

Legislative Ethics Board

BOARD MEMBERS:
JUDGE GARY B. BASHOR
EUGENE GREEN
REP. DREW HANSEN
SEN. JIM HONEYFORD
DR. KRISTINE HOOVER, CHAIR
STEPHEN L. JOHNSON
SEN. JAMIE PEDERSEN
KENNY PITTMAN, VICE CHAIR
REP. BRANDON VICK



101 LEGISLATIVE BUILDING
PO BOX 40600
OLYMPIA, WA 98504-0600
360-786-7540
FAX: 360-786-1553
www.leg.wa.gov/leb

MIKE O'CONNELL - COUNSEL
Mike.OConnell@leg.wa.gov

COMPLAINT 2015 – NO. 2

In Re Dahlquist

DETERMINATION OF NO REASONABLE CAUSE AND ORDER OF DISMISSAL

August, 2015

1. Nature of the Complaint

The complaint was received on May 15, 2015 and was discussed by the Board at regularly scheduled board meetings in June and August. The complaint alleges that former Rep. Cathy Dahlquist (Respondent) converted public property to her private use following the closure of her legislative district office. The statute at issue is RCW 42.52.160 which states, in pertinent part:

(1) No state officer or state employee may employ or use any person, money, or property under the officer's or employee's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee or another.

...

The Board has both personal and subject-matter jurisdiction.

2. Determinations of Fact

There is reasonable cause to believe the following are among the pertinent facts of the case:

1. In early 2014, Respondent purchased furniture items and a mini-fridge for her new legislative district office.
2. Total expenditures were approximately \$2,100 and she was properly reimbursed pursuant to the business expense reimbursement policy of the House of Representatives.
3. Respondent lost her 2014 reelection contest and closed her district office.
4. Respondent's Legislative Assistant (LA) contacted the House for instructions on what to do with the district office items and was told the House would not be able to retrieve them nor did it have a convenient place to store them and account for them.
5. Respondent and the LA became, if effect, responsible for disposal of these public resources.
6. Respondent and her Legislative Assistant will testify that all the items were donated to the Auburn Goodwill in December. Although they did not retain a receipt for the donation, no contrary evidence was discovered.

3. Determinations of Law

1. Respondent did not appropriate public property, for her private benefit or gain, through the contribution to charity.
2. Under these facts, Respondent's LA acted as the agent of the state and disposed of property that the House had in effect determined to be surplus.

4. Order

It is HEREBY ORDERED, ADJUDGED AND DECREED that the complaint is dismissed for lack of reasonable cause to believe that the Ethics in Public Service Act was violated.



Kenny Pittman, Vice-Chair

Date: 8/18/2015