



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: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

October 9, 2020

Delivered electronically to Mayor Julie Door

Subject: Complaint filed by Dave Churchman, PDC Case 76193

Dear Mayor Door:

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

However, PDC staff is reminding you concerning the prohibitions of using City of Puyallup facilities and resources directly or indirectly, by any local elected or appointed official, or public employee, to either support or oppose any candidate or ballot proposition. The prohibition includes you as Mayor chairing a Puyallup city council meeting, and the responsibility to ensure you and fellow council members do not support or oppose any candidates, political committees or ballot propositions during the meetings in accordance with RCW 42.17A.555.

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 pdc@pdc.wa.gov.

Sincerely,

Endorsed by,

/s _____
Electronically Signed Kurt Young
Compliance Officer

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



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October 9, 2020

Delivered electronically to Dave Churchman

Subject: Complaint regarding Julie Door, PDC Case # 76193

Mr. Churchman:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on August 26, 2020. The complaint alleged that Julie Door, the incumbent Mayor of the City of Puyallup and a candidate for State Senator in the 25th Legislative District in 2020, may have violated RCW 42.17A.555 by allowing a City of Puyallup Council member to make statements during a City Council meeting about a political committee distributing political advertising.

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 30, 2020 response from Mayor Door 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.
- On March 5, 2020, Julie Door filed a Registration with the PDC declaring her candidacy for State Senator in the 25th Legislative District in 2020 selecting the Full Reporting Option and listing Jason Bennett as Treasurer and Consultant, and Jessica Gavre as a Consultant.
- During the August 18, 2020 Puyallup City Council meeting Councilmember Robin Farris made comments that political advertisements had been distributed in Puyallup by a political committee concerning the 25th Legislative District Senate race stating *“that property taxes increased by 20% and a number of other things. That is absolutely false....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 stated that she did not want to bring *“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 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...”*

- While the comments made by Ms. Farris did not mention a specific candidate or political committee, or encourage support or opposition to any candidate, staff confirmed Ms. Farris did file two complaints against People for Jobs Enterprise Washington, and South Sound Future Enterprise Washington on August 11, 2020. The two complaints concerned six different independent expenditure or electioneering communications that were undertaken by one of the political committees in opposition to Julie Door’s Senate Campaign.
- In her response to the complaint, Ms. Farris stated that during the August 18th meeting the City Attorney “*did not interrupt me, nor did any of the fellow councilmembers call a point of order, which they would not hesitate to do.*” She stated that after finishing her statement, Mayor Door requested the City Attorney provide her and the rest of the council with information “*regarding speaking out about political matters during council meetings.*” She stated that while she stood by her comments at the meeting about the political committee and the mailer, “*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.*”
- Ms. Door stated in her response letter “As you can see from the evidence Mr. Churchman provides, I did not mention my campaign or advocate for or against any campaign during city council meeting. It appears Mr. Churchman's issue is with comments made by Councilmember Farris.”

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, as Mayor of the City of Puyallup and Chair of the City Council meetings, Mayor Door has the responsibility to ensure that the Puyallup City council members adhere to the statutes and rules concerning open public meetings. That responsibility includes the PDC prohibitions found in RCW 42.17A.555 for allowing comments to be made by City Councilmembers and the general public during an official open public meeting. The prohibition includes comments made during the meeting which support or oppose any candidate for public office, including indirect references or inferences about a candidate, or any political committee that supports or opposes a candidate.

The PDC is reminding Julie Door concerning the prohibitions of using City of Puyallup facilities and resources, including during Puyallup city council meeting, to support or oppose any candidate, or any political committee that supports or opposes candidates in accordance with RCW 42.17A.555.

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 pdcc@pdcc.wa.gov.

Sincerely,

Endorsed by,

/s _____
 Electronically Signed Kurt Young
 Compliance Officer

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