



**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)**

June 4, 2019

Delivered electronically to Glen Morgan at [glen@wethegoverned.com](mailto:glen@wethegoverned.com)

Subject: Complaint regarding EMS Saves Lives (Whatcom County) PDC Case# 14228

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on December 27, 2017. Your complaint alleged that the Washington Political Action for Candidate Election, a Continuing Other Political Committee registered with the PDC, may have violated RCW 42.17A.235, 240, 205, 265 and 425 by failing to accurately and timely disclose contributions, expenditures, debt, last minute contribution and committee registration information.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; the C1PC and C-3 and C-4 reports filed by the EMS Saves Lives – Whatcom County (Committee); and the response provided by the Committee.

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

Allegation One: Failure to properly break down expenses.

- PDC staff reviewed the 14 expenses you included in your complaint. Staff found that the Committee failed to report sub-vendor information for 13 expenses. However, a majority of the expenses were for payroll withholdings or postage, where the sub-vendor was identified as IRS or US Postal Service. Only one payment to *Whatcom Marketing* on October 24, 2016, appears to not have included the required sub-vendor information.
- In its response to this allegation, specifically to the payment to *Whatcom Marketing* on October 24, 2016, the Committee stated the vendor, *Whatcom Marketing*, did not provide them with the “publication the advertisement was placed in.”

Allegation Two: Failure to accurately disclose expenditures.

- Staff reviewed the 13 expenditures for media buys you included in your complaint. Staff found that the Committee failed to include the required information. Most of the media buys depicted in your complaint should have included the run dates and other required information associated with the expenditures.
- In its response to this allegation, the Committee stated that for the radio advertisement, “they did not know the time slots and dates despite earnest effort to accurately follow disclosure law.”

Allegation Three: Failure to report expenditure/in-kind contribution for professional photography.

- In its response to this allegation, the Committee stated that it disclosed this information on the September 2016 C4 as expense incurred on August 13, 2016.

Allegation Four: Failure to file timely and accurate reports of monetary contributions.

- Staff reviewed this allegation and found that the Committee received a \$1000 contribution on July 8, 2016 and reported it seven days late on July 18, 2016. Regarding the alleged failure to report a last-minute contribution, staff found the Committee did not owe a last-minute contribution report for the contribution received on October 31, 2016, because the \$1,000 threshold for contributions during the last-minute window was not met for reporting purposes.
- In its response to this allegation, the Committee, stated that they did receive a contribution on July 8, 2016, but the date identified on the report was a typographical error.

Allegation Five: Failure to disclose debts and obligations.

- Staff reviewed the 26 alleged late debts and obligations submitted with your complaint. Staff found 24 items on the list of alleged unreported debts appear to be debts or obligations placed/incurred and paid for during the same reporting period or payments made for payroll or other recurring payments and therefore not required to be reported as debt. For example, the five payments made to *Paychex* for payroll fee for the months of September and November 2016. For the remaining two items paid to Andrew Eckles and Galen Herz on November 8, 2016, for bonus, they should have been reported on prior C-4 reports as debt since they were likely incurred more than 30 days prior to the election.

Allegation Six: Failure to identify committee officers and unauthorized expenditures by individuals not listed as officer on the C-1pc.

- In its response, the Committee denied that either Lisa McShane or Erica Littlewood acted as an officer or made final decisions on expenditures or fiscal matters. Specifically, the Committee stated, “Lisa McShane and Erica Littlewood were valuable to the EMS Saves

Lives campaign, however did not make expenditures not authorized by the campaign officers.”

Based on these findings staff has determined that, in this instance, the Committee’s failure to file timely and accurate expenditure and contribution reports, including failure to report a few debts and breakdown expenditures in the 2016 election cycle, does not amount to an actual material violation warranting further investigation.

However, staff is reminding the Committee about the importance of filing timely and accurate C-3 and C-4 reports disclosing contribution and expenditure activities undertaken by the Campaign in the future, including expenditures for obligations/debt, and the importance of properly reporting the purpose of the expenditures, as required by RCW 42.17A.240, WAC 390-16-037 and WAC 390-16-205.

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 Erick Agina at 360-586-2869, toll-free at 1-877-601-2828, or by e-mail at [erick.agina@pdc.wa.gov](mailto:erick.agina@pdc.wa.gov)

Sincerely,

Endorsed by,

s/ \_\_\_\_\_  
Erick Agina, Compliance Officer

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

cc: Dan McDermott

