



# Smith & Dietrich Law Offices

## South Sound Community Lawyers

Smith & Dietrich  
Law Offices PLLC

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*Via Electronic Delivery*

Members  
Walter Smith  
Steve Dietrich

Tony Perkins, Investigator  
Washington Attorney General's Office  
1125 Washington St. SE  
Olympia, WA 98501  
[tonyp\[at\]atg.wa.gov](mailto:tonyp[at]atg.wa.gov)

Address  
400 Union Ave. SE  
Suite 200  
Olympia, WA 98501

Telephone  
(360) 918-7230

Re: *Response of Laurie Dolan and Friends of Laurie Dolan to Public Disclosure  
Commission Complaint No. 25901*

Dear Tony,

I write to respond on behalf of my clients, Laurie Dolan and Friends of Laurie Dolan, to the complaint submitted to the Public Disclosure Commission by Glen Morgan on or around September 29, 2017, which is assigned ticket number 25123.

In his latest complaint against my clients, Mr. Morgan claims that form C-1 was filed untimely on August 8, 2017 due to an earlier contribution from Karen Bowen. The day Mr. Morgan's latest complaint was filed, my clients amended their form C-3 showing Ms. Bowen's contribution to clarify that in fact the contribution in question was received on July 16, 2016—the original report included an unintentional, typographical error stating that the year of receipt was 2015. This allegation should be dismissed because there is no basis to claim a violation of the campaign finance law.

Mr. Morgan claims that three "last-minute" contributions prior to the 2016 general election were not timely reported. However, the complaint acknowledges that the required reports were filed within two days of my clients' receiving the contributions in question. No evidence is provided that any last-minute contribution form was untimely filed. This allegation should be dismissed because, once again, there is no basis to claim a violation on these facts.

The complaint asserts that its author "believe[s]" that Northwest Passage Consulting acted as a committee officer for my clients' campaign in 2016. No evidence, however, is presented to suggest any violation of the campaign finance laws has occurred. On the contrary, Northwest Passage Consulting is a vendor that made expenditures with the authorization of the candidate, Ms. Dolan herself, and the information on the campaign's form C-1 was accurate.

Ms. Dolan, a retired public school teacher, has received pension income from the Teachers' Retirement System for several years. While the complaint acknowledges that Ms. Dolan disclosed her income from this pension plan on form F-1, it incorrectly claims that she must also disclose the "value" of her retirement plan as an "asset." On the contrary, insofar as Ms. Dolan has chosen to draw her pension income, she cannot also dispose of the contributions she paid into the pension system.<sup>1</sup> Public employees cannot both dispose of their contributions to the TRS pension fund, and also draw their pensions.

Ms. Dolan's form F-1 was filed in September 2015, along with the initial reporting of contributions received by the campaign the previous month. Ms. Dolan was a volunteer director on the board of the non-profit Pear Court Homeowners Association up to May 2016, but did not believe that this relatively insignificant volunteer activity needed to be disclosed on form F-1. In an abundance of caution and in the interest of full disclosure, Ms. Dolan intends to amend her form F-1 to disclose this volunteer work.

My clients received an \$800 contribution which they understood was from unclaimed funds held by the Washington Department of Revenue. Evidently, those funds were originally intended to be contributions to the State Senate campaign of Chris Marr in 2010. The race being over five years old, Mr. Marr no longer has a record of the contributor who gave him the \$800, and he has declined to accept a refund from my clients of the \$800. Accordingly, in an abundance of caution, my clients have refunded the \$800 to the State Treasury's general fund, based upon their consultation with Public Disclosure Commission staff on October 17, 2017.

Finally, the complaint inaccurately claims that my clients received a contribution from a "sole proprietorship," which was in fact from a corporation, JZK Incorporated. WAC 390-16-308(5). No evidence is presented to contest the fact that the corporation is a separate entity from J.Z. Knight, or to substantiate the claim of concealment. This allegation should be dismissed because there is no basis to claim a violation of the campaign finance law.

Thank you for your time and attention to this letter, and look forward to discussing the resolution of this complaint with you.

Sincerely,



Walter M. Smith

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<sup>1</sup> See <http://www.drs.wa.gov/forms/member/withdrawalretirementcontributionsform.pdf>, 3 ("If you choose to withdraw or roll over your contributions plus interest, you cancel all rights to service credit and any potential benefit you have earned in your retirement system.") (accessed 10/16/17).