

## **Overview:**

The Committee to Elect JT Wilcox has maintained a strong working relationship with the PDC. When in doubt, we reach out for direction and comply with the advice provided. In this way, we have worked to maintain meaningful and substantive compliance with Washington's campaign finance laws.

Today, the AGO is taking on a considerably larger role in interpreting and enforcing these laws. In tracking the AGO's responses to 45 day letters, we are noticing some tension between PDC standards and AGO standards.

We are resolved to accept these new standards, and will ask for guidance from the AGO when we have questions on how to best comply with state law.

The campaign's response below rebuts some of the claims made in in the complaint, acknowledges some mistakes, and identifies some areas where we have complied with PDC interpretations, but acknowledge that AGO interpretations could be different.

### **1. Failure to timely file C1. (Violation of RCW 42.17A.205 (1) – 1 violation**

Response to complaint (a.) The C1 for the 2016 campaign was not filed late. The \$936.51 consulting payment was for worked performed wrapping up the 2014 campaign, which is why it was filed on the final 2014 C-4.

### **2. Failure to report debts/obligations. (Violation of RCW 42.17A.240 (8), see WAC 39005295) – 26 violations**

Response to complaint (a.) This invoice was discovered unpaid when an audit of outstanding bills was performed by AB Hays office staff. It was reported as soon as it became known to AB HAYS and the campaign, but regardless, should have been reported as debt.

Response to complaints (b. c. e. y.) We have been following the rules as we understand them to exist, and will change accordingly if the PDC indicates this is required.

Response to complaints (d. f. q. s. v.) Since these debts were less than 30 days old and under \$250, they were not required to be reported as debt on the previous reports

Response to complaint (g. r. w.) We have been following the rules as we understand them to exist, and will change accordingly if the PDC indicates this is required.

Response to complaints (h. i. j. k. l. m. n. t. u.) For 3 years we have been reporting at-will contractor and employee pay consistent with the direction we have received from the PDC and our understanding of the law and the rules. If the PDC has changed its view on this, we are happy to comply with any new direction we are provided.

Response to complaints (o. p.) This was reported when received by the campaign. However, this should have been an estimated debt. Moving forward, we will work with our vendors to produce estimates at the time services are requested. We will correct these documents to reflect this.

Response to complaint (x.) This is for a data clean-up project for the 2016 campaign being performed in 2017, it has been correctly reported.

Response to complaint (z.) This was a January event expense put on in Ocean Shores, WA. It has been correctly reported.

### **3. Late filings of C3s and C4s. (Violation of RCW 42.17A.235) – 5 violations**

Response to complaint (a.) The C1 was filed 5/8/2016, so this first report would have been due in June, this report is actually several weeks early and not required to be filed.

The other reports were late. We do and will continue to work towards accurate and timelier reporting.

### **4. Certifying inaccurate reports. (Violation of RCW 42.17A.235) – 3 violations**

Response to complaint (a.) we are aware of the \$24.80 discrepancy and followed the advice of the PDC when carrying forward the proper balance to the 2016 campaign.

Response to complaints (b.) Debt under \$250 or less than 30 days old are not required to be reported as debt, so no amendment is necessary.

Response to complaint (c.) There was a bank service charge that was supposed to be refunded several months earlier. Since the bank went under new management, we are unsure if this charge can still be refunded as promised. Once we know for whether or not the refund is still possible, we will update and amend our report.

### **5. Failure to report sub-vendors. (Violation of RCW 42.17A.235, see WAC 39016205) – 17 violations**

Response to complaints (a. thru q.) We have based our reporting of AB HAYS' expenses on advice from the PDC and the practices of other filers, which said, we've reviewed this rule based on the complaint and agree that sub-vendors should be reported. We will correct the error and change our practices moving forward.

**6. Accepting over-the-limit contributions & failure to refund in timely manner. (Violation of**

**RCW 42.17A.405 & .235, see WAC 39016312) – 3 violations**

**Response to complaint (a.)** We can provide a dated letter and postage stamp to show this was mailed before the primary, which makes the contribution eligible for both elections. The reason for the delay in depositing is it was mailed to the physical address and not the P.O. Box, where the campaign mail is collected. This was neither reported late or over the limit.

**Response to complaint (b. c.)** ORCA serves as our mechanism for tracking donations and ensuring that no over limit contribution is accepted. The system did not flag one of the contributions because of a typo when the original check was received. After reviewing the records ourselves, we believe that two of the three contributions are in fact over limit. We will issue reimbursements according to the processes and requirements defined by the PDC.

**7.) Illegal expenditures from surplus funds to organizations not registered in accordance with**

**RCW 19.09. (Violation of RCW 42.17A.430(4)) – 4 violations**

Response to complaint (a.) This was for entry and lodging in which Rep. Wilcox participated in a forum, speaking to co-workers and paid entrants. It is our opinion this expense is related to holding office.

Response to complaint (b. c.) This was a work related meeting with other members of the House. This qualifies as an expense related to the office.

Response to complaint (d.) This was entry fee for a conference we feel is related to holding office and is an allowed use of surplus funds.