



King County

OMBUDSMAN

Amy Calderwood, Ombudsman – Director

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June 14, 2012

Rob McKenna
6021 118th Ave. SE
Bellevue, WA 98006

Re: Consolidated Ethics Complaint No. 2012-00816

Dear Mr. McKenna:

The Ombudsman's Office received two complaints alleging that you used King County facilities to work on your election campaigns while you were a member of the King County Council. The complaints allege that your actions violated the King County Employee Code of Ethics (the Ethics Code), which states, in pertinent part,

County employees are encouraged to participate in the political process on their own time and outside of the workplace by working on campaigns for the election of any person to any office or for the promotion of or opposition to any ballot proposition, but shall not use or authorize the use of the facilities of King County for such purposes except as authorized by the provisions of RCW 42.17.130.

KCC 3.04.020(E).

I have reviewed the complaints and the documents submitted in support thereof, including 2002 and 2003 meeting agendas and notes. The complaints and the supporting documents concern meetings apparently held 9 ½ to 10 years ago.

It would be potentially unfair for a former King County employee to have to defend himself and to give compelled testimony regarding events a decade after they occurred. Memories have surely dimmed. Key witnesses are likely unavailable. In its role as an employer, the County's interest in the conduct of its former employees diminishes over time. The passage of time also makes it far more likely that any investigation into this matter would fail to provide definitive conclusions.

Upon careful consideration, I have decided not to assert the jurisdiction of the Ombudsman's Office in this instance due to the significant passage of time. Accordingly, I have closed the complaint file.

Please feel free to contact me if you have questions or would like to discuss this matter further.

Sincerely,

Amy Calderwood
King County Ombudsman