



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In the Matter of Enforcement Action
Against

Jacob Taylor

Respondents.

PDC Case No. 15-041

Notice of Administrative Charges

I. JURISDICTION

1. The Public Disclosure Commission (PDC) has jurisdiction over this proceeding pursuant to Chapter 42.17A RCW, the state campaign finance and disclosure laws; Chapter 34.05 RCW, the Administrative Procedure Act; and Title 390 WAC. These charges incorporate the Report of Investigation and all related exhibits by reference.

II. ALLEGATIONS

2. PDC staff alleges that Jacob Taylor, an employee of the Grant County Auditor's Office and a 2014 candidate for Grant County Auditor, violated RCW 42.17A.555 by 1) using his Grant County computer to access, edit, and store campaign-related documents, and 2) by using the Grant County email system to send campaign-related emails to his personal email account, and to other addresses outside his agency. Mr. Taylor used his county computer and email account to conduct campaign-related work on approximately 15 occasions, for an estimated total of five to eight hours over a three-month period.

III. FACTS

3. On April 14, 2014, Jacob Taylor filed a C-1 Candidate Registration with the PDC registering his campaign for Grant County Auditor in the November 4, 2014 general election. Mr. Taylor was a first-time candidate for public office. At that time, Mr. Taylor was employed as the Chief Accountant and Director of Budget and Accounting for Grant County, and also served as the appointed Chief Deputy Auditor. Mr. Taylor supervised four to five employees, and as a supervisor was given a copy of the Grant County Management Handbook and Code of Ethics which included a section entitled, "Prohibition against use of Public Office or Agency Facility in Campaigns." The handbook summarized the prohibitions in RCW 42.17A.555 against using public facilities to assist a candidate's campaign.
4. From approximately the end of May to the end of August 2014, Mr. Taylor performed campaign-related work on his Grant County computer. He accessed his private email account from his Grant County office, using his Grant County computer, and worked on campaign-related documents attached to those emails. Mr. Taylor also used his Grant County computer to access and work on campaign-related documents were stored on a personal thumb drive.
5. Mr. Taylor used his Grant County computer to review campaign documents previously created using his personal laptop computer, to edit campaign-related documents, and to prepare PDC reports. Mr. Taylor also used the Grant County email system to send the edited documents to his personal email account, and on one occasion, to send a campaign-related email directly to a business to ask if he could place a yard sign on the business's property. Much of Mr. Taylor's campaign-related work occurred during his lunch hour, however the properties of some of the relevant computer files indicate that the files were accessed at times outside of traditional lunch hours.

6. Mr. Taylor used his Grant County computer to work on campaign-related documents approximately 15 times from the end of May to the end of August, for a total of approximately five to eight hours.
7. The campaign-related files accessed, stored, edited, and transmitted through the use of Mr. Taylor's Grant County computer and email account included several Word and .pdf documents, a three-page document entitled "What qualifies you for this office?", a one-page letter addressed to "Dear Fellow CPA" in which Mr. Taylor solicited the reader's support, a one-page political advertisement entitled "Elect Jacob Taylor, CPA Grant County Auditor," a two-page political advertisement entitled "Know the Candidates for Grant County Auditor," a two-page political advertisement entitled "Be an Informed Voter - Grant County Auditor," a one-page political advertisement entitled "Elect Jacob Taylor, CPA Grant County Auditor," a four-page "Candidate Questionnaire" from Citizens Alliance for Property Rights, a copy of a Freedom Foundation pledge concerning sources of campaign contributions, a copy of a completed parade entry form, a campaign-related letter to Bill Varney, former Grant County Auditor, copies of PDC forms C-1, C-3 and C-4, images of Mr. Taylor and his family, his Certified Public Accountant (CPA) certificate, a court house, and a flag banner.

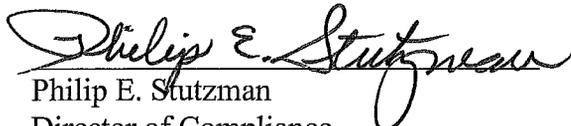
IV. LAW

RCW 42.17A.555 states, in part: "No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize 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 or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency. However, this does not apply to the following activities: ... (3) Activities which are part of the normal and regular conduct of the office or agency."

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WAC 390-05-273 defines the “normal and regular conduct” of a public office or agency as “conduct which is (1) lawful, i.e., specifically authorized, either expressly or by necessary implication, in an appropriate enactment, and (2) usual, i.e., not effected or authorized in or by some extraordinary means or manner.”

RESPECTFULLY SUBMITTED this 15th day of June, 2015.


Philip E. Stutzman
Director of Compliance