



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

May 17, 2019

Delivered electronically to "oostermanlinda@gmail.com" and "shawneemyers@comcast.net"

Subject: PDC Case 49254

Dear Linda Oosterman:

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

As noted below to Andrew Saturn, the PDC will not be conducting a more formal investigation into these allegations or taking further enforcement action in this matter.

PDC staff is reminding you about the importance of fully describing advertising and other expenditure details on C-4 reports pursuant to RCW 42.17A.235. PDC staff expects that you will include details such as the total number of signs and ads purchased and boosted, run dates for Facebook and digital ads, and itemize advertising expenses in future years in accordance with PDC laws and rules.

If you have questions, you may contact Tabatha Blacksmith at 360-586-8929, toll-free at 1-877-601-2828 or by e-mail pdcc@pdcc.wa.gov

Sincerely,

/s _____
Tabatha Blacksmith
Compliance Coordinator

Endorsed by,

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



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May 17, 2019

Delivered electronically to "saturn@gmail.com"

Subject: Complaint regarding Linda Oosterman, PDC Case 49254

Dear Andrew Saturn:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on March 14, 2019. Your complaint alleged that Linda Oosterman may have violated RCW 42.17A.305, .235 and .310 by failing to report electioneering communications and in-kind contributions, and fully describe advertising expenditures.

PDC staff reviewed your allegations, the applicable statutes, rules and reporting requirements, the responses provided by the Respondent, and the applicable PDC reports filed by the Respondent to determine whether the record supports a finding of one or more violations.

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

- The Respondent is an elected Commissioner for the Thurston County Public Utility District (PUD) and was a candidate for this office & jurisdiction during election year 2018.
- Pursuant to RCW 42.17A.305, sponsors of electioneering communications valued at \$1,000 or more are required to report details regarding such communications to the PDC within 24 hours of being presented to the public. However, RCW 42.17A.005(22)(b)(viii) states that "an expenditure made by or contribution to the authorized committee of a candidate for state, local or judicial office" is not an electioneering communication.
- RCW 42.17A.240(6) requires filers to itemize and describe the "purpose of each expenditure" exceeding \$50 on Schedule A of the C-4 report form. Per WAC 390-16-205, expenditures made on behalf of a candidate by a consultant shall be reported by the former as if made or incurred by the campaign directly and all costs associated with work performed through a consultant must be "itemized by identifying each service provided, subvendor(s) used and amount attributable to each."
- The PDC identified seven expenditures that contained insufficient purpose/description details on the Respondent's C-4 reports for July of 2018 and September - November of 2018. These expenditures were for signs, advertising, Facebook posts and boosts, and envelopes. The Respondent submitted amended reports containing detailed expenditure purpose/descriptions within six days of the PDC's request, thereby demonstrating a good-faith effort to comply. The amended reports are 100901755, 100901757, 100901758, 100901760.

- Per RCW 42.17A.005(16)(c), services, property or rights furnished at less than their fair market value for the purpose of assisting a candidate must be reported as in-kind contributions. However, the Respondent indicated that all services provided to her campaign were paid for by the campaign and that it had no in-kind contributions to report.
- The expenditures provided by the Complainant as evidence were all reported by the Respondent to the PDC, including:
 - the campaign's "Dear Friends" letter expenditures of \$32.67 (including \$20 for postage), which was included in the lump sum "Expenses of \$50 or less" on its July C-4 report (see amended report 100901755); and
 - the "Vote Linda" color copy & yellow cardstock "strips," which were included in the "Advertising" paid to Percival Consulting Group on 11/7/18 and timely reported on the campaign's C-4 report (100877021). The total cost of these items included \$47.91 for the "strip" ads and \$13.38 paid to Percival Consulting Group for postage. On May 7, 2019, the Respondent amended its late October and November, 2018 C-4 reports to itemize the postage and \$1,073.13 paid to Percival Consulting Group (reports 100901758 & 100901760).

Based on these findings, staff has determined that, in this instance, failure to fully describe expenditures reported on C-4 reports does not amount to a finding of an actual violation warranting further investigation.

PDC staff is reminding Linda Oosterman about the importance of fully describing advertising and other expenditure details on C-4 reports pursuant to RCW 42.17A.235.

Linda Oosterman made minor or ministerial errors on required reports, which did not materially impact the public interest. Upon notification of these errors, Linda Oosterman timely amended their reports, making the necessary technical corrections.

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 Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at pdcc@pdcc.wa.gov

Sincerely,

/s _____
Tabatha Blacksmith
Compliance Coordinator

Endorsed by,

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

cc: Linda Oosterman