



WYOMING HOUSE DISTRICT 45

February 23, 2026

TO: Representative Chip Neiman
Speaker of the House of Representatives
200 W. 24th Street
Cheyenne, Wyoming 82002

FROM: Representative Karlee Provenza

RE: *Response to Feb. 17, 2026, Ethics Complaint Alleging Legislative Misconduct*

Mr. Speaker,

I received Representative Tony Locke's written ethics complaint alleging legislative misconduct against me and Representative Mike Yin. I write in response to that complaint and ask that you summarily dismiss Representative Locke's complaint under Joint Rule 22-1(g)(ii).

I. Relevant Facts

The Wyoming Legislature convened for its first day of the abbreviated budget session on Monday, February 9, 2026. That evening, on the House floor, I personally observed Representative Nina Webber escort Rebecca Bextel, who is not a representative or registered lobbyist but a donor and founder of a media outlet, hand checks to Representatives Joe Webb, Marlene Brady, and Darrin McCann.

Shortly after I took this picture, I sent the picture to a reporter at WyoFile, a statewide news outlet. As I later said, I took the photo and shared it with the media "because I thought it was an egregious use of the House floor." I felt the public had a right to know.

Two days later, on Wednesday, February 11, 2026, House Bill 141, the Fifth Amendment Protection Act, came to the House floor for a vote. That bill would prohibit local governments from imposing fees and conditions on "workforce housing."

Ms. Bextel is a known supporter of and advocate for HB 141 and similar efforts to deregulate commercial development in Teton County. In fact, on Tuesday, February 10, 2026, Ms. Bextel hosted an event open to all legislators at the Little America Hotel and Resort to discuss affordable housing projects in Teton County. *See* 2026 Budget Session Special Events Calendar at 2, <https://wyoleg.gov/docs/SpecialEventsCalendar.pdf> (last visited Feb. 21, 2026). Ms. Bextel has claimed these affordable housing projects in Teton County have involved fraud.

On February 11, 2026, during debate on HB 141, Rep. Yin spoke in opposition to the bill. In part, Rep. Yin asked for the body to vote down HB 141 because he believed a “specific person in Teton County” wanted to revive failed legislation from the legislative session in 2025 and he understood that person “handed out checks on the floor of the Legislature during the session” before HB 141 came up for a vote.

Following Rep. Yin’s statements, several representatives claimed he had violated norms or rules of the House. First, Rep. John Bear raised a point of order on Rep. Yin. Second, Rep. Rachel Rodriguez-Williams registered a “protest” against Rep. Yin calling his statements “an allegation of quid pro quo” and “a defamatory statement.” Rep. Rodriguez-Williams went on to say that distributing checks on the House floor “essentially would be bribery and unethical.”

You, Mr. Speaker, asked Rep. Yin if he had evidence to substantiate or verify his claims. Rep. Yin declined to “present anything here,” commenting on legislative rules that do not allow for “props in the Legislature.”

Following these events, Ms. Bextel refused to say whether she handed out checks. Representative Brady, who received the checks on Monday night, told reporters she could not remember receiving any checks when asked on Wednesday morning.

Later that day, February 11, 2026, after news outlets covering the Legislature had witnessed Rep. Yin’s statements and the responses to those statements, I spoke on record about what I witnessed and how my personal observations supported Rep. Yin’s statements during the debate on HB 141. After Rep. Yin had been accused of making “a defamatory statement” and otherwise chastised for arguing against passing HB 141 given the optics of passing the bill after a proponent handed out checks to select representatives on the House floor, I felt it essential to correct the public record and confirm that Rep. Yin was telling the truth. Because certain representatives claimed Rep. Yin’s statements about a donor handing out checks and representatives accepting checks on the House floor were made without evidence or, worse, knowing those statements contain false information, I could not remain silent.

The Wyoming Constitution protects every person’s right to speak freely on “all subjects.” Wyo. Const., art. 1, § 20. It further provides that “the truth . . . shall be a sufficient defense” to any defamation claim. *Id.* Our Supreme Court has long recognized that “truth is an absolute defense to defamation claims.” *Thomas v. Rosenberger*, 2015 WY 7, ¶ 50, 341 P.3d 390, 402 (Wyo. 2015); *Tschirgi v. Lander Wyo. State Journal*, 706 P.2d 1116, 1120 (Wyo. 1985) (“[F]or liability to result, it must also appear that the published material was false, for truth is an absolute defense to a claim for damages resulting from libel.”).

After reporters revisited the issue with Ms. Bextel and representatives, the giver and receivers of the checks slowly started to reveal that Ms. Bextel had, in fact, handed out checks on the House floor to elected representatives on Monday evening. All the same, Ms. Bextel approached Rep. Yin and told him she planned to sue him for defamation.

On Thursday, February 12, 2026, I moved the House to convene a special committee to investigate these events. Specifically, I moved to form a special committee to investigate the hand-delivery of checks to representatives on the House floor and whether those events or anything related events violated the Wyoming Constitution or constituted legislative misconduct. Every representative on the House floor voted in favor of forming this special committee.

Over the next few days, the Laramie County Sheriff’s Office announced it had opened a criminal investigation into the matter. Then, on February 17, 2026, Governor Gorden issued an executive order banning campaign contributions in state buildings.

At no time have I submitted an ethics complaint against any legislator.

II. Applicable Rules

Joint Rule 22 covers ethics complaints. Joint Rule 22-1(a)(v) states: “The ethics complaint procedure under this rule shall be reserved for substantiated allegations of legislative misconduct and in all other circumstances, the members of the House and Senate shall be ultimately responsible directly to the electorate.”

“Legislative misconduct” is defined as “conduct involving legislative duties that constitutes”:

- (i) A violation of Article 3 of the Wyoming Constitution;
- (ii) A violation of the Ethics and Disclosure Act, W.S. 9-13-101, et seq;
- (iii) A violation of any of the Wyoming Conflict of Interest Statutes;
- (iv) Violence or disorderly conduct during legislative meetings, sessions, or during the performance of legislative duties;
- (v) Bribes or offers of bribes;
- (vi) A violation of the rules of the House or Senate pertaining to ethical standards for legislators or preventing disorderly conduct; or
- (vii) Any other conduct that constitutes a felony.

See Joint Rule 22-1(d)(i)–(v).

Joint Rule 22-1(a)(iii) warns against misuse or overuse of the ethics complaint process. It reads: “An ethics investigation instituted for the purposes of advancing political interests, not connected with intended legislation or any matters upon which a house should act, or instituted merely to subject a member of the House or Senate to public animadversion, is not a proper legislative proceeding.”

And Joint Rule 22-1(b) explains that the Senate and the House may resolve issues outside the ethics complaint process as each body sees fit—“Nothing in this rule shall prohibit the House and Senate from taking any action or adopting any procedure to preserve order and decorum in the houses pursuant to the authority granted in the Wyoming Constitution.”

When an ethics complaint is submitted against a member of the House of Representatives, the Speaker “shall receive written, signed complaints alleging legislative misconduct by a member of the House.” Joint Rule 22-1(c). After receiving the written, signed complaint, Joint Rule 22-1(g)(ii) provides, among other things, that:

(g) The presiding officer, after consultation with the majority and minority floor leaders, shall summarily dismiss any complaint which:

- (ii) Alleges facts that if taken as true and construed in the light most favorable to the complainant do not constitute legislative misconduct.

III. Because Rep. Locke’s alleged facts, even if taken as true and construed in the light most favorable to him, do not constitute “legislative misconduct,” you “shall” summarily dismiss his complaint.

In his written ethics complaint dated Feb. 17, 2026 (hereinafter, the “Complaint”), Rep. Locke accuses me of three things, none of which constitutes “legislative misconduct” as defined by Joint Rule 22-1(d). Accordingly, under Rule 22-1(g)(ii), you, Mr. Speaker, “shall summarily dismiss” his complaint.

In brief, Rep. Locke claims that I have committed legislative misconduct because I shared my photo of Ms. Bextel handing Rep. McCann a check with the media, discussed the matter with the media, and moved to convene a special committee rather than filing a written ethics complaint under Joint Rule 22-1. But nothing in Joint Rule 22-1(d) establishes that a legislator’s exercise of her free speech rights, including sharing a photo taken of a citizen interacting with an elected representative on the House floor in the presence of many other people with media outlets or discussing her observations on the House floor with media outlets, is “legislative misconduct.” Nor does anything in Joint Rule 22-1(d) establish that a legislator’s decision to *not* file an ethics complaint is itself “legislative misconduct” subject to an ethics complaint under Rule 22-1. Instead, Joint Rule 22-1(b) expressly provides that our body, the House, may resolve issues on its own accord outside of the ethics complaint process.

First, Rep. Locke accuses me of violating Joint Rules 22-1(c) and 22-1(j) by “taking an alleged ethics violation to the press rather than the presiding office of the Wyoming House.” *See* Complaint at 3. Even if true, this accusation does not constitute an allegation of “legislative misconduct” as defined by Joint Rule 22-1(d)(i)–(v). Joint Rule 22-1(d) does not include violations of Joint Rules 22-1(c) and 22-1(j) within the definition of “legislative misconduct.” And my decisions to share publicly obtained information about an interaction between a known public advocate, donor, and media figure and elected representatives on the House floor is heartland free speech conduct protected by the First Amendment to the United States Constitution and the Wyoming Constitution in Article 1, Section 20.

“Speech by citizens on matters of public concern lies at the heart of the First Amendment, which ‘was fashioned to assure unfettered interchange of ideas for the bringing about of political and social changes desired by the people[.]’” *Lane v. Franks*, 573 U.S. 228, 235–36 (2014) (quoting *Roth v. United States*, 354 U.S. 476, 484 (1957)). “This remains true when speech concerns information related to or learned through public employment. After all, public employees do not renounce their citizenship when they accept employment, and this Court has cautioned time and again that public employers may not condition employment on the relinquishment of constitutional rights.” *Lane*, 573 U.S. at 236. Nor may a State hold an elected official to a stricter First Amendment standard than it can hold a private citizen. *See Bond v. Floyd*, 385 U.S. 116, 132–33 (1966).

The information, including a photo, I shared with the media about my observations on the House floor was not confidential, a state secret, or protected from disclosure by state law or the rules governing the conduct of members of the House of Representatives. And my decision to share that information with the media is heartland First Amendment/Article 1, Section 20 protected free speech activity. It is, under no circumstances, “legislative misconduct” as contemplated by Joint Rule 22-1(d).

Further, my decision to move the House to convene a special committee to investigate what I saw and what Rep. Yin raised to the body is also not legislative misconduct, but core legislative *conduct*. Even if other representatives find my decision to move to convene this committee wrongheaded, my decision remains deeply protected by existing law. As Justice Alito has written, “[o]ur history is rich with tales of

legislators using their votes to express deeply held and highly unpopular views, often at great personal or political peril.” *Nev. Comm'n on Ethics v. Carrigan*, 564 U.S. 117, 133 (2011) (Alito, J., concurring in judgment). He went on:

[T]he act of voting is not drained of its expressive content when the vote has a legal effect. If an ordinary citizen casts a vote in a straw poll on an important proposal pending before a legislative body, that act indisputably constitutes a form of speech. If a member of the legislative body chooses to vote in the same straw poll, the legislator's act is no less expressive than that of an ordinary citizen. And if the legislator then votes on the measure in the legislative chamber, the expressive character of that vote is not eliminated simply because it may affect the outcome of the legislative process.

Id. at 134.

For each of these reasons, Rep. Locke’s first accusation against me is subject to dismissal under Joint Rule 22-1(g)(ii).

Second, Rep. Locke accuses me of violating Joint Rules 22-1(c), (e), and (f) by “failing to submit a written and signed ethics complaint to the presiding officer of the Wyoming House.” Complaint at 3. Again, even if true, violations of Joint Rules 22-1(c), (e), and (f) do not constitute “legislative misconduct” as defined by Joint Rule 22-1(d)(i)–(v) for all the same reasons I provided above. In short, my decisions to exercise my free speech rights to share public information with the media and to use my legislative discretion to *not* file an ethics complaint and to move to convene a special investigative committee are not legislative misconduct at all. And if, somehow, my decisions to exercise my rights and discretion could be construed as actionable legislative misconduct through our ethics complaint process, it would chill and deeply damage the legislative process. Legislators would be rightly fear that taking bold or unpopular positions would subject them to an ethics complaint. Mr. Speaker, you should not permit this.

Because it fails to allege legislative misconduct, Rep. Locke’s second accusation is subject to dismissal under Joint Rule 22-1(g)(ii).

Third, Rep. Locke accuses me of violating Joint Rule 22-1(a)(iii) by “widely publicizing the alleged ethics violation, including insinuating felonious intent on the part of the parties involved.” Complaint at 3. Once more, even if true, violations of Joint Rules 22-1(a)(iii) do not constitute “legislative misconduct” as defined by Joint Rule 22-1(d)(i)–(v).

First, I personally did not “publicize” the photo I took or the statements I made to news outlets. The news outlets did that.

Second, even had I personally “publicized” the photo I took or the statements I made about my observations and opinions, nothing in Joint Rule 22-1 or Joint Rule 22-1(d) makes it an ethics violation to *not* file an ethics complaint and, instead, freely share my personal observations and thoughts with the public about an issue of public importance. Again, were this not the case, our Joint Rules would effectively curtail or abridge the free-speech rights of every elected official—a result that would directly conflict with the Supreme Court’s decision in *Bond*, 385 U.S. at 132–33 and the rights guaranteed by the Wyoming Constitution in Article 1, Section 20.

Third, I chose to make detailed statements to the media about my observations with others only *after* other representatives accused Rep. Yin of defaming other representatives and, perhaps, Ms. Bextel by

spreading false information about Ms. Bextel's interactions with lawmakers on the House floor before HB 141 was considered by this body. I did this because the issue had been made public and controversial by those lawmakers who had reacted so stridently to Rep. Yin's comments. Recall that "the truth" is a complete defense to a defamation claim. *See* Wyo. Const., art. 1, § 20.

Fourth, while perhaps duplicative of some of my earlier points, Joint Rule 22-1 does not, under any circumstances, *require* a representative to submit an ethics complaint. And Joint Rule 22-1(b) expressly provides that this body may resolve issues outside the ethics complaint process. For this additional reason, my decision to *not* file an ethics complaint cannot itself amount to legislative misconduct.

Thus, Rep. Locke's third and final accusation is subject to dismissal under Joint Rule 22-1(g)(ii).

* * *

IV. Conclusion

Mr. Speaker, I take my role in the House of Representatives with absolute seriousness and solemnity. I care deeply for our State and its people. Our State and the people we represent deserve the very best of our legislators. I owe my oath to this office to the Constitution and I owe my heart to the people of Wyoming.

My decisions relating to what I saw on the House floor were intended to protect our body against degradation. Our body helps make the laws that govern our State and promote the welfare, success, lives, liberty, and property of our people. My actions, as alleged by Rep. Locke, do not constitute legislative misconduct. And so you must summarily dismiss Rep. Locke's complaint under Rule 22-1(g)(ii) so we can all get back to doing the people's business of passing a proper budget and any other proposed laws our body and the Senate deem fit to consider.

Respectfully submitted this 23rd day of February, 2026.
Representative Karlee Provenza:

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Karlee R. Provenza