



Washington State Executive Ethics Board

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Executive Ethics Board News

Anna Dudek Ross, Chair
Samantha Simmons, Vice Chair
Lisa Marsh, Member
Sumeer Singla, Member
John Ladenburg Sr., Member

March 21, 2016

The Executive Ethics Board (Board) met on Friday, March 18, 2016 for their regular business meeting. All Board members were present. Others attending included: Kate Reynolds, Executive Director, David Killeen, Investigator and Ruthann Bryant, Administrative Officer. Members of the public also attended.

Enforcement

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

- **Barry Moore**, an employee Washington State University for a financial interest in a transaction and conducting activities incompatible with his public duty in regard to his participation of selling/renting scuba equipment to his students that were enrolled in classes in which he was a lead instructor. Evidence also indicated that Dr. Moore's position as a scuba instructor for WSU enabled him to secure a special privilege for himself in regards to using the storage space at the Gibbs pool facility for storing scuba equipment used by students and used state resources to promote and sell/rent scuba equipment for his outside personal business. The Board took into consideration that Dr. Moore sought and received guidance from WSU management and the WSU Attorneys General from the very beginning of his involvement with the WSU Scuba Program and the creation of his outside personal business. The Board levied a civil penalty of \$1,500 with \$500 suspended.
- The Board found Reasonable Cause in two cases: 2014-042 (Shriner) and 2014-064 (Barron).
- The Board signed a Final Order of Default against Antoinette Bates, a former employee of Pierce College for failing to respond to the Board's Reasonable Cause Determination entered on May 8, 2015. Ms. Bates used state resources to access websites for non-work related browsing for over 4,500 minutes over 40 days, used the state email system for non-work related purposes nearly daily and used a state printer for personal documents and state SCAN number for personal calls. The Order imposes a penalty of \$3,000.
- The Board also issued a Default Final Order against Nora Dudley, an employee of Pierce College for failing to respond to the Board's Reasonable Cause Determination entered on May 8, 2015. Ms. Dudley used her state computer and internet to browse non-work related websites for 875 minutes over 28 days and used the state email, printer and phone for her personal benefit. The Order imposes a penalty of \$2,000.
- The Board reviewed eight Executive Director's Dismissals: 2014-073 (Selix), 2014-077 (Kerns), 2014-081 (Coursey), 2015-043 (Bronkema), 2015-044 (Quirin), 2015-045 (Zeth), 2015-047 (Mason) and 2015-048 (MacNeil).

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

The next meeting of the Executive Ethics Board is scheduled for May 13, 2016.

Board Action:

- A. The Board reviewed proposed revisions to WAC 292-130 Agency Organization – Public Records and instructed staff to begin the rule-making process.
- B. The Board began reviewing all of the 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. The first round of reviews regarded the Use of State Resources and small changes to update per with the new WAC which becomes effective on April 1, 2016 and 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 02-02A:** Use of state resources-general board advice
 - **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
- C. The Board reviewed and approved a Use of State Resources policy for the Department of Corrections. Approved versions of policies will be uploaded to the Board's website at www.ethics.wa.gov.