



Israel G. Torres
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October 28, 2019

Via Email

Tabatha Blacksmith
Public Disclosure Commission
Compliance Coordinator
fdc@fdc.wa.gov
tabatha.blacksmith@fdc.wa.gov

Re: Citizens for Community Driven Prosperity Response to Case No. 59162

Ms. Blacksmith:

Torres Law Group represents Citizens for Community Driven Prosperity (the “Committee”) and submits this response in Case No. 59162 on its behalf.

On October 24, 2019, the Committee was notified that Glen Morgan filed a complaint against it, with a request to respond before Tuesday October 29, 2019. The complaint contained two allegations. The second seemed to be that the Committee’s sponsoring committee was not incorporated. As this is not required, the PDC dismissed it. You have asked that the Committee respond to the first allegation claiming that Citizens for Community Driven Prosperity does not contain the name of its sponsoring committee in its name. The Committee’s sponsoring committee is “Community Driven Prosperity.” Clearly, the name of the sponsoring committee is contained within the name of the Committee. The first allegation must be dismissed as well.

In an abundance of caution, we will also address the requirements from the cited sections of Washington law and the administrative code.

First, the complaint cites Wash. Rev. Code § 42.17A.005(46)(i) [sic]. Section 42.17A.005(46) provides as follows:

(46)(a) “Sponsor” for purposes of an electioneering communications, independent expenditures, or political advertising means the person paying for the electioneering communication, independent expenditure, or political advertising. If a person acts as an agent for another or is reimbursed by another for the payment, the original source of the payment is the sponsor.

(b) “Sponsor,” for purposes of a political or incidental committee, means any person, except an authorized committee, to whom any of the following applies:

- (i) The committee receives eighty percent or more of its contributions either from the person or from the person's members, officers, employees, or shareholders;
- (ii) The person collects contributions for the committee by use of payroll deductions or dues from its members, officers, or employees.

Assuming the complaint intended to cite subsection (46)(b)(i), the Committee concedes that Community Driven Prosperity is indeed its sponsor. Of course, it is for that reason that the entire name of the sponsoring committee is contained within the name “Citizens for Community Driven Prosperity.”

Second, the complaint cites Wash. Rev. Code § 42.17A.205. This section requires filing a statement of organization, which the Committee did. See Exhibit A. As is clear from Exhibit A, all of the required information, including the identity of the sponsor, was provided. Subsection (5) provides the following

(5) As used in this section, the “name” of a sponsored committee must include the name of the person who is the sponsor of the committee. If more than one person meets the definition of sponsor, the name of the committee must include the name of at least one sponsor, but may include the names of other sponsors. A person may sponsor only one political committee for the same elected office or same ballot proposition per election cycle.

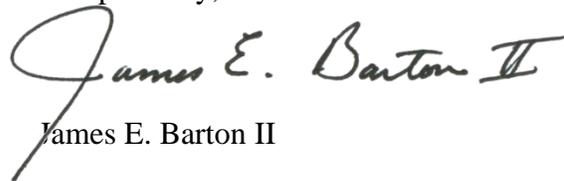
The name of the sponsor is “Community Driven Prosperity.” The name of the sponsored committee is “Citizens for Community Driven Prosperity.” The name of the sponsored committee includes the name of the sponsor, in full and without abbreviation.

Third, the complaint cites Wash. Admin. Code 390-16-011A, which essentially repeats the statutory requirements. Subsection (4) requires that “[a] sponsored political committee must amend its C-1pc sixty days before an election in which it participates if the committee's name on its most recently filed C-1pc does not include at least one current sponsor.” This is not required for the Committee because since its inception it has included the name of its only sponsor within its name.

In communication with PDC staff, we have been referred to <https://www.pdc.wa.gov/learn/publications/political-committee-instructions/registration-reporting/registering-committee-0> for a discussion of the naming requirements. This website provides in relevant part, “Sponsored committees must incorporate the sponsor’s name in the committee’s name.” This was done.

The complaint is baseless and intended to harass. It should be dismissed and the PDC should issue a warning against future abuses of process by the complainant. Please feel free to contact me if you have any further questions.

Respectfully,

A handwritten signature in black ink that reads "James E. Barton II". The signature is written in a cursive style with a large, sweeping initial 'J'.

James E. Barton II

EXHIBIT A

 <p>PUBLIC DISCLOSURE COMMISSION 711 CAPITOL WAY RM 206 PO BOX 40908 OLYMPIA WA 98504-0908 (360) 753-1111 Toll Free 1-877-601-2828</p>	<h1>Political Committee Registration</h1>	<h1>C1_{PC}</h1> <p>(1/12)</p>	100760445 05-11-2017
Committee Name (Include sponsor in committee name. See next page for definition of "sponsor." Show entire official name. Do not use abbreviations or acronyms in this box.) CITIZENS FOR COMMUNITY DRIVEN PROSPERITY PAC		Acronym: C4CDPPAC Telephone: 509-545-1446	
Mailing Address 1328 N ROAD 28		Fax: E-mail: JAMES@THETORRESFIRM.COM	
City PASCO	County BENTON	Zip + 4 99301	
NEW OR AMENDED REGISTRATION? <input checked="" type="checkbox"/> NEW. Complete entire form. <input type="checkbox"/> AMENDS previous report. Complete entire form.		COMMITTEE STATUS <input checked="" type="checkbox"/> Continuing (On-going; not established in anticipation of any particular campaign election.) <input type="checkbox"/> _____ election year only. Date of general or special election: _____ (Year)	
1. What is the purpose or description of the committee? <input type="checkbox"/> Bona Fide Political Party Committee - official state or county central committee or legislative district committee. If you are not supporting the entire party ticket, attach a list of the names of the candidates you support. <input type="checkbox"/> Ballot Committee - Initiative, Bond, Levy, Recall, etc. Name or description of ballot measure: _____ Ballot Number _____ FOR <input type="checkbox"/> AGAINST <input type="checkbox"/> <input checked="" type="checkbox"/> Other Political Committee - PAC, caucus committee, political club, etc. If committee is related or affiliated with a business, association, union or similar entity, specify name: COMMUNITY DRIVEN PROSPERITY PAC			
For single election-year only committees (not continuing committees): Is the committee supporting or opposing (a) one or more candidates? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach a list of each candidate's name, office sought and political party affiliation. (b) the entire ticket of a political party? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, identify the party: _____			
2. Related or affiliated committees. List name, address and relationship. COMMUNITY DRIVEN PROSPERITY PAC, SPONSOR, 1328 N ROAD 28, PASCO WA 99301 <input type="checkbox"/> Continued on attached sheet.			
3. How much do you plan to spend during this entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below. (If your committee status is continuing, estimate spending on a calendar year basis.) If no box is checked you are obligated to use Full Reporting. See instruction manuals for information about reports required and changing reporting options. <input type="checkbox"/> MINI REPORTING Mini Reporting is selected. No more than \$5,000 will be raised or spent <u>and</u> no more than \$500 in the aggregate will be accepted from any one contributor.			
<input checked="" type="checkbox"/> FULL REPORTING Full Reporting is selected. The frequent, detailed campaign reports mandated by law will be filed as required.			
4. Campaign Manager's or Media Contact's Name and Address NICKOLAS A BUMPAOUS 1328 N ROAD 28, PASCO WA 99301		Telephone Number: 509-539-7917	
5. Treasurer's Name and Address. Does treasurer perform <u>only</u> ministerial functions? Yes ___ No <u>X</u> . See WAC 390-05-243 and next page for details. List deputy treasurers on attached sheet. RANDY WALLY 1328 N ROAD 28, PASCO WA 99301		Daytime Telephone Number: 509-545-1446	
6. Persons who perform only ministerial functions on behalf of this committee <u>and</u> on behalf of candidates or other political committees. List name, title, and address of these persons. See WAC 390-05-243 and next page for details. <input type="checkbox"/> Continued on attached sheet.			
7. Committee Officers and other persons who authorize expenditures or make decisions for committee. List name, title, and address. See next page for definition of "officer." <input type="checkbox"/> Continued on attached sheet. NICKOLAS A. BUMPAOUS, CHAIR, 1328 N ROAD 28, PASCO WA 99301			
8. Campaign Bank or Depository U.S. BANK	Branch 1840 W COURT STREET	City PASCO	
9. Campaign books must be open to the public by appointment between 8 a.m. and 8 p.m. during the eight days before the election, except Saturdays, Sundays, and legal holidays. In the space below, provide contact information for scheduling an appointment and the address where the inspection will take place. It is not acceptable to provide a post office box or an out-of-area address. Street Address, Room Number, City where campaign books will be available for inspection 1328 N ROAD 28, PASCO In order to make an appointment, contact the campaign at (telephone, fax, e-mail): 509-545-1446 JAMES@THETORRESFIRM.COM			
10. Eligibility to Give to Political Committees and State Office Candidates: A committee must receive \$10 or more each from ten Washington State registered voters before contributing to a Washington State political committee. Additionally, during the six months prior to making a contribution to a state office candidate your committee must have received contributions of \$10 or more each from at least ten Washington State registered voters. <input checked="" type="checkbox"/> A check here indicates your awareness of and pledge to comply with these provisions. Absence of a check mark means your committee does not qualify to give to Washington State political committees and/or state office candidates.		11. Signature and Certification. I certify that this statement is true, complete and correct to the best of my knowledge. Committee Treasurer's Signature RANDY WALLY	
		Date 05-11-2017	

Attachment to C1PC – Political Committee Registration

Name CITIZENS FOR COMMUNITY DRIVEN PROSPERITY PAC

2. Related or affiliated committees

5. Deputy Treasurers Name and Address.

JAMES E. BARTON II 2239 WEST BASELINE ROAD, TEMPE AZ 85283

6. Persons who perform only ministerial functions, Name, Title and Address.

7. Committee Officers, List Name, Title and Address.