



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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December 2, 2020

Sent electronically to Roger Lenk at lenk.roger@gmail.com

Subject: Complaint regarding Sharon R. Brown, PDC 78831

Dear Mr. Lenk:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed against Sharon Brown on October 21, 2020. The complaint alleged that Sharon Brown, a candidate for Benton-Franklin Superior Court Judge, Position 1, may have violated RCW 42.17A.555 by using a public agency, office or facilities to support her campaign in the 2020 election cycle.

PDC staff reviewed the allegations listed in the complaint to determine whether a formal investigation or enforcement action is warranted. Staff reviewed all attachments submitted with the complaint (Exhibits 1, 2 and 3), the statute, rules, and PDC Interpretation 04-02 "Guidelines for Local Government Agencies in Election Campaigns," and the November 5, 2020, response from Sharon Brown.

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

On May 15, 2020, Sharon Brown filed a Candidate Registration (C-1) report for the 2020 Superior Court Judge (Position 1) race in Benton County, and selected the Full Reporting Option.

- RCW 42.17A.555 requires that no elective official nor employee of his or her office nor any person appointed to or employed by any public office or agency to use or authorize the use of any of the facilities of a public office or agency directly or indirectly to assist a campaign for election or any person to any office.
- Staff reviewed the three exhibits you submitted with the complaint as evidence of possible violations of RCW 42.17A.555. Staff noted that the photograph of the uniformed public

employee firefighters standing next to a fire truck and the second photograph depicting two uniformed police officers standing next to Sharon Brown (Exhibits 2 and 3), are potential violations of RCW 42.17A.555 against those two entities (the pertinent fire district and police department), and not against Sharon Brown. The two pictures referenced supra did not involve the use of any facilities of the Washington State Senate, where Sharon Brown is a member. Additionally, the PDC does not enforce violations of RCW 42.17A.555 against members of the Washington State Senate.

Based on these findings, staff has determined that in this instance, no evidence of a violation was found to warrant further investigation. 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 Erick Agina at (360) 586-2869, toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov

Sincerely,

Endorsed by:

s/_____
Erick Agina, Compliance Officer

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

cc: Sharon Brown

