



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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November 15, 2019

Delivered electronically to "votechacon@gmail.com"

Subject: Complaint regarding Jorge Chacón, PDC Case 58134

Dear Jorge Chacón:

The Public Disclosure Commission (PDC) has completed its review of the staff-generated complaint initiated on October 3, 2019. The complaint alleged that Jorge Chacón (Respondent), a 2019 candidate for City Council Member for the City of Wenatchee may have violated WAC 390-16-125 for exceeding the limitations of the Mini Reporting option without prior written authorization from the PDC.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the applicable PDC reports filed by the Respondent; the Respondent's request to change reporting options; 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:

- The Respondent was a first-time candidate for public office.
- On May 29, 2019, the Respondent timely filed a Candidate Registration (C-1 report) declaring candidacy for the Wenatchee City Council in accordance with RCW 42.17A.205, selecting the Mini Reporting Option provided by WAC 390-16-105. By selecting the Mini Reporting Option, the Respondent was not subject to the requirements of RCW 42.17A.235 and .240 to file C-3 and C-4 report, provided the Campaign did accept more than \$500 from any single source, excluding candidate's own funds, and did not receive or make expenditures totaling more than \$5,000 over the course of the Campaign.
- Based on our analysis, the Respondent exceeded the \$5,000 contribution limitation of the Mini Reporting Option on July 9, 2019, when the Respondent received \$2,455 in monetary contributions, bringing total monetary and in-kind contributions to \$5,217.99.
- On August 23, 2019, the Respondent contacted PDC staff to request to change from the Mini Reporting Option to the Full Reporting, after having received an additional \$1,417 in contributions raising the amount of total contributions received to \$6,634.99.
- On September 3, 2019, the Respondent provided PDC staff with an email acknowledging an apparent violation of the limitations set forth by WAC 390-16-105(1)(a), when the Campaign received \$150 in contributions and made a \$1,562 expenditure as a loan

repayment. Staff informed the Respondent that while they were approved to change to the Full Reporting Option, the Campaign was not absolved of the apparent violation for exceeding the Mini Reporting Option.

- Staff found no evidence of any intent to conceal or not disclose the contribution and expenditure activities undertaken by the Respondent to remain under the Mini Reporting Option when the limitations of the Mini Reporting Option had been exceeded.
- On November 7, 2019, the Respondent submitted a signed Statement of Understanding acknowledging a violation of WAC 390-16-125, along with payment of a \$150 civil penalty in lieu of scheduling a hearing.

Based on our findings staff has determined that, in this instance, exceeding the limitations of the Mini Reporting option without prior written authorization from the PDC does not amount to a violation that warrants further investigation.

Jorge Chacón completed a Statement of Understanding (SOU) and paid a \$150 civil penalty in accordance with WAC 390-37-143 (Brief Enforcement Penalty Schedule), acknowledging violations of WAC 390-16-125 for exceeding the limitations of the Mini Reporting option without prior written authorization from the PDC. The \$150 penalty assessed resolves the allegations in this complaint.

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@pdcc.wa.gov.

Sincerely,

/s

Fox Blackhorn
Compliance Coordinator 2

Endorsed by,

/s

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director