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Washington State Legislative Ethics Board
451 John A. Cherberg Building
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Re: Ethics Violations by Representative Joel Kretz

Summary

Representative Joel Kretz, Representative of the 7th Legislative District and Deputy Minority Leader, has engaged in a prolonged pattern and practice of unethical behavior that includes threats to public researchers, attempted bribery of university administrators, and attempts to force university administrators to fire tenured professors as a means of suppressing peer-reviewed research that undercuts his personal interests.

This complaint outlines 14 separate offenses. While these are offenses that occurred within the statute of limitations for ethics offenses, they are merely the latest in a long pattern of improper behavior and conduct unbecoming an elected official.

It is a violation of Washington's ethics laws for a legislator to use state resources for his or her private benefit of the benefit of another. RCW 42.52.160. A legislator also may not use his or her position to secure special privileges or exemptions for himself or herself or other persons. RCW 42.52.070. A legislator may use his office/position or public resources to seek benefit for others only when that use occurs in the process of "advocating" on behalf of a constituent, as a function of the legislator's non-discretionary duties or when the legislator is "assisting" a constituent as a function of his/her discretionary duties. This is known as the legislative duty exception, which permits the use of one's office, position, or resources within a limited scope.¹

¹ CO 2005-09.

This exception however does not sanction the use of “improper means”² by a legislator. As detailed in this complaint, Rep. Kretz has repeatedly used threats and intimidation in a manner that flagrantly disregarded these ethical limits.

Moreover, his conduct goes well beyond the scope of the legislative duty exception. The Ethics Board determines whether a legislator is engaged in proper direct advocacy by examining whether a “legislative nexus” exists, such as when a legislator, in fulfilling his non-discretionary duties, assists a constituent involved in a dispute with an agency or official, or where the constituent is seeking assistance on legislative issues.³ However, a legislator is not permitted to use his/her position or public resources to assist constituents only because he/she has a personal interest in the subject matter or in the constituent’s cause.⁴ The actions of Representative Kretz have repeatedly crossed this line and waded deep into the waters of improper means and self-interested advocacy.

Washington’s Legislative Ethics Board has jurisdiction over a legislator, and subject matter jurisdiction over any complaint, initiated on its own or brought by any person, that alleges a state legislator’s violation(s) of RCW 42.52.⁵ For these reasons, we respectfully request that the Washington Legislative Ethics Board investigate this complaint and take appropriate action.

1. Details of Ethics Violations:

As a rancher and avid predator hunter, Representative Joel Kretz has demonstrated an undeniably strong self-interest in large-scale predator hunting programs as well as the relaxation of animal husbandry requirements before resorting to lethal control of large carnivores that prey on domestic animals.⁶ As itemized below, in furtherance of those interests he has used his position and state resources to seek to improperly influence large carnivore research and to have a university professor harassed and ultimately fired.

This improper behavior and obscuration of his ranching interests have also been addressed in a recent complaint to the Public Disclosure Commission over his failure to pay taxes and disclose earnings on his ranching activities.⁷

a. Ethics Violation Specifications

1. In early May 2017, Washington State University (“WSU”) administrators met with Representative Kretz in Olympia to discuss funding matters and the fate of the Large Carnivore Conservation Laboratory, run by international large carnivore expert Dr. Rob Wielgus. These meetings were held in person, behind closed doors, in an attempt to avoid disclosure under state public records laws; however, internal WSU emails indicate that the meeting participants discussed how to curtail Dr. Wielgus’s research, as well as

² RCW 42.52.070, 42.52.160; CO 2007-01A; CO 2005-09; Wash. State Legislative Ethics Board, 2017 Legislative Ethics Manual at 6 [hereinafter Ethics Manual].

³ Ethics Manual at 6.

⁴ CO 2006.04; AO 2006-01 (citing CO1997-01).

⁵ RCW 42.52.320, 42.52. 410; CO 2005-07; CO2007-02.

⁶ A legislator is not permitted to use his/her position or public resources to assist constituents only because he/she has an interest in the subject matter or in the constituent’s cause. CO 2006.04; AO 2006-01 (citing CO1997-01).

⁷ <https://www.pdc.wa.gov/browse/cases/21210>.

efforts that the school should make in reaching out to ranching interests within Rep. Kretz's district. Dr. Wielgus' research conclusions had been unfavorable to lethal control of large carnivores and instead supported the use of animal husbandry techniques by ranchers to avoid interactions with large carnivores, contrary to Rep. Kretz's personal interests.

The thrust of the interaction was a threat by Rep. Kretz to withhold university funding unless WSU took actions to suppress large carnivore research. This was most recent of repeated instances in which Rep. Kretz attempted to apply improper influence on WSU administrators (see below).

2. In May 2017, ██████████ of WSU overheard a conversation between WSU College of Agriculture Dean, Ron Mittelhammer, and who he believed to be Rep. Kretz, consisting of the legislator's threats to withhold funding for a plant sciences building unless the school fired Dr. Wielgus.
3. In May of 2017, Rep. Kretz contacted WSU administrators to baselessly demand that Dr. Wielgus be investigated for scientific misconduct in an effort to have him fired. President Schultz complied and commenced investigations; however the University found the allegations of and scientific misconduct wholly without merit.
4. In March 2017, Rep. Kretz demanded that WSU President Schultz publically reprimand and denounce Dr. Wielgus for reporting interim results on the wolf livestock research program to the Wolf Advisory Group. These demands resulted in the baseless investigation of Dr. Wielgus for improper use of state resources and illegal lobbying. The reporting of his team's research results were part of his legislatively mandated duty as the principal researcher for Washington Department of Fish and Wildlife's ("WDFW") wolf/livestock interaction studies.

There were no grounds for Mr. Kretz's demands besides advancing his personal interest in seeing that research critical to his interests in carnivore control and hunting remain silenced.

5. In August 2016, Rep. Kretz demanded that then-new WSU President Schultz (President Floyd had recently passed away) publically reprimand, denounce, and discredit Dr. Wielgus for reporting interim results of his laboratory's wolf/livestock research program.

After Rep. Kretz's repeated unsuccessful attempts with his predecessor, President Schultz finally complied, issuing a defamatory press release attacking Dr. Wielgus' research.

6. In spring of 2016, Rep. Kretz threatened WSU administrators that he would use his legislative powers to deny Dr. Wielgus funding for summer research on wolf/livestock issues. This is significant because summer is when most interactions between wolves and

livestock occur. This included a stipulation that, by re-assigning the lead researcher to a party that had been uninvolved in the research efforts, denied Dr. Wielgus his summer salary, loss of per diem, and loss of travel expenses for vital conferences and legislative testimony during the 2nd biennium (fiscal years 2016 and 2017) of the State legislative appropriations for wolf/livestock research.

These threats and actions served no legitimate legislative purpose and were designed solely to punish Dr. Wielgus and hinder his scientific research.

7. In May 2015, Rep. Kretz placed legislative riders into a funding bill explicitly designed to remove Dr. Wielgus from a leadership role in his lab's wolf/livestock interactions research despite the consistently high quality of Dr. Wielgus's field work on behalf of the Legislature over the previous 15 years.

This action had no legitimate legislative nexus and was an abuse of legislative position to prevent and suppress scientific research for personal gain.

8. In April 2015, Rep. Kretz used his position as House Minority Leader to remove grant funding to the WSU's Large Carnivore Conservation Laboratory, despite consistently high quality research by the lab for close to two decades, resulting in the transfer of research duties away from WSU researchers present within wolf territory to non-local University of Washington wildlife researchers.

This transfer was motivated by Rep. Kretz's desire to remove field researchers from the wolf occupied areas during times when most wolf/livestock interactions occur. These actions were a blatant attempt at skewing wildlife research to benefit his personal ranching and hunting interests.

9. During the legislative session of 2015, Rep. Kretz threatened former-WSU President Floyd with fiscal punishment unless WSU fired Dr. Wielgus or suppressed his research and outreach efforts regarding wolf research findings and management recommendations. President Floyd told Dr. Wielgus this in a personal phone call. President Floyd supported Dr. Wielgus and refused to succumb to Rep. Kretz's demands. However, as described above, Rep. Kretz eventually achieved his goal of shutting down the large carnivore research of Dr. Wielgus and his lab.

This was not the first such demand by Rep. Kretz, who in the fall of 2014, also contacted WSU President Floyd in an attempt to pressure him into firing Dr. Wielgus and/or shutting down the Large Carnivore Conservation Laboratory.

10. In February 2015, Rep. Kretz personally threatened WSU graduate students with the closure and defunding of the Large Carnivore Conservation Lab after they presented their preliminary results on wolf/livestock interaction research to the State Legislature in

Olympia. Their research data demonstrated that proper animal husbandry and non-lethal control measures were the most effective means of preventing livestock depredation; emphasizing that lethal control of wolves was not an effective short-term or long-term solution to depredation events.

The graduate students clearly understood that Rep. Kretz made the threats based solely on the substance of their research findings.

11. In winter of 2014, Rep. Kretz exchanged communications with lobbyists employed by WSU concerning the political implications of Dr. Wielgus's wolf research. Within these communications, he and other Republican lawmakers sought to condition the allocation of funds for a medical school at WSU upon the administration's ability to suppress Dr. Wielgus's wolf depredation research.
12. In the fall of 2014, following legislative approval of wolf/livestock interaction research funding for WSU's Large Carnivore Conservation Lab, Dr. Wielgus and WDFW wildlife biologists began outreach efforts to promote preventative techniques of livestock management. Following initial success of the legislatively mandated initiative, Rep. Kretz reached out to individual ranchers to seek their cooperation in hamstringing the WSU research initiatives that sought to employ non-lethal preventative measures to avoid livestock depredation.

In these instances, Rep. Kretz improperly used his office and state resources in order to hamper legislatively mandated research in furtherance of his self-interest.

13. In the fall of 2013, Rep. Kretz contacted WSU's College of Agriculture, Human, and Natural Resources Science to pressure Associate Dean Jim Moyer in an attempt to have Dr. Robert Wielgus fired by the University. Rep. Kretz's expressed his personal dissatisfaction with the implications of a peer-reviewed research paper, which found that cougar hunting was far too rampant and at then-current levels of harvest, cougars would be extirpated from the state in a matter of years. Furthermore, Rep. Kretz took explicit issue with Dr. Wielgus's efforts with the legislatively mandated WDFW/WSU wolf outreach program, which was commencing at this time.
14. Acting on Rep. Kretz's urging, Associate Dean Moyer threatened to fire Dr. Wielgus for speaking to the public on wolf research issues. He imposed restrictions on Dr. Wielgus' freedom of speech and academic freedom as a direct result of Rep. Kretz's threats over funding. Mr. Moyer mentioned to Dr. Wielgus that the timing of these actions reflected the fact that "the legislature is in session," implying that he was acting to protect WSU funding from legislative reductions engineered by Rep. Kretz.

While Rep. Kretz's unethical efforts have yet to result in the firing of Dr. Wielgus from WSU, it has resulted in Dr. Wielgus's inability to procure grant funding for large carnivore research, the denial of his summer salary (which he has had for close to 20 years), and Dr.

Wielgus's subjection to baseless investigations and public denunciations. These actions have halted large carnivore research at WSU and have irreparably harmed Dr. Wielgus's professional reputation.

Furthermore, while not an issue of *legislative* ethics, Rep. Kretz has employed violent rhetoric in the public sphere against Dr. Wielgus. Concerning Dr. Wielgus, an internationally recognized scientist, Rep. Kretz stated in a recent interview with the Seattle Times that "[h]e ought to be drawn and quartered and a chunk of him left everywhere in the district."⁸ This is absolutely behavior unbecoming of a legislator and may constitute harassment as defined under RCW 9A.46.020, as the legislature has drafted this statute specifically to prevent "threats which show a pattern of harassment designed to coerce, intimidate, or humiliate the victim." RCW 9A.46.010.

b. Longstanding Pattern of Improper Behavior

Representative Kretz's pattern of improper behavior has been a constant issue within the wildlife management community and among WSU administrators for more than a decade. These older incidents demonstrate a continued practice of harassment, improper use of his position as a legislator, and dishonesty to further self-interested goals. Furthermore, his actions demonstrate a continuous attempt to suppress scientific research that provides evidence for the necessity of preserving large carnivore species.

- In August 2003, Joel Kretz – who was then-president of the Okanogan county chapter of the Washington Farm Bureau – wrote an article for the Idaho Observer discussing cougar attacks on livestock. Within this article, he admitted to not following WDFW protocols to prevent livestock attacks by cougars. In this article, Kretz included a picture of a wounded horse which he claimed to be his own and that it was attacked by a cougar; this picture was later proven to not be his horse, nor were the injuries a result of a cougar attack. Kretz then used these false allegations to procure a cougar kill permit. While this article was written before his tenure with the Legislature, it demonstrates a willingness to personally engage in deceitful practices to push forward a political agenda at the expense of research and honest debate.
- Joel Kretz has had a history of regularly seeking cougar kill permits prior to new restrictive controls on cougar hunting. In one instance in 2003, Joel Kretz petitioned WDFW for a kill permit after a cougar killed a deer near his property; no depredations had occurred and deer are cougar's natural prey. His expeditious resort to requesting kill permits is demonstrated by Kretz's near annual regularity in seeking such permits between 2002 and 2007, largely for depredations on infant colts, which, as WDFW-sponsored research has shown, can be largely avoided through adequate animal husbandry practices and non-lethal preventative techniques. It is noteworthy that the restrictions placed upon cougar hunting were a result of Dr. Wielgus's research, which

⁸ Lynda Mapes, *War Over Wolves – Outspoken researcher says his university and lawmakers silenced and punished him*, Seattle Times, Aug. 10, 2017, <http://projects.seattletimes.com/2017/ws-u-wolf-researcher-wielgus/>

had demonstrated that cougars would be extirpated in Washington within a matter of years at the then-current slaughter rates. It appears that Kretz has perceived biologists' attempts to conserve a large, cornerstone carnivore from extirpation within its natural range as a personal offense and has pursued retaliatory action over the past decade.

- On July 23, 2008, Representative Kretz personally vowed to shut down and defund the Large Carnivore Conservation Lab. These threats came after Dr. Wielgus provided expert testimony on his lab's cougar research findings and management recommendations to the State Senate Committee on Natural Resources meeting in Spokane concerning proposed rule changes on predator hunting. Presentation of this testimony on a regular basis was a vital component to the research initiatives of the laboratory due to the grant funding received from the State.
- In 2009, Representative Kretz once more threatened closure and defunding of Dr. Wielgus's lab after he provided expert testimony to the WA Fish and Wildlife Commission regarding his state-sponsored cougar research findings and management recommendations.
- In 2010, Representative Kretz threatened former WSU President Floyd with fiscal punishment unless WSU fired Dr. Robert Wielgus or silenced his large carnivore research and communications with the press and State regarding his state-funded cougar research findings and management recommendations. President Floyd told Dr. Wielgus this in a personal meeting immediately thereafter. President Floyd supported Dr. Wielgus and refused to succumb to representative Kretz's demands.
- On May 13, 2011, Representative Kretz yet again threatened closure and defunding of the Large Carnivore Conservation Lab after Dr. Wielgus presented his cougar research findings and management recommendations to the House Committee on Natural Resources in Olympia.

c. Grounds for Ethics Complaint

i. Improper Means

Under Washington ethics law, "improper means" relate to communications by a legislator that might otherwise be covered by the legislative duty exception to state ethics laws, but are communications that an agency or its employees might reasonably perceive as threatening.⁹ Communication in which the agency official or employee is reminded that the legislator chairs a committee having jurisdiction over the agency's programs, a legislator's persistent communications on behalf of a constituent or other party, or a communication stressing that favorable agency action is important to the legislator or that the legislator will be disappointed if a favorable decision is not made (especially when the communication is from legislative leaders or committee chairs) are all examples of communications that have a high probability of being considered threatening and therefore improper.¹⁰

⁹ CO 2005-09. As noted above, many of these communications do not come within the legislative duty exception at all because they are not advocacy on behalf of or assistance to a constituent.

¹⁰ *Id.*

A legislator's use of improper means or improper use of position will negate the otherwise permissible intervention with a government office or government official on behalf of a constituent.¹¹ Thus, even assuming that an adequate "legislative nexus" exists to bring Rep. Kretz's conduct within the bounds of the law, which the next section shows is not the case, his conduct would still violate the ethics laws due to his use of improper means.

In one case, the Ethics Board held that a legislator violated the ethics rules when he made a phone call to one constituent demanding concessions on behalf of another constituent that could reasonably be perceived as threatening.¹² The legislator was attempting to seek help for a friend in light of an outstanding bill incurred due to undiscoverable plumbing issues on a recently purchased house. The Board's determination did *not* turn on whether or not special treatment was being sought because the constituent was a friend.¹³ Instead, it turned on the means the legislator used.¹⁴ Thus, even if Kretz had been acting on the behalf of a constituent – which he was not – he would have been in blatant violation of this State's ethics laws.

In this case, Rep. Kretz has contacted numerous WSU administrators and researchers over the past decade and issued a continuous stream of threats in order to dictate the direction of Washington's carnivore conservation research. These have included threats to withhold funds slated for WSU's medical school and plant sciences building unless Dr. Wielgus was terminated as well as threats to defund the Large Carnivore Conservation Lab because they generated research results critical to his desired policy goals. Thus, whether or not these threats were made on the behalf of constituents, they violate ethics laws for using improper means.

Since Rep. Kretz is the Minority Leader and a member of the Agricultural and Natural Resource Committee in Washington's House of Representatives, he has improperly used his position to issue defunding threats and apply pressure upon university administrators. This is a definitive factor that has been recognized by the Washington Legislative Ethics Board in determining whether improper means have been used by a legislator.

There is also evidence that Rep. Kretz has persistently communicated with WSU administrators regarding his personal dissatisfaction with the results of Dr. Wielgus's research studies and has pressured, without adequate justification, the school to initiate investigations into the scientific integrity of Wielgus' research; these facts clearly amount to the use of improper means.

Due to the persistent nature of his threats to, and intimidating contacts with, WSU administrators and his influential legislative position, even if a legislative nexus existed, it is clear that Kretz's actions have gone "too far," and thus amount to improper means.¹⁵

¹¹ CO 2007-01A; AO 2006-01.

¹² CO 2006-04.

¹³ *See also* CO 2007-01A, where the court held that the legislator did not violate the ethics rules expressing frustration to an agency over the investigation of a friend who was also a constituent..

¹⁴ CO 2006-04.

¹⁵ Ethics Manual at 6.

ii. Improper Advocacy

A legitimate legislative nexus does not exist, however. While legislators are permitted to engage in advocacy on behalf of constituents, there are strict requirements in place that require the legislator do so only where a legislative nexus exists. This would include when a legislator has acted to fulfill his non-discretionary duties in assisting a constituent who is involved in a dispute with an agency or official, or is seeking assistance on legislative issues.¹⁶ Yet it is clear that a legislator is not permitted to use his/her position or public resources to assist constituents only because he/she has a personal interest in the subject matter or in the constituent's cause.¹⁷

Over the past decade, Rep. Kretz has improperly used his office and government resources to advocate an agenda of scientific suppression, retaliation, and extortion in pursuit of his own personal interests in eradicating endangered and threatened large carnivores from Washington's eastern ecosystems.

The contention that Rep. Kretz has engaged in continual improper advocacy is fully supported by the decisions of this Board. In an Ethics Board case called "*In re Green*," at the request of a constituent, a legislator sent a letter to advocate on behalf of one of the parties in a private labor dispute at the behest of a labor organization. The Board held that the legislator's advocacy on behalf of the employee was not supported by a sufficient enough legislative nexus simply because of the legislator's interest in labor issues.¹⁸ In another case, a legislator mailed a letter on legislature letterhead to school district officials complaining of the conduct of a particular coach towards the legislator's child and her teammates.¹⁹ The Board found that while a number of the parents were also constituents of the legislator, because the letter was not written on their behalf, the letter could not be considered advocacy, and therefore the use of the stationery did not fall within the legislative duty exception.²⁰

Rep. Kretz's conduct closely resembles the conduct of the legislator in *Green* because Kretz is neither advocating on behalf of a constituent who is involved in a dispute with an agency nor seeking assistance for a constituent on legislative issues. Rep. Kretz did not contact WSU *on behalf of* any specific constituents nor do any constituents have an *ongoing dispute with WSU*, or any employee thereof. Threats made to Dr. Wielgus and his graduate students following their testimony to the legislature were outside the scope of advocacy for any constituent, representing personal attacks against researchers in the advancement of personal interests.

iii. No Applicable Defense

Actions far exceed bounds of legislative advocacy

As a rancher himself, it is clear that Rep. Kretz has a *distinct* interest in grazing issues, and more specifically, an interest in the interactions between livestock and large carnivores that

¹⁶ Ethics Manual at 6.

¹⁷ CO 2006.04; AO 2006-01 (citing CO1997-01).

¹⁸ CO 2005-07.

¹⁹ CO 2003-01.

²⁰ *Id.*

are present in eastern Washington.²¹ He has been a consistent, outspoken, and unsolicited advocate regarding wolf predation regulations and has penned a number of op-eds addressing the issue on his own behalf. Additionally, Rep. Kretz's calls to WSU, or any of the pressure he has exerted upon WSU administrators, were not on behalf of specific constituents.

Furthermore, Rep. Kretz's series of unsolicited phone calls to WSU administrators and threats of retaliation against wildlife biologists all fail to meet this Board's requirement that advocacy must contain a legislative nexus. Based upon the case law of this Board, it appears that in order for a legislative nexus to exist, a legislator's actions must meet one of two conditions: 1) aiding a specific constituent involved in a dispute with a government agency or official, or 2) aiding a specific constituent who is seeking assistance on legislative issues.

Rep. Kretz's actions in regards to large carnivore research do not meet either of these criteria. While he has worked with cattlemen's associations in the past and been an advocate for ranching interests within the state, nothing about his ongoing harassment of researchers and attempts to exert influence over WSU administrators contains a legislative nexus. None of these actions aided a specific constituent before a state agency nor did they seek to advocate for a constituent's interest in a legislative manner.

No ombudsman function

"Assisting" occurs when a legislator, in fulfilling his discretionary duties, seeks to assist a constituent but a "legislative nexus" is not present.²² While citizens expect their legislators to serve as ombudsmen and community leaders, where the member has a strong personal interest and benefit, the Ethics Board will carefully examine the possible "ombudsman" role.²³ If a legislator purports to use his or her office or public resources to act as an ombudsman in a dispute between private parties, the legislator's role will be carefully examined to ascertain whether his or her actions fall outside the proper ombudsman role due to "a sufficiently strong personal interest and benefit."²⁴

In one case before the Ethics Board, it was held that several legislators' use of their positions to assist constituents in resolving their differences by facilitating meetings and communication between constituents and state officials was permissible despite accusations that the meetings were an attempt to undermine a Washington State Department of Agriculture pesticide enforcement officer.²⁵ While the representatives were supportive of the agricultural community, the legislators asked few questions at the meetings and expressed concerns that the two sides maintain a good working relationship.²⁶ The behavior of Rep. Kretz is clearly distinguishable.

²¹ See attachments.

²² *Id.*

²³ CO 2003-01; CO1997-01; CO 1995-17.

²⁴ AO 2006-01.

²⁵ CO 2005-09.

²⁶ *Id.*

Rep. Kretz's conduct does not amount to that of a mediator as did the conduct of the legislators in CO 2005-09. While Rep. Kretz may argue that his attempts to influence WSU's relationship with Dr. Wielgus, and to generate an investigation into his scientific findings, were carried out in an ombudsmen capacity, this argument is not supportable. Repeatedly, the Ethics Board has held that where the legislator has a strong personal interest in the subject matter, the legislator's role will be carefully examined. Rep. Kretz's advocacy has not assumed the form of an impartial mediator or ombudsman and lacks the detached impartiality present in the above-cited case. He has also been very public in his personal capacity about his disdain for the limitations placed on lethal cougar and wolf control.

d. Penalties

A legislator who violates Washington State ethics laws and/or regulations while holding elected office may be required to pay any damages incurred to the state resulting from the violations, costs incurred from necessary investigations, and a civil penalty of up to five thousand dollars or three times the economic value of anything received.²⁷

Furthermore, while the series of actions taken by Representative Kretz clearly violate Washington State ethics laws, they also veer dangerously close to criminal acts. Under RCW 9A.68.010, it is a Class B Felony for a person "[w]ith the intent to secure a particular result in a particular matter involving the exercise of the public servant's ... exercise of discretion, or other action in his or her official capacity, he or she offers, confers, or agrees to confer any pecuniary benefit upon such public servant." In this instance, the President and Agriculture Dean of WSU are considered public employees under Washington law, therefore the offer to provide funding in exchange for the termination of Dr. Wielgus – a discretionary action – may approach the terrain of criminal malfeasance.

The Board should also consider Rep. Kretz's attempts to have Dr. Wielgus fired within the context of RCW 9A.80.010(1)(a), whereby it is the gross misdemeanor of official misconduct for a "public servant... with intent to obtain a benefit or to deprive another person of a lawful right or privilege... [to] intentionally commit[] an unauthorized act under color of law."

While the focus of this complaint solely concerns ethical violations under the jurisdiction of this Board, it is important for the Board to recognize the gravity of Rep. Kretz's pattern of behavior in relation to the standards contained in Washington's criminal code.

2. Supporting Documents, Witnesses and Other Evidence.

Corroborating witnesses exist for many of these instances of improper behavior. However, written documentation is scant, as Rep. Kretz acted mostly in-person or over the phone as a means of circumventing disclosure through public records requests.

a. Names

[REDACTED]

²⁷ RCW § 42.52.480; see generally *In re Hankins, supra*.



b. Documents

Attached are records that demonstrate improper communication, a personal interest in relaxed carnivore hunting regulations, falsehoods, and evidence of behind-closed-doors meetings by Representative Kretz.

- Letter to WSU alleging scientific misconduct
- Email chain of WSU administrators
- Idaho Observer article
- Kretz tweet demonstrating a personal interest in hunting
- Kretz article showing cougar killing
- Documentation of Public Disclosure Complaint

Conclusion

Due to persistent threats to WSU administrators and researchers, blatant advocacy for personal interests, and a lack of a legislative nexus in his contacts with university officials, we respectfully request that the Washington State Legislative Ethics Board commence an investigation into the gross violations of state ethics laws committed by Representative Joel Kretz of the 7th Legislative District. His pattern and practice of improper behavior has resulted in the suppression of state sponsored wildlife biological research and professional retaliation against an internationally respected expert in large carnivore behavior.

Respectfully submitted,

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