

BEFORE THE WASHINGTON STATE  
EXECUTIVE ETHICS BOARD

In the Matter of:

Michelle Mears

Respondent.

No. 2025-019

STIPULATED FACTS,  
CONCLUSIONS OF LAW AND  
AGREED ORDER

THIS STIPULATION is entered into by Respondent, Michelle Mears 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 March 5, 2025, the Executive Ethics Board (Board) received a complaint alleging that Michelle Mears, an employee of the Washington State Department of Licensing (DOL), may have violated the Ethics in Public Service Act. The complaint alleged that Michelle Mears violated RCW Chapter 42.52, by using state resources for non-work related activities, conducting activities incompatible with public duties, and securing special privileges.

2. According to the complaint, Michelle Mears allegedly used a direct report's address when purchasing and registering two scooters, in order to pay less in licensing fees.

3. According to DOL, Michelle Mears was hired on June 1, 2010, as a Licensing Service Representative 1 (LSR 1). On June 16, 2011, Michelle Mears was promoted to LSR 2. On August 16, 2012, Michelle Mears was promoted to LSR 3. Michelle Mears was terminated by DOL on June 3, 2025. On July 16, 2025 Michelle Mears was re-hired by DOL and accepted a demoted position as a Licensing Services Representative 2 in lieu of termination.

4. As part of this investigation, Board staff were provided with a copy of a finalized DOL internal investigation report (IR) along with supporting documentation. According to the IR, Michelle Mears was able to avoid paying the regional transit authority (RTA) tax on their personal vehicles when they used the address of one of their subordinate employees to register said vehicles, instead of using their own address.

5. This information came to light when a DOL employee shared this information, including a letter addressed to Michelle Mears that had Michelle Mears subordinate employees home address on the letter. The DOL investigation showed that Michelle Mears lives in an RTA tax area, but their subordinate employee does not.

6. As part of the DOL investigation, the subordinate employee was interviewed. During the interview, they shared that Michelle Mears had asked about using their home address to register their scooter. The employee further shared that Michelle Mears had shared they were having some kind of "issues." The employee stated they initially felt that Michelle Mears was "joking" and although the employee was hesitant, they provided their home address to Michelle Mears and thought it would be ok under the circumstances for one time. The employee further stated during their interview that they were not certain if Michelle Mears had in fact used their address or not, until they received a letter at their home address which had been addressed to

Michelle Mears. The employee clarified with DOL investigators they were never forced or coerced into providing their address.

7. As part of the DOL investigation, Michelle Mears was interviewed by investigators. According to Michelle Mears, they moved from North Bend to Tacoma about two or three years ago, at which time their vehicle registration fees allegedly went from approximately \$90 to almost \$600.

8. Michelle Mears additionally admitted to asking their subordinate employee if they could use their home address, which was not in an RTA tax area, to register their vehicles, to which that employee agreed to share their home address for Michelle Mears to use. Michelle Mears stated they used their employees address to “stay in compliance, make sure my cars were tabbed and save some money at the time.” Michelle Mears shared that they registered four vehicles in total at their employees’ address; 2010 Mazda, 2016 Mazda, 2022 Honda Scooter, and a 2023 Mazda. They did not pay the required RTA tax on said vehicles for three years.

9. As part of this investigation, DOL confirmed with Michelle Mears they had recently attended and completed WA State Ethics in State Government training, and a 2023 DOL policy checklist, which included DOL policies related to ethics, reporting improper government actions, and a respectful work environment.

10. DOL held a pre-disciplinary meeting with Michelle Mears on May 15, 2025. During that meeting, DOL asked Michelle Mears why they had changed the address on the four above noted vehicles from their subordinate’s home address back to their own home address. Michelle Mears stated, “[i]t was time” and was not due to the investigation of their actions. When DOL asked Michelle Mears if they felt what they had done was wrong, Michelle Mears stated it was a bad idea.

11. Based on the DOL investigation, Michelle Mears actions and admittance of actions, DOL issued Michelle Mears a dismissal letter, advising their last date with state employment would be June 3, 2025. DOL cited in their dismissal letter that Michelle Mears actions violated DOL Policy #1.3.1 Ethics: Complying with Ethics Requirements, Policy #2.1.3 Investigating Employee Misconduct Complaints, Policy #2.2.7 Respectful Work Environment, WAC 308-56A-030 Owner name and address – Recorded on the vehicle record and RCW 46.16A.050 Registration – Requirements before issuance which states, in part: (3) A person falsifying residency is guilty of a gross misdemeanor punishable only by a fine of five hundred twenty-nine dollars.

## 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.

2. 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. Based on the stipulated facts above, Michelle Mears used state resources for their private benefit or gain in violation of RCW 42.52.160. Michelle Mears' activities do not meet the exceptions for the de minimis use of state resources as permitted in WAC 292-110-010.

4. The Ethics in Public Service Act, Chapter 42.52 RCW, prohibits state employees from having a conflict of interest. RCW 42.52.020 states, in part:

(1) No state officer or state employee may have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the state officer's or state employee's official duties.

5. Based on the stipulated facts above, Michelle Mears personal interest in avoiding paying taxes is in conflict with their state duties of supervision and to not use the employees that they supervise for their private benefit in violation of RCW 42.52.020.

6. The Ethics in Public Service Act, Chapter 42.52 RCW, prohibits state employees from using their position to grant themselves or others privileges or exemptions. RCW 42.52.070 states, in part:

(1) No state officer or state employee may use his or her position to secure special privileges or exemptions for himself or herself, or his or her spouse, child, parents, or other persons.

7. Based on the stipulated facts above, Michelle Mears used their position as a state employee and supervisor to use their subordinate's address to avoid paying appropriate taxes in violation of RCW 42.52.070.

8. 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, it is a mitigating factor that Michelle Mears was dismissed from DOL on June 3, 2025 and that Michelle Mears has now paid all RTA fees in full, in the amount of \$1,798.00.

### **D. STIPULATION AND AGREED ORDER**

1. Pursuant to chapter 42.52 RCW, the Executive Ethics Board has jurisdiction over Michelle Mears 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. Michelle Mears 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. Michelle Mears 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. Michelle Mears 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. Michelle Mears 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 Michelle Mears 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 Michelle Mears 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 Michelle Mears 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, Michelle Mears 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, Michelle Mears 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. Michelle Mears agrees to pay a civil penalty in the amount of four thousand dollars (\$4,000) associated with violations of RCW 42.52. The Board agrees to suspend one thousand five hundred dollars (\$1,500) on the condition that Michelle Mears 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 of two thousand five hundred dollars (\$2,500) 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, Michelle Mears, 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.

Michelle Mears 12-22-2025  
Michelle Mears Date  
Respondent

Presented by:

K. Reynolds 1/9/2025  
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):

Penalty of \$4,000 with \$750 suspended

DATED this 9<sup>th</sup> day of January 2026.

Kelli Hooke  
Kelli Hooke, Chair

Megan Abel  
Megan Abel, Vice Chair

Cam Comfort  
Cam Comfort, Member

David Hankins  
David Hankins, Member

Mark Rapozo  
Mark Rapozo, Member

\* I, Michelle Mears, accept / do not accept (circle one) the proposed modification(s).

Michelle Mears  
Michelle Mears, Respondent

1/13/2026  
Date