



**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

June 24, 2019

Delivered electronically to "paul@paulmherrera.com"

Subject: PDC Case 50640

Dear Paul Herrera:

Below is a copy of an electronic letter sent to Arthur David Churchman concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted below to Arthur David Churchman, the PDC will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter

PDC staff are reminding you about the importance of the timely and accurate disclosure of the Personal Financial Affairs Statement (F-1 report). The F-1 report must be filed within 2 weeks of becoming a candidate. A person becomes a candidate for PDC purposes when he or she first does any one of the following: (1) Receives contributions, makes expenditures, or reserves space or facilities with intent to promote his or her candidacy; (2) Purchases commercial advertising space or broadcast time to promote his or her candidacy; (3) Authorizes another person to take one of these aforementioned actions on his or her behalf; (4) Announces publicly that he or she is seeking office; or (5) Files a declaration of candidacy with the appropriate elections official.

If you have questions, you may contact Micaiah Ragins at 1-360-586-4555 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

/s _____
Micaiah Ragins
Compliance Coordinator

Endorsed by,

/s_____

Barbara Sandahl

Deputy Director

For Peter Lavallee

Executive Director



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June 24, 2019

Delivered electronically to "davechurchman@icloud.com"

Subject: Complaint regarding Paul M Herrera, PDC Case 50640

Dear Dave Churchman:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on April 17, 2019. Your complaint alleged that Paul Herrera, a first-time candidate seeking the office of Council Member for the City of Puyallup, may have violated RCW 42.17A.700 for failure to timely file the Personal Financial Affairs Statement (F-1 report) within two weeks of becoming a candidate.

PDC staff reviewed your allegations, the applicable statutes, rules, and reporting requirements; the response provided by Paul Herrera; and the applicable PDC reports filed by the Campaign, to determine whether the record supports a finding of one or more violations.

Based on staff's review, we found the following:

- On March 19, 2019, Paul Herrera filed a Candidate Registration (C-1 report) declaring his candidacy for Council Member for the City of Puyallup and selecting the Full Reporting option. The election is scheduled for November 5, 2019.
- Paul Herrera provided a response which explained that he failed to file the F-1 report within 14 days due to his lack of understanding as a first-time candidate. He further stated: "With my ongoing and growing understanding of this process, you can be assured that required reports will be filed on time to the best of my knowledge."
- Records indicate that Paul Herrera filed as a candidate for public office for a jurisdiction with 2,000 or more registered voters. RCW 42.17A.700 requires that candidates in these jurisdictions are required to file a Personal Financial Affairs Statement (F-1 report) with the PDC within two weeks of declaring candidacy or no later than June 1, 2019.

- The F-1 report for Paul Herrera was due to be filed on April 2, 2019. The missing F-1 report was filed on April 23, 2019 (21 days late). Paul Herrera received the complaint on April 26, 2019, which is after the Campaign had already corrected the deficiency.

Based on these findings and the following facts, staff has determined that in this instance, the failure to timely and accurately file the Personal Financial Affairs Statement (F-1 report) does not amount to a material violation warranting further investigation since: (1) Paul Herrera was a first-time candidate for public office in 2019 and the Campaign was inexperienced with the campaign finance reporting requirements; (2) The Campaign filed the F-1 report prior to receiving the complaint from the PDC and the noncompliance was inadvertent in nature; and (3) The late F-1 report was filed over 6 months prior to the date of the election and did not materially impact the public interest.

PDC staff is reminding Paul Herrera about the importance of the timely and accurate disclosure of the Personal Financial Affairs Statement (F-1 report). The F-1 report must be filed within 2 weeks of becoming a candidate. A person becomes a candidate for PDC purposes when he or she first does any one of the following: (1) Receives contributions, makes expenditures, or reserves space or facilities with intent to promote his or her candidacy; (2) Purchases commercial advertising space or broadcast time to promote his or her candidacy; (3) Authorizes another person to take one of these aforementioned actions on his or her behalf; (4) Announces publicly that he or she is seeking office; or (5) Files a declaration of candidacy with the appropriate elections official.

Based on this information, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1), and will not be conducting a more formal investigation into your complaint or pursuing further enforcement action in this case. If you have questions, you may contact Micaiah Ragins at 1-360-586-4555 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

/s_____

Micaiah Ragins
Compliance Coordinator

Endorsed by,

/s_____

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director

cc: Paul Herrera