

1 **BEFORE THE WASHINGTON STATE**
2 **EXECUTIVE ETHICS BOARD**

3 In the Matter of:

EEB Case No. 2022-015

4 Jasmine Hansel,

FINAL ORDER

5 Respondent
6
7

8 **I. PROCEDURAL HISTORY**

9 On April 20, 2022, the Executive Ethics Board (Board) received an agency referral
10 alleging that Jasmine Hansel (Ms. Hansel), a former employee with the Employment Security
11 Department (ESD), may have violated the Ethics in Public Service Act. The referral alleged that
12 Ms. Hansel violated the Ethics in Public Service Act by using state resources for non-work
13 related activities.

14 On September 9, 2022, The Board found reasonable cause that violation(s) of RCW
15 42.52 had been committed. On March 10, 2023, the Board entered an Order of Default. On
16 March 13, 2023, Board staff provided Ms. Hansel with notice of the Board's Order of Default
17 by regular and certified mail.

18 Pursuant to WAC 292-100-060(4) Ms. Hansel was allowed 10 days to request vacation
19 of the Order of Default. Ms. Hansel has not moved to vacate the order entered on March 10,
20 2023.

21 **II. FINDINGS OF FACT**

22 1. According to the referral, when an ESD employee separates from the agency,
23 ESD staff are responsible for reviewing the employee's email account in order to help the agency
24 comply with records retention requirements. Upon Ms. Hansel's exit from ESD, her email
25 account was reviewed, at which time several personal emails were discovered.
26

1 2. According to ESD, Ms. Hansel was hired on July 16, 2021 as a non-permanent
2 Unemployment Insurance Specialist 2. On February 28, 2022, Ms. Hansel separated from ESD,
3 due to the non-permanent position ending.

4 3. As part of this investigation, Board staff obtained Ms. Hansel's ESD issued
5 laptop. A forensic image was acquired, at which time the contents were processed and reviewed
6 utilizing Magnet Axion software. Board staff thoroughly reviewed the contents of Ms. Hansel's
7 laptop. Multiple items of interest were located, including: photographs, documents, emails, and
8 web browsing history.

- 9 • **Photographs:** Board staff located several hundred photographs, all of which
10 were personal in nature. The photographs ranged from "selfie" type images of
11 Ms. Hansel, "selfie" photographs of other adult females, several hundred "meme"
type images of miscellaneous celebrities and others, as well as what appeared to
be several dozen family/home life personal photographs.

- 12 • **Documents:** Board staff reviewed several documents, some of which appeared
13 personal in nature, including:

- 14 ➤ *Amazon_Original_Kids_Shows_Downloadable_Coloring_Book_PC-*
15 *Mac_Download.pdf:* a multi-page children's coloring book.
- 16 ➤ *aa (1).pdf:* A letter to Ms. Hansel, from Sundown Ranch, with personal
17 information in the letter.
- 18 ➤ *Subject.pdf:* A letter from Ms. Hansel, inviting an individual abroad to
19 come and stay at her home, in the United States, for three months.
- 20 ➤ *FL Divorce 201 Petition_2020 06.doc:* Superior Court documents, related
21 to Ms. Hansel's divorce.
- 22 ➤ *BloodPressureTracker.xlsx:* An excel spreadsheet of morning/evening
23 blood pressure readings.
- 24 ➤ *PersonalMonthlyBudget.xlsx:* An excel spreadsheet of monthly budget
25 items (rent, car payment, etc.)

- 26 • **Emails:** Board staff reviewed several hundred emails, many of which appeared
personal in nature, including:

- **October 19, 2021 - Incoming mail from ABCMOUSE.COM:** A marketing email, sent to Ms. Hansel, regarding online educational activities for children.
- **October 19, 2021 - Incoming mail from AMAZON MUSIC:** An email mentioning Ms. Hansel's ongoing Amazon music subscription service.
- **October 19, 2021 - Incoming mail from AMAZON.COM:** An email to Ms. Hansel, about her Amazon prime membership benefits.
- **October 20, 2021 - Incoming mail from HULU.COM:** An email to Ms. Hansel, asking her to update her Hulu billing information.
- **October 20, 2021 - Incoming mail from ALADDIN'S GOLD:** A marketing email, sent to Ms. Hansel, regarding a bonus she can collect – for online gambling.
- **October 20, 2021 – Incoming mail from Adam@realitytelevision.us:** An email informing Ms. Hansel that her application for being on a reality television show had been accepted, followed by the next steps she needed to take.
- **October 21, 2021 – Incoming mail from Adam@realitytelevision.us:** A follow up email, to Ms. Hansel, informing her that her application status needed some follow up information (with a website link attached).
- **October 21, 2021 – Incoming mail from AMAZON.COM:** Email to Ms. Hansel, confirming her recent purchase of an online Prime video order.
- **October 22, 2021 – Incoming mail from DOORDASH:** An email addressed to Ms. Hansel's husband, thanking them for a recent DoorDash food order.
- **October 22, 2021 – Incoming mail from AMAZON.COM:** Email addressed to Ms. Hansel's husband, regarding his online Amazon account.
- **October 22, 2021 – Incoming mail from ALADDIN'S GOLD:** A marketing email, sent to Ms. Hansel, regarding available online gambling discounts.
- **October 22, 2021 – Incoming mail from AMAZON.COM:** Email addressed to Ms. Hansel's husband, regarding payment due on their Amazon account.

- **October 22, 2021** – *Incoming mail from AMAZON.COM*: Email addressed to Ms. Hansel’s husband, regarding recent changes on their Amazon account.
- **October 22, 2021** – *Incoming mail from AMAZON.COM*: Email addressed to Ms. Hansel’s husband, regarding a recent purchase on their Amazon account.
- **October 22, 2021** – *Incoming mail from DOORDASH*: An email addressed to Ms. Hansel’s husband, thanking him for a recent DoorDash food order.
- **October 22, 2021** – *Incoming mail from AMAZON.COM*: Email addressed to Ms. Hansel’s husband, regarding a problem with their account payment.
- **October 23, 2021** – *Incoming mail from AMAZON.COM*: Email addressed to Ms. Hansel’s husband, regarding a cancelled order.

The above sample of incoming emails to Ms. Hansel’s ESD inbox continued, for several months. More specifically, between the dates of October 24, 2021 and February 5, 2022 Ms. Hansel received:

- **105 emails from:** *Netflix, Discovery+, Hulu, Pandora, and Paypal.*
- **261 additional promotional emails from multiple online gambling sites**
- **22 promotional emails from miscellaneous online shopping platforms**
- **52 emails regarding her Amazon Prime account**
- **17 emails concerning DoorDash food orders.**
- **Web browsing history:** Board staff reviewed Ms. Hansel’s online browsing activity. Ms. Hansel visited a plethora of online websites, including:
 - **July 21, 2021 – November 21, 2021:** *hundreds of visits/logins to Amazon to shop for and purchase personal items, books, games, etc.*
 - **August 22, 2021:** *Several immigration websites visited and researched*
 - **August 27, 2021:** *Meditation and mindfulness websites visited*

- **September 7, 2021:** Jamaican food delivery services researched, clarksusa.com (shoe website) also visited
- **September 10, 2021:** Chemical peel and surgery websites visited
- **September 14, 2021:** Multiple Netflix website visits, along with DoorDash
- **September 15, 2021:** Multiple Netflix website visits
- **September 21, 2021:** Multiple online school websites researched
- **September 23, 2021:** Online Jamaican restaurant websites visited
- **September 23, 2021:** WhatsApp messaging service accessed
- **September 28, 2021 – October 18, 2021:** YouTube accessed hundreds of times, to search music videos
- **October 6, 2021:** Ziggy storage shed website and Moses Lake shed company websites visited
- **October 7, 2021:** abcmouse.com website visited multiple times
- **October 18, 2021:** Passport and immigration websites visited
- **October 18, 2021 1:41pm – 4:30pm:** YouTube accessed, 19 music videos searched and presumably viewed during time frame noted
- **October 20, 2021 – October 21, 2021:** Several drug/alcohol rehab clinics researched
- **October 21, 2021:** Several Amazon website visits
- **October 28, 2021:** Ghana embassy website visited
- **November 17, 2021:** West coast auto detailers website visited and multiple amazon website visits
- **November 18, 2021:** Online Safeway order made, via website
- **December 2, 2021:** Several visits to indeed.com (job search website)
- **December 3, 2021:** Generations credit union website visited
- **December 24, 2021:** Several PayPal website visits

➤ *February 7, 2022 7:13am to 11:03 am: Multiple Zoom meetings attended for medical care*

➤ *February 7, 2022 – February 23, 2022: Multiple visits related to medical care websites and more Zoom meeting attendance*

• **Google Searches, between the dates of August 5, 2021 – February 16, 2022 (over 5,000 total), including:**

- *How to obtain a visa*
- *Jamaican passport renewal*
- *Food recipes*
- *Home remedies to kill rats*
- *Funny office jokes*
- *Shoes, jeans, misc. clothing searches*
- *Home food delivery for Jamaican families*
- *Multiple other searches about Jamaican schools and how to help local families*
- *Summer jam (music) searches*
- *Hair extensions*
- *Rent to own sheds*
- *WA state divorce laws*
- *Invitation for foreign visitor letter template samples*
- *Process for filing a petition for foreign visitors*
- *Ifiber news*
- *Online floral design classes*
- *Online art classes*
- *Rehab centers near me*

• **Facebook pages accessed (107 times total):**

- *Gentles Kinder (children's school in Jamaica)*
- *Moses Lake Shed Company*
- *Portmore Missionary Prep School (Jamaica)*
- *Silent Night (a Facebook page dedicated to a children's movie)*

• **Other personal websites visited (with saved passwords on Google Chrome):**

- *Twitter*
- *LinkedIn*
- *Netflix*
- *Amazon*
- *Lion Rock Recovery*
- *Indeed*

➤ *PayPal*

Two credit cards, belonging to Ms. Hansel, saved via Google Chrome

4. On March 13, 2023, Board staff provided Ms. Hansel with notice of the Board's Order of Default by regular and certified mail.

5. As of March 30, 2023, Ms. Hansel has failed to respond to Board staff.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to hear this matter pursuant to RCW 42.52.360(1), which authorizes the Board to enforce the Ethics in Public Service Act, chapter 42.52 RCW, with respect to employees in the executive branch of state government. The Board has jurisdiction over Jasmine Hansel, whose actions occurred while she was a state employee. Based on the evidence reviewed, Ms. Hansel has used state resources for her private benefit or gain in violation of RCW 42.52.160. Ms. Ms. Hansel's activities do not meet the exceptions for the use of state resources as permitted in WAC 292-110-010.

2. RCW 42.52.160(1) – Use of persons, money, or property for private gain, states:

No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.

Under WAC 292-110-010 Use of state resources states, in part:

(3) Permitted personal use of state resources. This subsection applies to any use of state resources not included in subsection (2) of this section.

(a) A state officer or employee's use of state resources is de minimis only if each of the following conditions are met:

- (i) There is little or no cost to the state;
 - (ii) Any use is brief;
 - (iii) Any use occurs infrequently;
 - (iv) The use does not interfere with the performance of any state officer's or employee's official duties;
 - (v) The use does not compromise the security or integrity of state property, information systems, or software;
 - (vi) The use is not for the purpose of conducting an outside business, in furtherance of private employment, or to realize a private financial gain;
- and

(vii) The use is not for supporting, promoting the interests of, or soliciting for an outside organization or group.

3. The Board is authorized to impose sanctions for violations to the Ethics Act pursuant to RCW 42.52.360.

4. In determining the appropriateness of the civil penalty, the criteria in WAC 292-120-030 have been reviewed.

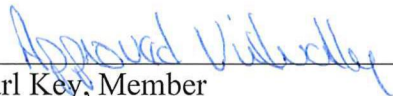
III. FINAL ORDER

Based on the foregoing:

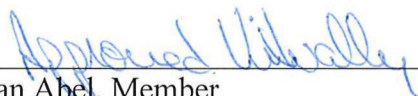
IT IS HEREBY ORDERED Respondent Jasmine Hansel is liable for and shall pay a civil penalty of four-thousand dollars (\$4,000). The payment shall be made to the Executive Ethics Board within forty-five (45) days of this Order.

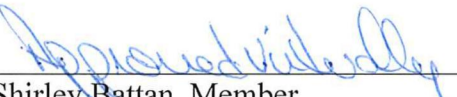
DATED this 12th day of May 2023.


Jan Jutte, Chair


Earl Key, Member


Kelli Hooke, Vice Chair


Megan Abel, Member


Shirley Battan, Member

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2 **APPEAL RIGHTS**

3 **RECONSIDERATION OF FINAL ORDER – BOARD**

4 Any party may ask the Executive Ethics Board to reconsider a Final Order. The request
5 must be in writing and must include the specific grounds or reasons for the request. The request
6 must be delivered to Board office within 10 days after the postmark date of this order.

7 The Board is deemed to have denied the request for reconsideration if, within 20 days
8 from the date the request is filed, the Board does not either dispose of the petition or serve the
9 parties with written notice specifying the date by which it will act on the petition.
10 RCW 34.05.470.

11 The Respondent is not required to ask the Board to reconsider the Final Order before
12 seeking judicial review by a superior court. RCW 34.05.470.

13 **FURTHER APPEAL RIGHTS – SUPERIOR COURT**

14 A Final Order issued by the Executive Ethics Board is subject to judicial review under
15 the Administrative Procedure Act, chapter 34.05 RCW. See RCW 42.52.440. The procedures
16 are provided in RCW 34.05.510 - .598.

17 The petition for judicial review must be filed with the superior court and served on the
18 Board and any other parties within 30 days of the date that the Board serves this Final Order on
19 the parties. RCW 34.05.542(2). Service is defined in RCW 34.05.542(4) as the date of mailing
20 or personal service.

21 A petition for review must set forth:

- 22 (1) The name and mailing address of the petitioner;
23 (2) The name and mailing address of the petitioner's attorney, if any;
24 (3) The name and mailing address of the agency whose action is at issue;
25 (4) Identification of the agency action at issue, together with a duplicate copy, summary,
26 or brief description of the agency action;

1 (5) Identification of persons who were parties in any adjudicative proceedings that led to
2 the agency action;

3 (6) Facts to demonstrate that the petitioner is entitled to obtain judicial review;

4 (7) The petitioner's reasons for believing that relief should be granted; and

5 (8) A request for relief, specifying the type and extent of relief requested.
6 RCW 34.05.545.

7 **ENFORCEMENT OF FINAL ORDERS**

8 If there is no timely request for reconsideration, this is the Final Order of the Board. The
9 Respondent is legally obligated to pay any penalty assessed.

10 The Board will seek to enforce a Final Order in superior court and recover legal costs
11 and attorney's fees if the penalty remains unpaid and no petition for judicial review has been
12 timely filed under chapter 34.05 RCW. This action will be taken without further order by the
13 Board.