

## WASHINGTON

### INTRODUCTION

The Washington State Executive Ethics Board enforces the ethics rules governing elected and appointed executive branch officials as well as executive branch employees. [Wash. Rev. Code § 42.52.360\(1\)](#). The Washington State Legislative Ethics Board, comprised of two state senators, two state house members, and five citizen members, enforces the ethics rules governing members and staff of the state legislature. Wash. Rev. Code §§ [42.52.310\(1\)](#), [320\(1\)](#).

Financial disclosure reports are regulated by and filed with the [Public Disclosure Commission](#).

### SCOPE OF SANCTIONS

Personnel Actions – Both Boards have the authority to issue public reprimands but not other personnel actions or injunctions. Wash. Rev. Code §§ [42.52.320\(2\)\(e\)](#), [360\(3\)\(e\)](#). For these actions, the Boards can recommend “suspension, removal from position, prosecution, or other appropriate remedy” to the appropriate executive branch authorities or legislative chamber. Wash. Rev. Code §§ [42.52.320\(2\)\(f\)](#), [360\(3\)\(f\)](#).

Injunctions – NONE

Fines – Both Boards may unilaterally and independently impose fines, consisting of any damages to the state caused by the unethical conduct, civil penalties capped at the greater of \$5,000 or three times the value of “anything received or sought” unethically, and “reasonable investigative costs.” [Wash. Rev. Code § 42.52.480](#).

### ENFORCEMENT ACTIONS for 2016, 2017, and 2018, if available

#### 1. How many complaints were filed?

##### Legislative Ethics Board

2016 – 16 complaints were filed.<sup>1</sup>

2017 – 43 complaints were filed.<sup>2</sup>

2018 – 7 complaints were filed.<sup>3</sup>

##### Executive Ethics Board

2016 – 93 complaints were filed.<sup>4</sup>

2017 – 76 complaints were filed.<sup>5</sup>

2018 – 67 complaints were filed.<sup>6</sup>

#### 2. How many complaints were dismissed?

##### Legislative Ethics Board

2016 – 11 cases were dismissed.<sup>7</sup>  
2017 – 42 cases were dismissed.<sup>8</sup>  
2018 – 5 cases were dismissed.<sup>9</sup>

Executive Ethics Board

2016 – This information cannot be determined.  
2017 – This information cannot be determined.  
2018 – This information cannot be determined.

**3. How many cases were resolved with a finding of no ethics violation?**

Legislative Ethics Board

2016 – This information cannot be determined.  
2017 – This information cannot be determined.  
2018 – This information cannot be determined.

Executive Ethics Board

2016 – 64 cases were resolved with a finding of no ethics violation.<sup>10</sup>  
2017 – 82 cases were resolved with a finding of no ethics violation.<sup>11</sup>  
2018 – 42 cases were resolved with a finding of no ethics violation.<sup>12</sup>

**4. How many cases were resolved with a finding of an ethics violation?**

Legislative Ethics Board

2016 – 5 cases were resolved with a finding of an ethics violation.<sup>13</sup>  
2017 – 1 case was resolved with a finding of an ethics violation.<sup>14</sup>  
2018 – 2 cases were resolved with a finding of an ethics violation.<sup>15</sup>

Executive Ethics Board

2016 – 25 cases were resolved with a finding of an ethics violation.<sup>16</sup>  
2017 – 42 cases were resolved with a finding of an ethics violation.<sup>17</sup>  
2018 – 27 cases were resolved with a finding of an ethics violation.<sup>18</sup>

**5. What sanction was adopted?**

Legislative Ethics Board

2016 – Fines ranging from \$100 - \$5,000 were adopted.<sup>19</sup>  
2017 – A fine of \$2,000 was adopted.<sup>20</sup>  
2018 – A fine of \$2,000 was adopted.<sup>21</sup>

Executive Ethics Board

2016 – Fines ranging from \$1,000 - \$8,000 were adopted.<sup>22</sup>  
2017 – Fines ranging from \$250 - \$50,000 were adopted.<sup>23</sup>  
2018 – Fines ranging from \$250 - \$30,000 were adopted.<sup>24</sup>

**ARE THE DECISIONS PUBLICLY AVAILABLE?**

Legislative Ethics Commission

Yes – decisions are publicly available and published to the commission’s website.<sup>25</sup>

### Executive Ethics Commission

Yes – decisions are publicly available and published to the commission’s website.<sup>26</sup>

## **SOURCES**

### **Legislative Ethics Board**

Washington State Legislature, Legislative Ethics Board Complaint Opinions,  
<http://leg.wa.gov/LEB/Opinions/ComplaintOpinions/pages/default.aspx>.

### **Executive Ethics Board**

Washington State Executive Ethics Board, 2016 Annual Report,  
[https://ethics.wa.gov/sites/default/files/public/documents/annual\\_reports/2016%20Annual%20Report.pdf](https://ethics.wa.gov/sites/default/files/public/documents/annual_reports/2016%20Annual%20Report.pdf)

Washington State Executive Ethics Board, 2017 Annual Report,  
<https://ethics.wa.gov/sites/default/files/public/annual%20report%202017.pdf>

Washington State Executive Ethics Board, 2018 Annual Report,  
<https://ethics.wa.gov/sites/default/files/public/annual%20report%202018.pdf>

Washington State Executive Ethics Board, Results of Enforcement,  
<https://ethics.wa.gov/enforcement/results>

Email from Ruthann Bryant, Administrative Officer of the Washington Executive Ethics Board, on March 20, 2019

## **NOTES**

According to the comments we received from the Executive Ethics Board, all complaints are investigated and a dismissal constitutes a finding of no ethics violation. The Board does not track cases that are not investigated.

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<sup>1</sup> Legislative Ethics Board Complaint Opinions

<sup>2</sup> Ibid

<sup>3</sup> Ibid

<sup>4</sup> 2016 Executive Annual Report, pg. 15. These numbers only reflect complaints made against members of the executive branch.

<sup>5</sup> 2017 Executive Annual Report, pg. 13. These numbers only reflect complaints made against members of the executive branch.

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<sup>6</sup> Email from Ruthann Bryant, Administrative Officer of the Washington Executive Ethics Board, on March 20, 2019. These numbers only reflect complaints made against members of the executive branch. The 2018 Annual Report reports only 62 cases.

<sup>7</sup> Legislative Ethics Board Complaint Opinions

<sup>8</sup> Ibid

<sup>9</sup> Ibid

<sup>10</sup> 2016 Executive Annual Report, pg. 15. The sum of the cases where the Board issued dismissals (11) and the cases whether the Executive Director issued dismissals (53). Per email from Ruthann Bryant, all dismissals are findings of no ethics violations, an investigation has already occurred. We do not track cases that are not investigated.

<sup>11</sup> 2017 Executive Annual Report, pg. 13. The sum of cases where the Board found no Reasonable Cause (1), cases where the Board issued dismissals (22) and cases where the Executive Director issued dismissals (59). Per email from Ruthann Bryant, all dismissals are findings of no ethics violations, an investigation has already occurred. We do not track cases that are not investigated.

<sup>12</sup> 2018 Executive Annual Report, pg. 12. The sum of the cases where the Board found no Reasonable Cause (5), the cases where the Board issued dismissals (22), and the cases where the Executive Director issued dismissals (15). Per email from Ruthann Bryant, all dismissals are findings of no ethics violations, an investigation has already occurred. We do not track cases that are not investigated.

<sup>13</sup> Legislative Ethics Board Complaint Opinions

<sup>14</sup> Ibid

<sup>15</sup> Ibid

<sup>16</sup> 2016 Executive Annual Report, pg. 15. The sum of cases that were settled with agreed stipulations (17), cases resolved with final orders of default (4), and cases resolved with orders of default (4).

<sup>17</sup> 2017 Executive Annual Report, pg. 13. The sum of cases that were settled with agreed stipulations (36) and cases resolved with orders of default (6).

<sup>18</sup> 2018 Executive Annual Report, pg. 12. The sum of cases that were settled with agreed stipulations (23) and cases resolved with orders of default (4).

<sup>19</sup> Legislative Ethics Board Complaint Opinions

<sup>20</sup> Ibid

<sup>21</sup> Ibid

<sup>22</sup> 2016 Executive Annual Report, Attachment 1, pg. 1-2

<sup>23</sup> 2017 Executive Annual Report, Attachment 1, pg. 1-4

<sup>24</sup> 2018 Executive Annual Report, Attachment 1, pg. 1-3

<sup>25</sup> Legislative Ethics Board Complaint Opinions

<sup>26</sup> Washington State Executive Ethics Board, Results of Enforcement