



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 28, 2017

The Honorable Robert Ferguson
Attorney General
1125 Washington St SE
PO Box 40100
Olympia, WA 98504-0100

RE: Public Disclosure Commission Recommendation Following Staff Investigation Review of Washington Federation of State Employees - American Federation of State, County, and Municipal Employees Council 28, PDC Case 14266

Dear Attorney General Ferguson:

This letter concerns the matter that your office referred to the Public Disclosure Commission for review and possible investigation on February 8, 2017 in response to a 45-day Citizen Action Complaint (Complaint) filed by the Freedom Foundation with the Attorney General on January 17, 2017. The Complaint alleged that Respondent, Washington Federation of State Employees - American Federation of State, County, and Municipal Employees Council 28 (WFSE), violated RCW 42.17A because as a separate segregated fund, it has an expectation of making expenditures in support of, or in opposition to, candidates or ballot propositions. The complaint alleged that as a political committee, WFSE has failed to register and report with the PDC. (RCW 42.17A.205, .235, and .240)

PDC staff reviewed the Complaint and conducted an investigate review of the allegations made against WFSE in the Citizen Action Letter and prepared an Investigative Review Memorandum with Recommendations and Exhibits.

The Commission considered the results of staff's investigative review at a Commission meeting held on March 23, 2017, where PDC staff presented its findings which included a recommendation regarding the allegations listed in the Complaint. A copy of the Investigative Review Memorandum with Exhibits is enclosed with this letter.

Staff Conclusion

As noted in the attached Investigative Review Memorandum with Exhibits, staff concluded that:

Based on the factors identified in staff's investigative review of the allegations listed in the Complaint, staff determined that WFSE does not appear to be a political committee with a requirement to register and report with the PDC.

The Honorable Bob Ferguson
Washington Federation of State Employees - American Federation of State, County, and Municipal Employees
Council 28
PDC Case 14266
Page 2

Commission Recommendation

At the Commission meeting, the Commission had questions concerning the separate segregated fund established by the WFSE.

The Commission voted unanimously to make no recommendation, concerning any further action be taken on the Citizen Action Complaint filed against Washington Federation of State Employees - American Federation of State, County, and Municipal Employees Council 28, and referred the matter to the Attorney General's office to determine the status of the separate segregated fund issue.

If you have questions, please contact me at (360) 664-2735. Thank you.

Sincerely,


Evelyn Fielding Lopez
Executive Director

Enclosure

cc: Commissioners
Linda A. Dalton, Sr. Assistant Attorney General
David Dewhirst and James Abernathy, Counsel, Freedom Foundation
Dmitri Iglitzin, Counsel, WFSE

 **Public Disclosure Commission**
Shining Light on Washington Politics Since 1972