



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.pdcc.wa.gov

January 30, 2018

Delivered electronically to “treasurer@43rddems.org”

Subject: PDC Case 29839

Dear Vivian Queija:

Below is a copy of an electronic letter sent to Demi Oddee or O'Dee concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted below to Demi Oddee or O'Dee, the PDC will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter. PDC staff is reminding you about the importance of the complete and accurate reporting of contributions and expenditures. PDC Staff expects greater attention to the accuracy of reports before they are filed, particularly when translation errors between third-party and ORCA reporting software may occur.

If you have questions, you may contact Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at fox.blackhorn@pdcc.wa.gov.

Sincerely,

/s _____
Fox Blackhorn
Compliance Coordinator

Endorsed by,

/s _____
Barbara Sandahl
Deputy Director
For Peter Lavallee
Executive Director



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January 30, 2018

Delivered electronically to "dem_oddee@protonmail.com"

Subject: Complaint regarding Vivian Queija and the 43rd District Democrats, PDC Case Nos. 29839 & 29841

Dear Demi Oddee or Demi O'Dee:

The Public Disclosure Commission (PDC) has completed its initial review of the complaint you filed on December 26, 2017, and corrected on January 12, 2017. Your complaint alleged that Vivian Queija may have violated RCW 42.17A.750 by, with actual malice, filing false reports with the Public Disclosure Commission, on behalf of the 43rd District Democrats. Your complaint also alleged that the 43rd District Democrats may have violated RCW 42.17A.240 and WAC 390-16-037 for failure to accurately report expenditures made to committee officers for bookkeeping to dissolve the 43rd District Democrats political committee.

PDC staff reviewed your allegations, and as a result of staff's initial review, we found the following:

- On November 27, 2017, Vivian Queija filed a C-4 report covering the period of 11/1/17 to 11/26/17, on behalf of the 43rd District Democrats which included expenditures to various committee officers, totaling \$6,070.36. Each of these expenditures included a classification code of "C" on the Schedule A, which indicated that each expenditure was for a monetary or in-kind contribution to each of the committee officers.
- On December 4, 2017, Vivian Queija contacted PDC Staff to alert us that these expenditures were inadvertently misreported by third-party software, and should have been reported as the value of in-kind contributions received by the 43rd District Democrats from each of its committee officers. The C-4 covering the period of 11/1/17 to 11/26/17 was amended to reflect this on December 26, 2017.
- For any filing to violate the provisions of RCW 42.17A.750, concerning the false filing of documents, such a filing must be found to have been made with "actual malice."

Actual malice is defined by RCW 42.17A.005(1) as actions taken with "*knowledge of falsity or with reckless disregard as to truth of falsity.*"

Based on these initial findings, staff has determined that in this instance, incorrectly coding in-kind contributions as expenditures made, then subsequently amending reports to reflect that they were in-kind contributions received by the 43rd District Democrats, does not material violation warranting further investigation.

PDC staff is reminding Vivian Queija and the 43rd District Democrats about the importance of the complete and accurate reporting of contributions and expenditures. PDC Staff expects greater attention to the accuracy of reports before they are filed, particularly when translation errors between third-party and ORCA reporting software may occur.

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 Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at fox.blackhorn@pdc.wa.gov.

Sincerely,

/s _____
Fox Blackhorn
Compliance Coordinator

Endorsed by,

/s _____
Barbara Sandahl
Deputy Director
For Peter Lavallee
Executive Director

cc: Laura Ewan, Counsel for the 43rd District Democrats
Vivian Queija, Treasurer for the 43rd District Democrats