

# City of Langley, Washington

## Ethics Training and Advisory Board

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Monica Guzman  
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### **Ethics Advisory Opinion – 0092017**

Alleged Unethical Conduct by a Member of the Langley Ethics Training and Advisory Board

#### **Introduction**

Langley City Councilmember Burt Beusch has asked the Langley Ethics Training and Advisory Board to provide their opinion regarding the conduct of one of its members, Monica Guzman. The allegations brought forward by Councilmember Beusch state that Ms. Guzman, as a member of the Ethics Board, misused information, that she obtained as a direct result of her position on the Board, in an unethical manner. The information in question was a letter that Mr. Beusch (not a Councilmember at the time) sent to Mayor Callison on November 22, 2016 regarding his feelings surrounding the issue of proposed Sanctuary City status for the City of Langley.

Regarding the above allegations, interviews were conducted with Monica Guzman, Burt Beusch and Mayor Tim Callison.

#### **Focus of Opinion**

The circumstances in question pose a possible inconsistency with Ethics Code values including:

#### Values

The ethical values considered regarding this advisory are:

1. *Stewardship* -- As stewards of our shared commons, we honor the history, culture and future of the citizens who call our community home. We yield our own private interests to act wholeheartedly on behalf of the greater civic environment.
2. *Transparency* -- In pursuit of transparency we adhere to clear, accurate, honest and open communication principles. All opinions, views and responses are treated with a level of sensitivity that assures both openness and a responsible level of confidentiality.

3. *Fairness* -- All individuals and ideas are welcome and treated equitably and without prejudice. We strive to achieve a fair distribution of benefits, resources and burdens to all those that we represent.
4. *Integrity* -- Our daily actions are based on a solid habit of honesty. We perform our duties in an open and responsible manner. To do otherwise would be a dereliction of our duty and a breach of trust.

### Principles of Conduct

1. *1.25.050 B. Confidentiality (Section B1)*. The advisory request seems to suggest, although no actual section of the Code's Principles of Conduct was cited, ethical misconduct may have occurred regarding the use of information obtained as a direct result of Ms. Guzman's role as a member of the Langley Ethics Training and Advisory Board.
2. *1.25.050 C. Representation of Private Interests (Section E5)*. The advisory request seems to suggest, although no actual section of the Code's Principles of Conduct was cited, that ethical misconduct may have occurred as a result of Ms. Guzman's failure to disclose, in a Letter to the Editor of the South Whidbey Record on October 13, 2017, that she was a member of the Langley Ethics Board and that, in writing the letter, her actions and views were offered as a private citizen.

### **Opinions**

1. *1.25.050 B. Confidentiality (Section B1)*. -- If the information we have reviewed regarding the use of Mr. Beusch's November 22, 2016 letter to Mayor Tim Callison is truthful and accurate, even though conflicting, it is the opinion of the Langley Ethics Training and Advisory Board that no ethical misconduct occurred as a result of Ms. Guzman use of the letter to express her thoughts publicly in any manner and setting she desired. Mr. Beusch's letter does not fit the definition of a confidential document, and therefore it became public record as soon as it was received by Mayor Callison.
2. *1.25.050 C. Representation of Private Interests (Section E5)*. -- Regarding the matters surrounding Ms. Guzman's Letter to the Editor of the South Whidbey Record, October 18, 2017, the information we have reviewed, technically may suggest ethical misconduct. But it is the Ethics Board's opinion that there was no intentional ethical wrongdoing, and thus prefers to accept Ms. Guzman's publicly stated apology, regarding her oversight, in not declaring that her comments were made as a private citizen and not as a member of the Ethics Board.

### **Advice**

1. City of Langley officials, employees, consultants, volunteers and vendors are reminded that if they write a Letter to the Editor or other publicly distributed writing including commenting on online platforms such as, but not limited to, Facebook, Twitter, blogs, and the like, they have a responsibility to disclose their comments, if referencing official City related matters, are as a private citizen and not as an official, employee, consultant, volunteer and/or vendor of the City of Langley.

2. To avoid the appearance of unethical representation of private interests, the Ethics Board also suggests that Langley officials, employees, consultants, volunteers and vendors who publish views on owned media, such as websites and blogs, should declare, as a public display of professional ethical conduct, that their personal views and personally generated content, if referencing official City related matters on those platforms, are offered only as a private citizen.
3. Finally, the Board encourages all those covered by the Langley Code of Ethics, including elected officials, employees, consultants, volunteers and vendors, to set ethical standards for Langley and its citizens by exemplifying the values and principles of conduct set forth in the Code.

Respectfully Submitted,  
Ethics Training and Advisory Board  
Date – November 14, 2017