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Public Disclosure Commission

**BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON**In the Matter of Enforcement Action
AgainstRobert Schiffner and 2009 Robert
Schiffner Campaign

Respondents.

Case No. 10-059

STIPULATION AS TO FACTS,
VIOLATIONS AND PENALTY

The parties hereto, the Public Disclosure Commission Staff, by and through its Interim Executive Director, DOUG ELLIS, and the Respondent, ROBERT SCHIFFNER and 2009 ROBERT SCHIFFNER CAMPAIGN, submit this Stipulation as to Facts, Violations and Penalty in this matter.

JURISDICTION

1. The Public Disclosure Commission has jurisdiction over this proceeding pursuant to Washington's campaign finance disclosure law (the Act), Chapter 42.17 RCW; the Administrative Procedure Act, Chapter 34.05 RCW; and Title 390 WAC.

FACTS

2. Robert Schiffner was a 2009 candidate for Grant County Prosecuting Attorney. He filed a Candidate Registration (PDC form C-1) on May 20, 2009, choosing the Full Reporting option and naming Kathy Chamberlain as Treasurer.
3. Mr. Schiffner lost in the August 18, 2009 primary election to Albert Lin, and the incumbent Prosecuting Attorney, D. Angus Lee.
4. During his 2009 campaign for Grant County Prosecuting Attorney, Mr. Schiffner did not file any C-3 or C-4 reports showing contributions received or expenditures made for his

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campaign. All C-3 and C-4 reports were filed subsequent to the primary election, following receipt of complaints filed by Scott MacDonald and D. Angus Lee.

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5. **RCW 42.17.080 and .090** require candidates to file timely, accurate reports of contribution and expenditure activities undertaken by their campaigns, including monetary and in-kind contributions, and expenditures.

Failure to Timely File C-3 Reports of Contributions (RCW 42.17.080 and .090)

6. On February 16, 2010, the Schiffner campaign filed C-3 reports disclosing monetary contributions totaling \$9,150. On April 27, 2010, the campaign filed an additional C-3 showing a \$30,000 contribution in the form of a loan from Mr. Schiffner made on May 1, 2009. The contributions were reported from 197 to 321 days late.

Failure to Timely File C-4 Reports of Contributions and Expenditures (RCW 42.17.080 and .090)

7. On February 16, 2010, the Schiffner campaign filed C-4 reports, and listed expenditures totaling \$36,119.03 on Schedule A. A review of vendor invoices showed additional expenditures not included on Schedule A reports totaling \$2,084.11. Thus, it appears campaign expenditures totaled \$38,203.14.
8. Expenditures were made for campaign signs, newspaper and magazine advertising, radio and TV ads, T-Shirts, and brochures for mailing.
9. All C-4 reports, disclosing expenditures totaling \$36,119.03, and C-3 reports totaling \$9,150, were filed 182 days after the primary election on February 16, 2010. A C-3 for \$30,000 was filed on April 27, 2010, 252 days after the primary election.

VIOLATIONS

1. Robert Schiffner and the 2009 Robert Schiffner campaign for Grant County Prosecuting Attorney committed multiple violations of RCW 42.17.080 and 42.17.090 as follows:
 - a. By failing to timely report the receipt of monetary contributions on PDC form C-3 (Cash Receipts Monetary Contributions reports) totaling \$39,150;

- b. By failing to timely report monetary expenditures on Schedule A to PDC form C-4 totaling \$38,203.14, and to separately report the expenditures that were in-kind contributions on Schedule B to C-4.
2. Mr. Schiffner acknowledges that he missed the appropriate deadlines in reporting his campaign's contributions and expenditures and states the oversight is completely his fault. He states that this failure was due in part to switching treasurers in the middle of the campaign. He states it took him sometime to locate someone with PDC experience.

PENALTY

1. Based upon the stipulated facts and the agreement regarding the violations set forth above, the Respondent agrees that a total civil penalty of \$4,200 be assessed.
2. The Respondent affirms his intention to comply in good faith with the provisions of RCW 42.17 in all future election campaigns.


DOUG ELLIS, Interim Executive Director
Public Disclosure Commission

5-19-10
Date Signed


ROBERT SCHIFFNER
2009 ROBERT SCHIFFNER CAMPAIGN

5/18/10
Date Signed

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