



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: pdcc@pdcc.wa.gov • Website: www.pdcca.wa.gov

November 21, 2018

Sent electronically to Gerry Pollet at info@gerrypollet.com

Subject: Complaint regarding Gerry Pollet, PDC Case 28125

Dear Mr. Pollet:

Enclosed is a copy of a letter sent to Glen Morgan concerning a complaint he filed with the Public Disclosure Commission (PDC) on November 29, 2017.

As noted in the letter to Mr. Morgan, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not be conducting a more formal investigation into these allegations or taking enforcement action in this matter.

However, pursuant to WAC 390-37-060(1)(b), this letter is a formal written warning to your campaign concerning the importance of filing accurate and timely reports for all future contributions, expenditures and debt. This includes providing the required description/breakdown of expenditures when sub-vendors are used. It is the responsibility of the campaign to obtain this information when sub-vendors are used, and not fail to report it because it has not been included on an invoice. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

If you have questions, you may contact me at (360) 586-2869, toll-free at 1-877-601-2828, or by e-mail at erick.agina@pdcc.wa.gov.

Sincerely,

Endorsed by:

s/ _____

Erick Agina
PDC Compliance Officer

s/ _____

Peter Lavalley
PDC Executive Director



Public Disclosure Commission
Shining Light on Washington Politics Since 1972



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November 21, 2018

Sent electronically to Glen Morgan at glenmorgan89@gmail.com

Subject: Complaint regarding Gerry Pollet, PDC Case 28125

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on November 29, 2017. The complaint alleged that Gerry Pollet's 2016 Campaign for State Representative may have violated RCW 42.17A.235 and .240 by failing to accurately and timely report contributions, expenditures, and debt.

PDC staff reviewed your allegations, and as a result of staff's review, we found the following:

- On November 3, 2015, Representative Gerry Pollet filed a Candidate Registration (C-1 report) declaring his candidacy for State Representative for the 46th Legislative District in 2016, selecting the Full Reporting Option and listing Janet Miller as the campaign treasurer. On June 21, 2017, Representative Pollet filed a C-1 report declaring his candidacy for re-election in 2018.

Allegation #1: Failure to timely and accurately file C-3 and C-4 reports.

- Between the period starting December 10, 2015 and ending December 31, 2016, Representative Pollet's Campaign allegedly filed 23 reports late (15 C-3 and 8 C-4 reports) as indicated in the exhibit submitted with the complaint. Staff reviewed the reports that were required during the crucial reporting periods for the primary and general elections, and found the following:
 - Reports #100691718, 100691714, 100691717 and 100691716: On April 24, 2016, the Pollet Campaign filed four different C-3 reports for contributions received in January 2016 disclosing \$250, \$175, \$175 and \$100 in contributions. These contributions were from six different individuals. The four C-3 reports were due no later than January 11, 2016 and were filed 103 days late.
 - Reports # 100735313 and 100735314: On November 14, 2016, the Campaign filed two separate C-3 reports for contributions received on November 2, 2016 and November 6, 2016 disclosing \$500 from an entity and \$50 from an individual respectively. The two C-3 reports were due no later than November 14, 2016, and were filed timely.
 - Report #100721467: On September 18, 2016, the Campaign filed a C-3 report for a contribution received on July 27, 2016 disclosing a \$500 contribution received from the Puyallup Tribe of Indians. The C-3 report was due no later than August 8, 2016 and was filed 36 days late by the campaign.

- Report # 100691721: On April 24, 2016, the Campaign filed the December 2015 C-4 report disclosing \$4,290 in contributions and \$23.90 in expenditures. The December 2015 C-4 was due no later than January 11, 2016, and was filed 104 days late.
- Report #100669442: On December 3, 2015, the Campaign filed the 7-day pre-general C-4 report disclosing \$1,100 in contributions and \$43.86 in expenditures. The 7-day pre-general C-4 report was due no later than November 2, 2015, and was filed 23 days late.
- Report #100728638: On October 19, 2016, the Campaign filed the 21-day pre-general C-4 report disclosing \$9,240 in contributions and \$2,308.83 in expenditures. The 21-day pre-general C-4 was due no later than October 18, 2016, and was filed one day late by the Campaign.
- Report #100739216: On December 29, 2016, the Campaign filed the post-general C-4 report disclosing \$750 in contributions and \$11,889.47 in expenditures. The post-general C-4 report was due no later than December 12, 2016, and was filed 17 days late by the Campaign.

Allegation #2: Failure to properly break down expenses.

- In his response, Representative Pollet stated the Campaign contracted with WinPower Strategies, and did not have or know the details of the sub-vendors retained by WinPower Strategies because this information was not included in the invoice.
- Staff reviewed this allegation and Representative Pollet's response to the allegation, and concluded that it is his responsibility to get the details of the sub-vendors from his consultant and staff before completing the C-4 reports.

Allegation #3: Failure to timely and accurately report debt.

- The first few alleged non-reported debts should have been reported on the C-4 report covering the month of May 2016. The remaining debts should have been reported on the pre and post-primary C-4 reports, and the pre-general C-4 report. In his response, Representative Pollet stated that his campaign's typical practice was to bill several months at a time or quarterly.

While the Representative Pollet's Campaign failed to timely file some reports, the late-filed reports contained minimal campaign activities, resulting in minimal impact on the public. However, pursuant to WAC 390-37-060(1)(b), the Gerry Pollet Campaign will receive a formal written warning concerning the importance of filing accurate and timely reports for all future contributions, expenditures and debt. This includes providing the required description/breakdown of expenditures when sub-vendors are used. The formal written warning will convey staff's expectation that Representative Pollet will fully comply with the requirement to file accurate and timely reports for all future contributions, expenditures and debt in future years in accordance with PDC laws and rules. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

Based on this information, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1), and will not be conducting a more formal investigation into your complaint or pursuing enforcement action in this case.

If you have questions, you may contact me at (360) 586-2869, toll-free at 1-877-601-2828, or by e-mail at erick.agina@pdc.wa.gov.

Sincerely,

Endorsed by:

s/ _____

Erick Agina
PDC Compliance Officer

s/ _____

Peter Lavallee
PDC Executive Director

cc: Gerry Pollet

