



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: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

June 18, 2018

Delivered electronically to Bruce Ayers at "bruce@bruceayers.com"

Subject: Committee of Public Safety Complaint Return Cover Letter, PDC Case 9383

Mr. Ayers:

Below is a copy of an electronic letter sent to Robert Glorioso concerning the complaint he filed against Committee of Public Safety. As noted below in the electronic letter to Mr. Glorioso, the PDC will not be conducting a more formal investigation into these allegations or taking enforcement action in this matter.

PDC staff is reminding the Committee of Public Safety, Mr. Dzialo, and its volunteers about the importance of the timely disclosure of all contribution and expenditure activities undertaken in the future, and to include the top 5 contributor information in the sponsor identification on all future political advertisements in support of or opposition to any ballot proposition.

If you have questions, please contact PDC staff member Kurt Young by e-mail at kurt.young@pdcc.wa.gov.

Sincerely,

/s _____

Kurt Young
Compliance Officer

Endorsed by,

/s _____

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director



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: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

June 18, 2018

Delivered electronically to Robert Glorioso at “vinnyg77@gmail.com”

Subject: Complaint filed against Committee of Public Safety, PDC Case 9383

Mr. Glorioso:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on November 1, 2016. Your complaint alleged that Committee of Public Safety, a “Ballot Committee” registered with the PDC in opposition to a local Whatcom County Emergency Medical Services (EMS) ballot proposition in 2016, may have violated: (1) RCW 42.17A.235 & .240 by failing to timely disclose contribution and expenditure activities on the Monetary Contributions reports (C-3 reports), and Summary Campaign Contributions and Expenditure reports (C-4 report); and (2) RCW 42.17A.320 by failing to list the Top Five contributors on political advertising sponsored by the committee

PDC staff reviewed the allegations listed in your complaint, the statutes and rules, the November 16, 2016 response from Bruce Ayers and Russel Dzialo, on behalf of the Committee of Public Safety (COPS), and the C-3 and C-4 reports filed by COPS. As a result, we found the following:

- On August 30, 2016, COPS filed a Committee Registration (C-1pc report) disclosing it was a “Ballot Committee” opposed to a local Whatcom County EMS ballot proposition on the November 8, 2016 general election ballot, selecting the Full Reporting option and listing Russel Dzialo as Treasurer and only Committee officer.
- It appears that COPS timely filed all nine C-3 reports for monetary contributions received and deposited between August 31 through October 25, 2016, based solely on the contribution date received and the campaign bank deposit date listed on the C-3 reports.
- On October 22, 2016, COPS filed the initial C-4 report covering the period of August of 2016, disclosing the receipt of \$100 in contributions and zero expenditures. The C-4 report was required to have been filed on September 10, 2016, and was filed 42 days late.
- On October 22, 2016, COPS filed the 21-day Pre-General Election C-4 report covering the period September 1 through October 17, 2016, disclosing the receipt of \$4,245 in monetary contributions and \$309 worth of in-kind contributions received, and \$3,300 in expenditures. The C-4 report was required to have been filed on October 18, 2016, and was filed four days late.

- COPS timely filed the 7-day Pre-General Election C-4 report and Post-General Election C-4 reports.
- In the response from COPS, Mr. Dzialo stated that he was a first-time Treasurer and filer, and that he has a “steep learning curve” to become familiar with the reporting requirements and how to file the C-3 and C-4 reports using the Online Report of Campaign Activities (ORCA) electronic filing software. Mr. Ayers stated COPS involved no paid consultants and that everyone served in a volunteer capacity, including himself as committee spokesman.
- Mr. Ayers stated that on October 17, 2016, COPS prepared, recorded and paid for radio advertisements that began airing the following week in opposition to the EMS levy. He stated after the complaint was filed, COPS became aware that the committee “may have been required to list our top 5 donors” on the radio advertisements paid for and sponsored by COPS. He stated that COPS on “October 28th, added the two top two donors over \$700 to our ads running that day and all subsequent radio spots.”
- Mr. Ayers stated that it was COP’s “understanding that the top donors tag line was only required if the radio ads were an "Independent Expenditures." He stated that since COPS was “created to oppose the EMS Proposition 2016-1” the radio advertisements were not Independent Expenditures, and “were not required to include our top contributors over \$700.” However, he stated that COPS “added the top donors over \$700 to our radio ads running on October 28th and all subsequent ads thereafter.”
- WAC 390-18-010(6)(a) requires political committees that spend \$1,000 or more sponsoring political advertisements supporting or opposing a ballot measure to comply with the top five contributor information in its sponsor identification.

COPS failed to include the top contributors on its initial radio advertisements, however once they became of the complaint, COPS took corrective action and listed its top two contributors in the sponsor identification identifying the Whatcom County Republican Party (two contributions of \$2,100 and \$665), and Nicholas Kaiser, a \$1,500 monetary contribution. The three contributions from the two contributors represented more than 72% of the total contributions received.

The initial C-4 report was filed 42 days late by COPS disclosing \$100 in contributions received to open the campaign bank account, and the 21-day Pre-General Election C-4 report was filed four days late. As noted above, COPS timely filed the 7-day Pre-General Election C-4 report and Post-General Election C-4 reports, and appears to have timely filed all C-3 reports. Finally, COPS were a first-time ballot measure committee, and Mr. Dzialo was a first-time Treasurer and filer using the ORCA campaign

Based on these findings, staff has determined that the Committee of Public Safety failure to: (1) timely file two C-4 reports disclosing contribution and expenditure activities, and; (2) include the top five contributors in the sponsor identification for political advertisements, do not amount to material violations warranting further investigation.

PDC staff is reminding the Committee of Public Safety, Mr. Dzialo, and its volunteers about the importance of the timely disclosure of all contribution and expenditure activities undertaken in the future, and to include the top 5 contributor information in the sponsor identification on all future political advertisements in support of or opposition to any ballot proposition.

The PDC has resolved this matter, and will not be conducting a more formal investigation into your complaint or pursuing further enforcement action in this case.

For your information, since your complaint was filed in November of 2016, PDC staff has experienced a more than 250% increase in the number of the complaints filed, and we currently have a 440 (+) case backlog. Thank you for your patience while PDC staff worked through the older complaints.

If you have questions, you may contact Kurt Young by e-mail at kurt.young@pdc.wa.gov.

Sincerely,

Endorsed by,

/s _____
Kurt Young, Compliance Officer

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

c: Bruce Ayers

