



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 • Website: www.pdc.wa.gov

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN RE COMPLIANCE)	PDC CASE 2329
WITH RCW 42.17A)	(Formerly Case 14-057)
)	
Pam Roach 2014 Campaign)	
)	REPORT OF INVESTIGATION
)	
Respondent.)	
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I.

BACKGROUND

- 1.1 Pam Roach is a State Senator serving Washington's 31st Legislative District. The district covers parts of south King County and northeast Pierce County, including the cities of Auburn, Bonney Lake, Buckley, Enumclaw, Sumner and Edgewood. Senator Roach was first elected to her legislative position in 1990, and has been re-elected six times. Her current term of office ends in January of 2019.
- 1.2 On August 5, 2013, Senator Roach filed a C-1 Candidate Registration to establish her candidacy for re-election to State Senate in the November 4, 2014 general election. **(Exhibit 1.)** She faced Representative Cathy Dahlquist in that election, and was re-elected by a margin of approximately 7% of votes cast.
- 1.3 On June 2, 2014, a complaint against the Pam Roach 2014 campaign was received from State Representative Chris Hurst. **(Exhibit 2.)**

II.

ALLEGATIONS

2.1 The complaint filed by Rep. Chris Hurst alleged that Senator Pam Roach violated RCW 42.17A.235 and .240 by failing to timely disclose monetary contributions to her 2014 campaign on C-3 reports. The complaint listed 81 contributions that Rep. Hurst alleged were received between September 3, 2013 and December 27, 2013, but not reported on C-3 reports until May 8 or May 9, 2014. The complaint alleged that corresponding C-4 reports were not timely filed. Finally, the complaint also alleged that Senator Roach violated RCW 42.17A.245 by not filing her C-3 and C-4 reports electronically.

III.

FINDINGS

3.1 **Alleged Late-reported Contributions:** The complaint filed by Rep. Hurst alleged that certain contributions Senator Roach received in the fall and winter of 2013 were disclosed between 108 - 210 days late on electronic C-3 reports submitted in May of 2014. However, Senator Roach timely reported nearly all of these contributions in paper C-3 filings submitted in September, October, November, and December of 2013. **(Exhibit 3.)** The allegations were correct in that the following contributions were disclosed for the first time in electronic filings submitted on May 8 and 9, 2014:

Contributor	Date Received	Amount
PREMERA	2013-09-03	\$900
WASHINGTON STATE AUTO DEALERS PAC	2013-09-30	\$900
NOVARTIS PHARMACEUTICALS CORP.	2013-10-01	\$900
TAKEDA PHARMACEUTICALS USA	2013-10-01	\$500
BOEING EMPLOYEES CREDIT UNION	2013-11-27	\$450
CAMP. FOR TRIBAL SELF-RELIANCE BY WA INDIAN GAMING ASSN.	2013-11-27	\$900
THE LEADERSHIP COUNCIL	2013-11-27	\$900
WASHINGTON CHIROPRACTIC TRUST	2013-11-27	\$900
YOUNG'S MARKET CO.	2013-11-27	\$900
WASHINGTON BANK PAC	2013-12-12	\$900
	TOTAL	\$8,150

3.2 On June 27, 2014, a response to the complaint was received from Senator Roach. **(Exhibit 4.)** In her response, she addressed the \$8,150 in late-reported contributions listed above. She stated that her campaign submitted

paper C-3 reports on November 27, 2013 and December 17, 2013 disclosing \$4,950 of the contributions in question. The paper C-3 reports for these contributions were not received by the PDC; the contributions were therefore disclosed between 118 – 149 days late in the Senator's electronic C-3 reports filed on May 8, 2014. Senator Roach acknowledged that she could find no record that the remaining \$3,200 in contributions, received on September 3, September 30, and October 1, 2013, were disclosed on paper C-3 reports before her campaign submitted electronic C-3 filings on May 8, 2014. These contributions were disclosed between 178 – 210 days late.

3.3 **Alleged Failure to Report Contributions and Expenditures**

Electronically: In an email submitted to PDC staff on January 15, 2014, Senator Roach requested a temporary exception to the electronic filing requirement of RCW 42.17A.245, as permitted by RCW 42.17A.245(1). **(Exhibit 5.)** At its regular meeting on January 23, 2014, the Public Disclosure Commission considered Senator Roach's request. On January 27, 2014, PDC staff notified Senator Roach by letter that the Commission had granted a temporary exception from the electronic filing requirement, on the condition that by March 10, 2014, she electronically file all required C-3 and C-4 reports disclosing contributions and expenditures from October 2013 through February 2014. **(Exhibit 6.)** As noted above, the reports were not filed electronically until approximately two months after March 10, 2014, on May 8 and 9, 2014.

3.4 In her response to the complaint received on June 27, 2014, Senator Roach stated that when she decided to run for re-election to the State Senate in the 2014 election, her longtime campaign treasurer, Eileen Erickson, was out of the country on a church mission, and was not scheduled to return until March of 2014. On August 30, 2014, PDC staff conducted an informal telephone interview with Senator Roach. In speaking with staff, the senator clarified that although her treasurer was scheduled to return to the country in March of 2014, on returning, she needed time to attend to her own affairs before assisting Sen. Roach with her campaign filings. Allowing Ms. Erickson this time meant that Senator Roach did not submit the filings electronically by the March 10, 2014 deadline specified by the Commission. **(Exhibit 7.)**

3.5 **Timeliness of 2014 C-1 Candidate Registration / Disclosure of Initial**

Campaign Activity: In responding to a separate complaint filed by Rep. Hurst in PDC Case 14-058, concerning the use and reporting of Senator Roach's campaign surplus accounts, the senator described certain expenses she incurred from surplus funds as campaign expenses. The expenses included a March 3, 2011 expense of \$327.55 to Verizon Wireless and a June 14, 2012 expense of \$1,375 for registration and airfare for the 2012 Republican National Convention. **(Exhibit 8.)**

3.6 At the time of Senator Roach's March 3, 2011 expense to Verizon Wireless, the senator had recently concluded her 2010 re-election campaign by filing a

final C-4 report on January 31, 2011. **(Exhibit 9.)** As discussed above, she would not file a C-1 Candidate Registration for her next campaign in 2014 until August 5, 2013. Her initial, paper-filed C-4 for the 2014 campaign submitted on December 28, 2013 did not include the 2011 expense to Verizon wireless or the 2012 expenses incurred in connection with the Republican National Convention. **(Exhibit 10.)**

- 3.7 If the initial expense Senator Roach incurred for the 2014 campaign was March 3, 2011 expense to Verizon Wireless, this indicates that her C-1 Candidate Registration for the 2014 campaign was due within two weeks of the expense, or no later than March 17, 2011. Her C-1 filed on August 5, 2013 was thus filed more than two years late.
- 3.8 In response to PDC staff's request, on October 14, 2014, Senator Roach included the 2011 and 2012 expenses discussed above on the 21-day pre-general election C-4 report she filed for her 2014 campaign. **(Exhibit 11.)** (Normally, because these expenses pre-dated the bulk of Senator Roach's 2014 activity, in order to disclose them she would need to amend her earliest expenditure reports for the 2014 campaign and all C-4 reports that followed. However, in the interest of clarity, and to avoid filling the record with amendments, PDC staff instructed her treasurer to include the expenses on a later report.) As instructed by staff, Senator Roach's treasurer described the respective expenses as "CAMPAIGN TELEPHONE EXPENSES INCURRED 3/3/2011" and "REIMBURSE REGISTRATION/AIRFARE FOR THE REPUB NATL CONVENTION INCURRED ON 6/14/12."
- 3.9 Senator Roach's March 3, 2011 \$327.55 expense to Verizon Wireless, and her June 14, 2012 \$1,375 expense for registration and airfare for the Republican National Convention were required to be disclosed in C-4 filings due on March 17, 2011 and July 10, 2012, respectively. The disclosure of these expenses on the senator's October 14, 2014 C-4 report was between two and three years late.

IV.

SCOPE

4.1 PDC staff reviewed the following documents:

1. A complaint filed against Senator Pam Roach by Representative Chris Hurst on June 2, 2014;
2. Candidate registrations, campaign finance reports and data submitted by Senator Roach for her 2010 and 2014 re-election campaigns;

3. Expenditure reports filed by Senator Roach to disclose surplus funds activity; and
4. Written responses to the complaints in PDC Cases 14-057 and 14-058, received from Senator Roach on June 27, 2014.

4.2 PDC staff conducted an informal interview with Senator Roach on August 30, 2014.

V.

LAW

RCW 42.17.040 requires every candidate to timely register with the Public Disclosure Commission. Effective January 1, 2012, RCW 42.17.040 was recodified as RCW 42.17A.205.

RCW 42.17.080 and 090 require candidates to file timely, accurate reports of contributions, including contributions pledged but not received, and expenditures, including debts, orders placed and obligations. The reports are filed monthly following an excess of \$200 in contribution or expenditure activity, except during the five months before the election, during which time summary reports of receipts and expenditures are required to be filed 21 days and again 7 days before each election in which the candidate is participating. Any contributions received and expenditures made prior to the date of registration must be disclosed on the day the registration is filed. Reports of contributions must include the name and address of any contributor who has given more than \$25 in the aggregate. Effective January 1, 2012, RCW 42.17.080 and .090 were recodified as RCW 42.17A.235 and .240, respectively.

RCW 42.17A.245 requires each candidate that expended five thousand dollars or more in the preceding year or that expects to expend five thousand dollars or more in the current year to file all contribution reports and expenditure reports required under RCW 42.17A by the electronic alternative provided by the Commission. The Commission may make exceptions on a case-by-case basis for candidates whose authorized committees lack the technological ability to file reports using the electronic alternative provided by the commission.

Respectfully submitted this 14th day of April, 2016.



Tony Perkins
PDC Compliance Officer

EXHIBIT LIST

- Exhibit 1** August 5, 2013, C-1 Candidate Registration filed by Senator Pam Roach to establish her candidacy for re-election to State Senate in the November 4, 2014 general election.
- Exhibit 2** A complaint against the Pam Roach 2014 campaign, filed on June 2, 2014 by State Representative Chris Hurst.
- Exhibit 3** Paper C-3 filings submitted by Senator Pam Roach in September, October, November, and December of 2013.
- Exhibit 4** A response to the complaint, received from Senator Pam Roach on June 27, 2014.
- Exhibit 5** Email submitted by Senator Pam Roach on January 15, 2014, requested a temporary exception to the electronic filing requirement of RCW 42.17A.245.
- Exhibit 6** PDC staff's January 27, 2014 notification to Senator Roach of a temporary exception from the electronic filing requirement, granted by the Commission on January 23, 2014.
- Exhibit 7** Record of PDC staff's informal telephone interview with Senator Roach on August 30, 2014.
- Exhibit 8** Response to the separate complaint filed by Rep. Hurst in PDC Case 14-058, received from Senator Roach on June 27, 2014.
- Exhibit 9** Final C-4 report for Senator Roach's 2010 re-election campaign, submitted on January 31, 2011.
- Exhibit 10** Initial, paper-filed C-4 for Senator Roach's 2014 re-election campaign, submitted on December 28, 2013.
- Exhibit 11** 21-day pre-general election C-4 report filed for Senator Roach's 2014 re-election campaign on October 14, 2014. (Excerpt)