



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908
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Toll Free 1-877-601-2828 • E-mail: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

December 18, 2018

Delivered electronically to "kristine.lytton@leg.wa.gov"

Subject: Complaint filed by Glen Morgan, PDC Case 12822

Dear Kristine Lytton:

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

As noted in the letter to Glen Morgan, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or taking enforcement action in this matter.

If you have questions, you may contact Phil Stutzman at 1-360-664-8853 toll-free at 1-877-601-2828, or by e-mail at pdc@pdc.wa.gov.

Sincerely,

/s _____
Phil Stutzman
Sr. Compliance Officer

Endorsed by,

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



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December 18, 2018

Delivered electronically to “glen@wethegoverned.com”

Subject: Complaint regarding Kristine Lytton, PDC Case 12822

Dear Glen Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on January 29, 2017. Your complaint alleged that Kristine Lytton may have violated multiple sections of RCW 42.17A by failing to timely file a candidate registration, failing to properly break down expenses, failing to accurately and timely report debt, accepting over-limit contributions, failing to file accurate C-4 reports of expenditures, making a prohibited contribution to the Skagit County Democrats, failing to report an expenditure or the receipt of an in-kind contribution for professional photography, failing to report last-minute contributions, and failing to file accurate C-3 reports of contributions.

PDC staff reviewed your allegations, the applicable statutes, rules, and reporting requirements, the response provided by Kristine Lytton, the review of your complaint by the Attorney General’s Office, and the applicable PDC reports filed by the Respondent to determine whether your allegations support a finding of one or more violations. Based on staff’s review, we found the following:

- Allegation 1: Failure to timely file C-1 (RCW 42.17A.205) - The January 2015 activity was a \$45 auto-charge from Blue Utopia for website hosting on January 5, 2015. The C-1 for the 2016 election was filed February 5, 2015.
- Allegation 2: Failure to properly break down expenses (RCW 42.17A.235 and WAC 390-16-205) - The \$75 payment to Blue Utopia for website hosting was not required to be broken down further.
- Allegation 3: Failure to accurately and timely report debt (RCW 42.17A.240 and WAC 390-05-295) –
 - The Blue Utopia fees were paid in the same month the service was provided;

- The \$454.74 expense on 6/6/2016 to Kris Lytton was included in the \$501.74 debt on the May C-4 report;
 - The expenses to Melissa Pfeifer LLC for accounting work were paid within 30 days of being incurred and were reported as a debt on C-4 reports if they totaled over \$250;
 - The \$75 payment to Melissa Pfeifer LLC on 12/10/2015 for NGP VAN: Data Services was a reimbursement for an expense paid on 10/27/2015. The campaign amended the November 2015 C-4 report on 2/9/17 to show the \$75 debt because it was over the 30 days old;
 - The expenses to NGP Van for Data Services were pre-paid expenses for the next three months of data services, and were not debts.
- Allegation 4: Accepting over-limit contributions and failing to file accurate C-4 reports of expenditures (RCW 42.17A.405 and .235) – Ms. Lytton was originally assured the companies making contributions were separate, but when the campaign determined the companies were sufficiently connected to share a contribution limit, the campaign refunded the \$2,000 contribution it had received. The reporting of the refund was handled in accordance with PDC practice and advice.
 - Allegation 5: Making a prohibited contribution from active campaign funds to the Skagit County Democrats (RCW 42.17A.430(8)) - The expenditure to the Skagit County Democrats was for the setup, printing, and distribution of a sample ballot by the Skagit County Democrats. It was not a contribution.
 - Allegation 6: Failing to report an expenditure or the receipt of an in-kind contribution for professional photography used in the 2016 campaign - The 2016 campaign incurred no photography expenses for the 2016 campaign because it used photos from the 2014 and 2012 campaigns.
 - Allegation 7: Failing to report last-minute contributions - The campaign timely reported its last-minute Contributions on LMC reports. When the 48-hour period for reporting last-minute contributions ends on a non-business day, the report is due on the first business day after the 48-hour period expires.
 - Allegation 8: Failing to file accurate C-3 reports of contributions received - The campaign timely reported the receipt of four contributions totaling \$2,800, and then amended the report 78 days later to change the receipt date of the contributions by two days. The amended receipt date did not change when the C-3 was due.

Based on these findings, staff has determined that in this instance, Ms. Lytton filing her 2016 C-1 one month late in February 2015, and amending her November 2015 C-4 report 14 months after filing it timely to show a \$75 debt that was just over 30 days old, do not appear to be actual violations warranting further investigation.

Based on this information, the PDC finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Phil Stutzman at 1-360-664-8853, toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

/s _____

Phil Stutzman

Sr. Compliance Officer

Endorsed by,

/s _____

Barbara Sandahl

Deputy Director

cc: Kristine Lytton