



**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

December 24, 2018

Delivered electronically to Doug Ericksen at “doug@senatorericksen.com”

Subject: Complaint filed by Samantha Kersul, PDC Case 41581

Dear Senator Doug Ericksen:

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

As noted in the letter to Samantha Kersul, 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 take further enforcement action in this matter.

However, pursuant to WAC 390-37-060(1)(b), this letter serves as a warning letter concerning your failure to comply with the filing requirements noted in the attached letter sent to Ms. Kersul. Staff expects you to timely and accurately disclose all reportable income on F-1 reports in future years as an elected or appointed official or candidate for public office. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

PDC staff is also reminding you about the requirement to identify who pays for or sponsors political advertisements. PDC staff expects that you will including complete sponsor identification on all political advertisements sponsored or paid for by you in future elections in accordance with PDC laws and rules.

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by email at jennifer.hansen@pdc.wa.gov.

Sincerely,

/s

Jennifer Hansen
Compliance Officer

Endorsed by,

/s _____
Peter Lavallee
Executive Director



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December 24, 2018

Delivered electronically to Samantha Kersul at “samantha@senatedemocrats.org”

Subject: Complaint regarding Doug Ericksen, PDC Case 41581

Dear Samantha Kersul:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 2, 2018. Your complaint alleged that Senator Doug Ericksen may have violated RCW 42.17A.700 for failure to timely and accurately disclose reportable income on the Personal Financial Affairs Statement (F-1 report) covering calendar year 2016 and RCW 42.17A.320 for failure to identify the sponsor of political advertisement video posted online.

PDC staff reviewed the applicable statutes, rules, and reporting requirements; the response provided by Senator Ericksen; and the applicable PDC reports filed by Respondent to determine if your allegations support a finding of one or more violations.

Based on staff’s review, we found the following:

- Doug Ericksen is a current Senator in Legislative District 42 after being elected to the position in 2014 and was required to submit an F-1 between January 1, 2017 and April 15, 2017, disclosing personal financial information for the preceding calendar year.
- Senator Ericksen submitted an F-1A (Personal Financial Affairs Statement Short Form) on April 10, 2017 covering calendar year 2016 and disclosed “no changes” in reportable financial information since his last full F-1 report submitted in 2015. Senator Ericksen submitted an amendment to the F-1A covering calendar year 2016 on October 12, 2018, to add previously unreported income under code C (\$24,000 to \$47,999) received from Donald Trump for President Inc. for work as a campaign consultant.
- In his response, Senator Ericksen acknowledged his failure to include required employment data on his F-1A and stated that the omission was unintentional. In addition, Senator Ericksen stated that he submitted the amended report as soon as he was made aware of the missing information.

- During his 2018 re-election campaign, Doug Ericksen created a video for use on his Facebook page and campaign website. The video was political advertisement and did not include the required sponsor identification. Senator Ericksen stated the he was under the impression that videos produced in house for use only on Facebook and the campaign web page did not require sponsor identification and that the web page where the video was displayed did include the sponsor identification.

Although the Personal Financial Affairs Statement originally submitted for calendar year 2016 did not include all reportable income required, Doug Ericksen's work for the 2016 Donald Trump Presidential Campaign was widely publicized and available for public review. In regard to the missing sponsor identification in the political advertisement video, the Facebook page and campaign website where the ad was displayed did identify the likely sponsor.

Based on these findings staff has determined that, in this instance, failure to timely and accurately disclose all reportable income on the annual F-1 report covering 2016 and failure to include sponsor identification on a political advertisement video, does not amount to an actual violation warranting further investigation.

Pursuant to WAC 390-37-060(1)(b), however, Doug Ericksen will receive a formal written warning concerning failure to timely and accurately disclose all sources of income on the Personal Financial Affairs Statement (F-1 report). The formal written warning will include staff's expectation that Doug Ericksen timely and accurately disclose all reportable income on F-1 reports in future years as an elected or appointed official or candidate for public office. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

PDC staff is also reminding Doug Ericksen about the requirement to identify who pays for or sponsors political advertisements. PDC staff expects that Senator Ericksen will including complete sponsor identification on all political advertisements sponsored or paid for by him in future elections in accordance with PDC laws and rules.

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 Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at jennifer.hansen@pdc.wa.gov.

Sincerely,

/s _____
Jennifer Hansen
Compliance Officer

Endorsed by,

/s _____

Peter Lavalley
Executive Director

cc: Doug Ericksen