



State of Washington

**PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908

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April 17, 2019

Delivered electronically to Joseph Backholm with Just Want Privacy

Subject: Just Want Privacy Complaint Return Letter for PDC Case 20612

Dear Mr. Backholm:

Below is a copy of an electronic letter sent to Monisha Harrell concerning the complaint she filed with the Public Disclosure Commission (PDC) against Just Want Privacy, a political committee registered with the PDC in support of a statewide ballot proposition in 2017. As noted below in the letter to Ms. Harris, the PDC will not be conducting a more formal investigation into these allegations or taking further enforcement action in this instance.

However, PDC staff is reminding Just Want Privacy to timely and accurately file C-3 and C-4 reports disclosing contribution and expenditure activities, including in-kind contributions received either as a political committee or ballot committee in the future.

Based on these facts, the PDC has dismissed the allegations listed in the complaint filed against Just Want Privacy in accordance with RCW 42.17A.755(1). If you have questions, please contact Kurt Young at (360) 664-8854, toll-free at 1-877-601-2828, or by email at [kurt.young@pdcc.wa.gov](mailto:kurt.young@pdcc.wa.gov).

Sincerely,

Endorsed by:

s/ \_\_\_\_\_  
Kurt Young  
PDC Compliance Officer

s/ \_\_\_\_\_  
BG Sandahl, Deputy Director  
For Peter Lavalley, Executive Director





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April 17, 2019

Sent electronically to Monisha Harrell

Subject: Just Want Privacy complaint; PDC Case 20612

Ms. Harrell:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on June 18, 2017 against Just Want Privacy, a political committee registered with the PDC. The complaint alleged numerous violations of by Just Want Privacy including RCW 42.17A.235 and .240 by failing to timely and accurately file Monetary Contributions reports (C-3 reports), and Summary Full Campaign Contribution and Expenditure reports (C-4 reports).

PDC staff reviewed the allegations listed in the complaint you filed, the statutes, rules and reporting requirements for a political committees, queried the PDC contribution and expenditure database for Just Want Privacy, reviewed the Committee Registrations (C-1pc report), C-3 and C-4 report) filed by the Just Want Privacy Committee, and the responses to the complaint provided by Joseph Backholm. Based on staff's review, we found the following:

- On February 17, 2016, Just Want Privacy filed a Committee Registration (C-1pc report) with the Public Disclosure Commission (PDC) registering as a New Ballot Committee for the 2016 election in support of a Statewide ballot proposition in support of "Locker Room Safety", selecting the Full Reporting Option. The C-1pc report listed Joseph Backholm as the Committee Treasurer/Secretary and the only Committee Officer.
- For the 2016 election, Just Want Privacy (JWP PAC) received \$345,909 in monetary contributions received, \$2,998 for in-kind contributions received, and \$303,966 in expenditures made. The initiative did not receive enough signatures to qualify for the 2016 ballot.
- On January 17, 2017, JWP PAC filed a Committee Registration (C-1pc report) with the Public Disclosure Commission (PDC) registering as a New Ballot Committee for the 2017 election in support of Initiative 1552, a Statewide ballot proposition in support of "Bathroom/Locker Room Safety" and selecting the Full Reporting Option. The C-1pc report listed Joseph Backholm as the Campaign Manager, and Tom Perry as Committee Treasurer.
- Staff's review found that JWP PAC timely filed C-3 and C-4 reports for January, February, March, April, May and June of 2017 on the required filing dates disclosing \$263,196 in contributions received, and \$228,314 in expenditures made through June 30, 2017.

- For 2017, JWP PAC timely filed 73 initial C-3 reports, and appeared to have timely filed two amended C-3 reports. In addition, JWP PAC timely filed 12 initial C-4 reports, and appeared to have timely filed four amended C-4 reports.
- I-1552 did not receive enough signatures to qualify for the 2017 ballot.

Your complaint alleged that JWP PAC violated RCW 42.17A.235 and .240 by failing to disclose monetary and in-kind contributions from the Family Policy Institute of Washington (FPIW).

- Mr. Backholm stated FPIW “*regularly conducts community meetings to discuss issues of interest to its core constituency*” which included a series entitled “Defending Freedom” that were conducted in a dozen locations around Washington state. He stated FPIW’s “*most recent meeting series entitled “Gender Revolution: Why everything seems backwards and what it means for education” discusses the origin and politics of the gender debate with an emphasis on its impact for education.*”
- Mr. Backholm stated one slide out of a 53-slide presentation made a direct reference to I-1552, and that the session was “*never intended to be and never were campaign events. None of the promotions or advertisements for the statewide series mentioned I-1552 in anyway. The events focused on a much broader conversation that was inclusive of, but mostly unrelated to, I-1552.*”
- Concerning the FPIW emails mentioning I-1552, Mr. Backholm acknowledged that FPIW sent two email blasts discussing I – 1552, but added he believed the email communications were exempt from reportable contributions since the email was “*an internal political communication primarily limited to the members of or contributors to the...members of a membership organizations.*” He stated that the email “*was published and broadcast throughout the state, it cannot reasonably be argued that these communications were an attempt to hide support from the public.*” He added that JWP PAC filed amended reports disclosing the March and June 2017 emails as in-kind contributions.
- Mr. Backholm also acknowledged that JWP PAC representatives were present at a FPIW event and did not pay for admittance to the event, but he added that “FPIW has allowed aligned organizations to set up tables in the hallway adjacent to events free of charge.” He added that “in an abundance of caution, in an attempt to operate in good faith, JWP is amending the May report to reflect a contribution of \$500.”

Staff’s review confirmed that JWP PAC filed an initial C-4 report and two amended C-4 reports on July 10, 2017, disclosing three in-kind contributions received from FWIP totaling \$1,300. The C-4 reports disclosed two \$400 in-kind contributions for the email blasts sent out by FPIW in support of I-1522, valued at \$400 for each of the March and June emails totaling \$800, and a \$500 in-kind contribution for the table at the April 2017 FPIW event.

- Mr. Backholm stated he served as I-1522 Campaign chairman in a volunteer capacity, and indicated that the board of the FPIW specifically discussed his involvement with the initiative informing “him that he would not be released from any of his FPIW duties and that any involvement would be as a volunteer in addition to his regular duties as the President of FPIW. He stated his involvement has been “public, limited, and consistent with that of a volunteer” and he acknowledged creating a single, three-minute, unscripted video discussing the initiative on behalf of the campaign. He also participated in “approximately a half dozen media interviews since January. But that level of engagement is limited and consistent with that of a volunteer.”

- Mr. Backholm stated JWP PAC has an entire campaign infrastructure that is “comprised almost entirely of volunteers, spread throughout Washington State, completely unrelated to FPIW.” He stated that included JWP PAC having a separate address telephone number, address, communications director, statewide grassroots coordinator, compliance and administrative staff, management of paid signature gatherers, and petition processing, and that none of the individuals involved with JWP PAC were employees of FPIW.
- Mr. Backholm stated “FPIW’s support of the position taken by 1552 is well known, JWP is in every way a separate organization” and that I-1522 petitions were available at the FPIW office in Lynnwood. He added that the petitions were also available at dozens of other locations around the state, and the use of the office space for this purpose was “*de minimus*.”
- Mr. Backholm stated the complaint did “not identify the nature of the alleged in-kind contribution, except for quote from a radio interview in which JWP’s communications director indicated that there were national organizations who “support” the effort. He stated since there was no specific violation alleged, there did not appear to be a specific allegation for him to provide a response to. He added that there was a lot of work conducted by volunteers at various locations during the signature gathering efforts, generally in the Lynnwood and Tacoma areas.
- Mr. Backholm stated Bentson Printing is a vendor that provided printing services for the Committee in 2017, and that the expenditures disclosed on C-4 reports for March and April were timely filed. He stated the complaint incorrectly stated that work was done for the Committee on May 19, 2017 by Bentson Printing, but that the scanning services provided for the committee began June 13, 201 and took between three to four hours. He added those services had not been reported because they were provided after June 1, 2017 and that C-4 report was not required to be reported until July 11, 2017. Staff’s review found two \$295.87 expenditures were made to Bentson Printing by the Committee on June 2 and June 23, 2017.

PDC staff found no evidence of a material violation that would require conducting a more formal investigation into your complaint or pursuing enforcement action in this instance. As noted above, staff’s review found that JWP PAC timely filed 73 C-3 reports, and 12 C-4 reports disclosing contribution and expenditure activities undertaken concerning their efforts to qualify I-1552 for the 2017 ballot.

However, PDC staff is reminding Just Want Privacy to timely and accurately file C-3 and C-4 reports disclosing contribution and expenditure activities, including in-kind contributions received either as a continuing political or ballot committee in the future.

Based on this information, PDC staff is dismissing the allegations listed in your complaint in accordance with RCW 42.17A.755(1). If you have questions, you may contact me at (360) 664-8854, toll-free at 1-877-601-2828, or by e-mail at [kurt.young@pdc.wa.gov](mailto:kurt.young@pdc.wa.gov).

Sincerely,

s/ \_\_\_\_\_  
Kurt Young, PDC Compliance Officer

Endorsed by:

s/ \_\_\_\_\_  
BG Sandahl, Deputy Director  
For Peter Lavalley, Executive Director

cc: Joseph Backholm, Just Want Privacy PAC