

Washington State Auditor's Office
Whistleblower Investigation Report

Department of Social and Health Services

Report No. 1012280

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July 28, 2014



Washington State Auditor
Troy Kelley

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Washington State Auditor Troy Kelley

July 28, 2014

Kevin Quigley, Secretary
Department of Social and Health Services

Report on Whistleblower Investigation

Attached is the official report on Whistleblower Case No. WB 14-019 at the Department of Social and Health Services.

The State Auditor's Office received an assertion of improper governmental activity at the Department. This assertion was submitted to us under the provisions of Chapter 42.40 of the Revised Code of Washington, the Whistleblower Act. We have investigated the assertion independently and objectively through interviews and by reviewing relevant documents. This report contains the result of our investigation.

Questions about this report should be directed to Whistleblower Manager Jim Brownell at (360) 725-5352.

Sincerely,

TROY KELLEY
STATE AUDITOR

cc: Andrew Colvin, Public Disclosure and Ethics Administrator
Governor Jay Inslee
Kathryn Wyatt, Acting Executive Director, Executive Ethics Board

Whistleblower Investigation Report

State of Washington Department of Social and Health Services

ASSERTION AND RESULTS

Our Office received a whistleblower complaint asserting an employee regularly used her Department-issued computer to browse technical websites that were not work related.

We found no reasonable cause to believe an improper governmental action occurred.

ABOUT THE INVESTIGATION

Our Office obtained the subject's hard drive and email and reviewed the data retrieved.

We reviewed the subject's documents, email and Internet browsing activity from February 12, 2013 through May 1, 2014. We found the subject's use of her Department-issued computer for non-work-related activity was brief and infrequent.

STATE AUDITOR'S OFFICE CONCLUDING REMARKS

We thank Department officials and personnel for their assistance and cooperation during the investigation.

Whistleblower Investigation Criteria

State of Washington Department of Social and Health Services

We came to our determination in this investigation by evaluating the facts against the criteria below:

Assertion: An employee regularly uses their Department-issued computer to browse technical websites that are not work related.

RCW 42.52.160 - Use of persons, money, or property for private gain.

(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.

WAC 292-110-010 - Use of state resources

(5) Prohibited uses:

(a) Any use for the purpose of conducting an outside business, private employment, or other activities conducted for private financial gain;

(b) Any use for the purpose of supporting, promoting the interests of, or soliciting for an outside organization or group, including, but not limited to, a private business, or a political party, or supporting, promoting the interests of, or soliciting for a nonprofit organization unless provided for by law or authorized by an agency head or designee;

(e) Any use related to conduct that is prohibited by a federal or state law or rule, or a state agency policy

Contacts

Washington State Auditor

Troy Kelley auditor@sao.wa.gov (360) 902-0360

Deputy Director of State Audit

Jan M. Jutte, CPA, CGFM jan.jutte@sao.wa.gov (360) 902-0363

Audit Manager

Jim Brownell jim.brownell@sao.wa.gov (360) 725-5352

Whistleblower Coordinator

Jacque Hawkins-Jones jacque.hawkins-jones@sao.wa.gov (360) 725-5359

Deputy Director of Communications

Thomas Shapley thomas.shapley@sao.wa.gov (360) 902-0367

Public Records Officer

Mary Leider publicrecords@sao.wa.gov (360) 725-5617

Main phone number (360) 902-0370

Website www.sao.wa.gov

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