



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
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June 13, 2017

Chris Skinner, Police Chief, City of Richland
Sent Electronically to Heather Kintzley at "hkintzley@ci.richland.wa.us"

Subject: Final Order, Chris Skinner, PDC Case 16066

Dear Ms. Kintzley:

Enclosed is a copy of the Public Disclosure Commission's Final Order for PDC Case 16066 concerning Chris Skinner. The Commission assessed a civil penalty of \$750 in accordance with the Stipulated agreement, of which \$500 is suspended on the following conditions:

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

In the event Chief Skinner fails 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 and Chief Skinner for your participation and cooperation throughout this process. If you have questions, please contact me at (360) 664-8854; or by email at 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:

Chris Skinner, Police Chief, City of Richland,

Respondent.

PDC CASE NO. 16066

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 Chris Skinner was not present but was represented by Heather Kintzley, Richland City Attorney, who appeared by phone. Also present during the hearing was Penny Allen, Assistant Attorney General, on behalf of the Commission, and 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. Chris Skinner was appointed City of Richland Police Chief in May of 2011.

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

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 Chief Skinner; Steven Keane,
16 Benton County Sheriff; Ken Hohenberg, Kennewick Police Chief; David Giles, Prosser Police
17 Chief; Brian McElroy, West Richland Police Chief.

18 4. The press conference, which supported the August 5, 2014, criminal justice ballot
19 measure, was scheduled for the noon hour to allow the law enforcement officers in attendance
20 the opportunity to attend the event during their personal lunch hour.

21 5. Chief Skinner attended the May 13, 2014 press conference, wore his City of
22 Richland uniform and drove in his City of Richland patrol car to the event.

23 6. Chief Skinner, as Chief of the Richland Police Department, is expected to be
24 available for emergency response on a 24/7 basis. Chief Skinner may be called away suddenly
25 to respond to situations requiring a code response, and for this reason, he is provided a City
26 vehicle. By attending the press conference held at a private location on his own personal time,

1 Chief Skinner intended to comply with the requirements of RCW 42.17A.555, while still being
2 available to respond to a City emergency if necessary.

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 following
18 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 intervention of the Commission, and PDC Staff will refer any outstanding debt to the
2 Department of Enterprise Services (DES) for collection.

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

4 So ORDERED this 12th day of June, 2017.

5 WASHINGTON STATE PUBLIC
6 DISCLOSURE COMMISSION

7 FOR THE COMMISSION:

8 
9 Peter Lavalley
Executive Director

10 *Copy of this Order mailed and emailed to:*

11 Heather Kintzley, attorney for Respondent (hkintzley@ci.richland.wa.us)

12 Kurt Young, PDC Staff (kurt.young@pdc.wa.gov)

13 I, Kurt Young, certify that I mailed a
14 copy of this order to the Respondent/ Applicant at his/her
15 respective address ^{email} postage pre-paid on the date stated
herein. Kurt Young 6/13/17
Signed Date

16 NOTICE: RECONSIDERATION

17 PURSUANT TO THE PROVISIONS OF RCW 34.05.470 AND WAC 390-37-150 YOU MAY
18 FILE A PETITION FOR RECONSIDERATION WITH THE PDC WITHIN TWENTY-ONE
19 (21) DAYS FROM THE DATE THIS FINAL ORDER IS SERVED UPON YOU. ANY
20 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.

21 NOTICE: PETITION FOR JUDICIAL REVIEW

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