



**STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION**

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BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

In the Matter of Enforcement Action
Against Jennifer Tyler

Respondent.

PDC Case 54838

Notice of Administrative
Charges for a Brief
Adjudicative Proceeding

I. JURISDICTION

The Public Disclosure Commission (PDC) has jurisdiction over this proceeding pursuant to Chapter 42.17A RCW, the state campaign finance and disclosure laws; Chapter 34.05 RCW, the Administrative Procedure Act; and Title 390 WAC. These charges incorporate the Report of Investigation and all related exhibits by reference.

II. ALLEGATIONS

Staff alleges Jennifer Tyler, a 2018 candidate for Chelan County Sheriff, violated RCW 42.17A.220 for accepting and retaining over-limit anonymous contributions; and RCW 42.17A.235 by failing to file a Post General Election Summary Full Campaign Contribution and Expenditure (C-4) report.

III. FACTS

1. On September 10, 2018, Jennifer Tyler filed a Candidate Registration (C-1) report with the PDC declaring her candidacy for Chelan County Sheriff, establishing the Tyler for Sheriff Campaign (Campaign) for the 2018 election, selecting the Full Reporting Option and listing her party preference as Independent. Tyler was a first-time candidate for public office in 2018.

2. A complaint was filed with the PDC alleging the Campaign violated RCW 42.17A.220 by receiving and depositing more than \$300 in anonymous contributions from contributors and disclosing that information on a Monetary Contributions (C-3) report.
3. RCW 42.17A.220(4) states in part “accumulated unidentified contributions . . ., in excess of one percent of the total accumulated contributions received in the current calendar year, or three hundred dollars, whichever is more, may not be deposited, used, or expended, but shall be returned to the donor if his or her identity can be ascertained. If the donor cannot be ascertained, the contribution shall escheat to the state and shall be paid to the state treasurer for deposit in the state general fund.”
4. On October 29, 2018, the Campaign filed a C-3 report disclosing the receipt of a \$673 anonymous contribution received and deposited on October 22, 2018. This report also stated the Campaign received a total of \$721.25 in total aggregate anonymous contributions.
5. The final C-4 report filed by the Campaign was the 7-Day Pre-General Election C-4 report, filed November 1, 2018, disclosing \$18,273.87 in total contributions received, \$13,962 in total expenditures made, with \$4,311.76 in cash on hand, \$6,000 in liabilities and debts and obligations totaling \$1,688.24.
6. The Campaign failed to file the statutorily required Post-General Election C-4 report due no later than December 10, 2018.
7. Despite repeated requests from staff to correct the apparent over limit anonymous contributions, the Campaign exceeded the anonymous contribution limits by \$421.25 and failed to either re-attribute the anonymous contributions or escheat them to the WA State General Fund in accordance with RCW 42.17A.220(4).

IV. LAW

RCW 42.17A.220 Deposit of contributions—Investment—Unidentified contributions. (4) Accumulated unidentified contributions, other than those made by persons whose names must be maintained on a separate and private list by a political committee's treasurer pursuant to RCW 42.17A.240(2), in excess of one percent of the total accumulated contributions received in the current calendar year, or three hundred dollars, whichever is more, may not be deposited, used, or expended, but shall be returned to the donor if his or her identity can be ascertained. If the donor cannot be ascertained, the contribution shall escheat to the state and shall be paid to the state treasurer for deposit in the state general fund.

RCW 42.17A.235 and 240 require candidates under the Full Reporting Option to file timely, accurate C-3 and C-4 reports disclosing contribution and expenditure activities undertaken by the committee. Under the full reporting option, until five months before the general election, C-4 reports are required monthly when contributions or expenditures exceed \$200 since the last report. Beginning June 1st for every political committees participating in an election, C-4 reports are required 21 and 7 days before each election, and a post-election C-4 report in which the committee receives contributions or makes expenditures, and in the month following the election.

Respectfully submitted this 9th day of October 2020.

Electronically signed, Peter Lavalley
PDC Executive Director