

BEFORE THE WASHINGTON STATE  
EXECUTIVE ETHICS BOARD

In the Matter of:

Valerie Acosta

Respondent.

No. 2022-068

STIPULATED FACTS,  
CONCLUSIONS OF LAW AND  
AGREED ORDER

THIS STIPULATION is entered into by Respondent, Valerie Acosta 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 alleging that Valerie Acosta, a Medical Assistant (MA) 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 accessing confidential information for non-work related purposes and using state resources for private benefit or gain.

2. According to DOC, Valerie Acosta was originally hired on October 1, 2013 as a Nursing Assistant. On November 16, 2021, Valerie Acosta was promoted to MA, which is the position Valerie Acosta presently holds.

3. According to the letter sent by the SAO to DOC on December 19, 2022, they received a whistleblower complaint alleging that Valerie Acosta spends hours on end using Amazon, Shein, YouTube, travel agencies, and numerous social media websites while on the clock and when there is work related to their job to be done. The complainant states that Valerie Acosta has been seen by numerous staff members using their personal credit card on the state computers to make personal purchases. The complainant alleges that Valerie Acosta has also been seen taking home state resources.

4. According to the complainant, Valerie Acosta is late to work every single day by 15 minutes or more and then leaves early every single day as well. The complainant alleges that Valerie Acosta has been seen leaving 20-30 minutes prior to their shift ending.

5. The complainant states that they have seen Valerie Acosta looking up school alumni and ex-boyfriends on the Offender Management Network Information (OMNI) system.<sup>1</sup> The complaint alleges that all of these claims have been given to administration with times and dates and witness names but their behavior continues.

6. According to the SAO letter to the DOC, they completed their initial analysis of the complaint and determined that the DOC should handle this complaint and that they will not be opening an official whistleblower investigation.

7. In a written response to Board staff, Valerie Acosta said that they use the internet on occasion while on their state approved breaks. Valerie Acosta denies looking up their boyfriend

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<sup>1</sup> 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. 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.

on OMNI or taking home state resources. Valerie Acosta said that they are not coming to work late or leaving early every day. They said that on occasion, they are late but they call in to notify staff. Valerie Acosta said that they never leave early without approval and putting in a leave slip.

8. Valerie Acosta said that they have spoken to their supervisor, Registered Nurse 3 (RN3) Caryn Nobbs, about all the allegations. Valerie Acosta said none of these allegations have been reported to their supervisor nor have they been talked to about them. Valerie Acosta said that they are in good standing at their job and they feel like they are being targeted.

9. In a written response to Board staff, Caryn Nobbs said that they have been Valerie Acosta's supervisor for about a year and a half. Caryn Nobbs said that there are many reasons Valerie Acosta may have to access OMNI every day for work and said that they have not seen Valerie Acosta accessing OMNI or using their work computer for non-work related reasons.

10. According to Caryn Nobbs, they have not observed Valerie Acosta coming into work late or leaving work early. They said that in Valerie Acosta's current position, if they were coming in late or leaving early, they would call the main clinic number and tell them so they can document it on a log and communicate with their supervisors. According to Caryn Nobbs, their logs go back to what they believe is the time-period for this complaint. Caryn Nobbs said the logs are full of a lot of patient specific information as well as notes about employees.

11. On May 22, 2023, Board staff were provided with a copy of an investigative report (IR) that was conducted by DOC Heath Services Investigator 3, Jessica Perva. According to the IR, the investigation was initiated as a result of a whistleblower complaint filed with the SAO.

12. According to the IR, the following allegations were made against Valerie Acosta:

- From approximately December 1, 2020 through December 27, 2022, on multiple occasions Valerie Acosta failed to provide a leave slip when arriving late or leaving early, prior to the end of shift.



- From approximately December 1, 2020 through December 27, 2022, on multiple occasions Valerie Acosta used a state issued computer to view non-work- related websites.
- From approximately December 1, 2020 through December 27, 2022, Valerie Acosta used a personal credit card to make personal purchases on a state computer.
- From approximately December 1, 2020 through December 27, 2022, on multiple occasions Valerie Acosta used the OMNI to look up information about people that was irrelevant to work.

13. According to the IR, Valerie Acosta was interviewed on April 28, 2023. In regards to the allegations that Valerie Acosta failed to provide a leave slip when arriving at work late or leaving work early, Valerie Acosta said that the leave submission process changed in 2022 but in 2020 leave would be sent and approved by their direct supervisor. As of 2022, leave requests are sent to a list giving access to all supervisors to view and approve leave. Valerie Acosta said that all leave slips are submitted digitally through a shared drive.

14. When asked if there has ever been a time in which they failed to submit a leave slip, Valerie Acosta said no. According to the IR, Valerie Acosta said that their previous and current supervisors are very diligent in ensuring staff, including themselves, submit leave slips when required.

15. When asked if they ever been mapped/screened out for COVID, Valerie Acosta recalled being mapped out once in 2020 but couldn't recall what the process for leave submission was during that time. Valerie Acosta said they do not pull keys every day. Valerie Acosta said that they work in multiple areas within health services and unless they are utilizing their office, they have no reason to pull keys.

16. According to the IR, when asked about using a state issued computer to view non-work- related websites, Valerie Acosta admitted to using their work computer at DOC to search shopping websites, listen to music on YouTube, and make Amazon purchases during her lunch



and break times. Valerie Acosta said that they would log onto their Amazon account to make purchases. They said that their credit card is auto saved. Valerie Acosta said there are times the Amazon usage was work related and approved by her supervisor.

17. According to the IR, Valerie Acosta admitted to utilizing YouTube to listen to music explaining this was more prominent during Christmas time. The IR states that although Valerie Acosta admitted to viewing several shopping sites and even making purchases on their Amazon account, Valerie Acosta denied ever logging in or searching social media websites such as Facebook, Snapchat and TikTok claiming not to have account.

18. According to the IR, when asked about using OMNI to look up information about people that was not related to their work, Valerie Acosta said that they are assigned to the Psychiatrist and the Optometrist at WSP. Valerie Acosta said that they look up on average 60+ Incarcerated Individual's (I/I) a day because their assigned duties include sending kites<sup>2</sup>, looking up housing assignments, scheduling appointments, searching the patients last eye exam, and searching mental health appointments.

19. According to the IR, Valerie Acosta admitted to looking up I/I's prior to their appointment as a safety precaution. Valerie Acosta said that looking up criminal charges/history isn't an everyday occurrence and isn't done negligently.

20. According to the IR, Caryn Nobbs was interviewed on March 31, 2023, as Valerie Acosta's current supervisor. When asked about Valerie Acosta's leave and leave slip submission Caryn Nobbs said that they have never had an issue with Valerie Acosta submitting leave slips or abusing leave. Caryn Nobbs praised Valerie Acosta for being one of the best staff for consistently

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<sup>2</sup> "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.

putting in leave slips even when they are 10 minutes late or leaving early. Caryn Nobbs said, as Valerie Acosta's supervisor they are responsible for ensuring timecards and leave slips align, and since becoming Valerie Acosta's supervisor a year and half ago they have never had an issue with leave abuse.

21. According to the IR, Caryn Nobbs could not speak to Valerie Acosta's personal computer usage or personal purchases. Caryn Nobbs said they could not recall ever witnessing Valerie Acosta utilizing YouTube for non-work-related purposes however they did say that it wouldn't surprise them, as most staff had used YouTube for music and videos. Caryn Nobbs said that Valerie Acosta would search for items and make Amazon purchases for the Optometrists.

22. According to the IR, when asked about Valerie Acosta using OMNI to look up information about people that was not related to their work Caryn Nobbs said that Valerie Acosta resolves encounters, creates encounters when glasses come in/get distributed, helps the Psychiatrist look up appointments. Additionally, Valerie Acosta gets stacks of kites that they are required to respond too. Valerie Acosta looks up housing assignments, and requests for fund distributions. Caryn Nobbs said that Valerie Acosta has several things that they would do in OMNI and doing this was a large portion of Valerie Acosta's job.

23. According to the IR, an audit was conducted on Valerie Acosta's work history. The IR states that the documents reviewed consisted of the Outpatient Nurse's desk (OPC) callout logs,

timecards, Keywatcher logs<sup>3</sup>, and leave requests.<sup>4</sup> According to the IR, the following dates showed no leave request submitted.

- April 25, 2022: OPC call log says Valerie Acosta called in sick. No leave slip submitted, and timecard says they worked eight hours. After further investigation, Valerie Acosta sent the investigator an email from their DOC computer on April 25, 2022 at 10:09 am. Valerie Acosta said that they were working this day and did not take any time off. Keywatcher audit provided showed Valerie Acosta *did* pull keys on this date at 7:24 am and returned keys at 2:52 pm.
- June 22, 2022: OPC call log says Valerie Acosta called in sick. No leave slip submitted, and timecard says they worked eight hours. Keywatcher audit provided showed Valerie Acosta *did not* pull keys on this date.
- June 23, 2022: OPC call log says Valerie Acosta called in sick. No leave slip submitted, and timecard says they worked eight hours. Keywatcher audit provided showed Valerie Acosta *did not* pull keys on this date.
- June 24, 2022: OPC call log says Valerie Acosta called in sick. No leave slip submitted, and timecard says they worked eight hours. Keywatcher audit provided showed Valerie Acosta *did not* pull keys on this date.
- July 25, 2022: OPC call log says Valerie Acosta called in sick. No leave slip submitted, and timecard says they worked eight hours. After further investigation Valerie Acosta provided an email, they had sent from their DOC computer on July 25, 2022 at 8:24 am. Valerie Acosta states they were working this day and did not take any time off. Keywatcher audit provided showed Acosta *did* pull keys on this date at 7:57 am and returned keys at 2:52 pm.
- August 7, 2022: OPC call log says Valerie Acosta called in sick. No leave slip submitted, and timecard says they worked eight hours. After further investigation, Valerie Acosta provided an email they sent from their DOC computer on August 7, 2022 at 10:05am. Valerie Acosta states they were working this day and did not take any time off. Keywatcher audit provided showed Valerie Acosta *did* pull keys on this date at 9:16 am and returned keys at 3:02 pm.

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<sup>3</sup> 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.

<sup>4</sup> The supporting documents were provided to Board staff by DOC.



- September 6, 2022: OPC call log says Valerie Acosta called in sick. No leave slip submitted, and timecard says they worked eight hours. Keywatcher audit provided showed Valerie Acosta *did not* pull keys on this date.
- September 7, 2022: OPC call log says Valerie Acosta called in sick. No leave slip submitted, and timecard says they worked eight hours. After further investigation, Valerie Acosta provided an email they had sent from their DOC computer on September 7, 2022 at 9:36 am. Valerie Acosta states they were working this day and did not take any time off. Keywatcher audit provided showed Valerie Acosta *did* pull keys on this date at 7:29 am and returned keys at 2:47pm.

24. According to the IR, an audit was conducted on Valerie Acosta's internet history.

The audit showed that Valerie Acosta had visited the following non-work-related websites. The IR states that Valerie Acosta's was asked about visiting those sites during their interview. Their responses are listed next to the websites. The IR states that the audit also revealed several sites where they were looking at lingerie, passport information, and international travel information.

- Seat Geek.com – Yes.
- TikTok – No. I don't have TikTok.
- YouTube.com- Yes. I would use YouTube to watch work related videos and listen to music as we have no working radios in this area. I have since purchased a working radio.
- Amazon.com- I went on Amazon for personal and work-related purchases. My personal credit card is stored on my Amazon account. Amazon was and is still used to purchase work related items.
- Pinterest.com – Yes.
- Pink Lilly.com (women's clothing) – Yes.
- Snapchat (app) – No. I don't have Snapchat.
- Bazaar Voice.com – No. I don't know what that is.
- LiveChatinc.com- Online business chat platform - No I've never visited a chat site.
- Target.com- Yes.
- Walmart.com- Yes.
- Etsy.com – Yes.
- Expedia.com - Yes
- Shien.com – Yes.
- Zillow.com – Yes, it's linked to my work email. I'm not sure how to remove it.

25. Board staff requested a copy of Valerie Acosta's work email history and an image of their work computer from DOC.<sup>5</sup>

26. Board staff were provided with Valerie Acosta's email history for the period of July 22, 2021 through March 1, 2023. A review of Valerie Acosta's email history found no evidence related to the allegations. Board staff found one email sent by Valerie Acosta from their work email address to a male they identified as their husband. The email was sent on February 23, 2023 and contained the itinerary for Valerie Acosta and their husband's trip to Guadalajara.

27. When asked about the email by Board staff, Valerie Acosta said, *"I just printed something out that I needed. And he is my husband. It was for surgery that I had to get time off work for."* [sic] To address the allegation that Valerie Acosta was searching OMNI for their husband, then boyfriend, Board staff requested the DOC check their history to see if Valerie Acosta had searched OMNI for their longtime boyfriend, now husband's name. Board staff were provided with a screen shot of OMNI showing that Valerie Acosta had not searched for that name on OMNI.

28. Board staff were also provided with a forensic image of Valerie Acosta's work computer. A review of their work computer found the following.

29. Between September 16, 2022 and February 8, 2023 Valerie Acosta accessed YouTube at least once on approximately 37 different workdays. The following are examples of the time spent on YouTube.

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<sup>5</sup> Board staff processed the computer hard drive for Valerie Acosta on a Forensic Recovery of Evidence Device (FRED) using the Magnet Axion Digital Investigation Platform to acquire and analyze the computer hard drive and work email history.

30. On September 16, 2022, Valerie Acosta accessed YouTube from 11:29 am until 2:29 pm. Websites visited included the following:

- 6LACK - Long Nights (Official Audio) – YouTube
- Lil Durk - Stay Down feat. 6lack & Young Thug (Official Music Video) – YouTube
- Gettin' Old – YouTube
- Loaded Gun – YouTube
- Russ - Losin Control (Official Video) – YouTube

31. On September 27, 2022, Valerie Acosta accessed YouTube from 12:35 pm until 2:55 pm. Websites visited included the following:

- August Alsina - I Luv This Shit (Explicit) ft. Trinidad James (Official Music Video) – YouTube
- lil skies – YouTube
- Yung Bleu - You're Mines Still (feat. Drake) [Official Video] – YouTube
- Bryson Tiller - Don't (Explicit Version) – YouTube
- 6LACK - Prblms (Official Video) – YouTube

32. On November 1, 2022, Valerie Acosta accessed YouTube from 7:42 am until 1:07 pm. Websites visited included the following:

- Drake Greatest Hits 2022 | TOP 100 Songs of the Weeks 2022 | Best Playlist RAP Hip Hop 2022 – YouTube
- Russ - Losin Control (Official Video) – YouTube
- 6LACK - Pretty Little Fears ft. J. Cole (Official Music Video) – YouTube

33. On November 7, 2022, Valerie Acosta accessed YouTube from 7:51 am until 1:12 pm. Websites visited included the following:

- K-Ci & JoJo - Tell Me It's Real (Official Video) – YouTube
- Joe - I Wanna Know (Official Video) – YouTube
- Billie Eilish - Happier Than Ever (Official Music Video) – YouTube

34. On November 8, 2022, Valerie Acosta accessed YouTube from 7:24 am until 12:19 pm. Websites visited included the following:

- I Guess It's F\*\*k Me – YouTube
- Treactheirous Twins – YouTube



35. On December 15, 2022 and December 20, 2022, Valerie Acosta accessed several YouTube websites regarding surgical procedures outside of the country.

36. Between December 6, 2021 and February 24, 2023 Valerie Acosta accessed Google.com on approximately 64 different workdays. Although some of the searches appear to be work related, the following are examples of searches that do not appear to be work related.

37. Travel related searches, those referencing a specific medical procedure or doctor's names have been omitted:

- intercity hotel Guadalajara
- booking.com
- janambo michoacan the city and state
- Hotel riu (Hotel Booking Site)
- Flights, all-inclusive resorts in jamaica for families
- what attractions are tthere in Jamaica
- costa rica vs Jamaica
- family vacations in florida
- cheap family vacation
- cheap flights
- cabins in washington state
- resorts in washington state
- wildhorse resort and casino
- alaska cruise package for 2
- small cottages with hot tub in washington state,
- oregon weekend getaways romantic with hot tub
- sono bello las vegas,
- bahamas packages

38. College Related Searches:

- is music appreciation a humanities course
- body sculpting classes
- wwcc college
- Federal Financial Aid
- walla walla community college

39. Shopping:

- Walmart
- Lulus dresses

- Amazon
- Fasion Noba (Fashion Online for Women)
- mexican jewelry in pasco wa
- joanns
- curious george accessories
- leattheir pants with red heels
- hobby lobby sales
- etsy
- latheys in Walla Walls (Salons)
- black friday sales site, blackfriday.com
- theyin (Women's Clothing)

40. Multiple passport related searches:

- seattle passport agency
- passport contact number
- passport status
- usps passport appointment

41. Between October 10, 2022 and January 25, 2023, Valerie Acosta visited the following shipping sites at least once on approximately 12 different workdays:

- USPS.com® - USPS Tracking® Result
- Passport Application & Passport Renewal | USPS

42. On February 24, 2023, Valerie Acosta accessed the Intuit TurboTax Official site.

43. Board staff found what appears to be pictures of Valerie Acosta's family and friends saved on their work computer. Board staff's review of Valerie Acosta's media history found hundreds of pictures of females in different outfits including modeling lingerie and other items such as purses, indicating Valerie Acosta was shopping for women's wear on their work computer.

44. Board staff found no documents saved on Valerie Acosta's work computer that were not work related.

45. Although Valerie Acosta has already admitted to using their work computer for personal use, Board staff provided Valerie Acosta with the search results of their computer history

to give them the opportunity to explain how they were job related. As of the date of this report, Valerie Acosta has not responded.

46. Board staff emailed Valerie Acosta the four days listed in the IR as days that Valerie Acosta was reported as being on sick leave but did not submit a leave slip and asked for an explanation. In a written response to Board staff, Valerie Acosta confirmed that she called in and did not submit a leave slip. Valerie Acosta said that they were unable to find that they turned a leave slip in in. Valerie Acosta said she prescheduled sick leave for June 2022 and said that they are sure they forgot to submit one since they were out for a week. As to September 6, 2022, Valerie Acosta said they do not know what happened. Valerie Acosta said they try to be on top of submitting leave slips but must have missed turning it in.

47. Board staff requested DOC provide an estimate on the amount of pay Valerie Acosta received for the four days not worked. They provided the following information:

- Wednesday, June 22, 2022, 8 hours = \$195.20
- Thursday, June 23, 2022 8 hours = \$195.20
- Friday, June 24, 2022, 8 hours = \$195.20
- Tuesday, September 6, 2022 8 hours = \$224.14
- Total \$809.74

48. At the time of this report, Board staff were advised that the Appointing Authority for Valerie Acosta had forwarded this case for a pre-disciplinary hearing.

## **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 Valerie Acosta 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. Valerie Acosta 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. Valerie Acosta 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. Valerie Acosta 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. Valerie Acosta 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 Valerie Acosta 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 Valerie Acosta 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 Valerie Acosta 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, Valerie Acosta 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. Valerie Acosta agrees to pay a civil penalty in the amount of five thousand dollars (\$5,000) associated with violations of RCW 42.52. The Board agrees to suspend two thousand dollars (\$2,000) on the condition that Valerie Acosta 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 three thousand dollars (\$3,000) 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, Valerie Acosta, 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.

Valerie Acosta      8/14/23  
Valerie Acosta      Date  
Respondent

Presented by:

K. Reynolds      7/8/2023  
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, Valerie Acosta, accept/do not accept (circle one) the proposed modification(s).

\_\_\_\_\_  
Valerie Acosta, Respondent      Date