



**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](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdcc.wa.gov](http://www.pdcc.wa.gov)**

December 18, 2019

Delivered electronically to Clay Shaya at “clay4sheriff@gmail.com” &  
“bluecandymining@gmail.com”

Subject: Complaint filed by Amanda Zimmerman, PDC Case 58722

Dear Mr. Shaya:

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

As noted in the letter to Ms. Zimmerman, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

However, pursuant to WAC 390-37-060(1)(d), this serves as a formal written warning concerning your failure to comply with the filing requirements noted in the enclosed letter sent to Ms. Zimmerman. Staff expects you to timely file all required reports as a candidate for state or local office, beginning with the Candidate Registration (C-1 report) and the Personal Financial Affairs Statement (F-1 report) in future years. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

Staff advises you to review any possible filing obligations prior to becoming a candidate in the future and to promptly respond to requests for information from the PDC.

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560, toll-free at 1-877-601-2828, or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

/s

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Jennifer Hansen  
Compliance Officer

Endorsed by,

/s

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Peter Lavalley  
Executive Director



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December 18, 2019

Delivered electronically to Amanda Zimmerman at "azimmerman506@gmail.com"

Subject: Complaint regarding Clay Shaya, PDC Case 58722

Dear Ms. Zimmerman:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 14, 2019. The complaint alleged that Clay Shaya, a write-in candidate for Whatcom County Sheriff in the November 5, 2019 general election, may have violated: (1) RCW 42.17A.205 for failure to file a Candidate Registration (C-1 report) within two weeks of declaring candidacy; (2) RCW 42.17A.700 for failure to file a Personal Financial Affairs Statement (F-1 report) within two weeks of declaring candidacy; and (3) RCW 42.17A.235 for failure to timely and accurately file Monetary Contribution reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports), disclosing contributions and expenditures undertaken by the Campaign.

PDC staff reviewed the allegations; and the applicable statutes, rules, and reporting requirements, to determine whether the record supports a finding of one or more violations.

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

- On September 13, 2019, Clay Shaya filed a Declaration of Candidacy (DOC) with the Whatcom County Auditor's Office declaring as one of three official write-in candidates for Whatcom County Sheriff in the November 5, 2019 general election. Due to the timing of his declaration, Mr. Shaya was not required to pay a filing fee and did not appear in the voter's pamphlet or on the general election ballot.
- RCW 42.17A.005(8) states in part that "candidate means any individual who seeks nomination for election or election to public office" and goes on to provide specific actions that may be taken by that individual, or another person on behalf of that individual, which would require registration and the filing of financial affairs, within two weeks of submitting a DOC with the appropriate election office.
- RCW 42.17A.205 requires a candidate to file a C-1 report with the PDC within two weeks of submitting a DOC and RCW 42.17A.700 requires a candidate to file an F-1 report with the PDC within two weeks of submitting a DOC. If a candidate chooses the "Full Reporting" option on the C-1 report, the candidate must also file C-3 and C-4 reports disclosing campaign activities according to the schedule described in RCW 42.17A.235.
- Mr. Shaya was required to file the C-1 and the F-1 reports with the PDC within two weeks of submitting a DOC or by no later than September 27, 2019.

- The complaint filed on October 14, 2019, alleged that Mr. Shaya violated RCW 42.17A by failing to submit the C-1 and F-1 reports within two weeks of becoming a write-in candidate for Whatcom County Sheriff in 2019.
- On October 16, 2019, PDC staff notified Mr. Shaya of the complaint by sending a copy electronically to the email address he provided to Whatcom County on his DOC and requested a response to the allegations by October 30, 2019. This email communication returned a temporary undeliverable message. Staff resent the same message later on October 16, but delivery failed a second time.
- Before close of business on October 16, 2019, PDC staff called the phone number provided by Mr. Shaya on the DOC and left a message asking for a return phone call and a working email address. Staff received no response to this request.
- On October 18, 2019, the original email from October 16 was resent but failed delivery.
- On October 22, 2019, PDC staff contacted the Whatcom County Auditor's Office and was provided a new email address and a mailing address. Later on October 22, staff sent a request for response to the new email address provided by Whatcom County. This email appeared have been successful, but no response was received.
- On October 23, 2019, PDC staff mailed a hard copy of the complaint with a request for a response via certified mail to the mailing address provided by Whatcom County.
- Delivery of the letter was attempted on October 25, 2019 and after the postal service completed its required process for delivery attempts, the letter was returned to the PDC office in Olympia on November 9, 2019.
- On November 20, 2019, staff sent one final request to Mr. Shaya electronically to the two email addresses previously used and two hard copy versions to a mailing address previously used for the certified mail delivery and another mailing address found by staff possibly belonging to Mr. Shaya.

Mr. Shaya has no filing history with the PDC as a candidate or appointed official and has not been found in violation of PDC laws or rules. He was not successful in the election for Whatcom County Sheriff and the small number of votes he may have received as a write-in candidate appears to have had little impact on the final outcome of the election as the total votes for all write-ins accounted for only 0.17%.

During its review, staff found evidence to suggest that Mr. Shaya was a candidate as defined in RCW 42.17A.005(8) and was required by RCW 42.17A.205 to file a C-1 report and by RCW 42.17A.700 to file an F-1 report, both by no later than September 27, 2019. Despite numerous attempts to illicit a response from Mr. Shaya regarding this evidence, staff has had no communication from him, and the C-1 report and F-1 report have not been received.

Based on our findings staff has determined that, in this instance, failure to timely file the C-1 report as a candidate and a candidate F-1 report covering the previous twelve months, does not amount to a finding of a violation that warrants further investigation.

Pursuant to WAC 390-37-060(1)(d), however, Mr. Shaya will receive a formal written warning concerning failure to timely file a C-1 report and F-1 report as a candidate for local office in 2019. The formal written warning will include staff's expectation that Mr. Shaya timely files all required reports as a candidate for state or local office, beginning with the Candidate Registration (C-1 report) and the Personal Financial Affairs Statement (F-1 report) in future years. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

Based on this information, the PDC finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560, toll-free at 1-877-601-2828, or by e-mail at [pdcc@pdc.wa.gov](mailto:pdcc@pdc.wa.gov).

Sincerely,

/s

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Jennifer Hansen  
Compliance Officer

Endorsed by,

/s

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Peter Lavalley  
Executive Director

cc: Clay Shaya