



**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

August 14, 2019

Delivered electronically to Gary Cronic at "dave@gardneraccounting.net"

Subject: PDC Case No. 26474 & Case No. 27470

Dear Mr. Cronic:

Below is a copy of an electronic letter sent to Marilyn Vogler concerning a complaint (PDC Case #26474) and an electronic letter sent to Jason Dangercup Coots concerning a complaint (PDC Case #27470), both filed with the Public Disclosure Commission (PDC).

As noted in the letters to Ms. Vogler and Mr. Dangercup Coots, 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.

The signed Statement of Understanding (SOU) you executed acknowledging three (3) violations of RCW 42.17A.555 and the \$450 penalty payment was received by the PDC on August 1, 2019.

PDC staff is reminding you about the prohibitions and restrictions found in RCW 42.17A.555 and explained further in PDC Interpretation #04-02 "Guidelines for Local Government Agencies in Election Campaigns." PDC staff expects that you will familiarize yourself with this statute and guidelines in order to ensure compliance in the future in accordance with PDC laws and rules.

If you have questions, you may contact Jennifer Hansen at 360-586-4560 toll-free at 1-877-601-2828, or by email at jennifer.hansen@pdcc.wa.gov.

Sincerely,

/s _____
Jennifer Hansen
Compliance Officer

Endorsed by,

/s _____
Peter Lavalley
Executive Director



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August 14, 2019

Delivered electronically to Jason Dangercup Coots at “jasoncoots@hotmail.com”

Subject: Complaint regarding Gary Cronce, PDC Case 27470

Dear Mr. Dangercup Coots:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on November 8, 2017. Your complaint alleged that Gary Cronce, incumbent City of Shelton Mayor, may have violated RCW 42.17A.555 by using his city owned computer, email address and time as Mayor, to send and receive emails soliciting campaign contributions for his 2015 mayoral campaign and campaign contributions for the 2015 city commissioner campaign of Kathleen McDowell.

PDC staff reviewed your allegations; the applicable statutes, rules, and PDC Interpretation #04-02 “Guidelines for Local Government Agencies in Election Campaigns”; the applicable PDC reports filed by the Respondent; and the response provided by Gary Cronce, to determine whether the record supports a finding of one or more violations.

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

- On March 23, 2015, Gary Cronce filed a Candidate Registration (C-1 Report) with the Public Disclosure Commission declaring his candidacy for re-election to the office of Mayor of Shelton. Mr. Cronce selected the Mini Reporting option provided by WAC 390-16-105 and listed David Myer as Treasurer. Gary Cronce has served in the capacity of mayor or city commissioner of the City of Shelton since being elected in 2011.
- The complaint included copies of email strings between Mayor Cronce, using his city computer and email address, and two representatives of the Hall Equities Group—Alisa MacCormac and Brandon Farrell. The Hall Equities Group was the developer of the Shelton Hills project, an 800-acre master-planned community located in the City of Shelton and Mason County area. The email strings involved Mayor Cronce soliciting a \$500 contribution to his 2015 Mayoral Campaign, and a \$500 contribution for Kathleen McDowell, a 2015 candidate for Shelton City Commissioner.
- In his response, Mayor Cronce confirmed that he did use his computer to solicit a campaign contribution but said that it was only one time and he was not aware of the prohibition against this activity at the time.
- RCW 42.17A.555 and PDC Interpretation #04-02 “Guidelines for Local Government Agencies in Election Campaigns” states in part, that “No elective official....may use or

authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency.”

Gary Cronic completed a Statement of Understanding (SOU) and paid a \$450 civil penalty in accordance with WAC 390-37-143 (Brief Enforcement Penalty Schedule), acknowledging three (3) violations of RCW 42.17A.555, two related to your complaint and one related to PDC Case 26474. The penalty assessed was based on: (1) a \$300 penalty, \$150 each for the two acknowledged violations of RCW 42.17A.555 for using his city owned computer, email address, and his time to solicit campaign contributions for his 2015 Mayoral campaign, and for soliciting campaign contributions for the 2015 City Commissioner campaign of Kathleen McDowell; and (2) a \$150 penalty for the acknowledged violation of RCW 42.17A.555 for advocating for votes in opposition to Proposition 1 during the October 16, 2017 regular City Commission public meeting.

While the email solicitations made by Mayor Cronic for his 2015 Mayoral Campaign, and for the 2015 City Commissioner Campaign of Kathleen McDowell, were not permitted under RCW 42.17A.555, Mayor Cronic’s response indicates that his activity was limited in nature and a result of his limited knowledge regarding the specific prohibitions under RCW 42.17A.555. However, PDC staff is reminding Mayor Cronic about the prohibitions and restrictions found in RCW 42.17A.555 and to be sure to follow them in the future.

Based on this information, and the resolution via SOU, 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 jennifer.hansen@pdc.wa.gov.

Sincerely,

/s _____
Jennifer Hansen
Compliance Officer

Endorsed by,

/s _____
Peter Lavalley
Executive Director

cc: Gary Cronic