

OFFICIAL VERBATIM TRANSCRIPT

Audio/Video Record – NFB Code of Conduct Panel Interview

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MATTER: Internal Grievance / Code of Conduct Complaint regarding NFB Leadership

PARTICIPANTS: **Everette Bacon** (Panel Leader / NFB 2nd VP)
Dr. Michael Dale Sipes, Jr. (Complainant)
Garrett Lee Harris (Treasurer, NFB of West Virginia)
Marcie (Panel Member)
Barbara (Panel Member)

TRANSCRIPTION CERTIFICATION: *This document represents a complete, unabridged, word-for-word transcript prepared directly from the authentic audio/video recording of the proceedings.*

[00:00:02] **Unidentified Female (Panel):** Hope you all had a good day today.

[00:00:05] **Michael Sipes:** Pretty good.

[00:00:07] **Unidentified Female (Panel):** For a Monday.

[00:00:08] **Michael Sipes:** Yeah, as good as... as good as they get, yes.

[00:00:11] **Unidentified Female (Panel):** Yeah.

[00:00:13] **Everette Bacon:** Hi, this is Everette Bacon.

[00:00:15] **Michael Sipes:** Oh, hello Mr. Bacon.

[00:00:16] **Garrett Harris:** Hey. Hello.

[00:00:18] **Everette Bacon:** Hey. Good.

[00:00:20] **Everette Bacon:** Uh do we have everybody here?

[00:00:22] **Garrett Harris:** Has Marcie made it yet?

[00:00:24] **Marcie:** Yes, I'm here.

[00:00:25] **Garrett Harris:** Okay, there's Marcie.

[00:00:26] **Marcie:** Yes, we have everyone.

[00:00:27] **Everette Bacon:** Okay, and and just Mr. Harris, is your name Garrett? Is that how I say it? Okay, all right. And then Michael is here as well?

[00:00:36] **Michael Sipes:** Yes, I am here.

[00:00:37] **Everette Bacon:** Okay, great. Great. Um, okay, um, we have a half an hour scheduled. Um, if we need to go over, we we can. Um, but, uh, like to keep it just because I don't want to keep you guys out too late tonight on Monday. Um, so, uh, we did receive, uh, your Code of Conduct complaint, uh, and uh all of us have read through that. Um, but uh the first question, I guess, uh, is that we we would really like to to just see if you have first anything else you want to add new uh to the Code of Conduct complaint that you filed.

[00:01:23] **Michael Sipes:** Um, me personally, um, the only thing...

[00:01:28] **Everette Bacon:** This is Garrett talking, right?

[00:01:30] **Michael Sipes:** No, I'm sorry. This is Michael Sipes.

[00:01:32] **Everette Bacon:** So, Garrett Garrett is the the one, Michael, I know you have a Code of Conduct complaint, but because you did you did not have direct contact with President Riccobono, your Code of Conduct complaint is more based on the events with Ahmad, uh and and all of that, which we we are not here to to uh a uh investigate because that is not, um, that is not what our task is. Our task is a Code of Conduct complaint against President Riccobono. Uh, Mr. Harris had direct contact with with uh President Riccobono, I believe through email. And, and so, and from those there, so we we're we're gonna we're gonna ask Mr. Harris questions first. If you have things you want to add, Michael, that's why you're here.

[00:02:40] **Michael Sipes:** Well, you asked if there was something that wanted to add, and...

[00:02:46] **Everette Bacon:** Well, can can Mr. Harris go first?

[00:02:48] **Michael Sipes:** I don't see that he has a choice. You've that's you seem to be directing him, that that's the way it's going to be, so I mean...

[00:02:56] **Everette Bacon:** Yes.

[00:02:57] **Michael Sipes:** ...I don't there is no choice in the matter, you're you're directing, so... go ahead.

[00:03:04] **Everette Bacon:** Okay, Mr. Harris, do you have anything you want to add to your Code of Conduct complaint?

[00:03:10] **Garrett Harris:** Well, I think number one, it's actually very important for me to state for the record that he did have direct contact with President Riccobono, he just never received a response...

[00:03:22] **Michael Sipes:** Mm-hmm.

[00:03:23] **Garrett Harris:** ...to anything. Other than you and Marcie and Norma corresponding with him throughout this entire process, no one has communicated with him. There's been an overarching theme both at

the West Virginia affiliate level and at this national level to effectively pretend like he did not exist. And I think that is... problematic... is what I'd like to first start out with.

[00:03:55] **Everette Bacon:** Okay. All right. Point taken, thank you for that. Now Michael, you you wanted to add something to that, too?

[00:04:05] **Michael Sipes:** Oh, absolutely. Uh...

[00:04:08] **Everette Bacon:** Okay.

[00:04:09] **Michael Sipes:** I have been an integral part of all of this, and as you said, we're not discussing Ahmad, uh we're discussing Mark Riccobono.

[00:04:22] **Everette Bacon:** Mm-hmm.

[00:04:23] **Michael Sipes:** Um, I have been an integral part of reporting to Mark Riccobono personally, um, by email, and then, of course, through, you know, the Code of Conduct online. And Garrett is correct. The two emails that I sent—I think it was two—um, I never got a response. And I never got a response from the uh NFB national headquarters, you know, Code of Conduct. And then when uh—I'm not going to discuss Ahmad, but I will bring up uh Norma Crosby. Uh, when she did her thing as directed, she had no intention of contacting me either. It seems that I, for some reason, um, the NFB just does not want to acknowledge me at all in anything I have to say, even though I, uh—well, we're not discussing Austin—um, even though me being in Austin and listening to Mark Riccobono speak is a part of this, and uh his his actions and uh what he said on uh at that podium um couldn't be more different. But uh I did want to add because I have—there's finally been some communication between the NFB and me—uh, I did want to add uh a very disturbing part of this, which is uh the emails that Garrett was forwarded um and whic- and were...

[00:06:50] **Everette Bacon:** Which emails?

[00:06:52] **Michael Sipes:** The emails... well, that's confusing. That's the confusing part. I think uh Pam Allen for- forwarded the emails to to Garrett after the fact, meaning after the investigation. That...

[00:07:07] **Everette Bacon:** These were my emails, you mean, right?

[00:07:09] **Michael Sipes:** I I believe so, yes. Because you and and we asked if you would just go into your sent folder and re-forward those emails, and...

[00:07:23] **Everette Bacon:** Yes, which is what I did.

[00:07:25] **Michael Sipes:** Well, when when those were analyzed forensically, they came up as as being forged. Now, I can't control that. And uh so I have put together a forensic analysis of the three emails and then a control, which is just an email that I received, that I forwarded to myself, took the data, ran it through, and of course it came up completely legitimate. The uh basically that the uh the headers [clears throat] were there, meaning the body, the text of the email was real, it hadn't just been typed in. And uh...

[00:08:29] **Everette Bacon:** No, because I I constructed those emails myself.

[00:08:32] **Michael Sipes:** Well, if you had constructed those emails yourself and sent them, they would come up as being legitimate. And and and unfortunately, there's there's there's glaring errors in in the ones that Pam sent, Garrett, but then the ones that you sent had compounding errors, so it they were actually even worse. But I I have a forensic analysis, and it's all it's all here, which I'm going to send... I'll send to you, so you can look it over. But that...

[00:09:14] **Everette Bacon:** I don't even know what that means. I I don't I don't know what any of that means, and all I all I can tell you, sir, is my word is my bond. I sent those emails myself on those dates, and I did exactly what Garrett instructed me to do to make sure that he saw my forwarding of those emails, which is the same emails I forwarded to Pam Allen.

[00:09:44] **Michael Sipes:** Well, this being...

[00:09:46] **Garrett Harris:** When you forwarded, I would like to add actually, that when you forwarded them to me, they showed up under the thread of what Pam Allen forwarded to me. They did not show up as an independent sending. They showed up in addition to her thread, under her original thread of what she had forwarded to me. They did not show up as distinct messages, if- exclusively from you, basically.

[00:10:09] **Everette Bacon:** It's exactly what you instructed me to do. Told you I'm not a technology guy or anything like that.

[00:10:14] **Garrett Harris:** But you sit on the Utah Assistive Technology Council, right? Or you had you did at one time at least.

[00:10:19] **Everette Bacon:** Yeah, I did because that was um something they asked me to do. But just because I sat on an Assistive Technology Council doesn't mean I know a whole lot about how emails work as far... I know how to do an email myself, I know how to forward an email that I originally sent. Uh I I can do that. I can reply to an email. But as far as understanding the things that were pointed out to me about uh you know, uh headers and uh things that uh that you say your analysis did with uh [clears throat] Yeah, I don't I don't know how any of that works, I don't know how to do that.

[00:11:06] **Michael Sipes:** Well, that's okay. I'm I'm going to send it to you so you understand. But uh in the 21st century, emails, you know, they don't get lost, and if they're not if they're not received by the by the person you're sending them to, you will get a notice that it's been rejected. So...

[00:11:24] **Everette Bacon:** And I never received a notice that my emails were rejected to Mr. Harris. My emails went through, I forwarded those to you.

[00:11:32] **Michael Sipes:** Right. Right. But however, they just disappeared from his Yahoo account, so that that is...

[00:11:40] **Garrett Harris:** And I have no record that I ever received them. I don't.

[00:11:43] **Michael Sipes:** That is odd. But we'll just, you know, leave it as it is. Uh, because the forensic analysis proves it beyond anybody's word. It is what it is, so we can move beyond that, because there's no use being petty about something that I have proof of and you say you did, but however 21st century technology

says otherwise. I'm sorry, I just, you know, I I there's nothing else to say about that. But I'll I'll go ahead and let Garrett speak because you you said you wanted to let him speak, and then uh if I had anything to add or follow up afterwards, so I don't want to take up any more of his time. [clears throat]

[00:12:38] **Everette Bacon:** So Mr. Mr. Harris, the biggest question then um is do you feel that President Riccobono violated your rights and your rights to the justice that you were seeking?

[00:12:57] **Garrett Harris:** Absolutely. Um and a big part of that is the email I sent him and then what he replied with. Um I essentially sent an email saying, you know, like Ahmad Shafi did, you know, um multiple 501(c)(3) tax-exempt organization violations by making multiple alcohol charges. Um he repeatedly used the N-word, which is an example of hate speech, you know. He made one member um who is a, you know, a domestic violence survivor, he made her so upset that she had to um go and medicate herself. Um and just sort of that like I I was reaching out to him because I felt that I had exhausted all efforts at the affiliate level to try and get this addressed. And so I was hoping that he could, you know, as the Code of Conduct says, when a conflict of interest exists at the affiliate level, that at the that an independent panel of three people from the national board of directors are assigned to investigate it. Um and then, you know, and I'm obviously I mentioned audio evidence and and so many other things that I have. And then, so then I had an issue with him essentially taking everything that I sent him and and and seeing so much evidence, the totality of everything—and this was on this was only like on July 14th or 15th that I sent this to him and he replied on July 17th—so much has happened since then, obviously. But at the time I initially reached out to him and that was on his secretary, um I had just said, you know, I don't think the affiliate board is capable of handling this. The first vice president of West Virginia had actually actively tried to collude with him and sort of prevent anyone from even going to the national office in the first place, um, you know, and there's audio evidence of a room of him saying that he was going to try to manufacture evidence that a room for a certain member in Austin wasn't authorized when it was. Um and so I basically sent an email to Riccobono laying out all that kind of stuff, right? And then he comes back with an email saying that he agrees with me that this is within the affiliate's ability to solve when I had very explicitly and very particularly chose to point out to him that I felt that the affiliate board was not up to the task for this. And then he also asked for a spreadsheet, only asking for purchases that have written authorization, which I felt was kind of completely neglecting the audio evidence that I had. And I had also thought that by the time I reached out to him, it was simply not possible for this West Virginia board to to adequately even investigate Ahmad, given, you know, that they're friends, and and the one of the people that is on this very committee now, even, um is at one point before this whole committee investigation into Ahmad Shafi started, had actually colluded with him. So I thought that Mark Riccobono um had definitely violated Sections 7 and 11 of the Code of Conduct by choosing to have this board this um remanded to a board that had multiple conflicts of interest. And so that is a big part of why I feel that he violated the Code of Conduct by choosing to do that.

[00:16:34] **Everette Bacon:** I I appreciate that. That That gives me a little more detail, and I appreciate that very much. Um I understand that it is your opinion that you feel that the board cannot handle the the uh matter as a as a state board matter. Uh I appreciate that, I heard that from you. And I heard that President Riccobono deferred against you uh and decided that it was a state affiliate issue. Uh he e- even if he said in his in his reply back to you that he agreed with you, if if you saying you did not say that, then he was

mistaken in saying that to you. Uh and I I hear that, I hear that that's what you're telling me. Uh so those things I am hearing. Um So that that, you know, that helps. I'm kind of re- re- uh sending or re-saying or restating that fact for myself and for Marcie, are we taking notes on this? I didn't I forgot to ask you at the beginning.

[00:17:58] **Marcie:** Um Oh, you mean the the A- summary the AI? I don't think so.

[00:18:07] **Michael Sipes:** Mr. Ba- Mr. Bacon?

[00:18:09] **Everette Bacon:** Yes.

[00:18:10] **Michael Sipes:** Uh You You mentioned that in at the beginning that Garrett is the one that had direct contact with Mark Riccobono and I didn't, so therefore, basically you'd be talking with Garrett and then if I had anything to add. But actually, that's that's incorrect. I I did have direct contact because I have the emails to to Mr. Riccobono. And uh I I pointed out the Code of Conduct violations that Mr. Riccobono made. And and when you began this conversation by immediately saying we had to exclude Ahmad, it's unfortunate that um you cannot talk about Mark Riccobono's Code of Conduct violations unless you speak about the incident in Austin, because that's where he made his Code of Conduct violations was over the decisions uh in response to to what happened. And uh and as Garrett just said, uh number one, appointing remanding it to back to the board here in West Virginia was in itself a violation of the Code of Conduct, Section 11. Because we had given, both Garrett, me, and other people had been had given Mark Riccobono ample evidence of all kinds of of violations. And also that the vice president here at the affiliate in West Virginia was actively colluding with the president here uh of the NFB in in West Virginia with a message campaign to try to sway both Garrett, myself to not do this, or, you know, "don't talk to national," just and I basically had to finally send her a message telling her to stop, stop, cease and desist with all your messaging. And uh plus uh quite a few of the people on the board are Ahmad's friends. Now, as I told Garrett, uh if this were a court of law, the judge would not be uh say, our uncle, and the uh the people judging us, our jury of our peers, would not be our friends. Uh nor would they be people that colluded with us to try to get, you know, the prosecution to uh not do certain things. So Mark Riccobono...

[00:21:40] **Everette Bacon:** That's not a court. It's not a court of law.

[00:21:42] **Michael Sipes:** I know it's not a court, but you must still follow your own Code of Conduct.

[00:21:46] **Everette Bacon:** We are following our Code of Conduct.

[00:21:48] **Michael Sipes:** Well, if if... [sighs/chuckles] Mr. Riccobono, he got exhaustive evidence of Ahmad Shafi's misconduct. And he also got the fact that the board itself was compromised because of the the collusion and the active uh emails and messages to us. So by not appointing a separate board of people, unbiased people, that violated Section 11.

[00:22:36] **Everette Bacon:** In your opinion.

[00:22:38] **Michael Sipes:** Well, [chuckles] okay, if you want to say that, yes, okay, yes, in my opinion. Uh Garrett, do you...

[00:22:52] **Barbara:** Uh this is Barbara with a question.

[00:22:54] **Michael Sipes:** Yes.

[00:22:55] **Barbara:** Could I just like to uh my question is, has the board prior to this incident have any you all had any reason to uh have concerns or think that the board was inadequate to handle uh the business activities of the affiliate prior to this event? Just curious.

[00:23:20] **Michael Sipes:** That's a good question. I, myself, have no knowledge of any because the board never had a problem to deal with that I knew of. Uh Garrett would be better suited to answer that question as as treasurer because uh even though during meetings I was around listening, um he's actually a board member, so he would he would be able to answer that question for you.

[00:23:45] **Garrett Harris:** I would essentially agree with what he said in the sense that there's never been this kind of a problem that the affiliate board has had to deal with before. So...

[00:23:55] **Barbara:** Um I was just curious because what you're pointing out is that the board is not ad- uh is does not have the capability to handle what's currently going on. So I was just curious whether there any incidents prior to this that would make you all feel that way.

[00:24:14] **Michael Sipes:** No, not not prior, but when we came back, uh we immediately contacted board members, and no one seemed to care. And uh we even were told that this "Oh, it sounds like a he said, she said thing," and I'm thinking, "No, this is not a he said, she said. This is a These are real things. These are things that are being, you know, they were audio recorded, uh there's, you know, receipts of 501(c)(3) violations where alcohol was bought with affiliate funds, there's uh all there's all kinds of stuff. This, you know, this is not just some kind of little issue, and there's a and there's a substance abuse issue uh that I believe uh culminated in in the issues that happened in Austin. And uh that's been totally overlooked. Um seems like nobody has has seemed to care about that. Um the alcohol and the and the marijuana use. Um but again, that's Ahmad, and we're not quite discussing Ahmad. But but Riccobono Riccobono knew all this, um and he and he knew from us that the board was not only colluding with Ahmad, certain certain members, they were actively trying to sway us, you know, not to do things or to do this do things their way or certain, you know. And uh when we tried to contact board members, they really just weren't interested in in hearing any more. And over a week went by, actually eight eight days went by, and we finally called Ed back and discussed it further. So that's eight days that this board didn't didn't care to ask any questions. Yeah.

[00:26:22] **Barbara:** I didn't mean to pull you away from the uh topic at hand, I was just curious about uh the answer to that question, so...

[00:26:29] **Michael Sipes:** Yeah, well, I mean that speaks of the board, and um I'm sure they're quite on board now, but for for a good eight days, they didn't care. And um there was active collusion going on from the vice president and Ahmad, um and we have the logs, the email the messages and emails. Uh they're they're plain as day, they're in black and white. Uh anybody can understand see that and see what's going on. So to remand it back to this board that didn't care for over eight days and also had members that uh are his friends—I mean, I I I was his friend at one time—uh...

[00:27:21] **Garrett Harris:** And I was too.

[00:27:23] **Michael Sipes:** Me and me and means that this this board is... Yes, go ahead.

[00:27:27] **Barbara:** I'm sorry, like I say, I pulled away from the topic at hand. Uh we were talking about...

[00:27:32] **Everette Bacon:** Yeah, we just had the one question and and you guys both answer you both answered it.

[00:27:35] **Barbara:** Right.

[00:27:36] **Michael Sipes:** Yeah, I'm I'm finishing up real quick. Yeah. So basically, the board here is not the board which should be judging him, and uh with all the evidence that Mark Riccobono was given, he should not have remanded it back. But I was But when Norma Crosby had the meeting, she made it very clear that all this stuff was very bad, uh the 501(c)(3), all this other, you know, all these other actions, it made the president, it could make the president and national office of the Federation of the Blind look look bad. I get it. So, wanted to keep it contained here in West Virginia, and that's what Mark Riccobono has done. And in doing so, in and in trying to keep it isolated and here in West Virginia to a board that's inept and made up of his friends and people that actively colluded with him, that's just one part of where he broke his own Code of Conduct. Because I've got the Code of Conduct in front of me and uh...

[00:28:55] **Everette Bacon:** Thank you. Well, I want to thank you for that.

[00:28:56] **Michael Sipes:** ...so that that's that's just one, one instance. But go ahead, I don't want to take up any more time.

[00:29:01] **Everette Bacon:** No, I I I understood, thank you for all that. Those those were the questions I had. Um I don't have any other questions. Barbara, Marcie, do you have any other questions?

[00:29:13] **Barbara:** No, I don't at this time.

[00:29:15] **Marcie:** I don't either.

[00:29:17] **Everette Bacon:** Okay. Well, um thank you both for your time. This is what we do as an interview, uh and then the three of us go back and and we uh look over uh all of the notes from both interviews that we've conducted and uh and we'll make a recommendation, and uh it'll go from there. And you guys you will get that recommendation.

[00:29:40] **Michael Sipes:** Well, I and I also will be uh because I'm going to be honest with you, Mr. Bacon, I do not I'm I do not trust this process. Because...

[00:29:50] **Everette Bacon:** Understood.

[00:29:51] **Michael Sipes:** ...because uh...

[00:29:52] **Everette Bacon:** You you made that quite clear on Facebook and other places. I've seen those those postings that you've done and everything, so I I know that you do not trust this process, totally get that.

[00:30:02] **Michael Sipes:** Well, if if your emails had come back as legitimate, I would trust the process. If Garrett had been alerted...

[00:30:08] **Everette Bacon:** Look, I I can only tell you that I know I constructed those emails and sent them myself. I don't know how else to say that anymore plain, if you don't believe me, you say you have evidence, you say that... I that's that's fine.

[00:30:22] **Michael Sipes:** ...if Garrett had been able to be a part of the process and not have been told after the fact that you had your investigation and what you found, I would trust the process. You know, but no. So I'm I've gone ahead and, you know, contacted the IRS, and I've and I'm contacted HUD about Ahmad's fraud, and uh Senator Jim Justice and the Maryland and West Virginia state attorneys and uh so forth. I I'm going to go ahead and pursue that to make sure that everything is handled properly.

[00:31:07] **Everette Bacon:** Good, and that's that's totally your right to do that, so...

[00:31:10] **Michael Sipes:** Okay. All right.

[00:31:11] **Everette Bacon:** Yeah. Good.

[00:31:12] **Michael Sipes:** Well, we're all on the same page then.

[00:31:13] **Everette Bacon:** Yep, we sure are. All right, well, thank you, guys. Thank you very much for your time.

[00:31:17] **Barbara:** Thank you very much for your time, appreciate it.

[00:31:19] **Michael Sipes:** All right, you too. Bye.

[00:31:20] **Barbara:** Have a good evening then.

[00:31:21] **Michael Sipes:** Right. You too. Bye.

[00:31:22] **Garrett Harris:** Bye-bye.

[00:31:23] **Everette Bacon:** Bye.