Legislative Ethics Board

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COMPLAINT 2024 – NO. 3
In re Caldier
December 13, 2024

ORDER OF DISMISSAL – LACK OF SUBJECT MATTER JURISDICTION

I. NATURE OF COMPLAINT

The Complaint alleges that Respondent violated the Ethics Act by using her position as a legislator to provide false testimony in a court hearing in a dependency matter involving Complainant's daughter. Although the complaint does not cite a specific section of the Act to have been violated, the complaint was investigated under RCW 42.52.070.

II. JURISDICTION

The Board has personal jurisdiction but lacks subject matter jurisdiction. RCW 42.52.320.

III. PROCEDURAL HISTORY

Complaint 2024 – No. 3 was received on February 27, 2024 and was discussed during the Board's regularly scheduled meeting on December 16, 2024.

IV. FINDINGS OF FACT

1. Respondent is a current member of the House representing the 26th legislative district. She has represented that district since 2015.

2. Complainant is the parent of one of Respondent's former foster children.

3. Respondent has been a licensed foster parent since before she was elected to office.

4. As a foster parent, Respondent accepted hard-to-place teenagers for short term placements.

5. Usually, Respondent did not accept placements during the legislative session.

6. Sometime in 2021, Complainant's daughter, Susan,[1] was placed in the Respondent's home pursuant to a dependency petition.

7. At the start of the legislative session, there was no future placement for Susan, so Respondent had her adult daughter stay with Susan in Respondent's home.

8. According to Respondent, sometime during the 2021 session, her daughter called Respondent and stated that a car had picked Susan up and she was gone. It was later determined that Susan had been picked up by Complainant.

9. This incident was reported to Susan's social worker and the police. Susan was eventually found and returned to Respondent's care.

10. At some point there was a court hearing. It is not clear what type of dependency hearing was held.

11. Respondent testified at the hearing. She indicated that she testified to what Susan told her after being picked up in the car and taken back to her parents.

12. Complainant believes Respondent falsified her testimony during the court hearing and her testimony was believed because she is a legislator.

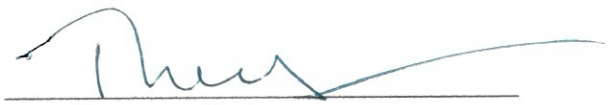
V. ANALYSIS AND CONCLUSIONS OF LAW

RCW 42.52.070 is violated when a legislator or legislative staff uses his or her position to secure special privileges or exceptions for himself, herself, his or her spouse, child, parent or another.

In this matter, Respondent was testifying as a foster parent, not as a legislator. Presumably, she was under oath when she was testifying. Determining a witness's credibility is the responsibility of the judge overseeing the court hearing. Furthermore, this complaint involves a court matter and not a legislative matter. The Board has no authority to adjudicate issues that are in a different branch of government.

VI. ORDER

IT IS HEREBY ORDERED: that the Board lacks subject matter jurisdiction and this matter is hereby dismissed.



Tom Hoemann, Chair

12/23/24

Date

[1] This name is fictitious.