



WALLA WALLA COUNTY AUDITOR

KAREN MARTIN, AUDITOR
315 WEST MAIN
P.O. BOX 1856
WALLA WALLA, WA 99362-0356

August 19, 2015

To: News Media and Political Parties

From: Karen Martin, Walla Walla County Auditor

Subject: Eligibility of candidate in College Place School District

The Walla Walla County Auditor's Office has been advised that the eligibility of Samuel Ramos to be a school board candidate has been brought into question. The allegation is that he is not a resident of the College Place School District, was not at the time he filed for office, and therefore may not be eligible to serve on that school board.

During the candidate filing period in May, Mr. Ramos filed for the position of School Director Position 5 for the College Place School District. In the process of submitting his candidacy, the online candidate filing system attempted to warn Mr. Ramos that his residential address was not inside the College Place School District.

The contact address submitted with his candidate filing is located inside of the College Place School District. However, it appears that Mr. Ramos does not live at that address.

Qualifications for school district elected officials require that they reside inside the district. These qualifications are spelled out in RCW 28A.343.340 and RCW 29A.24.075.

On August 13 the Auditor's Office notified Mr. Ramos by letter of the allegations. A copy of that letter is enclosed, as well as an August 17 memorandum from Walla Walla County Prosecuting Attorney Jim Nagle to College Place Superintendent Tim Payne.

On August 18, Mr. Ramos notified the Auditor's office that he had filed a Statement of Termination of Campaign with the Washington State Public Disclosure Commission. That statement is enclosed.

State law (RCW 29A.36.180) requires that a candidate's name may only be taken off of a ballot after he or she has been declared unqualified by order of the Superior Court. As noted in Prosecuting Attorney Jim Nagle's memorandum, only a qualified elector within the school district may file an affidavit with the Court to seek Mr. Ramos's disqualification. Those affidavits must be filed by Friday.



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KAREN MARTIN, AUDITOR
315 WEST MAIN
P.O. BOX 1856
WALLA WALLA, WA 99362-0356

August 13, 2015

Samuel Ramos
2784 Morning Glory Ln
Walla Walla, Wa 99362

Re: Eligibility of Candidacy

Dear Mr. Ramos:

The County Auditor's Office has recently been questioned about your eligibility to serve as a School Board member of the College Place School District. The allegation is that you are not a resident of College Place School District, was not at the time you filed for office, and therefore may not be eligible to serve on that school board.

During the process of filing for the School Director Position 5 for College Place School District the online filing system attempted to warn you that your residence was not inside the College Place District.

Qualifications for school district elected officials require that they reside inside the district. These qualifications are spelled out in RCW 28A.343.340 and RCW 29A.24.075.

The Auditor's Office is currently pursuing the best course of action to take in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Karen Martin".

Karen Martin
Walla Walla County Auditor

cc: Tim Payne
Superintendent College Place School District



WALLA WALLA COUNTY AUDITOR

KAREN MARTIN, AUDITOR
315 WEST MAIN
P.O. BOX 1856
WALLA WALLA, WA 99362-0356

August 13, 2015

Samuel Ramos
1087 Crestlane Dr
College Place, Wa 99324

Re: Eligibility of Candidacy

Dear Mr. Ramos:

The County Auditor's Office has recently been questioned about your eligibility to serve as a School Board member of the College Place School District. The allegation is that you are not a resident of College Place School District, was not at the time you filed for office, and therefore may not be eligible to serve on that school board.

During the process of filing for the School Director Position 5 for College Place School District the online filing system attempted to warn you that your residence was not inside the College Place District.

Qualifications for school district elected officials require that they reside inside the district. These qualifications are spelled out in RCW 28A.343.340 and RCW 29A.24.075.

The Auditor's Office is currently pursuing the best course of action to take in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Martin".

Karen Martin
Walla Walla County Auditor

cc: Tim Payne
Superintendent College Place School District

JAMES L. NAGLE
PROSECUTING ATTORNEY
240 WEST ALDER, SUITE 201
WALLA WALLA, WA 99362-2807
TELEPHONE (509) 524-5445
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OFFICE OF THE
PROSECUTING ATTORNEY
OF
WALLA WALLA COUNTY
WASHINGTON STATE

GABRIEL E. ACOSTA, CHIEF DEPUTY
JOSEPH M. GOLDEN, DEPUTY
MICHELLE M. MDLHERN, DEPUTY
JESSE D. NOLTE, DEPUTY
APRIL B. KING, DEPUTY
KELLY A.B. STEVENSON, DEPUTY
NICHOLAS A. HOLCE, DEPUTY

August 17, 2015

Tim Payne
Superintendent
College Place School District
1755 S. College Ave.
College Place, WA 99324

RE: College Place School District Election – Ineligible Candidate for School Board

Dear Mr. Payne:

It has been brought to our attention that the eligibility of Samuel Ramos to be a school board candidate has been brought into question. It is alleged that the candidate does not live in the district represented by that office, and did not live in that district when he filed his declaration of candidacy. He would, if the allegations are true, not be eligible to serve on the school board.¹

Please be advised that a voter in the school district would have to file an affidavit in the Superior Court contesting the election. The affidavit would need the following set forth in the statute:

RCW 29A.68.030 Affidavit of error or omission — Contents — Witnesses.

An affidavit of an elector filed pursuant to RCW 29A.68.011(6) must set forth specifically:

- (1) The name of the contestant and that he or she is a registered voter in the county, district or precinct, as the case may be, in which the office is to be exercised;
- (2) The name of the person whose right is being contested;
- (3) The office;
- (4) The particular causes of the contest.

No statement of contest may be dismissed for want of form if the particular causes of

¹ **RCW 28A.343.340 When elected — Eligibility.** Directors of school districts shall be elected at regular school elections. No person shall be eligible to the office of school director who is not a citizen of the United States and the state of Washington *and a registered voter of either the school district or director district*, as the case may be. (Emphasis added)

contest are alleged with sufficient certainty. The person charged with the error or omission must be given the opportunity to call any witness, including the candidate.

There are time limits for filing such an affidavit. An affidavit of an elector when relating to a general election must be filed with the appropriate court no later than three days following the official certification of the primary election returns, or official certification of candidates qualified to appear on the general election ballot, whichever is later, and shall be heard and finally disposed of by the court not later than five days after the filing thereof. An affidavit of an elector after an election shall be filed with the appropriate court no later than ten days following the official certification of the election. (see RCW 29A.68.011) The certification of the primary is scheduled for August 18, 2015.

I trust that this information is useful to you and the school district's attorney. Please feel free to contact me if there are any questions.

Yours truly,



James L. Nagle
Prosecuting Attorney

Cc: Hon. Karen Martin/Auditor

Statement of Termination of Campaign

Name: SAM RAMOS

Office Sought: COLLEGE PLACE SCHOOL DIST. BOARD POS. #5

Jurisdiction:

1. I have terminated my campaign. I understand that this statement is not an official withdrawal from the campaign, which can only be done with the appropriate elections office, and not with the Public Disclosure Commission (PDC).
2. I will not campaign for my election. I will not solicit or accept campaign contributions, monetary or in-kind. I will not make campaign expenditures, including from personal funds.
3. If elected, I will not accept the office.
4. I understand that if I terminate my campaign; do not campaign for my election; do not solicit or accept campaign contributions, monetary or in-kind; do not make campaign expenditures, including from personal funds; and if elected, do not accept the office, the PDC will not conduct enforcement for my failure to file the reports required by RCW 42.17A.
5. I understand that if I win and accept the office, the PDC will conduct enforcement for failure to file reports required by RCW 42.17A.

Typed Name or Signature:



Date Submitted or Signed: 8.18.15

PUBLIC DISCLOSURE COMMISSION
PO BOX 40908
OLYMPIA WA [98504-0908](http://www.pdc.wa.gov)

Email: jacob.berkey@pdc.wa.gov