



State of Washington
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908
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Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

April 12, 2018

Delivered electronically to Larry Helm

Subject: Larry Helm Complaint Return Cover Letter, PDC Case 33014

Mr. Helm:

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

As noted below in the electronic letter to Mr. Winter, the PDC will not be conducting a more formal investigation into these allegations or taking enforcement action in this matter.

If you have questions, please contact PDC staff member Kurt Young by e-mail at kurt.young@pdcc.wa.gov.

Sincerely,

/s _____
Kurt Young
Compliance Officer

Endorsed by,

/s _____
Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director



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April 12, 2018

Sent electronically to Rhett Winter

Subject: Complaint filed against Larry Helm, PDC Case 33014

Mr. Winter;

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on March 22, 2018. Your complaint alleged that Larry Helm, a candidate for Board of Supervisors for the Whatcom Conservation District (WCD) in 2018, used WCD facilities to assist his candidacy in violation of RCW 42.17A.555. Specifically, you alleged Mr. Helm's campaign was assisted by the WCD who provided your name and address to a "political campaign" after you requested a ballot from the WCD, and that you later received a political advertisement sent to your email address in support of Mr. Helm.

PDC staff reviewed your complaint, an attached February 22, 2018 letter from George Boggs, Executive Director of the WCD, a copy of the email advertisement, and the response from Mr. Helm. As a result, we found the following:

- Larry Helm was elected to the Whatcom Conservation District Board of Supervisors in 2012, and in May of 2012 he joined the board for a three-year term.
- The February 22, 2018 letter from Mr. Boggs stated the WCD as a government agency is subject to Washington State's Public Records Act, and that the WCD received a public records request from Bruce Ayers Consulting for individuals and their email addresses who had requested a mail-in ballot. Prior to providing that information to Mr. Ayers, Mr. Boggs stated he contacted the Washington State Conservation Commission, who informed him that the WCD as a governmental agency "had to provide all the information requested because it was not exempt from disclosure under the laws that govern the supervisor election." He stated that the "decision to provide this list to Bruce Ayers Consulting was in accordance with the election laws."
- Mr. Helm stated that even if the WCD election are not exempt from PDC jurisdiction concerning the use of public facilities, his campaign properly obtained the names and email addresses of WCD voters via a public records request in accordance with RCW 42.56.

PDC staff noted that candidates, campaigns, and other persons currently purchase registered voter lists from County Auditor's Offices and the Secretary of State's Office, without submitting a public records request.

Based on these findings, staff has determined that in this instance, there is no evidence that supports a finding of a material violation warranting further investigation. The PDC has closed the matter, and will not be conducting a more formal investigation into your complaint or pursuing further enforcement action in this case.

If you have questions, you may contact Kurt Young by e-mail at kurt.young@pdc.wa.gov.

Sincerely,

Endorsed by,

/s _____
Kurt Young, Compliance Officer

/s _____
Barbara Sandahl, Deputy Director
For Peter Lavalley, Executive Director

cc: Rhett Winter

