



**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](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdca.wa.gov](http://www.pdca.wa.gov)**

Sept. 24, 2018

Delivered electronically to "ld29dems@gmail.com"

Subject: PDC Case 27125

Dear 29th Legislative District Democrats:

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

As noted below to Glen Morgan, the PDC will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter.

However, pursuant to WAC 390-37-060(1)(b), this letter serves as a warning letter concerning your failure to comply with the legal requirement of candidates to report contributions and expenditures, as provided by RCW 42.17A.235. Staff expects the 29th District Democratic Party Organization files timely and complete reports 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.

If you have questions, you may contact Alice Fiman at 1-360-586-4746 or toll-free at 1-877-601-2828, or by e-mail [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

/s\_\_\_\_\_

Alice Fiman  
Compliance Officer

Endorsed by,

/s\_\_\_\_\_

Peter Lavalley  
Executive Director



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Sept. 24, 2018

Delivered electronically to "glenmorgan89@gmail.com"

Subject: Complaint regarding 29th Legislative District Democratic Party Organization, PDC  
Case 27125

Dear Glen Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed against the 29th Legislative District Democratic Party Organization, a bona fide legislative district political party organization registered with the PDC as a political committee.

The complaint alleged that the 29th Legislative District Democratic Party Organization violated RCW 42.17A.235 and .240 by: (1) failing to timely file Campaign Summary Receipts and Expenditure reports (C-4 reports), and several Monetary Contribution reports (C-3 reports); and (2) failing to report debts and obligations.

PDC staff reviewed the allegations listed in the complaints, the statutes, rules, and reporting requirements, the Committee Registrations (C-1pc reports) C-3 and C-4 reports filed by the 29th Legislative District Democratic Party Organization (29th LDDPO), and the responses from both Austin Beiermann, current chairperson and John Caverly, former treasurer for the 29th LDDPO.

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

- The 29th LDDPO have been registered and reporting with the PDC dating back to 1996.
- On March 11, 2016, the 29th LDDPO filed an amended C-1pc changing from the Mini Reporting option to the Full reporting option, and the request to change options was approved that day by the PDC Executive Director.

- On Nov. 11, 2017, the 29th LDDPO filed a new C1-pc report listing new Committee Officers but staying under the Full Reporting option.
- On January 22, 2018, the 29th LDDPO filed a new C1-pc report listing the same Committee Officers and changing back to the Mini Reporting option.

**Allegation #1: Failure to timely file C-3 and C-4 reports during calendar year 2016.**

- The 29th LDDPO filed C-3 and C-4 reports for reporting periods from April to December 2016 on Dec. 12, 2016.
- PDC staff's review of the allegations found that eight of the alleged 19 late filed C-3 or C-4 reports were filed by the Committee as amended reports.
- The 29th LDDPO filed a total of 12 C-4 reports on December 12, 2016, which included five amendments. The reports contained small contribution and expenditure activities, and the corrections were of minor errors or corrections that did not materially impact the public interest.
- John Caverly, former 29th LDDPO treasurer through 2016, stated that he "ran the ORCA software that is used for doing reporting on my laptop – during that period that device broke and I was not able to get it replaced until later in the year, once I was able to get the software installed and running I submitted all of the late reports prior to the end of my term as secretary/treasurer."
- No reports were filed for the 29th LDDPO for 2017, despite being under the Full Reporting option but the Committee has indicated in their response to the PDC "An Audit Committee is being formed that will review (LDDPC) PDC filings quarterly to ensure that we will catch any failings to file in the future."
- Staff requested the 29th LDDPO provide a summary of the contribution and expenditure activities undertaken during 2017, to determine if they were eligible for the Mini Reporting option. In its response, the 29th LDDPO stated it raised \$98 in 2017 and spent \$130 on office supplies.
- Austin Beiermann, current chairperson of the 29th LDDPO responded "in the 2017 year as noted above...we have failed to report and were actively taking steps to remedy it before the complaint was filed." This has not been completed, with the only 2017 and 2018 filings the C1-PC and its amendment. Beiermann reported \$748.39 in expenses for 2018. These expenses were related to costs for participation in a Keep Pierce Blue fundraiser and a March caucus event.

**Allegation #2: Failure to disclose three debts and obligations on C-4 reports.**

The complaint alleged that the 29th LDDPO failed to disclose debts and obligations on C-4 reports and properly provide detailed breakdowns of expenditures. You attached a spreadsheet of those expenditures. While the 29th District Democrats Party Organization admitted they did not timely file with the PDC, the committee officers stated that debts listed on your Exhibit B were not associated with this political party organization.

PDC staff reviewed the debt information listed on Exhibit and noted that Michael Fagan is a Spokane City Councilmember, and Tim Benn was a candidate for Spokane City Council in 2017, and a former Republican candidate for State Representative in the 3rd Legislative District.

Based on these initial findings, staff has determined that in this instance, failure to timely file reports of contributions and expenditures does not amount to a material violation warranting further investigation.

Pursuant to WAC to WAC 390-37-060(1) the 29th District Democratic Party Organization will receive a formal written warning concerning the failure to comply with the legal requirement of candidates to report contributions and expenditures, as provided by RCW 42.17A.235. The formal written warning will include staff's expectation the 29th District Democratic Party Organization files timely and complete reports in future years in accordance with PDC laws and rules. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

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 Alice Fiman at 1-360-586-4746 toll-free at 1-877-601-2828, or by e-mail at [alice.fiman@pdc.wa.gov](mailto:alice.fiman@pdc.wa.gov)

Sincerely,

/s\_\_\_\_\_

Alice Fiman  
Compliance Officer

Endorsed by,

/s\_\_\_\_\_

For Peter Lavalley  
Executive Director

cc: [ld29dems@gmail.com](mailto:ld29dems@gmail.com)