



STATE OF WASHINGTON  
PUBLIC DISCLOSURE COMMISSION

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**MEMORANDUM**

**TO:** Philip E. Stutzman, Director of Compliance

**FROM:** Andrea McNamara Doyle, Executive Director

**DATE:** May 15, 2012

**SUBJECT:** PDC staff generated complaint filed against Family PAC

On October 21, 2009, Family PAC filed a C-1pc Political Committee Registration with the Public Disclosure Commission, indicating its status as a continuing political committee that would conduct activity on an on-going basis. On the C-1pc registration Family PAC's treasurer, Joseph Backholm, chose the Full Reporting option, certifying that the frequent, detailed campaign reports mandated by law would be filed as required. See **Exhibit #1**.

Following litigation challenging the constitutionality of several state laws, Family PAC recently filed a request for reimbursement of its attorneys fees and costs. In its pleadings, Family PAC stated that it has been receiving legal services, and expenditures for legal services have been made on its behalf, since September 16, 2009. Family PAC has stated that the amount claimed in the fee request is only a portion of the fees and costs it has received since 2009.

Contributions to a political committee to pay for legal services, in-kind contributions of legal services performed for less than full consideration, debts and obligations related to legal services, and monetary expenditures to pay for legal services are all reportable under RCW 42.17.080, RCW 42.17.090, RCW 42.17A.235 and RCW 42.17A.240.<sup>1</sup> In the case of Family PAC, the amount of reportable activity connected with legal services would appear to exceed \$140,000 because, based on Family PAC's representations, that figure represents only a portion of the fees and costs incurred in litigating the committee's challenge to Washington laws and rules.

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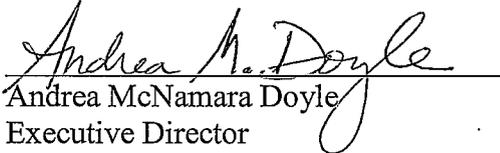
<sup>1</sup> Effective January 1, 2012, RCW 42.17.080 and RCW 42.17.090 were recodified as RCW 42.17A.235 and RCW 42.17A.240, respectively. Contributions and expenditures required to be disclosed on or after January 1, 2012 are therefore governed under RCW 42.17A.

Since Family PAC's October 21, 2009 C-1pc registration, the committee has not filed any reports of contribution or expenditure activity with the PDC, including any debts owed.

**Alleged Violations:**

The facts referenced above provide reason to believe that Family PAC failed to disclose over \$140,000 in contribution and expenditure activity connected with legal services rendered to the political committee. These contributions and expenditures were required to be disclosed in PDC filings accessible to the public as early as September 30, 2009, and have not been disclosed.

Based on this information, I am filing this complaint and directing staff to investigate the allegation that Family PAC may have violated chapter RCW 42.17 and 42.17A.

  
Andrea McNamara Doyle  
Executive Director

5/15/12  
Date