



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

March 12, 2019

Sent electronically to Bailey Stober

Subject: Bailey Stober Complaint(s) Return Letter, PDC Cases 14840 & 14915

Mr. Stober:

Below is a copy of a letter sent electronically to Glen Morgan concerning the two complaints he filed with the Public Disclosure Commission (PDC) against you in PDC Case 14915 and 14840. As noted below in the letter sent to Mr. Morgan, the PDC will not be conducting a more formal investigation into these allegations or taking enforcement action in these matters.

However, PDC staff is reminding you concerning the importance of timely and accurately filing C-1, C-3 and C-4 reports disclosing contribution and expenditure activities, including the reporting of debts and obligations, and especially maintain the campaign books of accounts, as required by PDC laws and rules.

Based on this information, the PDC has dismissed the two complaints for PDC Cases 14840 and 14915, in accordance with RCW 42.17A.755(1).

If you have questions, you may contact me at (360) 664-8854, toll-free at 1-877-601-2828, or by e-mail at kurt.young@pdc.wa.gov.

Sincerely,

Endorsed by:

s/ _____
Kurt Young, Compliance Officer

s/ _____
BG Sandahl, Deputy Director for
Peter Lavalley, Executive Director



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March 12, 2019

Sent electronically to Glen Morgan

Subject: Complaints filed against Bailey Stober; PDC Cases 14840 & 14915

Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the two complaints you filed against Bailey Stober for PDC Case 14840 filed on March 6, 2017, and PDC Case 14915 filed on March 7, 2017.

PDC Case 14840: The complaint alleged that Mr. Stober, as a 2015 candidate for Kent City Council, may have violated RCW 42.17A by failing to timely file a Candidate Registration (C-1 report) accurately disclosed campaign information and by failing to timely and accurately file Monetary Contribution Reports (C-3 report), and Campaign Summary Full Campaign Contribution and Expenditure reports (C-4 reports) disclosing contribution and expenditure activities, including in-kind contributions, loans and outstanding debts/obligations.

PDC Case 14915: The complaint alleged that Mr. Stober, as an exempt employee of the King County Assessor's Office, may have violated RCW 42.17A.555 by using King County facilities to support or oppose a candidate or ballot proposition, both as an individual and in his capacity as Chair of the King County Democratic Central Committee (KCDCC).

For your information, to more efficiently use PDC resources the two complaints are combined into one letter. PDC staff reviewed the allegation listed in your two complaints, the statutes, rules, reporting requirements, and PDC Interpretation #04-02 Guidelines for Local Government in Election Campaigns, the C-3 and C-4 reports submitted by the 2015 Bailey Stober Campaign, and the responses from Mr. Stober. Based on staff's review, we found the following:

- On March 9, 2015, Bailey Stober filed a Candidate Registration (C-1 report) declaring his candidacy for election to the office of Kent City Councilmember in 2015, selecting the Full Reporting Option, and listing himself as Campaign Treasurer and the only officer.
- On April 9, 2013, Mr. Stober filed a C-1 report declaring his candidacy for election to the office of Kent City Councilmember in 2013, selecting the Full Reporting Option, and listing himself as Campaign Treasurer and the only officer. Mr. Stober had previously sought election to Kent City Council in 2009 and 2011.

- On December 12, 2016, the KCDCC filed an amended C-1pc report disclosing that Mr. Stober was Chair of the Committee, and he served in that capacity through February of 2018.

PDC Case 14915

- Mr. Stober stated he is the Director of Communications and External Relations for the King County Assessor's Office, that he is a salaried, appointed King County employee, and added "as a result I am not paid by the hour. Equally as a result, I consistently work more than 40 hours per week on average including afterhours community meetings. For example, this very evening I attended a community town hall in Fairwood from 7pm – 9pm. When this occurs, as it often does, I am authorized to leave the office before 5pm for a dinner break."
- Mr. Stober acknowledged that he posted information on his personal Facebook page on March 1, 2017, at 4:05pm, but indicated that he was out of the office on sick leave that afternoon and wasn't performing his any of his official duties for the King County Assessor's Office. He stated that no King County facilities were not used to post the information on his Facebook page.
- Mr. Stober also acknowledged the February 20, 2017 screen shot of his Facebook page, that featured him attending and testifying at hearings of the Legislature, and lobbying Legislators with other Democratic organizations in his capacity as Chair of the KCDCC. He noted that the date in questions was President's day, which is a federal, state and local holiday in which all King County offices, including the King County Assessor's Office are closed. He stated he was not working so clearly no facilities were used.
- Mr. Stober stated that while he is a public servant, he deserved the same rights as other employees concerning breaks, lunches, meals and time off, and added that he did not engage in posting political messages during his work hour or utilizing King County Assessor's resources. He noted the two "clear examples" that were alleged violations in this complaint, he was not working.

Based on these findings staff has determined that in this instance, Bailey Stober did not violate RCW 42.17A.555 by using the facilities of the King County Assessor's Office. Based on this information, the PDC has dismissed the allegations listed in PDC Case 14915 in accordance with RCW 42.17A.755(1).

PDC Case 14840

Staff's review found that the 2015 Bailey Stober for Kent City Council (Campaign) received \$10,471 in total contributions received and made \$10,405 in expenditures for his 2015 Campaign, and he was defeated in the 2015 primary election.

- Based on the first expenditure date of February 18, 2015, as disclosed on the initial C-4 report, Mr. Stober was required to have filed both the C-1 report and Personal Financial Affairs Statement (F-1 report) no later than March 4, 2015. The C-1 and F-1 reports were filed five days late.
- Mr. Stober stated that Dana Ralph and James Dion were not officers or principal decision-makers for the Campaign, nor were they authorized to make expenditures on behalf of the Campaign. Thus, the Campaign was not required to have disclosed either Ms. Ralph or Mr. Dion on the C-1 report.
- The Campaign timely filed the February, March, April and May 2015 C-4 reports.

- The Campaign also timely filed the 7-Day Pre-Primary Election and Post-Primary Election C-4 reports. The only late filed C-4 report was the 21-Day Pre-Primary Election C-4 report, which was filed one day late.
- The Campaign appeared to have timely filed the C-3 reports for the 2015 election including for February, March, April and May of 2015, and the weekly C-3 reports that were required to be filed beginning June 1, 2015.
- Staff also found the Campaign timely deposited the majority of the monetary contributions received, but noted the Campaign failed to timely deposit five monetary contributions totaling \$350.
- There was no evidence found concerning the allegations that Mr. Stober benefitted personally from expenditures made by his Campaign expenditures or that any of the expenditures constituted a personal use of campaign funds.
- There was no evidence found that the Campaign failed to disclose debts or obligations, however as noted below in the litigation involving the Attorney General's Office and Mr. Stober, the Campaign failed to preserve the books of account.
- Mr. Stober stated that "Mr. Morgan makes all sorts of allegations about my previous campaigns for Kent City Council. While I won't go through each and every accusation I will generally say I concur. I will note that many of his accusations are opinions and not based in fact or reality. Hence, why after months and months to telling the PDC that I concur and them taking no action, I finally contacted my State Senator. My Senator happened to be having a meeting with the previous outgoing Director and the previous incoming Director and raised this issue. The PDC then contacted me at which point I again said I had screwed up my reporting, I concurred with the complaint and voluntarily cooperated and faced a penalty. I entered into a stipulated agreement for these violations and I have not violated the stipulated agreement. These issues have been addressed, investigated and settled as I am sure Mr. Morgan is well aware of."
- PDC Case 14840 was also filed as a Citizen Action Notice (CAN or 45-Day Letter) with the Attorney General's Office (AGO), and as part of their investigation, the AGO Campaign Finance Unit (CFU) requested campaign documents from Mr. Stober, which he failed to provide. The AGO CFU filed a lawsuit against Mr., Stober for failing to produce the documents, and a \$5,041 judgement was entered in that matter.

PDC staff's review found that Mr. Stober's 2015 Campaign for Kent City Council substantially complied with the C-3 and C-4 reporting requirements concerning the disclosure of campaign contribution and expenditure information. Based on these findings, and the facts that the 2015 Campaign timely filed campaign finance reports, and the AGO has taken action concerning the failure to maintain campaign records, staff has determined that in this instance, Bailey Stober's failure to timely file and accurately file PDC reports does not amount to actual violations warranting further enforcement.

However, PDC staff is reminding Bailey Stober about the importance of timely and accurately filing C-1, C-3 and C-4 reports disclosing contribution and expenditure activities, including the reporting of debts and obligations, and especially maintaining the campaign books of accounts, as required by PDC laws and rules.

Based on this information and as noted above, the PDC has dismissed the two complaints for PDC Cases 14840 and 14915, in accordance with RCW 42.17A.755(1).

If you have questions, you may contact me at (360) 664-8854, toll-free at 1-877-601-2828, or by e-mail at kurt.young@pdc.wa.gov.

Sincerely,

Endorsed by:

s/ _____
Kurt Young, Compliance Officer

s/ _____
BG Sandahl, Deputy Director for
Peter Lavalley, Executive Director

cc: Bailey Stober

