



State of Washington

PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908

(360) 753-1111 • FAX (360) 753-1112

Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

May 15, 2019

Delivered electronically to Carla and James Shannon

Subject: Carla Shannon Complaint Return Cover Letter, PDC Case 21961

Carla and James Shannon:

Below is a copy of an electronic letter sent to Carl Nielsen concerning the complaint he filed with the Public Disclosure Commission (PDC). As noted below in the electronic letter to Chief Nielsen, the PDC will not be conducting a more formal investigation into these allegations or taking enforcement action in this matter.

The prohibitions listed in RCW 42.17A.555 applies to elected officials, and management and employees of the Centralia Police Department using department facilities, including vehicles, to support or oppose candidates or ballot propositions. Ms. Shannon, you were subject to the prohibitions listed in RCW 42.17A.555 as a Lewis County Deputy Clerk, against using Lewis County facilities to support your candidacy. PDC staff has determined that in this instance, you did not violate RCW 42.17A.555 but staff is reminding you of the prohibitions against using public facilities to support your candidacy, should you become a candidate for public office in the future.

Concerning the allegation against you Mr. Shannon, as noted in the letter to Chief Nielsen you have retired from the Centralia Police Department. However, PDC staff is also reminding you about the prohibitions against using the facilities of a public agency should you become a public employee in the future, to support your wife's candidacy, should she become a candidate in the future, or to support/oppose any other candidate or ballot proposition.

Based on this information, the PDC has dismissed the complaint in accordance with RCW 42.17A.755(1). If you have questions, you may contact me at (360) 664-8854, toll-free at 1-877-601-2828, or by e-mail at kurt.young@pdcc.wa.gov.

Sincerely,

Endorsed by:

s/ _____
Kurt Young, Compliance Officer

s/ _____
BG Sandahl, Deputy Director for
Peter Lavalley, Executive Director



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May 15, 2019

Delivered electronically to Carl Nielsen

Subject: Complaint regarding Carla Shannon, PDC Case 21961

Chief Nielsen:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on July 7, 2017. Your complaint alleged that Carla Shannon, a Lewis County Deputy Clerk and a candidate for Lewis County Clerk in 2017, may have violated RCW 42.17A.555 by using Lewis County facilities to support her candidacy for County Clerk.

PDC staff reviewed the allegations listed in your complaint, the statute, rules, and PDC Interpretation 04-02 Guidelines for Local Governmental Agencies in Election Campaigns, and the response from Ms. Shannon. As a result of staff's review, we found the following:

- RCW 42.17A.555 prohibits public agencies from using or authorizing the use of public facilities, directly or indirectly, for the purpose of promoting or opposing any ballot measure. This prohibition does not apply to activities that are part of the normal and regular conduct of the public agency.
- Ms. Shannon was a candidate for Lewis County Clerk in 2017.
- James Shannon, Ms. Shannon's spouse was a Sergeant for the Centralia Police Department (CPD) at the time the complaint was filed and through part of the 2017 election cycle.
- You stated on June 1, 2017, the Special Olympics Law Enforcement Torch Run was held in Lewis County, and during that event you indicated that two "Elect Carla Shannon Lewis County Clerk [R]" Campaign signs were placed on a Centralia Police Department (CPD) vehicle. You stated the CPD vehicle was driven by an officer in CPD uniform through downtown Centralia" and as Chief of Police, you stated this was brought to your attention and you ordered an internal investigation to determine who had placed the campaign signs on the CPD vehicle (CPD Administrative Investigation #I-17-05).
- You stated that the investigation determined that "Sergeant Shannon had placed the election signs on a City vehicle in violation of both City of Centralia and CPD policies, and that it is also in violation of RCW 42.17A.555 which is why I am advising of this complaint."

- Ms. Shannon stated the event was the Washington State Special Olympics torch run, a nonprofit entity and that the event was not an official City of Centralia function. She stated she was not present at the event, and the CPD donated their officers time and use of vehicles to the Washington State Law Enforcement torch run. She stated CPD employees were on duty with many in uniform and noted that the CPD vehicle used for the Torch run “was donated for use without any pre-conditions” as “a resource of the Torch run and the Special Olympics to use as they see fit.”
- Ms. Shannon stated that the CPD vehicle in question was “an unmarked transport van which was used to ferry runners around the course.” She stated that her spouse, James Shannon was not on duty that day was and was not in uniform during this event, and that the officer driving the vehicle was also donating his time and was not on duty.”
- An article that appeared in the Chronicle in 2017 indicated that James Shannon had retired from the CPD.

The prohibitions listed in RCW 42.17A.555 applies to elected officials, and management and employees of the Centralia Police Department using department facilities, including vehicles, to support or oppose candidates or ballot propositions. Ms. Shannon was subject to the prohibitions listed in RCW 42.17A.555 as a Lewis County Deputy Clerk, against using Lewis County facilities to support or oppose candidates or ballot propositions. PDC staff has determined that in this instance, Ms. Shannon did not violate RCW 42.17A.555 but staff will be reminding her of the prohibitions against using public facilities to support her candidacy, should she become a candidate for public office in the future.

Concerning your allegation against James Shannon, as noted above he has retired from the Centralia Police Department. However, PDC staff is reminding him in the letter to Ms. Shannon about the prohibitions against using the facilities of a public agency to support or oppose a candidate or ballot proposition, should he become a public employee again in the future.

Finally, PDC staff is also suggesting that you as Chief of the Centralia Police Department, make your officers and staff aware of the prohibitions found in RCW 42.17A.555 and PDC Interpretation #04-02 Guidelines for Local Agencies in Election Campaigns, if you have not already done so.

Based on this information, the PDC has determined that the facts do warrant further investigation and PDC staff has dismissed the complaint in accordance with RCW 42.17A.755(1). If you have questions, you may contact me at (360) 664-8854, toll-free at 1-877-601-2828, or by e-mail at kurt.young@pdc.wa.gov.

Sincerely,

Endorsed by:

s/ _____
Kurt Young, Compliance Officer

s/ _____
BG Sandahl, Deputy Director for
Peter Lavallee, Executive Director

cc: Carla and James Shannon