

# Legislative Ethics Board

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## COMPLAINT 2023 – No. 3

*In re Reed*

June 13, 2023  
*Stacy*

### REASONABLE CAUSE DETERMINATION AND STIPULATION

#### I. NATURE OF COMPLAINT

The Complaint alleges that Respondent violated the Ethics in Public Service Act by posting on Twitter multiple disparaging remarks based upon race and perceived gender identity. Although the complaint does not cite a provision of the Act alleged to have been violated, the complaint was analyzed as alleging a violation of RCW 42.52.180 (using public resources for campaign purposes).

#### II. JURISDICTION

The Board has personal and subject matter jurisdiction. RCW 42.52.320.

#### III. PROCEDURAL HISTORY

Complaint 2023 – No. 3 was received on March 8, 2023, and discussed at the Board's regularly scheduled meeting on May 19, 2023.

#### IV. FINDINGS OF FACT

1. Respondent is a member of the state House of Representatives representing the 36th legislative district. This is her first term having assumed office on January 9, 2023.
2. Respondent has a personal Twitter account (@juliagranted) that she has had for several years. No House member has an official Twitter account.
3. Respondent's personal Twitter account contains mixed posts: campaign, legislative and personal.
4. Respondent indicated that she likes to tweet events on the House floor as they are occurring. She stated that she tweets what is occurring on the House floor and in the legislature regularly because she feels obligated to let people who read her tweets know what really happens in the legislature.
5. On March 7, 2023, while the House members were on the floor debating HB 1143 (Concerning requirements for the purchase or transfer of firearms) Respondent, while sitting on the House floor and using her legislatively issued computer, accessed her personal Twitter account @juliagranted and posted multiple tweets commenting on some of the speeches made by

various members. She did not identify the members in her tweets by name although in some instances she referred to the “Republicans.”

6. The Tweets Respondent posted were accessed by LegTech on March 29, 2023 and it was confirmed that the Tweets were posted from her legislative computer, including the Tweet about which the Complainant was concerned.
7. The Tweet that the Complainant found problematic stated as follows: “nothing like a white dude saying he’s doing something that puts women’s lives at risk because he cares so deeply about women.”
8. After the complaint was filed, Respondent consulted the Speaker’s attorney, Chris Kilduff, about Tweeting using her legislative computer. Ms. Kilduff indicated that using her personal Twitter account that contained campaign posts might be problematic and suggested that Respondent create a new Twitter account that would contain only legislative material. Respondent created a new Twitter account shortly thereafter.

## VI. ANALYSIS AND CONCLUSIONS OF LAW

The complaint focuses on the content of some of the Tweets Respondent made on March 7, 2023. The Board offers no opinion about the about the content of the Tweets but chooses to focus on the use of public resources for campaign purposes. The Board notes that concerns about the content of the Tweet may be more appropriately addressed pursuant to a chamber’s Code of Conduct and other provisions governing the conduct of legislators.

RCW 42.52.180 prohibits the use of public resources (called “facilities of an agency” in the statute) to assist a campaign. The Board has previously held that any website containing campaign materials is considered a campaign site whether or not it is the legislator’s official campaign site. *In re Stambaugh*, 2016 Nos. 8 & 13. Further, the Board enforces the Act with a “zero tolerance” view toward campaign related activities with the use of public resources even if there has been no actual assistance to the campaign. *In re Hudgins*, 2020 – No. 13; *In re Hunt*, 2019 – No. 3; *In re Young*, 2017 – No. 41.

Facilities of an agency include, but are not limited to, the following: use of stationery, postage, machines, and equipment; use of state employees of the agency during working hours; vehicles, office space, publications of the agency, and clientele lists of persons served by the agency. RCW 42.52.180(1). A legislative laptop would be considered a facility of an agency because it is equipment provided by the legislature for the official use of the member.

The Twitter account upon which Respondent made numerous posts on March 7, 2023, contained a variety of material including campaign endorsements and other non-legislative material. By accessing that Twitter account using a legislative computer while sitting in an area in the Capitol that is not accessible to the public, Respondent violated RCW 42.52.180.

## V. ORDER AND STIPULATION

IT IS HEREBY ORDERED: that reasonable cause exists that Rep. Reed violated RCW 42.52.180 and that she pay a civil penalty of \$100, which penalty is suspended with such suspension conditioned upon Rep. Reed having no further violations of the Ethics in Public Service Act (RCW 42.52) through the remainder of her current term in office.



Tom Hoemann, Chair

Date: 2/13/2023

I, Julia Grant Reed, hereby certify that I have read this Stipulation and Order in its entirety; that I have had the option of reviewing this agreement with legal counsel, or have actually reviewed it with legal counsel; fully understand its legal significance and consequence; agree to the entry of findings of fact and conclusions of law, and agree to personally sign it as a resolution of this matter and have voluntarily signed this Stipulation and Order.



Rep. Julia Reed

Date: 7/7/2023

Having reviewed this proposed Stipulation, and on behalf of the Legislative Ethics Board, the Stipulation is accepted.



Tom Hoemann, Chair