

Legislative Ethics Board

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COMPLAINT 2023 – No. 12

In re Ibrahimovic

September 26, 2023

NO REASONABLE CAUSE AND ORDER OF DISMISSAL

I. NATURE OF COMPLAINT

The Complaint alleges that Respondent has violated the Ethics Act by not permitting Complainant to meet with the Senator representing his district about possible legislation and then lying to Complainant about whether the meeting took place. Although the complaint does not cite a specific statute to have been violated, the Board analyzed the allegations under RCW 42.52.070 (special privileges).

II. JURISDICTION

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

III. PROCEDURAL HISTORY

Complaint 2023 – No. 12 was received on May 2, 2023 and discussed at the Board's regularly scheduled meeting on September 11, 2023.

IV. FINDINGS OF FACT

1. Respondent has been employed by House Democratic Caucus Communications since September 2022. He was previously employed as Rep. Lovick's legislative assistant (LA) and went with Sen. Lovick as his LA when he (Sen. Lovick) moved to the Senate.
2. Complainant resides in Sen. Lovick's district.
3. Sometime in 2021, Complainant contacted Rep. Lovick's office for assistance and spoke to Respondent. Complainant believed his children had been kidnapped by his ex-wife and he was frustrated that the Snohomish County Sheriff's office would not conduct a welfare check on his children and was seeking the assistance of Rep. Lovick.
4. Complainant alleged that the Sheriff's Department was corrupt and wanted something done about it.

5. Through multiple telephone conversations with Complainant and additional research, Respondent directed Complainant to several agencies including the U.S. Department of Justice as well as city and county authorities to assist Complainant with his issues with the Sheriff's Office.
6. After Rep. Lovick moved to the Senate, Respondent was again contacted by the Complainant. He requested a meeting with Sen. Lovick. Complainant wanted to meet with Senator Lovick to discuss a piece of legislation he wanted the Senator to sponsor which would require mandatory prison sentences for police officers who refuse to intervene in welfare check matters.
7. Complainant has indicated that he never met with Sen. Lovick; Respondent remembers that they met once.
8. In March 2023, Complainant again reached out to Sen. Lovick's office seeking assistance with a different issue. Complainant had a disagreement with the Division of Child Support at the Department of Social and Health Services.
9. The matter was assigned to Sen. Lovick's session LA who contacted Respondent for background information.
10. Respondent told the session LA that he had worked with Complainant in the past, when he was Sen. Lovick's LA, that Complainant had met with the Senator and there was nothing more that the office could do to assist the Complainant. It is not clear whether Respondent knew that Complainant had contacted Sen. Lovick's office about an issue different than the issue with which Respondent had previously assisted Complainant.
11. The session LA indicated to Complainant that the office could not assist him as he had previously met with the Senator and was told the Senator would not sponsor the legislation Respondent was requesting.
12. On April 28, 2023, Complainant sent an email to the session LA indicating that he had not previously met with the Senator and accused Respondent of lying about him (Complainant) previously meeting with the Senator.
13. On April 29, 2023, Complainant sent an email to Respondent accusing him of lying to the session LA about previously meeting with the Senator.
14. On April 30, 2023, Respondent responded to Complainant's email stating that he recalled Complainant meeting with the Senator or conveying Complainant's concerns to the Senator. Respondent apologized if he recalled this incorrectly. Respondent requested that Complainant not contact him further.
15. In May of 2023, Sen. Lovick's current LA scheduled a meeting between the Senator and Complainant that did not occur because of a miscommunication. The Complainant has had a phone conversation with the Senator since that time.

V. ANALYSIS AND CONCLUSIONS OF LAW

The special privileges statute (RCW 42.52.070) provides in pertinent part as follows:


(1) Except as required to perform duties within the scope of employment, no state officer or state employee¹ 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.

Because they are state employees, this statute prohibits legislative staff from using their positions to secure special privileges for themselves or others. The question is whether Respondent used his position as Sen. Lovick's LA to prevent Complainant from meeting with Sen. Lovick to discuss his legislative requests.

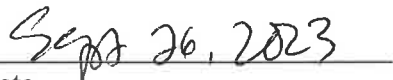
There is no evidence to suggest that Respondent used his position to prevent Complainant from meeting with Sen. Lovick. In fact, the evidence indicates that Respondent spent numerous hours attempting to assist Complainant with his concerns. That Complainant was unhappy with the assistance provided by Respondent does not constitute a violation of RCW 42.52.070.

VI. ORDER

IT IS HEREBY ORDERED: that there is no reasonable cause to believe respondent violated the RCW 42.52.070.



Tom Hoemann, Chair



Date

¹ "State employee" means an individual who is employed by an agency in any branch of state government. RCW 42.52.010 (18).