



King County

OFFICE OF THE OMBUDS

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OMBUDS CASE 2023-0579 ETHICS REPORT, FINDINGS, AND ORDER

Respondent: Willard Jimerson

Complainant: Hikari Tamura, Seattle-King County Public Health Deputy Director

Date: September 16, 2024

Executive Summary

The King County Ombuds Office (the “Ombuds Office”) received a complaint alleging that Willard Jimerson, a Program/Project Manager III for Seattle-King County Public Health (PHSKC) violated the King County Employee Code of Ethics, KCC 3.04 (the “Ethics Code”). The complaint was filed by PHSKC Deputy Director Hikari Tamura after an audit and internal review discovered some irregularities in the financial review of a King County grant funded program. The complaint alleges Mr. Jimerson (1) failed to notify his supervisor that he (2) had a conflict of interest by supervising a program that he was also receiving monies for while simultaneously drawing a King County salary. The complaint specifically alleged that Mr. Jimerson violated provision 3.04.015(A), 3.04.020 (B, C, or D) and/or 3.04.037 of the Ethics Code.

We made a preliminary assessment of the complaint and found that it met the filing requirements of the Ethics Code, including a determination that, if found to be true, the alleged conduct could constitute a violation of the code. Therefore, as required by the Ethics Code, the Ombuds Office conducted an independent investigation of the complainant’s allegations. Based on our analysis and review of the available evidence, we determined that Mr. Jimerson violated the Ethics Code.

Ombuds Office Role and Process

The Ethics Code establishes a general policy and specific standards to which every King County employee and elected official must adhere. The Ethics Code requires that the Ombuds, a neutral, independent official within the legislative branch of King County government,

investigate and make written findings concerning alleged employee ethics violations,¹ including a determination as to whether there is reasonable cause to believe that the respondent violated the Ethics Code. The Ombuds Office makes findings based on a preponderance of the evidence standard of proof. A preponderance exists if, based on the available evidence, we are persuaded that the facts at issue are more likely true than not.

Allegations

On August 17, 2023, the King County Ombuds Office received a complaint from Hikari Tamura, PHSKC Deputy Director, alleging that Willard Jimerson violated the King County Employee Code of Ethics under section 3.04 of the King County Code (KCC).

The complaint alleges:

“Respondent (Willard Jimerson) is alleged to have entered into an arrangement where he accepted monetary compensation for referring the community organization Freedom Project for inclusion as a subcontractor for a grant that awarded over \$4 million to target and reduce gun violence. There is also a concern that he failed to tell his supervisor that he had an outside business, United Better Thinking, when he was hired or after he started working.”

Relevant Ethics Code Provisions

- KCC 3.04.015 (A) **Policy.** It is the policy of King County that the private conduct and financial dealings of public officials and employees and of candidates for public office shall present not actual or apparent conflict of interest between the public trust and private interest;
- KCC 3.04.020 (B) **Just and equitable treatment.** No county employee shall grant any special consideration, treatment or advantage beyond that which is available to every other citizen;
- KCC 3.04.020 (C) **Just and equitable treatment.** Except as authorized by law and in the course of the employee's official duties, no county employee shall use the power or authority of the employee's office or position with the county in a manner intended to induce or coerce any other person, directly or indirectly to provide the county employee or any other person with any compensation, gift or thing of value;
- KCC 3.04.020 (D) **Just and equitable treatment.** No county employee shall seek or receive, directly or indirectly, any compensation, gift or thing of value, or promise thereof, for performing or for omitting or deferring the performance of any official duty, or action by the county other than the compensation, costs or fees provided by law;

¹ The Ombuds Office is authorized to investigate the administrative conduct of King County agencies, including enforcing the county's Employee Code of Ethics. KCC 2.52.090(5)(C), KCC 3.04.055.

- 3.04.030 (A) **Conflict of interest.** No county employee shall engage in any act that is in conflict with the performance of official duties;
- 3.04.030 (B)(3) **Conflict of interest** A county employee shall be deemed to have a conflict of interest if the employee directly or indirectly: Accepts or seeks for others, any employment, travel expense, service, information, compensation, gift or thing of value on more favorable terms than those granted to other county employees or the public generally, from any person doing business, or seeking to do business, with the county for which the employee has responsibility or with regard to which the employee may participate, provided that this subsection shall not apply to the receipt by elected officials, or by employees who are supervised directly by an elected official, of meals, refreshments or transportation within the boundaries of the county when given in connection with meetings with constituents or meetings that are informational or ceremonial in nature;
- 3.04.030 (B)(4) **Conflict of interest.** A county employee shall be deemed to have a conflict of interest if the employee directly or indirectly: Accepts, any favor, loan, retainer, entertainment, travel expense, compensation, gift or other thing of value from any person doing business or seeking to do business with the county when such an acceptance may conflict with the performance of the employee's official duties. A conflict shall be deemed to exist where a reasonable and prudent individual would believe that it was given for the purpose of obtaining special consideration or to influence county action. The financing of county election campaigns shall continue to be governed by chapter 42.17A RCW and the provisions of the charter and ordinances implementing it; OR
- 3.04.037 **Duty to notify supervisor.** Any employee who becomes aware that the employee might have a potential conflict of interest that arises in the course of the employee's official duties shall notify in writing the employee's supervisor or appointing authority of the potential conflict.

Investigation Evidence Summary

The Ombuds Office received information from witnesses including, but not limited to:

- PHSKC Deputy Director Hikari Tamura
- PHSKC Human Resources Manager Susan Eddy
- Freedom Project Employee 1²
- Freedom Project Employee 2³
- Freedom Project Attorney Kristina Maritzak

The Ombuds Office also reviewed supporting documentation including, but not limited to:

- Assessment of the Regional Peacekeeping Collective Initiative: King County Regional Gun Violence Program by Martha Norberg of the Seabold Group

² Witness name not included as they requested confidentiality.

³ Witness name not included as they requested confidentiality.

- Written memorandum and reports by PHSKC
- Financial and other documents provided by Freedom Project
- Documents from WA State Superior Court Case 20-3-04691-8
- Washington Secretary of State Business Information for United Better Thinking, LLC
- Washington Secretary of State Business Information for Str8-up Cleaning, LLC

Summary of Relevant Facts

In 2020 and 2021, respectively, King County Executive Dow Constantine declared racism⁴ a public health crisis and gun violence⁵ to be public health emergency. This resulted in PHSKC developing a program to develop and implement a regional strategic plan to reduce gun related violence. This was placed under the umbrella of Zero Youth Detention (ZYD) initiative. ZYD was a combination of PHSKC employees, other King County Officials, and community partners leading to the formation of the Regional Peacekeepers Collective (RPKC) in June 2021. Ultimately, the RPKC funded, through grants, several community nonprofits with programmatic experience to reduce youth gun violence.

The RPKC grant programs were housed under PHSKC's ZYD program. The expectation was that a lead community partner agency would coordinate with a cross section of another 6-8 community partners to develop and implement a program service delivery model. Community Passageways (CP) was selected as the lead agency. CP is a non-profit community partner that receives grant funding through various King County programs. The contract provided they could choose the subcontractors. One of the subcontractors chosen was Freedom Project.

During May 2023, it became public that the FBI was investigating the former finance director of CP for embezzlement.⁶ Ultimately, a conviction was obtained in September 2023.

Also in May 2023, a separate complaint was sent to PHSKC, along with an inquiry by KUOW⁷ informing PHSKC of the CP investigation. Because of issues raised, PHSKC hired an outside investigator, Martha Norberg of Seabold Group, to do an investigation including an assessment of contract requirements and deliverables under RPKC grants.

The Seabold audit found that CP and many of the sub-contractors did not have the capabilities, training, or experience necessary to comply with the grant's financial reporting requirements. The audit also uncovered concerns about the financial relationship between a county employee, Willard Jimerson, and the Executive Director of a CP subcontractor: David Heppard of Freedom Project.

⁴ [Racism as a Public Health Crisis in King County - King County, Washington](#)

⁵ [Urgent gun violence prevention investments in Executive Constantine budget proposal - King County, Washington](#)

⁶ [KUOW - Former Seattle nonprofit exec admits stealing millions for gambling, clothes, and travel](#)

⁷ KUOW had previously reported on these topics. [KUOW - King County gave millions to 'No New Youth Jail' activists to help kids — and then looked away](#)

Mr. Jimerson was hired by King County Public Health on March 9, 2020, as a Term Limited Temporary (TLT) Project/Program Manager III (PPM3).⁸ Mr. Jimerson's role changed throughout his time with the county. Initially, part of his role was to interface with community agencies because he was familiar with CP⁹ as he had worked with them and many others who work in that community previously. As ZYD leadership changed in late 2021, early 2022, two employees, one of which was Mr. Jimerson, were the "hands on" management of the RPKC contract as the ZYD RPKC community facilitator. Part of his duties were to approve CP invoices. He, along with other ZYD staff, provided input to CP on the sub-contractor selections.¹⁰ However, the relational concern between Mr. Jimerson and Mr. Heppard fell outside the scope of Martha Norberg's investigation, so Susan Eddy from PHSKC's Human Resources (HR) followed up with a separate inquiry.

Ms. Eddy's follow up investigation was conducted in July 2023, where Mr. Jimerson and Mr. Heppard were interviewed. Ms. Eddy memorialized the interviews with Mr. Jimerson and Mr. Heppard in writing. Both Mr. Jimerson and Mr. Heppard denied the allegations, denying that they had any business ties, or that their respective organizations had any direct business or financial transactions. However, Ms. Eddy obtained information that called into question Mr. Jimerson and Mr. Heppard's statements.

Ms. Eddy's investigation revealed Mr. Jimerson and Mr. Heppard have had a long-standing acquaintance. They met while serving time in prison together as juveniles and were housed at McNeil Island at the same time. They have continued communication post-incarceration. Ms. Eddy also found that Mr. Jimerson has a company called United Better Thinking (UBT). At the time of the inquiry, the Washington Secretary of State's (SOS) Business Search page showed that UBT wasn't active but listed as administratively dissolved.¹¹ It also showed that UBT's registered address was the same as Freedom Project's address.¹² The SOS website also revealed an 11/6/2020 email under Articles of Incorporation signed by Mr. Jimerson that stated, "*In the event of a voluntary dissolution, the distribution of any remaining assets will be distributed to The Freedom Project of Washington State.*" This was after Mr. Jimerson began working for King County.

Mr. Jimerson indicated that his UBT work had ultimately dried up due to his work with the County. He also denied having a business relationship with Mr. Heppard outside of the county RPKC contract work. He also denied any "quid pro quo" relationship with David Heppard and/or the Freedom Project. Mr. Jimerson also admitted he had not informed his supervisor of any outside employment. Ms. Eddy ultimately concluded that PHSKC did not have enough direct evidence to conclude financial ties between them and ultimately felt the Ombuds Office was the appropriate investigative entity.

⁸ Mr. Jimerson's employment with King County was terminated on September 28th, 2023.

⁹ Norberg, Martha, Assessment of the RPKC Initiative, 6/25/23, pg 10.

¹⁰ Norberg, Martha, Assessment of the RPKC Initiative, 6/25/23, pg 10, 26.

¹¹ UBT showed as reinstated on the SOS website as of 8/3/2023.

¹² 227 Wells Ave. S, Renton WA 9807-2131

Upon receiving the complaint, the Ombuds Office began reaching out to potential witnesses and doing other documentary research. One witness raised concerns about the veracity of information that was being provided to the investigators during both Seabold and HR's investigations. The Ombuds spoke to that witness and also identified another witness. Both witnesses seemed credible and expressed concerns for their safety. One mentioned the culture around talking to authorities could get you killed. The witnesses indicated much of this money was given for services not performed and felt some were illegal since United Better Thinking was defunct at the time. Also, the witnesses indicated Freedom Project was doing this with other entities.¹³ Finally, one witness indicated they were present during a conversation between Mr. Heppard and Mr. Jimerson when they discussed their answers to Ms. Eddy's questions and that Mr. Jimerson stated he had sent Mr. Heppard a text telling him what to say.

The Ombuds Office reviewed Freedom Project financial records that revealed evidence showing financial ties between Mr. Jimerson and Mr. Heppard and the Freedom Project including copies of invoices and checks paid between Freedom Project and UBT. These records include an 8/17/2021 Memorandum of Understanding signed by David Heppard and Willard Jimerson outlining the work UBT would be doing for Freedom Project for the period of 1/1 through 12/5/2021.

We reviewed invoices submitted by UBT to the Freedom Project from 12/2020 through 2/2023. They vary in amounts, the highest: \$24,000, the lowest: \$2000, but most are between \$2000 and \$8000. The invoices UBT submitted for that period total \$188,740.¹⁴ We were also provided copies of checks from 2/13/2020 to 11/22/2022 that Freedom Project issued to UBT with the total amount of \$42,000. All UBT invoices listed Mr. Jimerson as the contact person.

The Ombuds Office also obtained documentation regarding Mr. Jimerson's financial status via court records. Below are some excerpts relevant to this matter submitted by Mr. Jimerson under penalty of perjury:

"...I am still working on trying to prove that the funds deposited by the Freedom Project into my personal account were used for non-profit purposes. For example, I used funds from the Freedom Project to purchase food, supplies, and necessary equipment for community events."¹⁵

"...My hope is that the Court will look to my most recent personal bank account statements, as evidence that my income is solely from my employment with King County. Beginning in February 2021 I stopped using my personal accounts for non-profit work. Any funds received for non-profit purposes are now being deposited into my non-profit business accounts."¹⁶

¹³ This is outside the scope of this investigation.

¹⁴ A full forensic accounting was not performed by the Ombuds Office. These amounts are based upon the evidence we received in response to a subpoena.

¹⁵ 20-3-04691-8 6/18/2021 Declaration of Willard Jimerson for Review Hearing on Petitioner's Motion for Contempt. Pg. 5

¹⁶ 20-3-04691-8 6/18/2021 Declaration of Willard Jimerson for Review Hearing on Petitioner's Motion for Contempt. Pg. 6

“... In my job for King County, I net approximately \$5,300 per month. I also act as a consultant for the Freedom Project. As an independent contractor under United Better Thinking, I earn approximately \$6,500 per month gross, even though payments of \$8k-\$10k are shown, my take is the allotted \$6k as we have to pay out other expenses for supplies and staff personnel.”¹⁷

The court records also disclose a close personal relationship with Lynniah Grayson. Lynniah Grayson is listed as Registered Agent of Str8-Up Cleaning, LLC. Mr. Willard Jimerson is listed as a Governor on the SOS website. From 3/2021 to 2/2023, Freedom Project was invoiced at least \$27,150 from Str8-Up Cleaning.

We also reviewed a document titled The Freedom Project Transaction List by Vendor that shows Freedom Project issued payments going to Str8-Up Cleaning, LLC, United Better Thinking, LLC, and Willard C. Jimerson Jr. The transaction list shows shared bank accounts between the entities and Mr. Jimerson. United Better Thinking LLC, Str8-up Cleaning LLC, and Willard C. Jimerson, Jr. had monies deposited into the same Homestreet Bank account ending in 1452. Further, United Better Thinking, LLC, and Str8-up Cleaning, LLC, had monies deposited to the same Umpqua Bank account ending in 7313 after previously receiving deposits at Homestreet Bank.

Vendor	Date Range	Amount
Str8-Up Cleaning, LLC	12/22/2022 - 1/18/2023	\$34,070
United Better Thinking, LLC	8/9/2022 - 7/18/2023	\$61,500
Willard C. Jimerson, Jr.	2/18/2020 - 7/18/2022	\$227,820

The Ombuds Office provided Mr. Jimerson an opportunity to respond to the complaint in writing. We did not receive a response by the date provided.

Findings and Order

While the initial complaint did not list all relevant provisions of the Ethics Code, the Ombuds Office is not limited to the sections named in the complaint and does consider the whole of the Ethics Code in an investigation. The relevant provision in the Ethics Code, KCC 3.04, as copied above, prohibit a county employee from having an actual or apparent conflict of interest and provides that an employee must notify their supervisor in writing for anything that potentially is a conflict of interest.

Based upon the testimony and documentary evidence the Ombuds Office received and reviewed, we find it reasonable to believe Mr. Jimerson violated the King County Ethics code. We find that Mr. Jimerson had financial dealings that presented an actual or apparent conflict of interest between the public trust and private interest by recommending Freedom Project as

¹⁷ 20-3-04691-8 10/27/2020 Declaration of Willard Jimerson in opposition to Petitioner’s Motion for Temporary Family Law Orders. Pg 14.

a subcontractor to CP while invoicing and accepting funds from Freedom Project without disclosing that relationship to Mr. Jimerson's King County supervisor.

Pursuant to KCC 3.04.060(B)(2), "An employee of the county who commits a violation of this chapter may be subjected to a civil penalty; provided that such penalty shall not exceed the lesser of one month of the respondent's county pay or the amount authorized by law." Accordingly, the Respondent, Mr. Jimerson, is hereby ordered to pay the sum of \$7100.

The Respondent, Mr. Jimerson, is hereby notified of his right to request an appeal hearing before the King County Board of Ethics within 20 days of service of this Order pursuant to KCC 3.04.057(A).

Dated this 16th day of September 2024.

Jeremy Bell
King County Ombuds-Director

Distribution per KCC 3.04.055(H)
Hikari Tamura, Seattle-King County Public Health Deputy Director
Willard Jimerson, Respondent
King County Prosecuting Attorney's Office
King County Board of Ethics