

BEFORE THE WASHINGTON STATE
EXECUTIVE ETHICS BOARD

In the Matter of:

Taylor Brummett
Respondent.

No. 2023-086

STIPULATED FACTS,
CONCLUSIONS OF LAW AND
AGREED ORDER

THIS STIPULATION is entered into by Respondent, Taylor Brummett 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 October 17, 2023, the Executive Ethics Board (Board) received a complaint alleging that Taylor Brummett, an employee of the Washington State Department of Corrections (DOC), may have violated the Ethics in Public Service Act. The complaint alleged that Taylor Brummett violated RCW Chapter 42.52, by using state resources for non-work-related activities.

2. According to the complaint, Taylor Brummett allegedly spends "large amounts of time" on their DOC computer messaging "family and friends" on their DOC TEAMS account. It was additionally alleged that Taylor Brummett also spends time on other things like "music and fun things" rather than doing their work.

3. According to DOC, Taylor Brummett was hired on January 18, 2022, as a Social Service Specialist 3. On March 8, 2022, Taylor Brummett was promoted to a Psychological Associate. On October 25, 2023, Taylor Brummett submitted a separation notice indicating they would be separating from DOC effective November 3, 2023.

4. As part of the agency notification, Board staff inquired if DOC had conducted any internal investigation regarding this complaint. According to DOC, since Taylor Brummett voluntarily separated from DOC, they did not launch an internal investigation.

5. As part of this investigation, Board staff obtained a forensic image of Taylor Brummett's DOC computer. Utilizing Magnet forensics, the contents were processed and analyzed. Upon review, Board staff located no evidence of personal usage in Taylor Brummett's TEAMS account messages. Board staff additionally reviewed Taylor Brummett's web browsing history and located no evidence of personal browsing.

6. Board staff additionally reviewed Taylor Brummett's DOC email account. Between the dates of June 23, 2022, and November 1, 2023, Board staff flagged 460 emails which were personal in nature. The flagged emails were sent and received by Taylor Brummett's DOC account to two separate individuals that Taylor Brummett appeared related to as they shared a last name with one of them. Examples of flagged emails sent from Taylor Brummett's DOC email account:

- **November 3, 2022:** "Yep! Extra hour of sleepy!!!!!! And thank you for always calling the vet and doing that stuff for me. It is greatly appreciated!"
- **December 30, 2022:** "Sure. We can go to Maurices. I need to trade in that pair that are ripped on the ends. I might need to buy another pair since my other ones don't fit the greatest. I have already worn them so I can't return them. The grey ones I have are kind of green looking but they go with a lot. The brown would go with a lot too. I would go with brown."
- **June 7, 2023:** "I will stop and get your Rx as well as pepsi and ice. I'm sorry you are not feeling well 😞"

- **August 25, 2023:** “Would you be willing to take two pinkies and two mediums out of the freezer. Hopefully I have mediums left. Use the box of those that is already open. The other box is no good, I just haven’t thrown them out yet. Hope you have a good day!”
7. Board staff notified Taylor Brummett of this investigation, but never received a response. However, after receiving notification of the Board’s findings of reasonable cause, Taylor Brummett emailed Board staff an apology letter and requested the opportunity to settle. In summary, Taylor Brummett stated, “I wanted to take a moment to express my deep regrets for my misuse of my state work email. It was inappropriate and unprofessional, and I take full responsibility for my actions.”

B. CONCLUSIONS OF LAW

1. 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:

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.

2. The Board is authorized to impose sanctions for violations to the Ethics Act pursuant to RCW 42.52.360. The Board has set forth criteria in WAC 292-120-030 for imposing sanctions and consideration of any mitigating or aggravating factors.

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 Taylor Brummett 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. Taylor Brummett 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. Taylor Brummett 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. Taylor Brummett 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. Taylor Brummett 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 Taylor Brummett 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 Taylor Brummett 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 Taylor Brummett 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, Taylor Brummett 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, Taylor Brummett 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. Taylor Brummett agrees to pay a civil penalty in the amount of eight hundred fifty dollars (\$850) associated with violations of RCW 42.52.

12. The civil penalty in the amount of eight hundred fifty dollars (\$850) 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, Taylor Brummett, 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.

Taylor Brummett

02/04/2025

Taylor Brummett
Respondent

Date

Presented by:

K Reynolds / KJ

KATE REYNOLDS
Executive Director

3/14/25

Date

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):

 Civil penalty of \$500

DATED this 14th day of March 2025.

 Kelli Hooke
Kelli Hooke, Chair

 Megan Abel
Megan Abel, Vice Chair

 Jan Jutte
Jan Jutte, Member

 Cam Comfort
Cam Comfort, Member

 David Hankins
David Hankins, Member

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

 Taylor Brummett 03/18/2025
Taylor Brummett, Respondent Date