

# File a Formal Complaint - Glen Morgan

[Glenmorgan89](#) reported 2 days ago (Mon, 7 Nov at 1:02 PM) via Portal

To Whom it May Concern --

It has come to my attention that Evelyn Lopez, the director of the Public Disclosure Commission, has violated a provision of RCW 42.17A.

On 10/7/2016, Evelyn Lopez dismissed the PDC complaint that had been filed against Mike Wilson, former candidate in 2014 for Washington State legislature in the 44th legislative district, for using public resources for campaign purposes, while admitting (at the same time) that Wilson had violated the law.

Unfortunately, by dismissing the charges against Mr. Wilson, Executive Director Evelyn Lopez violated the provision in RCW 42.17A.110 (2) which states that the Commission: "...shall not delegate its authority to adopt, amend, or rescind rules nor may it delegate **authority to determine whether an actual violation of this chapter has occurred or to assess penalties for such violations**;"(emphasis added).

The fact that the Chair of the Commission "concurred" with Lopez's decision is irrelevant. Statute requires that the entire Commission determine whether or not an actual violation has occurred (and whether or not to assess penalties), not simply one Commissioner.

By illegally seizing the power that belongs solely to the full Commission, Lopez has clearly violated RCW 42.17A.110 (2).

Due to the conflict of interest involved, I urge the Executive Director to recuse herself from involvement in the adjudication of this complaint.

Sincerely,

Glen Morgan  
(360) 791-6556 cell

[Jacob Berkey](#) replied 2 days ago (Mon, 7 Nov at 1:32 PM)

Replied to : [glenmorgan89@gmail.com](mailto:glenmorgan89@gmail.com)

Hi Glen,

Thank you for your inquiry regarding PDC complaint 1970. I was able to review the complaint and the rule in question. WAC 390-37-070 allows for complaints and investigations to be dismissed with the concurrence of the Chair of the PDC (<http://apps.leg.wa.gov/wac/default.aspx?cite=390-37-070>). That is what appears to have happened in this case.

Here is a link to case 1970 and related documents for your review:

<https://www.pdc.wa.gov/browse/cases/1970>

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To respond, please reply to this email.

Washington Public Disclosure Commission  
<http://www.pdc.wa.gov>  
1.360.753.1111

**Jacob Berkey**  
Public Disclosure Commission

G  
[Glenmorgan89](#) replied 2 days ago (Mon, 7 Nov at 3:00 PM)  
to : [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov)  
Jacob,

Thank you for your prompt response. I know this is a busy time of year for your office, so I am very impressed with the speed of your response.

You appear to have not read my complaint. Please review it again.

Lopez has violated a section of RCW 42.17A, and the rule that you cite is in complete contradiction with the statute, therefore the rule itself is invalid. This issue is clearly within the Commission's jurisdiction.

I recommend and ask that you **do not** refuse to process this complaint and bring it to the Commission's attention. A refusal to do so would seem to be a violation of protocol and statutory obligations as well.

Please acknowledge receipt and let me know that you will treat this as a formal complaint. I know you have a lot on your plate right now, but this is a serious violation and I am serious about this complaint.

**Please process this as an official PDC complaint.**

Best regards,

Glen Morgan  
(360) 791-6556