



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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October 21, 2019

JORGE CHACON
614 HIGHLAND DR
WENATCHEE WA 98801

Subject: PDC Staff Assessment of Facts, PDC Case 58134

Dear Jorge Chacon:

On September 6, 2019, Public Disclosure Commission (PDC) staff sent a letter informing you that your request to change to the Full Reporting option was approved despite the fact that your 2019 Campaign for Wenatchee City Council member (Campaign) exceeded the \$5,000 contribution limitations to qualify for the Mini Reporting option.

As noted in the September 6, 2019 letter, staff's review of the Monetary Contribution reports (C-3 reports) and Summary Campaign Full Contribution and Expenditure reports (C-4 reports) filed by your Campaign at the time of your request to change reporting options disclosed the monetary and in-kind contributions plus the candidate loans you received had already exceeded the \$5,000 limitations of the Mini Reporting Option. In addition, you provided PDC staff with an email acknowledging apparent PDC violations by your Campaign for exceeding the limitations of the Mini Reporting Option.

PDC staff has opened an initial review into allegations that your Campaign exceeded the contribution limitations of the Mini Reporting Option. PDC staff has completed its initial assessment of the facts, which included the following aggravating and mitigating factors:

- You were a first-time candidate for public office.
- On May 29, 2019, you timely filed a Candidate Registration (C-1 report) declaring your 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, you were not subject to the requirements of RCW 42.17A.235 and .240 to file C-3 and C-4 report, provided your Campaign did accept more than \$500 from any single source, excluding you as the candidate using your own funds, and did not receive contributions or make expenditures totaling more than \$5,000 in aggregate over the course of your Campaign.
- Based on our analysis, the Campaign exceeded the \$5,000 contribution limitation of the Mini Reporting Option on July 9, 2019, when you received \$2,455 in monetary contributions, bringing your total monetary and in-kind contributions to \$5,217.99.
- On August 23, 2019, your Campaign 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, you provided PDC staff with an email acknowledging an apparent violation of the limitations set forth by WAC 390-16-105(1)(a), when your Campaign received \$150 in contributions and made a \$1,562 expenditure as a loan repayment. Staff informed you that while you were approved to change to the Full Reporting Option, your 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 you or your Campaign to remain under the Mini Reporting Option when the limitations of the Mini Reporting Option had been exceeded.

Depending on the circumstances and the mitigating and aggravating factors of each case, a Respondent may have the opportunity to complete a Statement of Understanding in resolution of a matter, as an alternative to scheduling an enforcement hearing.

I am encouraging you to work with PDC staff on resolving this matter. If you would like to submit a more formal response to the allegations of exceeding the limitations of the Mini Reporting Option, please do so as soon as possible or no later than November 4, 2019. If you have questions, please feel free to contact Fox Blackhorn at (360) 753-1980, toll free at 1-877-601-2828, or by email at pdcc@pdcc.wa.gov.

Sincerely,

s/ _____
Peter Lavalley
PDC Executive Director



Enclosure: PDC Enforcement Guide