



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

March 25, 2018

Delivered electronically to Cheri Van Hoover

Subject: Cheri Van Hoover Complaint Return Cover Letter, PDC Case 25581

Ms. Van Hoover:

Below is a copy of an electronic letter sent to Paul Rogers concerning the complaint he filed with the Public Disclosure Commission (PDC) against you. As noted below in the electronic letter to Mr. Rogers, the PDC will not be conducting a more formal investigation into these allegations or taking enforcement action in this matter.

RCW 42.17A.555 only applies to elected officials, and management and employees of Jefferson Healthcare or Jefferson County Hospital District 2 public agency, and as an individual who was only a candidate for an office in that jurisdiction, the statute does not apply to you.

Based on this information, the PDC has dismissed the complaint in accordance with RCW 42.17A.755(1). If you have questions, you may contact me at (360) 664-8854, toll-free at 1-877-601-2828, or by e-mail at kurt.young@pdcc.wa.gov.

Sincerely,

Endorsed by:

s/ _____
Kurt Young, Compliance Officer

s/ _____
BG Sandahl, Deputy Director for
Peter Lavalley, Executive Director



Public Disclosure Commission
Shining Light on Washington Politics Since 1972



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March 25, 2018

Delivered electronically to Paul Rogers

Subject: Complaint regarding Cheri Van Hoover, PDC Case 25581

Dear Mr. Rogers:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on September 20, 2017. Your complaint alleged that Cheri Van Hoover, a candidate for Hospital Commissioner for Jefferson County Hospital District 2 in 2017, may have violated RCW 42.17A.555 by using Jefferson County Hospital District 2 to support her candidacy. Specifically, your complaint alleged that Ms. Van Hoover had her photograph taken outside of Jefferson County Healthcare facility near the main entrance.

PDC staff reviewed the allegations listed in your complaint, the statute, rules, and PDC Interpretation #04-02 Guidelines for Local Governmental Agencies in Election Campaigns, and the response from Ms. Van Hoover. As a result of staff's review, we found the following:

- RCW 42.17A.555 prohibits elected officials and employees of public agencies from using or authorizing the use of public facilities, directly or indirectly, for the purpose of promoting or opposing any ballot measure.
- On April 14, 2017, Ms. Van Hoover filed a Candidate Registration (C-1 report) declaring her candidacy for Hospital Commissioner for Jefferson County Hospital District 2 in 2017, selecting the Full Reporting Option and listing Kathleen Taylor as Treasurer. Ms. Van Hoover was a first-time candidate for public office in 2017.
- Ms. Van Hoover stated that the photograph submitted as evidence with the complaint “was not taken by anyone in my campaign and it has not been used in any paid advertisement for the campaign. The photo was taken by Cydney McFarland, a reporter for the Peninsula Daily News.” She stated that the photograph “clearly identified in its caption as being the property of The Peninsula Daily News” and appeared in the newspaper along with an article announcing her candidacy for Hospital Commissioner.
- Ms. Van Hoover stated that the article appeared on Thursday, April 20, 2017, in the Peninsula Daily News, and that the reporter suggested a photograph be taken outside of Jefferson County Healthcare facility near the main entrance, and she complied with her request. She stated that her “only use of that article (with photo) by my campaign was a link on my campaign Facebook page to the full article. That post, with a link to the article, with the caption and photo credits clearly visible, was created on April 24, 2017.”

- Ms. Van Hoover stated that when a person clicked on the Facebook link on her Campaign page, it linked to the Peninsula Daily News article about her candidacy. She stated that she is not an elected official nor an employee of Jefferson Healthcare or Jefferson County Hospital District 2, so she did not believe RCW 42.17A.555, did not apply to her.

For your information, the prohibitions listed in RCW 42.17A.555 only apply to elected officials, and management and employees of Jefferson County Hospital District 2, a public agency, and not to an individual who is only a candidate for an office in that jurisdiction. Photographs taken outside of an entrance to a public agency that is accessible to the public on an equal access, non-discriminatory basis is not a use of public facilities in accordance with PDC statutes and rules.

Based on these findings, staff has determined that Ms. Van Hoover was not subject to RCW 42.17A.555 and did not violate that statute, and this matter does not warrant further investigation. Based on this information, the PDC has dismissed the complaint in accordance with RCW 42.17A.755(1).

If you have questions, you may contact me at (360) 664-8854, toll-free at 1-877-601-2828, or by e-mail at kurt.young@pdc.wa.gov.

Sincerely,

Endorsed by:

s/ _____
Kurt Young, Compliance Officer

s/ _____
BG Sandahl, Deputy Director for
Peter Lavalley, Executive Director

cc: Cheri Van Hoover

