

Tony Perkins

From: PDC Support <pdcc@pdcc.wa.gov>
Sent: Wednesday, August 10, 2016 10:14 AM
To: Tony Perkins
Subject: Fwd: PDC - Go Big Tri-Cities - Alleged Violations of RCW 42.17A.205, 235, .240, and .320

On Tue, 2 Aug at 10:12 AM , Tylerborders <tylerborders@gmail.com> wrote:
Mr. Perkins,

I had previously requested a timeframe extension on July 30th below, but have since decided to complete our comprehensive response to meet with your original request for August 2nd as I have learned that you will be out-of-office through August 8th. As such, I don't want to extend our response timeframe out any further and create burden for you and your team.

As you are aware, I am the Director of Go Big Tri-Cities, a Washington 501(c)4 whose mission is to increase communications for projects that benefit the Tri-Cities community. Our work includes research, market analysis, communication strategy, and creative development for a diverse set of projects, not strictly for political campaigns. In fact, our involvement with The Link campaign may well be our last politically oriented endeavor; I thought it important to clarify that we are not intending to be an organization that focuses solely on Political Action Committees. This fact will weigh into some of the items I will discuss below.

In direct response to Mr. Epperly's allegations, I will address the following assertions as you have itemized them:

- 1) failed to register as a political committee in support of Kennewick Proposition 1.
- 2) failed to disclose contribution and expenditure activity in PDC filings.
- 3) and failed to include proper sponsor identification in political advertising.

1) failed to register as a political committee in support of Kennewick Proposition 1.

Firstly, this allegation is flawed out of the gates, because Go Big Tri-Cities did not fail to register as a political committee in support of The Link proposition (which is actually Proposition 16-8, not Proposition 1). We have filed. You have noted that Go Big Tri-Cities filed with the PDC on July 11, 2016, which included all of our financial records through that date. Now, I will take responsibility for neglecting to file according to the timeframes set forth by the PDC, and I simply was unaware of these timeframe requirements. There was never any ill-intent in my tardiness, I was merely uninformed, as my legal council did not advise me to file such records with the PDC upon establishing our 501(c)4. I expected my hired legal counsel to make me aware of such requirements—as I invested in such counsel to ensure that we met all IRS and PDC requirements--but I was not properly advised in this regard. Had I been instructed to do so, I would have met every schedule requirement provided to me. It is our full intention to comply with any and every regulation set forth by the PDC.

On July 10th, the knowledge of this requirement to file was brought to my attention by two different individuals. A volunteer on The Link campaign who has a lot of experience in campaigns such as this made me aware of the need to file. As soon as I was educated on the requirement, I called the PDC and began preparing our filing immediately. As well, around this same time I received multiple calls from Kennewick City Councilman, John Trumbo. Mr. Trumbo left me two voicemails, in addition to calling my attorney's office, an additional call and voicemail to an Officer of Go Big Tri-Cities, as well as multiple calls to the PDC regarding our 501(c)4. I do not know what prompted Mr. Trumbo's investigatory work into this matter as a city Councilman, but nonetheless it occurred and the ball was already in motion. By the time I was able to have a conversation with Mr. Trumbo, our filing was completed.

Note that while I missed some filing milestones, Go Big Tri-Cities did not begin operating a public campaign until February/March 2016, and did not receive campaign contributions until May 2016. We filed in July 2016, so I do want to establish that all of this occurred within a very short window. Again, it is my firm commitment to comply with every stipulation provided to us by the PDC.

Summary: We did not fail to register as a political action committee. We simply filed late.

2) failed to disclose contribution and expenditure activity in PDC filings.

Bottom line: This allegation is absolutely baseless. Our financial records submitted on July 11, 2016 were full and accurate, and accounted for every transaction according to our sole financial account with Numerica Credit Union. Go Big Tri-Cities has one checking account, and no credit cards. The financial records we submitted were in direct correlation with our only financial account, and I am happy to provide the PDC with “accounting access” within Numerica if you wish to explore our account further. You will see a precise match to what we provided through ORCA to the PDC. Mr. Epperly alleges that we did not disclose funds, and I attest to you that every dollar Go Big Tri-Cities received and spent was documented in our filings. Why Mr. Epperly is wielding such accusations I simply do not know, but it’s groundless. Furthermore, Mr. Epperly contacted me directly about our records, and I have since provided him with direct XLS exports from our Numerica Credit Union accounts—which, again, match what we provided to the PDC. We have been comprehensive and transparent in our reporting.

In specific reference to Mr. Epperly’s allegations, Go Big Tri-Cities, Inc. has not received undisclosed contributions from Venuworks.

Summary: Go Big Tri-Cities disclosed every single contribution and expenditure through the reporting period July 11, 2016.

3) failed to include proper sponsor identification in political advertising.

In addition to the attached exhibits that demonstrate our sponsorship tags, we also ran numerous radio ads that all closed with our “Paid for by Go Big Tri-Cities, Inc.” sponsorship tag. We worked with experienced multimedia professionals across the board, including at the Tri-City Herald, Townsquare Media, and beyond. Go Big Tri-Cities also manages a Facebook page that lists the sponsorship tag as demonstrated in the below/attached. Now, if there were some advertisements that slipped through the cracks and omitted the sponsorship, we apologize and it was not our intention to be somehow deceptive. It has never been my claim that me, my team, or our volunteers are flawless. However, it is my claim that we have intended to follow the rules and have strived to do so.

Exhibits:



THE LINK ENTERTAINMENT CENTER
Kennewick, Washington

VOTE JULY 13–AUGUST 2

The Link—Entertainment Center

Published by Tyler Borders (1)

Page Liked · July 10 · Edited · v

The Link is a proposed 110,000 square foot multi-purpose entertainment venue in Kennewick, WA, including a 2,300-seat Broadway-quality theatre and Toyota Center enhancements. If Tri-Citians make The Link a reality, Kennewick will finally be able to attract and host national-caliber entertainment, and boost economic development through increased tourism.

VOTE "YES" JULY 13 to AUGUST 2, 2016!

Paid for by Go Big Tri-Cities, Inc. — at Tri-Cities, Washington.

Tag Photo Edit

Like Comment Share

Diane Clements Wicks, Richard Roddy and 19 others

1 share

Write a comment...

People You May Know

See All



Tim Voegtli

28 mutual friends

Add Friend

Sponsored

Create Ad



Fun. Fútbol. Los Cheetahs.

www.loscheetahs.com

Check out the world's most entertaining freestyle fútbol club.

THE LINK ENTERTAINMENT CENTER

VOTE 'YES' THIS MONTH!

2,300 SEAT
BROADWAY THEATRE

TOYOTA CENTER
RENOVATIONS

MULTI-PURPOSE
ENTERTAINMENT SPACE



Paid for by Go Big Tri-Cities, Inc.



Summary: We can prove sponsorship identification on our Facebook page, Newspaper print ads, Newspaper digital ads, and radio spots.

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In closing, I want to reaffirm that Go Big Tri-Cities is a proud member and promoter of the growth and progress of the Tri-Cities community. While we are not experts in the rules of political action committees in Washington, we are committed to learning and growing. We hope that the PDC will forgive us where we fell short, and applaud us where we succeeded, trusting that we meant to be compliant and ethical throughout all of our conduct.

There will always be those that oppose one's goals and efforts. These allegations are the result of adversaries that wish to see our efforts fail, who are now grasping at straws using technicalities as a last resort. Fortunately, we can face these allegations with confidence, and a clear conscience.

Best regards,

Tyler Borders

On Jul 30, 2016, at 3:45 PM, Tyler Borders <tylerborders@gmail.com> wrote:
Dear Mr. Perkins,

Thank you sincerely for making me aware of these allegations. I just returned from a week of out-of-state work travel, and am now catching up. I will happily supply you with a comprehensive and thoughtful response, and would like to involve the appropriate counsel to prepare this response. As such, I would request a submission deadline of August 19th in which to properly address the details of Mr. Epperly's allegations. I can assure you that my conduct as a business owner and campaign manager are ethical and sincere, and we at Go Big Tri-Cities, Inc. intend to follow any and every regulation set forth by the Washington Public Disclosure Commission. We will do everything we can to facilitate transparency, as this has always been our intention.

Thank you for your time and attention to this matter.

Many thanks,

Tyler Borders
509-554-4350

On Jul 26, 2016, at 1:07 PM, PDC Support <pdcc@pdcc.wa.gov> wrote:

Dear Mr. Borders,

This email is to notify you that on July 22, 2016, the Washington State Public Disclosure Commission received the attached complaint from Victor Epperly, alleging violations of RCW 42.17A, Washington's campaign finance and disclosure laws, by Go Big Tri-Cities.

Specifically, the complaint alleges that Go Big Tri-Cities failed to register as a political committee in support of Kennewick Proposition 1, failed to disclose contribution and expenditure activity in PDC filings, and failed to include proper sponsor identification in political advertising. If correct, these allegations would indicate violations of [RCW 42.17A.205](#), [RCW 42.17A.235](#), [RCW 42.17A.240](#), and [RCW 42.17A.320](#), including the "Top 5 Contributors" identification requirement provided by RCW 42.17A.320(6).

Please provide a preliminary written response to the complaint by August 2, 2016. Please provide your response in a reply to this email. If it will not be possible to respond by August 2nd, please reply as soon as possible with the date by which you expect to respond in full.

Finally, PDC staff has noted that on July 11, 2016 Go Big Tri-Cities registered with the PDC as a political committee supporting Proposition 1, and also filed a series of contribution and expenditure reports. In your response, please address the timeliness and completeness of those reports. In particular, please address the allegation that Go Big Tri-Cities has received undisclosed contributions from Venuworks, operator of the Three Rivers Convention Center.

Thank you for your attention to this. Please let me know if you have questions before responding.

Sincerely,

Tony Perkins
PDC Compliance & Enforcement Staff

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To respond, please reply to this email.

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

<6954 Go Big Tri-Cities Complaint.pdf>