

# Legislative Ethics Board

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## COMPLAINT 2018 – NO. 4

*In re* David Sawyer

January 28, 2019

### REASONABLE CAUSE DETERMINATION AND STIPULATION; ORDER OF DISMISSAL

#### I. Nature of the Complaint

The Legislative Ethics Board (Board) received the complaint on August 10, 2018. Board counsel conducted an investigation pursuant to RCW 42.52.420 and the Board discussed the complaint at regularly scheduled meetings on September 26 and December 3, 2018.

The complaint contains two allegations as follows:

- (1) Respondent violated RCW 42.52.070 of the Ethics in Public Service Act (Act), prohibiting the use of a state officer's official position to secure special privileges, when he engaged in a pattern of harassment against two legislative assistants.
- (2) Respondent violated RCW 42.52.160 of the Act, prohibiting the use of state resources for private benefit when he used his legislative assistant's and communication specialist's time during working and non-working hours to discuss the personal harassment allegations against him.

With regard to the first allegation, the statute reads as follows:

*Except as required to perform duties within the scope of employment, no state officer or state employee may use his or her position to secure special privileges or exemptions for himself or herself, or his or her spouse, child, parents, or other persons. RCW 42.52.070.*

With regard to the second allegation, the statute reads as follows:

- (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. RCW 42.52.160.*

## II. Jurisdiction

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

## III. Findings of Fact

There is reasonable cause to believe that the following are among those facts pertinent to this case and which would be established during the course of a public hearing.

1. Rep. Sawyer is a member of the Washington State Legislature, having first taken office in 2013. He represents the 29th district which is in southeastern Tacoma, Pierce County.
2. Sally Smith<sup>1</sup> was an employee of the House of Representatives working as a Legislative Assistant (LA) for a member unrelated to this proceeding. Judy Jones was Respondent's LA from August 2017 to February 19, 2018. Wendy Roberts is a communication specialist working for the House Democratic Caucus and was assigned to Respondent from 2016-2018. Abby Atkins was Respondent's LA from 2013 – 2017.

### Sally Smith

3. Although Sally and Respondent met in 2015, Respondent did not start communicating with her until a year or so later. Initially, Respondent used Facebook Messenger to communicate with Sally. In December 2016, via Facebook Messenger, Respondent sent Sally an image of a pair of men's Star Wars underwear and stated that they would be appropriate for any man she would date. Sally indicated that she was not offended by this.
4. In January 2017, Sally provided Respondent with her personal cell number because she had been trying to arrange a meeting between Respondent and the member for whom Sally was an LA.
5. From January 2017 onward, Respondent communicated with Sally via text messages on her personal phone. During a three and a half month period – February 4, 2017 to May 20, 2017 – Respondent asked Sally to meet him outside of work either alone or with at least one other person no fewer than eight times. Each time, Sally either did not respond or responded that she already had plans.
6. As Sally became more uncomfortable with Respondent's text messages, she discussed the situation with Abby Atkins. Abby, whom Respondent knew previously and hired when he was first elected, told Sally that she (Sally) was Respondent's type and that he would continue to pursue her because he saw her as a challenge. Abby told Sally that if she wanted it to stop she needed to be very direct with Respondent or "he just won't get it."
7. On Friday, April 7, 2017, at 7:31 am Respondent texted Sally and attached a YouTube video performance of OPP by a band called Naughty by Nature. Respondent followed this text with another that explained the crude lyrics.
8. On Thursday, April 20, 2017, at 9:23 am. Respondent texted Sally saying that he left a "snack" on her desk. The "snack" was a Star Wars yogurt. Sally texted Respondent that this gesture gave her colleagues an inappropriate impression of their relationship.
9. On Saturday, April 22, 2017, Respondent texted Sally asking if she had any plans for the weekend. On Sunday morning, April 23, 2017, Respondent texted Sally asking if she wanted to go hiking. In the

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<sup>1</sup> All the witnesses have been provided with false names to protect their identities.

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afternoon of that same day, Respondent texted Sally inviting her to accompany him to a pot shop owner's house for drinks and pool. Sally did not respond to any of these texts.

10. On Wednesday, May 10, 2017, at 12:16 pm, Respondent texted Sally and invited her to a baseball game.
11. On Saturday, May 13, 2017, at 7:59 am, Respondent forwarded to Sally an image of the outline of a penis. The image was from an attachment to a website that allows a buyer to ship a giant cardboard "dick" to a selected recipient.
12. On Tuesday, May 16, 2017 at 9:58 am, Respondent again asked Sally to spend time with him outside of work. He asked if he could call her and she responded, "I feel like you are hitting on me ... I consider you a friend."
13. On Wednesday, May 17, 2017, at 8:20 am, Respondent texted Sally that he wanted to navigate how to be friends. He also texted that he has "dated lobbyists and oddly mostly republicans. I'm basically completely terrified of women who are house employees. Not really the place for me to date." Sally responded "Sure but you are not quite listening to me. This might sound harsh, but you're a bit too intense for me and I feel like I need to shut it down. I'm not interested in being hit on by you or dating you... Are you only wanting to hang out because you're attracted to me?"
14. On that same day, Respondent texted Sally and invited her to the ThinkGeek grand opening at the Tacoma Mall. In the text, Respondent stated "I know you secretly want to go with me." That same day, Respondent texted Sally and invited her to the WonderWoman movie and told her he bought three tickets.
15. In texts on April 6, April 15, April 18, April 20, May 16 and May 17, 2017, Sally specifically told Respondent that she considered them to be only friends.
16. Sally finally shut down the conversations with Respondent because she was offended by his barrage of inappropriate text messages and his requests for dates.
17. On November 1, 2017, Majority Leader Pat Sullivan sent an e mail to all House Democratic staff acknowledging that a story about the reasons for former Rep. Jim Jacks' resignation was going to appear in the newspaper. He also included in the e mail a copy of the statement he provided to the Associated Press about the Jacks resignation. In this e mail, Rep. Sullivan also emphasized that harassment of House staff of any kind will not be tolerated.
18. On November 2, 2017, as a result of Rep. Sullivan's e mail to staff regarding harassment and the burgeoning #MeToo movement, Sally spoke to House Counsel, Alison Hellberg, about Respondent's behavior towards her. Sally told House Counsel that Respondent had sent her numerous inappropriate texts and requests for dates.
19. That same day, House Counsel spoke to the Chief of Staff, Orlando Cano, about what she had been told about Respondent's behavior by Sally. That evening, Mr. Cano phoned Respondent and confronted him about what Ms. Hellberg had shared with him (Cano). Mr. Cano told Respondent his behavior was making staff uncomfortable, that he should stop talking to LAs and discussed with Respondent the rules of appropriate boundaries legislative members should have with all legislative staff, including LAs.
20. On November 6, 2017, Majority Leader Pat Sullivan, Chief Clerk Bernard Dean and House Counsel met with Respondent in his Tacoma office. They discussed with Respondent the inappropriateness of his conduct with Sally and the power dynamic that exists between a member and staff. They also emphasized that because of this power dynamic, his actions with Sally would never be considered appropriate. They also asked him if there were any other incidents that they should know about and Respondent said there

were not. As Rep. Sullivan, Ms. Hellberg and Mr. Dean were leaving, Respondent added as an afterthought, "oh, I was worried that you came to talk to me about something I did while in Vegas."

Judy Jones

21. Several days before Judy began working for Respondent in August 2017, he invited her to a marijuana dispensary to meet people involved in issues handled by the Committee that Respondent chaired.
22. Judy went because she thought it would be a good opportunity to meet a variety of stakeholders and tour a dispensary. When she arrived, she discovered that it was not a professional meeting but rather a party where people were drinking and smoking marijuana. Respondent bought her \$50 worth of marijuana as a welcome gift. The entire incident made Judy uncomfortable.
23. On the second day as Respondent's LA, Judy told Respondent that she was in a relationship with a woman. Respondent stated that they could use this fact to their advantage. Respondent told Judy that because he is young, single and male everyone assumed he slept with a lot of people and he could use the fact that Judy is gay to dispel rumors that might arise about his and Judy's relationship.
24. Several days into her job as Respondent's LA, Judy's supervisor, Amy Ruble, discussed with her the importance of setting appropriate boundaries with Respondent.
25. On October 1, 2017, while at a gambling conference in Las Vegas, Respondent texted pictures of his hotel room to Judy's roommate<sup>2</sup>.
26. On October 2, 2017, in the evening, Judy received a phone call from Respondent. Respondent was so drunk that she could not understand anything he was saying.
27. On October 3, 2017, Judy called Respondent and told him that his conduct on October 1st and 2nd with Judy and her roommate was inappropriate and he did not get to cross boundaries like that.
28. In late October 2017, there were rumors tying Respondent's name to a list of other legislators reputed to have engaged in inappropriate behavior with female staffers and lobbyists. Two reporters, Walker Orenstein and Austin Jenkins, reached out to Respondent's friends on Facebook as part of their investigation.
29. In late November or early December 2017, Respondent called Judy in the evening after work. The call lasted nearly an hour. Respondent had learned that the focus of the newspaper investigation was that Respondent had been inappropriate with some LAs especially Sally. Respondent told Judy not to share this information with anyone.
30. Sometime thereafter, Respondent showed Judy a text from his ex-girlfriend telling him that she had been contacted by a reporter asking her about the sexual harassment allegations against Respondent. Respondent again told Judy not to share this information with anyone – which the information he was sharing with her was to be held in a "cone of silence."
31. Respondent texted Judy on February 4, 2018 asking to talk. When they spoke, Respondent told her there was a rumor going around that he was sexually harassing her.

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<sup>2</sup> Judy's roommate had done some call time work for Respondent's election campaign. Judy introduced her roommate to Respondent because she (roommate) was interested in political work.

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32. Judy stated that she spent considerable time at work and during non-work hours telling Respondent he had to honor boundaries with people, including herself.
  33. Judy wanted to work for the legislature and put up with Respondent calling her, texting her and spending time with him both during the workday and after hours listening to his personal issues because she did not want to lose her job.
  34. Dealing with Respondent's personal issues often kept Judy from doing legitimate LA work. The majority of texts she received from Respondent after work were not work-related.

Wendy Roberts

35. Wendy provided communication assistance to Respondent and several other members.
36. On November 2, 2017, Respondent forwarded Wendy a copy of the Seattle Times article on former Representative Jim Jacks and asked her to look at the comment section – someone had written that the House was still “covering” for David Sawyer.
37. On November 20, 2017, Respondent called Wendy at 8:00 pm. and left a message on her voicemail. He apologized for calling so late but stated he needed advice on a press inquiry. Wendy returned Respondent's call that evening and discovered that the “press inquiry” about which he was concerned involved being on a “list” that included the names of legislators reputed to have harassed female staff and lobbyists. During the call, which lasted about 20 minutes, Respondent was concerned about his name being on this list and he sought Wendy's advice on how to respond to this issue. Respondent told Wendy that this information was to be held in confidence.
38. Wendy told Respondent that she was not sure how to respond to Respondent's request for assistance because she had never dealt with this kind of issue before.
39. On December 13, 2017, Respondent contacted Wendy. He asked for the phone number for a particular reporter who was investigating allegations of harassment in the legislature. Respondent wanted to call the reporter and be proactive about his (Respondent's) name being on the list. Later that same day, Respondent called Wendy again and told her he had spoken to the reporter who told him that Respondent was not on their (the reporters') radar. Respondent told Wendy that he was now concerned that he put himself on their radar and he was calling Wendy for advice on what to do. Again, Respondent told Wendy that this information was confidential.
40. Despite Respondent's request to keep the harassment information confidential, Wendy consulted her supervisors because she was uncomfortable handling the requests from Respondent. Her supervisors told her that it was not her job to deal with press issues of a personal nature.
41. On January 15, 2018, Wendy received a text from Respondent that a reporter had reached out to Abby asking about what it had been like to work for Respondent.
42. On February 9, 2018, Respondent was frantically trying to reach her (Wendy) through various means. Respondent found Wendy in the House Democratic caucus room near the House floor. Wendy's main responsibility during House floor time was to write floor speeches for her members. Respondent asked Wendy to go to an empty office because he needed to discuss something with her. Respondent then detailed his sex life to Wendy.

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43. Wendy was very uncomfortable with the topic of discussion and told Respondent that the topic was not her area of expertise and that it was not her job to deal with his personal issues. She suggested that he consult an external image person.
  44. Wendy also told Respondent that he had a good LA (Judy) – that he should listen to her because she would keep him on the straight and narrow. Respondent's response to Wendy's comment about Judy was "just because my LA is gay doesn't mean she is on the straight and narrow," a comment Wendy found offensive.
  45. After this discussion ended, Wendy immediately consulted her supervisor. She and her supervisor then went to discuss this matter with Majority Leader Pat Sullivan.
  46. Rep. Sullivan then had another discussion with Respondent. Rep. Sullivan told Respondent that it was inappropriate for him to work with Wendy on the potential newspaper article alleging Respondent had sexually harassed women and advised Respondent to seek outside counsel. Rep. Sullivan also told Respondent he could not use staff to assist him in managing an article about sexual harassment complaints against him.
  47. Subsequent to this discussion, Respondent contacted Wendy and stated that Rep. Sullivan had reached out to him and he apologized for making her feel uncomfortable.
  48. On February 12, 2018, despite being told by Rep. Sullivan not to use staff in dealing with the harassment allegations, Respondent texted Wendy and said that he had found an outside crisis management consultant to assist him and asked whether Wendy wanted to join in on the strategy discussions. Wendy declined.
  49. On February 19, 2018, Judy came to Wendy's office in tears. Judy was upset because Respondent had consumed so much of her time discussing his personal issues with her. As Judy described some of the upsetting events Respondent had discussed with her, Wendy realized that Respondent had shared some of the same events with her (Wendy). Judy and Wendy discovered that Respondent had instructed both of them not to tell anyone about the discussions; therefore, the only person they could speak to about the conversations was Respondent. Respondent had relied on both Judy and Wendy for emotional support after the allegations of harassment against Respondent became public.
  50. That same day, Judy and Wendy went to talk to Orlando Cano and Rep. Sullivan about both their issues with Respondent. Judy asked to be reassigned. Rep. Sullivan then brought Judy and Wendy to House Counsel's office. Rep. Sullivan again told Respondent he could not contact staff for assistance anymore.
  51. The next day, February 20, 2018, Wendy received a text from Respondent that said, "it ended up coming up. You win."
  52. From the time Respondent first heard the rumors linking him to other legislators suspected of harassing staff and lobbyists, that topic dominated the conversations between Respondent and Wendy even though Wendy had told him numerous times that she could not help him with his personal issues; it was not her job.

#### Additional Administration response

53. Subsequent to the February 19th discussion with Orlando Cano and Rep. Sullivan, House leadership decided to hire an outside investigator to look into the allegations against Respondent and provide an independent assessment.
54. In addition, on March 5, 2018, Speaker Frank Chopp delivered to Respondent a letter which imposed precautionary measures to protect staff. Pursuant to that letter, Respondent was not allowed to enter the

following areas: the House Democratic Caucus (HDC) Leadership Suite unless he had a scheduled appointment; the back hallway between the HDC Leadership Suite and the House workroom; and the women's lounge and side rear entrance of the HDC caucus room. Respondent was instructed to contact the Chief Clerk if access to any of the areas was necessary to perform his legislative duties.

55. After the Chopp letter was delivered to Respondent, there were several occasions when Chief Clerk Bernard Dean instructed Respondent to turn around and go the other way if he saw Sally, Judy or Wendy.
56. The independent investigator completed her report on June 4, 2018. She concluded that Respondent violated the Washington State House of Representatives Policy and Procedures Manual, Chapter 3 on Work Environment, Harassment in his interactions with Sally and Wendy. She further found it more likely than not that Respondent's conduct also violated the Ethics Act, specifically the improper use of state resources.

#### IV. Conclusions of Law – Analysis

##### A. RCW 42.52.070 – Special Privileges

RCW 42.52.070 is violated when a legislator uses his or her position to secure special privileges or exemptions for himself or herself, or his or her spouse, child, parents, or other persons. .070 is not violated if the legislator is performing duties within his or her scope of employment. *In re Hankins*, 2007 – No. 1B.

While there is scant legislative history on the meaning of the term “special privileges,” the Board has nonetheless addressed the alleged violation of the “special privileges” statute on numerous occasions. In its first opinion, the Board ruled that certain advisory opinions issued by the former Senate, House and Joint Boards of Ethics, decided under the former Code of Ethics, would continue to have precedential value. *Advisory Opinion* 1995 – No. 1. In that opinion, the Board determined that former Joint Rule 4, which provided that “A legislator shall not use improper means to influence a state agency, board or commission” was largely encompassed within RCW 42.52.070, and these prior “improper means” decisions would continue to have precedential value. The Board then listed eight early opinions which provide guidance in interpreting .070 – all of which dealt in some way with questions involving legislators contracting with state agencies, negotiating contracts for others with state agencies, or representing clients in court or in state administrative hearings.

The following are a sample of opinions dealing with the current “special privileges” statute that have been issued by the Legislative Ethics Board:

##### Opinions in Which Violations Found

- *Advisory Opinion* 1995 – No. 1 (statute violated when legislator sent letter to other attorneys in his office regarding his legislative leave of absence and letter could be construed to offer special privileges to attorneys and clients).
- *Advisory Opinion* 1995 – No. 17 (legislator used position to solicit lobbyists).
- *Advisory Opinion* 1996 – No. 6 (privilege extended based upon legislative position is a violation).
- *In re van Luven*, 2001 – No. 4 (violation to solicit tickets to a sporting event).
- *In re Schmidt*, 2006 – No. 4 (violation found when legislator used position to advocate for a friend who was involved in a dispute with another party).
- *In re Hankins*, 2007 No. 1B (violation found when legislator used position to promote family business and tried to intimidate agency staff through persistent and threatening actions perceived as supportive of the family business).

### Opinions in Which No Violation Found

- *In re Mielke & Pennington*, 1999 – Nos. 1 & 2 (facilitating two meetings for local pool committee with state employees not a violation).
- *In re Eickmeyer*, 2006 – No. 1 & *In re Kretz*, 2017 – No. 42 (perceived threatening remarks not considered a violation).
- *In re Armstrong*, 2011 – No. 1 (no violation when legislator is not a hired lobbyist for employer and his support and advocacy of three bills did not confer special privileges on employer).

In none of the opinions mentioned above, either those of the former Boards or the current Board, is alleged harassment of staff addressed. In fact, the Board has never been asked to determine whether RCW 42.52.070 is violated when a legislator harasses a staff person by sending her multiple text messages containing either inappropriate material or requesting dates.

To find reasonable cause for a violation of .070 based on the fact pattern presented in this case would be unprecedented in this state. It is not, however, unprecedented in other states. For example, the Kentucky Legislative Ethics Commission has found, in three cases, that harassment of legislative staff by a legislator is a violation of the Kentucky special privileges statute. *See, e.g., Cooper v. Arnold*, No. 13-LEC-02 (2014); *Costner v. Arnold*, No. 13-LEC-03 (2014); *Wayne v. Hoover et al.*, No. 17-LEC-01 (2018). Despite these decisions, however, the Kentucky Legislative Ethics Commission is requesting that the 2019 legislature create a comprehensive ethical prohibition against discrimination and harassment by legislators against legislative staff and provide the Commission with specific jurisdiction in these matters.

The Board does not condone, and is extremely concerned with, Respondent's actions with Ms. Smith. However, the Board does not believe, at this time, that it can find reasonable cause to find a violation of RCW 42.52.070. The Board, like the Kentucky Legislative Ethics Commission, believes the legislature should clarify the statute. The Board recognizes that the legislature provided a number of definitions which the Board has enforced. Since the legislature has provided clear standards in other areas of the Act, it may wish to do so regarding whether harassment of staff constitutes a violation of the special privileges section of the Act.

### B. RCW 42.52.160 - Use of State Resources

RCW 42.52.160 prohibits the use of persons<sup>3</sup>, property or money (often referred to in the opinions as "public resources") under a legislator's official control or direction, or in his or her official custody, for the private benefit of self or another unless that use is part of the legislator's official duties.<sup>4</sup> *In re Schmidt*, 2006 – No. 4.

Legislative Ethics Board Rule 3 defines the circumstances of limited exceptions to the prohibition on private use of public resources as follows:

If there is no actual cost to the state or the cost is *de minimis*, if there is a public benefit, and if the use does not interfere with the performance of official duties, then infrequent and incidental use of state resources for private benefit may be permissible.

The cost to the state is *de minimis* if the actual expenditure of state funds is so small as to be insignificant or negligible.

<sup>3</sup> "Person" is defined as "any individual, partnership, association, corporation, firm, institution, or other entity, whether or not operated for profit." RCW 42.52.010(14)

<sup>4</sup> "Official duties" are defined as "those duties within the specific scope of employment of the state officer or state employee as defined by the officer's or employee's agency or by statute or the State Constitution. RCW 42.52.010(12)

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A public benefit under this rule may be direct or indirect, such as improving employee morale or activities that improve the work-related job skills of a legislator or employee.

The use of state resources occurs through the use of a legislative assistant's working time. *In re Jacobsen*, 1997 – No. 1 (LA typed letter on topic of personal concern to the legislator with no apparent legislative purpose); *In re Green*, 2005 – No. 7 (LA typed letter for legislator for use in purely personal issue). The phrase “does not interfere with the performance of the legislator's or the employee's official duties” could be viewed as meaning that notwithstanding the personal use, there is still “time” to complete official duties. That is too narrow a definition. *In re Oien*, 2001 – No. 1.

In this matter before the Board, Respondent consumed a considerable amount of Judy and Wendy's time on his personal issues. The facts demonstrate that he has used both Judy and Wendy as his sounding boards in dealing with the allegations of harassment against him. Both Judy and Wendy are considered “public resources” pursuant to the Ethics Act and various Board opinions. The Board believes there was a clear use of public resources by the Respondent.

The next question is whether any of the exceptions to the general rule are applicable in this matter. The Board finds that none of the exceptions is applicable. There was a cost to the state of the use of Judy and Wendy's time; the cost was not *de minimis*. The facts clearly demonstrate that Respondent occupied much of Judy's time discussing his personal issues; time that she would have spent on her legitimate work as Respondent's LA. While he consumed less of her time, Wendy stated that once the allegations became public, Respondent's time with her was spent on these allegations not on the usual communication work she performed for other members to whom she was assigned. Personal use exceptions are not intended to provide a rationale or “escape hatch” for those actions which interfere with official duties, such as performing constituent work. *In re Oien*, 2001 – No. 1. “A few moments on a personal matter during the work day may be dismissed as *de minimis*. However, it is not appropriate for a person in a supervisory position to require a subordinate to spend even a short time on the supervisor's personal issues.” *In re Jacobsen*, 1997 – No. 1, pg. 3. As the facts demonstrate, Respondent consumed large amounts of Judy and Wendy's time discussing his personal issues.

It is also clear that both Judy and Wendy, by virtue of their positions within the House of Representatives, were under Respondent's official control as that term is contemplated in the Act. Judy, as his LA, reported to Respondent on a daily basis. Wendy, as his communications specialist, responded to Respondent's requests for assistance until she felt that she could not handle the requests because they were of such a personal nature.

The person who benefitted from the services provided by Judy and Wendy was Respondent. He had a sounding board whenever he needed it because Judy and Wendy believed that they had to respond to him because he was a legislator. Under no circumstances could Respondent's actions be considered part of his “official duties” as a legislator. It is not part of a legislator's duty to consume large amounts of staff time discussing personal issues. Respondent should have dealt with the harassment allegations without involving legislative staff. Because of the power dynamic that exists between legislators and staff, staff can feel beholden to what the legislator is asking them to do. The Board does not expect any staff to spend considerable time listening to a legislator discuss any personal issues.

An argument could be made that some of the time the Judy and Wendy spent working on these personal issues for Respondent took place after normal work hours and as a result, their

work was not heavily impacted. This argument is not well taken. Longer hours are not a defense to the use of public resources on private matters. *In re Higginbotham*, 2005 – No. 1.

Respondent violated RCW 42.52.160 by consuming significant staff time discussing personal issues related to allegations of harassment against him

V. Order

IT IS ORDERED, ADJUDGED AND DECREED that the allegations that Respondent violated RCW 42.52.070 are hereby dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, reasonable cause exists that Respondent violated RCW 42.52.160 and that Respondent pay a civil penalty in the amount of One Thousand Dollars (\$1000.00), payable to the Washington State Treasurer.

  
Stephen Johnson, Chair

I, David Sawyer, hereby certify that I have read this stipulation and Order in its entirety; that I have had the option of reviewing this request with legal counsel, or have actually reviewed it with legal counsel; fully understand its legal significance and consequence; agree to the entirety of Findings of Fact and Conclusions of Law, and agree to personally sign it as a resolution of this matter and have voluntarily signed.

  
Rep. David Sawyer

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

  
Stephen Johnson, Chair

Date: 1-28-2019