



**Snohomish County
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August 22, 2017

Micaiah Titus Ragins
Compliance Coordinator
Washington State Public Disclosure Commission
P. O. Box 40908
Olympia, WA 98504-0908
pdcc@pdcc.wa.gov

Re: Brian Sullivan's Response to PDC Complaint 23500

Dear Mr. Ragins:

This letter responds to the complaint filed by Ms. Lori Shavlik alleging that Snohomish County Councilmember Brian Sullivan violated chapter 42.17A RCW by writing a letter in support of state funding for the Child Advocacy Center of Snohomish County, dba Dawson Place. Specifically, the Public Disclosure Commission asked that Mr. Sullivan respond to the following allegations:

1. Allegation One: Mr. Sullivan used County resources to support or lobby for Dawson Place in violation of RCW 42.17A.550 and .555.
2. Allegation Two: Mr. Sullivan used his office to influence support for Dawson Place in violation of RCW 42.17A.565.

We appreciate the opportunity to respond to each of Ms. Shavlik's allegations. None of the alleged actions constitute violations of campaign finance laws. Mr. Sullivan believes that the complaint should be dismissed with no action taken for the reasons described below.

1. **Allegation One: Mr. Sullivan used County resources to support or lobby for Dawson Place in violation of RCW 42.17A.550 and .555.**

Ms. Shavlik asserts that Mr. Sullivan's January 21, 2014, letter to Washington State Representative Hans Dunshee in support of Dawson Place's request for state funding, used County resources to lobby on behalf of Dawson Place in violation of RCW 42.17A.550 and .555. This is incorrect.

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RCW 42.17A.550 prohibits the use of public funds to finance any political campaign for a state or school district office. Because Dawson Place is not a political campaign, RCW 42.17A.550 does not apply.

RCW 42.17A.555 prohibits elected officials from using or authorizing 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.” Since the letter did not “assist a campaign for election” or promote or oppose “any ballot proposition,” RCW 42.17A.555 does not apply.

In fact, this type of letter is specifically authorized by RCW 42.17A.635(2). Elected officials may communicate with “the legislature, through the proper official channels, requests for legislative action or appropriations that are deemed necessary for the efficient conduct of the public business or actually made in the proper performance of their official duties.” RCW 42.17A.635(2).

Mr. Sullivan has been a Snohomish County Councilmember since 2008 when he was elected to represent the 2nd Council District. Snohomish County Council District 2 extends through the cities of Everett and Mukilteo, and includes areas of unincorporated Snohomish County. In 2014, Mr. Sullivan was the vice-chair of the County Council. The Child Advocacy Center of Snohomish County, dba Dawson Place is a 501(c)(3) non-profit corporation, located in Everett, WA, that provides services to child victims of physical abuse, sexual assault, neglect, drug endangerment, or who are witnesses to violent crime. As a Snohomish County Councilmember, it is entirely appropriate for Mr. Sullivan to contact the legislature through official channels and request appropriations for programs, such as Dawson Place, that he believes benefit the citizens of Snohomish County.

The complaint fails to identify any acts which constitute a violation of RCW 42.17A.555, or any other provision of chapter 42.17A RCW. It should be dismissed.

2. Allegation Two: Mr. Sullivan used his office to influence support for Dawson Place in violation of RCW 42.17A.565.

Ms. Shavlik asserts that Mr. Sullivan used his office to influence support on behalf of Dawson Place in violation of RCW 42.17A.565. There is no merit to this allegation.

RCW 42.17A.565(1) prohibits elected officials from soliciting campaign contributions from employees of the official's agency. The statute provides that:

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.

Id.

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RCW 42.17A.565 does not apply because the letter was not a solicitation for a "contribution to a candidate for public office, political party, or political committee from an employee in the state or local official's agency."

The complaint alleges that Mr. Sullivan used his "County Title for influence to get money and support for Dawson Place." As discussed above, the letter Mr. Sullivan wrote in support of Dawson Place is authorized by RCW 42.17A.635. The letter is from a Snohomish County Councilmember to a Washington State Representative supporting state funding for a program that benefits abused children and their families in Snohomish County. The complaint clearly fails to identify any acts which would violate chapter 42.17A RCW.

For the reasons stated above, Mr. Sullivan respectfully requests that the PDC determine that no violation of the state's campaign finance laws occurred and to close the complaint with no further action. If you require any additional explanation, Mr. Sullivan would be glad to provide any additional information or documentation.

Very truly yours,



Lindsey M. Downs
Deputy Prosecuting Attorney

Encl.

cc: Brian Sullivan