



**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

April 24, 2019

Delivered electronically to "ehrenflygare@gmail.com"

Subject: Complaint filed by Glen Morgan, PDC Case 46093

Dear Mr. Flygare:

Below is a copy of an electronic letter sent to Glen Morgan concerning a complaint he filed with the Public Disclosure Commission (PDC).

As noted in the letter to Glen Morgan, 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.

Thank you for completing a Statement of Understanding (SOU) on behalf of Advocates Inc. and paying a \$450 civil penalty to resolve the allegations in this matter. PDC finds that no further action is warranted in this instance and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by email at pdc@pdc.wa.gov.

Sincerely,

/s _____
Fox Blackhorn
Compliance Coordinator 2

Endorsed by,

/s _____
Peter Lavalley
Executive Director



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April 24, 2019

Delivered electronically to “glen@wethegoverned.com”

Subject: Complaint regarding Advocates Inc., PDC Case 46093

Dear Glen Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on January 28, 2019. Your complaint alleged that Ehren Flygare/Advocates Inc., a registered lobbyist with a contract lobbying firm registered with the PDC, may have violated RCW 42.17A.615 by failing to timely file Lobbyist Monthly Expense Reports (L-2 Reports) disclosing lobbying expenditures for calendar years 2016, 2017, and 2018, and RCW 42.17A.605 by failing to provide a recent photograph of Ehren Flygare at the time he filed his Lobbyist Registration (L-1 report).

PDC staff reviewed your allegations; the applicable statutes, rules, and reporting requirements; the responses provided by Ehren Flygare; the applicable PDC reports filed by Respondent; and the Lobbyist Application revision history screen; and queried the Respondent’s data in the PDC lobbyist compensation and expenses by source database, to determine whether the record supports a finding of one or more violations. Based on staff’s review, we found the following:

- Advocates Inc. is a contract lobbying firm that was founded by former State Senator Frank Warnke, and has been registered and reporting with the PDC dating back to at least the early 1990’s. Ehren Flygare has been registered as one of the contract lobbyists for Advocates Inc. since 2007, and in 2011 he became the sole lobbyist for Advocates, Inc., filing the required monthly L-2 reports for the firm.
- Mr. Flygare initially filed the L-1 registration in the electronic Lobbyist Application as the sole registered lobbyist for Advocates, Inc. on July 1, 2016, but he failed to provide a recent photograph along with the L-1 report as required by RCW 42.17A.605.
- On February 7, 2019, Advocates Inc. uploaded a recent photograph of Mr. Flygare in the Lobbyist Application to comply with the lobbying registration requirements.
- Since January of 2016, Advocates Inc. has consistently filed its L-2 reports late, between 1 to 64 days beyond the statutorily required filing date in RCW 42.17A.615. The late-filed L-2 reports for the three-year period disclosed that six employers paid Advocates, Inc. up to \$23,000 in a month to lobby.

- Upon notification of his failure to timely file L-2 reports and disclose contributions made to legislative candidates, Mr. Flygare amended the L-2 reports in the electronic Lobbyist Application on March 1, 2019 for Advocates Inc. The amended L-2 reports disclosed an additional seven contributions made to candidates for public office, totaling \$3,850 between August of 2016 and May of 2018.
- On March 4, 2019, Mr. Flygare filed a series of amendments to the paper-filed L-2 reports submitted before the electronic Lobbyist Application for Advocates, Inc. disclosing an additional 15 contributions totaling \$4,050, made between April of 2014 and December of 2015. On the same day he also filed amended L-2 reports for Advocates, Inc. disclosing corrected information on L-2 reports for reporting periods that were outside the five-year statute of limitations set forth in RCW 42.17A.770.
- While the amended L-2 reports filed by Mr. Flygare were beyond the statute of limitations and not subject to enforcement or review in this matter, they are indicative of a good-faith effort by the Respondent to bring his L-2 reports back into compliance. The late-disclosed candidate contributions appear to have been timely reported by the recipient candidates on Monetary Contribution reports (C-3 reports), and as such the information was available to the public.
- Advocates Inc. has no prior PDC violations.
- On April 18, 2019, Advocates Inc. submitted a signed Statement of Understanding acknowledging violations of RCW 42.17A.615 for failing to timely and accurately file the monthly L-2 reports, disclosing lobbying compensation and other lobbying activities, including personal contributions made to legislators, in calendar years 2016, 2017, and 2018.
- On April 18, 2019, Advocates Inc. paid a \$450 civil penalty in accordance with WAC 390-37-143 (Brief Enforcement Penalty Schedule) for violating RCW 42.17A.615 by failing to timely and accurately file the monthly L-2 reports in calendar years 2016, 2017, and 2018.

The \$450 penalty assessed resolves the allegations concerning the failure to timely and accurately file L-2 reports for calendar years 2016, 2017, and 2018, disclosing lobbying compensation and activities, including personal contributions made to legislators. In addition, Mr. Flygare has provided a photograph to comply with the lobbyist picture requirement as part of the L-1 filing requirements.

Based on this information and the facts that Ehren Flygare/Advocates, Inc. has no prior PDC violations, demonstrated a good-faith effort to bring reports into compliance, and has hired a professional to file his PDC lobbying reports going forward, 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 Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at pdc@pdc.wa.gov.

Sincerely,

/s _____
Fox Blackhorn
Compliance Coordinator 2

Endorsed by,

/s _____
Peter Lavalley

cc: Advocates Inc.