



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.pdcc.wa.gov

March 6, 2019

Delivered electronically to Laura Ewan at ewan@workerlaw.com

Subject: Complaint regarding Douglas County Democrats PAC, PDC Case 27134

Ms. Ewan:

Below is a copy of an electronic letter sent to Glen Morgan concerning a complaint filed with the Public Disclosure Commission (PDC) on November 1, 2017.

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

However, pursuant to WAC 390-37-060(1)(b), this letter serves as a formal written warning concerning: (1) the Committee's failure to timely disclose contribution and expenditure activities for 2016 as required by RCW 42.17A.235 and .240, a year in which it did not qualify for the mini reporting option; (2) the Committee's failure as a filer under the Mini Reporting Option to file a C-1pc between January 1 and January 31 of each year for 2014, 2015, 2016, and 2017, as required under WAC 390-16-115(4), to confirm its reporting option for the current year, whether the committee will continue filing under the Mini Reporting Option for the current calendar year or will be reporting under the Full Reporting Option for the current calendar year; and (3) the Committee's failure to timely update its Committee Registrations (C-1pc) between 2014 and 2017.

This formal written warning conveys staff's expectation that the Committee will fully comply with the statutory reporting requirements in the future as a registered political committee. The Commission will consider this formal written warning if there are any future PDC law or rule violations committed by the Committee.

Based on this information, the PDC has dismissed this complaint in accordance with RCW 42.17A.755(1).

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,

s/ _____
Erick Agina, Compliance Officer

Endorsed by:

s/ _____
Peter Lavalley, Executive Director



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March 6, 2019

Sent electronically to Glen Morgan at glen@wethegoverned.com

Subject: Complaint regarding Douglas County Democrats PAC, PDC Case 27134

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on November 1, 2017. The complaint alleged that the Douglas County Democrats PAC (Committee) may have: (1) failed to timely disclose contribution (C-3) and expenditure (C-4) activity for 2014 – 2017, an alleged violation of RCW 42.17A.235 and .240; and (2) failed, as a filer under the Mini Reporting Option, to file a Committee Registration (C-1pc) between January 1 and January 31 of each year for 2014, 2015, 2016, and 2017, as required under WAC 390-16-115(4) to confirm its filing status as a filer under the Mini Reporting Option.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; the November 6, 2018 response letter from the Committee, submitted by Laura Ewan; and the applicable PDC reports filed by Respondent, to determine whether the record supports a finding of one or more violations.

Based on staff's review, we found the following:

Allegation One: Failure to timely file C-3 and C-4 reports of campaign activities.

- During the period 2014 – 2017, the Committee operated as a committee under the Mini Reporting Option even though it did not confirm its filing status each January. While responding to the complaint, the Committee determined that it qualified for the Mini Reporting Option during 2014, 2015, and 2017, but not during 2016. The Committee filed the missing C-3 and C-4 reports for 2016 on November 22, 2017. The reports disclosed \$9,172.34 in contributions and \$6,557.44 in expenditures.
- The Committee stated that even though it was also required to file under the Full Reporting Option for 2014, 2015 and 2017, because it failed to select the Mini Reporting Option during January of each year, the Committee's activities during these years remained under the Mini Reporting limits since they did not accept aggregate contributions or make aggregate expenditures that exceeded \$5,000, and did not accept contributions in the aggregate of more than \$500 from any one person.

Allegation Two: Failure to timely file the C1-pc report.

- WAC 390-16-115(4) states: "In addition to complying with subsections (2) and (3) of this section, a continuing political committee shall also file a C-1pc between January 1st and January 31st for each year in which the committee intends to use the mini reporting system. Failure to file a new registration

statement during January will automatically terminate the committee's entitlement to use the mini reporting system until such time as a new C-1pc is filed.”

- The Committee failed to file a C-1pc during January of the years 2014 – 2017. Therefore, the Committee was required to file under the Full Reporting Option until a new C-1pc was filed on November 24, 2017. The Committee acknowledged that it should have filed updated C1-pc forms in January of each calendar year beginning 2014 through 2017.

While the Committee failed to file new C-1pc reports each January to confirm its status as a Mini Filer during the years 2014 – 2017, it would have qualified for the Mini Reporting Option during 2014, 2015, and 2017 had it timely filed the C-1pc reports. Although late, the Committee has now filed the required reports for 2016, and the missing C-1pc reports 2014 – 2017.

Based on these findings staff has determined that, in this instance, the failure to file a C-1pc each January to select the reporting option for the current calendar year, and the failure to timely report under the Full Reporting Option for 2016, does not amount to an actual violation warranting further investigation.

However, Pursuant to WAC 390-37-060(1)(b), Douglas County Democrats PAC will receive a formal written warning concerning the Committee's: (1) failure to file new C-1pc reports each January to confirm its status as a Mini Filer; (2) failure to timely file under the Full Reporting Option for 2016; and (3) failure to timely file C-3 and C-4 reports in 2016. The formal written warning will include staff's expectation that Douglas County Democrats PAC will timely and accurately file its C1-pc, C-3 and C-4 reports in the future. The Commission will consider the 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 finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Erick Agina 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, Compliance Officer

s/_____
Peter Lavalley, Executive Director

cc: Douglas County Democrats PAC
Laura Ewan, Respondent's Attorney