

BEFORE THE WEST VIRGINIA ETHICS COMMISSION

IN RE:

COMPLAINT NO. VCRB 2024-112

**Norman Mines,
Mingo County Deputy Sheriff, Respondent**

Conciliation Agreement

The West Virginia Ethics Commission and Norman Mines freely and voluntarily enter into the following Conciliation Agreement pursuant to W. Va. Code § 6B-2-4(t) to resolve all the potential charges arising from allegations of violations of the West Virginia Governmental Ethics Act based upon the facts set forth below.

Findings of Fact

1. Norman Mines is a Deputy Sheriff for the Mingo County Sheriff's Department and serves as the President of the Mingo County Deputy Sheriff Association, a voluntary, private organization made up of members of the Mingo County Sheriff's Department.

2. At all times pertinent herein, Norman Mines was either a "public employee" or "public official" as defined in the Ethics Act, at W. Va. Code § 6B-1-3(j) and (k).

3. The Ethics Commission has jurisdiction over alleged violations of the West Virginia Ethics Act committed by employees and officials, such as Norman Mines. W. Va. Code §§ 6B-1-1 through 6B-3-11.

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4. The Mingo County Sheriff's Department is a public agency providing law enforcement services for the citizens of Mingo County, West Virginia.

5. As a member and President of the Mingo County Deputy Sheriff Association, Norman Mines had authority to oversee, approve, and publicize endorsements made by the Association for candidates seeking various elected political offices in the state of West Virginia including the office of Attorney General of West Virginia.

6. At all times pertinent hereto, Norman Mines used his public office to engage in political activities on behalf of candidates in partisan elections in West Virginia.

7. Specifically, Norman Mines signed and published a letter dated April 4, 2024, with the name "Mingo County Deputy Sheriff Association" appearing as letterhead. The letter is addressed to the unsuccessful candidate for West Virginia Attorney General in the 2024 primary election. The letter states that the Association is rescinding its endorsement of said candidate and is signed, "Norman Mines, Mingo Co. DSA President." Appearing at the top of the letter on each side of the Association's name, sheriff badges are pictured and titled, "Mingo County Sheriff's Office." The address listed in the letterhead for the Association is P.O. Box 1270, Williamson, WV, with a phone number of 304-235-0300 and a fax number of 304-235-0436, all of which belong to the Mingo County Sheriff's Office.

8. This letter then appeared in a Facebook post made by the Mingo County Deputy Sheriff Association where it was available for viewing by the public, and in fact, a screenshot of the letter appeared on social media platform X in a posting by a third-party who appears to be a member of the media.

Relevant Legal Provisions

1. W. Va. Code § 6B-2-5(b)(1) states that a public official or public employee may not knowingly and intentionally use his or her office for his or her own private gain or that of another person.

2. W. Va. Code R. § 158-6-5.2 (2022), states, "Improper Use - Public officials and public employees may not use government property for personal projects or activities that result in private gain."

3. **Advisory Opinion 2020-08** issued by the Ethics Commission specifically provides that a law enforcement officer may not include his or her badge in campaign material.

Conciliation of Violations

I, Norman Mines, admit that I violated W. Va. Code § 6B-2-5(b)(1) of the West Virginia Governmental Ethics Act when I wrote or caused to be written, and then signed, a letter on behalf of the Mingo County Deputy Sheriff Association withdrawing

endorsement of a candidate for political office, which letter appeared to be an official law enforcement endorsement insofar as the letter displayed sheriff badges titled, "Mingo County Sheriff's Office" as well as the address, telephone, and fax numbers belonging to the Mingo County Sheriff's Office. I assert that I was unaware of these restrictions in the law. In consideration of the settlement of this matter, I agree to the Commission's imposition of the following sanctions:

1. To undergo training on the West Virginia Governmental Ethics Act, either in person, virtually, or by viewing the training provided on the Ethics Commission's website, at West Virginia Ethics Commission, within 30 days of the entrance of the Order approving the Conciliation Agreement. I shall provide written confirmation of the completion of this training to the Ethics Commission within five business days of completing it.
2. A fine in the amount of \$750 to be paid to the West Virginia Ethics Commission within 30 days of the entrance of the Order approving the Conciliation Agreement.
3. An Order directing me to cease and desist from using my position as a public employee to engage in political activities on behalf of candidates in partisan elections in West Virginia.

I understand and agree that if the Ethics Commission fails to approve this Conciliation Agreement, then this Conciliation Agreement is null and void and the Complaint against me will proceed before the Probable Cause Review Board, where it will be processed in accordance with the West Virginia Code and the Ethics Commission's Legislative Rules.

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If the Ethics Commission approves the Agreement, it will enter an Order in which it approves the Agreement and sets forth the sanctions listed above.

Both parties understand that, pursuant to W. Va. Code § 6B-2-4(t), this Conciliation Agreement and Commission Order must be made available to the public.

2/6/2025

Date



Robert J. Wolfe, Chairperson
West Virginia Ethics Commission

12-05-2024

Date



Norman Mines, Respondent

BEFORE THE WEST VIRGINIA ETHICS COMMISSION

IN RE:

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**Norman Mines,
Mingo County Deputy Sheriff, Respondent**

COMMISSION'S ORDER

After considering the Findings of Fact, Relevant Legal Provisions, and Conciliation of Violations in the Conciliation Agreement, the West Virginia Ethics Commission finds that the Conciliation Agreement is in the best interests of the State and Norman Mines, as required by W. Va. Code § 6B-2-4(t). In accordance with W. Va. Code § 6B-2-4(s), the Commission imposes the following sanctions:

1. Respondent shall undergo training on the West Virginia Governmental Ethics Act, either in person, virtually, or by viewing the training provided on the Ethics Commission's website, at [West Virginia Ethics Commission](#), on or before March 10, 2025, and shall provide written confirmation of the completion of this training to the Ethics Commission within five business days of completing it;
2. Respondent shall pay a fine in the amount of \$750 to the West Virginia Ethics Commission on or before March 10, 2025; and
3. Respondent is Ordered to cease and desist from using his position as a public employee to engage in political activities on behalf of candidates in partisan elections in West Virginia.

Date: February 6, 2025



Robert J. Wolfe, Chairperson
West Virginia Ethics Commission