

[Rebecca Saldaña](#) (Tue, 16 Jan at 5:49 AM)

to : pdc@pdc.wa.gov, yasmin.christopher@atg.wa.gov

Please find our response below and attached as a separate letter, with two excel documents.

People for Rebecca Saldaña
PO Box 20776
Seattle, WA 98102

January 18, 2018

Washington Public Disclosure Commission
711 Captiol Way S #206
Olympia, WA 98504

Re: PDC - Saldaña - Alleged violations of Chapter 42.17A RCW
28892

Ticket No

To Whom It May Concern:

On behalf of Ms. Saldaña, we are hereby responding to your e-mail dated January 3, 2018, regarding the above-referenced matter. For the reasons set forth herein, we do not believe that Ms. Saldaña has engaged in any conduct that warrants any action by the PDC or its Executive Director beyond, potentially, imposition of a "written warning" for minor or technical violations of RCW 42.17A, as authorized by WAC 390-37-060(1)(b).

We address the specific claims that were made against Ms. Saldaña by Mr. Morgan as follows:

Saldaña PDC Complaint Responses

1. Alleged failure to file accurate, timely C3 & C4 reports

See the attached document "Response to Exhibit A." With the exception of one C3 that was accidentally filed one day late, all of Mr. Morgan's complaints are due to his misunderstanding of public disclosure law. All of the C4 reports he references were filed on the due dates, but as new information became available, they were amended to provide the most accurate disclosure information. Additionally, Mr. Morgan fails to realize that reports are not due on legal holidays, but the day immediately following.

1a. Photography

All photographs used by the campaign were taken by either campaign staff or campaign consultants, and paid for as a part of their wages or consulting fee.

1b. Videography

All videos used by the campaign were taken by either campaign staff or campaign consultants, and paid for as a part of their wages or consulting fee.

1c. Mailing List

Mailing lists were provided by the campaign consultant and paid for as part of the production invoices. No in-kind donation of lists was used for the mailers.

1d. Website

The domain name was purchased by Ms. Saldaña when she was considering applying for the appointment process, before she knew the outcome of the appointment or was considering running for election. The initial purchase was not required to be reported; however, the renewal in September 2017 would be considered a campaign expense and should be reported. We will amend the September C4 to add that information.

2. Alleged failure to accurately, timely report debt

See the attached document "Response to Exhibit B." None of Mr. Morgan's allegations have any merit. All items required to be reported as debt were correctly reported. The items listed in Exhibit B were either expenses incurred and paid within the same C4 period, and already listed as debt on a prior C4s, or prepayments for future events or media buys.

3. Alleged failure to properly break down, describe expenses

While the in-kind contribution from Sen. Saldaña is below the de minimus exemption, we provided the information to provide more accurate disclosure of expenses. In this case, Sen. Saldaña paid the City of Seattle \$1.50 for street parking.

4. Alleged failure to timely file C1

As mentioned in 1d above, the domain name was purchased before Ms. Saldaña was running for any office, so her purchase of the domain name would not be considered a trigger for filing the C1 in September 2017. Additionally, the domain name purchased was www.rebeccasaldana.com, a domain name that could be used for any number of purposes, not specifically for election related reasons.

5. Alleged failure to file reports of contributions prior to filing C1

As mentioned in 1d and 4 above, the domain name purchase in September 2016 was not for campaign purposes and was not a trigger for filing the C1.

6. Alleged failure to list committee officers

According to the definition given by WAC 390-05-245, none of the individuals listed are committee officers and should not be listed as such. Ayla Kadah was a paid campaign manager and employee of the campaign. Moxie Media and Raven McShane were paid consultants, and as such, they advised the campaign but did not ultimately make any decisions on behalf of the campaign that were not reviewed by Ms. Saldaña.

7. Alleged unauthorized expenditures by individuals not listed on form C-1

All expenditures made by employees and consultants were approved by Ms. Saldaña before paid. No other person authorized or approved of expenditures. This is a frivolous claim.

8. Alleged failure to timely update C1

All C1s have been filed in a timely manner. This is a frivolous claim.

9. Alleged violation of maintaining books for five calendar years

All campaign records are kept and maintained by the treasurer, Abbot Taylor, for a period of no less than seven years. In addition, Ms. Saldaña has not been in office for five years. This is a frivolous claim.

10. Alleged failure to record loan by written instrument

Mr. Morgan has provided no information that validates his allegation. All campaign loans were documented contemporaneously and a written loan agreement was provided to Ms. Saldaña. This is a frivolous claim.

11. Alleged failure to include sponsor ID

Because there is no cost to have a Facebook page, there was no "Paid For By" included on the page. In an effort to be more transparent, we have added a sponsor ID to the Facebook page as of January 9, 2018.

12. Alleged failure to timely submit accurate F1.

Ms. Saldaña had never run for office prior to applying for the appointment process. During her appointment, she relied on a volunteer "kitchen cabinet" for advice and guidance. She was not sworn in until December 12, 2016, had not raised any funds in 2016, and would not begin session in Olympia until January 2017. She believed she was in compliance with all PDC documents without filling out an F1 for 2016. It was not until she received notification to file her 2017 F-1, that she realized her mistake. Immediately upon understanding of the error, Ms. Saldaña filed her past due F1 for 2016.

13. Alleged failure to disclose office held on F1.

Mr. Morgan alleges that Ms. Saldaña was a "member" of the Rainier Beach Action Coalition and that she failed to identify this organizations on her 2017 Financial Affairs (F1) form, in violation of RCW 42.17A.710(g). RCW 42.17A.710(g) only requires that a candidate disclose organizations "in which is held any office..." Mr. Morgan does not allege that Ms. Saldaña was an "officer" of this board; thus, his complaint lacks merit on its face. In addition, although Ms. Saldaña has been an active supporter of Rainier Beach Action Coalition for many years, there was no board prior to 2017. The Rainier Beach Action Coalition formalized its structure in December 2016. At that time, Ms. Saldaña agreed to serve as a board member, effective January 2017. Thus, her membership as a board member of Rainier Beach Action Coalition appeared in her 2017 voter guide statement, but not in her 2016 F1.

For all of the foregoing reasons, we believe that Ms. Saldaña has not engaged in any conduct that warrants any action by the PDC or its Executive Director beyond, potentially, imposition of a "written warning" for minor or technical violations of RCW

42.17A, as authorized by WAC 390-37-060(1)(b). We respectfully ask the PDC to so conclude.

Thank you for your time and attention to this matter. If you need any further information to assist in your investigation of the allegations and our responses to the allegations, please direct your inquiries to Rebecca@rebeccasaldana.com.

Sincerely,

People for Rebecca Saldaña
PO Box 20776
Seattle, WA 98102

Enclosures

CC: Washington Attorney General's Office

In Unity,

Rebecca Saldaña
www.RebeccaSaldaña.com
[@SenSaldaña](#)