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## Ogden police chief denies violating federal law

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Ogden Police Chief Jon Greiner testified Thursday in a federal hearing that he did not oversee federal grant money leading up to his successful 2006 state Senate election and therefore wasn't in violation of the Hatch Act. The testimony comes three years after the U.S. Office of Special Counsel filed a complaint with the federal Merit Systems Protection Board, alleging Greiner was in violation of the 1939 federal statute. The law is intended to prevent government employees who oversee federal grants or loans from doling out that money for political favors.

In October 2006, the Office of Special Counsel sent a letter to Greiner warning that he would be in violation of the Hatch Act unless he quit his candidacy in the partisan Senate campaign or resigned his position as chief.

If Lana Parke, a federal administrative law judge, upholds the complaint, Ogden must remove Greiner from his police department post or the municipality could forfeit government grants equalling two years worth of Greiner's salary -- a sum of \$215,000.

Greiner, a Republican who is serving a four-year Senate term, could seek re-election next year. The deadline for state senate candidates to file for office is March 17, 2010.

The chief testified that he suspended his campaign for 10 days in October 2006 to seek legal advice after receiving the warning.

"I was prepared to get out of the race," Greiner said.

But after consulting with Utah Attorney General Mark Shurtleff and other legal advisers, Greiner said he resumed campaigning, convinced he was not breaking the law.

In a Nov. 1, 2006 Tribune interview, Greiner said: "I have a constitutional privilege that allows me to run for political office."

In an interview Thursday outside the hearing room in the Wallace F. Bennett Federal Building, Greiner's attorney, **James Bradshaw**, said the original complaint was filed by Todd Taylor, the chairman of the Utah Democratic Committee and was politically motivated.

Taylor said later Thursday he filed the complaint out of concern that Greiner might not be complying with federal law.

Bradshaw said Greiner neither directly sought nor administered federal grants received by the Ogden Police Department.

But attorneys for the Office of Special Counsel said Greiner did oversee federal public safety grant funds that went to the city during the election campaign and pointed to four documents bearing his signature.

Under questioning from Peta-Gay Irving Brown, of the Office of Special Counsel, John Patterson, Ogden's chief administrative officer, said "the chief has never been involved" with grants.

He added that grant applications were the responsibility of Deputy Chief Wayne Tarwater.

"Greiner's signature was perfunctory," Patterson said when Brown pressed him on the police chief's signature on the documents. "He is never the person who fills out the grant applications."

Parke said attorneys will have six to eight weeks to file briefs in the case. She could take another 90 days before ruling on the matter.

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