CITY OF SPOKANE ETHICS COMMISSION

Ethics Commission's Findings, Conclusions and Decision
Regarding Complaint Against Brian Coddington

FINDINGS

The Ethics Commission makes the following findings:

1. On or about October 12, 2015, Shar Lichty filed an ethics complaint against Brian Coddington, who serves as the City's Communications Director.

2. The complaint alleges that Mr. Coddington violated SMC 1.04A.030 (N) of the Code of Ethics by repeatedly mispresenting to the public facts surrounding the status of Frank Straub as police chief and the reason for Mr. Straub's resignation. SMC 1.04A.030(N) provides that it is a violation of the Code of Ethics for a city officer or employee to commit any act of dishonesty relating to his or her duties or position as a City officer or employee or arising from business with the City. The complaint specifically alleges that Mr. Coddington violated the Code of Ethics by issuing dishonest statements A) when he denied knowledge of any issues between Mr. Straub and Monique Cotton (Allegation No. 1), B) when he denied any knowledge of Mr. Straub's imminent departure (Allegation No. 2) and C) by indicating that Mr. Straub's status as police chief was not decided until just prior to the issuance of a press release announcing his departure allegedly in contradiction to Mr. Coddington's earlier statements regarding Mr. Straub's status (Allegation No. 3).

3. On October 27, 2015, Mr. Coddington submitted a letter in response to the ethics complaint asserting that Ms. Lichty admitted that her filing of the ethics complaint was politically motivated and done for personal gain to herself as part of her election campaign for mayor. Mr. Coddington's response further states that Ms. Lichty made no attempt to gather any independent information or fact to base her complaint, that the allegations have no basis in fact and that Ms. Lichty failed to meet the standards of the Code of Ethics by having personal knowledge of the facts or to have verified the statements used to form the basis of the complaint. Mr. Coddington's response includes a motion for the Commission to dismiss Ms. Lichty's complaint pursuant to SMC 1.04A.110 (D) (1) (d) as frivolous, groundless and brought for purposes of harassment.

4. On November 11, 2015, the Ethics Commission held a meeting to review the complaint to determine whether, pursuant to SMC 1.04A.110 (D) (1) and (2), the Commission had jurisdiction to conduct further

proceedings and whether the complaint, on its face, alleges facts that, if true, would substantiate a violation.

5. At the November 11, 2015 Commission hearing, the Commission considered the October 12, 2015 complaint filed by Ms. Lichty, the October 27, 2015 response filed by Mr. Coddington, the testimony submitted by the parties at the hearing and the deliberation of the Commission members.

CONCLUSION

The Ethics Commission makes the following conclusions:

1. The Commission has jurisdiction to hear this compliant pursuant to SMC 1.04A.110 (D) based upon the fact that the complaint cites a specific provision of the Code of Ethics against a City employee who is subject to the Code of Ethics. The complaint substantially complies with the requirements of SMC 1.04A.110 (C).

2. As for Allegation No. 1, the complaint fails to set forth facts alleging a violation that, if true, would constitute a violation of the Code of Ethics. The complaint shall, therefore, be dismissed pursuant to SMC 1.04A.110 (D) (1) (b).

3. As for Allegation No. 2, the complaint, on its face, sets forth facts that are groundless. The complaint fails to set forth facts that support the allegation and demonstrate that the complainant had actual knowledge of facts supporting a complaint. The complaint shall, therefore, be dismissed pursuant to SMC 1.04A.110 (D) (1) (d).

4. As for Allegation No. 3, the complaint, on its face, sets forth facts that are groundless. The complaint fails to set forth facts that support the allegation and demonstrate that the complainant had actual knowledge of facts supporting a complaint. The complaint shall, therefore, be dismissed pursuant to SMC 1.04A.110 (D) (1) (d).

DECISION

Based upon the Findings and Conclusions set forth above and the deliberation of the Ethics Commission, the Ethics Commission concludes that the complaint by Ms. Lichty fails to either set forth facts alleging a violation that, if true, would constitute a violation of the Code of Ethics or fails to set forth facts that support the allegation and demonstrate that the

complainant had actual knowledge of facts supporting a complaint. The compliant is hereby dismissed.

This decision was approved unanimously by the seven members of the Ethics Commission present for the hearing.

Troy Bruner 12-9-15

Troy Bruner - Chairperson Date