

# **Washington State Executive Ethics Board**

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## ***Filing a Complaint***

### **How to File a Complaint**

If you believe that a state officer or state employee has engaged in activities that may be in violation of the state ethics laws, you can file a complaint with the Executive Ethics Board. The complaint form is available on our website.

When filing a complaint, you must include the following:

- The name of the person alleged to have violated the law and the employing agency;
- All facts that support your allegation;
- Any evidence you have to support your allegation;
- The names of individuals who witnessed the alleged violation or who otherwise have knowledge of the alleged violation.

Under RCW 42.52.410, a state employee who files a complaint with the appropriate ethics board shall be afforded the protection afforded to a whistleblower under RCW 42.40.050 and 49.60.210(2). An agency, manager, or supervisor may not retaliate against a state employee who, after making a reasonable attempt to ascertain the correctness of the information furnished, files a complaint with the appropriate ethics board. Also, under RCW 42.52.420, the identity of a person filing a complaint under RCW 19 42.52.410(1) is exempt from public disclosure.

A copy of the complaint will be sent to the employee's agency.

### **Investigative Process**

Once Board staff receives your complaint it is reviewed and investigated. During the investigation witnesses may be contacted. Staff then determines how to proceed with what it has found. The Executive Director may dismiss the complaint or recommend that the Board dismiss the complaint or find reasonable cause to believe a violation has occurred.

### **Executive Director Dismissal**

The Executive Director may dismiss complaints if:

- The violation was not within the jurisdiction of the board;
- The complaint was obviously unfounded or frivolous; or
- The violation was inadvertent and minor or has been cured.

The complainant and the Board members have an opportunity to seek review of the dismissal by the entire Board.

### **Reasonable Cause Determination**

If the complaint does not fall within any of these categories, staff may recommend that the Board find reasonable cause to believe a violation has occurred. If the Board does so, the matter is set for an enforcement hearing.

### **Enforcement Hearing**

If an enforcement hearing is held, the alleged violator will be given an opportunity to defend him or herself. Staff will present any evidence obtained during the investigation.

The Board will determine if a violation occurred and if so, they may impose a penalty or require payment of investigative costs and restitution.

**At any time during the investigative process, the parties may stipulate to a violation and penalty. The complainant will not be consulted during the negotiation phase.**