Arizona Department of Gaming  
1110 W. Washington, Suite 450  
Phoenix, AZ 85007  
Phone: 602.771.4263

**From:** Daniel H. Bergin  
**To:** [Jan Plank](#)  
**Subject:** RE: ADG Form Letterhead  
**Date:** Tuesday, April 12, 2016 4:52:28 PM

---

Jan,

Thank you.

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**From:** Jan Plank [<mailto:Jan.Plank@azdoa.gov>]  
**Sent:** Tuesday, April 12, 2016 4:51 PM  
**To:** Daniel H. Bergin  
**Subject:** RE: ADG Form Letterhead

Thanks so much. I'll do the letters for you and give them to Elizabeth.

I know these actions are difficult, Dan, but please try to focus on the greater good they result in. As Elizabeth mentioned, we want workplaces that are safe and where people do not feel intimidated or harassed.

Take care.

**Jan M. Plank , SHRM SCP**

Shared Services Manager

ADOA – Human Resources Division | State of Arizona

100 North 15th Avenue, Suite 261, Phoenix, AZ 85007

p: 602-364-0126 | f: 602-542-7544 | [jan.plank@azdoa.gov](mailto:jan.plank@azdoa.gov)

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<https://www.surveymonkey.com/r/VOCSPShSvces>

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**From:** Daniel H. Bergin [<mailto:DBergin@azgaming.gov>]  
**Sent:** Tuesday, April 12, 2016 4:48 PM  
**To:** Jan Plank  
**Subject:** ADG Form Letterhead

Jan,

Our letterhead is attached. Please let me know if we need to talk.

Thanks for all of your help.

*Dan*

**Dan Bergin**

Director

Arizona Department of Gaming  
1110 W. Washington, Suite 450  
Phoenix, AZ 85007  
Phone: 602.771.4263

**From:** [Elizabeth Thorson](#)  
**To:** [Jan Plank](#)  
**Cc:** [Nancy M Gomez](#); [Monica Hart](#)  
**Subject:** Gaming separations  
**Date:** Wednesday, April 13, 2016 8:30:27 AM

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Hi Jan,

I am leaving the office around 9:10 to go to Gaming, can you have the letters, benefits packets and any separation checklist we use ready?

Thanks,  
Elizabeth

Elizabeth Thorson  
Human Resources Director  
ADOA – Human Resources Division | State of Arizona  
100 North 15<sup>th</sup> Avenue, Suite 261, Phoenix, AZ 85007  
p: (602) 542-8378 | m: (602) 292-6271 | [thorson.elizabeth@azdoa.gov](mailto:thorson.elizabeth@azdoa.gov)  
<http://www.hr.state.az.us/>

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<https://www.surveymonkey.com/r/VOCHRAAdmin>