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# LEGISLATIVE ETHICS BOARD

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## ETHICS ALERT

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### **Use of Legislative Office and Public Resources on Behalf of Constituents**

Provided a legislator does not use improper means, which in a particular case could be the use of persistent communications or threatening remarks, or seek special favors or privileges, a legislator may use her or his position or public resources to advocate on behalf of a constituent if a government official or government office is involved or if the constituent is seeking assistance on legislative issues.

A complaint was dismissed which alleged a legislator should not have used public resources to phone a local government official on behalf of a constituent and threaten the official with the possibility the legislator would go to the Attorney General on behalf of the constituent (C2007 – No. 1A).

It was determined the Ethics Act had been violated when over a multi-year period a legislator used legislative position and public resources in an effort to secure privileges for a family-owned business (C2007 – 1B).

A letter, written on legislative stationery, in support of one of the parties involved in a collective bargaining dispute, dealt with a legislative issue and to that extent it complied with the Ethics Act. However, part of the letter was an inappropriate use of public resources to advocate for that party. The opinion concludes that in the future a mixed-use letter will be found to violate the Act if the improper portion of the letter is not de minimis. This particular letter would have failed that test (C2007 – No. 3).

### **Prohibition on Use of Public Resources Not Limited to Legislative Campaigns**

It is a violation of the Act, RCW 42.52.180, if public resources (in this case, staff and legislative stationery) are used to provide a letter in support of a school bond election (C2007 – No. 5).

**The Board published five complaint opinions and one advisory opinion for 2007. The full text of all opinions together with a brief description of each may be found at [www.leg.wa.gov/LEB](http://www.leg.wa.gov/LEB).**