



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](mailto:pdc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)

June 13, 2017

Steven Keane, former Benton County Sheriff  
Sent Electronically to Steven Keane at "rzrriding.1980@gmail.com"

Subject: Final Order, Steven Keane, PDC Case 16072

Dear Mr. Keane:

Enclosed is a copy of the Public Disclosure Commission's Final Order for PDC Case 16072. The Commission assessed a civil penalty of \$750 against you in accordance with the Stipulated agreement, of which \$500 is suspended on the following conditions:

1. You pay the \$250 non-suspended portion of the penalty within 30 days of receiving this Order.
2. You commit no further violations of RCW 42.17A or WAC 390 for four years from the date of the Order.

In the event that you fail to meet any of the above terms of this order, the \$750 penalty, including the \$500 suspended portion of the penalty will become immediately due without any further intervention of the Commission.

The \$250 civil penalty is payable by July 13, 2017. Please make the check or money order payable to the WA State Treasurer, and mail to the following address:

WA State Treasurer - Public Disclosure Commission  
Financial Office  
PO Box 41465  
Olympia, WA 98504-1465

Thank you for your patience and cooperation throughout this process. I hope the move and your treatment is going well. If you have questions, please contact me at (360) 664-8854; or by email at [kurt.young@pdc.wa.gov](mailto:kurt.young@pdc.wa.gov).

Sincerely,

Kurt Young  
Compliance Officer

Enclosure

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**BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON**

In re the Matter of Enforcement Action  
Against:  
  
Steven Keane, Benton County Sheriff,  
  
Respondent.

PDC CASE NO. 16072  
  
FINAL ORDER

**I. INTRODUCTION**

This matter was heard by the Washington State Public Disclosure Commission (Commission) on May 25, 2017 at the Public Disclosure Commission Office, 711 Capitol Way, Room 206, Olympia, Washington 98504. The hearing was held pursuant to RCW 34.05, RCW 42.17A, and WAC 390-37. The proceeding was open to the public and recorded.

Commissioners Anne Levinson, Chair, John Bridges, Vice Chair, Katrina Asay, Jack Johnson and David Ammons were present. Kurt Young, Compliance Officer, presented the matter on behalf of Public Disclosure Commission Staff (Staff). Chad Standifer, Assistant Attorney General, was also present on behalf of Staff. Respondent Steven Keane was not present and was not represented. Also present during the hearing was Penny Allen, Assistant Attorney General, on behalf of the Commission and Heather Kintzley, Richland City Attorney, Bronson Brown, West Richland City Attorney, Howard Saxton Prosser City Attorney, Lisa Beaton, Kennewick City Attorney, and Josie Delvin who all appeared by phone.

1 The parties submitted to the Commission a proposed Stipulation as to Jurisdiction, Facts,  
2 Violation and Penalty (Stipulation). The Commission determined that the Stipulation would be  
3 accepted without modification.

4 After reviewing the record, including the Stipulation, listening to the parties'  
5 presentations, the Commission HEREBY ORDERS that the following Findings of Fact,  
6 Conclusions of Law, and Final Order of the Commission be entered:

## 7 II. FINDINGS OF FACT

8 1. Steven Keane was elected Benton County Sheriff in 2010, and re-elected to that  
9 position in 2014.

10 2. On March 4, 2014, the Benton County Commissioners approved Resolution 14-  
11 5, and placed a ballot proposition on the August 5, 2014 primary election ballot, to increase the  
12 sales and use tax to fund law and justice needs throughout Benton County.

13 3. On May 13, 2014, a press conference was held at noon at the Sun Pacific Energy  
14 facility in Kennewick, a privately-owned building. Five local law enforcement officials  
15 appeared in uniform at the press conference which included Sheriff Keane; David Giles, City of  
16 Prosser Police Chief; Ken Hohenberg, City of Kennewick Police Chief; Brian McElroy, City of  
17 West Richland Police Chief, and Chris Skinner, City of Richland Police Chief.

18 4. The May 13, 2014, press conference supported the August 5, 2014, criminal  
19 justice ballot measure, and had been scheduled for the noon hour to allow the five law  
20 enforcement officers to attend the press conference during their personal lunch hour.

21 5. Sheriff Keane attended the May 13, 2014 press conference, wore his Benton  
22 County Sheriff's uniform and drove to the event in his Benton County Sheriff's Office patrol  
23 car.

24 6. As Benton County Sheriff, Steven Keane drove a Benton County assigned  
25 Sheriff's vehicle and wore his Benton County Sheriff's uniform when responding in his official  
26 capacity as Sheriff, and was expected to be available 24-7 to respond to any urgent matters that

1 may arise. Appearing in his uniform is a part of the normal and regular conduct of the office  
2 and as such, Steven Keane did not intentionally set out to violate the statute.

### 3 III. CONCLUSIONS OF LAW

4 1. The Commission has jurisdiction over this proceeding pursuant to RCW 42.17A,  
5 the State campaign finance and disclosure law; RCW 34.05, the Administrative Procedure Act;  
6 and WAC 390.

7 2. RCW 42.17A.555 states in part:

8 “No elective official nor any employee of his or her office nor any person  
9 appointed to or employed by any public office or agency may use or  
10 authorize the use of any of the facilities of a public office or agency, directly  
11 or indirectly, for the purpose of assisting a campaign for election of any  
12 person to any office or for the promotion of or opposition to any ballot  
13 proposition. Facilities of a public office or agency include, but are not  
14 limited to, use of stationery, postage, machines, and equipment, use of  
15 employees of the office or agency during working hours, vehicles, office  
16 space, publications of the office or agency, and clientele lists of persons  
17 served by the office or agency. However, this does not apply to the  
18 following activities:

19 ...

20 (3) Activities which are part of the normal and regular conduct of the office  
21 or agency.”

22 3. WAC 390-05-273 defines the “normal and regular conduct” of a public office or  
23 agency as “conduct which is (1) lawful, i.e., specifically authorized, either expressly or by  
24 necessary implication, in an appropriate enactment, and (2) usual, i.e., not effected or authorized  
25 in or by some extraordinary means or manner.”



1 The Executive Director is authorized to enter this Order on behalf of the Commission.

2 So ORDERED this 12<sup>th</sup> day of June, 2017.

3 WASHINGTON STATE PUBLIC  
4 DISCLOSURE COMMISSION

5 FOR THE COMMISSION:

6   
7 Peter Lavallée  
8 Executive Director

9 *Copy of this Order mailed and emailed to:*  
10 Steven Keane, Respondent ([rzrriding.1980@gmail.com](mailto:rzrriding.1980@gmail.com) )  
11 Kurt Young, PDC Staff ([kurt.young@pdc.wa.gov](mailto:kurt.young@pdc.wa.gov) )

12 I, Kurt Young, certify that I mailed a  
13 copy of this order to the Respondent/ Applicant at his/her  
14 respective <sup>email</sup> address ~~postage pre-paid~~ on the date stated  
herein. Kurt Young 6/13/17  
Signed \_\_\_\_\_ Date \_\_\_\_\_

15 NOTICE: RECONSIDERATION

16 PURSUANT TO THE PROVISIONS OF RCW 34.05.470 AND WAC 390-37-150 YOU MAY  
17 FILE A PETITION FOR RECONSIDERATION WITH THE PDC WITHIN TWENTY-ONE  
18 (21) DAYS FROM THE DATE THIS FINAL ORDER IS SERVED UPON YOU. ANY  
19 REQUEST FOR RECONSIDERATION MUST STATE THE SPECIFIC GROUNDS FOR  
THE RELIEF REQUESTED. PETITIONS MUST BE DELIVERED OR MAILED TO THE  
WASHINGTON STATE PUBLIC DISCLOSURE COMMISSION, 711 CAPITOL WAY,  
ROOM 206, BOX 40908, OLYMPIA WA 98504-0908.

20 NOTICE: PETITION FOR JUDICIAL REVIEW

21 YOU HAVE THE RIGHT TO APPEAL THIS FINAL ORDER TO SUPERIOR COURT,  
22 PURSUANT TO THE PETITION FOR JUDICIAL REVIEW PROVISIONS OF  
23 RCW 34.05.542. ANY PETITION FOR JUDICIAL REVIEW OF THIS FINAL ORDER  
24 MUST BE FILED WITH THE COURT AND ALSO SERVED UPON BOTH THE  
25 COMMISSION AND THE OFFICE OF THE ATTORNEY GENERAL WITHIN THIRTY (30)  
26 DAYS AFTER THE DATE THIS FINAL ORDER IS SERVED UPON YOU.