

Legislative Ethics Board

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COMPLAINT 2015 – NO. 1

In Re Fagan

Personal and Campaign Use of Public Resources
June, 2015

DETERMINATION OF REASONABLE CAUSE – STIPULATION AND ORDER

I. Nature of the Complaint – Background

The Complaint (Exhibit 1) was filed with the Legislative Ethics Board (Board) on January 7, 2015. The first opportunity for the Board to commence preliminary discussions on the materials offered in support of the allegations was a regularly scheduled board meeting on February 10. An investigation was ordered and it was performed by Wilson Investigative Services.

The Complaint alleges that former Representative Susan Fagan (Respondent) committed a number of violations of the Ethics in Public Service Act (Act) through her submittal of, and payment for, travel expenses.

The Board received the investigative report (report) (Exhibit #2) at its next regularly scheduled meeting on April 21. Respondent has had private legal representation during the course of these proceedings.

Respondent resigned from the House of Representatives on May 1, 2015. Her resignation letter (Exhibit #3) referenced issues surrounding her legislative mileage reimbursement records and acknowledged some of the issues were problematic. Respondent denied that she attempted to derive personal gain through travel reimbursement and attributes the discrepancies to her careless recordkeeping.

II. Jurisdiction

The Board has personal and subject-matter jurisdiction. The statutes at issue are RCW 42.52.160 and RCW 42.52.180.

.160 provides, in pertinent part:

- (1) *No state officer or state employee may employ or use any person, money or property under the officer's or employer's official control or direction, or in his or her official custody, for the private benefit or gain of the officer, employee, or another.*

...

.180 provides, in pertinent part:

- (1) *No state officer or state employee may use or authorize the use of facilities of an agency, directly or indirectly, for the purpose of assisting a campaign for election of a person to an office or for the promotion of or opposition to a ballot proposition.*

III. Reasonable Cause

If the Board determines there is reasonable cause to believe the Act or a board rule adopted under the Act has been violated, it will hold a public hearing or it may accept a stipulated settlement (RCW 42.52.430 and Rule 1-H).

Based upon the Complaint, the records of the House of Representatives (House), the investigation and the written statements of the Respondent, the Board concludes there is reasonable cause to believe the Respondent violated the Act.

IV. Determinations 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.

Facts relevant to the allegation the Respondent submitted incorrect information to the House with regard to which account should be charged, which resulted in reimbursement from the wrong account for legislative travel, include the following.

1. Respondent represented the 9th Legislative District for over five (5) years. During that time the boundaries of the district changed slightly but there are no facts to suggest that any boundary changes affected the cities of Spokane or Richland and their physical relationship with the 9th District. The two cities are not in the 9th District.
2. The House administers two different accounts to compensate legislators for their approved legislative-related expenses, including certain travel expenses. Both accounts utilize public funds.

3. One of the accounts may be referred to as the "House Account." This account is used to reimburse legislators for their in-district legislative-related travel if that travel exceeds fifty (50) miles one-way or exceeds one hundred (100) miles in one day. The Complaint describes this account as basically unlimited and most apt to be applied to travel for legislators who represent geographically large districts.
4. The second account may be referred to as the "Member Account." This account is limited in that the House provides a specific amount of money which may be used to defray certain legislative-related expenses incurred by a legislator, including legislative travel. The Member's Account must be used if the legislative travel is out of the member's legislative district, or if the travel does not meet the 50 or 100 mile criteria referred to in #3 above.
5. If a legislator has exhausted the Member's Account, but incurred travel expenses which do not qualify for reimbursement from the House Account, the House will not reimburse and the legislator remains personally liable. Respondent did not deplete this account in 2014.
6. Respondent's method of seeking reimbursement was to contact her legislative staff, advise them of the dates, locations and purposes of the previous month's travel, and direct staff to prepare the necessary paperwork for submission to House Accounting. It was not uncommon for Respondent to submit travel which the LA did not have on the legislative office calendar.
7. Respondent signed each request for reimbursement which is at issue in this case, together with the declaration that: *"I certify under penalty of perjury that this is a true and correct claim for necessary expenses incurred by me and that no payment has been received by me on account thereof."*
8. The investigation of this Complaint was limited to allegations of wrongdoing from January through September, 2014.
9. The Respondent received the Complaint and supporting materials on January 7, 2015. The Respondent advised the House by letter dated February 2, 2015 (Exhibit #4) that she *"...discovered a number of expenses that should have been reimbursed from my 2014 Member Account."*
10. In the letter of February 2, the Respondent requested a total of \$1,104.32 be transferred from her Member Account to the House Account. Respondent identified nine (9) trips which she had charged to the wrong (House) account. Three of these trips were to

Spokane, two were to Richland and three others were outside the 9th District. Respondent had claimed on her reimbursement form that she traveled to Pasco on September 10 (a portion of which is in the 9th District), and that the House Account should be charged. In her letter of February 2, she acknowledges the travel was to out-of-district Spokane.

11. During the time covered by the scope of the Complaint, approximately nine (9) months, legislators were reimbursed at the rate of .56 cents per mile for legislative travel. The \$1,104.32, acknowledged by Respondent as owed by her Member Account, translates to approximately 1,972 miles which were submitted for payment from the incorrect account.

Facts relevant to the allegation Respondent submitted requests for reimbursement and received reimbursement for travel which did not take place, or for travel to events which did not take place, include the following.

12. On January 16, 2015, after this Complaint was filed on January 7, 2015, Respondent offered to reimburse the House for all or part of travel expenses for seven (7) trips between January and the end of September, 2014 because *"...I have discovered the following expenses require reimbursement or partial reimbursement to the House for various reasons (Exhibit #5)."* Accompanying the letter was Respondent's personal reimbursement check payable to the House in the amount of \$545.40.
13. In the January 16, letter the Respondent noted that the reimbursements were due the House because either: (a) a portion of the trip was canceled; (b) the trip never occurred; (c) she was unable to attend; (d) there was no meeting; or (e) the trip was to a different location and out-of-district.
14. In addition to the 7 trips for which reimbursement was offered, the investigation revealed no evidence of any legislative trip taken by the Respondent on August 19, 2014 for which she billed the House Account and received \$71.68 (report, page 1). The Respondent maintained she attended a Clarkston Chamber of Commerce meeting on this date but she was not present. Respondent also claimed she visited the Pomeroy Grain Growers facility earlier in the day but no one at the facility was found that remembered her presence nor was her signature found in the visitor's log book. Respondent contends that these trips did occur and the reimbursements are in order but acknowledges that lack of a record could lead a tribunal to believe otherwise.
15. Further, in addition to the 7 trips for which reimbursement was offered, the Respondent billed the House Account, and received \$114.49, for travel to a funeral in Othello and/or attendance at a celebration of life service in Connell, on September 8, 2014. Both Othello and Connell are in the 9th District. The Respondent's position on this claim for expenses

is two-fold; she attended in her role as an elected official and she conducted legislative business at one or the other, or both, events. Respondent has represented that she discussed legislative business with the sons of the deceased and legislative matters with a field staff person for Congresswoman Cathy McMorris Rodgers at either the funeral or the celebration of life. The staff person does not remember her presence at either event and therefore does not support the claim of a discussion of legislative matters. The sons of the deceased have a business in the 9th District. According to the anticipated testimony of the Respondent's Legislative Assistant (LA), the Respondent stated one of the sons used to work on her farm before she was elected to the House.

Facts relevant to the allegation that on two occasions the Respondent used the pretext of legislative-related travel, which did not occur, to reimburse her for travel related to the elections of members of her political party and herself.

16. Respondent was a candidate for reelection to the House in 2014.
17. Respondent claimed and received from the House Account the sum of \$104.72 for travel to a fair in Ritzville on August 29, 2014 for an "In-District" event. Ritzville is in the 9th District. On April 13, 2015 the Respondent notified the House by letter that she did not attend the Fair on the 29th and offered full reimbursement. She states that she did attend the Fair on the 30th, and "*Activities of the day...were intermixed with non-legislative business.*" She claimed no legislative expenses for the 30th.
18. The "non-legislative business" was an appearance in the parade in her personal vehicle with a sign on the car which read "Elect Susan Fagan for State Representative." The non-legislative business also included the receipt of a campaign contribution check for her reelection efforts. The hand-over of the check had been arranged in advance between the donor and the Respondent.
19. On August 20, 2014 the Respondent left her home in Pullman in the early evening for a trip to Pasco. She submitted a request for travel reimbursement from the House Account for an in-district trip in excess of 100 miles and was reimbursed. On her reimbursement request form she stated the trip was for the purpose of attending a meeting of the Pasco Chamber of Commerce. The Respondent had a legislative tour outside the 9th District on the 21st and attended the tour after driving from Pasco early on that day.
20. It can take two and one-half hours, or longer, to travel by car from Pullman to Pasco. Phone conversations between the LA and the Respondent on the evening on the 20th place the Respondent in Pullman later than 5PM. The LA questioned how the Respondent could timely arrive in Pasco for a Chamber meeting and later she would contact the Chamber to verify the meeting.

21. The LA inquiry and the report establish there was no Pasco Chamber meeting and none had been scheduled by the Chamber.
22. Instead of a Pasco Chamber meeting the evening of the 20th, the Respondent was scheduled to help staff a Republican Central Committee booth at the Benton/Franklin Fair. A co-staffer that evening has confirmed that he worked alongside the Respondent on the 20th and their efforts were directed at discussing Republican Party issues with fair attendees.
23. In her letter to the House dated January 16, 2015 (Exhibit #5), the Respondent offered partial reimbursement for the August 20, trip to Pasco because “...*there was no chamber meeting.*” (The partial reimbursement was apparently based on a computation that not all the mileage to Pasco needed to be repaid due to the out-of-district legislative tour scheduled for the next morning).

V. Conclusions of Law

1. Respondent violated RCW 42.52.160 (unlawful private benefit or gain) when she used her LA and other House personnel to submit and process several claims for travel reimbursement which she knew, or should have known, the claims were wrongfully charged to the House Account. The effect of such a pattern was to protect the Member Account from depletion because once that account was depleted, the Respondent would be personally liable for the expense of out-of-district travel or travel that fell short of the 50 or 100 mile standards for in-district legislative travel.
2. Respondent violated RCW 42.52.160 (unlawful private benefit or gain) when she used her LA and other House personnel to submit and process several claims for travel which did not take place, or travel to events which did not take place.
3. Respondent violated RCW 42.52.180 (direct or indirect use of public resources for campaigns prohibited) when she used her LA and other House personnel to submit reimbursement for travel to a non-existent event while in fact working as a volunteer in a political party campaign booth on the evening in question. The acceptance of the reimbursement was also a use of public resources.
4. Respondent violated RCW 42.52.180 (direct or indirect use of public resources for campaigns prohibited) when she used her LA and other House personnel to apply for reimbursement for travel on August 29. She did not travel on August 29, but did travel the next day to the same location on behalf of her campaign for reelection to accept a

check at a pre-arranged meeting and to advertise her candidacy in a parade. She was in effect paid for the campaign travel with public funds.

VI. Summary

The Complaint was limited to allegations of wrongdoing over a period of nine months in 2014. During that time at least eighteen (18) incorrect reimbursement claims were submitted. Nine (9) of these resulted in checks payable to the Respondent for trips that did not take place or trips to events that did not take place. Included in the eighteen are expenses for two trips for campaign purposes which were paid by the House. The prohibition against the use of public resources, which includes legislative staff as well as public funds, is strictly construed and there are no de minimis exceptions (citations omitted).

In addition to actual damages, the Board has authority to assess civil penalties up to \$5,000 per violation or three times the economic value of the improper reimbursements. However, the Board is aware that the Respondent has resigned her elective office as a member of the House of Representatives and this significant occurrence is a factor in the Board's decision to accept a Stipulation which addresses actual damages.

VII. Order

It is hereby ORDERED, ADJUDGED AND DECREED that Respondent reimburse the House of Representatives the amount of Eight Hundred Thirty Six Dollars and twenty nine cents (\$836.29). This amount includes the reimbursements offered to the House by the Respondent on January 16, and April 13, 2015 which total \$650.12.

It is further ORDERED, ADJUDGED AND DECREED that Respondent contribute to the Board's investigative costs incurred in this case in the amount of Four Thousand Seven Hundred Eighty Two Dollars (\$4,782.00).

The total amount owed must, in accordance with RCW 42.52.480 and Board Rule 6, be paid within 45 days of the date of this Stipulation and Order unless an extension is granted by the Board.


VIII. Stipulation

On January 7, 2015 I received the Complaint and supporting materials alleging thirty-five (35) different incorrect reimbursements. I immediately initiated a complete review of my 2014 reimbursement records. During the course of this review I determined that nearly half of these alleged incorrect reimbursements were in fact proper and came from the correct account. However, I also determined that six (6) mileage expenses alleged to be incorrectly reimbursed to me from the Member Account were in fact incorrect. Nine (9) days after receiving the Complaint, and well before any action on this Complaint was before the Legislative Ethics Board, I

reimbursed the House for these six reimbursements plus an additional incorrect reimbursement that I discovered but which was not part of the Complaint (Exhibit #4, May 21, 2014 travel reimbursement for \$100.24). In addition, on February 2, 2015 and again before the Legislative Ethics Board considered this matter, I asked the House to reallocate nine (9) expenses incorrectly submitted to the House Account to the Member Account instead.

While I do not agree with the assertion in the investigative report that I engaged in a pattern of untruthfulness, as I had no intent to violate the Ethics Act, I do recognize that those reimbursements found to be incorrect were caused by me and me alone, and I accept full responsibility for my actions. I further acknowledge that sufficient evidence exists for the alleged offenses to be prosecuted and that a tribunal could be convinced the Ethics Act was violated.

I certify that I have read this Stipulation and Order in its entirety; that I have had the option of reviewing it with legal counsel, or have actually reviewed it with legal counsel; fully understand its legal significance and consequence; and agree to sign it as a resolution of this matter and have voluntarily signed.


Susan Fagan
Date: June 9, 2015

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


Dr. Kristine F. Hoover, Chair
Date: 6/16/2015

State of
Washington
House of
Representatives



January 6, 2015

Hand-Delivered

Legislative Ethics Board
P.O. Box 40482
Olympia, WA 98504-0482

CONFIDENTIAL

Re: Complaint/Referral of Ethics Matter

Dear Chairperson Hoover and Members:

The purpose of this letter is to refer to you a complaint and possible violations of the Ethics in Public Service Act, and to ask that the Legislative Ethics Board ("Board") exercise its jurisdiction to investigate this matter and take appropriate action. If the allegations are true, the House of Representatives ("House") asks the Board to impose any penalties or remedies that are warranted, including making recommendations to the House on further remedial steps or actions that the House should take. Given the serious nature of these charges and the demands of the upcoming legislative session, the House respectfully requests that the Board expedite review of this matter to the extent practicable.

I. Introduction, Chronology, & Background

Last fall, two legislative assistants came to speak with senior House Republican Caucus ("HRC") staff about expense reports ("reports") being submitted on behalf of a member, Representative Susan Fagan ("member"). The assistants were concerned that the reports were inaccurate and that the member was constantly making changes to the reports. The Chief Clerk of the House of Representatives ("Chief Clerk") was informed and met with the legislative assistants. She asked that those assistants prepare materials to substantiate any problems or improprieties, which they did. Those materials are included with this letter.

At this point, it became clear to the House that these allegations were more serious than originally thought. In sum, there are allegations of theft, fraud, and improper use of staff by the member to falsify expense reports in order receive payments of state taxpayer money from the House to which the member was not otherwise entitled. In the roughly ten month period at issue, the total overpayments appeared to run into several thousand dollars and perhaps even more.

II. Supporting Materials

At the request of the Chief Clerk, two legislative assistants who worked directly for the member prepared materials documenting the allegations of fraud. These materials are included with this letter,

Exhibit #1

and they have been put into a notebook as organized by these assistants. In this notebook¹ are two sets of materials (for ease of reference, these materials have been paginated in the order received):

1. First, a small packet of materials tucked into a pocket of the notebook entitled, "Mileage Expense Summary January – April 2014."
2. Second, the materials in the binder portion of the notebook entitled, "Mileage Expense Summary and Index."

While prepared by different people and having slightly different formats, these two sets of material are organized chronologically and include the same information: a summary sheet,² with dates and amounts and an explanation of the discrepancy alleged; and supporting documents which substantiate the allegations. These supporting materials include the member's office calendar, maps of relevant locations in relation to the legislative district, invitations and similar items detailing the actual events, communications (usually e-mails) between the member and the assistant, and similar documents. In some cases, the assistant has made hand-written notes on materials to flag the inconsistency.

Also included are the actual expense sheets submitted to the House by the member for payment.³ It is worth noting that the member specifically attested to the accuracy of the submitted materials. Here, as an example, is a signature block from a typical reimbursement sheet:

▶ I hereby certify under penalty of perjury that this is a true and correct claim for necessary expenses incurred by me and that no payment has been received by me on account thereof.

X 
signature of State Representative

Not only does House policy make clear that members are responsible for their expense reports, but the actual form also has the member certify—under penalty of perjury—the accuracy of each report. To the extent that the member wishes to provide additional explanations for any expense, it is worth noting that the House works first and foremost with the expense report she submitted and certified as correct.

The House has not yet undertaken a comprehensive investigation beyond review of these materials. Having met with the legislative assistants, and having reviewed the materials they provided, the Chief

¹ To assist the Board with distribution of these materials, 15 copies of this notebook are provided.

² These summary sheets appear to have been prepared as Excel spreadsheets. Some of the numbers involved may be formatted as dollars as opposed to simple numbers in the case of mileage. This is a small error that should be apparent when reviewed in context.

³ In the middle of 2014, the House switched to an electronic system for expenses, which is why some months' summaries look different from others.

Clerk has no reason to believe their testimony and materials to be anything other than credible. The materials support essentially five categories of misconduct:

1. Claiming expenses for fake or nonexistent events;
2. Charging expenses to the unlimited House reimbursement account instead of to the member's limited expense account by claiming the wrong location;
3. Claiming mileage in excess of actual mileage driven;
4. Seeking reimbursement for campaign-related activity; and
5. Directing the assistants to change properly prepared expense reports to one of the categories of improper expenses outlined above.

III. Alleged Ethics Violations

There is credible evidence that the member engaged in multiple violations of the Ethics in Public Service Act (Chapter 42.52 RCW), including but not necessarily limited to the following:

1. **Fraud & Theft – Improper Use of State Resources for Personal Gain.** The primary allegation is that, from approximately January through October of 2014, the member falsified expense reports so as to receive state money to which she was not entitled. Factually, these allegations break down into three categories:
 - a. **Fake/Nonexistent Events.** It is alleged that there were numerous events that were simply made up—that is, there was no such meeting, town hall, or other event. The allegation is that the member simply listed nonexistent events to increase the amount she was paid by the House. The primary way in which this is alleged to have been accomplished is by claiming mileage to events that did not occur.
 - b. **Wrong Location/Distance.** It is alleged that there were numerous instances where the member listed the wrong location of an event, or the total distance travelled on an occasion. The primary ways in which this is alleged to have been accomplished were by claiming an event took place within her legislative district when, in fact, the actual location was outside of the legislative district; and/or claiming that the total distance travelled was in excess of 100 miles when, in fact, it was not. The reason for this distinction turns on House policy for travel. The general rule is that most member travel is paid for from that member's annual business expense account. The business expense account is capped at \$5,500 per year (\$6,500 per year if the member maintains a district office). There is an exception to this rule which is crucial to these particular allegations: if a member has a large legislative district, and if that member travels to events within the district, and if the travel exceeds 50 miles one way or 100 miles in one day, then the member may be reimbursed by the House and it does not count against the business account limit. Effectively, there is no limit to this in-district 100-mile reimbursement. As alleged here, the member either falsified the actual location of events to make them appear to be in her district when they were not, or she falsified the total miles travelled to make the mileage appear to be greater than 100 miles when the actual distance travelled

was less, or she did both. She allegedly did this so that her travel payments would not be capped by her own expense account's limit.

- c. **Inflated mileage.** It is alleged in some instances that the member increased the number of miles travelled beyond the actual distance to further increase the amount she would be reimbursed by the House.

These allegations could be theft and fraud under our criminal code. They could also constitute the misappropriation and falsification of accounts by a public officer under RCW 42.20.070. Specific to the Ethics in Public Service Act, they could constitute use of money for private gain (RCW 42.52.160) and the improper gifting of state funds (RCW 42.52.170).

2. **Campaign Activity – Improper Use of State Resources for Political Campaigns.** Among the allegations of fraudulent reimbursement are several which are alleged to be for campaign activities. On at least two occasions, it is alleged that the member falsified an event so that she could travel to pick up a campaign contribution check. On at least one occasion, it is alleged that the member falsified an event so that she could work at a campaign booth at a county fair. If true, this would violate the ethics prohibition against using public resources for political campaigns (RCW 42.52.180).
3. **Pressuring Employees – Improper Use of Office & Resources for Private Gain.** One of the more serious allegations made is that the member pressured her legislative assistants to make changes to expense reports so that she could inflate the payment she received thereby using her official position for personal, monetary gain. These staff report having the member consistently change the reports they prepared—reports they prepared based on House policies and the common practices and training provided House staff—so as to perpetrate fraud. The aides report being very uncomfortable with all of this. To quote one assistant:

...I entered [the member's] expenses off her sheet and added in her fake meetings, which cover her and make her expenses submitted look like legitimate house expenses on the surface...I don't expect every wrong addressed and corrected, that isn't realistic, and in all honesty, I don't really care if [the member] always does the right thing. I am uncomfortable being left here to continue to be her scapegoat. I am facilitating her by entering fake meetings and falsifying her expenses, and am playing either the loyal assistant who does what [the assistant is] told even when [the assistant] knows it's wrong, or the dumb puppet that she can manipulate to do whatever she wants. She knows I'm not either...I feel a bit like that goat on Jurassic Park, tied up, waiting to get eaten alive.

This particular assistant eventually left her job with the House, in part because she felt uncomfortable with the situation. Pressuring assistants to assist with fraudulent expenses would be the improper use of an employee under her direction for personal gain (RCW 42.52.160).

While these allegations may involve House policies, they specifically implicate state resources and, if true, would violate the Ethics in Public Service Act.

IV. Conclusion

The House considers these allegations to be extremely serious, and believes that referral to the board comports with both the letter and the spirit of the Ethics in Public Service Act, RCW 42.52 et seq. While there are many questions raised, the House also believes the Board has jurisdiction to handle the overall investigation and make recommendations should other action or referral to other entities be appropriate, or to even make those referrals directly.

Beyond meeting with the legislative assistants and receiving their materials, the House has not conducted a formal investigation. The member, of course, deserves ample opportunity to present any materials or witnesses she may have, and to offer any explanation as to any allegation. The House has met with her to explain the seriousness of this matter. While she does not agree with the allegations, she understands their significance, has cooperated with the House to date, and has indicated that she will likewise cooperate with the Board should it choose to investigate. The House will take no further action on this matter pending the Board's review.

In all cases, the House is willing to cooperate fully with the Board and assist in any way the Board desires. Staff and resources can be made available as requested from the Board.

Representative Fagan is currently represented by counsel. Her attorney is:

Dan Brady
Attorney at Law
PO Box 31818
Bellingham, WA 98228
(206) 228-1213
dan@danbradylaw.com

Thank you for your attention to this matter and for any consideration you can give to expediting this matter. Should you have any questions or need any additional information or assistance, please do not hesitate to contact the Chief Clerk.

Very truly yours,

THE WASHINGTON STATE HOUSE OF REPRESENTATIVES



By Barbara Baker, Chief Clerk
Washington State House of Representatives

Enclosure: Notebook of supporting materials (15 identical copies for distribution)



Michael O'Connell
 Counsel Legislative Ethics Board

April 20, 2015

RE: Ethics complaint: Legislator Susan Fagan, 9th District

Pursuant to the Personal Services Agreement between myself and the Legislative Ethics Board dated February 24, 2015, please find below the preliminary results of my investigation to date. Although I believe there is more that could be done, the following events are considered the most serious of those evaluated thus far. The events are listed in chronological order rather than in the order of most to least serious. Although some events might fall into more than one statute, I have attempted to list the events under the most applicable provision of the Ethics in Public Service Act. During the course of the investigation, I reviewed the original ethics complaint dated January 7, 2015 and the accompanying letter from Chief Clerk Barbara Baker, dated January 6, 2015. The investigation confirms most of the allegations.

RCW 42.52.160: USE OF PERSONS, MONEY, OR PROPERTY FOR PRIVATE GAIN¹

AUGUST 19, 2014: Representative Fagan's calendar indicates she traveled from Pullman to Pomeroy and then to Clarkston, before returning to Pullman. She stated she attended a Clarkston/Lewiston Chamber of Commerce event the 19th to discuss "Legislative Wrap-up and Issues for upcoming session". Her attorney stated, "Representative Fagan traveled to Clarkston for a Lewis-Clark Valley Chamber meeting with a dinner scheduled in Clarkston that evening." Earlier in the day she was reportedly in Pomeroy, a few miles west of Clarkston, where she stated she had spoken "to farmers and workers moving grain to and from the warehouse" and "there was no formal meeting organized" at the Pomeroy Grain Growers facility. Mr. Robert Cox, the manager of the grain facility, stated he was not aware the Representative had been there and there was no record of her signing the visitor's log book that day. In addition, Mr. Cox said no employees, or anyone else, said anything to him about the Representative being at the grain facility. The Executive Director of the Lewis-Clark Valley Chamber of Commerce stated there was a Natural Resources meeting on the 19th at the hotel Representative Fagan referenced, but the Natural Resources committee meeting had nothing to do with Legislative matters and Representative Fagan was not present. The Executive Director said there was another Natural Resources meeting at the same hotel the following month on September 16th and Representative Fagan

¹ No state officer ... may employ or use any person, money, or property under the officer's ... official control or direction, or in his or her official custody, for the private benefit or gain of the officer....

Exhibit #2

was present on that day. The minutes of both events are available showing the topics of discussion and who was present. Representative Fagan's attorney stated she attended a dinner in Clarkston later that evening. Representative Fagan did not provide any detail about the dinner and the Chamber stated there was no Chamber event that evening which included a dinner. There was nothing listed for travel expenses for the 19th that could be confirmed. The alleged chamber meeting took place the following month. If the Representative stopped by the grain moving facility, there is no evidence to support the claim. Representative Fagan claimed 128 miles at \$.56/mile for a total reimbursement of \$71.68.

SEPTEMBER 8, 2014: Representative Fagan attended the funeral services of an 84 year old lady who resided at Legacy Cottage, a senior living facility in Kennewick. Her graveside services were held in Othello at 9:30 AM and a celebration of life service was held in Connell at 11:00 AM. Representative Fagan told her Legislative Assistant the woman's son used to work for Rep. Fagan on her farm when he was young before she was elected. She submitted for travel expense reimbursement for 204.44 miles at \$.56/mile for a total of \$114.49. Representative Fagan's counsel now states, "Rep. Fagan attended the funeral of Colleen Booker who was a constituent and not known to Rep. Fagan until she was elected to represent the 9th District. At the request of Mrs. Booker's sons, Rep. Fagan visited Mrs. Booker who was homebound. When Mrs. Booker passed away, out of respect for her sons, Rep. Fagan attended Mrs. Booker's funeral, and Rep. Fagan did so in her role as an elected official. Rep. Fagan did meet with some of Mrs. Booker's sons afterward and discussed legislative matters.... She also met with Mike Poulson, field staff for Congresswoman Cathy McMorris Rodgers." I spoke to Mike Poulson who stated he did not personally remember seeing Rep. Fagan at the funeral or services, but his wife told him that Rep. Fagan was present. The senior living facility in Kennewick is located in District 8, not District 9. The Bookers own an auction business in District 9. Considering Rep. Fagan has known one of the woman's sons since he was young and he used to work on her farm before she was elected, this sounds more like a personal relationship. The deceased was not a constituent of Rep. Fagan because she resided in a different district. The woman's sons were constituents, however. Discussing legislative matters at a funeral does not make a lot of sense and Mr. Poulson did not remember speaking with Rep. Fagan and personally did not remember seeing her until his wife reminded him.

SEPTEMBER 10, 2014: Representative Fagan initially stated she met with a group of Pasco Homebuilders at the Holiday Inn Express near the TRAC Center, off Road 68, in Pasco. Her attorney later stated, "Rep. Fagan mistakenly listed Pasco Homebuilders on an expense for when it should have been the Spokane Homebuilders." I confirmed with the Holiday Inn Express in Pasco that none of their eight meeting rooms were in use that day or that week. In an email between Representative Fagan and her Legislative Assistant dated October 13, 2014, Representative Fagan continued to tell her L.A. "I met with a group of home builders at the Holiday Inn Express near TRAC off Road 68. I drove to Pasco after the noon meeting with retired school employees." The Representative's personal calendar shows a 1:00 PM meeting with Retired School Employees Luncheon for Asotin and Pomeroy members at the Clarkston Daily Bakery in Clarkston. Mileage between Pullman and Clarkston is approximately 34 miles. Representative Fagan submitted a travel reimbursement for 304.56 miles at \$.56/mile. Using that figure, it appears the Representative was claiming to have traveled from Pullman to Clarkston (34 miles), from Clarkston to Pasco (127 miles) and from Pasco back to Pullman (133 miles), for an approximate

total of 294 miles. In reality, Representative Fagan did not drive to Pasco for a meeting. She might have driven to Clarkston for the Retired School Employees' meeting and from there she drove from Clarkston to Spokane for dinner with the City of Spokane's mayor. The mayor confirmed having a private, non-work related dinner with Representative Fagan. He stated the dinner was not posted on his office calendar because he was not meeting with Representative Fagan in his official capacity. I was unable to verify if Representative Fagan met with any Spokane Home Builders group in Spokane. Assuming the meeting in Clarkston took place, Representative Fagan would be entitled for 68 miles of reimbursement. Assuming Representative Fagan drove from Pullman to Clarkston and then from Clarkston to Spokane and from Spokane back to Pullman, she would have driven 215 miles. However, this scenario appears to contradict the email she sent to her L.A. on October 13, 2014.

RCW 52.52.180: USE OF PUBLIC RESOURCES FOR POLITICAL CAMPAIGNS²

JUNE 25, 2014: Representative Fagan attended a ground-breaking ceremony at the Delta High School in Pasco at 10:00 AM. The legislative map-finder website indicated the address of the ceremony was located in District 16. However, this is a case where the map-finder website was not accurate and the address was clearly within Representative Fagan's 9th District. However, later the same day, Representative Fagan attended an event reportedly sponsored by the Washington Trucker's Association in Pasco. Representative Fagan's legal counsel stated, "This was listed as an HROC event, but it wasn't a campaign event." Her legal counsel also stated, "Representative Fagan also met with Washington Trucker's Association where they shared their 2015 legislative priorities." On June 16, 2014, Representative Fagan had sent an email to her Legislative Assistant Tawnya Smith in which she stated, "Can you check with Pam and ask her what the HROC dates are for next week? Joe said there is one in Pasco and two in Spokane." On June 22, 2014, Representative Fagan sent an email to Representative Joe Schmick informing him of the June 25, 2014 meeting with the Washington Truckers Association. On April 8, 2015, I phoned the Legislative Assistant for Representative Schmick. Representative Schmick confirmed he attended the June 25, 2014 meeting along with Representative Fagan, but he stated the meeting was definitely "campaign related" because they "discussed how to get more Republican elected." The legislative map-finder website also indicated the address of the hotel where the above meeting took place was in District 16. This was confirmed independently. The hotel was close to the Tri Cities Airport, which is clearly in District 16. In this case, Representative Fagan attended a non-campaign event (High School ground-breaking) inside her district and then combined a "campaign event" in close proximity that was outside her district. In Representative Fagan's monthly Travel Reimbursement Expense Request, she listed 307 round trip miles for travel between Pullman to Pasco/Clarkston for the stated purposes of "Ground Breaking ceremony for new HS, and meeting with adult family home

² No state officer ... may use or authorize the use of facilities of an agency, directly or indirectly, for the purposes of assisting a campaign for election of a person to an office.... Knowing acquiescence by a person with authority to direct, control, or influence the actions of the state officer or state employee using public resources in violation of this section constitutes a violation of this section. Facilities of an agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of state employees of the agency during working hours, vehicles, office space, publications of the agency, and clientele lists of persons served by the agency.

owners”, which reportedly took place later that evening at a private residence in Clarkston. Clarkston is located in District 9, not far from Pullman. Representative Fagan did not list the Washington Truckers Association event on the Expense Request form. The purpose of the Washington Truckers event was misrepresented by Representative Fagan, via her legal counsel; even though her earlier email dated June 16, 2014 clearly indicated her intent to attend an HROC event. Also, Representative Schmick stated the event was clearly a “campaign event” due to the topic and he considered it as such.

AUGUST 20-21, 2014: Representative Fagan claimed mileage for travel from Pullman to Pasco to Kennewick, then to Royal City and then back to Pullman between the 20th and 21st. for a total round trip of 291 miles. The stated purpose was to attend a Pasco Chamber of Commerce function regarding a Legislative wrap-up. Neither the Pasco Chamber nor the Tri-City Regional Chamber had any events scheduled for that day. Representative Fagan’s counsel later stated, “Rep. Fagan believes she had stopped by the Pasco Chamber on this day (sic) isn’t certain.” Representative Fagan’s Legislative Assistant said she knows the Representative left Pullman late that evening because they had been in telephone communication. The L.A. said the Representative would have arrived in the Tri-Cities around 10:00 PM and was sure there would be no Chamber events at that late hour. The evening of the 20th, Representative Fagan attended the Benton/Franklin County Fair and staffed a Republican Central Committee booth with Captain Rick Rochleau of the Franklin County Sheriff’s Department. Captain Rochleau confirmed he and Representative Fagan staffed the booth. He said he was present in his personal capacity as a Republican Central Committee person and their purpose for being there was to discuss Republican Party issues with fair attendees. There was no other purpose for this trip to the Pasco/Kennewick area. After spending the night with friends in the Tri-Cities area, Legislator Fagan traveled to Royal City the following day of August 21, 2014.

AUGUST 21, 2014: Representative Fagan traveled from Kennewick to Royal City the morning of the 21st. The most direct route from Pullman to Royal City is 131 miles and Google Maps estimates allowing 2.0 hours. This would equal approximately 262 miles round trip. The event in Royal City was scheduled to begin at 9:30 AM and included a tour of the Columbia Basin Project, sponsored by the Columbia Basin Development League. Sponsors of this event confirmed Representative Fagan was present the entire day and attended a BBQ later that evening. Transportation was provided by the League throughout the day, with the exception of traveling to the BBQ that evening. Representative Fagan apparently left the BBQ event and drove back to Pullman that evening, which is 131 miles by the most direct route. However, Representative Fagan submitted a Travel Expense Reimbursement request for a total of 291 miles, at \$.56/mile for a total of \$162.96 for the 20th and 21st. Had there been an actual Chamber of Commerce event on August 20th in the Pasco area, Representative Fagan would arguably been able to charge mileage to Pullman on the 20th, spend the night in the area and then continued on to Royal City the following day. However, the only apparent purpose for her to visit the Tri-City/Pasco area on the 20th was to staff a Republican Central Committee booth at the fair and then drive to Royal City the following morning. Representative Fagan otherwise would be eligible to receive the round trip mileage equivalent between Pullman and Royal City, which is 262 miles and not 291 miles.

AUGUST 29-30, 2014: Representative Fagan submitted a Travel Expense Report for August 29, 2014 which only listed round trip mileage between Pullman and Ritzville of 187 miles for an “In-District” event

and she received \$104.72, at \$.56/mile. Representative Fagan's counsel stated in correspondence dated March 18, 2015, "the purpose of this trip was listed as a Chamber meeting, but should have been listed as the Wheatland Community Fair". This clarification was offered after the Legislative Assistant for Representative Fagan determined there was no Chamber event scheduled for August 29th. After I was unable to confirm Representative Fagan had attended the Community Fair on August 29th, I asked for additional information from Representative Fagan's counsel. The story about what transpired on August 29th has changed at least twice. I received a response dated April 13, 2015, in which Representative Fagan now acknowledges through her attorney that she did not attend the Community Fair in Ritzville on Friday, August 29th or any other event that day. It is undisputed that she attended the Community Fair on August 30th at which time she received a campaign contribution check from Mr. Dale Anderson on behalf of the Washington Electric Cooperative in the amount of \$200.00. Mr. Anderson and Representative Fagan confirm he delivered the check to her on August 30th during the parade that day. Representative Fagan also entered the parade as a late entry on August 30th. I obtained a photograph of Representative Fagan driving her personal vehicle in the parade with at least one sign on the driver's side rear window reading, "Elect Susan Fagan for State Representative." Her attorney stated she walked in the parade. Representative Fagan did not submit any Expense Reimbursement Request for August 30th and her legal counsel indicated in his correspondence dated April 13, 2015: "After review of her records, Rep. Fagan now believe (sic) that it is likely that all these events happened on August 30th rather than being between the 29th and 30th as she originally believed. Given that Rep. Fagan was in Ritzville on the 30th for a campaign activity, she now believes that seeking reimbursement from the House was in error, and she will be reimbursing the House accordingly." Representative Fagan offered a check in the amount of \$104.72, dated April 13, 2015, payable to the House of Representatives. Her letter that accompanied the check stated, "After a recent review of my records³, I have determined that I need to return a mileage reimbursement to the House for travel on August 29th, 2014. Activities of the day actually occurred the following day, August 30th, 2014, and were intermixed with non-legislative business."

October 30, 2014: Representative Fagan met representatives of the Public School Employees of Washington at a Starbucks in Spokane on October 30th and received a campaign contribution check for \$500.00. The check was dated September 24, 2014. Through her attorney, Representative Fagan has denied receiving a check from this organization. In an email to my attention dated March 19, 2015, counsel for Representative Fagan stated, "Rep. Fagan received no contributions from the Public School Employees (PSE) or SEIU Local 1948 during October 2014 or later in 2014." Representative Fagan has not yet filed a report with the Public Disclosure Commission for November 2014, so the campaign contribution has not been reported.

Representative Fagan's personal calendar shows an intended meeting with a representative of the Public School Employees group at a Starbucks in Spokane Valley. Representative Fagan's Legislative Assistant originally thought Rep. Fagan had received the campaign check on October 16th, based on an email from the PSE representative dated October 15th. Her attorney stated, "Rep. Fagan did not pick up or otherwise receive a campaign contribution check, nor did she make arrangements to do so from her

³ It is unclear what records Representative Fagan relies upon given the confusion regarding multiple events

legislative email account. PDC records will show no contribution from SEIU Local 1948 in this timeframe.” The attorney is correct on several points in his statement. Representative Fagan has not filed anything with PDC since the end of October 2014. Her previous campaign contribution check from the above organization was shown in her PDC filings as coming from Public School Employees. The PSE representative provided an email chain between she and Representative Fagan between October 15 and October 17th wherein it was agreed they would meet on the 30th at 6:00PM at a Starbucks in the City of Spokane, rather than the City of Spokane Valley. Representative Fagan used her “susanfagan.com” email account, as compared to her “leg.wa.gov” account.

The same day she received the check, she attended an event at the Spokane Valley Technical School in Spokane Valley. Her attendance was confirmed by the director of the school. In this case, Representative Fagan attended a non-campaign event (Computer Science Roundtable) in Spokane Valley and then combined a “campaign event” in Spokane. Representative Fagan, for some unknown reason, has not submitted a travel expense reimbursement for the month of October 2014, but has submitted similar requests for the months before and after. Neither the City of Spokane Valley nor the City of Spokane is located in District 9.

GENERAL UNTRUTHFULNESS

By her own admission and representations of her legal counsel, Representative Fagan has received in excess of \$1,754.44 as expense reimbursement for travel that was either inappropriately charged to the House account when it should have been charged to the Members account and/or she was reimbursed for travel that did not happen. Examples are:

January 2, 2014: “Rep. Fagan traveled from Pullman to Colfax to Garfield and back to Pullman – 68 miles round trip. The trip to Colfax was for an interview with the Whitman County Gazette, reporter Sally Owsley. The trip to Garfield was to visit Main Street, where she stopped at the grocery store and the senior assisted living center. She also stopped at J.E. Love Manufacturing. Mr. Love was traveling at the time. The expense report listed mileage for a planned stop in Rosalia, an additional 57 miles. However, time didn’t allow that portion of the trip to occur. The mileage reimbursement received for the miles to Rosalia has been returned to the House. The portion of this trip extending to Rosalia was canceled. In addition, because the original expense report included the mistaken miles to Rosalia, the mileage round trip was over 100 miles, therefore the miles were reimbursed from the House account. By removing the Rosalia portion of the trip from the reimbursement, the trip is then only 65 miles, and should have been reimbursed from the Member account.”⁴ Partial reimbursement offered of \$36.40 and \$38.08.

March 22, 2014: “The expense report listed this event in Pasco when it should have been listed in Richland. While many 9th District constituents participated, Rep. Fagan has requested that the House account be reimbursed.” Partial reimbursement offered of \$148.98

⁴ Travel in excess of 100 miles round trip is reimbursed from the House account and not from the member’s account

March 25, 2014: "The expense report listed this event in Pasco when it should have been listed in Kennewick." "The Tri-City Herald is not physically located in the 9th District." Partial reimbursement offered of \$148.98.

March 28, 2014: "Round trip for meeting with business leaders. Rep. Fagan listed this trip on personal calendar, and believes it occurred but cannot recall details of who she met with or where." "This trip may have been confused with another trip." This was paid as a round trip between Pullman and Othello for 214 miles. There is nothing on Rep. Fagan's calendar for this day. Partial reimbursement offered of \$119.84.

April 18, 2014: "This should have been listed as a Spokane roundtrip, not Spokane Valley." Partial reimbursement offered of \$93.52

April 24, 2014: "The transportation meeting was listed incorrectly on the expense report as being in Spokane Valley- it was in Spokane. However, Rep. Fagan also visited Sunshine Health in the Spokane Valley and the Washington State Residential Care Council Spring Conference back in Spokane." Partial reimbursement offered of \$93.52

May 15, 2014: "This trip was for a joint Tri-Cities chambers legislative reception. The event was not strictly within the district, but chamber members and constituents from the 9th District were present. However, because the event is listed to have occurred in Kennewick, Rep. Fagan has requested that the House account be reimbursed for the expense from the Member account. See Attachment 4, February 2, 2015 letter." **NOTE:** May 15th is not listed on the February 2, 2015 letter.

May 21, 2014: "This meeting was planned but canceled." Partial reimbursement offered of \$100.24

June 20 (19th), 2014: "AWB Manufacturing Tour: During her audit, Rep. Fagan realized that the event was listed on the wrong date and that she didn't attend the event. "I was unable to attend this event which was actually scheduled to occur June 19 – not June 20". Partial reimbursement offered of \$96.32

June 27, 2014: "The Pullman to Tri-Cities portion should have come from the Member account." Partial reimbursement offered of \$176.96

July 11, 2014: "This trip was for an event with Basin Disposal. While other 9th District legislators were present along with 9th District constituents, the event was not strictly within the district. Because it was listed as being in the district in Pasco, Reg. Fagan requested that the House account be reimbursed for the expense from the Member account." Partial reimbursement offered of \$152.32

August 1, 2014: "Rep. Fagan believed the Tri-City airport and its expansion area were located within the 9th District. In fact it is less than a mile outside of the district." Partial reimbursement offered of \$148.96

August 19, 2014: "Rep. Fagan traveled to Clarkston for a Lewis-Clark Valley Chamber meeting." There was no such meeting according to the Chamber.

August 20-21, 2014: “Rep. Fagan believes she had stopped by the Pasco Chamber on this day (sic) isn’t certain.” “I attended the Columbia Basin Development League tour but there was no chamber meeting.” Partial reimbursement offered of \$40.84.

August 31, 2014: “This trip occurred on August 29th, 2014 – not August 31st. The purpose of this trip was listed as a Chamber meeting, but should have been listed as the Wheatland Community Fair. Rep. Fagan did not pick up a check from Dale Anderson on this trip nor did she attempt to. However, Rep. Fagan did pick up a campaign check the next day (August 30, 2014). She did not request reimbursement for this mileage.” After being asked for more details regarding her presence at the fair on August 29th, for which she did seek mileage expense reimbursement, Rep. Fagan, through her counsel, acknowledged she was not at the fair on August 29th, only August 30th. Rep. Fagan received \$104.72 for 187 miles between Pullman and Ritzville for the 29th. On April 13, 2015, she wrote a refund check for this amount payable to the House.

September 10, 2014: “Rep. Fagan mistakenly listed Pasco Homebuilders on an expense form when it should have been the Spokane Homebuilders.” (See more detailed comments above). Partial reimbursement offered of \$73.92 and \$103.04

September 11, 2014: “Rep. Fagan was told that trips to Spokane Valley were reimbursable from the House account. The Ag & Water Quality meeting is listed on her personal calendar. Rep. Fagan actually missed the meeting because of the meeting she attended in Spokane Valley, but later drove to Ritzville to try and catch the end of the meeting and picked up written materials.”

October 30, 2014: Representative Fagan attended a legislative event in Spokane Valley and a campaign event in the City of Spokane the same day where she received a campaign contribution check. She has denied receiving a campaign contribution check from the organization in October or later.

Representative Fagan has stated the reason she believed trips to Spokane Valley could be charged to the House account, even though Spokane Valley is located in District 4, was because one of her former L.A., Al Audette, told her the “Clerk’s office believed that any trip within the limits of the City of Spokane Valley could be reimbursed from the House account.” She has not offered the logic behind that statement and the statement has not been confirmed by the House. District 9 touches the very corner of the Spokane Valley city limits for what appears to be a very few blocks. It does not appear that any of District 9 crosses into the city limits of Spokane Valley. I found multiple emails from Rep. Fagan to the L.A.’s who replaced Mr. Audette where the Representative is telling them to charge mileage into the City of Spokane Valley to the House account. Mr. Audette was vague when asked about the above statement. He stopped short of acknowledging he received such an opinion from the Clerk’s office. He stated his advice to Rep. Fagan was to always try to schedule a meeting within her district before going outside her district. Since the House account is not limited and the Member’s account has annual limits, there is an incentive to use the House account funds whenever possible. Representative Fagan reportedly has family and grandchildren who reside in the Spokane Valley area. Every legislative member has a district that butts up against another district. Representative Fagan’s District 9 surrounds

parts of Pasco in the SW corner of her district, yet there does not seem to be any similar opinion concerning Pasco. However, Rep. Fagan has, on multiple occasions listed travel to Pasco when the travel actually took place in Kennewick. The difference is West Pasco, not Pasco, is in District 9, therefore allowing her to use House accounts funds, whereas travel to Kennewick is in District 8, requiring her to use her Member account funds. The City of Pasco, not West Pasco, is located in District 16, but Representative Fagan has consistently only referenced Pasco in her travel expense reimbursements.

In the event the Ethics Board desires more information or additional investigation, I am available and willing to do so.

Sincerely,

Kenneth J. Wilson, CFE

Kenneth J. Wilson

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Statement from local WA St. Rep Susan Fagan about resignation

April 29, 2015
By [Evan Ellis](#)

It is with a sad heart that I am informing the governor by letter tomorrow that I am resigning, effective at the close of business Friday.

This is not a decision I made lightly. It concludes a process that began about six months ago, when issues were raised regarding mileage reimbursements from the state. After careful review of my records, many of these concerns have been resolved. At the same time, I agreed that some were problematic, and thus I quickly reimbursed the state from my personal funds to address these expenses.

The problems stemming from my careless recordkeeping begin and end with me. I should have been more precise with my records, and I did not give my reimbursement reports the respect and attention they deserve. That is my fault. At no point did I try to derive personal gain from expense reimbursements.

It has been an honor and a privilege to serve the people of the 9th District in the legislature. "An honor and a privilege" is heard so often from public officials that it's kind of cliché, but I truly have been humbled by this opportunity to serve the public. The issues legislators grapple with are difficult, but I went about my work knowing I had strong support from the voters back home.

With so many capable citizens and public servants in the 9th District, I'm confident that a strong, local leader will be found to take on this important role.

It is disappointing and painful to end my public career this way. I had already decided, prior to the 2014 election, that this would be my last term, and that was a factor in my decision to not pursue this issue further. I know that my resignation is the better decision for the people of the 9th District, whom I have been so proud to serve.



Search & Hit Enter

Exhibit #3

State of
Washington
House of
Representatives



February 2, 2015

Barbara Baker, Chief Clerk
Washington State House of Representatives
P.O. Box 40600
Olympia, WA 98504-0600

Dear Ms. Baker:

In the course of reviewing my expenses submitted for reimbursement from the 2014 House Account, I discovered a number of expenses that should have been reimbursed from my 2014 Member Account instead. Below is a list of these expenses:

<u>January 2, 2014 mileage for travel from Pullman to Colfax, Garfield, and return</u> This trip came in under 100 miles.	\$ 38.08
<u>March 22, 2014 mileage for travel from Pullman to Pasco and return</u> The March for Respect is a regional event in Richland.	\$ 148.96
<u>March 25, 2014 mileage for travel to Tri-City Herald Editorial Board and return</u> The Tri-City Herald is not physically located in the 9 th district.	\$ 148.96
<u>April 18, 2014 mileage from Pullman to Spokane and return</u> This meeting occurred in Spokane.	\$ 93.52
<u>April 24, 2014 mileage from Pullman to Spokane and return</u> This meeting occurred in Spokane.	\$ 93.52
<u>June 27, 2014 mileage for travel to Richland, Clarkston, and return</u> Entire trip should be billed to the Member account.	\$ 176.96
<u>July 11, 2014 mileage for travel to Basin Disposal in Pasco and return</u> Entire trip should be billed to the Member account.	\$ 152.32
<u>August 1, 2014 mileage for Tri-Cities airport expansion in Pasco and return</u> Airport is not located in the 9 th District.	\$ 148.96
<u>September 10, 2014 mileage for travel from Pullman to Pasco and return</u> This trip was to Spokane and not Pasco.	\$ 103.04
Total:	\$1,104.32

With this information, please reimburse the House from my 2014 Member Account in the amount of \$1,104.32 and make any other necessary adjustments to the expense record accordingly.

Thank you for your assistance with this matter.

Sincerely,


Representative Susan Fagan

Exhibit #4

Susan K Fagan
829 SE Edge Knoll Dr
Pullman, WA 99163

STATE REPRESENTATIVE
9th LEGISLATIVE DISTRICT
SUSAN FAGAN

1-16-15
DATE

PAY TO THE ORDER OF WA House of Representatives \$ 545.^{40/100}
Five hundred forty-five and 40/100 DOLLARS
Golden Club

January 16, 2015

Barbara Baker, Chief
Washington State House
P.O. Box 40600
Olympia, WA 98504

P1FCU 208.746.8900
800.843.7128
p1fcu.org

FOR 2014 Reimbursement

Susan K. Fagan

⑆323173313⑆ 9434864782⑆ 4134

Harland Clarke

Dear Ms. Baker:

I have recently reviewed the expenses I submitted to the House for reimbursement over the course of 2014. During this review, I discovered the following expenses require reimbursement or partial reimbursement to the House for various reasons.

January 2, 2014 mileage for travel from Pullman to Colfax, Garfield, Rosalia and return
The portion of this trip extending to Rosalia was canceled.

Partial reimbursement due: \$36.40

March 28, 2014 mileage for travel from Pullman to Othello and return

This trip may have been confused with another trip. Reimbursement due: \$119.84

May 21, 2014 mileage for travel from Pullman to Rockford and return

This meeting was planned but canceled. Reimbursement due: \$100.24

June 20, 2014 mileage from Pullman to Spokane Valley and return

I was unable to attend this event which was actually scheduled to occur June 19 – not June 20
Reimbursement due: \$96.32

August 20-21, 2014 mileage from Pullman to and around Pasco and return

I attended the Columbia Basin Development League tour but there was no chamber meeting
Partial reimbursement due: \$40.84

August 28, 2014 mileage from Pullman to Richland and return

I attended the REACH meeting this day but conducted non-state business on the return.
Partial reimbursement due: \$77.84

September 10, 2014 mileage from Pullman to Pasco and return

This trip was to Spokane and not to Pasco Partial reimbursement due: \$73.92

Total reimbursement to return to the House: \$545.40

Please find enclosed a check in the amount of \$546.56. Thank you for your assistance with this matter.

Sincerely,

Susan Fagan

Representative Susan Fagan

LEGISLATIVE OFFICE: 432 JOHN L. O'BRIEN BUILDING • PO BOX 40600, OLYMPIA, WA 98504-0600 • 360-786-7942
E-MAIL: Susan.Fagan@leg.wa.gov
TOLL-FREE LEGISLATIVE HOTLINE: 1-800-362-6000 • TDD: 1-800-635-9993 • www.leg.wa.gov

PRINTED ON RECYCLED PAPER

Exhibit # 5

STATE REPRESENTATIVE
9th LEGISLATIVE DISTRICT
SUSAN FAGAN

State of
Washington
House of
Representatives



April 13, 2015

Barbara Baker, Chief Clerk
Washington State House of Representatives
P.O. Box 40600
Olympia, WA 98504-0600

Dear Ms. Baker:

After a recent review of my records, I have determined that I need to return a mileage reimbursement to the House for travel on August 29th, 2014. Activities of the day actually occurred the following day, August 30th, 2014, and were intermixed with non-legislative business.

A check for \$104.72 is enclosed to cover that earlier reimbursement. Thank you for your assistance in this matter.

Sincerely,

Representative Susan Fagan

Susan K Fagan
829 SE Edge Knoll Dr
Pullman, WA 99163

4155
92-7331/3231

4-13-15

DATE

PAY TO THE
ORDER OF

Washington House of Representatives

\$ 104. ⁷²/₁₀₀

One hundred four and ⁷²/₁₀₀

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208.746.8900
800.843.7128
pifcu.org

Golden Club

LEGISLATIVE OFFICE
TOLL-FREE

FOR

Reimbursement - 8-29-14

Susan K Fagan

IMP

⑆323173313⑆

9434884782 4155

Harland Clarke

Exhibit #6