

Executive Ethics Board News

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

November 15, 2021

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

Enforcement

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

- **Kenneth Davis**, Maintenance Mechanic 4, with the Department of Social and Health Services, may have violated the Ethics in Public Service Act when he provided a coworker the use of a state vehicle to commute into the office. The Board levied a civil penalty of \$500 with \$250 suspended.
- **Chelsea Arthur**, Social Services Specialist with the Department of Social and Health Services, may have violated the Ethics in Public Service Act by using state resources for her private benefit and gain and accessing confidential information for non-work related purposes. Evidence indicated that she accessed confidential information and shared that information with someone outside the agency and accessed the internet for personal use. The Board levied a civil penalty of \$2,500 with \$750 suspended.
- **Chad Robertson**, Classification Counselor 2, with the Department of Corrections, may have violated the Ethics in Public Service Act by using state resources for his private benefit and gain. Evidence indicated that spent an excessive amount of time using two different browsers to access the internet for private benefit to include Madden Football, Fantasy Football, music and gaming sites. The Board levied a civil penalty of \$3,000 with \$1,000 suspended.
- **David Emmons**, Former Executive Director of the Olympic College Foundation at Olympic College, may have violated the Ethics in Public Service Act by using his position to secure special privileges for another. Evidence indicated that he provided a single candidate multiple scholarships in an excessive amount. The Board levied a civil penalty of \$1,500.
- **Irina Stoyan**, former Quality Control Specialist, with the Department of Social and Health Services, may have violated the Ethics in Public Service Act by using state computer resources for her personal benefit or gain. Evidence indicated that she was using her

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state computer to support her outside real estate business. The Board levied a civil penalty of \$2,500.

The Board found Reasonable Cause in EEB Case 2021-022 (Clarke), EEB Case 2021-025 (Bonner), EEB Case 2021-026 (Marr), EEB Case 2021-029 (Brown) and EEB Case 2021-031 (Lindstrand).

The Board dismissed EEB Case 2021-023 (Sanchez), EEB Case 2021-027 (Fitch), EEB Case 2021-028 (Baker), EEB Case 2021-030 (Godin), EEB Case 2021-039 (Anderson) and EEB Case 2021-040 (Gosselin).

The Board reviewed one Executive Director Dismissal: EEB Case 2021-032 (Lewis).

Board Action:

- A. The Board held a public hearing regarding amendments to WAC 292-100: Procedural Rules.
- B. The Board continued 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 Miscellaneous topics and encompassed the following AOs:

- **Advisory Opinion 96-08:** Employee's Identity
- **Advisory Opinion 96-10:** Use of Employee Mailing List by Agency Elected Officer
- **Advisory Opinion 97-05:** Employee's Beneficial Interest in a Spouse's Contract with their Employing Agency
- **Advisory Opinion 97-10:** Definition of Assisting in a Transaction
- **Advisory Opinion 97-14:** Outside Employment
- **Advisory Opinion 98-09:** Use of Resources for Political Campaigns
- **Advisory Opinion 99-01:** Definition of Legislative Body/Political Activities
- **Advisory Opinion 99-03:** Outside Compensation/Collegiate Athletic Coaches
- **Advisory Opinion 99-08:** Permissible Investments/Reinvestment of Dividends
- **Advisory Opinion 00-08:** Use of State Resource/Political Campaigns/Officer or Employee Title
- **Advisory Opinion 02-04:** Use of State Facilities, Including Electronic Mail, to Distribute Newspaper Articles and Editorial Opinions.
- **Advisory Opinion 03-02:** Use of State Resources/Political Campaigns/Voters Pamphlet Statements
- **Advisory Opinion 04-01:** Use of Agency Websites to Provide Links to Private Web Sites that Advocate for or Against Ballot Initiatives or Political Candidates
- **Advisory Opinion 08-04:** Posting Political Signs in State-Owned Housing
- **Advisory Opinion 11-01:** Expert Witness/Expert Testimony

The Board voted to archive **Advisory Opinion 03-06** because the section of the Ethics in Public Service Act the advisory opinion relies upon was stricken from the Act in 2005.

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