



**State of Washington  
PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908  
(360) 753-1111 • FAX (360) 753-1112

**Toll Free 1-877-601-2828 • E-mail: [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdca.wa.gov](http://www.pdca.wa.gov)**

December 23, 2019

Delivered electronically to "[votejeffsinker@gmail.com](mailto:votejeffsinker@gmail.com)" and "[msinker999@gmail.com](mailto:msinker999@gmail.com)"

Subject: Complaint filed by Rob Johnson, PDC Case 59326

Dear Jeff Sinker:

Below is a copy of an electronic letter sent to Rob Johnson concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted in the letter to Rob Johnson, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

PDC staff is reminding you about the importance of timely and accurately disclosing all contribution and expenditure activities, including in-kind contributions and detailed descriptions. This is especially important during the time-sensitive period 21 days before an election. PDC staff expects that, in the future, you will timely and accurately file all reports in accordance with PDC laws and rules.

If you have questions, you may contact Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)

Sincerely,

Endorsed by,

/s

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Tabatha Blacksmith  
Compliance Coordinator

/s

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Barbara Sandahl  
Deputy Director  
For Peter Lavalley  
Executive Director



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December 23, 2019

Delivered electronically to "[rob8029@gmail.com](mailto:rob8029@gmail.com)"

Subject: Complaint regarding Jeff Sinker, PDC Case 59326

Dear Rob Johnson:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 23, 2019. The complaint alleged that Jeff Sinker, a candidate for North Snohomish County Regional Fire Authority Fire Commissioner, position 1, may have violated RCW 42.17A.235 & .240 by failing to timely and accurately file *Summary Full Campaign Contribution and Expenditure* reports (C-4 reports) disclosing contributions and expenditures undertaken by the campaign during election year 2019.

PDC staff reviewed the allegations and evidence you submitted; the applicable statutes, rules, and reporting requirements; the response provided by Jeff Sinker (the "Respondent"); the applicable PDC reports filed by the Respondent; 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:

- RCW 42.17A.235 requires candidates to disclose all contributions received and expenditures made by filing periodic reports with the PDC. The due dates for these reports are based on the election cycle and are set forth in .235.
- With few exceptions, RCW 42.17A.240(2) requires candidates to disclose the name and address of each person<sup>1</sup> who made one or more contributions during the period covered by each report and the aggregate value of each person's contributions. Pursuant to RCW 42.17A.240(4), candidates are also required to report all other contributions not otherwise listed or exempted, such as in-kind contributions from the candidate to their own campaign and other sources.
- RCW 42.17A.240(6) requires candidates to report the name and address of each person to whom an expenditure was made in the aggregate amount of more than fifty dollars during the period covered by the report, including the amount, date and "purpose of each expenditure," as well as the total sum of all expenditures.

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<sup>1</sup> "Person" includes, but is not limited to, an individual, candidate, political committee, political party, organization, governmental agency, corporation, etc.

- WAC 390-16-037 states that expenditure reports “shall describe in detail” the goods and/or services provided and includes an example containing a numerical description (e.g. the number of brochures purchased).
- The Respondent did not participate in the Primary Election. He registered as a candidate with the PDC on September 4, 2019 and selected the full reporting option, which triggers the requirement to file the reports indicated in RCW 42.17A.235.
- Upon being notified of the complaint on October 28, 2019, the Respondent quickly replied within 48 hours. The Respondent indicated the campaign did not solicit or collect monetary contributions but had received in-kind contributions, which he had previously attempted to report. The Respondent stated he experienced technical issues with the online filing system (ORCA) that frustrated compliance.
- Within 48 hours of complaint notification, the Respondent filed reports disclosing its financial activity for September and October. Afterwards, the Respondent and the campaign’s Treasurer worked closely with PDC staff to 1) amend minor or ministerial errors on previously submitted reports; and 2) ensure subsequent reports met PDC requirements (see below):
  - The Respondent’s campaign did not have any contribution or expenditure activity to report for May 16, 2019 through August 31, 2019 but nonetheless filed a C-4 report disclosing this information on November 19, 2019. Campaigns that are not participating in the Primary election are not required to begin monthly reporting until they receive a contribution or make an expenditure exceeding \$200. RCW 42.17A.235(3)(a).
  - On November 26, 2019, the Respondent successfully filed a C-4 report disclosing the campaign’s receipt of three, in-kind contributions totaling \$1,231, one of which was an in-kind contribution from the candidate for newspaper advertising (payment 1 of 4); this report was due October 15, 2019 and was therefore 42 days late. The report was later amended to include additional description details (see report #100949995).
  - On November 26, 2019, the Respondent successfully filed a C-4 report disclosing two additional, in-kind contributions from the candidate totaling \$122 for newspaper ads (payments 2 & 3 of 4); this report was due October 29, 2019 and was therefore 28 days late. The report was later amended to include additional description details (see report #100949996)
  - On December 5, 2019, the Respondent timely filed a C-4 report disclosing an in-kind contribution from the candidate in the amount of \$61 for newspaper ads (payment 4 of 4). Shortly thereafter, the report was amended to include additional description details (report #100949997).

The Respondent’s campaign was relatively small, and its total expenditures were modest.

Noncompliance occurred during the time-sensitive period immediately preceding an election, but the Respondent made a good-faith effort to comply by filing two C-4 reports with the PDC on October 30, 2019; although these reports were later amended, the information disclosed therein

was substantive and the public was therefore not deprived of critical information regarding 1) contributions the campaign received from sources other than the candidate himself; and 2) the campaign's sole expenditure.

The Respondent is an experienced filer and has not been subject to PDC enforcement within the last five years.

Based on our findings, staff has determined that, in this instance, failure to timely & accurately file two C-4 reports does not amount to a violation that warrants further investigation.

PDC staff is reminding the Respondent about the importance of timely and accurately disclosing all contribution and expenditure activities, including in-kind contributions, and the timely filing of all future PDC reports in accordance with the statutes and rules.

The Respondent made minor or ministerial errors on required reports, which did not materially impact the public interest. Upon notification of these errors, the Respondent amended the campaign reports, making the necessary technical corrections as requested by staff.

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 Tabatha Blacksmith at 1-360-586-8929, toll-free at 1-877-601-2828 or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)

Sincerely,

Endorsed by,

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Tabatha Blacksmith  
Compliance Coordinator

/s

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Barbara Sandahl  
Deputy Director  
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cc: Jeff Sinker