



# Washington State Executive Ethics Board

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## Executive Ethics Board News

**Mike Connelly, Chair**  
**Matthew Williams III, Vice Chair**  
**Linnaea Jablonski, Member**  
**Neil Gorrell, Member**

March 11, 2011

The Executive Ethics Board (Board) met on Friday, March 11, 2011. Member Martin Biegelman did not attend this meeting; all other members were present. Others attending included: Melanie de Leon, Executive Director, Ruthann Bryant, Board Secretary, Senior AAG Mary Tennyson, Board Counsel, AAG Jennifer Elias, Board Prosecutor and Sue Jones, Board Investigator. Members of the public also attended.

### Enforcement

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

1. **Michael Watkins**, a former employee of the Department of Social and Health Services, for using state resources for personal gain. Evidence showed that Mr. Watkins used his state computer to access non-work related websites and pursue outside business transactions regarding the sale of real estate. The Board levied a civil penalty of \$1,500.
2. **Myung Yu**, a former employee of the Department of Social and Health Services, for working simultaneously for a private non-profit organization during her scheduled state work hours. The Board levied a civil penalty of \$10,000.
3. **Sally Garcia**, a Veteran's Employment Representative for Employment Security Department, for using state resources to campaign for the election of a person. Evidence indicated that Ms. Garcia sent an e-mail to veterans in Southwest Washington to promote a campaign event for a state senator running for re-election. The Ethics Act prohibits any use of state resources for this purpose. The Board levied a civil penalty of \$1,500 with \$500 suspended.
4. **Teresa Contreras**, a Secretary Senior for the Department of Social and Health Services, for using state resources for personal gain. Ms. Contreras accessed non-work related websites, sent dozens of personal e-mails, participated in an on-line auction and pursued personal business adventures. The Board levied a civil penalty of \$1,000 with \$500 suspended.
5. **Deanna Leyerle**, a Correctional Records Technician with the Department of Corrections, for using state resources for personal benefit. Ms. Leyerle's state computer contained personal e-mails and personal documents. The Board levied a civil penalty of \$500 with \$250 suspended.

The Board signed an Order of Default against Paula Canfield, a former employee of the Department of Social and Health Services for failing to respond to the Board's Reasonable Cause Determination entered

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Meeting agendas can be found at [www.ethics.wa.gov](http://www.ethics.wa.gov) under "Meetings."

*The next meeting of the Executive Ethics Board is scheduled for May 13, 2011*

on November 12, 2010. Ms. Canfield used state resources to access websites of personal interest and to place orders for her personal business as a cosmetics consultant.

The Board conducted an administrative hearing regarding EEB Case 2009-054, Jorge Gilbert. Mr. Gilbert, a former employee of the Evergreen State College, did not appear for the hearing. The state presented their case to the Board who will be issuing a default order in the near future.

**Board Action:**

A. The Board completed their review of the proposed update to Advisory Opinion 99-03 regarding Honoraria. After several months of information gathering and public comment, the Board determined that since the Ethics Act, under RCW 42.52.130, allows each agency to develop policies that authorize or prohibit honoraria and how that honoraria may be characterized (monetary or not), the Board would not develop a specific opinion regarding this issue. The Board will review agency policies as requested to determine if the policy meets the spirit and intent of the Act on a case-by-case basis. The Board left agencies with the ability to define their own policies with the caveat that if the policy was not approved by the Board, the Board could still find that an employee who had followed the policy violated the Act.

B. The Board combined Advisory Opinion's 96-07 and 99-06 as they both pertained to expert witnesses and expert testimony and gave the combined opinion a new number: AO 11-01.

C. The Board repealed Advisory Opinions 97-1 and 97-01A due to a change in the law that was the subject of the opinions.

D. The Board retired Advisory Opinion 97-14 regarding outside employment as the matter is sufficiently covered in WAC 292-110-060.

E. The Board reviewed and approved the Ethics Policy submitted by the Military Department.

F. The Board reviewed two YouTube commercials depicting state employees in state facilities asking people to contact their elected representatives regarding the state budget and initiated an investigation to determine if this action violated the Ethics Act.

**Other:**

Martin Biegelman resigned from the Board, effective January 25, 2011 to relocate to Arizona. He was nominated by the Attorney General's Office who is currently looking for someone to fill his position. The Board elected Matthew Williams as the new Vice-Chair. Neil Gorrell's term expired in September 2010 and he attended his last meeting today. He will be replaced by Lisa Marsh, Deputy Assistant Commissioner for the Employment Security Department.

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