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ATTORNEY GENERAL INVESTIGATIONS:
TRANSCRIPT OF TAPED INTERVIEW:
JOHN MARTIN

JUN 28 1993

State of Maine

ATTORNEY GENERAL INVESTIGATIONS

C.3

Case
Title: Kenneth Allen

Case
Number: 92-136-31A

Report by:

Reviewed:

Brian MacMaster, Director

Date Dictated: 2/22/93

Date: _____

TRANSCRIPT OF TAPED INTERVIEW

John Martin

MINA: We were speaking solely about the ballot tampering investigation without any interest in any other peripheral matters of any kind. Brian will lead the discussion. He's developed a format with all the witnesses we've spoken with, and I'll chime in occasionally if I have a question. If you need to take a break at any time and, and talk with Marshall, I don't think this thing's going to go on forever. And we'd like to hit right in in the week of the 11th, maybe, start there, and talk about your background with Ken Allen and, and...

MARTIN: Well, do you want me to start with the drinking problem, or do you want me to...

MACMASTER: Yeah, if, if you could do that, and, and to...

MARTIN: Yeah.

MACMASTER: To pick up some points...

MARTIN: Yeah. Ken was, I hired Ken sometimes in the latter part of 1980, and I want to say like middle December or somewhere in there, it was before Christmas, so that he, roughly, has been with me for about 12 years. About four years ago he went through a, first divorce and started to be late for work. I didn't really pay much attention to that because he always worked late so there was never an issue about time. He was there way more than, you

know, the guy was 60, 70 hours a week, there was never a question. I never got involved in knowing what and why the divorce occurred. I subsequently have, but it doesn't make any difference really in that sense, and I can understand why he got to drinking, I guess. But drinking became a crutch. Subsequently he seemed to have cleaned up and started going out with a former high school friend. I, as a matter of fact, we suggested that he perhaps go back to New Hampshire where he was originally, went to high school, and, even though he's a native of Maine, you know, for whatever reason the family had moved there. And he ended up with a former high school girlfriend, who has also been divorced. I went to the wedding, as a matter of fact, in Portsmouth. He came, picked up after that, and things were progressing well until she called me one time and said, "He's drinking heavy and always has been. She, apparently, was also either a product of alcoholism or was, herself, an alcoholic, I really don't know. So, I, I at that point tried to establish, "Look, I want you here at 8:00 in the morning," and tried to set some patterns so that, try to force things. Whenever he had work, it was always done.

MACMASTER: Um hum.

MARTIN: I mean, if I needed a speech, for example, which I did often, I would give it to him, let's say, on whatever day. I wouldn't get it the first week, but on the due day, it was always there. There, so, whatever deadline I gave him, he met every single one of them, in terms of, of work getting done. She subsequently had him thrown out of the house, and, and that was now his second house that he now had acquired when he brought this lady in, and that was his mother's old home, as I remember.

MACMASTER: In, in Sidney? So, this was all...

MARTIN: Yup.

MACMASTER: Fairly recent now?

MARTIN: Yeah, this was all in the last two or three years.

MACMASTER: Okay.

MARTIN: This would probably be a year ago. So, when he got thrown out of the house, he really started to, to drink heavy, and I took it throughout the end of the 1992 session. Things were really bad. He would come in at noon, I mean, he wouldn't show up on Monday morning. The pattern was strict, was, was, was basically he would get drunk Thursday night...

MACMASTER: Um hum.

MARTIN: So I assume, not work Friday, Saturday, Sunday, Monday he'd come in at noontime, and just be, reek of liquor. So, finally, when the session ended, I said, "Ken," sat down and I said, "Look, you know, something's got to give."

MINA: This was the end of the '92 session?

MARTIN: This is '92, yup. And I said, "Something's got to give. You've just got to go get some help." "Well, I was waiting," so anyway, by putting pressure directly or indirectly, he agreed to go to treatment, and I said, "Ken, don't do it for me. Do it for yourself. If you're not going to, nothing I can do," you know, I mean, I know enough about alcoholism, it's in my family, you can't help people unless they want to help themselves. So, he found a program in Arizona. The, a week before he was to leave, or maybe it was even three days, he came in and he says, "Geez, I don't think I'm going to be able to go because Blue Cross is not going to approve payment." I said, "Give it to me, I'll make sure that they approve it." So, I called a couple of people who had been involved with the program before, not in Blue Cross, and they basically stated because it's a state operated Blue Cross system, you know, Jo Gill operates the system, as you know, and so he, they, they approved it, and we had a, you know, the day he left, he cried, and, you know, his brothers, or the whole family of his went up to the airport and Pat Eltman, my staff, you know, he wanted her to go too, and so he parked the van at my house in Augusta and it stayed there for five weeks.

MACMASTER: He stayed in Arizona for five weeks?

MARTIN: About five weeks, as I recall. He came back and he took another week off and he came back to work and

it was like night and day, and I said, "God, we made it," you know.

MINA: This is last fall now.

MARTIN: This is now last fall. During the beginning, you know, I, people were, Pat in my office, she sits next to her...

MACMASTER: Right.

MARTIN: To him, rather, said to me, "I think he's drinking again." And so I said, "Really?" I said, "Well," I said, "Let's watch it and see, you know, what happens." So, one day I came in and, unexpected, and I can't recall whether it was like September or early October, and he came in like at 11:00, in the middle of the morning, which was a sure sign to me, so I just, "Hey," I said, "You going to AA?" I, and I did something else to him. I said, you know, a week before or so I asked him where he, what AA program he was going to, and he had said Waterville, as I recall, and, in fact, I checked and there was no program...

MACMASTER: Um hum.

MARTIN: That, no AA program. So that was the other thing that led me to, to think that. So, I said, "Look, 8:00, Ken, you know that's the deal." So, everything was fine, then I called about a week, because, remember, I'm at the university, I'm down a day a week and that's about it at, at the most. (Coughing) Excuse me. So... No, I'm all right. So, one day I called and Carrie, it was on a Monday morning and Ken wasn't in. And I said, "Shit, don't tell me," I said. "He said he was sick." I said, "Oh, yeah, sure." So, I, give me the, so, I called, and lo and behold he had the worst cold, I mean, he was downright sick, and then I really felt guilty of having even made the accusations because that's really what was going through my mind. About, on swearing in, as a matter of fact, Pat came to me and she said, "John, I, what protection do I have as an employee from alcoholics? What is there in the law?" And I said, "There isn't anything." She says, "I've got a," she says, so, from that point on, or pretty damn close to it, the conversation between her and Pat, literally, almost ceased.

MACMASTER: Between Ken and Pat?

MARTIN: Yup. And...

MINA: Was, was there some harassment, or...

MARTIN: None. No. She just couldn't take the, the, the smell, the fact that he was drinking, that fact that he wasn't doing the work, that fact he was spending, when he was in the office he wasn't there. He'd spend the whole day in, in McGonigle's office, or smoking somewhere, or whatever.

MINA: This is, this is at or about the time of your swearing in?

MARTIN: The, the, December 1st.

MINA: December 1st.

MARTIN: Yeah, somewhere right in there. And, so, I said, "Pat," I said, "You know, now, I, I have no problems dealing with it, but I need someone to verify that he's drinking." She said, "Well, please keep me out of it," or words to, you know, and I said, "Yeah," you know, because I didn't want the office staff, because it was bad enough, so he basically stopped even coming into the office, and, of course, I wasn't there anyway, I mean, you know, except for those days, and I didn't see him at all, except once there was a meeting in my office that I walked in, because remember I'm, you know, in a, a, a ballot election myself.

MACMASTER: Um hum.

MARTIN: Nomination, the election, the Speaker, I mean, got opposition through all of this, and, and one of those days I walked in, Jim Case was in there, I mean, it's all been reported in the paper, McKeen, Ken, oh, what's his name, works for AFL-CIO...

MACMASTER: Gorham?

MARTIN: Gorham, they were all in there talking, and I asked the question about how's it going, and that was the end of it, and out I went.

MACMASTER: Now, was that on the day of the swearing in, do you recall?

MARTIN: It's either the day of the swearing in or the day before. I, I, we were in caucus, so I don't know which it was.

STERN: You're familiar with the layout of his office?

MARTIN: Yeah.

STERN: What a public, like a public...

MARTIN: Well, you've been in my office before, haven't you, Brian?

MACMASTER: Yeah.

MARTIN: Public forum...

MACMASTER: No, I've, no, I've been upstairs...

MARTIN: Oh, okay, no.

MACMASTER: On the fourth floor, but I don't think I've been in your office.

MARTIN: Okay, it's basically a very large room, the size of these rooms.

MACMASTER: But was it, was it during, do you remember if it was during the course of, of the McKeen recount?

MARTIN: Yeah, I'm sure it was.

MACMASTER: Okay.

MARTIN: I'm quite sure it was. I mean, I, there's no reason not to...

MACMASTER: Okay.

MARTIN: McKeen was also there on the swearing in day, I think, but I think it was the day before.

MACMASTER: Okay.

MARTIN: That's my recollection.

MACMASTER: All right.

MARTIN: And that was the only conversation I had with Ken,

and then, of course, the swearing in took place and really never saw him. So, when...

MINA: What was the conversation about?

MARTIN: How's the, how's the recount going?

MACMASTER: This would have...

MARTIN: Yeah.

MACMASTER: Would have been the McKeen recount?

MARTIN: Yeah.

MINA: Do you recall his response to that?

MARTIN: No, I don't. I, I, I don't recall.

MINA: When...

MARTIN: I do recall one thing, now that you remind me, that night we had the, we had the, the banquet, so it had to be the night before the swearing in. Ken came in very late and sat at my table, and I said, "How's the recount going?" And he said, "We've lost it."

MACMASTER: Okay, so this...

MARTIN: And, and then someone came and talked to him and he said, "I've got to go," and I said, "Where are you going?" And he said, "Well, I've got to, they've asked me to go back to the recount." So, it was the, it was, that occurred the day before the actual swearing in.

MACMASTER: Okay, the, the swearing in, then, was on December 2nd.

MARTIN: So it would have been December 1.

MACMASTER: Right.

MARTIN: Yeah.

MACMASTER: Which, okay, which would have been the day of the, or the primary day of the McKeen recount.

MARTIN: Okay.

MACMASTER: What, what, what would have been the typical communication between you, now, Ken Allen, let me back up, Ken Allen obviously worked on a lot of recounts prior to this day.

MARTIN: Yup. What he always did, and we have it in the files somewhere so we can locate it, but when, he would always take vacation time to do recounts because it was not, I refused to pay and let my staff work in recounts. If they did it, they were on their own.

MACMASTER: Okay, so...

MARTIN: And it came out of their vacation time, or whatever it was, and they would do recounts. Okay?

MACMASTER: So, so his job in the recounts was not an assignment coming from you?

MARTIN: Absolutely not.

MINA: Who did, who does request him? How does that work?

MARTIN: Okay, the way it works is, is you're candidate X, and I'm candidate Y. The Secretary of State notifies us that we have a recount pending, it's scheduled for this day, they'll say, "Find your counters," and they tell me to find my counters. That's the way it works. And you show up with your five counters and I show up with my five counters and, and you pick whomever you want. I mean, it's the craziest system in the world, and you can choose to have an attorney or not have an attorney.

MACMASTER: But Ken was not a counter though, right?

MARTIN: Well, I subsequently found out, this is, comes after the fact now.

MACMASTER: Um hum.

MARTIN: That after the, the, some of those recounts, people didn't want him as a counter, but I didn't find that out at the time. Lorraine Chonko, for example, point, went to Ken and she said, "You're not counting are you?" Because she knew that he was drinking.

MACMASTER: Um hum.

MARTIN: Okay, but he had served as counters in the past.

MACMASTER: So, do you know what his...

MARTIN: So, I don't know if he served as counter, if he counted any ballots this time around or not, I don't know that.

MACMASTER: If, if he was not counting, do, do you have any idea what his role would be?

MARTIN: He would have been working with the candidate and the counters.

MACMASTER: As, as a representative of the, of the...

MINA: An advisor?

MARTIN: Yeah, sort of, yeah.

MACMASTER: Yeah.

MARTIN: And if the attorney wasn't there, then he would, you know, because he knew a lot about recounts, and Ken is a very, very bright guy.

MACMASTER: Um hum.

MARTIN: Extremely bright. You know.

MACMASTER: So, you, you recall at that, that legislative banquet that, that you may have asked Ken how the recount was going and, and...

MARTIN: Right, and I asked him at noon, or whenever that I walked into the office when they were all in there. I think it was lunch time, but, it had to have been, probably there had been a break from the recount, I don't know. I would say it had been noontime and then at night the time would have been, well, the banquet started at 6:00 or so, so it would have been probably like 7:00, 7:15, 7:30, and then they came and got him. I don't know who it was, because I, when I sat back at the table, he was gone.

MACMASTER: But you recall him saying that it looked like they'd lost it, meaning...

MARTIN: Yeah.

MACMASTER: Meaning McKeen had lost it.

MARTIN: Yeah. Yeah. Yeah. Yeah.

MACMASTER: Okay.

MARTIN: He did say that, yeah. And I said, "By how many votes?" He said, "One or three," something like that, or, "One or five," I can't recall.

MACMASTER: Was, was he...

MARTIN: One was for, I can recall one was used for sure. One vote, he said one, I remember that, whether he said three or five, I don't remember...

MACMASTER: Um hum.

MARTIN: Beyond that.

MACMASTER: Was, was Ken or, or anyone else associated with those recounts generally keeping you posted on the progress of the recounts?

MARTIN: Frankly not really, because I was at the university.

MACMASTER: Um hum.

MARTIN: They, once in a while they might call and let me know, or usually Pat would be the one to call. I can guarantee you that if Ken was drinking he would not call me.

MACMASTER: Um hum.

MARTIN: Because he knew I could pick up the slur in his voice, and, and I would immediately stop, and that, and, and see, the conversations, well, after he started drinking, the conversations between he and I got very, very few. Because I suspect, as I look back, that he now knew, he, he suspected that I would, I would figure out he was drinking, and so he made it very, very sure of himself to call me when, when he was clean.

MACMASTER: Um hum.

MARTIN: Because he had a way of slurring and slowing his voice down. I mean slowing the speed of his words. And, of course, I knew him, I knew him well

enough that I could tell, it was easy. So, on, on most recounts, Lorraine Chonko's, it was Kathy that called, I mean, yeah, it was Kathy that called me on, and Pat. It wasn't him for sure.

MACMASTER: Um hum.

MARTIN: Because I would have remembered. And that was, he, and then I remember calling on one, and he wasn't there, and Pat gave it to me, you know, when I was at the university.

MINA: The status of the recount.

MARTIN: Yeah.

MINA: And, and are they expressing concerns about his proximity to the recount, or...

MARTIN: No, not, the, the first one that did that, well, actually, I didn't find out until Wednesday. Now, remember, I'm at the university.

MINA: This is the 9th.

MARTIN: This is the 9th. Wednesday, I read, I, I just, when I'd come down on Monday, the 7th, I just felt something was wrong, and, with him, and I just knew something had to happen, but, and I went around and asked two or three people that I knew, "Is Ken drinking?" And they would all say, "Gee, we don't think so." No one, I shouldn't say no one, but, you know, they would not get in the middle of it, and it wasn't until Wednesday at the university, or at home, before I left to go to the university, that finally, you know, it was clear to me that, that it had happened, and then, of course, I left for Washington.

MINA: On the...

MARTIN: On, on, I left at, Thursday...

MINA: The 10th.

MARTIN: The 10th, Thursday, and flew to Washington, as I recall.

MACMASTER: Now, now, the, the, the letter indicates that on the 10th, while at the university, you finally confirmed without a doubt...

MARTIN: Well, then, then...

MACMASTER: That Ken Allen was drinking.

MARTIN: Yup. So it would be Thursday, not Wednesday.

MACMASTER: Was, was that, was that from Pat Eltman?

MARTIN: Pat can, Pat said, "Look, if you've got to use my name, do it." Then I talked to some other people as well, and let me see who else I can, I can recall. I tried as well as, like, as much as possible not to involve my office...

MACMASTER: Um hum.

MARTIN: People because they were upset enough and we were going through that whole thing. Let's see, I don't feel exactly they had talked to...

MACMASTER: Were there others, other than Pat, bringing, bringing these concerns to you...

MARTIN: No.

MACMASTER: During that period?

MARTIN: No. Not an, no one would be willing to say, "We know he's drinking," they would just deny it, or just avoid the question.

MACMASTER: Now, he was involved in a recount on the 10th.

MARTIN: Yeah.

MACMASTER: Was, was that, do you recall...

MARTIN: That was...

MACMASTER: That being mentioned in, in terms of his drinking?

MARTIN: No, not until, not until Jon Hull called me.

MACMASTER: Right.

MARTIN: Because I had no idea who, I didn't even know the schedule of the recounts. I mean, I knew that they were going and ongoing, but I didn't know who was coming next and whatever.

MACMASTER: Um hum. Did you know the, the status in, in the Deborah Rice...

MARTIN: What happened...

MACMASTER: And Joseph Taylor...

MARTIN: Well, the one that, that really, that had to have been Thursday, but, anyway, whatever day it was that the Townsend race was, and I can go back and check it, when Ken asked, told Louise to sign, sign the, the, the statement that she had lost...

MACMASTER: Um hum.

MARTIN: She called me, and, and was really upset. And frankly I don't blame her. You know. And then I got a call from Ken, now that you, as I recall, saying that, that we had won the Louise Townsend race.

MACMASTER: Um hum.

MARTIN: I did not know what had taken place at, at all, and either I, I must have gotten Ken's call before, but, anyway, when I called back and I talked to Pat and whoever it was I talked to, they said, "Do you want to hear the story?" And I think I may even have talked to Jon, I'm not sure, and they were just beyond themselves that he had sat there and gotten, literally gotten Louise to sign off, and she was about ready to sign the whatever when she asked, at least, you know, or, I guess, I guess Lorraine Fleury mentioned to her that the figures from Clinton didn't look right, that the totals didn't look right.

MACMASTER: So, and this would have been prior to the 10th, because you're talking about District 101.

MARTIN: Yeah. Yeah. I don't know when the 101...

MACMASTER: Okay.

MARTIN: You know, I didn't go back and check the dates, but it, yeah, it's the 101 election.

MACMASTER: So, so the feeling then, at, even at that point, that Ken's drinking was now...

MARTIN: He was out of control.

MACMASTER: Affecting his judgment.

MARTIN: Yup. Yeah. And at that, and that, and, and what Pat told me, and everything else, led me to, you know, the Thursday, I said, "I just, I've got to do something, I cannot wait any further."

MINA: Can I just...

MARTIN: And the unfortunate thing...

MACMASTER: Um hum.

MARTIN: I wish I'd done it on Thursday.

MINA: Ask one question here. He is on personal time during his work on the recounts. Correct?

MARTIN: That's right. Yeah, he's, he's, he's, basically we, we, it was vacation time. Okay? You've got to know that the state system is very generous, and for legislative employees, even more so. What you have is someone who's been there ten years gets a day and a half per month, okay, of vacation time, plus a day per month of sick time, plus legislative employees who've been there more than seven, have been seven years, get seven or nine days of comp time, plus we don't pay time and a half, so when you, after you've worked 45 hours if you're a so-called executive employee, or whatever we call them, it's one day, it, it's one hour for hour, so that it would be not uncommon at the end of the legislative session to work 16 hours, to do that.

MACMASTER: It's easy to accumulate time off.

MARTIN: Unbelievable.

MACMASTER: Yeah.

MARTIN: Okay? And we have people who leave who could never use it all up. Once this is over with Ken, I don't know how I'm ever going to compute it all.

MACMASTER: Right.

MARTIN: Because he won't be able to take it all with him to which he's entitled, because there's a period by which you can't take any more with you.

MACMASTER: Okay.

MARTIN: So, anyway, that's...

MINA: So, by the 10th you've, you've derived in your mind to some conclusion that there's some validity in these accusations and you're going to...

MARTIN: I was going to...

MINA: Take some action on it.

MARTIN: I was going to, I was, I was going to terminate him, yeah. Well, well, terminate, do what I did on Monday, but I was going to do it, yeah. And that, I can go to the 7:30 call on Monday if you want me to now and then go back and see, which ever you want to do.

MACMASTER: Well, let, let's, let's, let's get, let's get to the, to the 11th.

MARTIN: Okay.

MACMASTER: Now, now the 10th you head off to Washington.

MARTIN: Yeah.

MACMASTER: You're, you're in Washington.

MARTIN: Whatever, I left Thursday.

MACMASTER: Thursday, the 10th.

MARTIN: Yeah.

MACMASTER: And, and, and you received a call in Washington from Jonathan Hull?

MARTIN: Now, let me, let, let's go back, because you look

at the telephone records, there is in the telephone records, which, when I've reviewed them, there's a one or two minute call from Ken Allen...

MACMASTER: Right.

MARTIN: To the hotel.

MINA: What time was that?

MARTIN: And, I don't know, but I was in, I was flying, so, or we were coming in that night, but there was never a message, and I couldn't figure out why there wasn't a message. You have it?

MACMASTER: Yeah. No. It's, I think it's, 18...

MARTIN: Hang on, I'll get you...

MACMASTER: 1844.

MARTIN: Yup, I think you should look on there.

MINA: It's...

MACMASTER: Well, it's here.

MARTIN: I've got it right here, fooling around the... I don't think it's, I, I, no, but I want to tell you, I never got the message, and, and, I, that surprised me. When I saw this, of course, I, I had no conversation at all with Ken, at all, literally. And when I, and, oh, by the way, I've had no conversation with him since, or during, whatever.

MACMASTER: Since...

MARTIN: He's never called me.

MACMASTER: Since that Monday morning?

MARTIN: Yup.

MACMASTER: Okay.

MARTIN: Yeah. When I saw this, I tried to figure out how come I didn't get a message, but I was not registered in, in the hotel, and I, because Mike Michaud...

MACMASTER: Here it is.

MARTIN: Is the one that got the room, he was down there two days before, and I ended up bunking with him to save the state money, two, two beds, what the hell, and that's...

MACMASTER: Um hum.

MARTIN: We do it quite often. So...

MACMASTER: It was on, it was on, the call, for the record, was on the 10th at 6:44 PM.

MARTIN: Okay, yup.

MACMASTER: And it was two minutes.

MARTIN: Yeah. So, he must have talked to the hotel, asked if I was registered, or asked to leave a message, and so nothing ever happened.

MACMASTER: Um hum.

MARTIN: Let's go to Jon Hull. Jon called and, while I was out, and I returned the call just before I went out to eat that night, 7:30 or so, and the time would show, because I did it on a credit card, and, and...

MACMASTER: Do you recall where you called him from by the way?

MARTIN: The hotel lobby.

MACMASTER: Okay, because a different number showed up.

STERN: The same hotel lobby where I met you.

MARTIN: Yeah, yeah, well it, I was, that's where I got the message, and I don't, who gave, Pat gave me the message, and said, you know, "Jon Hull wants you," or whatever it was, so I called. And Jon was literally off the wall. I've never seen Jon this upset. I mean, he was just, you know, and his opening, I mean, when I said, "This is John Martin," he said, "You've got to do something. You've got to do something with Ken Allen. He's gone the limit, he's gone beyond." You know, "He's lost it, he's drunk, he's," you know, on and on and on. And so, I said, "Look," I said, "There's no sense talking about it anymore. I've made the

decision. I am going to take care of it." I said, "I've already decided." And I said...

MINA: What did he tell you he'd been doing?

MARTIN: I don't, making phone calls, I, I even think that he told me about making calls to Deborah Rice. He told me about calls, comments that he was making in the, in the hall, comments that he was making to, to the candidate, comments that he was making to the workers.

MINA: About ballots.

MARTIN: It was about anything. It was, it was just like, you know, "I'm in charge here," and, you know, you know it was just, I mean, apparently, from what, you know, I don't recall everything that Jon told me because he went on and I just said, "Jon," I said, "You know Ken. When he's drunk," I said, "Anything that comes out of his mouth you can't believe. And it's, it, when it's all over, when he sobers up, then he'll either do, do one of two things. He'll either not talk to us for a month, or he'll call or say, one, "It didn't happen or I didn't mean it to happen and it was all something that, you know, I was just doing something and I don't know why.'"

MACMASTER: Did, did Hull, though, talk about the, the, the content of Ken's call to Rice or to him, Hull?

MARTIN: Yeah, he talked about Ken calling Rice.

MACMASTER: Um hum.

MARTIN: Okay, and telling her she was going to win her election. And I said, "For Christsakes, how in the hell can you tell who'd going to win the election? He doesn't know that any more than I do." Of course, it appears that I'm wrong.

MACMASTER: Did, did, did Hull say anything about any particular reference that Ken had made to, as, as to how she would win the election?

MARTIN: No.

MACMASTER: In terms of numbers, or...

MARTIN: I don't recall that. Numbers? He talked, he did say that Ken had said, and this is all, I guess, like, I guess it's what Jon's opinion from, Deborah Rice had told him, from what Ken, but he, and he did relay something about, I don't know if he'd said numbers, I don't recall to be honest.

MACMASTER: Um hum.

MARTIN: But I know, he, because, I'll tell you what's difficult for me to remember, from what I've read in the press and what I've been told around the State House, I, I don't know what's fact anymore and what isn't...

MACMASTER: Um hum.

MARTIN: And what I recall. I wish I'd written it down at the time, but I don't, you know, all I can remember for sure, and be positive of, he talked, that was one of the issues that we talked about. He did talk about ballots, he did talk about the phone call to Deborah Rice, and, and I, my comment to him was something to the effect, "Well, when he sobers up, if it's true, something's going to happen. If it isn't true, you know, he's going to call and say, 'Geez, I screwed up, I made a mistake, I really, it was all a big joke.'" And I said, "This is typical. He's not going to tell me that, but he's going to tell other people that."

MACMASTER: Um hum. Did, did Hull indicate to you that he had talked with Ken?

MARTIN: I don't remember.

MACMASTER: Okay.

MARTIN: I think so, though. But I, I can't really remember that. I mean, I'll tell you, the reason I don't is that I really didn't pay much credence to, to, to what Jon was saying.

MACMASTER: Um hum.

MARTIN: Because he was concerned, so concerned and screaming about the drinking and the, and you've got to understand that there's also, there have been some, he's been complaining about Ken for some time.

MACMASTER: Um hum.

MARTIN: This is long going. I mean, I think he's still upset that Ken never paid him for his divorce.

STERN: (Laughing)

MACMASTER: Marshall's not upset.

MARTIN: Well, I know he, well, I know he is, because he told me he was.

MINA: Are you, are you thinking in your mind that you might call Ken to confirm the story, or is that just, is that futile to you?

MARTIN: No, because I knew he was drunk, there was no sense in my talking to him, and as a matter of fact, when I hung up the phone, I debated with myself whether or not to call him and suspend him right then and there. And, I said, "It wouldn't do any good anyway. There's no sense doing it on Saturday anyway. He's drunk in the morning. If he's back to the whole, the, the, the old trick, there's no sense in my talking to him Friday night or Saturday morning, and then maybe Saturday night he's back to it again," and so, I said, "The only thing I can do," and coming back on the plane Saturday I made the decision that I would do it on, on Monday morning, and I never moved from that decision.

MACMASTER: Did, did you, did you discuss the call that you'd got from Hull with either Michaud or Eltman?

MARTIN: Well, Pat, in the morning, that night when we went out to eat, Pat said to me, "You seem upset," and I said, "Yeah, I just had a conversation." She said, "Is it about Ken's drinking?" And I said, "Yes." "Was that about it?" And I said, "Yes," and I said, "Absolutely." But I, in terms of the balloting or whatever, I don't recall making any comment about that, and the next morning Pat, without my knowledge, before I even got out of bed, she called Jon Hull, and when we got downstairs she knew more, you know, she had, I guess, Jon didn't tell her everything, but, but basically talked to her, and, so we sat there at lunch, or breakfast, or whatever it was, and she said, "What in the hell? Why is he making these calls? Why is he doing this?" And I said, "Hey, we all know what

it's like when he's drunk," and, and she said, "What are you going to do?" I said, "I'm going to take care of it." And she said, "What are you going to do?" And I said, "Pat," I said, "I don't think at this point that you ought to be involved."

MACMASTER: Um hum.

MARTIN: And I said, "I'm going to have to deal with it," and I said, "I don't like it, but I'm going to deal with it." So...

MACMASTER: So, the, the focus of Hull's call to you on Friday night, at, at least if I'm reading you right, was, was more to Ken's drinking, and the problems that...

MARTIN: He was in...

MACMASTER: Was, then the cause then, than it was...

MARTIN: He wanted me to yank him off the recount...

MACMASTER: Than it was to particular calls.

MARTIN: Get him out of there, yeah, get him out of there, he's causing havoc, you know, that type of, that was what, the way I took it.

MACMASTER: Um hum.

MARTIN: And, and reacted accordingly.

MINA: Would you have had authority to, to haul him out of the recounts, as you say, where he's...

MARTIN: Well, I think if I had told him, "Ken, I don't want you there anymore," he would have respected it.

MINA: I see.

MARTIN: Yeah, because Ken, you know, Ken is not one who will, is not an initiator. I'm being real honest with you, and that's why I find it difficult to believe what I've read in the paper in the last, and over the weekend, and I'll tell you more about that after. So...

MINA: So, Saturday you're back. No conversation with him directly?

MARTIN: I, none, no, because I, Mike had left his car, I was on foot, because I had flown, and I was on foot, and he dropped me off at the State House, and I worked there for, I don't know, two or three hours, and then got someone to pick me up and drove me to the house.

MACMASTER: Do, do you recall what time you got back on Saturday?

MARTIN: Well, yeah, it was a 12:30 flight out of Washington, so my guess is 4:00. Security would have the check-in time, be 4:00, 4:15, somewhere in that range.

MACMASTER: Um hum.

MARTIN: Yeah. And, and I worked there until, you know, and then subsequently stopped and got a pizza at Whipper's and then went home. Yeah.

MACMASTER: Was...

MARTIN: And then...

MACMASTER: Was there anyone else in your office when you were there?

MARTIN: None, and there was no one else around.

MACMASTER: Okay.

MARTIN: And, and, as you know, from, from the log, according to what the press told me, that Ken came in around noontime, which is not uncommon for him to do on, he did that all the time.

MACMASTER: Um hum.

MARTIN: He'd come in on Saturday to either use the phone, or whatever it was, or he'd work an hour, or whatever it happened to be, especially after the divorces because he had no place to go. And that...

MACMASTER: Right

MARTIN: You know, and, and so he'd do his school business work or, because he was Chairman of the School Board in, in Oakland, and he'd go do that, and pick up his mail and whatever, but when I got there,

there was no one around, I was the only one around the offices, no one in the State House that I saw, and, and I just, you know, basically, then, did what I had to do, the, the legislative stuff, did that, and went home, and I was there that night and the next day, and I corrected papers all day and book reviews.

MACMASTER: Um hum.

MARTIN: From the university, because I was on foot, and until Mike Michaud came back from East Millinocket that night, I hadn't eaten.

MACMASTER: So, so your next contact with Ken Allen is on Monday morning.

MARTIN: 7:31, I'll never forget it, and I'll tell you, because it was the toughest call that, that I had to make in a long time.

MACMASTER: Where, where did you call from?

MARTIN: From my house in Augusta. It wouldn't show anywhere.

MACMASTER: From a, in Augusta?

MARTIN: Yeah.

MACMASTER: Okay.

MARTIN: It wouldn't show, I was in Augusta. It was 7:31, the clock was right there, and I made the call, and I just, you know, I just dialed the number and i said, he answered, and I said, "Ken, this is," I said, I've relayed it fairly well, I think, in there, I said...

MACMASTER: Do you recall if you woke him?

MARTIN: No, because he said he was almost ready to leave.

MACMASTER: To come into work?

MARTIN: Yeah.

MACMASTER: Okay.

MARTIN: Which surprised me because he must have been sober on Sunday...

MACMASTER: Um hum.

MARTIN: In order to do that, yeah, and, and I said, and that's because I asked, I said, "Did I just wake you?" Because I knew that if he, I was waking him up, that he was still drunk, and, and so I wanted to make sure that, I didn't want him to, I didn't want to be telling him this when he was drunk.

MACMASTER: Um hum.

MARTIN: I wanted him to face it. And told him, told him that this, what it was, and had to be, and, and he said, "Well," he said, "Maybe I did this and I really wanted to get caught and I wanted you to know about it." And I said, "Well," and I said, "Ken," I said, "You've got 30 days. That's..."

MACMASTER: Did what?

MARTIN: Huh?

MACMASTER: Did what?

MARTIN: He, he...

MACMASTER: You just said that...

MARTIN: Oh...

MACMASTER: That Ken said that, "Maybe I did this because I wanted to get caught."

MARTIN: Yeah, basically, oh, yeah, I can see the, no, the, the liquor thing.

MACMASTER: Okay.

MARTIN: "I wanted you to know about it, that in fact I was drinking." And...

MACMASTER: So, did you disclose to him that Monday morning about the call from Hull and how upset...

MARTIN: No.

MACMASTER: Hull was...

MARTIN: No.

MACMASTER: Or...

MARTIN: I did not.

MINA: Did you say to him, "I've got information that..."

MARTIN: "I'm now convinced, Ken, that you're drinking and you have been for some time."

MINA: No more elaboration than that?

MARTIN: And, that's right, and, and I said, I said, "Based on that," I said, "I, you cannot come back to work until you clean yourself up," and I just said, finally, there was this long pause, I, you know, and finally I, I just said, "Ken, are you there?" Because it was that long, you know, and he said yes. And I said, "Okay," I said, "Just, you understand what I'm saying?" He said, "Yes, I, I understand." And I said, "Lock," you know, I said, "I still, you know, have total respect for you," I said, "It's not, but," I said, "You've got, I can't deal with it and neither can you, and it's got to come to an end." Now, there's one other sidekick, and I'm not sure if it's the same day, or the next day, or Tuesday. His brother, his, his brother called me up.

MACMASTER: Dick?

MARTIN: I think it's Dick, but I don't know.

MACMASTER: Liquor Enforcement?

MARTIN: Yeah, I think it is.

MACMASTER: Yeah, okay.

MARTIN: And said to me, he said, he said, "Ken's talked to me and he said that he's taking time off to go back to treatment." And he said, "It didn't sound right to me." I said, "Well, let me tell you. I suspended him, Dick, because," I said, I said, "It's not voluntary." Because what he told his brother was, he said, he was falling back in and he really had to go back for additional treatment.

MACMASTER: Um hum.

MARTIN: I said, "That's not the case." He said, "Well, that's what I thought, but," he said, "I needed," he says, "He's lied to me," he said, "I've had it." He said, "I'm going over to see him now." That was either Monday afternoon or Tuesday afternoon. I suspect it to be Tuesday because Monday I had to drive back home.

MACMASTER: Um hum.

MARTIN: So...

MACMASTER: Do you remember where you were when he called you?

MARTIN: I don't remember. I, I, I was, I was, if it was Tuesday, I was at the university, because I'm at the university from 8:00 in the morning until 9:00 at night on Tuesdays, so he probably would remember, but he...

MACMASTER: Okay.

MARTIN: So he, he had that conversation with him, and that's the last that I recall.

MACMASTER: So, so, again, there was, there was no discussion between you and Ken Allen on that Monday morning to call him to suspend him, or, or whatever?

MARTIN: No. And...

MACMASTER: About...

MARTIN: About ballots, or...

MACMASTER: All right.

MARTIN: Never talked about it.

MACMASTER: Nothing...

MARTIN: No, because, you see, I never believed it happened.

MACMASTER: Um hum.

MARTIN: I never believed that, that any word that was told

to me about it was true, because I knew Ken, that when he was drinking, he would make statements that are so outlandish that it made no sense.

MACMASTER: Um hum.

MINA: But all you know as of Monday is what Jonathan Hull has told you about the conversations with Deb Rice...

MARTIN: Exactly.

MINA: And the, the, reference to...

MARTIN: I, I knew nothing else, nor did I inquire about anything else. I, I didn't know anything about this alleged break-in until Tuesday afternoon when Dan Gwadosky called me and said, "Geez, I understand there's been a break-in." And I said, "What are you talking about?" And I, so he kept, you know, and he knew more than I did because one of his secretaries is married to, to, to, to, to Noonan...

MACMASTER: Um hum.

MARTIN: And another secretary is married, one of the aides is married to, to Farlow, Rita Furlow in the AG's Office. So, they knew, and, and he, but, and he didn't want to ask me, I mean, he was trying to be discrete, as I figured out later.

MACMASTER: Um hum.

MARTIN: And I finally said, I got a little pissed, I said, "Look, if anyone's got anything, let, they've got to go to the AG's Office. I don't know anything." You know. I said, "I don't know what's going on, but," I said, "I wish someone, if anyone's got any evidence of any break-in, they've got," what I didn't know was that the AG's Office has already been in over the weekend. Didn't know that.

MACMASTER: Had already what?

MARTIN: Had already been involved in it over the weekend.

MACMASTER: Um hum.

MARTIN: I didn't know that. Okay? And no one told me that on Tuesday, and subsequently, only found out Wednesday morning when, when Ken Allen, when Jon called me and reached me in Fort Kent.

MACMASTER: When, when you talked with Dan Gwadosky or when he, he called you, I assume.

MARTIN: Yeah.

MACMASTER: Did...

MARTIN: Well, no, actually what happened was Pat called me to tell me what Dan Gwadosky was telling her.

MACMASTER: Okay.

MARTIN: I subsequently called Dan Gwadosky. Okay? I initiated the call.

MACMASTER: That, that would have been on...

MARTIN: Tuesday afternoon.

MACMASTER: Tuesday afternoon, the 15th.

MARTIN: After 2:00.

MACMASTER: Okay.

MARTIN: Because I have classes until 2:00. That's why it's easy, when I'm at the university, I can peg things fairly well.

MACMASTER: Yeah.

MARTIN: Between 2:00 and 5:00.

MACMASTER: And at, at, at that point you've heard, you'd heard nothing about a, a break-in or anything to do with ballots, or...

MARTIN: Nothing. Nothing. No.

MACMASTER: Had, do, do you recall when you talked with Gwadosky, did he tell you where he had got the information?

MARTIN: I asked him. Is said, "Where did you find this out?" "I can't tell you." I said, "Yeah, but if

you can't tell me, someone better tell the AG's Office."

MACMASTER: Um hum.

MARTIN: I mean, I recall that conversation very, because I got upset, because I said, "What's your source?" You know, what is the source here?" I says, "If there's any evidence," I said, "Someone's got to go tell the AG's Office that."

MACMASTER: How did you leave, how, how was the conversation left with Dan?

MARTIN: That was it. That was the, you know, there was nothing else for me to say.

MACMASTER: Did, did, did, what, what was your, did you call Hull after that, or...

MARTIN: I don't recall.

MACMASTER: Did you think about calling him?

MARTIN: I don't think so.

MACMASTER: Might...

MARTIN: No, I did not, and I did not because I knew that on Wednesday morning, Hull had told me on Saturday, or whenever it was, "If I find anything that's even close to being wrong, I'm telling the AG." And I said, "By Christ you'd better."

MACMASTER: Um hum.

STERN: That's on Friday the 10th or 11th?

MARTIN: Well, the, yeah, it would have been that night, yeah, Friday night.

MACMASTER: The 11th?

MARTIN: Yeah.

MACMASTER: Yup.

MARTIN: Yeah, I recall saying that to him, and, and he said back to me, and I said, "You'd better." I said, "If there's something that you've been, you know,

if you find anything that's even closely or look remotely like something was affected," I said, "Tell them." And, of course, that's what he did.

MACMASTER: Do, do you recall telling Gwadosky that you intended to call Jon Hull to find out what was going on, or...

MARTIN: No.

MACMASTER: To, to have him check into it or have him take care of it, or...

MARTIN: I don't recall. I don't recall, and I would have had no reason to, because I knew that Jon Hull was going to be there Wednesday morning on the recount.

MACMASTER: Um hum.

MARTIN: Because Jon had told me that, and he had told me, "If I find anything there," and I said, "Tell the AG, and then let me know after that," and...

MACMASTER: Now, when, when Hull is saying that if he finds anything on the morning of the 16th he intends to call the AG...

MARTIN: Anything suspicious, or...

MACMASTER: What, what's he...

MARTIN: Extra ballots, or whatever. I, you know, I don't recall...

MACMASTER: What's his basis for that? What, what's his basis...

MARTIN: It's based on the conversation with, with Ken, I assume, or with Barb, with, with Deb Rice, because that's where this whole, this whole issue was about.

MACMASTER: Right.

MARTIN: Yeah.

MACMASTER: So, so, so Ken was obviously saying something to either Hull or Deb Rice that would indicate that there might be something wrong.

MARTIN: Well, that's what I recall, yeah.

MACMASTER: All right.

MARTIN: Yeah. And, and I can, and I do remember making that comment to Jon, and I'm sure Jon will verify that, that I said, you know, "Whatever you do, if you find anything that even looks smelly, or appears to be wrong, based on where you were at that recount, you know, disclose it quickly."

MACMASTER: Um hum.

MARTIN: And I said, "After it's disclosed or whatever, you notify the AG," I said, "I'd appreciate knowing what in the hell happened." So, then, he called me, I don't know, it must have been about 11:00, I guess, when he called me.

MACMASTER: On Wednesday, the next day?

MARTIN: Yeah. Yeah.

STERN: This was Hull?

MARTIN: Jon, yeah. He called the office, calling, and then we, I called the office back and patched him through, yeah. Yup.

MACMASTER: Could we take just a moment break?

MARTIN: Sure.

MACMASTER: End of side one.

END SIDE ONE, BEGIN SIDE TWO

MACMASTER: We're, we're back on the record, back on tape.

STERN: Swallowed the last 10 minutes of the tape.

MACMASTER: So, it, it was on Wednesday, the 16th, that Jonathan Hull called you. Do you recall where you were when he called you? This would be Wednesday now.

MARTIN: The All American Dream Motel in St. John, Maine.

MACMASTER: Is that really the name of it?

MARTIN: Yes.

STERN: Are you serious?

MARTIN: Yeah, yeah, yeah. A friend of mine owns it. They were having a St. John Valley Visitors tourist group that was there.

MACMASTER: Do you recall what it was that, that Hull told you at that time?

MARTIN: No, except that, what he had told the AG's Office and proceeded to tell them that it appeared that there were some problems, and, you know, whatever.

MACMASTER: Did, did it occur to you at that point that, that...

MARTIN: Oh, he told me about the break-in...

MACMASTER: Right.

MARTIN: On Saturday, told me about the change of the locks, and told me all about that, too, yeah.

MACMASTER: But did he talk about the calls that Allen had made?

MARTIN: Yeah, he also told me that, that Ken had called Deb Rice and said that he had recanted everything he had said and said it was, told Rice it was a big joke...

MACMASTER: Um hum.

MARTIN: And that it didn't mean anything, and, and talked about, and that may be when he talked about ballot numbers, I don't remember, but, yeah, and what else did he tell me? Then he told me that he probably had screwed up because after, or Mike Carpenter had screwed up, because after he told Mike Carpenter they ended up with a six or seven people public forum with, with John Bott and, and my favorite lawyer from Augusta...

MACMASTER: You want me to say his name?

MARTIN: Sumner Lipman.

STERN: He's, he's one of my boyhood friends.

MARTIN: And, and others, and it was just, you know, apparently a whole, you know, whatever. And he said, he said, "I know that this thing is going to

get blown out of proportion," because just the way that, you know, just the way Sumner was acting...

MACMASTER: Um hum.

MARTIN: Or words to that effect. And I said, "Well," I said, "You know, if in fact there's ballot tampering, we've got to deal with it and the truth's got to come out," and that was about, you know, we talked a little more, and I can't recall what else. You know.

MACMASTER: Now, on, on that same day, according to the letter that Marshall sent down, after you received the information from Hull, you suspended Ken Allen.

MARTIN: On Wednesday, by phone.

MACMASTER: Okay, so you talked with Ken on Wednesday?

MARTIN: No, I sent the letter.

MACMASTER: Oh, okay. And the letter said what?

MARTIN: I don't have, have...

MACMASTER: Because he'd already been suspended, right?

MARTIN: Right. He was suspended for alcohol treatment...

STERN: For alcohol.

MARTIN: For 30 days.

MACMASTER: Okay.

MARTIN: I suspended him pending the outcome of the investigation, indefinitely.

MACMASTER: Okay.

MARTIN: And I can give you copies...

STERN: By, by letter.

MARTIN: Of those letters. By letter.

MINA: Would you give me that?

MARTIN: Sure.

MINA: Could I have a copy of that?

MARTIN: Sure. Yeah. Yeah.

MACMASTER: So, was, was there any difference in the suspension, though? The first time was with pay, is this with...

MARTIN: This was in, no, because our policies don't accord. And besides, it wouldn't matter because he's entitled to so much time...

MACMASTER: Right.

MARTIN: That, that I'm not going to be, you know, I can't use it all up, and, and whenever it happens, and I'm going to, as a matter of fact I, I just feel bad because, you know, it's, he's got, really, entitled to a lot more than I'm going to be able to even give him once it appears that this is concluded. So, it doesn't matter. But our policy says basically that you suspend with or without pay, and it's up to the manager, quote, unquote.

MACMASTER: Um hum.

MARTIN: Yeah. And in this case, I felt that there was not a, even if I suspend it without pay, then he had his rights to his vacation time and his sick time, etc., etc., so, it's the same issue, and that's what I'm going to be using up anyway.

MACMASTER: So, except for the morning of Monday the 14th, when you called him to suspend him for the alcoholism...

MARTIN: Right.

MACMASTER: You've had no other communication or contact with Ken...

MARTIN: None.

MACMASTER: Ken Allen? Or he with you? Has he attempted to communicate with you?

MARTIN: He has not tried to reach me whatsoever, and it does not surprise me.

MACMASTER: Um hum.

MARTIN: Because whenever he had, ever had done anything which he felt to be wrong and knew that I would be upset with, he would never, ever contact me, and if there was a, you know, something that happened, I was the one that really had to make that call, because he would not.

MACMASTER: Okay.

MARTIN: And, and I, I mean, he is, I'm convinced at this point, I mean, more of the fact that he's embarrassed, he's all the other things, and especially if he's sober, that I would think he's totally demoralized.

MACMASTER: Now, going back to the night of the 11th, that Friday night that you were in Washington...

MARTIN: Right.

MACMASTER: And you returned to the call to, to Jon Hull, which, according to the records that we got from your office was at 7:30 PM...

MARTIN: Um hum.

MACMASTER: Do you recall getting a, a call back from Jon Hull later that evening?

MARTIN: No.

MACMASTER: Was, was there, in the, in the conversation that you had with him at 7:30, which went for 16 minutes...

MARTIN: Right.

MACMASTER: Was there any, was, was there any suggestion, or, or any, any demand, or...

STERN: Why, why don't you show him if you have a list of the phone records.

MARTIN: No, I don't have a, I may have called him back, but I don't think so.

MACMASTER: Would he have called you? Would there have been any reason, let me back up. When you talked with him at 7:30, when you returned the call...

MARTIN: Um hum.

MACMASTER: Was there any, anything left hanging that he was to call you back? Because he called you back at 9:29 PM.

MARTIN: I wasn't there.

MINA: Show me where you have that.

MARTIN: I don't think I was there.

STERN: Do you want to take a look at the list?

MARTIN: Yeah.

STERN: Refresh your memory.

MARTIN: But I don't recall being at the, but...

MACMASTER: Well, this is, these, these are all the calls, on this list, they're not just John's calls.

MARTIN: Oh, I understand. Yeah. Well, I've got that, I've got the calls for me, I've got mine.

MACMASTER: No, no, these is a call from, from Jonathan Hull at home...

MARTIN: Right.

MACMASTER: To that, to that number of the Hyatt Regency in Washington.

MINA: Is it possible he spoke with Ms. Eltman at that time?

MARTIN: We weren't back from dinner.

MACMASTER: This was around 9:30.

MARTIN: We were, we went out to eat, and we didn't...

MACMASTER: Okay.

MARTIN: Come back until late.

MACMASTER: Okay, it only shows a one minute duration, so it may have...

MARTIN: Yeah. I mean, we, we went back...

MACMASTER: Well, would, would there be any reason for him to call back that you know of?

MARTIN: No, unless he was trying to get hold of Pat or, or something, I don't know. Basically, because she was, she may have tried to reach him at the same time I was.

MACMASTER: Um hum.

MARTIN: And he, and may have left, I don't know, but...

MACMASTER: Did he indicate to you, John, when, when you talked with him at 7:30 that 16, (Martin coughing) 16 minute conversation that he intended to call Deborah Rice?

MARTIN: Yes.

MACMASTER: Did, did he say why?

MARTIN: No. Well, I don't know, he might have, he might have said, "Yeah, I've got to find out what she's, at least..." And, you know what, as I look back, I don't, like, this was like probably Tuesday or whatever I talked to him Wednesday, and that's where I learned that he had called Deb Rice back and, and found out that on Saturday Ken had called her back and said it was all a big joke.

MACMASTER: Um hum.

MARTIN: But he didn't tell me that before the beginning of the week. At least that's my recollection. You know.

MACMASTER: But, but when you, when he called you back, or you called him back...

MARTIN: Right.

MACMASTER: That night in Washington, you don't recall that, that he had to maybe call Deb Rice or somebody else and get back to you for some reason?

MARTIN: No.

MACMASTER: Okay.

MARTIN: No, I don't. I don't. I know he was going to call Deb Rice. I mean, he had, he said to me that, you know, that Deb Rice had been calling him and she was on the phone to him, and, and I would suspect that Deb Rice had made a lot of calls to him, I don't know.

MACMASTER: Um hum.

MARTIN: And I don't, by the way, I don't, if Deb Rice walked through this door, I don't believe I know her. I shouldn't say that about my candidates, but I don't believe I know who she is.

MACMASTER: Yup.

MARTIN: Yeah.

MACMASTER: Okay.

MINA: We've gone through the week of the 11th, we've gone from Wednesday, you had no further contacts with Mr. Allen after Monday?

MARTIN: I had one or two conversations with his brother.

MINA: With his brother?

MARTIN: Yeah. Yeah. And then the only other thing I know is what, the State House stuff, you know, because his sister-in-law works, she's a cleaning lady. I don't, I don't, I think it's the other, not Dick's wife, but one of the other brothers' wives.

MACMASTER: Jimmy's wife.

MARTIN: Okay.

MACMASTER: Jimmy Allen.

MARTIN: Yup. And she's been talking to Pat, you know. Because I know that, and then, and the, Beverly Bustin has had a number of conversations with Dick.

MACMASTER: Um hum.

MARTIN: And, and then she's relayed to me what Dick has said to her.

MACMASTER: Um hum.

MARTIN: That's been, how I've been finding out how Ken was, the fact that he's in Brunswick, that's how I found that out. I didn't know he'd gone back to, to New Hampshire until, that's how I got that information. You know.

MACMASTER: Having, obviously, known Ken well for the last, past 12 years, and having been through some of these alcoholism times with him, does it surprise you that...

MARTIN: Drunk or sober?

MACMASTER: As what's happened here?

MARTIN: Drunk or sober, it surprises me. And I'll also tell you that if he did it, while being intoxicated, he did it because someone else got him to do it, or participated with him. He would not ever, ever do anything on his own...

MACMASTER: Um hum.

MARTIN: While he's drunk. His pattern was to be totally mellow, and it sounded like someone who was, who was totally spaced out and on heavy drugs. When you had a conversation with him it would go on forever and ever at a very slow pace, and it was like, you know, "John,--how--are--you?"

MACMASTER: Um hum.

MARTIN: It was that kind of drawn conversation. And you, in order to get him something, you had to suggest.

MINA: Who, among his associates, do you think had the most influence on him? And, aside from yourself, who, who supervised him, who else do you feel had influence over him?

MARTIN: I don't know who his friends were outside the legislature. And I never knew that he hung around with Flood at any time, under any circumstances. I have never seen him with him, beyond the, the involvement in the recount.

MINA: And just for the record, do you, you know Michael Flood.

MARTIN: Very little.

MINA: And...

MARTIN: He was not hired by me. I was involved in a hassle last year when he was the clerk of the State Government Committee, and the clerks are hired by the President and Speaker jointly. He ended up being involved in something, and we needed to, Sally recommended that he be, that his term of employment be extended in order to finish some work, and Charlie refused to carry him. Sally came to me and said, "We've got one county budget, he's the only one that knows how to do county budgets. What are we going to do?" And I said, "Well," I said, "The only thing I can do is put him on the House payroll for a week so we can get the budget done." And that's how that budget got done. He was one of those people who never worked. I have my own assumptions as to how he earns his living, and, and, and that was it.

MINA: And would it be, be correct in assuming that you had no conversation with Mr. Flood concerning this episode?

MARTIN: I haven't had a conversation with Flood since he left legislative employment.

MINA: Do you have any suspicions about who might have exerted the influence that you suggest over Mr. Allen?

MARTIN: I don't know, but I suspect that the only one who can tell us that is Ken. You know, I, I, outside, you know, when he left the State House, I, I don't know who he was really, you know, his brothers, but he wouldn't go to his brothers after the drinking anymore than he would talk to me. He would avoid them. If he was clean, there was no problem. But, remember, after he came back from Arizona, he made a deal with everyone that he was not going to, and, and so he tried to cover up everything from that point on, and he did a pretty good job. His brother, to this, you know, until that morning, or that, or either Wednesday or Tuesday, Monday, whenever, Tuesday, whenever I talked to the brother, still believed that Ken was not drinking. You know.

MACMASTER: Now, you, you mentioned earlier that you were surprised when you called Ken that Monday morning, that he, that he was up and, and appeared to be getting ready to come to work.

MARTIN: Right. Yeah.

MACMASTER: And, and you mentioned that, that must, that must mean that he was sober Sunday in order...

MARTIN: Right.

MACMASTER: For him to be in that condition Monday morning.

MARTIN: Yup. Yup. Yup.

MACMASTER: In, in thinking back over this, and, and assuming for a moment that he did do this...

MARTIN: Right.

MACMASTER: What was it from say Saturday to Sunday that, that changed, apparently changed his attitude to the point where he got on the phone and called, and you...

MARTIN: I don't know.

MACMASTER: Probably read in the paper where, where maybe there was an attempt to undo...

MARTIN: Yeah, I read that in the paper, too.

MACMASTER: What he had done. Is, is there anything that, that could...

MARTIN: I don't know, unless, unless it just started to click in his mind that he had screwed up and shouldn't have, he did some things he shouldn't have, and someone misled him. I don't know. You know. It is totally, totally out of character.

MACMASTER: Um hum.

MARTIN: The guy wouldn't hurt a fly, drunk or sober, but when he was drunk, he could be persuaded to do things, not an initiator.

MACMASTER: Not, not an initiator when he was drunk or never?

MARTIN: Yeah. No, when he was drunk, using.

MACMASTER: But when he was sober, it was...

MARTIN: He would, you know, he would, you know, he would, you know, and, and I can assure that, that based on what I've read in the paper that if, if he were to have been involved, he's bright enough that he would have figured out a way to do it and not get caught. I mean, that's what's scary about it.

MACMASTER: Yeah. Although the one thing we've heard consistently about Ken Allen is that he's a very bright, (Martin coughing) very bright person.

STERN: Let me ask, let me ask you this, would he, in your dealings with him, would he lie about things?

MARTIN: No.

STERN: Would he make up stories?

MARTIN: No. Never. He would choose, if, if, if you caught him in something that probably, you know, wasn't quite right or whatever, he would just say, "Yeah, I shouldn't have done it." You know, that was what, you know, and...

MACMASTER: But he always accepted responsibility for things that...

MARTIN: Yeah.

MACMASTER: That might go wrong under his...

MARTIN: Yeah. Yeah. Yeah. And he say, "Oh, shit, I made a mistake," or, you know, yeah. He never once raised his voice in 12 years to me. Never once said I wouldn't do something, even though if it, you know, I'd say, "Hey," like for example, I was stuck somewhere and I'd say, "You've got to go to Madawaska to cover," to, to go to a program that was on Workers' Comp that I was supposed to be at. Got up a small plane in a snowstorm and flew to Madawaska, and how many, you know, I mean, that's a, he'd do it.

MACMASTER: Um hum.

MARTIN: You know? Yeah.

MINA: I don't have any further questions, Brian.

MACMASTER: No, I don't either.

MARTIN: Okay.

MACMASTER: We'll terminate this.

END OF INTERVIEW