



**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.pdcc.wa.gov

April 25, 2018

Delivered electronically to "phil0745@charter.net"

Subject: PDC Case 29877

Dear Phillip Lemley:

Enclosed is a copy of a letter sent to Roger Lenk concerning a complaint filed with the Public Disclosure Commission (PDC) on January 16, 2018. The complaint alleged that you may have violated Chapter 42.17A RCW for misuse of City of Richland facilities to support legislative campaign, failure to register as a candidate, and failure to timely report contributions and expenditures. A copy of the complaint was previously sent to you.

As noted in the letter to Roger Lenk, the PDC will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter. However, pursuant to WAC 390-37-060(1)(b), this letter serves as a warning letter concerning the misuse of public facilities to announce a candidacy, that was untimely reported to the PDC, and failure to accurately and timely file electronic reports of contributions and expenditures. PDC staff expects you to cease and desist from the use of any public facilities to support or oppose any candidates or ballot propositions, and that you electronically file timely and accurate reports of contributions and expenditures. 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 Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at fox.blackhorn@pdcc.wa.gov.

Sincerely,

Fox Blackhorn
Compliance Coordinator

Endorsed by,

Peter Lavalley
Executive Director

Enclosure: Letter to Roger Lenk



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April 25, 2018

Delivered electronically to "lenk.rogier@gmail.com"

Subject: Complaint regarding Phillip Lemley, PDC Case 29877

Dear Roger Lenk:

The Public Disclosure Commission (PDC) has completed its initial review of the complaint you filed on January 25, 2018. Your complaint alleged that Phillip Lemley may have violated Chapter 42.17A RCW for misuse of City of Richland facilities to support legislative campaign, failure to register as a candidate, and failure to timely report contributions and expenditures.

PDC staff reviewed your allegations, and as a result of staff's initial review, we found the following:

- Phillip Lemley was a sitting City Councilmember for the City of Richland, who announced his candidacy for a 2018 election for State Representative during the January 2, 2018 meeting of the Richland City Council, in violation of RCW 42.17A.555.
- Phillip Lemley is an experienced candidate who failed to file a C-1 candidate registration within two weeks of declaring candidacy, or by January 16, 2018, in violation of RCW 42.17A.205. He filed his C-1 on January 18, 2018.
- Phillip Lemley failed to file timely and accurate reports of contributions and expenditures, in violation of RCW 42.17A.235 and RCW 42.17A.240, and failed to electronically file in violation of RCW 42.17A.245(1).
- Phillip Lemley has no prior found violations of PDC laws or rules, and has worked with PDC staff to correct and digitize his filings.

Based on these initial findings, staff has determined that in this instance, misuse of public facilities to announce a candidacy, that was late reported to the PDC, and failure to accurately and timely file electronic reports of contributions and expenditures do not amount to material violations warranting further investigation.

Pursuant to WAC 390-37-060(1)(b), Phillip Lemley will receive a formal written warning concerning the misuse of public facilities to announce a candidacy, that was untimely registered with the PDC, and failure to accurately and timely file electronic reports of contributions and expenditures. The formal written warning will include staff's expectation that Phillip Lemley

ceases and desists from the use of any public facilities to support or oppose any candidates or ballot propositions, and that Phillip Lemley electronically files timely and accurate reports of contributions and expenditures. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

The PDC has closed the matter, and will not be conducting a more formal investigation into your complaint or pursuing further enforcement action in this case.

If you have questions, you may contact Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at fox.blackhorn@pdc.wa.gov.

Sincerely,



Fox Blackhorn
Compliance Coordinator

Endorsed by,



Peter Lavalley
Executive Director

cc: Phillip Lemley