

**BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON**

In the Matter of Enforcement Action
Against:

Benton County Democratic Central
Committee

Respondent.

PDC Case 2603

STIPULATION AS TO FACTS AND
VIOLATIONS

The parties to this Stipulation, namely, the Public Disclosure Commission Staff, through its Executive Director, Evelyn Fielding Lopez, and Respondent Benton County Democratic Central Committee, through its Chair, David Rose, submit this Stipulation as to Facts and Violations in this matter. The parties agree that the Commission has the authority to accept, reject or modify the terms of this Stipulation. The parties further agree that in the event that the Commission suggests modification to any term of this agreement, each party reserves the right to reject that modification. In the event either party rejects a modification, this matter will proceed to hearing before the Commission.

JURISDICTION

The Public Disclosure Commission has jurisdiction over this proceeding pursuant to RCW 42.17A, the state campaign finance and disclosure law; RCW 34.05, the Administrative Procedure Act; and WAC 390.

FACTS

1. On August 24, 2015, Marilyn Moore filed a complaint with the Public Disclosure Commission (PDC) alleging that the Benton County Democratic Central Committee (BCDCC) had not filed any reports with the PDC since October 13, 2014. PDC staff confirmed that as of the date of the complaint, the last C-4 report of contributions and expenditures on file was received October 15, 2014, covering the period October 1, 2014 through October 14, 2014.

2. On September 16, 2015, PDC staff sent a copy of the complaint to the BCDCC, and on September 30, 2015, Jhoanna Jones, newly appointed BCDCC Treasurer, sent an email to PDC staff stating she had completed the missing reports for 2015, and would forward the reports to the PDC as soon as they were signed.
3. The reports were not received from Ms. Jones as promised, and on February 8, 2016, PDC staff sent another request for a response to the complaint to the Chair, Vice Chair, and Secretary of the BCDCC.
4. On February 12, 2016, staff received an email from Regina Speer, stating she became Chair of the BCDCC on January 20, 2016. She said she asked Ms. Jones to resign as Treasurer, which she did. Ms. Speer said the only documentation she received from Ms. Jones was three months of bank statements. Ms. Speer also said there was a Treasurer before Ms. Jones' short tenure, who did not forward any documentation of her work to Ms. Jones. As of February 21, 2016, the most recent C-1pc committee registration listed Jay Clough Chair, Rebecca Voll, Vice Chair, and Fatema Karim, Treasurer.
5. On February 22, 2016, Michele Levenite submitted a C-1pc listing the following new committee officers: Regina Speer, Chair and Michele Levenite, Treasurer.
6. Ms. Levenite identified two fundraisers for which adequate records were not kept: (1) A May 2015 Norm Miller Leadership Dinner fundraiser, a \$75 per person fundraiser; and (2) a December 4, 2015, All Democrats Holiday Party Celebration Winter Fests Around the World fundraiser, a \$40.00 per person fundraiser. Ms. Levenite worked with the bank and reconstructed a list of contributors for both fundraisers.
7. On behalf of the BCDCC, Ms. Levenite filed multiple missing reports between July 27, 2016 and December 13, 2016. These reports included 18 late-filed C-4 reports totaling \$34,707.41 in expenditures. The C-4 reports were filed between 1 and 638 days late, and included expenditures made between September 1, 2014 and November 30, 2016. Ms. Levenite also submitted 45 late-filed C-3 reports totaling \$18,503.10.

The C-3 reports were filed between 8 and 632 days late, and included deposits made between October 17, 2013 and October 31, 2016.

Statement of Intention Concerning Future Reporting

8. Benton County Democratic Central Committee, through its Chair, David Rose, affirms the committee's intention to implement a system of internal control that will ensure consistent, timely, accurate reports in the future. This system will include having at least one current officer of the committee verify on a monthly basis that all required reports have been filed with the PDC by the Treasurer.

STATUTORY AND RULE AUTHORITY

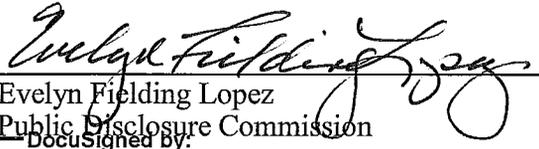
RCW 42.17A.205 – Statement of organization by political committees. States in part: Every political committee shall file a statement of organization with the commission. The statement must be filed within two weeks after organization or within two weeks after the date the committee first has the expectation of receiving contributions or making expenditures in any election campaign, whichever is earlier. Subsection 4 also states that any material change in information previously submitted in a statement of organization shall be reported to the commission within the ten days following the change.

RCW 42.17A.210 – Treasurer. States in part: In the event of the death, resignation, removal, or change of a treasurer or deputy treasurer, the candidate or political committee shall designate and file with the commission the name and address of any successor.

RCW 42.17A.235 and .240 require candidates and continuing political committees to file timely, accurate reports of contributions and expenditures. Under the full reporting option, until five months before the general election, C-4 reports are required monthly when contributions or expenditures exceed \$200 since the last report. C-4 reports are also required 21 and 7 days before each election in which the committee makes expenditures, and in the month following the election. Contributions are reported weekly during this same time period, and must be disclosed on Monday for contributions deposited the previous seven days. Subsection 6 of RCW 42.17A.235 states that the treasurer or candidate shall preserve books of account, bills, receipts, and all other financial records of the campaign or political committee for not less than five calendar years following the year during which the transaction occurred.

VIOLATIONS

1. Based on the Stipulation of Facts set forth above, Respondent Benton County Democratic Central Committee stipulates that the committee violated RCW 42.17A as follows:
 - A. RCW 42.17A.235 and .240 by failing to timely report contributions deposited between October 17, 2013 and October 31, 2016, totaling \$18,503.10, and expenditures made between September 1, 2014 and November 30, 2016, totaling \$34,707.41;
 - B. RCW 42.17A.205 by failing to file updated committee registration forms disclosing a change in treasurers on two occasions; and
 - C. RCW 42.17A.235(6) by failing to preserve books of account concerning its contributions received.


Evelyn Fielding Lopez
Public Disclosure Commission
DocuSigned by:

Feb. 17, 2017
Date Signed


David Rose, Chair
Benton County Democratic Central Committee
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2/17/2017
Date Signed