



Washington State Executive Ethics Board

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Executive Ethics Board News

Anna Dudek Ross, Chair
Samantha Simmons, Vice Chair
Lisa Marsh, Member
Sumeer Singla, Member
John Ladenburg Sr., Member

September 9, 2016

The Executive Ethics Board (Board) met on Friday, September 9, 2016 for their regular business meeting. Board members present were Chair Anna Dudek Ross, Vice Chair Samantha Simmons and Member John Ladenburg. Others attending included: Kate Reynolds, Executive Director, Bruce Turcott, Assistant Attorney General, David Killeen, Senior Investigator, Dan Davis, Investigator, and Ruthann Bryant, Administrative Officer. Members of the public also attended.

Rule Making

WAC 292-100 Procedural Rules

The Board reviewed proposed changes to WAC 110 Procedural Rules and approved filing of the CR-102 with the Code Reviser. A public hearing on the rule will be held at the Board's November 18th meeting.

Enforcement

In lieu of an enforcement hearing, the Board accepted stipulations from:

- **Jo Simpson**, a Recreation Supervisor at Echo Glen Children's Center with the Department of Social and Health Services, may have violated the Ethics in Public Service Act by using state resources for her personal benefit and gain in regards to her involvement in 4-H of Snohomish County. Evidence also found that she entered into a personal contract with a film company for the production of a motion picture based upon the Canine Connection program at Echo Glen in which she would be paid directly by the film company. The Board levied a civil penalty of \$8,000 with \$4,000 suspended.
- **Denise Hawk**, a former employee with the Department of Labor and Industries may have violated RCW 42.52.160 by using state resources for her personal benefit and gain. Evidence indicated that Ms. Hawk used a state vehicle for personal use, had subordinates drive her to personal appointments, errands and on shopping trips. She also had subordinates do work for her at her residence, dog sit while on vacation and purchase items from her such as jewelry and vitamins. The Board levied a civil penalty of \$4,000.
- **Chris Madill**, Deputy Director of the Washington Traffic Safety Commission, may have violated RCW 42.52.160 when he used state resources for his personal benefit and gain by using resources for his continuing education and outside business interests. The Board levied a civil penalty of \$2,500 with \$1,000 suspended.
- The Board found Reasonable Cause in EEB Case No. 2015-024 (Pfeifer), EEB Case No. 2015-033 (Hundley), EEB Case No. 2015-040 (Douglas) and EEB Case No. 2015-060 (Mosqueda).
- The Board Dismissed EEB Case 2015-002 (Laslett).

Meeting agendas can be found at www.ethics.wa.gov under "Meetings."

The next meeting of the Executive Ethics Board is scheduled for November 18, 2016.

- The Board also issued Motions for Default in EEB Case 2014-064 (Barron) and EEB Case 2014-095 (Carter).
- The Board reviewed seventeen Executive Director's Dismissals: 2014-090 (Rock), 2014-091 (Podhora), 2015-004 (March), 2015-005 (King), 2015-006 (Green), 2015-007 (Odimba), 2015-008 (Johnson), 2015-015 (Haigh), 2015-016 (Swanigan), 2015-019 (Bryan), 2015-026 (Oglesbee), 2015-027 (Townsend), 2015-034 (Stout), 2016-007 (Ferguson-Wolf), 2016-008 (Turner), 2016-038 (Fontaine) and 2016-039 (Maillicoat).

Board Action:

- A. The Board reviewed and approved the following policies:
- Ethics in Public Service – Department of Transportation
 - Ethical Conduct and Outside Employment – Liquor and Cannabis Board
 - Political Activity – Pollution Liability Insurance Agency

Approved versions of policies will be uploaded to the Board's website at www.ethics.wa.gov.

- B. The Board continued their review of advisory opinions (AO). The Board staff is facilitating this review by grouping like subjects together, so that the Board reviews all of the opinions on that subject at the same time, and completing a pre-review to provide the Board with context and recommendations. During their review the Board will determine if the AO should remain unchanged, be updated or archived. The Board reviewed changes made to Serving on the Board of a Non-state entity that is Seeking Funds from a State Employee's Parent Agency and Membership in Non-state Organizations that are Affected by State Agency Decisions as a follow up from the July meeting and a small change in AO 02-02A Use of State Resources as it related to electric cars. This round of reviews regarded Compensation for Official Duties and Compensation for Outside Activities or Employment and encompassed the following AOs:

- **Advisory Opinion 97-05:** Employee's Beneficial Interest in a Spouse's Contract with their Employing Agency
- **Advisory Opinion 97-14:** Outside employment
- **Advisory Opinion 98-03:** community Colleges/Acceptance of Gifts
- **Advisory Opinion 99-03:** Outside Compensation/Collegiate Athletic Coaches
- **Advisory Opinion 00-02:** Working on Programs Funded by a Grant that Employee Administers
- **Advisory Opinion 00-12:** Compensation for Performing Official Duties/Tips
- **Advisory Opinion 11-01:** Expert Witness/Expert Testimony
- **Advisory Opinion 96-07 (Archive):** Accepting Employment as an Expert Witness
- **Advisory Opinion 99-06 (Archive):** Providing Expert Advice

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