

De'Sean Quinn
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September 29, 2017

VIA EMAIL

Fox Blackhorn
Compliance Coordinator
Washington Public Disclosure Commission
711 Capitol Way #206
PO Box 40908
Olympia, WA 98504-0908

Re: August 17 PDC Complaint – De'Sean Quinn (5)

Dear Mr. Blackhorn,

I am writing in response to the most recent complaint filed against me by Glen Morgan on August 17, 2017. Again, thank you for the opportunity to respond.

Allegation #1, Failure to list expenditures, debts, or in-kind contributions. (Violation of RCW 42.17A.235 & .240)

I retained the services of an attorney to review the RCWs related to Public Disclosure Committee (“PDC”) reporting laws. I have amended my C-4s to include both the money that I paid as well as the in-kind services that I received.

Allegation #2, Failure to list personal in-kind contributions to campaign (RCW 42.17A.235)

On June 28th, I filed two C3 reports relating to the contributions in question; one for \$1,100 (confirmation # 100771660) and another for \$160 (confirmation # 100771661). It was initially my belief that I needed to file these reports as in-kind contributions, but at the direction of Chip Beatty, Filer Assistance Specialist, I filed them as candidate personal funds during our meeting on June 28th. It appears that this allegation is the result of confusion relating to the terminology I used in my response to Citizen Action Notices (1), (2), (3). I believe that these C3 reports demonstrate that I have accurately reported the contributions in question and did so in a timely manner. However, if this needs to be reported in a different way then I will be happy to do so, but I believe that this is correct.

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When I recently received this complaint I immediately contacted you. However, I was unable to directly connect with you until a week later. You informed me that the PDC was going to meet and discuss exactly what the reporting requirements are.

In addition, Garrett Havens, my campaign treasurer, spoke with Jennifer Hansen, one of the PDC filing specialists, who was trying to help us determine if we needed to report the legal expenses for compliance purposes. During that conversation, Ms. Hansen referenced the following:

RCW 42.17A.005

13 (b) "Contribution" does not include:

(viii) Legal or accounting services rendered to or on behalf of:

(A) A political party or caucus political committee if the person paying for the services is the regular employer of the person rendering such services; or

(B) A candidate or an authorized committee if the person paying for the services is the regular employer of the individual rendering the services and if the services are solely for the purpose of ensuring compliance with state election or public disclosure laws;

She explained to Mr. Havens that upon reading the above she was unable to provide a clear answer regarding the need to report any legal contributions and expenses. She called back on August 28th after consulting with other PDC staff and was still unable to provide an answer which is when she directed Mr. Havens to speak to you about the matter. It was after these conversations that we received guidance that I need to report this on my C-4s as an in-kind contribution.

I would like to point out that Mr. Morgan's claims in the first paragraph of his complaint, citing that I am under active investigation are inaccurate and unsubstantiated. In the attached letter from the State of Washington, Public Disclosure Commission, dated June 7, 2017, the PDC wrote that it

“will not be conducting a more formal investigation into these allegations or **taking enforcement action** in these two complaints. However, the PDC staff has concluded that your Campaign failed to comply with some of the disclosure requirements concerning the C-1, C-3, C-4 and F-1 reports, but those appear to **constitute minor or technical violations** of RCW 41.17A or WAC390 ... this letter constitutes a Formal Written Warning to you ...”

[Emphasis added]

In addition, on July 28, 2017 I received the attached letter from the Attorney General's Office, citing in part

“...The Attorney General’s Office has reviewed your allegations, responses received from De’Sean Quinn and his campaign, PDC reports and data, and information from the City of Tukwila. Our review revealed that the allegations in the notices **either could not be substantiated, do not constitute a violation of the law under the facts as alleged, or do not warrant judicial enforcement.** We determine, in an exercise of our prosecutorial discretion, that if any viable allegations exist, they would be more appropriate for resolution by the Public Disclosure Commission as opposed to the Superior Court.”

[Emphasis added]

As you know, complaints to the PDC are made public. Mr. Morgan’s very detailed complaints about my PDC reports combined with his use of inflammatory and untrue statements and innuendos suggesting that I am under some sort of investigation leads the public to believe that his accusations are true. My goal is to file reports that are accurate and thorough and not subject to misinterpretation and to be compliant with PDC rules and the RCWs. His goal is to mislead and plant seeds of distrust because of his belief that people that do not share his views cannot be of service to their community.

I believe I have been very transparent with the PDC and have made every effort to completely understand the complexities of the RCW and the PDC reporting instructions. I continue to make good faith attempts to comply with the law. I have corrected all of the mistakes that have been brought to my attention immediately as I have become aware of them. I believe I continue to be extremely forthcoming in acknowledging my mistakes and have made every effort to correct them. I have been diligent in communicating with and seeking the assistance of the PDC staff to correct and amend my campaign reports. Nothing I have done has been done with any ill intent or any attempt to deceive.

I trust that I have satisfied your request and would make myself available to provide more information it is important to me to comply with the PDC.

Sincerely,

De’Sean Quinn

cc: Lisa Boggess, Paralegal 2, Campaign Finance Unit, Office of the Attorney General