



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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Dec. 7, 2018

Delivered electronically to "white@livengoodlaw.com and madkins@nrahq.org

Subject: PDC Case 40877

Dear John White:

Below is a copy of an electronic letter sent to Kaylee Pigott concerning a complaint filed with the Public Disclosure Commission (PDC) against your client, the Washingtonians and the National Rifle Association for Freedom (Committee).

As noted below in the letter to Kaylee Pigott, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1).

PDC staff noted that the Committee made a few minor errors by failing to provide the complete description for expenditures that were timely disclosed on the initial C-4 reports, but timely filed amended C-4 reports disclosing the information requested by staff and correcting the filing error by making the necessary technical corrections.

If you have questions, you may contact Alice Fiman at 1-360-586-4746 or toll-free at 1-877-601-2828, or by e-mail pdcc@pdcc.wa.gov.

Sincerely,

/s _____

Alice Fiman
Compliance Officer

Endorsed by,

/s _____

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director



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Dec. 7, 2018

Delivered electronically to “kaylee.pigott@yahoo.com”

Subject: Complaint regarding Washingtonians and the National Rifle Association for Freedom, PDC Case 40507

Dear: Kaylee Pigott

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed Sept. 11, 2018 against the Washingtonians and the National Rifle Association for Freedom (Committee), a 2018 ballot committee registered with the PDC to oppose Initiative 1639.

The complaint alleged that the Committee violated (1) RCW 42.17A.205 for failure to timely and accurately register as a political committee, (2) RCW 42.17A.240 for failure to report in-kind contributions from the National Rifle Association for legal challenges to Initiative 1639 (3) RCW 42.17A.235 for failure to provide in-state address for campaign book inspection and (4) RCW 42.17A.240 and WAC 390-16-037 by failing to provide a detailed description of expenditures made to on Campaign Summary Receipts and Expenditure reports (C-4 reports) filed on the Post-Primary Election C-4 report filed by the Committee on Sept. 7, 2018.

PDC staff reviewed the allegation listed in the complaint, the statutes, rules, and reporting requirements, the C-4 reports filed by the Committee, and the response from John White, an attorney with Livengood Alskog, legal counsel for the Committee.

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

On June 27, 2018, the Committee filed a Committee Registration (C1-pc report), as a New Ballot Committee formed to oppose Initiative 1639, selecting the Full Reporting Option, listing a Fairfax Virginia address (for National Rifle Association headquarters) and Keely Hopkins as Committee Manager and Mary Rose Adkins as Campaign Treasurer.

Allegation 1: The Committee failed to timely register as a political committee and provided a Facebook page screenshot from April 26, 2018 that is titled “Vote No Initiative 1639.”

- In his response, John White stated “the Facebook post cited by the complainant was created on July 13, 2018, some two weeks after the committee filed its C1-pc.” He stated that while the Facebook post listed an April 26, 2018 date (and not April 23), which was only the date for the source material used in the post. He added that all other Facebook posts on that page “refer to I-1639, with dates before July 13, 2018, also use the date of the source material.”
- Mr. White stated that the Facebook page was a page previously created to oppose I-594, which was a statewide initiative in 2014, and the “page was recycled for use regarding I-1639, and the name changed accordingly, on July 13, 2018. Changing the name also changed the title of all posts on the page. All of this took place after the committee had filed its C-1pc.” He provided screenshots of the Facebook administrator’s page to show the dates these were posted.

Allegation 2: The Committee failed to report in-kind contributions from the National Rifle Association for legal challenges to Initiative 1639, when the Committee filed a legal challenge against the initiative’s ballot title.

- Mr. White stated that the litigation related to I-1639 was initiated by the National Rifle Association (NRA), and not the political committee. He stated the “invoice for legal services was misdirected to the committee and paid in error” and that the Committee will file the necessary reports to reflect the refund from the NRA for the in its filings with the PDC.”
- On Oct. 29, 2018, the Committee filed a C-3 report (Report # 100871137) disclosing the receipt of \$48,885 in total contributions that included \$35,819 as two refunds received on Oct. 25, 2018 from Corr Cronin, LLP for \$16,261 and \$19,558 for the inadvertent payment of the legal fees.

Allegation 3: The Committee failed to provide an address in Washington State for the committee public inspection of the books of account.

- State law and PDC rules require an inspection “by appointment between 9 a.m. and 5 p.m. at the location agreed up by both the treasurer and the requester or electronically in lieu of in-person inspection.”
- The complaint did not indicate that a request to inspect the committee’s books of account had been made, but not kept, so this allegation is dismissed.

Allegation 4: The Committee failed to provide a detailed description of expenditures made to vendors on C-4 reports.

- On Sept. 7, 2018, the Committee timely filed the August 2018 C-4 report disclosing: (1) Three expenditures made to Master Print, Inc., a commercial printer in Newington Virginia, that included a \$19,429 expenditure made on Aug. 23, 2018 for “Printing services”; a \$1,567 expenditure made on Aug. 23, 2018 for “Printing services”; and a \$37,702 expenditure made on Aug. 24, 2018 for “Printing services”; and (2) Two expenditures made to Executive Eagles Advertising, and advertising company located in Catonsville Maryland, that included a \$1,283 expenditure made on Aug. 23, 2018 for “Advertising”; and a \$12,626 expenditure made on Aug. 23, 2018 for “Bumper Stickers.”
- On Sept. 21, 2018 PDC staff informed the Committee about the complaint and provided copies of the complaint and on Nov. 27, 2018, PDC staff provided Mr. White and Ms. Adkins with the list of expenditures for which additional information was required to comply with the reporting requirements.
- On October 16, 2018, the Committee timely filed the 21-Day Pre-General Election C-4 report disclosing the receipt of \$455,780.83 in total monetary and in-kind contributions and \$391,756.44 in expenditures made. On Nov. 14, the Committee updated the C-4, listing an additional \$3,758.43 in expenditures.
- On Nov. 30, 2018, the Committee filed an amended 2018 Post-Primary Election C-4 report (Report # 100874748), providing additional details for the three expenditures made to Master Print, Inc., as follows: (1) the \$19,429 expenditure was to print 105,000 mail pieces; (2) the \$1,567 expenditure was to print 15,000 mail pieces; and (3) the \$37,702 expenditure was to print 31,595 mail pieces. In addition, the \$1,293 expenditure made by the Committee to Executive Eagles Advertising, was for 10,000 pieces.
- On Dec. 4, 2018, the Committee filed an amended 21-day Pre-General Election C-4 report (100875113), providing additional details for the \$17,247 expenditure made to Executive Eagles Advertising, and listing 3,000 pieces, and the \$2,707 expenditure made to Master Print, Inc. was to print 30,000 mail pieces.

Based on these initial findings, staff has determined that in this instance, the Committee’s failure to provide a detailed description for timely disclosed expenditure listed above does not amount to a material violation warranting further investigation.

The Washingtonians and the National Rifle Association for Freedom made a few minor errors by failing to provide the complete description for expenditures that were timely disclosed on the initial C-4 reports. The Committee timely filed amended C-4 reports disclosing the information requested by staff, correcting the filing error by making the necessary technical corrections.

Based on this information, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Alice Fiman at 1-360-586-4746 toll-free at 1-877-601-2828, or by e-mail at alice.fiman@pdc.wa.gov

Sincerely,

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