



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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August 23, 2019

Delivered electronically to “walter@smithdietrich.com”

Subject: Complaint regarding Pam Roach, PDC Case 24638

Dear Walter Smith:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on September 1, 2017. Your complaint alleged that during her 2016 campaign for Pierce County Council, Pam Roach may have violated:

1. RCW 42.17A.235 and .240 by failing to timely file C-4 reports of contributions and expenditures on two occasions, totaling \$1,381, filed 332 total days late;
2. RCW 42.17A.235 and .240 by failing to timely file C-3 reports of contributions received on five occasions, totaling \$7,750, filed a total of 539 days late;
3. RCW 42.17A.220 by failing to timely deposit contributions received into the campaign account, within five business days, on three occasions, totaling \$1,950, deposited a total of 70 days late;
4. RCW 42.17A.240(6) as implemented by WAC 390-16-037 and WAC 390-16-205 by:
 - A. Reporting a payment to “Visa” of \$1,374.20 for payment of a Labels and Lists invoice without listing the vendors providing the services, with such information being 318 days late as of the date the complaint was filed.
 - B. Reporting an obligation/debt to “Chase Cardmember Services” of \$10,111.52 without listing the vendors owed that provided the services, with such information being 304 days late as of the date the complaint was filed.

- C. Reporting a payment to “Chase Cardmember Services” of \$10,111.52 without listing the vendors or sub vendors actually paid that provided the services, with such information being 263 days late as of the date the complaint was filed.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; responses from Eileen Erickson, Ms. Roach’s campaign treasurer; and the applicable PDC reports filed by Respondent, to determine whether the record supports a finding of one or more violations.

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

- Pam Roach filed a Candidate Registration (PDC form C-1) on September 3, 2015, as a candidate for Pierce County Council in the 2016 general election, selecting the full reporting option and listing Jim Roach as temporary treasurer.
- On October 8, 2015, Ms. Roach filed an amended C-1, selecting the full reporting option and listing herself as treasurer. Ms. Roach was elected to the Pierce County Council on November 8, 2016.
- Even though Pam Roach was listed as Treasurer on her most recent C-1 for her 2016 Pierce County Council campaign, Conner Edwards performed Treasurer duties until May 2016. In May 2016, Eileen Erickson took over the Treasurer responsibilities.

Alleged Violation of RCW 42.17A.235 and .240 by failing to timely file C-4 reports of contributions and expenditures on two occasions, totaling \$1,381, filed 332 total days late.

- On 5/24/16, the campaign filed a C-4 report for October 2015, reporting contributions totaling \$4,450 and expenditures of \$375. The report was filed 196 days late, but over five months before the November 8, 2016 general election. The contributions were timely reported on C-3 reports.
- On 5/25/16, the campaign filed a C-4 report covering December 2015, reporting contributions totaling \$15,800 and expenditures of \$1,006. The report was filed 136 days late, but over five months before the November 8, 2016 general election. The contributions were timely reported on C-3 reports.

Alleged Violation of RCW 42.17A.235 and .240 by failing to timely file C-3 reports of contributions received on five occasions, totaling \$7,750, filed a total of 539 days late;

- When Ms. Roach filed her initial C-1 on 9/3/15, she was required to report all contributions received and expenditures made prior to that date. She received \$1,800 in contributions prior to 9/3/15 that were not reported on C-3 reports until 10/13/15, 40 days late.
- In addition, the campaign reported contributions totaling \$5,950, with contributions totaling \$1,850 reported 163 days late and contributions totaling \$4,100 reported 133 days late.

Alleged Violation of RCW 42.17A.220 by failing to timely deposit contributions received into the campaign account, within five business days, on three occasions, totaling \$1,950, deposited a total of 70 days late.

- The campaign received a \$500 contribution on 10/22/15 that was required to be deposited by 10/29/15. It was deposited 39 days late on 12/7/15.
- The campaign received two contributions, one for \$500 on 11/10/15 and one for \$950 on 11/12/15, that were required to be deposited no later than 11/19/15. They were deposited 12/4/15, 15 and 16 days late.

Alleged Violation of RCW 42.17A.240(6) as implemented by WAC 390-16-037 and WAC 390-16-205 by:

- A. Reporting a payment to “Visa” of \$1,374.20 for payment of a Labels and Lists invoice without listing the vendors providing the services, with such information being 318 days late as of the date the complaint was filed. Eileen Erickson, who took over as Treasurer in May 2016, after Conner Edwards stopped serving as Ms. Roach’s Treasurer, stated that the 10/11/16 payment to “Visa” of \$1,374.20 was actually a reimbursement to Ms. Roach for using her personal Visa to purchase lists from L2political.com. On 9/26/17, Ms. Erickson filed an amended C-4 for the period 9/1/16 to 10/17/16 and correctly reported the \$1,374.20 expenditure as a reimbursement to Pam Roach with a description of “Check made out to Visa to reimburse Pam Roach for L2political.com invoice.” The amendment was filed 343 days late.
 - B. Reporting an obligation/debt to “Chase Cardmember Services” of \$10,111.52 without listing the vendors owed that provided the services, with such information being 304 days late as of the date the complaint was filed. Ms. Erickson stated that the \$10,111.52 debt was to Ms. Roach’s consultant, and not to Chase Cardmember Services, as stated on the initial C-4 report filed 11/1/16. On 9/26/17, Ms. Erickson filed an amended C-4 for the period 10/18/16 to 10/31/16, properly disclosing a debt on Schedule B, Part 3, listing the Vendor as GTT/FAA Partners, Burien, WA, with a description of, “consult/design 10,000 sub vendor L2political.com 111.52.” The amendment was filed 329 days late.
 - C. Reporting a payment to “Chase Cardmember Services” of \$10,111.52 without listing the vendors or sub vendors actually paid that provided the services, with such information being 263 days late as of the date the complaint was filed. On 9/26/17, Ms. Erickson filed an amended C-4 for the period 11/1/16 to 11/30/16, disclosing a monetary expenditure on Schedule A to GTT/FAA Partners, with a description of “GTT/FAA Partners, Consult/design flyers \$10,000, sub-vendor.” The amendment was filed 288 days late.
- Eileen Erickson, Treasurer for Ms. Roach, was prompt and thorough in her response when asked by staff about the alleged violations. She immediately filed amended reports

to clarify the reimbursement to Ms. Roach and the obligation and later payment to GTT/FAA Partners.

- The late-reported C-4 and C-3 reports were for 2015 contribution and expenditure activity and, although late, were filed five months before the 2016 election. Also, the late deposits of contributions occurred in 2015.
- Previous Warnings/Violations - On April 29, 2016, the Commission issued an Initial Order following a Brief Enforcement Hearing in PDC Case 2329, at which the 2014 Pam Roach Campaign for State Senate was found to have violated RCW 42.17A.235 and .240 by failing to timely file C-3 reports disclosing \$8,150 in contributions received from September 3 – December 12, 2013. The campaign was also found to have violated RCW 42.17A.245 by failing to electronically file all required C-3 and C-4 reports disclosing contributions and expenditures through February 2014 by the March 10, 2014 deadline specified by the Commission in approving a temporary exception on January 23, 2014.

The Presiding Officer at the hearing assessed a \$500 civil penalty, of which \$250 was suspended on the following conditions: (1) Within 30 days from the date of the Order, the Respondent is in compliance with all current reporting obligations under RCW 42.17A; (2) The \$250 non-suspended portion of the penalty is paid within 30 days from the date of the Order; and (3) the Respondent commits no further violations of RCW 42.17A for four years from the date of the Order, which is April 29, 2020. The \$250 non-suspended portion of the penalty was paid May 6, 2016.

Pam Roach completed a Statement of Understanding (SOU) and paid a \$150 civil penalty in accordance with WAC 390-37-143 (Brief Enforcement Penalty Schedule), acknowledging violations of:

- Violation of RCW 42.17A.240(6) as implemented by WAC 390-16-037 and WAC 390-16-205 by:
 - A. Reporting a payment to “Visa” of \$1,374.20 for payment of a Labels and Lists invoice without listing the vendors providing the services. C-4 report amended 343 days late with correct information.
 - B. Reporting an obligation/debt to “Chase Cardmember Services” of \$10,111.52 without listing the vendors owed that provided the services. C-4 report amended 329 days late with correct information.
 - C. Reporting a payment to “Chase Cardmember Services” of \$10,111.52 without listing the vendors or sub vendors actually paid that provided the services. C-4 report amended 288 days late with correct information.

Ms. Roach has also paid the \$250 suspended penalty in PDC Case 2329 because the violations in PDC Case 24638 occurred within four years of April 29, 2016, the date of the Order in Case 2329.

PDC staff is reminding Pam Roach about the importance of timely filing C-4 reports of contributions and expenditures; timely filing C-3 reports of contributions received; and timely depositing contributions received into the campaign account, within five business days of receipt.

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 Phil Stutzman, at 1-360-664-8853, toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

/s _____

Phil Stutzman
Compliance Officer

Endorsed by,

/s _____

Barbara Sandahl
Deputy Director
For Peter Lavallee
Executive Director

cc: Pam Roach