



King County

King County Board of Ethics
Department of Executive Services
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Date: April 16, 2009

To: King County Executive Ron Sims
Metropolitan King County Council Chair Dow Constantine
Members of the Metropolitan King County Council
Separately Elected Officials
Ombudsman—Director of the Office of Citizen Complaints
Department Directors of King County
King County Board of Ethics

From: Catherine A. Clemens, Executive Director

Re: **Final Report—2009 Financial and Other Interests Disclosure Program**

Summary

The King County Board of Ethics is authorized under K.C.C. 3.04.050 to conduct an annual program that requires elected officials, affected county employees, and affected board and commission members to file statements of financial and other interests. The purpose of this program is to ensure the public's trust in government by disclosing any conflicts between our personal and financial interests and our service to King County residents, and to educate county employees on situations of potential conflict. This report reflects filing compliance as of the statutory deadline of April 15, 2009

Filing compliance as of April 15, 2009, 4:30 p.m.

Employees and Elected Officials	
Total number of employees required to file:	2,897
Percentage in compliance:	99.8%
Number of employees not filed:	5

Board and Commission Members	
Total number of members required to file:	507
Percentage in compliance:	97.6%
Number of members not filed:	12

Overall Compliance	
Total number of individuals required to file:	3,404
Percentage in compliance:	99.5%
Number of individuals not filed:	17

THE FOLLOWING REPORT provides details of the 2009 disclosure program, including information on training and education; policies and procedures for document review, notification, reminders and reports; and recommendations for improvements to the program.

The Program

Chapter 3.04 of the King County Code requires annual disclosure of financial and other interests by April 15th. The intent is to educate employees and identify situations in which there may be a potential for conflict between the exercise of official responsibilities on behalf of King County and private interests. County law requires annual financial disclosure by elected county officials; employees appointed by the county executive; and employees appointed by the county administrative officer or department directors and who are subject to the approval of the county executive. In addition, under K.C.C. 3.04.050, the Board of Ethics has determined other categories of employees who are required to file, including but not limited to, certain members of boards, commissions, committees and other multi-member bodies; employees whose duties include grant and contract management authority; and those who invest, manage or authorize the expenditure of county funds.

Training and Education

In order to encourage greater understanding of the program and increase compliance with its requirements, the executive director offered orientations in January for department coordinators and staff liaisons assigned to boards and commissions. Regardless of attendance at orientation sessions, all coordinators and liaisons received an overview of the program, a timeline of important dates, a list of categories identifying who must file, and a sample form. The ethics office also included a list of ideas to increase timely compliance and an information sheet appropriate for copying and distribution to affected filers. Finally, current 'fillable' forms may be found on the ethics Web site for easy access and completion.

Notification, Reminders and Reports

On December 9, 2009, the executive director communicated directly with department leaders to request names of designated staff responsible for coordinating employee and board and commission filing. Beginning in early January and continuing through April 14, ethics staff provided timely notices, reminders, and comprehensive reports on compliance to those employees designated by department directors to implement the program. Between March 5 and April 14, coordinators and staff liaisons received weekly status reports. On March 18, four weeks prior to the filing deadline, the executive director reported progress to the executive, County Council chair, separately elected officials, and department directors and their deputies. Reports included an overview of filing compliance for all department employees and the board and commission members within those departments.

Review and Audit Process

To ensure consistency and accuracy, the executive director reviewed and audited all forms systematically. Upon receipt, ethics staff date-and-time-stamped all forms.

Following individual review, incomplete forms or forms requiring clarifying information were either immediately returned directly to the individual together with an explanatory note or resolved through email inquiries. Staff then filed all approved forms in a secure location; all forms from the previous year shall be transferred to records retention. Retained forms may only be retrieved by authorized ethics personnel and are kept for six (6) years after which time the forms are destroyed.

Compliance Rates

As of the April 15 deadline @ 4:30 p.m., county-wide compliance was 99.5%. Of those individuals not in compliance, five (5) employees and 12 board and commission members had not filed as required under the ethics code. A detailed list of non-compliant filers is attached to this report.

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Penalties

Affected employees who fail to comply with the requirement of K.C.C. 3.04.050 are in violation of the King County Code of Ethics and subject to penalties provided in K.C.C. 3.04.060, including disciplinary action, up to and including termination from employment. Under the same code provision, members of boards and commissions who fail to comply with this requirement shall be subject to immediate removal from such appointments by their appointing authority. Outstanding disclosure statements may be filed at any time with the ethics office.

Board of Ethics Action

Under the penalties provision detailed above, on April 16, the Board of Ethics issued a show cause letter to those who had not yet filed, asking the individual to file the required statement or to provide the county with written justification as to why they do not have to comply with the disclosure requirement no later than April 30, 2009.

Recommendations

The role of leadership has a significantly impact in ensuring compliance with the disclosure program. Each year, filing compliance increases when department directors and deputy directors take active involvement. County leaders positively and measurably influence compliance when they communicate the program's importance and their expectation of full cooperation.

Filing by board and commission members also has achieved a high compliance rate. However, it is recommended that directors continue to communicate with these citizen volunteers throughout the disclosure period to ensure that members understand the importance of the filing requirement and that they comply with the law. It is also recommended that staff liaisons, with the support of department coordinators, begin working in January to ensure that volunteer citizens have adequate time to respond and comply with the disclosure requirement.

Timely filing results not only in the desired legal compliance, but also in program efficiencies and cost savings to the county.

Appreciation

On behalf of the Board of Ethics, executive director and staff, we thank county leaders and the employees designated to coordinate the program within their departments. We seek improvements in the program each year and welcome your comments.

**2009 Financial Disclosure Program
Non-Compliance Roster*
April 15, 2009 @ 4:30 p.m.**

King County Employees

	Last Name	First Name	Title	Department
1	Ford	Steven	LAN Administrator	Adult and Juvenile Detention
2	Noble	Scott	King County Assessor	Assessments
3	Fleming	Carla	System Engineer	Office of Information Resource Management
4	Hunt	Darryl	IT Project Manager III	Office of Information Resource Management
5	Plesco	Todd	IT Security Officer	Public Health

Members of King County Boards, Commissions, Committees and Other Multimember Bodies

	Last Name	First Name	Board Membership	Department
1	Finkbeiner	Bill	4Culture - Cultural Development Authority	Independent
2	Frazer	Ricardo	4Culture - Cultural Development Authority	Independent
3	Bonewits	Richard	Flood Control Zone District Advisory Committee	King County Council
4	Degginger	Grant	Flood Control Zone District Advisory Committee	King County Council
5	Flowers	Mike	Flood Control Zone District Advisory Committee	King County Council
6	Harrell	Bruce	Flood Control Zone District Advisory Committee	King County Council
7	Sims	Ron	Flood Control Zone District Advisory Committee	King County Council
8	Stringfellow	Ewing	Agriculture Commission	Natural Resources & Parks
9	Holdeman	Kathryn	Conservation Futures Oversight Committee	Natural Resources & Parks
10	Parsons	Lisa	Conservation Futures Oversight Committee	Natural Resources & Parks
11	Carlton	Kenneth	Patterson Creek Basin Citizens Advisory Committee	Natural Resources & Parks
12	Morgan	Jeanette	Wheelchair Accessible Taxi Advisory Committee	Transportation

*The individuals listed on the above rosters have been identified to the Board of Ethics by King County departments as affected employees or board or commission members who are required to file statements of financial of other interests; these individuals have not filed the required statement as of the filing deadline, April 15, 2009, 4:30 p.m. All departments and coordinating staff have received weekly reports on compliance; department directors received a mid-program report on March 18. The Board of Ethics sent show cause letters to all non-compliant individuals on April 16 requesting them to file or show cause why they believe they should not have to file.