



**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 • Website: www.pdca.wa.gov

August 8, 2019

Delivered electronically to "debbie.bertlin@gmail.com"

Subject: Complaint filed by Glen Morgan, PDC Case 53323

Dear Debbie Bertlin:

Below is a copy of an electronic letter sent to Glen Morgan concerning a complaint 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.

PDC staff is reminding you about the importance of timely candidate registration, and subsequent timely disclosure of all contribution and expenditure activities. PDC staff expects in the future that you will timely file all PDC reports in accordance with PDC laws and rules.

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 pdcc@pdcc.wa.gov.

Sincerely,

/s

Fox Blackhorn
Compliance Coordinator 2

Endorsed by,

/s

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director



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August 8, 2019

Delivered electronically to “glen@wethegoverned.com”

Subject: Complaint regarding Debbie Bertlin, PDC Case 53323

Dear Glen Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on June 18, 2019. The complaint alleged that Debbie Bertlin (Respondent), a 2019 candidate for Mercer Island City Council, may have violated RCW 42.17A.205 for failure to timely file a Candidate Registration (C-1 report) within two weeks of becoming a candidate; and RCW 42.17A.235 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 undertaken by the Respondent.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the response provided by the Respondent; the applicable PDC reports filed by the 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:

- As a 2019 candidate for Mercer Island City Council, the Respondent was required by RCW 42.17A.205 to file a C-1 report within two weeks of declaring candidacy, or not later than June 3, 2019.
- Technical problems with the electronic C-1 Application filing system were identified by the PDC from May 13, 2019, through June 12, 2019, which prevented or delayed filers' ability to timely file C-1, C-3, and C-4 reports during this period. Due to such circumstances, the filing requirements for the filer were suspended during this period, pursuant to RCW 42.17A.055.
- The Respondent filed a C-1 report on June 18, 2019, five days beyond the statutory deadline of RCW 42.17A.205, as extended in accordance with RCW 42.17A.055.
- In the response to the allegations, the Respondent stated, “[t]here were no monies received prior to the filing of the C1 to report. I attempted to file a zero value C3 and was unable;” however, on June 23, 2019, the Respondent timely filed a C-3 report showing two \$100 contributions received on June 16, 2019, and deposited on June 18, 2019.
- The response provided an explanation of technical difficulties frustrating compliance, including statements that, “My ability to communicate via phone and computer was constrained by new Outlook security settings installed by the City of Mercer Island.... Also a few months previously the City had updated Outlook with additional (government) security paramaters without informing me or Council. This in turn limited my ability to

access many emails, websites, and social media while travelling and working off wi-fi. I was unable to text some recipients including my Treasurer. She was therefore unable to respond to my requests for information to complete filing. The City has subsequently removed these Security Settings and I am re-building my device.”

- Staff noted that this explanation seemed to indicate that the Respondent was utilizing public facilities such as computers, phones, and email servers to support an election campaign, in potential violation of RCW 42.17A.555; however, on July 21, 2019, you filed a new complaint concerning these allegations, which will now be assessed and addressed in PDC Case 55282.

Based on our findings staff has determined that, in this instance, failure to timely register as a candidate and report contributions do not amount to violations that warrant further investigation.

PDC staff is reminding Debbie Bertlin about the importance of timely candidate registration, and subsequent timely disclosure of all contribution and expenditure activities, and the timely filings of all future PDC reports in accordance with the statutes and rules.

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 Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdc.wa.gov.

Sincerely,

/s

Fox Blackhorn
Compliance Coordinator 2

Endorsed by,

/s

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director

cc: Debbie Bertlin