



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

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BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

John Gallup  
Attn: James Oswald, on behalf of John Gallup  
18 West Mercer Street, Suite #400  
Seattle, WA 98119

In Re Compliance with RCW 42.17

John Gallup

Respondent.

PDC Case No. 13-032

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

A brief enforcement hearing (brief adjudicative proceeding) was held August 1, 2013, in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington to consider whether the Respondent violated RCW 42.17.130 by using facilities of the City of SeaTac to assist the 2009 campaigns of candidates for SeaTac City Council.

The hearing was held in accordance with Chapters 34.05 and 42.17A RCW and Chapter 390-37 WAC. A brief enforcement hearing notice concerning the administrative charges was sent to the Respondent through his legal counsel, James Oswald, on June 17, 2013, for a Brief Enforcement Hearing scheduled for June 27, 2013. On June 27, 2013, the Presiding Officer continued the hearing to August 1, 2013. Commission Chair Amit Ranade was the Presiding Officer. The Commission staff was represented by Kurt Young, Compliance Officer. The Respondent participated in person and provided sworn testimony to the Presiding Officer at the hearing. The Respondent was also represented by James Oswald, legal counsel, who spoke at the hearing.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. The Respondent is an Engine Company Captain for the City of SeaTac Fire Department and President of the SeaTac local firefighters union (IAFF Local 2919).
2. In 2009, three SeaTac City Council positions were up for election. Six candidates filed for the three positions: Jonathan Standridge and Rich Forschler for position 2; Tony Anderson and Michael Kovacs for position 4; and Barry Ladenburg and Pamela Fernald for position 6.
3. On September 25, 2009, the Respondent used his City of SeaTac email account to send an email to Keven Rojecki's private email address, discussing candidates for SeaTac City Council and city council elections. Mr. Rojecki is a City of SeaTac firefighter and a

Legislative Liaison for the Washington State Council of Fire Fighters (WSCFF). The email string discussed local candidate endorsements and local candidate contribution limits.

CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, 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 42.17.130 on one occasion by using the facilities of the City of SeaTac to send an email that assisted the 2009 campaign of Tony Anderson, a candidate for SeaTac City Council.

ORDER

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

**IT IS HEREBY ORDERED that the Respondent is assessed a civil penalty of \$400, of which \$350 is suspended on the following conditions:**

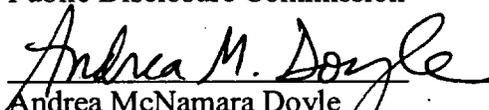
- (1) Respondent is not found to have committed any further violations of RCW 42.17A<sup>1</sup> within two years of the date of this order; and
- (2) The \$50 non-suspended portion of the penalty is paid within 30 days of the date of this order.

If Respondent fails to comply with any of these conditions, the suspended portion of the penalty will become immediately due and payable without further action by the Commission.

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

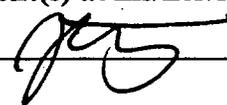
Entered this 16<sup>th</sup> day of August, 2013.

Public Disclosure Commission

  
Andrea McNamara Doyle  
Executive Director

Enclosure: Information about Appeal Rights

I, Jacob Berkeley, 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.

Signed 

Date 8/16/2013

<sup>1</sup> Chapter 42.17 RCW was recodified to Chapter 42.17A RCW effective January 2012, and RCW 42.17.130 was recodified to RCW 42.17A.555.