



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

Chief Steve Strachan  
City of Bremerton Police Department  
1025 Burwell Street  
Bremerton WA 98337

In Re Compliance with RCW 42.17A

Steve Strachan

Respondent.

PDC Case No. 13-013

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

A brief enforcement hearing (brief adjudicative proceeding) was held April 25, 2013, in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington to consider whether Steve Strachan, who was the Interim King County Sheriff and a candidate for election to that office in 2012, violated RCW 42.17A.555 by using the facilities of the King County Sheriff's Office to assist his campaign for sheriff in the November 6, 2012 general election.

The hearing was held in accordance with Chapters 34.05 and 42.17A RCW and Chapter 390-37 WAC. Commission Chair Amit Ranade was the Presiding Officer. Tony Perkins, PDC Lead Political Finance Specialist represented Commission staff. The Respondent participated by telephone and provided testimony to the Presiding Officer.

A brief enforcement hearing notice was sent to Sheriff Strachan on April 12, 2013. Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. The Respondent was the interim King County Sheriff, having been appointed to that position by the King County Council in April of 2012.
2. The Respondent was a candidate for election to the office of King County Sheriff in the 2012 election cycle.
3. During 2012, the Respondent appeared in a uniform owned by the King County Sheriff's Office and posed for a photographic "head-shot." The photograph of the Respondent in his Sheriff's uniform was taken by a campaign staff member at his campaign headquarters, and was posted to his campaign web site and Facebook page.

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4. On July 28, 2012, the Respondent wore a uniform owned by the King County Sheriff's Office when he attended the annual summer picnic of the King County Republican Party, which is the Republican Party central committee for King County, and a *bona fide* political party committee. The picnic was, at least in part, a campaign-related event since it was hosted by a political party organization whose mission includes supporting candidates for public office, and there were a number of candidates for public office in attendance, including the Respondent, that set up tables staffed with campaign workers to distribute campaign materials.
5. Members of the Respondent's campaign were in attendance and took photos of the Sheriff in uniform at the picnic and posted these photos to his campaign Facebook page. The Respondent posed for at least one such photograph that was taken by a member of his campaign.
6. The Respondent stated he attended a parade earlier in the day in which he appeared in his official capacity as King County Sheriff in his uniform. He stated he went straight from the parade to the King County Republican Party picnic, and after he left the picnic, he attended another parade later that afternoon in which he appeared in his official capacity as King County Sheriff in uniform. He stated that the King County Sheriff's Office legal counsel advised him that under these circumstances, it was acceptable to remain in uniform during the King County Republican Party picnic, but that he should exercise caution and refrain from campaigning at the event.
7. The Respondent stated there was no intent on his part to violate the Public Disclosure Law, and that he respected the PDC's interpretation.

CONCLUSIONS OF LAW

Based on the above facts 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.555 by using the facilities of the King County Sheriff's Office on two occasions when he appeared in uniform to assist his campaign for King County Sheriff in the November 6, 2012 general election.

ORDER

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

**IT IS HEREBY ORDERED** that the Respondent is assessed a total civil penalty of \$250, of which \$125 is suspended on the condition the Respondent is not found to have committed any further violations of RCW 42.17A within four years of the date of this order.

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

Entered this 2<sup>nd</sup> day of May, 2013.

Public Disclosure Commission

Andrea M. Doyle  
Andrea McNamara Doyle  
Executive Director

Enclosure: Information about Appeal Rights

I, Jacob Berkley, certify that I mailed a copy of this order to the  
Respondent(s) at his/her/its respective address, postage pre-paid, on the date stated herein.

Jacob Berkley  
Signed

5/2/13  
Date

**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 that 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.