



**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 7, 2019

Delivered electronically to Tanisha Harris at “nesahlynn@hotmail.com”

Subject: Complaint filed by Cheryl Aichele, PDC Case 43859

Dear Tanisha Harris:

Below is a copy of an electronic letter sent to Cheryl Aichele concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted in the letter to Ms. Aichele, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

PDC staff is reminding you about the importance of the timely and accurate disclosure of all contribution and expenditure activities, including individual donor information and aggregate totals. PDC staff expects in the future that you will timely and accurately disclose all contributions and expenditure activities, including individual donor information and aggregate totals in accordance with PDC laws and rules.

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by email at jennifer.hansen@pdcc.wa.gov.

Sincerely,

/s _____
Jennifer Hansen
Compliance Officer

Endorsed by,

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



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March 7, 2019

Delivered electronically to Cheryl Aichele at “cherylrenee143@gmail.com”

Subject: Complaint regarding Tanisha Harris, PDC Case 43859

Dear Ms. Aichele:

The Public Disclosure Commission (PDC) has completed its review of the complaints you filed on December 7 and December 12, 2018. Your complaints alleged that Tanisha Harris, candidate for State Representative in 17th Legislative District in the 2016 and 2018 elections, and a candidate for Clark County Council in the 2016 election, may have violated: (1) RCW 42.17A.405 by accepting over-limits contributions for her two 2016 election campaigns, and the 2018 election campaign; (2) RCW 42.17A.240 by failing to accurately report aggregate totals for monetary and in-kind donations and by failing to report receipt of in-kind contributions on Monetary Contribution reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports); and (3) RCW 42.17A.240 and WAC 390-16-034 by failing to disclose the required occupation and employer information for individuals contributing more than \$100 in the aggregate.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; the response provided by Marsha Manning, Treasurer for the three Elect Tanisha Harris campaigns referenced in the complaints; the applicable C-3 and C-4 reports filed by Respondent; and queried the Respondent’s data in the PDC contribution and expenditure database, to determine whether the record supports a finding of one or more violations.

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

- Tanisha Harris filed a Candidate Registration (C-1 report) on April 11, 2016, declaring her candidacy for State Representative in Legislative District 17 in 2016, and choosing the “Full Reporting” option.
- Ms. Harris discontinued her campaign for State Representative and filed a final C-4 report on September 7, 2016, disclosing her campaign either spent or transferred with permission of donors of the funds, to her 2016 Clark County Council campaign.

- After discontinuing her State Representative campaign, Ms. Harris filed a C-1 report on May 30, 2016, declaring her candidacy for election to the Clark County Council in the 2016 election, and choosing the “Full Reporting” option.
- The Elect Tanisha Harris County Council campaign, filed a C-4 report and two subsequent amendments covering May 5 to 31, disclosing \$4,009 in total cash receipts that included two candidate loans totaling \$2,505, deposits of \$1,504 from individual contributors, and a \$530 expenditure to the Secretary of State’s Office for the candidate filing fee. The original C-4 report was originally submitted 31 days late on July 11, 2016 and amended on July 20 and August 2, 2016.
- Ms. Harris lost the 2016 election for Clark County Council in the November 8, 2016 general election.
- Tanisha Harris filed a C-1 report on February 21, 2018, declaring her candidacy for election to State Representative in Legislative District 17 in the 2018 election, and choosing the “Full Reporting” option.
- Ms. Harris lost the 2018 election for State Representative in the November 6, 2018 general election.

Allegation One and Supplemental Complaint: Violation of RCW 42.17A.405 for accepting over-limit contributions for two 2016 election campaigns and one 2018 election campaign.

- The first complaint filed on December 7, 2018, alleged that the 2016 County Council campaign received over-limit contributions from seven political committees and one bona fide county party committee, specifically monetary contributions the political committees and county party made to Ms. Harris’s 2016 County Council campaign and contributions that were made to the 17th Legislative District Democratic Central Committee (17th LD) earmarked for the 2016 County Council campaign.
- The supplemental complaint filed on December 12, 2018, alleged that the 2018 State Representative campaign received over-limit contributions from Southwest Washington Electricians PAC of WA (PAC 48), including a direct monetary contribution and a contribution that was made through the Clark County Democratic Central Committee (CCDCC) and earmarked for the 2018 State Representative campaign.
- RCW 42.17A.460 states that “earmarked” means a designation, instruction, or encumbrance, whether direct or indirect, expressed or implied, or oral or written, that is intended to result in or does result in all or any part of a contribution being made to a certain candidate or state official.
- No evidence was found to indicate that funds received by the 17th LD or by CCDCC were earmarked as defined in RCW 42.17A.460 by any of the contributors identified in the complaints or were otherwise specifically intended to benefit either of Tanisha Harris’s 2016 or 2018 campaigns.

Allegation Two: Violation of RCW 42.17A.240 for failing to accurately report aggregate totals for monetary and in-kind donations and by failing to report receipt of in-kind contributions.

- The complaint alleged that the aggregate totals for donations from Clarence Harris, Doris Schuurmans and Dian Stack, were incorrect.
- In her response, Marsha Manning, stated that there were instances where the aggregate totals were not correct for three separate contributors with the same name, for example, Clarence Harris, who gave to one or both of the 2016 election campaigns. However, the campaign confirmed that the contributions received from Clarence and Karen Harris, Clarence and Thelma Harris, Doris and Daby Schuurmans and Dian Stack, did not exceed the allowable contribution limits for the 2016 State Representative and County Council campaigns.
- Staff's review of the C-3 and C-4 reports filed by the 2016 State Representative and the 2016 County Council campaign found minor reporting errors were made by the campaign(s) when entering contact information into the PDC's ORCA (Online Reporting of Campaign Activity) software. These data entry errors may have contributed to confusion and inaccurate aggregate totals for a small number of individual donors.
- The complaint also alleged that the 2016 Elect Tanisha Harris County Council race failed to disclose costs associated with the use of office space rented from the Clark County Democratic Central Committee (CCDCC) and failed to disclose costs associated with a fundraiser sponsored by the CCDCC in September 2016.
- Ms. Manning stated that office space utilized by the 2016 County Council campaign was disclosed as an in-kind contribution from CCDCC at a fair market value of \$200 per month from June to October 2016. No evidence was found that the September 2016 event at the Vancouver Hampton Inn and Suites that was sponsored and paid for by the CCDCC was a fundraiser for the 2016 County Council campaign.

Allegation Three: Violation of RCW 42.17A.240 and WAC 390-16-034 by failing to accurately and completely disclose the occupation and employer of individual contributors giving more than \$100 in the aggregate.

- The complaint alleged that the occupation listed for Tim Probst on the C-3 report filed on May 21, 2018 was incorrect.
- In her response, Ms. Manning stated that the campaign uses the information disclosed on contribution remittance envelopes for entering contributor information into ORCA when available, and that the campaign follows up with an internet search for missing information.
- The original C-3 report filed on May 21, 2018 listed Mr. Probst's occupation as "State Representative" and was later amended to disclose his correct occupation "Director of Workforce Initiative" on January 7, 2019.

The 2016 Elect Tanisha Harris County Council campaign was the respondent in two additional complaints filed with the PDC as follows:

- PDC Case #34597: The complaint alleged that the campaigns for 2016 State Representative, 2016 Clark County Council and 2017 Vancouver City Council included late filing of C-3 and C-4 reports, failure to make campaign books open for public inspection, failure to accurately file the C-1 and failure to include proper sponsor identification on political advertisement and was dismissed on November 13, 2018 with no evidence of a violation warranting further investigation.
- PDC Case #46472: The complaint alleged that the 2016 Clark Council Campaign included late and inaccurate filing of C-3 and C-4 reports disclosing a contribution of \$1,000 each for the 2016 primary and general elections from the political committee named Harry Truman Fund and was dismissed on February 20, 2019 after the campaign made technical corrections as requested by PDC staff.

Based on these findings staff has determined that, in this instance, failure to accurately disclose aggregate totals for individual contributors to the 2016 State Representative and 2016 County Council campaigns and failure to accurately disclose the occupation for one donor after their aggregate total exceeded \$100 for the 2018 State Representative campaign, does not amount to an actual violation warranting further investigation.

PDC staff is reminding Tanisha Harris about the importance of the timely and accurate disclosure of all contribution and expenditure activities, including individual donor information and aggregate totals of all future PDC reports in accordance with the statutes and rules.

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 Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at jennifer.hansen@pdc.wa.gov.

Sincerely,

/s _____
Jennifer Hansen
Compliance Officer

Endorsed by,

/s _____
Barbara Sandahl
Deputy Director
For Peter Lavalley

Executive Director

cc: Tanisha Harris