

From: Ken Martin, The Austin Bulldog, P.O. Box 4400 , Austin, Texas 78765

To: Williamson County District Attorney John Bradley

Subject: Possible Criminal Conduct

Submitted via Fax to 512-943-1255

May 11, 2010

Dear District Attorney John Bradley,

This letter is submitted in accordance with instructions I received yesterday in a telephone conversation with Randy Traylor, an investigator in your office.

I am a journalist in Austin and I wrote an investigative report that Georgetown City Council Member Pat Berryman has been reimbursed \$13,600 in an apparent violation of the Texas Constitution, as interpreted by opinions issued by the Texas Attorney General.

My story about this, "Georgetown Council Member's Pay Violates Texas Constitution," is published online at <http://www.theaustinbulldog.org>. The story contains links to 17 documents that substantiate the apparent violation. The documents may be downloaded as pdfs.

These documents include several applicable opinions issued by the Texas Attorney General pertaining to prohibitions on dual compensation of officeholders. Please note that the opinions require a council member who is also a state employee to prove that her expenses equal or exceed the amount paid for expenses. Otherwise, being paid for expenses that are not substantiated constitutes a circumvention of the prohibition on drawing a salary. Council Member Berryman made no effort to satisfy the requirement that she prove her actual expenses.

Berryman's violation is all the more serious because she had been informed by City Manager Paul Brandenburg in a letter he signed in July 2008 that she needed to provide receipts to be reimbursed for her actual expenses. A copy of that letter is linked on the site. Instead of complying with the legally correct guidance contained in Brandenburg's letter, she waited 17 months, until a new city attorney was hired, and used him to facilitate a lump sum retroactive payment of \$13,600.

The payment is reflected in the payroll document at the top of the story, which can be downloaded as well.

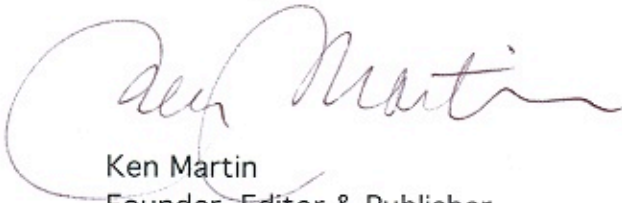
Because City Attorney Mark Sokolow helped to facilitate this improper payment, it seems apparent that the City of Georgetown is unlikely to take any corrective action.

I believe it will take an objective investigation by an outside law enforcement agency to address this matter. I request that your office examine the facts, as documented in my story, and consider investigating.

While the amount of money involved is not huge, this blatant violation of the laws against dual compensation deserves your attention.

I have been a professional journalist in this area since 1981 and I've won two national awards for investigative reporting. So I hope you will take this matter seriously. If you have any questions, please do not hesitate to call.

Yours truly,

A handwritten signature in dark ink, appearing to read "Ken Martin". The signature is fluid and cursive, with a large initial "K" and "M".

Ken Martin
Founder, Editor & Publisher
The Austin Bulldog

Investigative journalism in the public interest
An initiative of the Austin Investigative Reporting Project, a 501(c)(3) nonprofit

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Organizer: [Austin Investigative Reporting Team](#) meetup group