



# Washington State Executive Ethics Board

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## Executive Ethics Board News

Lisa Marsh, Chair  
Anna Dudek Ross, Vice Chair  
Matthew Williams III, Member  
Samantha Simmons, Member

September 16, 2013

The Executive Ethics Board (Board) met on Friday, September 13, 2013 for their regular business meeting. All Board members attended the meeting. Others attending included: Melanie de Leon, Executive Director, David Killeen, Investigator, Bruce Turcott, Board Counsel and Ruthann Bryant Board Secretary. Members of the public also attended.

### Enforcement

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

- **Les Ling**, Program Specialist, Office of Minority and Women's Business Enterprises, for improper use of state resources when he used the agency's computer for personal interests. Mr. Ling's state computer contained family photos, music files, family business and work regarding the Cub Scouts. The Board levied a civil penalty of \$2,500, suspending \$1,000.
- **John Dickson**, former Regional Manager, Employment Security Department, for using state resources to conduct an outside business. Records indicated that Mr. Dickson used the agency's computer to send and receive email regarding his outside consulting business and his outside employment with Dale Carnegie Training. The Board levied a civil penalty of \$2,000.
- **Miranda Saari**, an employee of Clark College, for using state resources to conduct an outside business. Evidence indicated that Ms. Saari used the state's computer system to send/receive emails regarding her employment with the National Institute for Certification in Engineering Technologies (NICET) for proctoring their tests and provided NICET a special privilege by allowing them to use the college's assessment center without paying a fee. The Board levied a civil penalty of \$4,000, suspending \$1,500.
- **Laura Rustay**, an employee of Clark College, for using state resources to promote her outside employment of proctoring tests at the college. Evidence indicated that Ms. Rustay sent/received emails on the state's system regarding this outside employment. The Board levied a civil penalty of \$2,500, suspending \$1,750.
- **Viktoryia Camp**, an employee of Clark College, for using state resources to promote her outside employment of proctoring tests at the college. Evidence indicated that Ms. Camp sent/received emails on the state's system regarding this outside employment as well as other personal business. The Board levied a civil penalty of \$3,000, suspending \$1,500.
- **Abinet Onkiso**, former Performance Management Analyst, Employment Security Department, for using state resources to conduct work related to his private business and personal interests. Records indicated that Mr. Onkiso used the state's computer system and state time to further his outside interpreting services. An examination of his state computer also revealed that he had

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

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over 800 non-work related audio files, 28 video files and 1,964 non-work related photos. The Board levied a civil penalty of \$2,500.

- **Robert Nelson**, Tax Specialist, Employment Security Department, for using state resources for personal interests. The Board levied a civil penalty of \$2,500, suspending \$1,750.
- **John Carlton**, a Correctional Sergeant, Department of Corrections, for using state resources for personal benefit. Evidence indicated that over a 20-day work period, Mr. Carlton used the state's computer system for over 30 hours of non-work related business. His access to the Internet for personal use revolved around news/celebrity and news/gossip sites. The Board levied a civil penalty of \$3,000, suspending \$1,000.
- The Board found Reasonable Cause in 5 cases: EEB Case No. 2013-005 (W. Caldwell), 2013-022 (P. Caldwell), 2013-011 (Krall), 2013-016 (Huynh) and 2013-018 (Cline).
- The Board dismissed case 2013-010 (Lindell).
- The Board signed the Orders of Default for cases 2012-063 (Zhou), 2013-004 (Ruiz) and Case 2013-009 (Perry).
- The Board denied the Respondent's Motion for Reconsideration in EEB Cases 2011-013 (Samples) and 2011-014 (Richardson) and granted the Board Staff's Motion for Reconsideration in EEB Case 2008-128 (Petruzzelli).

**Board Action:**

- A. The Board reviewed and approved revised policies submitted by the Department of Social and Health Services and the Department of Corrections.
- B. The Board further discussed a request made by the Department of Corrections (DOC) to allow the Correctional Peace Officers Foundation to set up tables in DOC facilities to provide information on the foundation and to sign up members. Board staff provided additional research that indicated that the foundation was actually part of the Combined Fund Drive (CFD) and the Board opined that the foundation could participate in solicitation as allowed under the CFD's laws and rules.
- C. The Board continued their discussion regarding how to better clarify questions regarding their interpretation of the Use of Resources rule, WAC 292-110-010. After meeting with the Ethics Advisory Group, Board staff informed the Board that what agencies wanted was a concise interpretation of the different parts of the WAC that could be found in one place, not a revision of the WAC. The Board agreed to establish a sub-committee, made up of Board members Matt Williams III and Samantha Simmons, Board staff members Melanie de Leon and Ruthann Bryant, and Ethics Advisors, Lisa Beach (CPTC), Marie Steffen (WSDOT), Brian Jensen (HCA) and Lydia Hoffman (DOC). This sub-committee will meet and develop a draft revision to Advisory Opinion 02-02A that will then be presented to the Board.

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