

BEFORE THE WASHINGTON STATE
EXECUTIVE ETHICS BOARD

In the Matter of:

Antoinette Perez
Respondent.

No. 2022-050

STIPULATED FACTS,
CONCLUSIONS OF LAW AND
AGREED ORDER

THIS STIPULATION is entered into by Respondent, Antoinette Perez and Board Staff of the WASHINGTON STATE EXECUTIVE ETHICS BOARD (Board) through KATE REYNOLDS, Executive Director, pursuant to chapter 42.52 RCW, chapter 34.05 RCW, and WAC 292-100-090(1). The following stipulated facts, conclusions of law, and agreed order will be binding upon the parties if fully executed, and if accepted by the Board without modification(s), and will not be binding if rejected by the Board, or if the Respondent does not accept the Board's proposed modification(s), if any, to the stipulation. This stipulation is based on the following:

A. STIPULATED FACTS

1. On December 22, 2022, the Executive Ethics Board (Board) received a complaint from the State Auditor's Office (SAO) alleging that Antoinette Perez, a Dental Assistant 2 (DA2) with the Department of Corrections (DOC) at the Washington State Penitentiary (WSP) in Walla Walla, may have violated the Ethics in Public Service Act by using state resources for private benefit or gain.

2. According to the DOC, Antoinette Perez was hired on September 1, 2020 as a DA2, which is the position they presently hold. According to the DOC, Antoinette Perez is Flex Schedule Eligible.

3. According to the SAO, they originally received a whistleblower complaint alleging that two Dental Assistants, Antoinette Perez, and Dental Hygienist, Kristen Rhodes,¹ were not working a full 40 hours per week and not submitting leave when they were not at work.

4. Additionally, the whistleblower alleges that both individuals were watching online streaming during their shift and inappropriately using the Offender Management Network Information (OMNI) system to look up information on subjects that were unrelated to their jobs.

5. According to the SAO, to determine whether the subjects failed to submit leave for time when they did not work and reviewed the time-period of January 1, 2021 through December 31, 2021. The time records used were the leave usage reports and activity reports from KeyWatcher.

6. According to the SAO, information or documents that may have verified employee attendance were no longer available during their investigation. The SAO states that KeyWatcher reports are imprecise tools when it comes to substantiating shift work, since the system is not specifically designed for that purpose. However, using those reports and the leave usage reports, they identified several days where the subjects might have been absent, but did not take any leave. The subjects then provided documentation, including screenshots from in-house leave forms and the state's online leave portal and timesheet systems, to support that they took leave on most of those days.

¹ Investigation was also opened by Board staff on Kristen Rhodes 2022-051.

7. The SAO states that they could not determine how DOC management reviewed and approved the subjects' leave during the period in question because their former supervisor is no longer employed with the DOC.²

8. According to the SAO, they were unable to determine whether an improper governmental action occurred because the WSP does not adequately track employees' time worked, and due to inconsistencies between KeyWatcher³ data, leave data, and time cards.⁴

9. According to the SAO, to determine whether the subjects misused state computer systems, they obtained the subjects' internet network activity. Based on consistency and duration of use, they determined that the subjects' personal use of all state computer equipment was more than de minimis. They found the subjects visited social media sites, streaming services, news, travel, and furniture websites.

10. According to the SAO, Antoinette Perez and Kristen Rhodes said they used online streaming services during the investigation period because their work time activities were limited due to the COVID-19 pandemic. Instead of seeing patients, they prepared daily COVID-19 communications, and otherwise had little work to do during this time. According to the SAO,

² Board staff identified the former supervisor as Karen Forss (Karen Forss) who retired in 2021. Board staff were advised by DOC that her contact information was last updated on 2008. Board staff called the two telephone numbers provided. One number was disconnected. Board staff left a voice mail on the other. As of the date of this report, Karen Forss has not responded to Board staff.

³ According to the DOC KeyWatcher is an electronic key management system that tracks key custody and time in and time out. Board staff were advised by the DOC that KeyWatcher is not an accurate way to determine time in and out for employees because employees may keep the keys for a couple of days and there are times that they may remove or return keys at the same time another employee is accessing the system resulting in no record of when the keys were taken or returned.

⁴ Board staff were provided with copies of the KeyWatcher reports, leave data and time cards by the SAO and DOC.

Antoinette Perez neither agreed nor disagreed that they used their state computer for personal purposes.

11. According to the SAO, the DOC OMNI system tracks all aspects of an incarcerated person's record with the justice system, including sentencing information from the state courts, no-contact orders, outstanding warrants, and other background information.⁵

12. According to the SAO, they reviewed a list of names of subjects searched within the OMNI system. The SAO states that the subjects are allowed to use the OMNI system for scheduling, reviewing medical history, or other information related to dental care that is relevant to the appointment. However, the names the subjects searched in the system were not patients.⁶

13. According to the SAO, Antoinette Perez and Kristen Rhodes said that they would look up names of people they saw on the news out of curiosity. The SAO states that their investigation determined that Antoinette Perez did not use the OMNI system for personal use.

14. In a written response to Board staff, Antoinette Perez said they deny the allegations brought against them. Antoinette Perez said that the evidence provided by IT should be inadmissible because per the SAO investigator Erin Anderson, IT provided logs stating they were on Facebook. Antoinette Perez said that they had never logged on to their Facebook account using their state computer. They said they only used their personal cellphone after hours. Antoinette Perez said they do not know their password because their cellphone automatically stays logged in. Antoinette Perez said they have never shared their personal DOC log in information.

⁵ According to state IT security policies, state and federal privacy laws, and DOC's policies, employees may only use state computer systems for official state business. The DOC also has a "Use of State Resources Policy" that is communicated to employees in an annual training.

⁶ Board staff were provided with a spreadsheet with the names searched by the subjects.

15. Regarding the OMNI use, Antoinette Perez said they have to use OMNI as part of their job. They work in dental and at any given time, they are sitting chairside with an incarcerated individual with 10-20 instruments that are ready-made shanks, within their reach. Antoinette Perez said that they see five different custody levels and they are encouraged to know their positive and negative behaviors and baselines. Antoinette Perez said that they have to use OMNI as a resource to gain an idea of the patient's baseline because they do not have day-to-day contact with them in their units. Antoinette Perez said that they have been encouraged to "Explore OMNI" by their CORE instructors. Antoinette Perez said that if there is ever an area that they are not allowed to use in OMNI, they get a pop up stating that they do not have access.

16. As to their leave slips, Antoinette Perez said they have always submitted their leave slips and worked the hours they were paid to work. If they were ever late, they made up their time either that same day by staying past their work shift or within the week because they are a flex eligible employee. Antoinette Perez said they do this with authorization from their supervisor.

17. Antoinette Perez said that the SAO did not find any evidence that they neglected to submit leave slips because Antoinette Perez sent them copies of leave slips and email proving the allegations to be incorrect. Antoinette Perez said that during the pandemic they kept busy filling the void at WSP. They said that this varied day to day from assisting with filing COVID test results, delivering test results in the units, COVID testing in the units, sorting and labeling test results for the lab and numerous other pandemic related tasks as they were short staffed.

18. According to Antoinette Perez, they went above and beyond to help lessen the burden on medical staff and medical records. They said that they did not sit around all day and watch YouTube videos. Antoinette Perez said they would play videos in the background as they worked because they work in a prison and it is hard to get good antenna reception on the radios.

19. Antoinette Perez said that it was brought to their attention by their then supervisor, Darren Chlipala, that there was a policy against doing that at a meeting where the entire dental department was called to attend so they would all be aware of the policy. Antoinette Perez said they stopped using it while they was doing paperwork. Antoinette Perez said that they do periodically use YouTube for dental related videos and/or trainings.

20. In a written response to Board staff, Antoinette Perez's current supervisor, Heath Services Manager 1 (HSM1) Chris Mequet, stated that in regards to the time period of the allegations, they were Antoinette Perez's supervisor from October 2021 until November 2021. Chris Mequet said they were again assigned as their supervisor on December 1, 2022, which is the position they presently hold.

21. Chris Mequet said they have not observed Antoinette Perez using their work computer for personal use but they said that they have told them that they and other staff have looked at high profile inmate's OMNI profiles and watched YouTube because it was COVID and everyone was doing it.

22. According to Chris Mequet, there are attendance concerns with Antoinette Perez. Chris Mequet said that before the attendance tracker and new controls, Antoinette Perez would routinely arrive late for work, leave early, or call-in citing issues with her children. All done without pre-authorization from the supervisor at the time.

23. Chris Mequet said there is a time-period from January 18, 2022 through January 21, 2022 where they input the incorrect leave code (Misc Lv). This leave code paid them to be off without drawing from their accrued balances. Chris Mequet said that there was a communication from Headquarters on January 3, 2022 instructing staff that they could not use this leave code for COVID reasons. Chris Mequet said that they have noticed that this

leave code has been incorrectly utilized for other employees. Chris Mequet said that Antoinette Perez is a high utilizer of time-off to the point where they have exhausted their accrued leave and were in Leave Without Pay (LWOP) status.

24. Chris Mequet said that Antoinette Perez's work schedule is Monday-Friday, 7 am to 3:30 pm. Chris Mequet said they are authorized to do flextime, which is the ability to work outside of their established work hours. Chris Mequet said that as part of the attendance tracking they have set expectations that flextime must be pre-approved. Previous to this control, flextime staff were using it to stay late or come in early to make up time lost due to being late or missing an entire day of work.

25. When asked by Board staff if there was any evidence that Antoinette Perez was not working her assigned shift or not taking leave when required, Chris Mequet said there was none as far as they could tell. Chris Mequet said that there is not any documentation that would show this.

26. On May 18, 2023, Board staff were provided with a copy of an Investigative Report (IR) that was completed by DOC Investigator 3, Jessica Perva. According to the IR, the investigation was in regards to following allegations:

- Between January 1, 2021 and December 31, 2021, on multiple occasions, Antoinette Perez failed to arrive at her job site at WSP when scheduled, failed to work a 40-hour workweek, and failed to submit leave slips.
- Between January 1, 2021 and December 31, 2021, Antoinette Perez used a state issued computer for non-work related purposes, including watching online streaming services during work hours.
- Between January 1, 2021 and December 31, 2021, on multiple occasions Antoinette Perez used OMNI to look up information about people that was not related to her job.

27. According to the IR, Jessica Perva reviewed the supervisors leave report for the period of January 1, 2021 through December 31, 2021. The IR states that there were 18 handwritten dates to which the supervisor alleged leave had not been submitted for. According to the IR, the document uses the words “CIS” for called in sick and “Late.” These notes are written next to each date. Out of these 18 dates, two of those days had no corresponding leave slips. The OPC log reads “screened out” next to these dates.⁷

28. The two dates that are unaccounted for are:

- September 20, 2021 with note stating, “Screened out” (Jessica Perva noted that the OPC callout indicates “COVID screening completed”)
- September 21 2021 with the note stating, “CIS.” (Jessica Perva noted that it is possible that because Antoinette Perez was screened out the prior day, they were also gone on September 20, 202.)⁸

29. According to the IR, Antoinette Perez was interviewed on March 15, 2023. Antoinette Perez stated that in 2021 when Karen Forss was the HSM1 and their direct supervisor, they and other dental staff had the ability to use flextime throughout the workweek. Antoinette Perez said the times they utilized flextime they did not submit a leave slip. Antoinette Perez said they are aware of the leave request/submission process. They said that if leave was not prescheduled, they would call the outpatient nurse’s desk (OPC) desk and make notification that they were going to be late or calling in sick. The OPC would then make notification to their supervisor. Antoinette Perez said that the OPC does not always relay the late or call-in notice. The

⁷ Board staff were advised by DOC that “Screened out” is the same as mapped out. All facilities had a COVID screening process and if staff answered yes to any of the questions or had an exposure to COVID they would be screened out and sent home.

⁸ Board staff reached out to Antoinette Perez and asked about the two days. They provided Board staff with an email sent on October 4, 2021, by her to her then supervisor Darren Chipala notifying him they were taking Employer Paid Leave for those two days. They said Employee Paid Leave was not submitted through MyPortal at that time.

current practice Antoinette Perez follows to avoid the miscommunication is making an additional notification to their supervisor via text.

30. When asked if they were required to pull keys, Antoinette Perez said that in 2021 they did not pull keys daily nor was it a requirement. They said that dental assistants did not pull keys until the facility started to lock the dental clinic bathrooms in late 2021.

31. In regards to the use of their state computer for non-work related reasons, Antoinette Perez said that they and other dental staff are encouraged to incorporate clip art on patient callouts. Antoinette Perez said that they and other dental staff use Google to search clip art.

32. According to the IR, Antoinette Perez admitted to utilizing YouTube with other dental and medical staff for music. This took place while dental staff was assisting medical with COVID testing preparation and preparing COVID lab results for the incarcerated population. Antoinette Perez said that listening to music was never done during patient care and patient care was never compromised during this time. Antoinette Perez added that listening to music on YouTube was never hidden and to their knowledge, because staff had been granted YouTube access that meant it could be utilized.

33. According to the IR, in regards to accessing OMNI, Antoinette Perez said that they utilized OMNI daily. Antoinette Perez said they utilized OMNI to look up an Incarcerated Individuals (I/I) kites⁹, housing assignments, I/Is coming off the chain, and while they were assisting the medical records unit. Additionally, Antoinette Perez explained that prior to patient appointments they had utilized OMNI to look up the crime(s) an I/I committed. Antoinette Perez said that they feel that this is a safety and security practice when coming into close contact with

⁹ Kite” is a prison term for an informal message or a complaint. According to one theory, the term originated in the mid-1800s when prisoners were not allowed to speak and instead passed messages to each other using Kite branded cigarette rolling papers.

incarcerated individuals and sharp dental objects. Antoinette Perez said that they have never looked up I/Is maliciously or shared an I/Is personal information with anybody outside of dental.

34. According to the IR, Chris Mequet was interviewed on March 15, 2023. Chris Mequet said that when they arrived at WSP in 2021, he observed several issues surrounding flextime, specifically with some dental staff to include Antoinette Perez. Chris Mequet said that staff would call in late or leave early and assume the time could be made up using flextime. Chris Mequet said that they addressed the issue and set the expectation that the usage of flextime needed to be pre-approved, leave requested needed to be submitted 72 hours in advance and dental assistants including, Antoinette Perez, needed to be onsite and in the clinic by 7:15 am for the morning huddle due to the consistent issue with tardiness. Chris Mequet said, on many occasions they had to remind Antoinette Perez and other dental staff to submit leave slips. Because of this, they keep an attendance log on the dental staff.

35. In regards to the use of OMNI, Chris Mequet said that the dental assistants would utilize OMNI to look up I/I's housing, patient notes, and kite information. Chris Mequet said that dental assistants looked up I/I charges prior to appointments. Chris Mequet said they feel this is a safety and security practice. According to the IR, Chris Mequet said, "Antoinette Perez has told him that they go into OMNI to look up the patients' charges, they feel it is a safety and security issue."

36. In regards to the allegations of misuse of state resources, Chris Mequet said that because the dental assistants frequently used the corner workstation located in the clinic, direction was given by the HSM1 at that time, Cameo Galler, that only providers were able to utilize the corner workstation. Chris Mequet said that they have been told by dental staff that Antoinette Perez has ignored the expectation and continues to use the computer designated for the dentists.

37. According to the IR, Corrections Specialist 2 Cameo Galler was interviewed on March 16, 2023. Cameo Galler was Antoinette Perez's former supervisor during December 2021. Cameo Galler said that after taking on the HSM1 position at WSP, they noted there were many areas of inconsistency and flaws surrounding leave and flextime in dental. They said that flextime was previously allowed at the discretion of the supervisor. If staff called in late or left early, they could be allowed to stay late or come in early to make that time up. Cameo Galler said that they began tracking and documenting flextime and have not encountered any issues with Antoinette Perez making up their flextime.

38. According to the IR, Cameo Galler said that the previous supervisor, Karen Forss, used paper leave slips rather than MyPortal electronic slips. The IR reported that this became an issue because although staff had submitted a leave slip, Karen Forss would forget to submit the slip to the time keeping distribution list. Cameo Galler said, on occasion they had to remind Antoinette Perez to correct or submit a leave slip however, the reminders were minimal, such as inputting 0.2 rather than 0.3 hours.

39. In regards to the use of state resources, Cameo Galler said that they had heard rumors that dental staff, including Antoinette Perez, had been using state computers for music and to watch YouTube. To reduce the misuse of state computers they said they provided Antoinette Perez with an updated position description (PD) that outlined IT protocol and misuse of state resources. They said that after providing Antoinette Perez with the updated PD, the behavior stopped.

40. In regards to OMNI, Cameo Galler said that dental assistants, including Antoinette Perez, would need to utilize OMNI to research kites, make follow up appointments, scheduled appointments, pulling patient codes, looking up HSRs, looking up housing assignments, and

scheduling urgent appointments. Cameo Galler explained there are many instances when a dental assistant will need to look up an I/I that has never been scheduled for dental and don't have an upcoming appointment. Additionally, Cameo Galler said that they heard rumors of dental assistants, including Antoinette Perez, looking up an incarcerated individual's crimes prior to appointments, however they not aware of any policies saying they could not do so.

41. Board staff were provided with a copy of a letter that was sent to Antoinette Perez from Zainab Ghazal, the Administrator for the DOC Health Services Division. The letter is dated May 5, 2023 and the subject line is Notification of Investigation Closure – Leave & Computer Usage. The letter notified Antoinette Perez that based on the information provided in the DOC IR, they found that the allegations against them were unfounded, discipline is not warranted, and the matter is closed.

42. Board staff requested a copy of Antoinette Perez's work email history and an image of their work computer from DOC.¹⁰

43. Board staff were provided with Antoinette Perez's email history for the period of March 22, 2021 through December 22, 2022. A review of Antoinette Perez's email history found no evidence related to the allegations or that Antoinette Perez was using their work email for personal use.

44. Board staff were also provided with a forensic image of Antoinette Perez's work computer. A review of their work computer found the following.

¹⁰ Board staff processed the computer hard drive for Antoinette Perez on a Forensic Recovery of Evidence Device (FRED) using the Magnet Axiom Digital Investigation Platform to acquire and analyze the computer hard drive and work email history.

45. Between May 4, 2021 and July 28, 2021, Antoinette Perez accessed Youtube.com at least once on approximately 22 different days. Websites that they accessed included music websites, true crime documentaries, and news articles/websites. Examples of YouTube websites include:

- Bob Marley
- Beanie Man-King of the Dancehall
- 90's and 2000s Dancehall Party Mix
- Queen of Meth
- TikToks Only Girls will Understand Part 2
- Funniest TikTok Memes of 2020
- Prison TikTok Compilation
- Forensic Files (Multiple Seasons)

46. Between August 12, 2021 and April 25, 2022, Antoinette Perez accessed Google.com on approximately 22 different days. Although some of their daily searches appeared to be work related, they did search other websites including:

- News (Union Bulletin, MSN, TriCity Herald
- Home decorating sites, including Ashley Furniture, Walker's Furniture
- Shopping sites including Hobby Lobby, Office Depot

47. Board staff found that Antoinette Perez was visiting Amazon.com periodically but the majority of the searches appeared to be work related. There was no evidence that they made any purchases that were non-work related while on their work computer.

48. Board staff found no documents saved on Antoinette Perez's work computer that were not work related.

49. Board staff provided Antoinette Perez with the search results of their computer history and asked her to explain how they were job related. Board staff also asked Antoinette Perez about her searches of high profile inmates on OMNI and how they were a part of their duties at WSP.

50. In a written response to Board staff, Antoinette Perez confirmed that they have searched high and low profile inmates of all kinds, as safety and security is a huge part of their job because their job involves them working with very sharp instruments chairside that are literally ergonomic ready-made shanks that could be used against them.

51. Antoinette Perez said that dental staff have always been encouraged by numerous correctional staff to search up on I/I's because since they don't work in the living units and do not know the I/I's baselines behavior which vary from positive, negative, and neutral entries. Antoinette Perez provided Board staff with a copy of an email sent out about an I/I who was now at WSP and had previously attempted to murder two staff members while in x-ray.

52. Antoinette Perez said as to accessing YouTube, dental staff had very few patients during COVID. Antoinette Perez said they volunteered along with other dental staff, to assist the medical department with whatever they needed as they were short staffed. Antoinette Perez said they would go to the units to do temperature checks, COVID testing and even helped with medical records as they were behind on paperwork. Antoinette Perez said that they would wear full PPE and spend hours just sitting in the dental department doing absolutely nothing because there was nothing to do.

53. Antoinette Perez said being in the units was very taxing and there were days where they endured racial slurs, sexual harassment, and exposed to pornographic photos the I/I's have taped to their walls. Antoinette Perez said that most staff would play music or some sort of background news as a distraction while they finished their paperwork. Antoinette Perez said that because they are surrounded by cement walls, attempting to find a radio station is a difficult task. Antoinette Perez said they never just sat and watched videos. They said they would be filling out paperwork, lab results, preparing test results to return to the I/I's and preparing for the next day.

54. Regarding the shopping sites, Antoinette Perez said they used the sites to purchase items for the dental department. Antoinette Perez said they have never purchased anything while using a DOC computer with their own money. Antoinette Perez said that they sometimes used these sites to retrieve measurements to make sure items they purchased would fit correctly. Antoinette Perez provided Board staff with a DOC purchase request made using the Amazon website.

B. CONCLUSIONS OF LAW

1. The Ethics in Public Service Act, Chapter 42.52 RCW, prohibits state employees from disclosing confidential information. RCW 42.52.050, states in pertinent parts, the following:

.....

(2) No state officer or state employee may make a disclosure of confidential information gained by reason of the officer's or employee's official position or otherwise use the information for his or her personal gain or benefit or the gain or benefit of another, unless the disclosure has been authorized by statute or by the terms of a contract involving (a) the state officer's or state employee's agency and (b) the person or persons who have authority to waive the confidentiality of the information.

(3) No state officer or state employee may disclose confidential information to any person not entitled or authorized to receive the information.

RCW 42.52.050(5) defines "confidential information" as:

(a) specific information, rather than generalized knowledge, that is not available to the general public on request or (b) information made confidential by law.

2. The Ethics in Public Service Act, Chapter 42.52 RCW, prohibits state employees from Use of persons, money or property for private gain. RCW 42.52.160 states:

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

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.

C. AGGRAVATING AND MITIGATING FACTORS

In determining the appropriateness of the civil penalty, the Board reviewed the criteria in WAC 292-120-030. In the matter at hand, it is an aggravating factor these types of violations significantly reduce the public respect and confidence in state government employees. In the matter at hand, there are no mitigating factors.

D. STIPULATION AND AGREED ORDER

1. Pursuant to chapter 42.52 RCW, the Executive Ethics Board has jurisdiction over Antoinette Perez and over the subject matter of this complaint.
2. Under RCW 34.05.060, the Board can establish procedures for attempting and executing informal settlement of matters in lieu of more formal proceedings under the Administrative Procedures Act, including adjudicative hearings. The Board has established such procedures under WAC 292-100-090.

3. Pursuant to WAC 292-100-090(1), the parties have the authority to resolve this matter under the terms contained herein, subject to Board approval.

4. Antoinette Perez agrees that if any or all of the alleged violations were proven at a hearing, the Board may impose sanctions, including a civil penalty under RCW 42.52.480(1)(b) of up to \$5,000, or the greater of three times the economic value of anything received or sought in violation of chapter 42.52 RCW, for each violation found. The Board may also order the payment of costs, including reasonable investigative costs, under RCW 42.52.480(1)(c).

5. Antoinette Perez further agrees that the evidence available to the Board is such that the Board may conclude they violated the Ethics in Public Service Act. Therefore, in the interest of seeking an informal and expeditious resolution of this matter, the parties agree to entry of the stipulated findings of fact, conclusions of law and agreed order.

6. Antoinette Perez waives the opportunity for a hearing, contingent upon acceptance of this stipulation by the Board, or their acceptance of any modification(s) proposed by the Board, pursuant to the provisions of WAC 292-100-090(2).

7. If the Board accepts this stipulation, the Board agrees to release and discharge from all further ethics proceedings under chapter 42.52 RCW for any allegations arising out of the facts in this matter, subject to payment of the full amount of the civil penalty due and owing, any other costs imposed, and compliance with all other terms and conditions of the stipulation. Antoinette Perez in turn agrees to release and discharge the Board, its officers, agents and employees from all claims, damages, and causes of action arising out of this complaint and this stipulation.

8. If the Board accepts this stipulation, it does not purport to settle any other claims between Antoinette Perez and the Washington State Executive Ethics Board, the State of

Washington, or other third party, which may be filed in the future. No other claims of alleged violations are pending against Antoinette Perez at this time.

9. If the Board accepts this stipulation, it is enforceable under RCW 34.05.578 and any other applicable statutes or rules.

10. If the Board rejects this stipulation, or if Antoinette Perez does not accept the Board's proposed modification(s), if any, this matter will be scheduled for an administrative hearing before the Board. If an administrative hearing is scheduled before the Board, waives any objection to participation by any Board member at the hearing to whom this stipulation was presented for approval under WAC 292-100-090(2). Further, Antoinette Perez understands and agrees that this stipulation as well as information obtained during any settlement discussions between the parties shall not be admitted into evidence during the administrative hearing, unless otherwise agreed by the parties.

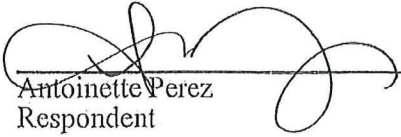
11. Antoinette Perez agrees to pay a civil penalty in the amount of one thousand five hundred dollars (\$1,500) associated with violations of RCW 42.52. The Board agrees to suspend seven hundred fifty dollars (\$750) on the condition that Antoinette Perez complies with all terms and conditions of this Stipulation and Order and commits no further violations of RCW 42.52 for a period of two years from the date this agreement is executed

12. The civil penalty in the amount seven hundred fifty dollars (\$750) is payable in full to the Washington State Executive Ethics Board within forty-five (45) days after this stipulation is signed and accepted by the Board, or as otherwise agreed to by the parties.

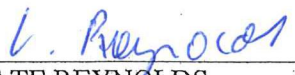
I. CERTIFICATION

I, Antoinette Perez, hereby certify that I have read this stipulation in its entirety, that my counsel of record, if any, has fully explained the legal significance and consequence of it. I further

certify that I fully understand and agree to all of it, and that it may be presented to the Board without my appearance. I knowingly and voluntarily waive my right to a hearing in this matter and if the Board accepts the stipulation, I understand that I will receive a signed copy.

 8-14-23
Antoinette Perez Date
Respondent

Presented by:

 9/8/2023
KATE REYNOLDS Date
Executive Director

II. ORDER

Having reviewed the proposed stipulation, WE, THE STATE OF WASHINGTON EXECUTIVE ETHICS BOARD, pursuant to WAC 292-100-090, HEREBY ORDER that the Stipulation is

✓

ACCEPTED in its entirety;

REJECTED in its entirety;

MODIFIED. This stipulation will become the order of the Board if the

Respondent approves* the following modification(s):

DATED this 8th day of September 2023.

Jan M Jutte
Jan Jutte, Chair

Approved via Zoom
Kelli Hooke, Vice Chair

Approved via Zoom
Shirley Battan, Member

Approved via Zoom
Megan Abel, Member

* I, Antoinette Perez, accept/do not accept (circle one) the proposed modification(s).

Antoinette Perez, Respondent Date