



**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: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

January 7, 2019

Delivered electronically to Timothy Gray at "timrowgray@gmail.com"

Subject: Complaint filed by Priscilla Swanger, PDC Case 42258

Dear Timothy Gray:

Below is a copy of an electronic letter sent to Priscilla Swanger concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted in the letter to Priscilla Swanger, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

However, pursuant to WAC 390-37-060(1)(b), this letter serves as a warning letter concerning; (1) using public facilities to support your re-election campaign by including the Stevens County Auditor's Office telephone number in political advertisement; (2) failing to timely file the 7-day pre-primary C-4 report; and (3) failing to disclose your candidate filing fee. Staff expects you to review all political advertisement you sponsor to avoid using facilities to support your candidacy and that you timely file all future required reports of contributions and expenditures, including all campaign activities, specifically those occurring during the accelerated reporting schedule prior to and after any election in which you participate in as a candidate for public office in the future. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by email at jennifer.hansen@pdcc.wa.gov.

Sincerely,

/s _____
Jennifer Hansen
Compliance Officer

Endorsed by,

/s

Barbara Sandahl
Deputy Director
For Peter Lavallee
Executive Director



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January 7, 2019

Delivered electronically to Priscilla Swanger at “grandcracker1@gmail.com”

Subject: Complaint regarding Timothy Gray, PDC Case 42258

Dear Priscilla Swanger:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 10, 2018. Your complaint alleged that Timothy Gray, incumbent and candidate for Stevens County Auditor in 2018, may have violated; (1) RCW 42.17A.555 by using public facilities to support his re-election campaign; (2) RCW 42.17A.235 by failing to timely file Summary Full Campaign Contribution and Expenditure reports (C-4 reports); and (3) RCW 42.17A.240 by failing to disclose the candidate filing fee.

PDC staff reviewed the applicable statutes, rules, and reporting requirements; the response(s) provided by Timothy Gray; and the applicable PDC reports filed by Respondent, to determine your allegations support a finding of one or more violations.

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

- Timothy Gray has served as the Stevens County Auditor since being elected in 1998. On April 19, 2018 filed a Candidate Registration (C-1 report) declaring his candidacy for re-election and choosing the “Full Reporting” option.
- The “Retain Tim Gray County Auditor” Facebook page and one political advertisement handout originally included Mr. Gray’s telephone number at the Stevens County Auditor’s Office. In his response, Mr. Gray stated that as soon as he was made aware of the issue, he updated the Facebook page and replaced the handout with a corrected version.
- In his response, Mr. Gray acknowledged that the campaign filed the 7-day pre-primary C-4 report 35 days late disclosing no changes in contributions or expenditures since the last C-4 report. In addition, he confirmed that the \$670 filing fee was paid for using personal funds and stated that he was not aware that the expense needed to be reported.

- Timothy Gray has served as Stevens County Auditor for almost 26 years and has run mostly unopposed under the “Mini Reporting” option. Mr. Gray has not been found in violation of PDC requirements in the past and was prompt in taking corrective action regarding the allegations in the complaint referenced above.

Although the Stevens County Auditor’s Office telephone number did appear in two political advertisements sponsored by the “Retain Tim Gray Auditor” campaign, the campaign took corrective action promptly. The 7-day pre-primary C-4 report was filed after the primary election but contained zero activity and the filing fee was paid using the personal funds of the candidate.

Based on these findings staff has determined that, in this instance, including the Stevens County Auditor’s Office telephone number on two pieces of political advertisement, filing the 7-day pre-primary C-4 report late disclosing zero activity, and failing to disclose the filing fee paid for using candidate’s personal funds does not amount to an actual violation warranting further investigation.

Pursuant to WAC 390-37-060(1)(b), Timothy Gray will receive a formal written warning concerning; (1) using public facilities to support his re-election campaign by including the Stevens County Auditor’s Office telephone number in political advertisement; (2) failing to timely file the 7-day pre-primary C-4 report; and (3) failing to disclose the candidate filing fee. The formal written warning will include staff’s expectation that Mr. Gray will review all political advertisement sponsored by him or his campaign to avoid using facilities to support his candidacy and that he timely files all future required reports of contributions and expenditures, including all campaign activities, specifically those occurring during the accelerated reporting schedule prior to and after any election in which Mr. Gray participates in as a candidate for public office in the future. The Commission may consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

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 Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at jennifer.hansen@pdc.wa.gov.

Sincerely,

/s _____
Jennifer Hansen
Compliance Officer

Endorsed by,

/s _____
Barbara Sandahl
Deputy Director

For Peter Lavallee
Executive Director

cc: Timothy Gray