



**State of Washington  
PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908  
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**Toll Free 1-877-601-2828 • E-mail: [pdc@pdc.wa.gov](mailto:pdc@pdc.wa.gov) • Website: [www.pdc.wa.gov](http://www.pdc.wa.gov)**

June 26, 2019

Delivered electronically to Don Pollard at "pra2002@aol.com"

Subject: Complaint filed by Lois J. DiMarco. PDC Case 42586

Dear Mr. Pollard:

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](mailto: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](mailto:thrinley@ncreek.net)”

Subject: Complaint regarding Don Pollard, PDC Case 42586

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 Don Pollard, a contributor to the 2018 Nicholas Power for San Juan County Prosecutor Campaign, 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. Pollard 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. Pollard stated that he did not contribute financially to the cost of the political advertisements done in support of the 2018 Power Campaign, because doing so would have exceeded his individual contribution limit.

- Staff's review of the contribution reports filed by the 2018 Power for San Juan County Prosecutor Campaign found that Don Pollard made a \$1,000 monetary contribution on August 25, 2018, that maxed out his contribution limit for the general election.
- 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 a copy of Ad #1 that identified Mr. Pollard as a sponsor of the advertisement. This inclusion appears to have been done in error by the main sponsor of the ad, Robert Allen, who may have inadvertently included names of individuals who supported Mr. Power's Campaign but were not actually sponsors of the specific advertisements referenced in the complaint.

Based on these findings staff has determined that, in this instance, no evidence supports 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](mailto:jennifer.hansen@pdc.wa.gov).

Sincerely,

/s \_\_\_\_\_  
Jennifer Hansen  
Compliance Officer

Endorsed by,

/s \_\_\_\_\_  
Barbara Sandahl  
Deputy Director  
For Peter Lavalley  
Executive Director

cc: Don Pollard