



**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.pdca.wa.gov

March 22, 2019

Delivered electronically to Glen Morgan at glen@wethegoverned.com

Subject: Complaint regarding the Whitman County Democratic Central Committee, PDC Case 28112

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on November 22, 2017. Your complaint alleged that the Whitman County Democratic Central Committee (Committee), a Continuing Bona Fide Political Party Committee, may have violated RCW 42.17A.235 and 240: by failing to timely and accurately file C-3 and C-4 reports, including the failure to properly report the purpose of expenditures, as required by RCW 42.17A.240, WAC 390-16-037 and WAC 390-16-205, and RCW 42.17A.240 by failing to timely and accurately report debt.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; the applicable C-3 and C-4 reports filed by the Committee; and the response provided by the Committee.

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

Allegation one: Failure to timely file C-3 and C-4 reports.

- PDC staff reviewed the 17 C-3 and C-4 reports you attached in the spreadsheet. Staff found that 11 were not required based on inactivity. For the remaining six reports, three were between one and 27 days late, and the remaining three were between 119 and 148 days late, accounting for \$4,737 in contributions received and \$1,253.80 in expenditures, mostly to pay for overhead costs. All the late reports were outside the accelerated reporting period, except for one which was one day late, and accounted for \$905 in contributions and \$278.27 in expenditures.

Allegation Two: Failure to timely and accurately report debt.

- PDC staff reviewed the ten alleged unreported debts you attached in the spreadsheet. Except for a few items on the attached spreadsheet, staff found that most of the items in the attached spreadsheet appear to be orders paid at the time the orders were placed, during the same reporting cycle. For example, the Committee paid \$290.61 on August 3, 2016 and \$322.80 on May 8, 2017, for county convention rental and town hall rental, respectively. Additionally, you did not provide any evidence to show that any of the expenditure depicted in your spreadsheet was preceded by a promise to pay in an earlier reporting period.

- In its response to this allegation, the Committee, by way of its attorney stated, “throughout his complaint Mr. Morgan methodically alleges that certain expenditures made in a given report should have been reported as a debt incurred in the prior reporting cycle – i.e., a rental fee paid in April must have been a debt incurred in March and therefore should have been reported then. He presents no evidence corroborating his allegations that debts were actually incurred when he claims they were; he simply plucks dates out of thin air and plugs them into his spreadsheet.”

Allegation Three: Failure to properly report the purpose of expenditures.

- Staff reviewed the description of the payments made to the eight vendors/individuals on your spreadsheet. Staff found that most of the expenses/payments made for items like buttons and supplies for canvassing, even though for small amounts of less than \$100, lacked the proper description(s) or additional information as required by RCW 42.17A.240, WAC 390-16-037 and WAC 390-16-205.

As noted above, the allegations listed in your complaint concerned information disclosed on the C-3 and C-4 reports filed by the Committee. Staff noted that there were expenditures made by the Committee either to a vendor or consultant for which a more detailed explanation or description should have been provided. However, these deficiencies are mitigated by the fact that the Committee has no prior violations.

Based on these findings staff has determined that, in this instance, the failure to file timely and accurate C-3 and C-4 reports, including expenditures for debt, and the failure to properly report the purpose of expenditures, does not amount to an actual violation warranting further investigation.

However, staff is reminding the Committee about the importance of filing timely and accurate C-3 and C-4 reports disclosing contribution and expenditure activities undertaken by the Committee, including expenditures for debt, and the importance of properly reporting the purpose of expenditures, specifically to include the number of items and sub-vendor information where applicable, as required by RCW 42.17A.240, WAC 390-16-037 and WAC 390-16-205.

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/ _____
BG Sandahl, Deputy Director
For Peter Lavalley, Executive Director

cc: Dmitri Iglitzin, Attorney for Whitman County Democratic Central Committee