



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](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdcc.wa.gov](http://www.pdcc.wa.gov)

March 24, 2016

Citizens for Honest Government PAC  
Attn: Melissa D. Carpenter  
PO Box 18435  
Spokane WA 98228

Order sent electronically to Ms. Carpenter at "mel.d.carpenter@gmail.com"

Subject: PDC Case No. 15-048

Dear Ms. Carpenter:

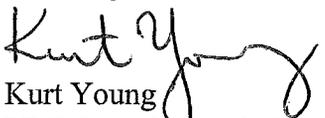
Enclosed is a copy of the Public Disclosure Commission's Order Imposing Fine that was entered in the above-referenced case. The Presiding Officer assessed a \$50 civil penalty against Citizens for Honest Government PAC, which is payable within 30 days of the date of the Order.

Please pay the \$50 penalty by April 22, 2016, and make the check or money order payable to the "WA STATE TREASURER." Be sure to reference PDC Case No. 15-048 in the memo line of the check or money order, and mail the penalty to:

WA State Treasurer - Public Disclosure Commission  
Financial Office  
PO Box 41465  
Olympia, WA 98504-1465

Thank you for your participation in the Brief Enforcement hearing. If you have any questions, please contact me at (360) 664-8854; or by email at [kurt.young@pdcc.wa.gov](mailto:kurt.young@pdcc.wa.gov).

Sincerely,

  
Kurt Young  
PDC Compliance Officer

Enclosures: Final Order in Case No. 15-048  
Information about Appeals and Enforcement of Final Orders



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BEFORE THE PUBLIC DISCLOSURE COMMISSION  
OF THE STATE OF WASHINGTON

Citizens for Honest Government PAC  
Attn: Melissa D. Carpenter  
PO Box 18435  
Spokane WA 98228

In Re Compliance with RCW 42.17A

Citizens for Honest Government PAC

Respondent.

PDC Case No. 15-048

Findings of Fact,  
Conclusions of Law, and  
**Order Imposing Fine**

A brief enforcement hearing (brief adjudicative proceeding) was held by the Public Disclosure Commission (PDC) on March 15, 2016, in Room 206, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington to consider whether Citizens for Honest Government PAC violated: (1) RCW 42.17A.235 and .240 by failing to timely file a Post-General Election Campaign Summary Contribution and Expenditures reports (C-4 reports); and (2) RCW 42.17A.255, .260 and .305 by failing to timely file reports of Independent Expenditures (C-6 report) disclosing independent expenditures of more than \$100, independent expenditure political advertisements of more than \$1,000 within 21-days of an election, and electioneering communications within 60 days of an election, for political advertisements that supported or opposed candidates for Spokane City Council in 2013.

The hearing was held in accordance with Chapters 34.05 and 42.17A RCW and Chapter 390-37 WAC. A brief enforcement hearing notice was sent to Melissa D. Carpenter on behalf of Citizens for Honest Government PAC on March 1, 2016. Commission Chair Katrina Asay was the Presiding Officer. The Commission staff was represented by Kurt Young, Compliance Officer. Ms. Carpenter participated by telephone on behalf of the Respondent and provided testimony to the Presiding Officer.

Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. On June 29, 2013, the Respondent filed a Committee Registration (C-1pc report) as a first-time political committee, selecting the Full Reporting option as an "Other Committee" and made a number of independent expenditure (IE's) and electioneering communications (EC's) supporting and opposing Spokane City Council candidates in 2013.

2. On November 1, 2013, the Respondent filed seven C-6 reports disclosing that the committee has spent more than \$80,000 for EC's in the form of radio and television broadcast advertisements, and IE's in the form of direct mail pieces. Six of the seven C-6 reports were filed electronically between one and 15 days late by CHG PAC, and five days prior to the November 5, 2013 general election, disclosing three expenditures totaling \$45,000 for EC or IE radio and television advertisements; six expenditures totaling \$33,743 for EC or IE direct mail pieces; and two expenditures totaling \$5,440 for voter identification and get-out-the-vote projects identified as IE's.
3. On January 21, 2016, the Respondent filed a C-6 report disclosing \$3,350 in additional independent expenditures undertaken during the 2013 election cycle, disclosing a \$1,900 expenditure made on November 7, 2013 for radio and TV advertising production costs, and two expenditures totaling \$1,050 for the design costs of the IE mail pieces. The C-6 report was filed by CHG PAC more than two years late.
4. On January 20, 2016, the Respondent filed its 2013 Post General-election C-4 report covering the period of October 29, 2013 through January 20, 2016, disclosing \$10,490 in monetary contributions received and \$17,379 in expenditures made for IE's. The C-4 report was filed by CHG PAC more than two years late and included a \$5,974 IE for direct mail pieces, a \$5,248 expenditure made for postage for the IE direct mail piece, and a \$3,440 expenditure for get-out-the-vote activities.
5. Ms. Carpenter stated that she agreed to serve as Treasurer in a temporary capacity, but the prior Treasurer was working on a project for his employer until after the 2013 general election, so she remained treasurer throughout the 2013 election cycle. She stated that she spent quite a bit of time becoming familiar with the committee C-3 and C-4 reporting requirements and the Online Reporting Campaign Assistance (ORCA) software, and she began filing the C-3 and C-4 reports electronically for the Respondent.
6. Ms. Carpenter stated that she thought she was doing things correctly until she received a telephone call from PDC staff on October 30, 2013 informing her about the complaint that had been filed by Ben Oakley alleging the Respondent had failed to file C-6 reports. She stated that was when she became aware the Respondent was required to file C-6 reports for the IE and EC advertisements, and she contacted PDC staff later that day. On October 31, 2013, she stated that she filed the missing C-6 reports on behalf of the Respondent, along with a number of amended C-6 reports.
7. Ms. Carpenter apologized for the late filed PDC reports. She stated that she thought this matter had been resolved when she filed the C-6 reports, and she was surprised when staff contacted her in October of 2015, requesting a response to the allegations listed in the 2013 complaint and to file a Post-General election C-4 report.

#### CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concludes as follows:

1. This matter was duly and properly convened and all jurisdictional, substantive and procedural requirements have been satisfied.

2. The Respondent violated RCW 42.17A.235 and .240 by failing to timely file the Post General Election Summary Contribution and Expenditure report (C-4 report).
3. The Respondent violated RCW 42.17A.255, .260 and .305 by failing to timely file Independent Expenditure reports (C-6 reports) disclosing independent expenditures of more than \$100, electioneering communications for radio and television broadcast advertisements, and independent expenditure advertisements of more than \$1,000 within 21 days of an election.

ORDER

ON the basis of the foregoing Findings of Fact and Conclusions of Law,

**IT IS HEREBY ORDERED that the Respondent is assessed a \$50 civil penalty, which is payable within 30 days from the date of the Order.**

This is an **Initial Order** of the Public Disclosure Commission.

Entered this 24<sup>th</sup> day of March, 2016.

Public Disclosure Commission

  
Evelyn Fielding Lopez  
Executive Director

I, Kurt Young, certify that I mailed a copy of this order to the Respondent/Applicant at his/her respective address postage pre-paid on the date stated herein. Kurt Young 3/24/16

Enclosure: Information about Appeal Rights

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**INFORMATION ABOUT APPEALS OF INITIAL ORDERS,  
FURTHER APPEAL RIGHTS,  
AND ENFORCEMENT OF FINAL ORDERS**

**APPEALS**

**REVIEW OF INITIAL ORDER - BY THE COMMISSION**

The presiding officer will issue an initial order following a brief enforcement hearing. Any party may request the Commission **review** an initial order. Parties seeking the review must:

- Make the request orally or in writing, stating the reason for review. *WAC 390-37-144.*
- Deliver the request so it is received at the Commission office within **TWENTY-ONE (21) BUSINESS DAYS** after the postmark date of the initial order.

A Respondent does not need to pay a penalty until after the Commission rules on the request. If the Commission is unable to schedule a meeting to consider the request within twenty (20) business days, the initial order becomes a **final order** and the request will automatically be treated as a **request for reconsideration** of a final order (unless the party advises the Commission otherwise, such as by withdrawing the request). See more information on reconsideration below.

If the request for review was an oral request, it must now be confirmed in writing. The matter will be scheduled before the full Commission as soon as practicable. If the Commission does not receive a request for review within twenty-one (21) business days, the initial order will automatically become a **final order**. At that point, the Respondent is legally obligated to pay the penalty unless reconsideration has been sought or the matter has been timely appealed to Superior Court. *RCW 42.17A.755; RCW 34.05.470; RCW 34.05.570.*

**RECONSIDERATION OF FINAL ORDER – BY THE COMMISSION**

Any party may ask the Commission to **reconsider** a final order. Parties seeking reconsideration must:

- Make the request in writing;
- Include the specific grounds or reasons for the request; and
- Deliver the request to the PDC office so it is received within **TWENTY-ONE (21) BUSINESS DAYS** of the date that the Commission serves this order upon the party. *WAC 390-37-150.*

- Note: the date of service by the Commission on a party is considered the date of mailing by U.S. mail if the order is mailed, or the date received if the order is personally served. RCW 34.05.010(19). (The Commission orders are generally mailed via U.S. mail.)

Within twenty (20) business days after the petition for reconsideration is filed, the Commission may either act on the petition or notify the parties in writing of the date by which it will act. If neither of these events happens within twenty business days, the Commission is deemed to have denied the petition for reconsideration. *WAC 390-37-150.*

A Respondent is not required to ask the Commission to reconsider a final order before seeking judicial review by a superior court. *RCW 34.05.470(5).*

### **FURTHER APPEAL RIGHTS – SUPERIOR COURT**

A **final order** issued by the Public Disclosure Commission is subject to **judicial review** under the Administrative Procedure Act (APA), chapter 34.05 RCW. *RCW 42.17A.755.* The procedures are provided in the APA at RCW 34.05.510 - .574.

### **ENFORCEMENT OF FINAL ORDERS**

If **enforcement** of a final order is required, the Commission may seek to enforce a final order in superior court under RCW 42.17A.755 - .760, and recover legal costs and attorney's fees if a penalty remains unpaid and no petition for judicial review has been filed. This action will be taken without further order by the Commission.