



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908
(360) 753-1111 • FAX (360) 753-1112

Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

September 3, 2021

Delivered electronically to David Churchman at “davechurchman@icloud.com”

Subject: Complaint regarding Joshua Harem, PDC Case 94689

Dear Mr. Churchman:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on July 2, 2021. The complaint alleged that Joshua Harem, a candidate for City of Puyallup City Council in the 2021 primary election, may have violated: (1) RCW 42.17A.205 for failure to timely register as a candidate within two weeks of submitting a Declaration of Candidacy (DOC); (2) RCW 42.17A.235 & .240 for failure to timely and accurately file Monetary Contribution reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports), disclosing contributions and expenditures undertaken by the Campaign; and (3) RCW 42.17A.700 for failure to timely file the Personal Financial Affairs Statement (F-1 report) within two weeks of submitting a DOC.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the response provided by the Respondent; and the applicable PDC reports to determine whether the record supports a finding of one or more violations.

Based on staff's review, we found the following:

- On May 21, 2021, Joshua Harem declared his candidacy for Puyallup City Council in the 2021 election by submitting a Declaration of Candidacy with the Secretary of State's Office.
- RCW 42.17A.005(8) defines the term “candidate” and specifically includes any individual who seeks nomination for election or election to public office by making a public announcement or filing for office.
- The C-1 and F-1 reports were both due within two weeks of Mr. Harem becoming a candidate, or no later than June 4, 2021.
- As a candidate in the 2021 election, Mr. Harem was included in a group enforcement process and received a group enforcement warning notice dated June 15, 2021 regarding the missing C-1 and F-1 reports. The warning gave all recipients the opportunity to submit the missing reports by July 14, 2021 to avoid additional enforcement action.
- In response to the warning notice, Mr. Harem completed a notice of termination with PDC staff. The signed notice of termination required Mr. Harem to agree to specific conditions, specifically including a statement attesting that he would not campaign for office, not receive or expend funds, and would not accept the position if elected. If all conditions are met for a candidate, PDC staff agreed to not conduct enforcement regarding the missing C-1 and F-1 reports.

- The termination notice also included a statement affirming that if the candidate does not adhere to the conditions described above, that PDC staff will pursue enforcement action for failure to file reports required by RCW 42.17A.
- PDC staff used the termination notice to cease enforcement action regarding the missing C-1 and F-1 reports and removed Mr. Harem from the group enforcement process.

During the investigation, staff found no evidence showing that Mr. Harem has engaged in any campaign activities in conflict with the conditions agreed upon in the signed notice of termination. In addition, staff found no evidence that Mr. Harem engaged in campaign activities requiring disclosure under RCW 42.17A.235 or .240.

Based on our findings staff has determined that, in this instance, failure to timely file the C-1 and F-1 reports as a 2021 candidate within two weeks of declaring candidacy does not amount to a finding of a violation that warrants further investigation.

PDC staff is reminding Joshua Harem about the importance of the timely registration and disclosure of all contribution and expenditure activities, personal financial information, and the timely filings of all future PDC reports in accordance with the statutes and rules.

Based on this information, the PDC finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Electronically signed

Jennifer Hansen
Compliance Officer

Endorsed by,

Electronically signed

Kim Bradford
Deputy Director
For Peter Lavallee
Executive Director

cc: Joshua Harem