

JUL 18 2012

Office Use Only: No. _____

Public Disclosure Commission



**WASHINGTON STATE PUBLIC DISCLOSURE COMMISSION
COMPLAINT FORM**

(See instructions on the last page.)

Description of Complaint

1. RESPONDENT:

Identify who you are filing a complaint against and provide all contact information you have for them. Give names and titles, if any, for individuals, and the full name of any organization. Please note that the PDC does not enforce federal campaign finance laws or local ordinances.

Example #1: Joe Public, Mayor of My Town,

123 Main Street, Your Town, State, Phone: 555-123-4567, Email: unknown

Example #2: The Political Action Group (instead of P.A.G.), 123 Main Street, Your Town, State,

Phone: 555-123-4567, Email: pag@pag.org

Interim King County Sheriff Steve Strachan
516 Third Avenue.

Seattle, WA 98104

Sheriff@kingcounty.gov; Steve.Strachan@kingcounty.gov

2. ALLEGED VIOLATIONS:

Explain how and when you believe the people/entities you are filing a complaint against violated RCW 42.17/RCW 42.17A or Title 390 WAC. Be as detailed as possible about dates, times, places and acts. If you can, cite which specific laws or rules you believe were violated. Attach additional pages if needed. *(Note that the RCW 42.17 citation applies to conduct before 2012 and the RCW 42.17A citation applies to conduct on or after January 1, 2012.)*

See attachment

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Evidence and Witnesses

3. EVIDENCE:

List the documents or other evidence you have that support your complaint, if any, and attach copies to this form. If you do not have copies, provide any information you have about where you believe the documents or evidence can be found and how to obtain it. Attach additional pages if needed.

Example: Emails between Joe public and Candidate X. attached OK

Joe Public has emails from Candidate X which describe an illegal campaign donation, and Joe Public's phone number is 555-123-4567.

See attachment

4. WITNESSES:

List the names and contact information, if known, of any witnesses or other persons who have knowledge of facts that support your complaint. Attach additional pages if needed.

Example: Jane Public was present when Candidate X spoke to me about the illegal contribution. Jane Public's address is 123 Main Street, Your Town, USA 12345, and her phone number is 555-123-4567.

See attachment

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Certification

In signing this complaint:

- I have provided all information, documents and other evidence of which I am aware;
- If I become aware of additional information, documents or evidence related to my complaint, I will promptly provide it to the PDC; and,
- I am providing the PDC current information on how to contact me, and will promptly update that information if it changes.

Your name (print or type) Alex Wilford

Street address 1128 N. 77th St.

City, state and zip code Seattle, WA 98103

Telephone number (including area code): 206-689-2937

E-mail address (optional): _____

Oath

Required for complaints against elected officials or candidates for elective office:

I certify (or declare) under penalty of perjury under the laws of the State of Washington that this complaint is complete, true and correct to the best of my knowledge and belief.

Your signature [Signature]

Date signed 07/10/2012

Place signed (city and county)

Seattle City King County

Attachments

Check here if you are attaching copies of documentary evidence or extra pages explaining your complaint.

*RCW 9A.72.040 says that "(1) A person is guilty of false swearing if he makes a false statement which he knows to be false, under an oath required or authorized by law. (2) False swearing is a misdemeanor."

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Washington State Public Disclosure Commission
Instructions for Filing a Formal Complaint

✦ **When to use the formal complaint form**

While this form is not required, its use is recommended when you want to file formal allegations of a violation of the Public Disclosure Commission (PDC) statutes or rules. You can find the PDC statutes and rules on the PDC website at www.pdc.wa.gov. If you have information or concerns about a possible violation but do not wish to file a complaint, please contact the PDC office directly.

✦ **How to submit your complaint form to the PDC:**

- Complete all sections. If you do not have some information, please write "unknown" instead of leaving a blank space.
- Attach copies of any evidence you have - we'll contact you if we need originals.
- Sign the oath if your complaint is against an elected official or a candidate for elective office.
- Mail, fax, or email your complaint and all attachments to the PDC

✦ **If you have more questions:**

If you have more questions about filing a complaint, see the "Frequently Asked Questions about Filing a Complaint" guide available on the PDC's website at www.pdc.wa.gov under "Enforcement and Compliance." You may also contact the PDC directly.

PDC Contact Information

MAILING ADDRESS: Washington State Public Disclosure Commission
711 Capitol Way, Room 206
PO Box 40908
Olympia, WA 98504-0908

EMAIL ADDRESS: pdc@pdc.wa.gov

PHONE: 1-877-601-2828 (toll free)

FAX: (360) 753-1112

HOURS: Monday-Friday, 8:00 a.m. – 5:00 p.m., closed on state holidays.

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Washington State Public Disclosure Commission
711 Capitol Way, Room 206
PO Box 40908
Olympia, WA 98504-0908

To whom it may concern:

The purpose of this letter is to file a complaint with the Public Disclosure Commission ("PDC") against interim King County Sheriff Steve Strachan. Mr. Strachan appears to be using taxpayer resources in the course of his political campaign for King County Sheriff in violation of RCW 42.17A.555, the specifics of which are outlined below.

Statement of Fact

I have researched Mr. Strachan's campaign and discovered the following: Mr. Strachan's Facebook page as King County Sheriff portrays him in an official King County Sheriff uniform, complete with the official badge; Mr. Strachan's campaign website portrays him in an official King County Sheriff uniform, again with the official badge; Mr. Strachan's campaign website contains a "Sheriff's Report", a video produced by King County Television featuring Mr. Strachan and then Shoreline Police Chief Dan Pingrey; and Mr. Strachan used county e-mail to speak about his campaign and how to properly support his efforts.

RCW 42.17A.555 Prohibits the Use of Public Facilities for Campaign Purposes

RCW 42.17A.555 strictly prohibits public employees from using their position, public facilities, and/or any other public employees (during working hours) for the benefit of a political campaign. Specifically, the statute prohibits the use:

*"of any of the facilities of a public office or agency, **directly or indirectly**, for the purpose of assisting a campaign for election of any person to any office...Facilities of a public office or agency include... machines, **and equipment, and use of employees of the office or agency during working hours...**"*

RCW 42.17A.555 (emphasis added).

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Upon complaint or on its own motion, state law requires that the PDC investigate and report apparent violations of RCW 42.17A.555 to the appropriate law enforcement authorities. RCW 42.17A.105.

Earlier this year, the PDC previously recognized a violation of RCW 42.17.130 when an appointed Sheriff appeared in a commercial for No on I-1183 while wearing his official county uniform, displaying his Sheriff's badge, and allowing for the use of his patrol car in the background.¹ RCW 42.17.130 has since been recodified as RCW 42.17A.555 as of January 1, 2012.

1. Steve Strachan's King County Sheriff uniform is prominently featured on his campaign website in violation of RCW 42.17A.555.

Steve Strachan's official campaign website can be found at www.stevestrachanforsheriff.com (Attachment 1). When visiting this website, the first image presented is a photo of Steve Strachan in his official King County Sheriff uniform with his Sheriff badge prominently displayed. Because Strachan's official King County uniform was presumably purchased with taxpayer money, he is prohibited from using it in the course of his campaign. By using his official King county uniform on his campaign website, Mr. Strachan is giving the impression that the King County Sheriff's Office endorses and supports his campaign for King County Sheriff. Further, these are resources that are unavailable to Mr. Strachan's opponent in the race for King County Sheriff, and it is thus unfair for Mr. Strachan to utilize them.

2. Steve Strachan posted a video produced by King County Television featuring himself and then Shoreline Police Chief Dan Pingrey (in full uniform) on his campaign website in violation of RCW 42.17A.555.

Steve Strachan has posted the "Sheriff's Report" on his campaign website at <http://www.stevestrachanforsheriff.com/Sheriff'sReportShoreline/tabid/256/Default.aspx>. This video was produced by King County Television using official King County resources. It features Steve Strachan and then Shoreline Police Chief Dan Pingrey in full uniform discussing the Sheriff's Office and its activities in Shoreline.

Strachan is using the video to further his campaign for King County Sheriff. It would not be a violation of RCW 42.17A.555 if Strachan posted this video on the official King County Sheriff's website at www.kingcounty.gov/sheriff, because then it would not be used to promote Strachan's campaign. But by posting the video on his own campaign website, Strachan is utilizing resources that are completely unavailable to his opponent in the race for King County Sheriff. Any determination to the contrary would suggest that Strachan could conceivably film new segments every day with county resources and simply add it as content for his campaign at no expense to him or his campaign account. Such a determination would be contrary to the intent of state law.

¹ PDC Case 12-122, February 2012

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3. Steve Strachan's Facebook page features his official Sheriff uniform, while also promoting his election for King County Sheriff in violation of RCW 42.17A.555.

Sheriff Steve Strachan's official Facebook page can be found at www.facebook.com/stevestrachanforsheriff (Attachment 2). The name of the person featured on this website is "Sheriff Steve Strachan," but the cover photo features Strachan's campaign logo with the slogan "Retain Steve Strachan King County Sheriff." Further, the page type is identified as "politician."

Mr. Strachan is prominently featured wearing his official King County Sheriff uniform on his Facebook campaign page with his Sheriff badge prominently displayed. Lest there be any confusion as to whether this is a political website, Strachan has an entry from June 22 announcing the endorsement of the 11th District Republicans in his race for Sheriff (Attachment 3). Another entry from June 19 thanks visitors for "liking" his Facebook page and for "all the support in the upcoming election!!!" But Strachan mixes his official duties and campaign activities on the Facebook page, which has the effect of confusing viewers as to whether the Sheriff's Office supports him for election. Further, Strachan, himself, is in full uniform when posing with other officers in full uniform for pictures on his campaign website (Attachment 4). The officers may be unaware that these photos were to be used for campaign purposes, but Strachan and his campaign must know that they cannot give off the impression that officers in uniform are endorsing him in his race for Sheriff.

4. Steve Strachan inappropriately used official county email resources to promote his campaign for King County Sheriff.

On Thursday, April 26, 2012, Steve Strachan sent an email to the entire Sheriff's Office regarding the race for Sheriff (Attachment 5). In this email, Strachan referenced a General Information Bulletin (GIB) that was sent to Sheriff's employees on Tuesday, April 24, 2012 (Attachment 6). Strachan wrote,

"The GIB sent yesterday details our policies and expectations regarding ethical conduct during an election. I also want you to know that I will not be soliciting or accepting campaign contributions from department members. If you want to support me as Sheriff, the best way to do that is to do your job well, focus on the mission, and let's not get distracted."

The GIB Strachan referenced clearly states that employees "cannot use or authorize the use of King County facilities for campaign purposes." The email further states:

"Please do not use the Sheriff's Office website to make comments about the election or candidates...Also please be aware that social media postings on personal facebook or twitter accounts may become public through a variety of ways...For another example, if you want to transport or put up signs for a candidate, use your personal car and only do it when off-duty and out of uniform. (emphasis added).

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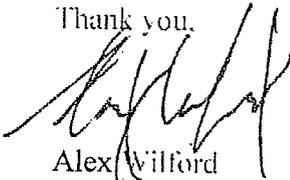
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In Strachan's King County email to his employees, he references the Sheriff's campaign, against the advice of the legal advisor in the Sheriff's Office, Patty Shelledy. Not only does he reference the campaign, but he includes the line, "If you want to support me as Sheriff..." This statement, sent to the 1,000 employees in the Sheriff's Office, in the context of referencing a political campaign, is clearly designed to gain the political support of those who work in the Sheriff's Office. Thus, Strachan's April 26 email violated RCW 42.17A.555.

Conclusion

It is abundantly clear that Steve Strachan is running his campaign for Sheriff in large part with official King County resources. Whether he is campaigning while in uniform, asking others in uniform to pose with him, utilizing King County Television resources, or using the county email system, Strachan has demonstrated a troubling pattern of PDC violations. Given Strachan's political position of trust and authority, he should be investigated and disciplined for these actions. Moreover, the public should be fully aware of his actions as their future endorsement for King County Sheriff will have a long standing effect on our community. Steve Strachan is the interim King County Sheriff, the highest law enforcement official in the county. Therefore, he should be held to the highest ethical standard.

Thank you.



Alex Wilford