

To: Public Disclosure Commission
Date: July 11, 2018
Re: Case No. 37271

This is Mr. Kilduff's second complaint against the Re-elect Randall Gaylord for Prosecutor Candidate Committee.

Allegations 1 and 4 concern disclosure of names of contributors for the deposit to the campaign bank account in February 2018. (RCW 42.17A.235 and .435)

The deposit to the 2018 campaign checking account is shown on line 1 of the February C4 because it is a transfer of funds left over from previous campaigns for prosecuting attorney that were deposited to the 2018 campaign checking account with Islanders Bank in February 2018. The amount is within the mini-reporting limits. Mr. Kilduff incorrectly refers to the Gaylord for Judge Committee (2009) for calculating funds available from previous campaigns. Pursuant to RCW 42.17.490, contributions for one office are not and were not used for another office. After permission for full reporting was granted, individual contributions have been received and pursuant to RCW 42.17A.435, the names and other information of those contributors has been reported.

Allegation No. 2 concerns the content of the February C4 report. (RCW 42.17A.240).

The content of the February C4 report is correct. The deposit to the candidate's 2018 campaign bank account was correctly shown on line 1 of the C4 for the month of February 2018 consistent with the ORCA FAQ on this subject and is consistent with RCW 42.17A.240(1) and (10) as the appropriate way to show use of funds from a previous campaign.

Allegation No. 3 concerns the mini reporting limits (WAC 390-16-125).

Mr. Kilduff incorrectly states that the aggregate limit for mini-reporting is \$5,000, and that amount was exceeded with the deposit of \$6,500. The limit is amount is \$5,000 in addition to the amount spent on the filing fee. WAC 390-16-105(1)(a). WAC section 390-16-105 is referred to in to in WAC 390-16-125. For the San Juan County Prosecutor position, this amount is calculated as \$5,000 plus the filing fee of \$1,542.28 for a total of \$6,542.28. The amount of the February deposit, \$6,500, is less than the mini-reporting limit. The mini-reporting limits were not exceeded.

The Gaylord for Prosecutor candidate campaign began full reporting by filing C4s on May 28, ten days after an opponent filed for office. Permission to move to full reporting has been granted. Both parties in the election are now using full reporting.

I request that Case No. 37271 be dismissed.

I invite the PDC staff to contact me if you need additional information.

Regards,

Randall Gaylord