

- **Allegation One:** Solicitation of contributions from a public employee by accepting a \$1000 contribution from a supervisor at the Benton County Sherriff's office

At no time have I solicited, demanded or requested contributions from employees, co-workers or any other public official. All contributions made to my Campaign have been made freely and willingly.

- **Allegation Two:** Unauthorized acceptance of an over-limit contribution of \$4758 from the Garlick family when the limit three family members is \$3000 for any given election.

The sources of contributions for the items listed were from individuals and legal entities. The limits based on the source of the contribution amounts have not been violated. The limits based on the source of the contribution amounts have not been violated.

RCW 42.17A.005 (24) defines "Immediate family" to include the spouse or domestic partner, dependent children, and other dependent relatives, **if living in the household.**

- **Allegation Three:** Contributions that may be inappropriately reported as personal funds to conceal the source of the contributors and circumvent reporting requirements.

The personal funds that I put into my campaign were from assets that I had legal access and control of. I have always made a good income and budget my money accordingly. My ability to save money has never been a problem for me. The complainant again offers no proof just malleolus assumptions to support his political agenda.

- **Allegation Four:** Unauthorized use of public facilities to promote the candidacy which includes an official campaign photo of a Benton County patrol car as well as photos of Jerry Hatcher in full uniform and with patrol vehicles that are posted on the campaign Facebook page.

This allegation was addressed in the complainant's first complaint letter. I only use photos or videos from the local news stations or paper that are out in the public domain and I am operating in my official capacity as Sheriff. This is allowed under RCW 42.17A.555 (#3). This was also confirmed with the PDC compliance office.

Use of public office or agency facilities in campaigns—Prohibition—Exceptions.

No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize 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.

Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency. However, this does not apply to the following activities:

(1) Action taken at an open public meeting by members of an elected legislative body or by an elected board, council, or commission of a special purpose district including, but not limited to, fire districts, public hospital districts, library districts, park districts, port districts, public utility districts, school districts, sewer districts, and water districts, to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council,

or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;

(2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;

(3) Activities which are part of the normal and regular conduct of the office or agency.

(4) This section does not apply to any person who is a state officer or state employee as defined in RCW 42.52.010.

- **Allegation Five:** Failure to file weekly contribution reports on multiple occasions during the reporting period that starts on June 1st to capture the previous 7 days of deposits.

1) Every effort has been made to comply with reporting requirements and any errors made have been unintentional and immediately corrected once discovered.

The following rules apply to contributions:

2) Deposits must be within 5 business day of receipt of contribution and

3) Starting June 1 begin filing C-3 reports weekly each Monday for deposits made during the previous 7 days (Monday thru Sunday)

The following contributions were noted in this complaint:

1) Tim Dunn, David Douglas, Brian Darrow – Contributions received on Thursday June 29, 2017, deposited on Wednesday July 5, 2017, and C-3 filed on Monday July 10, 2017.

Deposit was made within 5 business days and C-3 filed on time the following Monday. This was timely filed and there are no issues with this deposit and reporting.

2) Rusty Morris – Contribution received Wednesday June 14, 2017 and deposited Monday June 19, 2017. Alexandria Cellars – Contribution received Thursday June 15, 2017 and deposited Monday June 19, 2017. Form C-3 was filed one day late on Tuesday June 27, 2017. The treasurer was out of town at her son's college orientation when the summary schedule of deposits was received for the June 19th deposit. The report was filed immediately after her return on Tuesday.

3) Tri City Battery – Contribution received Wednesday June 7, 2017 and deposited Tuesday June 13, 2017. The C-3 should have been filed on Monday June 19, 2017 but was filed late on Tuesday June 27, 2017. When the treasurer was reconciling the bank account on June 27th it was discovered a deposit had inadvertently been missed. The deposit was immediately entered and C-3 form filed once this was discovered.

Please see attached excel spreadsheet for verification of compliance with PDC reporting requirements and dates.

- **Allegation Six:** Failure to report expenditures on time. Sign posting permits for City of West Richland were reported on 6-7-17 instead of during April, when the signs were posted.

This allegation was addressed in my previous response to PDC on July 4, 2017.

My campaign was in contact with the City of West Richland on Monday, May 22nd, 2017 and we received the required permit documentation which I have email confirmation of. We completed the required applications and paid the associated permit fees as required. No signs were posted in Benton County in April as the complainant indicates as signs were not even ordered until May and not received until mid-May. (Sign Order confirmation attached)

- **Allegation Seven:** Failure to report in kind contributions on time. \$272 on sign wood and \$147 on sign brackets were reported on 6-10-17, even though the signs have been posted since the middle of April in Benton County.

Again no signs were put up in April as the complainant indicates. Signs were not ordered until May 5th (order confirmation attached). I received a delivery from Victory Store of campaign signs on May 18th, 2017. We didn't start posting signs until late May. I could not have posted any sign in April as I did have them.

Allegation Eight: Failure to report expenditures. Jerry Hatcher has posted over 100 4x8 foot signs around Benton County. Each has minimum of 2 4x4 and 1 section of plywood to keep them up. Only \$400 in sign wood or campaign sign framing is being reported, which doesn't account for the fair market value of the other sign components. Hatcher may have received wood and accessories from Markel Properties as an unreported in-kind contribution.

The complainant again is embellishing and presenting miss leading facts. I have less than 100 4x8 signs out and of those signs only 4 of these signs use the construction materials described by the complainant. In the complainants first complaint letter he made allegations Markel Properties had given me free advertising space, as this allegation has no merit and was addressed in the first complaint letter, now the complainant has changed his allegation to they are giving me wood and accessories as unreported contributions. Again this allegation continues to be completely untrue and without facts.

- **Allegation Nine:** False political advertising by claiming to be endorsed by the 38 Sheriffs in Washington State without producing proof of endorsement.

Please see the attached form with signatures of the State of Washington Sheriff's and their endorsement.