

Known Deficiencies Related to Contract:

Improperly submitted invoices.

Lack of insurance coverage and/or proper coverage by WCCVA.

Lack of insurance coverage by WCCVA subcontractors.

Failure to comply with general audit requirements.

Appearances of conflict of interest and/or violation of the Ethics in Public Service Act. [See also Other Concerns/Deficiencies, below.]

Failure to comply with laws.

Failure to maintain required non-profit documents. [See RCW 24.03.135.]

Failure to keep current required Secretary of State filings.

11/14/89 – incorporated

10/24/13 – Annual Report Submittal by Cody Benson

3/2/15 - Articles of Dissolution filed

4/22/15 - Reinstatement filed by Cody Benson

3/1/16 - Articles of Dissolution filed

5/25/16 - Reinstatement filed by Cody Benson

3/31/17 - Articles of Dissolution filed

2/11/18 - Reinstatement filed Levi Benson

Failure to renew as a charitable organization since 2014 when WCCVA was involuntarily closed by the Secretary of State.

10/15/2012 – renewal filing

5/5/2014 – involuntary closed

6/28/2014 – re-registration filed by Cody Benson

3/31/2015 – involuntary closed

Failure to renew with the Washington State Department of Revenue – Excise Tax / Reseller (if still applicable).

4/1/05 – opened

12/31/14 – closed

Failure to comply with state procurement laws. [See RCW 39.26.]

Failure to comply with Internal Revenue Service.

Failure to file tax returns (last tax return filed with IRS in 2014)

Missing 1099s

Failure to comply with licensing requirements.

Failure to maintain records and documents related to grant.

Failure to provide records related to grant.

Failure to properly subcontract.

Failure to fully meet Scope of Work.

Known Deficiencies Related to Bylaws:

No annual meetings of the membership.

Incomplete records of annual elections of officers.

Board members not meeting required attendance.

Lack of signed conflict of interest agreements.

Known Deficiencies Related to WCCVA Handbook:

WCCVA could not provide signed policies or records of any Executive Committee decisions. Note, signatures required on Board member contracts, conflict of interest and disclosure statement, confidentiality agreements, and agreements to abide by personnel policies.

Other Concerns/Deficiencies:

In reviewing documents related to this grant as well as the information obtained during the site visit, circumstances exist that a reasonable person might view as having the appearance of a conflict of interest. Conflicts of interest, or perceived conflicts of interest, must be managed so as to ensure integrity and transparency and avoid the potential of having negative consequences and undermine public trust.

No record of Board meeting minutes regarding the hiring of staff members, including Levi. No indication recruitments were done competitively and allowed for equal opportunity. Cody indicated during 4/20/18 site visit that she “sort of supervises Levi” but that he technically reports to the Board. Cody indicated that the Board hired Levi and that he had previously been volunteering.

When asked whether historically there were any other family relationships between the staff and Board besides Levi, Cody said no, she didn’t think so - none that she could recall.

WCCVA documents show Kerry M. Houck as WCCVA Vice President Officer in 2013 and also listed on WCCVA Board of Directors in 2014. Website currently shows Kerry M. Houck as non-voting armed forces liaison. [Multiple sources indicate Cody Benson and Kerry Houck live at 4807 Oyster Bay Rd NW, Olympia, WA 98502 and multiple records show Cody as Cody Benson Houck.]

Records support that Jolene Allenbaugh may be related to Cody and has resided at or used the 4807 Oyster Bay Road address.

When asked about the KellyBrady contract, Cody indicated during 4/20/18 site visit that they offered a reduced rate, so no solicitation process was used. When asked if Justin Felker still worked at KellyBrady, Cody indicated no. When asked, "During your time at WCCVA have you had any concerns about contracts being awarded that could be viewed by a reasonable person as enhancing personal or professional relationships with the Board or WCCVA staff?" Cody indicated no. When asked specifically about Justin Felker and Kelly Brady contract, Cody said he came to the Board of WCCVA after they started discussions.

10/10/2012 Justin Felker and Cody Benson FB exchange.

6/30/2014 Cody email to AGO about discussions with Spokane Firm to do website, cost of \$6,000-\$8,000.

6/30/14 Statement of Work from KellyBrady showing \$13,320 bid, reducing to \$10,000, indicating 120 days to complete.

7/7/14 Cody emails ATG indicating she has an "invoice" dated for June for \$10,000 so work could be billed against 13-14 grant.

11/2014 Justin Felker of Brady Keller on WCCVA Board of Directors.

2/13/15 Statement of Work executed.

Web site only shows "Levi David" and omits Levi's full name. Cody indicated during 4/20/18 site visit the reason is because Levi only goes by "Levi David." Other sources reflect he goes by Levi Benson.

During 4/20/18 site visit Cody indicated that OCVA asked WCCVA to stop focusing on fundraising and memberships and focus more on serving the advocates and victims and the trainings and that WCCVA does not do any marketing for memberships. In an email of 3/8/18, Cody indicated that "[w]e also have required board and professional development training, three board meetings, and an annual membership meeting in eastern Washington during this time frame."

During 4/20/18 site visit Cody said that when they had audits done, they only get one copy. When asked if she provided her only copy to the AGO, she said she had an electronic copy. The AGO requested this audit on 3/1/18 and despite repeated requests has still not received the audit.

When asked if WCCVA received other grants, Cody said WCCVA has in the past but didn't have any right now. WCCVA did receive an identity theft grant that was a big success and have been asked to do this again. [Unsure of date of this grant.]

When asked how leave is taken, Cody indicated during 4/20/18 site visit that they have to notify the executive committee and they keep track of the hours. No records were produced showing any employee leave requests by the WCCVA. Cody also indicated that Genie Payroll keeps this information. Cody further indicated that the intent is to keep accounting and payroll separate. The November 2017 payroll does not show any leave. There are multiple social media posts of staff traveling during the

month of November. No vacation is recorded with Genie payroll. To date, no documentation regarding Board approval for leave has been provided.

WCCVA contracted with Brad Tower of Tower Ltd. in 2016. Brad Tower is Managing Partner of Phillips Burgess Government Relations. Phillips Burgess is paid \$3,000 monthly. [No contract with Phillips Burgess. No record of Tower Ltd. registered to do business in WA. No general liability insurance certificate.] During 4/20/18 site visit, Cody indicated that Tower Ltd. merged with Phillips Burgess and that this selection was made through a recruitment process.

When asked about a contract with Stanley Phillips/Costa, Cody indicated during the 4/20/18 site visit that WCCVA used to use them as contract trainers and off and on had contracts with them. Then Cody went on to say that when she submitted invoice, Betty said no that she had to have a contract. When Cody asked for that, they requested much more than what WCCVA could meet.

When asked about AA Bookkeeping, Cody indicated during the 4/20/18 site visit this was through a solicitation and recommendations. They do not use WEBS or anything formal solicitation. Cody indicated they had a lot of people recommending who to use. She indicated they were under contract for current 15-17 grant period. No contract produced by WCCVA.

When asked about paying "Rush Same Day" fee to Genie for \$125 and how often this occurred, Cody indicated she did not know what this was for. The November 2017 invoice submitted to the AGO and signed by Cody on 3/12/18 included an example of this "rush" charge.

Multiple times Cody indicated that WCCVA is not permitted to contract, no services could be provided, and no invoices submitted until they had a fully signed contract. However, WCCVA continued to incur monthly expenses such as rent, copier, Comcast, etc. and continued to purchase supplies, pay for registrations, pay for printing of materials, etc. In addition, Cody and Levi both continued to travel for outreach and training both in state and out of state. On 2/22/18 Cody mentioned that they were having issues with trainers and availability and had been for the last year and a half.

Copies of training evaluations were requested on 4/18/18. "WCCVA does not keep any written evaluations on file . . . not retained for any purpose." Copies of inquiries from advocates were requested on 4/18/18. "WCCVA is prohibited from retaining any inquiries . . . there are no notes on file. In June 2014, 2015, 2016, and 2017, WCCVA submitted expenses for "Survey Monkey" and Cody indicated they WCCVA utilized Survey Monkey in 2/22/18 meeting.

Email from Cody dated 3/26/18 indicates: "Friday is a WCCVA holiday (Good Friday), so I will need to get permission from the board for Levi to come in, as we have policies against it. If that will work on your end, please let me know and I will contact the accountant and board today." Good Friday is not listed in WCCVA Handbook as a WCCVA holiday. WCCVA Employee Handbook - Overtime and Flextime.

"WCCVA recognizes that overtime work is sometimes required. Therefore, a flexible work schedule may be granted to exempt staff members by the Executive Director or Board of Directors. Nonexempt staff members, who work overtime, with the supervisor's approval, will be paid overtime in accordance with Washington State's wage and hour laws. All overtime must be approved by the Staff Member's immediate supervisor in written form and submitted to the Executive Director prior to working the overtime hours." Cody indicated during 4/20/18 site visit that WCCVA currently does not have any hourly employees and that neither her nor Cody fill out timesheets.

The WVVCA website contains a significant amount of inaccurate information. During the site visit a number of these were identified by Cody, who confirmed it was her obligation to keep the site up-to-date. For example, Cody acknowledged that the Board of Directors is not accurate, military liaison and tribal liaison are not accurate, the revenue generating items need to be removed as once the grant funds increased OCVA requested that they not focus on these. The memberships is not current. The training calendar is not current. Some links lead to errors.