



**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: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

June 26, 2019

Delivered electronically to George Von Gehr at “georgevg@mindspring.com”

Subject: Complaint filed by Lois J. DiMarco. PDC Case 42577

Dear Mr. Von Gehr:

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

As noted in the letter to Ms. DiMarco, 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.

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@pdc.wa.gov.

Sincerely,

/s _____
Jennifer Hansen
Compliance Officer

Endorsed by,

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



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June 26, 2019

Delivered electronically to Lois J. DiMarco at “thrinley@ncreek.net”

Subject: Complaint regarding George Von Gehr, PDC Case 42577

Dear Lois J. DiMarco:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 30, 2018. Your complaint alleged that George Von Gehr, may have violated: (1) RCW 42.17A.205 for failure to register a political committee in support of the 2018 Nicholas Power for San Juan County Prosecutor Campaign; (2) RCW 42.17A.235 and RCW 42.17A.240 for failure to timely and accurately file Monetary Contribution reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports), disclosing contributions and expenditures for political advertising costs related to two paid advertisements; (3) RCW 42.17A.405 for making over-limit contributions to the Power Campaign through political advertising purchased after review and approval by the candidate; (4) RCW 42.17A.255, .260 and .305 for failure to timely and accurately report independent expenditures or electioneering communications; and (5) RCW 42.17A.320 for failure to accurately and completely disclose sponsor identification on written political advertisement.

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; the response(s) provided by Mr. Von Gehr and Nicholas Power in a related case (PDC Case 42587); the applicable PDC 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:

- Nicholas Power filed a Candidate Registration (C-1 report) on May 25, 2018, declaring his candidacy for San Juan County Prosecuting Attorney in 2018, and choosing the “Full Reporting” option. The Power Campaign had an individual contribution limit of \$1,000 per primary and general election.
- The complaint included copies of two political advertisements supporting the 2018 Nicholas Power for San Juan County Prosecutor Campaign, one presented on October 24, 2018 (Ad #1) and the second presented on October 31, 2018 (Ad #2).
- In his response, Mr. Von Gehr stated that he did not communicate with Nicholas Power and did not participate in any discussion on election planning or strategy for Mr. Power. In addition, he stated that “anything done to support Mr. Power was done by individuals acting as unrelated individuals” and that no one made any effort to gather information from him.

- In response to a separate but related complaint, Nicholas Power stated that he was aware of the advertisements prior to them being presented to the public and that he mistakenly thought that the cost would be reported as an electioneering communication by the individuals who placed the ads and paid for the design and placement costs.
- Mr. Power identified the paying sponsors of the advertisements as in-kind contributors to his 2018 campaign specifically listing in-kind donations from Robert and Vonnice Allen in the amount of \$369.84 each for Ad #1, and in-kind donations from Jon Von Gehr and Michael Gallagher in the amount of \$369.84 each for Ad #2.
- The complaint included email communication from individual contributor Robert Allen to George Von Gehr and others, indicating that Mr. Von Gehr may have spent funds to support the Power Campaign by writing a check directly to the vendor presenting a political advertisement. However, staff's review of the contribution reports filed by the 2018 Power for San Juan County Prosecutor Campaign did not find any monetary or in-kind contributions from George Von Gehr.

Based on these findings staff has determined that, in this instance, any campaign activities, including possible payments made by George Von Gehr using personal funds to a vendor presenting political advertisements, does not support a finding of an actual violation warranting further investigation.

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: George Von Gehr