



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](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdcca.wa.gov](http://www.pdcca.wa.gov)

December 22, 2015

Keith Blocker  
Post Office Box 1068  
Tacoma, WA 98401

Order sent electronically to Keith Blocker "keith.t.blocker@gmail.com"

Subject: PDC Case No. 15-071

Dear Mr. Blocker:

Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case. The Presiding Officer assessed a \$250 civil penalty, of which \$150 of the penalty is suspended on the following conditions:

1. You commit no further violations of RCW 42.17A for four years from the date of the Order; and
2. The \$100 non-suspended portion of the penalty is paid within 30 days from the date of the Order.

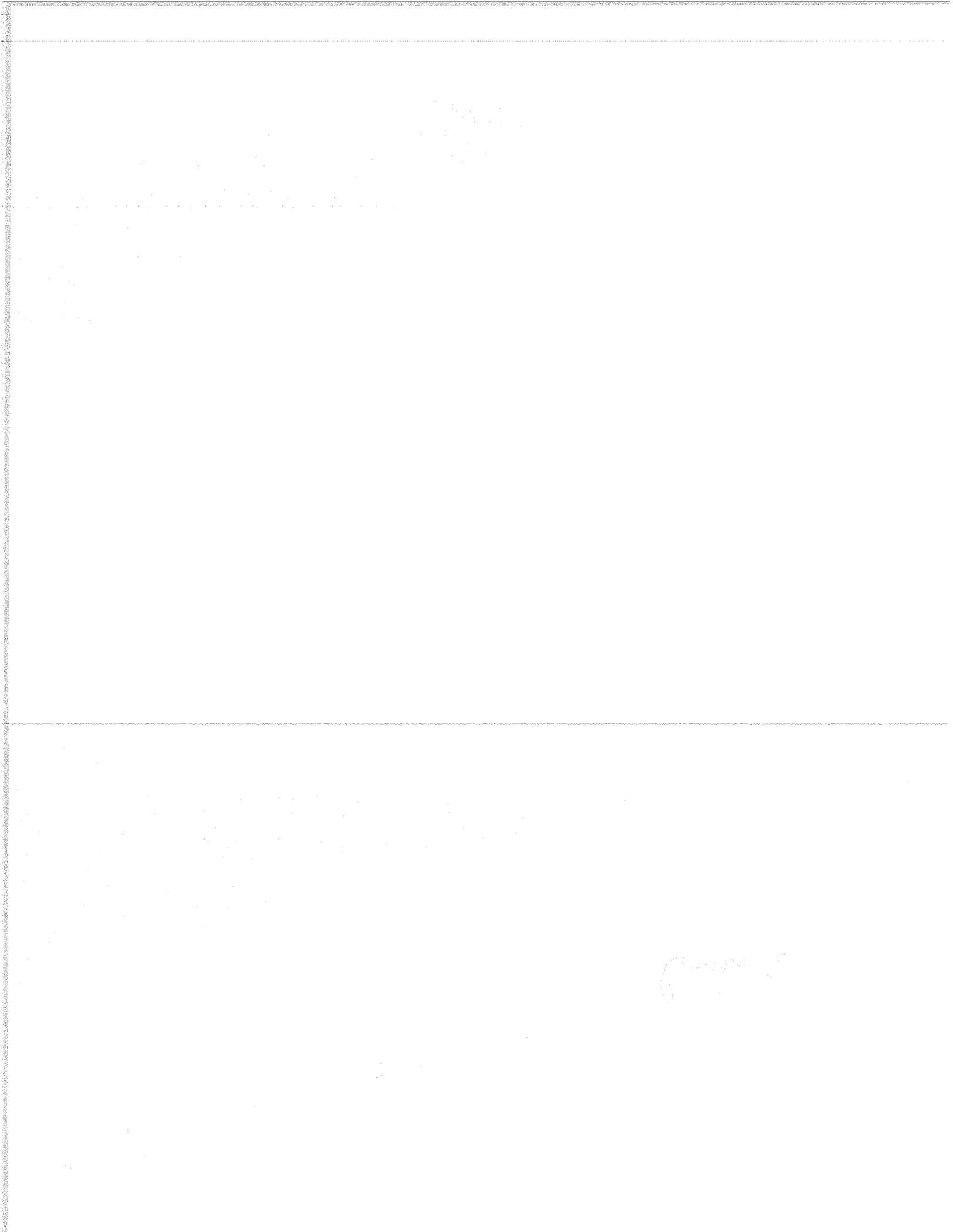
The \$100 non-suspended portion of the penalty is due to be paid no later than January 21, 2016.

Thank you for your participation in the Brief Enforcement hearing. If you have any questions, please contact me at (360) 664-8854; or by email.

Sincerely,

Kurt Young  
Compliance Officer

Enclosure





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](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdca.wa.gov](http://www.pdca.wa.gov)

BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

Keith Blocker  
Post Office Box 1068  
Tacoma, WA 98401

In Re Compliance with RCW 42.17A

Keith Blocker

Respondent.

PDC Case No. 15-071

Findings of Fact,  
Conclusions of Law, and  
**Order Imposing Fine**

A brief enforcement hearing (brief adjudicative proceeding) was held December 17, 2015, in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington to consider whether Keith Blocker violated RCW 42.17A.235 and .240 by failing to disclose expenditures and orders placed for political advertisements in the form of campaign mailings on Campaign Summary Contribution and Expenditures reports (C-4 reports).

The hearing was held in accordance with Chapters 34.05 and 42.17A RCW and Chapter 390-37 WAC. A brief enforcement hearing notice was sent to Keith Blocker on December 2, 2015. Commission Chair Katrina Asay was the Presiding Officer. The Commission staff was represented by Kurt Young, Compliance Officer. The Respondent participated by telephone and provided testimony to the Presiding Officer.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. On January 10, 2015, the Respondent filed a Candidate Registration (C-1 report) declaring his candidacy for Tacoma City Councilmember, District No. 3, as a first-time candidate in the 2015 election.
2. The Respondent selected the Full Reporting option which required him to file frequent and detailed reports of contribution and expenditure activities, including a 7-day Pre-Primary Election C-4 report that was due to be filed on July 28, covering the period July 14 through 27, 2015.

3. On the August 4, 2015 primary election ballot, seven candidates were seeking the office of Tacoma City Council, District No. 3, and the Respondent came in second place.
4. On August 7, 2015, after being notified of the complaint, the Respondent's Campaign filed the 7-day Pre-Primary Election C-4 report disclosing the receipt of \$2,575 in monetary contributions (which were disclosed on Monetary Contributions reports or C-3 reports) and \$4,821 in late reported campaign expenditures.
5. The 7-day Pre-Primary Election C-4 report was filed 10 days late by the Respondent's Campaign, and three days after the August 4, 2015 primary election had been held. The C-4 report disclosed five expenditures totaling \$3,415 for the printing and postage costs for several mailings, and an \$850 expenditure for campaign yard signs.
6. The Respondent stated the campaign paid for and mailed four political advertisements for the 2015 primary election, and that the orders for the mailings were placed with WinPower Strategies as soon as the campaign knew they could afford to pay for them. He calculated that the orders were placed with WinPower Strategies about eight days prior to the mailing date, and estimated the dates the orders were placed for the four mailers would have been July 5, July 12, July 15, and July 20, 2015.
7. In addition to the late filed 7-day Pre-Primary Election C-4 report, staff determined the Campaign should have disclosed orders placed with WinPower Strategies on C-4 reports as follows: (a) two campaign mailers totaling \$4,488 on the 21-day Pre-Primary Election C-4 report; and (b) two campaign mailers totaling \$4,488 on the 7-day Pre-Primary Election C-4 report.

#### CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concludes as follows:

1. This matter was duly and properly convened and all jurisdictional, substantive and procedural requirements have been satisfied.
2. The Respondent violated RCW 42.17A.235 and .240 by failing to disclose expenditures and orders-placed for political advertisements in the form of campaign mailings on C-4 reports

#### ORDER

ON the basis of the foregoing Findings of Fact and Conclusions of Law,

**IT IS HEREBY ORDERED that the Respondent is assessed a \$250 civil penalty, of which \$150 of the penalty is suspended on the following conditions:**

1. **The Respondent commits no further violations of RCW 42.17A for four years from the date of the Order; and**

**2. The \$100 non-suspended portion of the penalty is paid within 30 days from the date of the Order.**

This is an **Initial Order** of the Public Disclosure Commission.

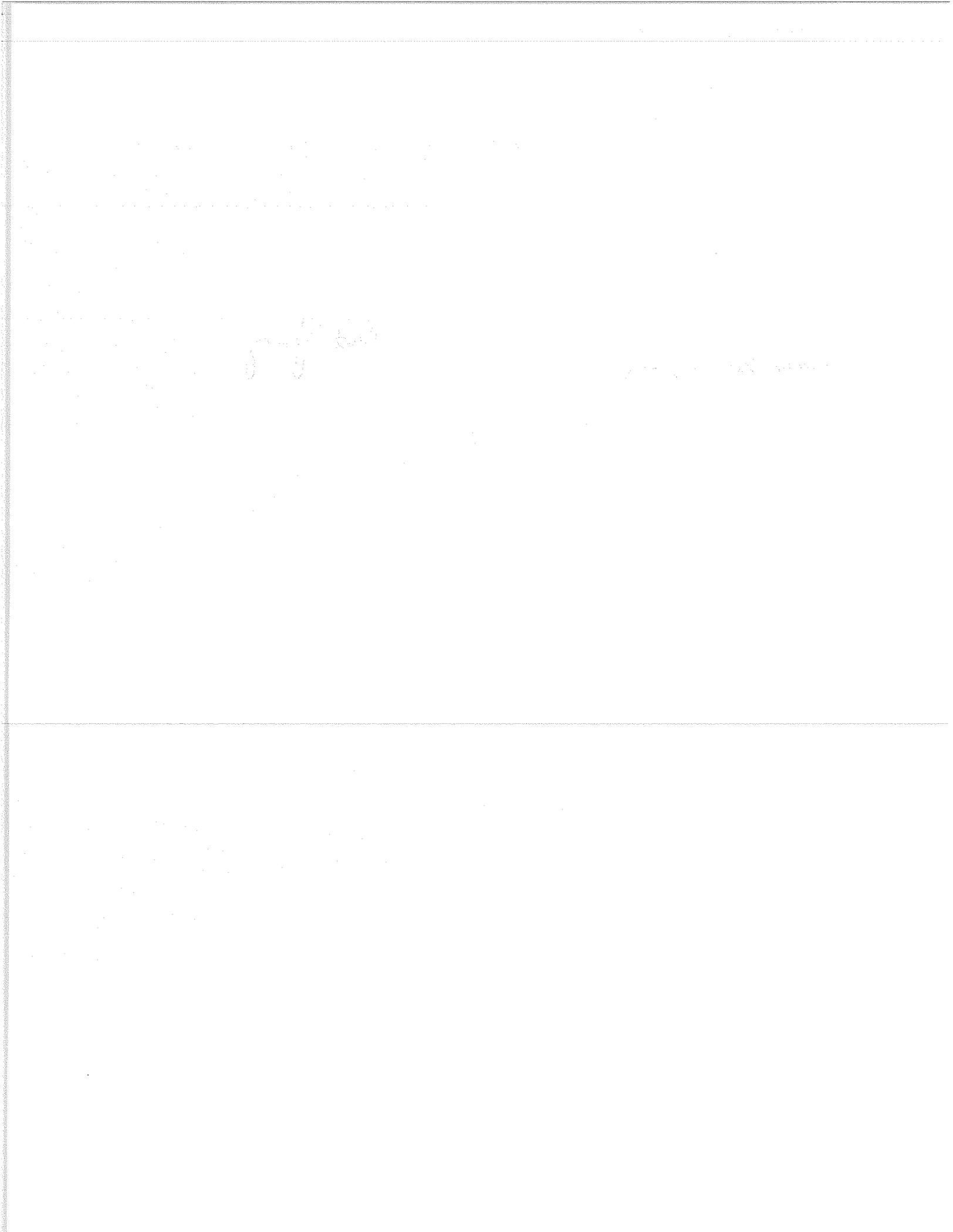
Entered this 22nd day of December, 2015.

Public Disclosure Commission

  
Evelyn Fielding Lopez  
Executive Director

I, Kent Young, certify that I mailed a copy of this order to the Respondent/Applicant at his/her respective address postage pre-paid on the date stated herein.

Enclosure: Information about Appeal Rights



**INFORMATION ABOUT APPEALS OF INITIAL ORDERS,  
FURTHER APPEAL RIGHTS,  
AND ENFORCEMENT OF FINAL ORDERS**

**APPEALS**

**REVIEW OF INITIAL ORDER - BY THE COMMISSION**

The presiding officer will issue an initial order following a brief enforcement hearing. Any party may request the Commission **review** an initial order. Parties seeking the review must:

- Make the request orally or in writing, stating the reason for review. *WAC 390-37-144.*
- Deliver the request so it is received at the Commission office within **TWENTY-ONE (21) BUSINESS DAYS** after the postmark date of the initial order.

A Respondent does not need to pay a penalty until after the Commission rules on the request. If the Commission is unable to schedule a meeting to consider the request within twenty (20) business days, the initial order becomes a **final order** and the request will automatically be treated as a **request for reconsideration** of a final order (unless the party advises the Commission otherwise, such as by withdrawing the request). See more information on reconsideration below.

If the request for review was an oral request, it must now be confirmed in writing. The matter will be scheduled before the full Commission as soon as practicable. If the Commission does not receive a request for review within twenty-one (21) business days, the initial order will automatically become a **final order**. At that point, the Respondent is legally obligated to pay the penalty unless reconsideration has been sought or the matter has been timely appealed to Superior Court. *RCW 42.17A.755; RCW 34.05.470; RCW 34.05.570.*

**RECONSIDERATION OF FINAL ORDER – BY THE COMMISSION**

Any party may ask the Commission to **reconsider** a final order. Parties seeking reconsideration must:

- Make the request in writing;
- Include the specific grounds or reasons for the request; and
- Deliver the request to the PDC office so it is received within **TWENTY-ONE (21) BUSINESS DAYS** of the date that the Commission serves this order upon the party. *WAC 390-37-150.*

- Note: the date of service by the Commission on a party is considered the date of mailing by U.S. mail if the order is mailed, or the date received if the order is personally served. RCW 34.05.010(19). (The Commission orders are generally mailed via U.S. mail.)

Within twenty (20) business days after the petition for reconsideration is filed, the Commission may either act on the petition or notify the parties in writing of the date by which it will act. If neither of these events happens within twenty business days, the Commission is deemed to have denied the petition for reconsideration. *WAC 390-37-150*.

A Respondent is not required to ask the Commission to reconsider a final order before seeking judicial review by a superior court. *RCW 34.05.470(5)*.

### **FURTHER APPEAL RIGHTS – SUPERIOR COURT**

A **final order** issued by the Public Disclosure Commission is subject to **judicial review** under the Administrative Procedure Act (APA), chapter 34.05 RCW. *RCW 42.17A.755*. The procedures are provided in the APA at RCW 34.05.510 - .574.

### **ENFORCEMENT OF FINAL ORDERS**

If **enforcement** of a final order is required, the Commission may seek to enforce a final order in superior court under RCW 42.17A.755 - .760, and recover legal costs and attorney's fees if a penalty remains unpaid and no petition for judicial review has been filed. This action will be taken without further order by the Commission.