



**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.pdca.wa.gov

October 12, 2020

Delivered electronically to Robin Farris

Subject: Complaint filed by Dave Churchman, PDC Case 76192

Dear Ms. Farris:

Below is a copy of an electronic letter sent to Dave Churchman concerning a complaint he filed with the Public Disclosure Commission (PDC) against you. In the response, you acknowledged making the comments at the August 18th Puyallup City Council and stated that you did not mention a specific candidate or political committee or encourage support or opposition to any candidate. However, staff found that you did file two complaints against People for Jobs Enterprise Washington, and South Sound Future Enterprise Washington on August 11, 2020, one week prior to the meeting at which you make the comments.

Based on the totality of the circumstances, PDC staff found no evidence of a violation that would require conducting a more formal investigation or pursuing enforcement action in this instance.

However, pursuant to WAC 390-37-060(1)(d), the PDC is issuing a formal written warning to you concerning the prohibitions of using City of Puyallup facilities and resources, including making comments during Puyallup city council meeting, to support or oppose any candidate, or any political committee that supports or opposes candidates, either directly or indirectly, in accordance with RCW 42.17A.555. You are hereby advised that the Commission will consider this formal written warning in deciding on further Commission action, should there be future violations of PDC laws or rules.

The PDC has dismissed the complaint in accordance with RCW 42.17A.755(1). If you have questions, you may contact Kurt Young by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Endorsed by,

/s _____
Electronically Signed Kurt Young
Compliance Officer

/s _____
Electronically Signed Peter Lavallee
PDC Executive Director



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October 12, 2020

Delivered electronically to Dave Churchman

Subject: Complaint regarding Robin Farris, PDC Complaint 76192

Mr. Churchman:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on August 26, 2020. The complaint alleged that Robin Farris, an incumbent City of Puyallup City Councilmember, may have violated RCW 42.17A.555 by using the facilities of the City of Puyallup to make statements during a City Council meeting about a political committee distributing political advertising during the 2020 election in support or opposition of a candidate.

PDC staff reviewed the allegations listed in the complaint; the applicable statutes, rules and PDC Interpretation #04-02: Guidelines for Local Government Agencies in Election Campaigns; the recording of the August 18, 2020 Puyallup City Council meeting; and the September 24, 2020 response from Robin Farris to the allegations listed in the complaint. Based on staff's review, we found the following:

- Pursuant to RCW 42.17A.555 no public facilities can be used by or authorized to be used directly or indirectly by any local elected or appointed official or public employee, to support or oppose any candidate or ballot proposition.
- During the August 18, 2020 Puyallup City Council meeting, Councilmember Robin Farris made comments concerning a political committee sponsoring and distributing political advertisements in the 25th Legislative District that stated (in Councilmember Farris's words) *"property taxes increased by 20% and a number of other things. That is absolutely false, and it's one of those things where you get why people don't trust politics....that was sent out by a PAC or a political action committee, actually two political action committees. And if those political action committees actually believed it then they wouldn't be sending out a flyer against one candidate who is running on council and also contribute to another council member for a different race."*
- Ms. Farris went on to state: *"I don't think it's fair, I'm not bringing anyone's name into it because it's not about the candidate, it's about these PACs. But I want citizens to know that this is absolutely false, I think it is absolutely unconscionable, to bring this type of rhetoric into an election during the pandemic. And I want to assure the citizens that I have made complaints to the Public Disclosure Commission, and they have opened an enforcement case on each of these PACs. I'm not running for office, so I'm in the clear when it comes to this, I'm just trying to make sure that the truth does matter."*

- The comments made by Ms. Farris at the August 18th Puyallup City Council meeting did not directly mention a specific candidate or political committee or encourage support or opposition to any candidate.
- However, Ms. Farris did file two complaints against People for Jobs Enterprise Washington, and South Sound Future Enterprise Washington on August 11, 2020. The complaints alleged the political committees made false statements in the independent expenditures or the electioneering communications undertaken in opposition to Julie Door, a candidate for State Senator in the 25th Legislative District. It was apparent those were the political committees and advertisements she was clearly referring when she made her comments during the council meeting.
- In her response to the complaint in this matter, Ms. Farris stated that during the council meeting she did announce that the mailers had been sent out by a political committee indicating that City of Puyallup taxes had been raised and that those statements in the political advertisements “*were categorically wrong.*” She stated her comments did not include a statement about any specific candidate but instead were focused on the political committee that had sponsored the advertisements.
- Ms. Farris noted that she did not mention the “*names of candidates or the PAC...in my remarks*” but acknowledged that “*Mr. Churchman was correct that she went on longer than she should have when discussing this matter, and added she speaks “very directly. For that I apologize.”* She stated that during the Council meeting neither the City Attorney nor any other Council members interrupted her while she was making her comments. After she finished making her statements, Mayor Door requested the City Attorney provide the City council with information “*regarding speaking out about political matters during council meetings.*”
- Ms. Farris stated that while she stood by the comments she made at the meeting about the political committee and the mailers, after the meeting “*the City Attorney provided guidance on more appropriate ways of correcting the record that do not have the appearance of political speak. I have taken this approach since that time and will continue that approach from now on.*”
- Finally, Ms. Farris stated it was not her intention “*to violate the ethics of my office*” and she acknowledged that her comments were a bit rough and could have been spoken in a more appropriate manner. She added that after the August 18th council meeting, she rescinded her support for Julie Door for her campaign for State Senator in the 25th Legislative District “*because this issue is bigger than a campaign. I fully accept responsibility for my actions. The intent of my comments were to reassure my constituent, NOT to endorse or oppose any candidate.*”

Based on these findings, PDC staff found no evidence of a violation that would require conducting a more formal investigation into the complaint or pursuing enforcement action in this instance.

However, pursuant to WAC 390-37-060(1)(d), the PDC is issuing a formal written warning to Robin Farris concerning the prohibitions of using City of Puyallup facilities and resources, including making comments during Puyallup city council meeting, to support or oppose any candidate, or any political committee that supports or opposes candidates, either directly or indirectly, in accordance with RCW 42.17A.555. Robin Ferris will be advised that the Commission will consider this formal written warning in deciding on further Commission action, should there be future violations of PDC laws or rules.

The PDC has dismissed this matter in accordance with RCW 42.17A.755(1). If you have questions, you may contact Kurt Young by e-mail at pdc@pdc.wa.gov.

Sincerely,

Endorsed by,

/s
Electronically Signed Kurt Young
Compliance Officer

/s
Electronically Signed Peter Lavallee
PDC Executive Director

cc: Robin Farris

