



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In RE COMPLIANCE WITH
RCW 42.17A

Steven Drew

Respondent.

PDC Case No. 13-014

Report of Investigation

I.

Background

- 1.1 Steven Drew is the elected Thurston County Assessor.
- 1.2 Following a management meeting held by Mr. Drew in the Thurston County Assessor's Office, a Thurston County Assessor employee became concerned about a statement made by Mr. Drew during the meeting and later expressed the concern to the Thurston County Human Resources Department. As a result, on August 30, 2012, the Director of Human Resources filed a complaint with the Public Disclosure Commission (PDC) against Steven Drew, Thurston County Assessor, alleging that Mr. Drew improperly solicited campaign contributions from county employees and used county facilities to do so.

II.

Allegations

- 2.1 The complaint alleged that Steven Drew, Thurston County Assessor, violated; (1) RCW 42.17A.565, by soliciting contributions to the Sandra Romero campaign for Thurston County Commissioner from management employees of the Assessor's Office; and (2) RCW 42.17A.555, by using the facilities of the Assessor's office to make the solicitation.¹
- 2.2 The complaint was based on a meeting Mr. Drew held at work with four of his Assessor's Office subordinates in which he is alleged to have mentioned contributing to Sandra Romero's campaign. The complaint alleges that during a February 9, 2012, meeting, Mr. Drew urged the four Thurston County Assessor's Office staff and members of his management team "*...to donate money to Thurston County Commissioner Sandra Romero's re-election campaign fund.*"

¹ The complaint alleged an additional violation of RCW 42.17A.555 for which staff determined there was insufficient information provided to warrant an investigation. That allegation is therefore not addressed in this report.

III. Findings

- 3.1 Mr. Drew served as a Board member for Interagency Committee on Outdoor Recreation, a state agency from 2007 to 2010, prior to being elected Thurston County Assessor. He also ran as a candidate for the Issaquah City Council in 1999 and 2001.
- 3.2 On November 5, 2012, Stephen Drew submitted a four-page response to the complaint along with a cover letter from Roselyn Marcus, Attorney at Law (**Exhibit 1**). The response stated that Mr. Drew did not urge his staff to donate to a political campaign, and went on to state that *“to urge is to advocate, demand earnestly or pressingly.”*
- 3.3 Mr. Drew’s response stated that the Thurston County Assessor’s management meeting on the day at issue ended on time, and he was going to attend a fundraiser for Commissioner Sandra Romero. According to Mr. Drew’s response to the complaint, Mr. Drew remarked as he was leaving the meeting *“...that it was good to support our commissioners as they approve the office budget...”*

Mr. Drew’ response stated that he did not solicit a contribution to any candidate at the meeting, including Sandra Romero, but that he did make *“an offhand remark that was both unfortunate and ill advised... but was not in violation of law.”*
- 3.4 Mr. Drew’s attorney stated, *“This remark was not planned nor intended to solicit campaign donations. He never specifically requested that any of the managers contribute monetarily to Commissioner Romero’s campaign...”*
- 3.5 PDC staff reviewed the Monetary Contributions reports (C-3 report) filed by the 2012 Sandra Romero campaign for County Commissioner, and found that Mr. Drew was disclosed as a contributor on a C-3 report. The C-3 report listed Mr. Drew as having made a \$100 monetary contribution received on January 25, 2012, by the Sandra Romero Campaign at a campaign fundraiser. In addition, Mr. Drew made three contributions totaling \$51.58 to the 2008 Sandra Romero campaign: one \$25 monetary contribution and two small in-kind contributions for food for a fundraiser and gasoline to distribute Sandra Romero campaign yard signs.
- 3.6 In April 2013, PDC staff conducted interviews under oath of the four attendees at the February 9, 2012, Thurston County Assessor’s Office management meeting. The employees in attendance were all subordinates of Mr. Drew, and part of his management team. All four individuals were provided a copy of the complaint prior to their respective interviews, and each was provided a printout of a PDC contributor database query listing the contributions that each had made since 2010.

Witness 1:

3.7 After reading the allegations in the complaint, Witness 1 recalled the statement made by Mr. Drew at the February 9, 2012 management meeting as something to the effect of:

“...at budget time, Ms. Romero might weigh in on our budget request if people from the office or the management team were to contribute to her campaign...”

3.8 The witness said the statement made by Mr. Drew was very brief and at the end of the management meeting. He said he thought it was an odd statement, but not a coercive statement. He stated it never dawned on him that Mr. Drew’s statement might be illegal, and at the time, he did not even give the statement a second thought. He stated the overwhelming majority of the meeting information and discussions was focused on Assessor-related issues and business.

3.9 The witness could not recall whether Mr. Drew mentioned he was on his way to a fundraiser for Sandra Romero. He said he remembered there being a lot of candidate fundraisers at that time during 2012, and said it was possible Mr. Drew may have been on his way to a fundraiser.

3.10 The witness said Mr. Drew never specifically asked him to write a check to Ms. Romero, and said he did not contribute to her campaign. He stated he never felt pressure or coercion from Mr. Drew to contribute to Ms. Romero or any other candidate.

3.11 PDC staff made a query of the PDC contributor database and found that Witness 1 made three monetary contributions between 2010 and 2012, but none of them were contributions to Sandra Romero.

Witness 2:

3.12 Witness 2 confirmed he was in attendance at the February 2012 management meeting when Mr. Drew made the alleged solicitation, but said he did not remember a lot of details about the meeting.

3.13 The witness stated that very near the end of the meeting, Mr. Drew commented that he was on his way to a fundraiser. The witness thought Mr. Drew said the fundraiser was for Sandra Romero, and that he said something like, ***“It would be nice if you contributed to her campaign.”*** He stated he did not consider the statement to be a solicitation for a contribution to Ms. Romero’s campaign, and said he did not feel any pressure or coercion to contribute to her campaign. He noted that prior to the management meeting, both he and his spouse had already decided to support Sandra Romero’s Thurston County Commissioner campaign, and said they were waiting for an event to make a contribution to her campaign.

3.14 The witness stated his decision to contribute to the Sandra Romero campaign was not influenced by Mr. Drew’s statement. He said he made the decision to contribute on his own and that he is his “own person.” The witness said he did not recall Mr. Drew discussing contributing to any other candidate, including Kathleen Drew.

- 3.15 Witness 2 recalled that Mr. Drew later apologized to him personally about making the statement about Ms. Romero, but could not remember the date of the apology. He said Mr. Drew made the apology privately, and not during a management meeting. He stated that he thought Mr. Drew apologized to him about a month after the February 2012 Assessor management meeting at which the initial comment took place. He confirmed Mr. Drew apologized before the complaint was filed against him with the PDC.

Witness 3:

- 3.16 Witness 3 was in attendance at the February 9, 2012 meeting when Mr. Drew stated something like “*...there are elections going on....county officials are involved in those elections...those county officials make our budget.... if you could consider making a contribution it could help us out...*” The witness stated she felt there was no pressure or coercion to contribute to a specific candidate, or to make a contribution to the Sandra Romero Campaign.
- 3.17 The witness said she did not think Mr. Drew made a statement at the meeting about leaving to attend a Sandra Romero fundraiser, but she knew from other sources that he was going to be attending the fundraiser.
- 3.18 The witness stated that it was a one-time statement by Mr. Drew, and that she could not recall him making any similar statements concerning any candidates, including his spouse’s 2012 campaign. She did not discuss the statement with him at that time, and he did not mention it again or apologize for making the statement.
- 3.19 The witness stated she felt the statement by Mr. Drew was inappropriate and that she was upset about it. She stated she met with one of the other managers who had attended the meeting to discuss the issue and she stated that if Mr. Drew made a similar statement about any candidate again, they would mention it to him. She stated that if Mr. Drew was going to make a mistake as an official, it was better that he made it in front of his management team.
- 3.20 Witness 3 confirmed that she had made monetary contributions to Mr. Drew’s Assessor’s campaign in 2010, and that she also made monetary contributions to Kathleen Drew’s campaign for Secretary of State in 2012. The witness stated she made contributions to Kathleen Drew’s campaign on her own based on previous experience with Ms. Drew and not due to any pressure or solicitation by Mr. Drew. She stated Mr. Drew did not mention his wife’s campaign or solicit contributions on her behalf, and that Mr. Drew was careful to not mention his spouse’s campaign while at work.

Witness 4:

- 3.21 Witness 4 stated that at the end of the meeting at issue, Mr. Drew made a statement that he did not want anyone in attendance to feel any pressure, and went on to state something to the effect that “*...Sandra Romero allowed Mr. Drew to hire employees during a hiring freeze, and it would be good for managers to contribute to her campaign.*”

- 3.22 Witness 4 stated she did not understand what Mr. Drew was talking about and told him she did not understand what he meant, and he commented something to the effect *“...that it would be nice to contribute to her campaign and that a small amount would be okay...maybe \$20 or more...but I want you to remember that she does keep score...I will not look to see how much you give...”* She stated that Mr. Drew also said something directed at her like *“... you are exempt since you were in your position before I got here...but [another witness] and I chose to be career politicians so it is different for us...”*
- 3.23 Witness 4 stated that Mr. Drew continued on, stating “...I am living paycheck to paycheck...I have a candidate in my family that is running for office...and I just wrote a check for \$2,800 to Kathleen’s campaign...” The witness said she did not know at the time whether the statements made by Mr. Drew were illegal, but that she started keeping a journal prior to the meeting, and she had notes concerning the meeting.
- 3.24 The witness stated that after the February 9, 2012 meeting, Mr. Drew did not discuss or mention the Sandra Romero campaign or making contributions to her campaign again. She confirmed that Mr. Drew did not solicit contributions for his spouse’s campaign, or any other campaign, and did not mention or discuss any candidates, including his spouse, while she was present and in the office. She confirmed Mr. Drew did not mention or discuss with her the fact that she had contributed to Kim Wyman’s campaign or to the Rob McKenna Campaign for Governor.

IV. **Scope**

4.1 During the investigation, PDC staff:

- Reviewed the complaint filed against Steven Drew by Diana Townsend.
- Reviewed the November 5, 2012, response letter from Roselyn Marcus, a local attorney representing Mr. Drew.
- Conducted interviews under oath at the PDC office with the four Assessor’s Office employees present at the meeting at issue.

V. **Laws and Rules**

RCW 42.17A.565 states:

“(1) No state or local official or state or local official's agent may knowingly solicit, directly or indirectly, a contribution to a candidate for public office, political party, or political committee from an employee in the state or local official's agency.

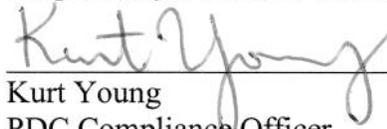
(2) No state or local official or public employee may provide an advantage or disadvantage to an employee or applicant for employment in the classified civil service concerning the applicant's or employee's:

- (a) Employment;
- (b) Conditions of employment; or
- (c) Application for employment,

based on the employee's or applicant's contribution or promise to contribute or failure to make a contribution or contribute to a political party or political committee.”

RCW 42.17A.555 prohibits elected officials, their employees, and persons appointed to or employed by a public office or agency from using or authorizing the use of public facilities, directly or indirectly, for the purpose of assisting a candidate's campaign or for the promotion of, or opposition to, any ballot proposition. This prohibition does not apply to activities that are part of the normal and regular conduct of the office or agency.

Respectfully submitted this 17th day of June, 2013.



Kurt Young
PDC Compliance Officer

List of Exhibits

Exhibit 1 Response to complaint submitted on behalf of Steven Drew by Roselyn Marcus