



Washington State Auditor's Office

May 11, 2016

HAND DELIVERED
MAY 11 2016
OFFICE OF THE GOVERNOR

The Honorable Jay Inslee
Governor
PO Box 40002
Olympia, WA 98504-0002

RE: Operation of the Washington State Auditor's Office

Dear Governor Inslee:

Your letter dated May 6, 2016 indicates concern for the staffing of the Auditor's Office. It is disappointing that you did not walk the 50 yards between our offices to address any substantive issues in a give and take conversation, but instead chose to use your letter and accompanying press release as media fodder to create news coverage for yourself in an election year.

I hope you have a deeper concern for the various serious management issues facing your cabinet agencies right now. I encourage you to look at the findings and recommendations of our latest audit which highlights your administration's shortcomings in the WSDOT tolling systems and suggests opportunities for improvement.

Many of these same deficiencies are found throughout your administration, such as the illegal early release of 3200 convicted felons and prisoners from the Department of Corrections. Nevertheless you have taken no significant steps to look into the root causes of the problems, or to discipline those in executive management responsible for the early releases and the deaths of two innocent victims at the hands of those who should have still been behind bars serving their court ordered sentences.

If you insist on reviewing personnel matters outside your direct purview, I suggest that you start by reviewing the most serious personnel action resulting from the Department of Corrections debacle. In February 2016, it appears Attorney General Bob Ferguson forced the resignation of the non-management assistant attorney general in that matter, Ms. Rhonda Larson. Curiously and inconsistently, you did not send Mr. Ferguson a letter questioning his actions. It is quite possible her dismissal is in violation of public policy and was an attempt to make her a scapegoat in order to politically protect your administration and the reputation of Bob Ferguson who is widely acknowledged to be running for governor in 2020. As a lawyer you recognize the serious implication that constructively firing a state employee for giving legal advice carries with it.

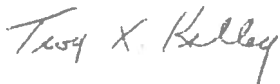
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Elected officials have the discretion to appoint their entire exempt management teams for the duration of their terms in office. After irreparably losing confidence in one part of the team, the State Auditor's Office this month made changes only impacting that team, its executive messaging team. I requested and received the resignations of the Chief of Staff and Deputy Director for Communications. Further, the Special Assistant of Communications announced his May 31, 2016 retirement many months ago, and that will continue as planned other than he will not work on messaging issues during his final three weeks.

Please let the hard working employees of the State Auditor's Office do their job, and refrain from political grandstanding such as your demand citing the Washington State Constitution. Frankly, in my view your request appears to be campaigning with taxpayer resources at best, and at worst another attempt to influence the ongoing federal administration of justice to which you directly reference in your letter. I specifically request you direct your General Counsel of television Survivor fame, Nicholas Brown, to refrain from contacting the United States Attorney's Office in the Western District of Washington. As you are aware, Mr. Brown formerly worked for Jenny Durkan, where he formed a close long-standing personal friendship with the lead prosecutor in the recently concluded trial.

I look forward to your response by May 15, 2016.

Respectfully,

A handwritten signature in cursive script that reads "Troy X. Kelley".

Troy X. Kelley
State Auditor