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Office of the City Attorney

CITY OF SPOKANE ETHICS COMMISSION

Ethics Commission Chairperson's Decision Dismissing Complaint by
Jeffrey R. Ferguson

On July 10, 2020, the Ethics Commission received a complaint filed by Jeffrey R. Ferguson, which named four judiciary members of the Spokane County Superior Court, one staff member of the Spokane County Superior Court and three private attorneys as respondents. None of the named respondents are employees of the City of Spokane and are not subject to the City's Ethics Code codified in Chapter 1.04A of the Spokane Municipal Code.

SMC 1.04A.110 D. 3. provides:

The Commission Chairperson may summarily dismiss a complaint if the respondent is not subject to the Code of Ethics. The Chairperson shall issue a written decision setting forth the legal and/or factual basis for the dismissal, which shall be provided to the complainant and the Commission. The complainant may appeal the Chairperson's decision to the Commission within ten days of the date of the Chairperson's decision. In the event of an appeal, the Chairperson shall not participate in the Commission's deliberation or decision. The appeal will be determined by the remaining members of the Commission.

The Ethics Code generally sets forth prescribed and prohibited conduct applicable to current City officers and employees including, but not limited to prohibitions on 1) apparent or actual conflicts of interest or impropriety in the discharge of the officer or employee's official duties, 2) personal interest in contracts and contract selection, 3) personal or financial interest in legislation or contracts, 4) disclosure of confidential information, and 5) acceptance of gifts or personal benefit, gain or profit. The Ethics Code also prohibits specific conduct for employee's who have left City employment including the prohibition on participating in matters involving the City in which the former employee personally or substantially participated in while employed with the City.

Based upon the facts set forth above, the named respondents are not City employees and are not individuals who are subject to the Ethics Code. Therefore, pursuant to the authority granted to me as the Ethics Commission Chairperson in SMC 1.04A.110 D. 3. and the facts set forth above, the complaint filed by Jeffrey R. Ferguson is hereby dismissed. Mr. Ferguson may appeal this decision to the full Ethics Commission within ten days of the date of this decision.


D.C. Cronin - Chairperson

July 16, 2020
Date