



For Immediate Release

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Statewide Coalition for Open Government Honors Two Skamania County Residents For Using Washington State's Open Government Laws To Expose Shocking Misdeeds in the Skamania County Auditor's Office

SEATTLE, WA. The Washington Coalition for Open Government has honored two Skamania County, Washington, residents with *Key Awards* for their use of the state's open government laws to discover and expose shocking misdeeds in the Skamania County Auditor's Office, including what the County characterized as the "squandering" of \$87,380 in public funds.

Gloria Howell of Stevenson and Brad Andersen of North Bonneville were honored at a special ceremony in Seattle on Friday, July 9th for their fearless actions in exposing shocking misdeeds inside the Skamania County Courthouse.

The wrongdoing brought to light by Howell and Andersen using the State's Public Records Act not only led to the resignation of Skamania County Auditor John Michael Garvison, but also prompted an investigation by the office of Washington State Auditor Brian Sonntag, and a criminal investigation by the Skamania County Sheriff's Office.

Howell and Andersen are both former elected officials in Skamania County. Howell served on the Stevenson School Board for many years, and Andersen is the former Skamania County Prosecutor who now works in Vancouver, Washington, as an attorney with the law firm of Schwabe, Williamson & Wyatt.

"These are two very civic-minded people who have invested much of themselves in the service of others in the community they love," said Sam Pace, the Treasure of the Washington Coalition for Open Government. "They sensed something was wrong, and then set to work using the Public Records Act in a collaborative effort to shine a bright light on what was happening in the Skamania County Courthouse," said Pace.

It wasn't easy. When Andersen filed a Public Records Request with the County Auditor's Office on behalf of Howell, the Auditor's Office failed to disclose the requested documents as required by state law. So they decided that Andersen would file a lawsuit on behalf of Howell to force the disclosure of the documents. The County settled the lawsuit with the entry of a stipulated order that required the production of the requested documents, payment of a \$1,000 fine, plus the payment of an additional \$4,500 that reimbursed the Schwabe law firm for their successful efforts to force the County to follow the law.

"The Schwabe Law Firm is pleased that when Gloria Howell needed strong legal representation, she chose us to help her," said attorney and *Key Award* recipient Brad Andersen. "When good people like

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Gloria, Sheriff Dave Brown and State Auditor Brian Sonntag step forward to protect the interests of the public they are doing everyone a favor. At Schwabe, we share those same values, and we have a lot of experience at making sure government officials are held accountable when they violate the law and dishonor the trust the public has placed in them."

Toby Nixon, President of the Washington Coalition for Open Government, stated, "Washington's law is clear and strong. RCW 42.56.030 says the people of this state do not yield their sovereignty to the agencies that serve them. The people do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may maintain control over the instruments that they have created."

Elected officials and government staffers are not allowed to keep documents from the public for fear that their own wrong doing will be exposed, or that they will be embarrassed, said Nixon. And if they try, the law allows people to ask a judge to force disclosure, as well as impose penalties and attorney fees for failing to do the right thing from the very beginning.

"Moreover" said Nixon, "the provisions of the open government laws are to be liberally construed. Any exemptions for avoiding disclosure are to be narrowly construed. Those requirements in the law are there to make sure the public interest will be fully protected."

The situation in Skamania County provides a vivid reminder of why we need such strong laws to protect the public interest. We're pleased to be able to recognize Gloria and Brad with our Coalition's *Key Award*. They used the Open Government Laws of this state to stand up for the public interest, and they exposed the violations of public trust occurring in the Skamania County Auditor's Office," said Nixon.

"When we finally got access to the documents," said Howell, "Brad knew just what to look for, and what to make of it, because of his prior experience in the Courthouse when he served as the County Prosecutor." What he found prompted Andersen to contact Skamania County Sheriff Dave Brown, and the offices of Washington State Auditor Brian Sonntag.

On March 18th Sonntag's Office issued a formal audit report stating, "The former Skamania County Auditor violated state law and County Policy by engaging in conduct that resulted in questionable uses of public funds." Sonntag's report was praised by Skamania County. In the County's formal response to Sonntag's audit findings, Skamania County characterized former auditor Garvison's actions as "a squandering of public resources." In addition, Sonntag's report states that Skamania County acknowledged the Board of County Commissioner's "failure to aggressively monitor the previous Auditors expenditures."

After reviewing the information unearthed by Howell and Andersen, the Skamania County Sheriff's Office launched an investigation that resulted in a 27 page Investigative Report by Detective Sergeant Monty Buettner which concluded, "...it appears several violations of the Revised Code of Washington may have occurred, by multiple past and/or present employees of the Skamania County Auditor's Office and by the past Skamania County Auditor, John Michael Garvison. I request a review of this investigation be made to determine if criminal charges are warranted." The Sheriff's report has been referred to Washington State Attorney General Rob McKenna.

The Washington Coalition for Open Government represents individuals and organizations intent on preserving and protecting Washington's Open Government Laws - Open Records and Open Meetings. Its mission is to represent the public in matters where open government issues are raised, are threatened, or deserves broader exposure. The Coalition conducts public workshops and forums around the state, involving the public, public officials, and the media in discussing government accessibility as provided in the various statutes that assure such access and accountability from public agencies in Washington State. For more information see: www.WashingtonCOG.org