



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.pdcc.wa.gov

3/30/2018

Delivered electronically to “rgflygare@gmail.com”

Subject: PDC Case 15365

Dear Roger Flygare:

Below is a copy of an electronic letter sent to Glen Morgan concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted below to Glen Morgan, the PDC will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter. This letter serves as a reminder that even if a public declaration of candidacy is not intended, the act of making an announcement to a news organization about a possible future candidacy could be understood and interpreted as announcing a candidacy based on a future occurrence, which would trigger a reporting requirement based on applicable reporting requirements.

If you have questions, you may contact Micaiah Ragins at 1-360-586-4555 toll-free at 1-877-601-2828, or by e-mail at micaiah.ragins@pdcc.wa.gov.

Sincerely,

Endorsed by,

/s _____
Micaiah Ragins
Compliance Coordinator

/s _____
Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director



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3/30/2018

Delivered electronically to “glen@wethegoverned”

Subject: Complaint regarding Roger Flygare, PDC Case 15365

Dear Glen Morgan:

The Public Disclosure Commission (PDC) has completed its initial review of the complaint you filed on March 14, 2017. Your complaint alleged that Roger Flygare may have violated RCW 42.17A.205, RCW 42.17A.700, and RCW 42.17A.235 by failing to timely file the Candidate Registration (C-1 report) and Personal Financial Affair Statement (F-1 report), along with filing C-3 contribution reports and C-4 expenditure reports.

PDC staff reviewed your allegations, and as a result of staff’s initial review, we found the following:

- The Federal Way Mirror published an article which quoted Roger Flygare as rescinding his intent to run for a Federal Way City Council position.
- The Federal Way Mirror article also emphasized that Roger Flygare intends to announce his candidacy in 2017, but that statement was not quoted.
- Roger Flygare responded that his intent for contacting the Federal Way Mirror was to announce withdrawing his application for a vacant seat. He believes that the newspaper took editorial liberties to announce his candidacy for 2017 as written in the headline of the article.
- Roger Flygare's email to the Federal Way Mirror indicates that he was primarily withdrawing his application as a candidate, while also declaring an intent to announce his candidacy at a later time in 2017.
- Mr. Flygare's filing history indicates that he has been diligent in filing previous C-1 and F-1 reports when he seeks to become a candidate and has also been deliberate in notifying the PDC when his candidate status has changed.

- Roger Flygare filed his Candidate Registration (C-1 report) for the 2017 election on March 16, 2017, which was within 24 hours of being notified of the complaint. He submitted a press release to publicly announce his campaign on March 24, 2017.
- Roger Flygare regularly filed C-3 and C-4 reports throughout his 2017 campaign and did not win the General Election.

Based on these initial findings, staff has determined that in this instance, it is not clear that Mr. Flygare announced his candidacy on December 19, 2016 in such a way that he was required to file the Candidate Registration (C-1 report), Personal Financial Affairs Statement (F-1 report), and the accompanying contribution or expenditure reports at that time. Due to this uncertainty, we did not find evidence of a material violation warranting further investigation.

PDC staff is reminding Roger Flygare that even if a public declaration of candidacy is not intended, the act of making an announcement to a news organization about a possible future candidacy could be understood and interpreted as announcing a candidacy based on a future occurrence, which would trigger a reporting requirement based on applicable reporting requirements.

The PDC has closed the matter, and will not be conducting a more formal investigation into your complaint or pursuing further enforcement action in this case.

If you have questions, you may contact Micaiah Ragins at 1-360-586-4555 toll-free at 1-877-601-2828, or by e-mail at micaiah.ragins@pdc.wa.gov.

Sincerely,

/s _____
Micaiah Ragins
Compliance Coordinator

Endorsed by,

/s _____
Barbara Sandahl
Deputy Director
For Peter Lavallee
Executive Director

cc: Roger Flygare