

26 October 2019

Washington Public Disclosure Commission
711 Capitol Way S. #206
PO BOX 40908
Olympia, WA 98504-0908

Re: PDC Case Number 59175

Hello PDC,

This letter is in response to PDC Case Number 59175.

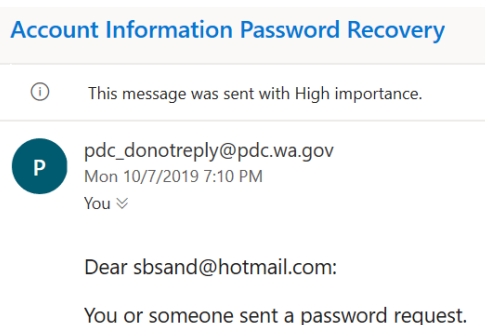
This letter includes two types of information. Some content describes steps I took before the filing of the complaint, what could be described as mitigating circumstances. Other content describes steps taken since receiving the complaint, to bring errors into compliance.

Overall, the circumstances are that I was at first unable to register because of an authentication problem, intended to register as a PAC but unknowingly apparently registered as an individual, and initially funded the activity alone. Between October 29 and October 31 I have taken the steps to register and file as a PAC. The relevance is that, in evaluating the complaint, one of the baseline-setting issues may be whether it should be evaluated against the criteria for an individual, or the criteria for a PAC.

Allegation One: Violation of RCW 42.17A.205, .210 and .215 for failure to timely and accurately file Committee Registration (C-1)

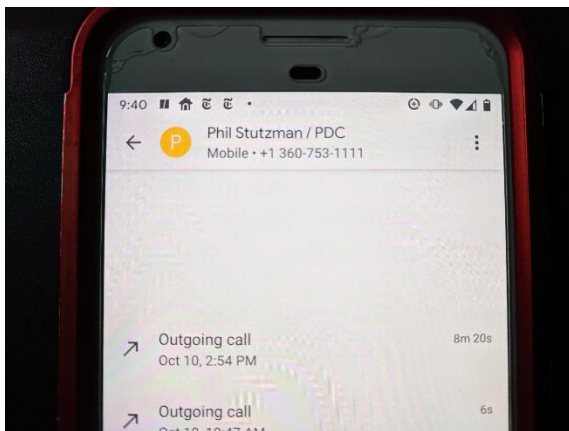
RCW 42.17A.205 Timely filing of campaign entity

I originally tried to register on October 7. I was unable to log in despite confirmation that I was using the login information on file with the PDC. My password recovery email time-stamped October 7, 2019 at 7:10pm is indirect confirmation of this attempt:



On October 10 I had a support phone call with a gentleman at the PDC. He confirmed my login information, and confirmed that the login was not working. My understanding at the conclusion of this

phone call was that he would pursue a solution with other PDC staff and get back to me. My understanding was that no action was needed from me until I heard back from him. My log of this call:



I did not hear back from the PDC. I tried to log in again, though not anticipating success, on October 18, 2019. I was able to log in. I completed registration, though I do not have an email confirmation for this. I was also able to create and submit a C-6 report, which I assume means I had successfully filed a C-1. I do have both an email and the successful C-6 showing the organization name. Everything that I saw indicated to me that my registration and expenditure filings were successful:

C6 Report Confirmation



pdc@pdc.wa.gov
Fri 10/18/2019 11:06 AM
SBSAND@HOTMAIL.COM ✉

Your C6 report has been successfully submitted with confirmation number 9532

← → ↺ 🔒 https://web.pdc.wa.gov/C6Mvc/C6/AddExpenditures?type=Electioneering%20Communications ☆ ☆ ↻ ↗ ...

Welcome **sbsand@hotmail.com!**
[Log Off]

pdc Building Confidence in the Political Process
Public Disclosure Commission

Expenditures for WOODINVILLE CITIZENS FIRST

[Add new record](#)

VENDOR NAME	AMOUNT	DATE SPENT	CITY	STATE	ZIP	DESCRIPTION	COMMANDS
L2, INC	\$137.50	10/11/2019	BOTHELL	WA	98011	MAILING LIST	Edit Delete
TRADE PRINTERY	\$2,203.70	10/17/2019	SEATTLE	WA	98108	POSTCARDS	Edit Delete

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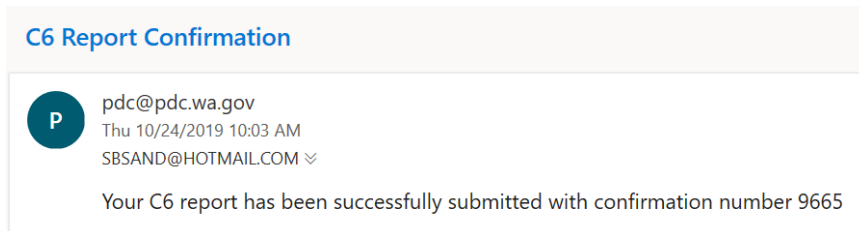
Did you have expenditures of \$100 or less that were not itemized above?
☐ Yes ☒ No
If you answered Yes, what is the total amount of these expenditures?
\$0.00

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TOLL FREE - 1-877-601-2828 / PHONE 360-753-1111 / FAX 360-753-1112 / EMAIL pdc@pdc.wa.gov
OFFICE HOURS: 8:00AM - 5:00PM Monday - Friday Closed Weekends & State Holidays

Access Washington

After the initial arrival of the complaint, there was another set of communications with the PDC. A staff member evaluated the circumstances of my registration and filing. If I understand correctly, he advised that the postcard fits the criteria of an “Electioneering Communication” by an individual. He guided me through an amendment process. As of October 24, my understanding was that my C-6 – and I assumed my C-1 -- were successfully amended and compliant:



On October 29 I filed a C-1-PC for Woodinville Citizens First as a PAC. This had two purposes: to bring the entity into consistency with the two-person sponsorship on the postcard, and to allow me to collect contributions from others.

RCW 42.17A.210 – Campaign Treasurer, and RCW 42.17A.215 – Campaign Depository

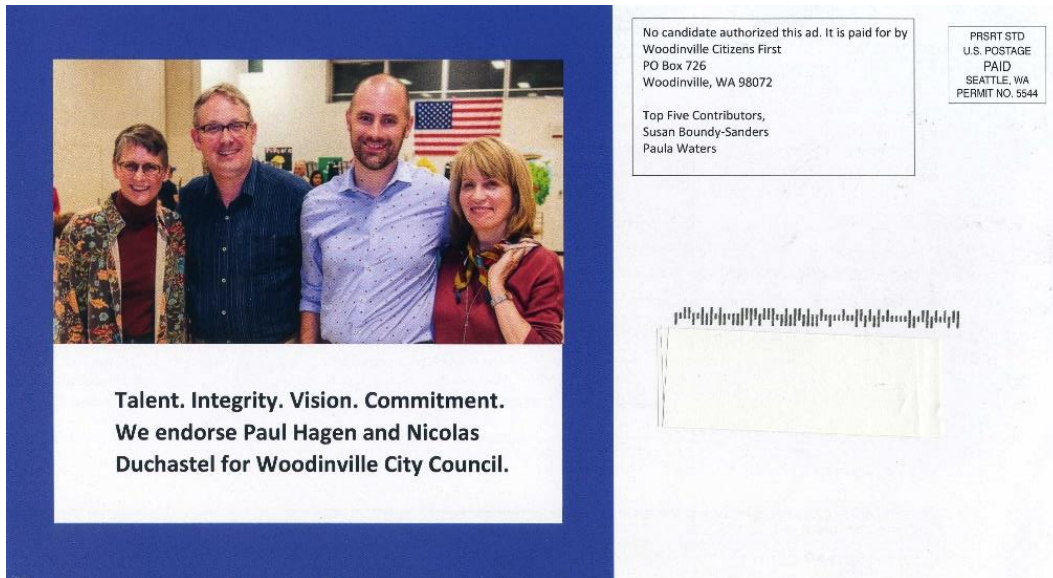
The complaint is consistent with my recollection of my registration process on October 18, in which I think I submitted a C-1 registration as an individual, not a PAC. My recollection is that the registration path I used on the PDC Web site did not show fields for a campaign treasurer or depository. As a result, I did not identify either. I assume that if the online registration form had included fields for treasurer and depository, it would have thrown errors until I supplied values for these fields.

On October 29 I completed a C-1-PC registration of Woodinville Citizens First as a PAC. In this case, the online forms did provide a fields for Treasurer and Depository, and I entered those values.

Allegation Two: Violation of RCW 42.17A.320 for failure to disclose complete sponsor identification on political advertising

RCW 42.17A.320 – Identity of contributors

Response: The image provided in the complaint, like the scan below, both show the state’s standard sponsor identification:



The complaint itself appears to clarify what the concern is: One of the contributors named on the postcard, Paula Waters, had not actually made a contribution at the time the complaint was written. This is an accurate statement. The postcard was paid for by me, based on an informal agreement of a future contribution from Ms. Waters. I made the judgment call that it was more honest to let voters know who the ultimate sponsors of the postcard were eventually intended to be.

Because the complaint was filed, at the time of this writing Ms. Waters still has not made a contribution. As of October 31 I have completed the steps in setting up the PAC, so her future contribution complies with PDC rules. My intent has always been to work within the state guidelines that contributions can be made until December 31 or the time when campaign debt is paid off, whichever is earlier.

RCW 42.17A.005 (46)(i), RCW 42.17A.205 and WAC 390-16-011A – accurately naming the PAC

The sponsorship block on the postcard reads:

No candidate authorized this ad. It is paid for by
Woodinville Citizens First
PO Box 726
Woodinville, WA 98072

Top Five Contributors,
Susan Boundy-Sanders
Paula Waters

The sponsorship declaration does not “attempt to conceal the primary sponsor” as the complaint claims (I’m not entirely comfortable that a person I’ve never met is trying to tell you what my intentions were). Both my C-1 filing on October 18 and my C-1-PC filing on October 29 designate Woodinville Citizens First as the “base name” for the entity. The C-1-PC designates the PAC’s full name as Woodinville Citizens First Sponsored by Susan Boundy-Sanders. This is the name as advised by PDC staff.