



**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: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

May 7, 2024

Delivered electronically to Ed Troyer at edtroyer7@gmail.com

Subject: Complaints filed by Mike Curtis, Alyssa Duarte, and Terry E. Parker, PDC Case 150081

Dear Sheriff Troyer:

Below is a copy of an electronic letter sent to Mike Curtis, Alyssa Duarte, and Terry E. Parker concerning complaints filed with the Public Disclosure Commission (PDC).

As noted in the letter to the Complainants, the PDC has dismissed this matter following RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

However, per WAC 390-37-060(1)(d), this serves as a formal written warning concerning your use of public facilities to support a candidate for public office. In the future, the PDC expects you to abide by [RCW 42.17A.555](#) and the *Guidelines for Local Agencies in Election Campaigns*, see [PDC Interpretation No. 04-02](#).

If violations of PDC laws or rules occur in the future, the Commission will consider this formal written warning in deciding on further Commission action.

If you have questions, contact Tanya Mercier by e-mail at pdc@pdc.wa.gov.

Sincerely,

Endorsed by,

/s/ Electronically Signed

Tanya Mercier
Compliance Officer

/s/ Electronically Signed

Peter Frey Lavallee
Executive Director



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May 7, 2024

Delivered electronically to michelcurtis20@gmail.com, msalyss85@yahoo.com, and terryparkerkinunen@gmail.com

Subject: Complaints regarding Ed Troyer, PDC Case 150081

Dear Mike Curtis, Alyssa Duarte, and Terry E. Parker:

The Public Disclosure Commission (PDC) has completed its review and assessment of the complaints you filed February 27, 2024. The complaints alleged Ed Troyer violated RCW 42.17A.555 by misusing public facilities to support a candidate for public office.

PDC staff reviewed the allegations; the applicable statutes and rules; the response(s) provided by the Respondent; and other relevant information, to determine whether the record supports a finding of one or more violations.

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

- Ed Troyer is presently the elected Sheriff of Pierce County.
- It was alleged that Sheriff Ed Troyer, as an elected official, violated RCW 42.17A.555 by causing the misuse of public facilities when he participated in a Zoom call and interview that resulted in materials used for an endorsement video promoting the candidacy of Dave Reichert in election year 2024 for Washington State Governor.
- [RCW 42.17A.555](#) prohibits public officials and agencies from using or authorizing the use of facilities, directly or indirectly, for the purpose of promoting or opposing candidates or ballot propositions/measures. Facilities of a public office or agency include, but 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. This prohibition does not apply to activities that are part of the normal and regular conduct of the public/local agency, as defined in [WAC 390-05-273](#).

- [PDC Interpretation No. 04-02](#) states, in part, that local government elected officials may engage in political activities on their own time, if there is no use of public equipment, vehicle, or facility. An elected official may use their title so long as they clarify that they are speaking on their own behalf, and not on behalf of the agency. They may also attend events and voice their opinion about a candidate or ballot proposition if they are not compensated and are not using any public equipment, vehicle, or other facility. A [2015 staff analysis](#) is also available to help public agencies to determine if an activity is permitted.
- PDC staff's review found that Sheriff Troyer does appear, along with other Washington state sheriffs, in an endorsement video for Dave Reichert's 2024 campaign for Washington State Governor. The Reichert campaign developed the video materials from a recorded interview conducted via a Zoom call.
 - Sheriff Troyer said that he did not communicate with the Reichert campaign using his county email.
 - The interview occurred while Sheriff Troyer was in a county Sheriff's facility office, which is a misuse of public facilities. He did however use his own device and did not use the county Wi-Fi while taking the Zoom call.
 - In the video, the Sheriff wears a suit and is not wearing a county supplied Sheriff's uniform.
 - The video uses an overlay depicting the Pierce County Sheriff's office shield and title. The sheriffs in the video did not supply the video overlay used to depict their county Sheriff's office shield or title.
- In his response to the PDC, Sheriff Troyer supplied a section of his department's written guidance that is meant to help staff follow RCW 42.17A.555. The Sheriff added, "After further research and talking to other elected politicians I won't be using that office for any further political type activities."
- The PDC has contacted the Reichert4Governor campaign and requested the voluntary removal of the endorsement video because it is promotional of the campaign and includes elected Washington state sheriffs who in some cases are in county issued uniform or using public facilities. The campaign has not responded to the PDC's request.
- The Respondent does not have other similar warnings or violations of PDC requirements.

Based on our findings staff has determined that, in this instance, the evidence does not support a finding of a violation that warrants further investigation.

However, per WAC 390-37-060(1)(d), Sheriff Troyer will receive a formal written warning concerning the misuse of public facilities to support a political candidate. If violations of PDC laws or rules occur in the future, the Commission will consider this formal written warning in deciding on further Commission action.

Based on this information, the PDC finds that no further action is necessary and has dismissed this complaint per RCW 42.17A.755(1)(a).

If you have questions, contact Tanya Mercier by e-mail at pdcc@pdc.wa.gov.

Sincerely,

/s/ Electronically Signed

Tanya Mercier
Compliance Officer

Endorsed by,

/s/ Electronically Signed

Peter Frey Lavalley
Executive Director

Cc: Sheriff Ed Troyer