

Executive Ethics Board News

Shirley Battan, Chair
Gerri Davis, Vice Chair
Anna Dudek Ross, Member
Jan Jutte, Member
Earl Key, Member

March 16, 2021

The Executive Ethics Board (Board) met virtually on Friday, March 12, 2021 for their regular meeting. Board members present were Chair Shirley Battan, Vice Chair Gerri Davis and Members Anna Dudek Ross, Jan Jutte and Earl Key. Others attending included: Kate Reynolds, Executive Director, Chad Standifer, Assistant Attorney General, Michelle Carr, Assistant Attorney General, David Killeen, Senior Investigator, Bobby Frye, Investigator and Ruthann Bryant, Administrative Officer. Members of the public also attended.

Enforcement

In lieu of an enforcement hearing, the Board accepted stipulations from:

- **Tamela Merrill**, Secretary Senior with the Department of Corrections, may have violated the Ethics in Public Service Act by using state resources for her private benefit and gain. Evidence indicated that Ms. Merrill spent 128.2 hours on non-work related internet browsing over a four-month period. The Board levied a civil penalty of \$2,500 with \$1,000 suspended.
- **Deitra Garrett**, Work Source Specialist with the Employment Security Department, may have violated the Ethics in Public Service Act by using state resources for her private benefit and gain and for using state resources to support her outside employment. The Board levied a civil penalty of \$3,000 with \$500 suspended.
- **Travis Minor**, Classification Counselor with the Department of Corrections, may have violated the Ethics in Public Service Act by using state resources for private benefit or gain and accessing confidential information for non-work related purposes. Evidence indicated that Mr. Minor accessed two different databases to look up information on non-offenders. The Board levied a civil penalty of \$2,000 with \$1,000 suspended.

The Board found Reasonable Cause in EEB Case 2019-034 (Woodard), EEB Case 2020-046 (McBride), EEB Case 2020-051 (Ruge), EEB Case 2020-057 (Renwick), EEB Case 2020-059 (Bigelow), EEB Case 2020-064 (Cutler), and EEB Case 2020-067 (Meza-Diaz).

The Board dismissed EEB Case 2020-049 (Franz), EEB Case 2020-052 (Leonetti), and EEB Case 2020-060 (Dean).

The Board issued Motions for Default in EEB Case 2018-053 (Smith) and EEB Case 2020-010 (Fobes).

Meeting agendas can be found at www.ethics.wa.gov under "Meetings."

The next meeting of the Executive Ethics Board is scheduled for May 14, 2021.

The Board issued Final Orders of Default in EEB Case 2020-011 (Russell), EEB Case 2020-025 (Braddock) and EEB Case 2020-030 (Burriss).

The Board reviewed one Executive Director Dismissal: EEB Case 2020-044 (Douglas).

Board Action:

A. The Board began their scheduled review of advisory opinions (AO). The Board staff is facilitating this review by grouping like subjects together, so that the Board reviews all of the opinions on that subject at the same time, and completing a pre-review to provide the Board with context and recommendations. During their review the Board will determine if the AO should remain unchanged, be updated or archived. This round of reviews regarded the Use of State Resources encompassed the following AOs:

- **Advisory Opinion 96-03:** Wellness Program
- **Advisory Opinion 99-02:** Operating a non-profit within an agency
- **Advisory Opinion 00-09:** Combined fund drive activities
- **Advisory Opinion 00-10:** Emails
- **Advisory Opinion 02-01:** Use of state facilities to conduct union business
- **Advisory Opinion 02-05:** Use of state facilities to gamble
- **Advisory Opinion 03-01:** Accessing state retirement account/state provided benefits
- **Advisory Opinion 03-03:** Frequent flyer miles
- **Advisory Opinion 03-04:** Selling complimentary text books
- **Advisory Opinion 04-02:** Participating in creation or review of articles to be used to promote commercial products
- **Advisory Opinion 08-01:** Authorizing wellness organizations to sell products
- **Advisory Opinion 08-02:** Ferry passes
- **Advisory Opinion 09-05:** Gift of employee time
- **Advisory Opinion 10-01:** Use of resources for wellness program
- **Advisory Opinion 10-02:** Wearing uniforms at charitable events

B. The Board reviewed and approved the Office of the Attorney General's Pro Bono policy.

Approved versions of policies will be uploaded to the Board's website at www.ethics.wa.gov.