



State of Washington
PUBLIC DISCLOSURE COMMISSION

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February 3, 2020

Sent electronically to Glen Morgan at glen@wethegoverned.com

Subject: Complaint regarding Spokane Citizens for Political Education, PDC Cases 16286 and 17132

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaints you filed on April 5, 2017 (Case 16286) and April 24, 2017 (Case 17132). The complaints alleged that Spokane Citizens for Political Education, a Continuing Other Political Action Committee in 2015, may have violated RCW 42.17A.220, .235, and .240 for the failure to timely deposit contributions, the failure to timely file Summary Full Campaign Contribution and Expenditure (C-4) Reports, and the failure to describe a late-filed expenditure as an in-kind contribution, and RCW 42.17A.405 by making an over-limit in-kind contribution.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements for a political committee; the applicable C-3 and C-4 reports; and the response to the allegations by Nick CastroLang, on behalf of the Spokane Citizens for Political Education (Committee).

The two complaints have been combined and are addressed in this letter.

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

- On December 16, 2014, the Committee filed a Committee Registration (C1-PC report) as a Continuing Other Political Action Committee, selecting the "Full Reporting" Option, and listing Nick CastroLang as Treasurer and Campaign Chair.
- On February 9, 2015, the Committee filed a C-3 report depicting three separate contributions received on December 23, 2014, January 5, 2015 and January 13, 2015 for \$5,000, \$3,000 and \$4,600, respectively. All three contributions should have been deposited within five days of receipt and were deposited between 11 and 31 days late.
- On February 9, 2015, the Committee filed a C-4 report covering the period January 1 through January 31, 2015. The January 2015 C-4 report disclosed \$12,600 in contributions received, and \$190 and \$10 in expenditures for *campaign administration* and "STCU," respectively. On the same report, the Committee also disclosed \$12,400 as "previously expended" (line 10 of the C-4 report). However, the Committee failed

to detail how the \$12,400 was expended since it did not file the C-4 report covering the period February 1 through February 28, 2015.

- On April 6, 2017, the Committee filed the missing C-4 report that was due on March 10, 2015, covering the period February 1 through February 28, 2015. The report disclosed \$12,400 expenditure for *Professional Polling Services* paid to *EMC Research* on February 5, 2015. This report was filed 757 days late.
- In its response to this allegation by way of Nick CastroLang, the Committee stated, “The reason the C4 was not filed is a clerical oversight that was made by me in my capacity as the Treasurer and Campaign Chair. It was due to my inexperience in the role as a Campaign Chair or Treasurer that this mistake occurred, and I apologize for the confusion. I have learned from my mistake and was glad that it could be remedied.”

While the February 2015 C-4 was filed two years late, staff found no evidence that the \$12,400 expenditure on February 5, 2015, for a poll testing the strength of the incumbent Mayor of Spokane, constituted an in-kind contribution to any candidate. The three individuals identified in the poll did not become candidates for Mayor of Spokane. The Committee did acknowledge violations of RCW 42.17A.220, .235 and .240 for its failure to timely deposit contributions, and for its failure to timely file C-4 reports.

Based on these findings, staff has determined that in this instance, the failure to timely deposit contributions, and the failure to timely file the February 2015 C-4 report, does not amount to a violation warranting further investigation.

However, pursuant to WAC 390-37-060(1)(d), the Committee will receive a formal written warning concerning the failure to timely deposit contributions, and its failure to timely report expenditure activities undertaken by the Committee in February 2015. The formal written warning will include staff’s expectation that the Committee will timely deposit future contributions and accurately file required statutory reports in the future. The Commission will consider the formal written warning in deciding on further action if there are future violations of PDC laws or rules.

Based on this information, the PDC staff 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 Erick Agina at (360) 586-2869, toll-free at 1-877-601-2828, or by e-mail at pdcc@pdc.wa.gov.

Sincerely,

Endorsed by:

s/ _____
Erick Agina, Compliance Officer

s/ _____
Peter Lavalley, Executive Director

cc: Nick CastroLang, Committee Chair/Treasurer