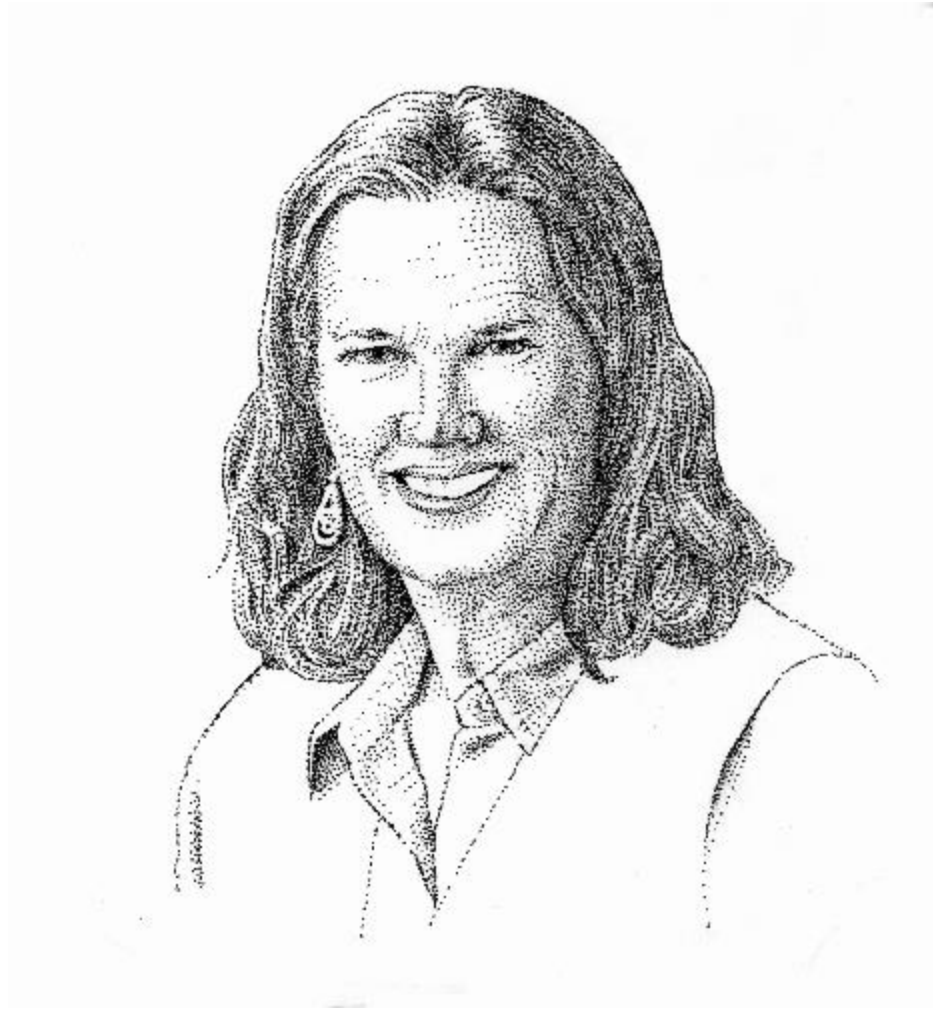


# Rationalizing the political revolving door



SUE LANI MADSEN – SPOKESMAN COLUMNIST

SUE LANI MADSEN – SPOKESMAN COLUMNIST

There's no precedent for a cabinet-level state employee running for mayor of a major city. Lisa Brown's candidacy in the city of Spokane is raising new ethical questions about the revolving door in and out of public service.

Let's say a state employee signs off on a multimillion-dollar contract for widgets with the Widget Wizard Inc., resigns from the state and goes to work for the company as chief widget manager. Washington's Ethics in Public Service law specifically addresses blocking the revolving door between public service and private enterprise.

But what about the revolving door between state employment and municipal employment?

Few ethical dilemmas are as clear as the widget example and, even then, the enforcement mechanism is weak. The Legislature set up the Executive Ethics Board in 1995 with the intent to provide better guidance and to address what was described as "the absence of a credible enforcement process which involves citizen participation."

There's still no realistic enforcement process, according to political activist Glen Morgan.

“It's very hard to get an executive-level ethics complaint resolved if it's someone politically connected to the governor, even if it's a blatant violation,” Morgan said.

The board is appointed by the governor, naturally selected from among friendly political contacts.

Morgan has experienced the board's slow-walked process on several ethics complaints he's filed over the years. One could appeal to the attorney general as enforcer of the statute, but “there's no way Ferguson is ever going to enforce ethics laws on a Democrat, especially when he's running for governor. There may not be any enforcement mechanism available but it doesn't hurt to point out the truth. Ethics laws are more effective when you have a media willing to challenge authority.”

Which is why editor Robin Ball is using her website [www.ontheball509.com](http://www.ontheball509.com) to raise questions about the propriety of Lisa Brown as the former director of the Department of Commerce applying for a new job as mayor of Spokane after signing off on multimillion dollar

contracts with the city.

“Lisa Brown negotiated contracts with the city of Spokane for far more than the \$10,000 limit in the statute. It’s a fair question to ask if she could be employed as mayor until the two-year cooling off period is over in 2025,” Ball said Wednesday.

Ball has also published emails obtained in a public records request between Brown and her husband, Brian McClatchey, when he was serving as adviser to the Spokane City Council.

“There was more coordination with his wife over state funding than was reported in the Inlander,” Ball said.

It’s the kind of direct citizen participation in media available when everyone with a smart phone effectively has a printing press in their pocket.

Perennial government watchdog Morgan pointed out there’s always two sides to the story.

“Lisa’s argument would just be, ‘Other cities got money too, just happens Spokane was really needy and deserved a lot more.’ Bringing home the bacon is how politicians sell themselves all the time.”

Voters have to decide if they like the sales pitch.

Former state legislator Lisa Brown voted for Washington's Ethics in Public Service law in 1994. ESSB 6111 had bipartisan support in the House and the Senate, where one representative and one senator spoiled a unanimous vote. The law was developed after a one-year study of citizen concerns with the goal of promoting "public trust and confidence in government." Concerned citizen lawsuits are provided for as the ultimate enforcement of the public ethics laws if the ethics boards established under ESSB 6111 and the Attorney General fail to act.

Lawsuits are a lousy way to build public trust, but we may be headed that way. Like most ethical dilemmas, the best choice is always to avoid being in a questionable position in the first place. The former head of the Department of Commerce could have asked the state Ethics Board for an opinion before filing for office. It's too late for that.

Now citizens have to figure it out.

Contact Sue Lani Madsen at [rulingpen@gmail.com](mailto:rulingpen@gmail.com).