



**STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION**

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January 5, 2016

georgerobison@centurytel.net

GEORGE ROBISON
14017 56TH AVE NW
GIG HARBOR WA 98332

Subject: Your complaint regarding Michelle Caldier, PDC Case 1291

Dear Mr. Robison:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on November 3, 2015, alleging that Representative Michelle Caldier used campaign funds for prohibited personal use, including for attorney's fees and to pay membership fees to the Port Orchard Chamber of Commerce, alleged violations of RCW 42.17A.445.

PDC staff reviewed your allegations to determine whether a formal investigation or enforcement action is warranted. As a result of staff's initial review, we found the following:

- Representative Caldier's use of campaign funds for attorney's fees was related to a lawsuit filed during the 2014 election by her general election opponent, contending that he was defamed by her political advertisements and campaign statements.
- Legal expenses stemming from Representative Caldier's election campaign activity are not expenses "*that would exist irrespective of the candidate's election campaign,*" which is the standard under WAC 390-16-238 for expenses that are presumed to be personal expenses prohibited by RCW 42.17A.445. Accordingly, it is permissible for Representative Caldier to pay such legal expenses from active campaign funds.
- Representative Caldier's campaign stated that due to a recordkeeping error, a \$135 membership fee to the Port Orchard Chamber of Commerce was erroneously charged to the campaign. Rep. Caldier reimbursed the campaign for this expense from personal funds on December 15, 2015, and the campaign reported receipt of this reimbursement on December 16, 2015.

Based on these initial findings, I have determined that there is no reason to believe Representative Michelle Caldier violated RCW 42.17A.445 by paying campaign-related legal expenses from campaign funds. I have also determined that the campaign's inadvertent payment of a chamber of commerce membership fee from campaign funds, which has now been corrected, does not amount to a material violation warranting further action in this instance. For

these reasons, the PDC has closed the matter, and will not be conducting a more formal investigation into your complaint or pursuing enforcement action in this case.

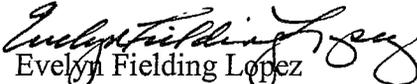
Thank you for bringing this matter to our attention. The process relies on citizens monitoring campaign activity to promote full compliance with the law. Your actions will contribute to better awareness of the campaign finance and disclosure laws.

If you have questions, you may contact Tony Perkins at (360) 586-1042, toll-free at 1-877-601-2828, or by e-mail at tony.perkins@pdc.wa.gov.

Sincerely,


Tony Perkins
Compliance Officer

Endorsed by:


Evelyn Fielding Lopez
Executive Director

cc: Rep. Michelle Caldier
Rob Maguire, Counsel to Michelle Caldier