



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

May 16, 2016

The Executive Ethics Board (Board) met on Friday, May 13, 2016 for their regular business meeting. Board members present were Chair Anna Dudek Ross, Vice Chair Samantha Simmons and Members Marsh and Ladenburg. Others attending included: Kate Reynolds, Executive Director, Bruce Turcott, Assistant Attorney General, David Killeen, Investigator and Ruthann Bryant, Administrative Officer. Members of the public also attended.

Enforcement

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

- **Denise Stewart**, an employee with the Washington State Department of Social and Health Services, Western State Hospital may have violated RCW 42.52.160 when she took time off from work without submitting the proper leave slips. Ms. Stewart received pay for approximately 73.85 hours of time that she was not at work and did not submit the proper leave slips. The Board levied a civil penalty of \$3,000 with \$1,500 suspended.
- **Steven Rodgers**, a former Washington State Department of Transportation employee may have violated the Ethics in Public Service Act in his efforts to influence the outcome of an internal investigation involving his son regarding theft of Washington State Ferry funds or the misuse or improper use of the ferry system cash for a personal benefit. Additional violations also resulted in potential conflict of interest and special privilege issues. The Board levied a civil penalty of \$1,500.
- **Stefan Freelan**, A Western Washington University employee may have used state resources for personal benefit, violating RCW 42.52.160, when he used computer resources to support his outside business and for his private personal benefit. Some of the evidence indicated that he stored over 1,500 audio books and postcasts, over 4,000 music files, 137 full length movies, over 10,900 personal pictures, 501 personal documents and a video games on his state computer. He may have also violated RCW 42.52.020, .030 and provided a special privilege when he rented a classroom to a nonprofit at a reduced rate not available to others. The Board levied a civil penalty in the amount of \$6,000 with \$3,000 suspended.
- The Board found Reasonable Cause in EEB Case 2014-085 (Fitch).
- The Board reviewed two Executive Director's Dismissals: 2014-094 (Williamson) and 2015-003 (Soto) and requested further review of 2015-046 (Templeton).

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

The next meeting of the Executive Ethics Board is scheduled for July 8, 2016.

Board Action:

- A. The Board reviewed proposed revisions to WAC 292-130 Agency Organization – Public Records and approved the filing of the CR-102 with the Code Reviser and a public hearing at the July 8th meeting.
- B. The Board continued their 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. The Board reviewed changes made to Use of State Facilities to Support Private Commercial Advertising Activity as a follow up from the March meeting. The second round of reviews regarded the Use of State Resources for political purposes and encompassed the following AOs:
- **Advisory Opinion 96-10:** Use of employee mailing list by agency elect officer
 - **Advisory Opinion 98-09:** Use of resources for political campaigns
 - **Advisory Opinion 99-01:** Definition of legislative body/political activities
 - **Advisory Opinion 00-08:** Use of state resources/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/voter 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
- C. The Board reviewed and approved an Ethics policy for the Washington State Board of Accountancy and a Conflict of Interest policy for the Department of Labor and Industries. Approved versions of policies will be uploaded to the Board's website at www.ethics.wa.gov.