

Complaint Description

[Roger Erich Lenk](#) (Thu, 31 Oct 2019 at 10:29 AM)
See attached.

What impact does the alleged violation(s) have on the public?

Respondent Torelli failed to allow a public inspection of his campaign books of account.

List of attached evidence or contact information where evidence may be found.

Complaint Letter; First Declaration of Roger Lenk and Jerry Martin

List of potential witnesses with contact information to reach them.

Roger Lenk and Jerry Martin

Complaint Certification:

I certify (or declare) under penalty of perjury under the laws of the State of Washington that information provided with this complaint is true and correct to the best of my knowledge and belief.

VIA ELECTRONIC TRANSMISSION

Roger Erich Lenk
1817 N. Road 76
Pasco, Washington 99301-1830
lenk.roger@gmail.com

Jerry Martin
3101 W. Canyon Lakes Drive
Kennewick, Washington 99337
jandrmartin@charter.net

October 31, 2019

State of Washington Public Disclosure Commission
711 Capitol Way Room 206
Post Office Box 40908
Olympia, Washington 98504-0908
pdc@pdc.wa.gov

Re: CHUCK TORELLI
Violation Of RCW 42.17A et. seq.

Dear Sir or Madam:

Submitted herewith is a complaint regarding the violations of RCW 42.17A et. seq. Please considered the First Declaration of Roger Lenk and Jerry Martin, attached hereto as Attachment 1, incorporated herein in its entirety.

Thank you in advance for your assistance. Please keep us apprised of your progress and final determination in this important community matter.

RESPONDENT

CHUCK TORELLI, City of Kennewick City Council Member, 3314 S. Dennis Court, Kennewick, Washington 99337-3015; (509) 405-2156; chuck4citycouncil@gmail.com.

STATEMENT OF MATERIAL FACTS

On Wednesday, October 23, 2019 at 8:53 AM, Complainant Lenk telephoned and left a voicemail for Annie Lindsey (the individual listed on Respondent Torelli's C1 Candidate's Registration Item 10) for the purpose of establishing an appointment for Declarant Martin and himself to inspect the campaign books for Respondent's campaign for reelection to the Kennewick City Council,

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Position 5. RCW 42.17A.235.¹

On Wednesday, October 23, 2019 at 9:09 AM, Declarant Lenk again telephoned Ms. Lindsey for the purpose of establishing an appointment for Declarant Martin and himself to inspect the campaign books for Respondent's campaign for City of Kennewick reelection to the Kennewick City Council, Position 5.²

The 9:09 AM telephone call enumerated above was answered by Ms. Lindsey.³

In the 9:09 AM phone call enumerated above, Declarant Lenk explained that the purpose of the telephone call was to establish a date and time to conduct a Public inspection of books of account for Respondent Torelli's campaign for Kennewick City Council, Position 5. Declarant Lenk proposed that the inspection occur at 4008 W 27th Avenue #101, Kennewick (Starbucks Coffee Shop listed in Item 10 on Respondent Torelli's PDC Form C1) on Friday, October 25, 2019 at 10:00 pm. Ms. Lindsey understood and indicated she would get back to Declarant Lenk if the proposed time, date and location were appropriate.⁴

On October 23, 2019 at 9:26 AM, Declarant Lenk memorialized his telephone conversation with Ms. Lindsey enumerated above with an email to Ms. Lindsey with a copy to Respondent Torelli.⁵

On Wednesday, October 23, 2019, 10:32 AM, Ms. Lindsey responded via email:

*“Sounds good! A representative from the campaign will be there (emphasis added).”*⁶

On Thursday, October 23, 2019 3:57 PM, Respondent Torelli replied appearing to confirm the appointment established with Ms. Lindsey:

“Also per your request, there will be more than just yourself attending. Please identify the other party or parties who will be with you. My wife will be in attendance as well.

The venue and time (10:00) is fine but it has limited seating. It might be

1 First Decl. Of Lenk and Martin, ¶2, Exs. A and B.
2 First Decl. Of Lenk and Martin, ¶3, Ex. A.
3 First Decl. Of Lenk and Martin, ¶4.
4 First Decl. Of Lenk and Martin, ¶5, Ex. C.
5 First Decl. Of Lenk and Martin, ¶6, Ex. D.
6 First Decl. Of Lenk and Martin, ¶7, Ex. E.

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preferable to meet at the Kennewick library on Union Street or if it's more convenient, we could meet at either of the Pasco libraries. (Emphasis added). I've verified with the PDC that this would be appropriate for our purpose and does not present a problem with using public facilities.”

In his email, Respondent Torelli fails to provide any mention of rescheduling the date.⁷

After a tortuous and circuitous exchange of emails with Respondent Torelli, Respondent Torelli determined that the Public Inspection of campaign books would take place on Monday, October 28, 2019, 10:00 AM at the location listed in Item 10 of his PDC Form C1, 4008 27th Avenue, Suite 101, Kennewick (Starbucks Coffee Shop).⁸

At the appointed date, time and location, Complainants Lenk and Martin arrived to inspect the campaign books of Respondent Torelli. Respondent Torelli and his wife were present.⁹

When Complainants Lenk and Martin arrived, Respondent Torelli read some of the provisions of RCW 42.17A.235 and indicated that videotaping, photographing or photocopying of the records was not permitted.¹⁰

Respondent Torelli presented three small documents (in a clear Polypropylene report cover) to Complainants Lenk and Martin. The last document available was dated October 15, 2019.¹¹

The first report cover contained a copy of Respondent Torelli's PDC Form C1 filed with the PDC.¹²

The second report cover contained copies of the PDC Forms C3 filed by Respondent Torelli.¹³

Included in second report cover was a two and one half spreadsheet which summarized by date the dollars contributed on each PDC Form C3. The spreadsheet also summarized expenditures from PDC Forms C4.¹⁴

The spreadsheet contained significantly less information than available from PDC Forms C3 and

7 First Decl. Of Lenk and Martin, ¶8, Ex. E.

8 First Decl. Of Lenk and Martin, ¶9.

9 First Decl. Of Lenk and Martin, ¶10.

10 First Decl. Of Lenk and Martin, ¶11.

11 First Decl. Of Lenk and Martin, ¶12.

12 First Decl. Of Lenk and Martin, ¶13.

13 First Decl. Of Lenk and Martin, ¶14.

14 First Decl. Of Lenk and Martin, ¶15.

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C4. No information concerning PDC Forms L1 and L3 were included. In addition, the spreadsheet did not include the \$29,941.81 in-kind contribution from Respondent Torelli. The spreadsheet's summary did not jibe with the PDC Forms online or provided by Respondent Torelli. The spreadsheet did not substantiate the information disclosed on the PDC campaign finance reports.¹⁵

The Third report cover contained copies of the PDC Forms C4, L1 and L3 filed by Respondent Torelli.¹⁶

When asked where the other documents for review were, (receipts, invoices, copies of contribution checks, copies of canceled checks for expenditures, notes or other documentation concerning expenditures, orders placed, loans and check register), Respondent Torelli communicated to Complainants Lenk and Martin that his Treasurer from Blue Wave Politics advised him that these were all the only documents that would be provided for public inspection as a "spreadsheet" was provided.¹⁷

When Complainants Lenk and Martin asked about support materials for contributions, especially the \$29,941.81 contributed by Respondent Torelli, Respondent Torelli advised "you can contact my Treasurer".¹⁸

When Complainants Lenk and Martin asked about support materials for expenditures, Respondent Torelli advised "you can contact my Treasurer".¹⁹

When Complainants Lenk and Martin asked about support materials for loans, Respondent Torelli advised "you can contact my Treasurer".²⁰

When Complainants Lenk and Martin asked about support materials for the payback of loans, Respondent Torelli advised "you can contact my Treasurer".²¹

When Complainants Lenk and Martin asked about inspecting a register of checks for expenditures, Respondent Torelli advised "you can contact my Treasurer".²²

15 First Decl. Of Lenk and Martin, ¶16.

16 First Decl. Of Lenk and Martin, ¶17.

17 First Decl. Of Lenk and Martin, ¶18.

18 First Decl. Of Lenk and Martin, ¶19.

19 First Decl. Of Lenk and Martin, ¶20.

20 First Decl. Of Lenk and Martin, ¶21.

21 First Decl. Of Lenk and Martin, ¶22.

22 First Decl. Of Lenk and Martin, ¶23.

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When Complainants Lenk and Martin asked about inspecting copies of checks for contributions, Respondent Torelli advised “you can contact my Treasurer”.²³

Complainants Lenk and Martin posed multiple additional questions to Respondent Torelli. Without exception, Respondent Torelli responded “you can contact my Treasurer”.²⁴

After their review, Complainants Lenk and Martin advised Respondent Torelli that the spreadsheet provided in the second report cover did not meet the requirements of WAC 390-16-043 (6) as enumerated above, and as such, the books of account must include the underlying source documents such as receipts, invoices, copies of contribution checks, copies of canceled checks for expenditures, notes or other documentation concerning expenditures, orders placed, loans and the check register. *Respondent Torelli advised per his Treasurer, these documents would not be provided for public inspection.*²⁵

It should be noted that Respondent Torelli checked “Yes” on Item 5 of the PDC Form C1 Candidates Registration indicating that consistent with WAC 390-05-243 the Treasurer was only performing ministerial functions. *As such the Blue Wave Treasurer's functions were limited to data entry, and filing PDC reports.* Respondent Torelli was the only individual authorized to and should have responded to the issues brought up by Complainants Lenk and Martin above. *Respondent Torelli should not have referred Complainants Lenk and Martin to the ministerial Treasurer.*²⁶

It is noted that the Blue Wave Politics website also indicates that their Treasurer responsibilities are limited to “ministerial” functions.²⁷

LAW AND REGULATIONS

RCW 42.17A.235 - Reporting of contributions and expenditures—Public inspection of accounts.

(1)(a) In addition to the information required under RCW 42.17A.205 and 42.17A.210, each candidate or political committee must file with the commission a report of all contributions received and expenditures made as a political committee on the next reporting date pursuant to

23 First Decl. Of Lenk and Martin, ¶24.

24 First Decl. Of Lenk and Martin, ¶25.

25 First Decl. Of Lenk and Martin, ¶26.

26 First Decl. Of Lenk and Martin, ¶27.

27 First Decl. Of Lenk and Martin, ¶28.

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the timeline established in this section.

(b) In addition to the information required under RCW 42.17A.207 and 42.17A.210, on the day an incidental committee files a statement of organization with the commission, each incidental committee must file with the commission a report of any election campaign expenditures under RCW 42.17A.240(6), as well as the source of the ten largest cumulative payments of ten thousand dollars or greater it received in the current calendar year from a single person, including any persons tied as the tenth largest source of payments it received, if any.

(2) Each treasurer of a candidate or political committee, or an incidental committee, required to file a statement of organization under this chapter, shall file with the commission a report, for each election in which a candidate, political committee, or incidental committee is participating, containing the information required by RCW 42.17A.240 at the following intervals:

(a) On the twenty-first day and the seventh day immediately preceding the date on which the election is held; and

(b) On the tenth day of the first full month after the election.

(3)(a) Each treasurer of a candidate or political committee shall file with the commission a report on the tenth day of each month during which the candidate or political committee is not participating in an election campaign, only if the committee has received a contribution or made an expenditure in the preceding calendar month and either the total contributions received or total expenditures made since the last such report exceed two hundred dollars.

(b) Each incidental committee shall file with the commission a report on the tenth day of each month during which the incidental committee is not otherwise required to report under this section only if the committee has:

(i) Received a payment that would change the information required under RCW 42.17A.240(2)(d) as included in its last report; or

(ii) Made any election campaign expenditure reportable under RCW 42.17A.240(6) since its last report, and the total election campaign expenditures made since the last report exceed two hundred dollars.

(4) The report filed twenty-one days before the election shall report all contributions received and expenditures made as of the end of one business day before the date of the report. The report filed seven days before the election shall report all contributions received and expenditures made as of the end of one business day before the date of the report. Reports filed on the tenth day of the month shall report all contributions received and expenditures made from the closing date of the last report filed through the last day of the month preceding the date of the current report.

(5) For the period beginning the first day of the fourth month preceding the date of the special election, or for the period beginning the first day of the fifth month before the date of the general election, and ending on the date of that special or general election, each Monday the treasurer for a candidate or a political committee shall file with the commission a report of each bank deposit made during the previous seven calendar days. The report shall contain the name of each person contributing the funds and the amount contributed by each person. However, persons who contribute no more than twenty-five dollars in the aggregate are not required to be identified in the report. A copy of the report shall be retained by the treasurer for the treasurer's records. In the

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event of deposits made by candidates, political committee members, or paid staff other than the treasurer, the copy shall be immediately provided to the treasurer for the treasurer's records. Each report shall be certified as correct by the treasurer.

(6)(a) The treasurer for a candidate or a political committee shall maintain books of account accurately reflecting all contributions and expenditures on a current basis within five business days of receipt or expenditure. During the ten calendar days immediately preceding the date of the election the books of account shall be kept current within one business day. As specified in the political committee's statement of organization filed under RCW 42.17A.205, the books of account must be open for public inspection by appointment at a place agreed upon by both the treasurer and the requestor, for inspections between 9:00 a.m. and 5:00 p.m. on any day from the tenth calendar day immediately before the election through the day immediately before the election, other than Saturday, Sunday, or a legal holiday. It is a violation of this chapter for a candidate or political committee to refuse to allow and keep an appointment for an inspection to be conducted during these authorized times and days. The appointment must be allowed at an authorized time and day for such inspections that is within forty-eight hours of the time and day that is requested for the inspection. The treasurer may provide digital access or copies of the books of account in lieu of scheduling an appointment at a designated place for inspection. If the treasurer and requestor are unable to agree on a location and the treasurer has not provided digital access to the books of account, the default location for an appointment shall be a place of public accommodation selected by the treasurer within a reasonable distance from the treasurer's office.

(b) At the time of making the appointment, a person wishing to inspect the books of account must provide the treasurer the name and telephone number of the person wishing to inspect the books of account. The person inspecting the books of account must show photo identification before the inspection begins.

(c) A treasurer may refuse to show the books of account to any person who does not make an appointment or provide the required identification. The commission may issue limited rules to modify the requirements set forth in this section in consideration of other technology and best practices.

(7) Copies of all reports filed pursuant to this section shall be readily available for public inspection by appointment, pursuant to subsection (6) of this section.

(8) The treasurer or candidate shall preserve books of account, bills, receipts, and all other financial records of the campaign or political committee for not less than five calendar years following the year during which the transaction occurred or for any longer period as otherwise required by law.

(9) All reports filed pursuant to subsection (1) or (2) of this section shall be certified as correct by the candidate and the treasurer.

(10) Where there is not a pending complaint concerning a report, it is not evidence of a violation of this section to submit an amended report within twenty-one days of filing an initial report if:

(a) The report is accurately amended;

(b) The amended report is filed more than thirty days before an election;

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- (c) The total aggregate dollar amount of the adjustment for the amended report is within three times the contribution limit per election or two hundred dollars, whichever is greater; and
- (d) The committee reported all information that was available to it at the time of filing, or made a good faith effort to do so, or if a refund of a contribution or expenditure is being reported.
- (11)(a) When there is no outstanding debt or obligation, the campaign fund is closed, the campaign is concluded in all respects, and the political committee has ceased to function and intends to dissolve, the treasurer shall file a final report. Upon submitting a final report, the political committee so intending to dissolve must file notice of intent to dissolve with the commission and the commission must post the notice on its web site.
- (b) Any political committee may dissolve sixty days after it files its notice to dissolve, only if:
 - (i) The political committee does not make any expenditures other than those related to the dissolution process or engage in any political activity or any other activities that generate additional reporting requirements under this chapter after filing such notice;
 - (ii) No complaint or court action under this chapter is pending against the political committee; and
 - (iii) All penalties assessed by the commission or court order have been paid by the political committee.
- (c) The political committee must continue to report regularly as required under this chapter until all the conditions under (b) of this subsection are resolved.
- (d) Upon dissolution, the commission must issue an acknowledgment of dissolution, the duties of the treasurer shall cease, and there shall be no further obligations under this chapter. Dissolution does not absolve the candidate or board of the committee from responsibility for any future obligations resulting from the finding after dissolution of a violation committed prior to dissolution.
- (12) The commission must adopt rules for the dissolution of incidental committees.

WAC 390-05-243 - Ministerial functions by persons holding administrative offices.

As used in the act and in these rules:

- (1) "Ministerial functions" means the activities and duties of an administrative office that satisfy RCW 42.17A.005 and require:
 - (a) Data entry for a candidate or political committee;
 - (b) Filing reports that have been reviewed and approved for filing by the candidate or political committee officer;
 - (c) Maintaining campaign finance and other similar records including making them available for inspection upon direction by the candidate or political committee officer;
 - (d) Writing and depositing checks at the direction of the candidate or political committee officer;
 - (e) Communications related to ministerial functions (to respond to questions about data entry, to discuss or review a candidate or committee's bank account balance, to schedule times to receive contribution checks at events, to review reports with the candidate or committee prior to filing, and similar communications) but do not involve attending strategy or campaign planning meetings

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or portions of meetings with candidates or political committee officers or their agents; or

(f) Other similar campaign finance activities and duties.

(2) "Administrative office" means a person performing campaign finance related clerical support or recordkeeping activities on behalf of candidates and political committees, when, for the purposes of RCW 42.17A.005, those activities:

(a) Are directed by the candidate or political committee officer and require performance of activities by the administrative office in a prescribed manner;

(b) Are approved by the candidate or political committee officer for whom the services are performed;

(c) Do not involve the exercise of personal judgment or discretion, including authorizing expenditures;

(d) Do not involve the disclosure, except as required by law, of any information regarding a candidate or committee's plans, projects, activities or needs, or regarding a candidate's or committee's contributions or expenditures that is not already publicly available, or otherwise engage in activity that is a contribution; and

(e) Do not involve the performance of functions other than ministerial functions.

(3) A person performing only ministerial functions on behalf of two or more candidates or political committees is not:

(a) Considered an agent so long as they have no authority to authorize expenditures or make decisions on behalf of the candidate or committee; or

(b) An officer pursuant to WAC 390-05-245. However, that person's name, address and title must be reported on the C-1 or C-1pc registration form.

WAC 390-05-245 - Definition—Officer of a candidate's committee or of a political committee.

As used in the act and in these rules, "officer of a candidate's authorized committee," or "officer of a candidate's committee" or "officer of a political committee" includes the following persons: Any person designated by the committee as an officer on the C-1 or C-1pc registration statement and any person who alone or in conjunction with other persons makes, directs, or authorizes contribution, expenditure, strategic or policy decisions on behalf of the committee.

WAC 390-16-043 - Candidates and political committees—Public inspection of books of account.

(1) RCW 42.17A.005 defines "books of account" for candidates and political committees as "a ledger or similar listing of contributions, expenditures, and debts, such as a campaign or committee is required to file regularly with the commission, current as of the most recent business day."

(2) RCW 42.17A.225 and 42.17A.235 require that candidates and political committees

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participating in an election as defined in RCW 42.17A.005, must make their books of account available for public inspection. The public inspection of books of account is not intended to be an exhaustive audit of all contributions received and expenditures made.

(3) Any individual who requests to publicly inspect the books of account of a candidate or political committee, must make the request during the period beginning ten calendar days before a primary, general, or special election, by contacting the filer's email address listed on the C-1 report for a candidate, or the C-1pc report for a political committee.

(4) The inspection of the books of account may occur on weekdays, unless the treasurer for the candidate or committee agrees otherwise, beginning on the eighth day before the election, excluding legal holidays, for at least two consecutive hours between 9:00 a.m. and 5:00 p.m. at a location that is agreed upon by the treasurer and the individual requesting the inspection. The inspection must be allowed within forty-eight hours of the date and time the request was made at the agreed-upon location, provided that if the request is not made by 3:00 p.m. on the third day preceding an election, the candidate or political committee need only make best efforts to accommodate the request.

(5) The treasurer for the candidate or committee may make the books of account available electronically, in lieu of scheduling an in-person inspection, or if a location cannot be agreed upon by both parties. If the campaign's only copy of its books of account is maintained electronically with security protections, the person requesting the inspection must be given sufficient instruction to allow the inspection to proceed.

(6) The books of account, ledger and other supporting documentation must be maintained by the treasurer and kept current within one business day. The books of account of a candidate or political committee include the following: A ledger, spreadsheet, or similar listing of contributions, expenditures, loans, debts and obligations to substantiate the information disclosed on the PDC campaign finance reports. If a ledger is not sufficiently kept, the books of account must include the underlying source documents such as receipts, invoices, copies of contribution checks, copies of canceled checks for expenditures, notes or other documentation concerning expenditures, orders placed, and loans. In the absence of those types of source documents, the campaign or committee must make the check register available. The campaign or committee is not required to provide the name and address of contributors who gave twenty-five dollars or less in the aggregate in total contributions.

(7) The candidate or political committee is not required to make copies of its books of account for the requestor. Videotaping, photographing or photocopying of the records is not required to be permitted but may be agreed to by both parties during or in advance of the inspection.

(8) At the time of making the appointment, the person requesting to inspect the books of account must provide the name(s) and contact information for all individuals who will be in attendance for the inspection. The requestor(s) must show photo identification prior to the inspection beginning, and the candidate or political committee may deny the inspection from occurring if photo identification is not provided.

(9) The records required by this section shall be available for audit or examination by the PDC at any time upon request from the PDC.

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CONCLUSION

As a result of his barring the public inspection of campaign books of account substantiating the information disclosed to the PDC, Respondent Torelli failed to “maintain books of account accurately reflecting all contributions and expenditures on a current basis within five business days of receipt or expenditure”. RCW 42.17A.235 (6). In addition, Respondent Torelli's actions prevented that “(c)opies of all reports filed pursuant to this section shall be readily available for public inspection by appointment, pursuant to subsection (6) of this section. RCW 42.17A.235 (7). Moreover, Respondent Torelli barred the public inspection of his campaign books of account substantiating information disclosed to the PDC. **Respondent Torelli violated RCW 42.17A.235 by prohibiting Complainants Lenk and Martin from publicly inspecting his campaign books of account.**

Complainants Lenk and Martin worked diligently to meet the changing demands of Respondent Torelli to exercise their right for a public inspection of the campaign books of account for Respondent Torelli. **Respondent Torelli violated WAC 390-16-043 by prohibiting Complainants Lenk and Martin from publicly inspecting his campaign books of account.**

In his PDC Form C1 Candidate Registration, Respondent Torelli elected to have his Blue Wave Treasurer to act only in a ministerial capacity. However, as noted herein, Respondent Torelli was not able to provide necessary documents, answer basic question concerning the lack of information available to Complainants Lenk and Martin, make, direct, or authorizes contribution, expenditure, strategic or policy decisions on behalf of the committee. Rather than perform these responsibilities as an officer of the Committee himself, Respondent Torelli referred all such matters to his ministerial Blue Wave Treasurer. **Respondent Torelli violated WAC 390-05-243 and WAC 390-05-245 by 1) electing to have the Blue Wave Treasurer act only in a ministerial capacity, 2) not carrying out his responsibilities as a campaign officer; and 3) referring all requests for documents and questions to his ministerial Blue Wave Treasurer. As such, Respondent Torelli prohibited Complainants Lenk and Martin from publicly inspecting his campaign books of account.**

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CERTIFICATION

We certify (or declare) under penalty of perjury under the laws of the State of Washington that the facts set forth in this complaint are true and correct.

Best Regards,



Roger E. Lenk
Complainant



Jerry Martin
Complainant

Attachment (1)

ATTACHMENT 1

1 3. On Wednesday, October 23, 2019 at 9:09 AM, Declarant Lenk again telephoned
2 Ms. Lindsey⁴ for the purpose of establishing an appointment for Declarant Martin and himself to
3 inspect the campaign books for Respondent's campaign for City of Kennewick reelection to the
4 Kennewick City Council, Position 5.

5 4. The 9:09 AM telephone call enumerated in ¶3. was answered by Ms. Lindsey.

6 5. In the phone call enumerated in ¶4. Declarant Lenk explained that the purpose of
7 the telephone call was to establish a date and time to conduct a Public inspection of books of

8 any.

9 (2) Each treasurer of a candidate or political committee, or an incidental committee, required to file a statement of
10 organization under this chapter, shall file with the commission a report, for each election in which a candidate,
11 political committee, or incidental committee is participating, containing the information required by RCW
12 42.17A.240 at the following intervals:

13 (a) On the twenty-first day and the seventh day immediately preceding the date on which the election is held; and
14 (b) On the tenth day of the first full month after the election.

15 (3)(a) Each treasurer of a candidate or political committee shall file with the commission a report on the tenth day
16 of each month during which the candidate or political committee is not participating in an election campaign,
17 only if the committee has received a contribution or made an expenditure in the preceding calendar month and
18 either the total contributions received or total expenditures made since the last such report exceed two
19 hundred dollars.

20 (b) Each incidental committee shall file with the commission a report on the tenth day of each month during which
21 the incidental committee is not otherwise required to report under this section only if the committee has:

22 (i) Received a payment that would change the information required under RCW 42.17A.240(2)(d) as included in its
23 last report; or

24 (ii) Made any election campaign expenditure reportable under RCW 42.17A.240(6) since its last report, and the
25 total election campaign expenditures made since the last report exceed two hundred dollars.

26 (4) The report filed twenty-one days before the election shall report all contributions received and expenditures
27 made as of the end of one business day before the date of the report. The report filed seven days before the
28 election shall report all contributions received and expenditures made as of the end of one business day before
the date of the report. Reports filed on the tenth day of the month shall report all contributions received and
expenditures made from the closing date of the last report filed through the last day of the month preceding
the date of the current report.

(5) For the period beginning the first day of the fourth month preceding the date of the special election, or for the
period beginning the first day of the fifth month before the date of the general election, and ending on the date
of that special or general election, each Monday the treasurer for a candidate or a political committee shall file
with the commission a report of each bank deposit made during the previous seven calendar days. The report
shall contain the name of each person contributing the funds and the amount contributed by each person.
However, persons who contribute no more than twenty-five dollars in the aggregate are not required to be
identified in the report. A copy of the report shall be retained by the treasurer for the treasurer's records. In the
event of deposits made by candidates, political committee members, or paid staff other than the treasurer, the
copy shall be immediately provided to the treasurer for the treasurer's records. Each report shall be certified as
correct by the treasurer.

(6)(a) The treasurer for a candidate or a political committee shall maintain books of account accurately reflecting
all contributions and expenditures on a current basis within five business days of receipt or expenditure.
During the ten calendar days immediately preceding the date of the election the books of account shall be kept
current within one business day. As specified in the political committee's statement of organization filed under
RCW 42.17A.205, the books of account must be open for public inspection by appointment at a place agreed
upon by both the treasurer and the requestor, for inspections between 9:00 a.m. and 5:00 p.m. on any day from
the tenth calendar day immediately before the election through the day immediately before the election, other
than Saturday, Sunday, or a legal holiday. It is a violation of this chapter for a candidate or political

Roger Lenk
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Jerry Martin
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Kennewick, WA 99336
(509) 586-3349

1 account for Respondent Torelli's campaign for Kennewick City Council, Position 5. Declarant
2 Lenk proposed that the inspection occur at 4008 W 27th Avenue #101, Kennewick (Starbucks
3 Coffee Shop listed in Item 10 on Respondent Torelli's PDC Form C1) on Friday, October 25,
4 2019 at 10:00 pm. Ms. Lindsey understood and indicated she would get back to Declarant Lenk
5 if the proposed time, date and location were appropriate.
6
7

8 committee to refuse to allow and keep an appointment for an inspection to be conducted during these
9 authorized times and days. The appointment must be allowed at an authorized time and day for such
10 inspections that is within forty-eight hours of the time and day that is requested for the inspection. The
11 treasurer may provide digital access or copies of the books of account in lieu of scheduling an appointment at
12 a designated place for inspection. If the treasurer and requestor are unable to agree on a location and the
13 treasurer has not provided digital access to the books of account, the default location for an appointment shall
14 be a place of public accommodation selected by the treasurer within a reasonable distance from the treasurer's
15 office.

- 12 (b) At the time of making the appointment, a person wishing to inspect the books of account must provide the
13 treasurer the name and telephone number of the person wishing to inspect the books of account. The person
14 inspecting the books of account must show photo identification before the inspection begins.
- 14 (c) A treasurer may refuse to show the books of account to any person who does not make an appointment or
15 provide the required identification. The commission may issue limited rules to modify the requirements set
16 forth in this section in consideration of other technology and best practices.
- 15 (7) Copies of all reports filed pursuant to this section shall be readily available for public inspection by
16 appointment, pursuant to subsection (6) of this section.
- 16 (8) The treasurer or candidate shall preserve books of account, bills, receipts, and all other financial records of the
17 campaign or political committee for not less than five calendar years following the year during which the
18 transaction occurred or for any longer period as otherwise required by law.
- 18 (9) All reports filed pursuant to subsection (1) or (2) of this section shall be certified as correct by the candidate and
19 the treasurer.
- 19 (10) Where there is not a pending complaint concerning a report, it is not evidence of a violation of this section to
20 submit an amended report within twenty-one days of filing an initial report if:
- 20 (a) The report is accurately amended;
- 21 (b) The amended report is filed more than thirty days before an election;
- 21 (c) The total aggregate dollar amount of the adjustment for the amended report is within three times the
22 contribution limit per election or two hundred dollars, whichever is greater; and
- 22 (d) The committee reported all information that was available to it at the time of filing, or made a good faith effort
23 to do so, or if a refund of a contribution or expenditure is being reported.
- 23 (11)(a) When there is no outstanding debt or obligation, the campaign fund is closed, the campaign is concluded in
24 all respects, and the political committee has ceased to function and intends to dissolve, the treasurer shall file
25 a final report. Upon submitting a final report, the political committee so intending to dissolve must file notice
26 of intent to dissolve with the commission and the commission must post the notice on its web site.
- 25 (b) Any political committee may dissolve sixty days after it files its notice to dissolve, only if:
- 26 (i) The political committee does not make any expenditures other than those related to the dissolution process or
27 engage in any political activity or any other activities that generate additional reporting requirements under
28 this chapter after filing such notice;
- 27 (ii) No complaint or court action under this chapter is pending against the political committee; and
- 28 (iii) All penalties assessed by the commission or court order have been paid by the political committee.
- (c) The political committee must continue to report regularly as required under this chapter until all the conditions
under (b) of this subsection are resolved.

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Jerry Martin
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FIRST DECLARATION OF

ROGER LENK AND JERRY MARTIN - 3 of 9

lenk.roger@gmail.com

jandrmartin@charter.net

1 6. On October 23, 2019 at 9:26 AM, Declarant Lenk memorialized his telephone
2 conversation with Ms. Lindsey enumerated in ¶¶3.-5. with an email to Ms. Lindsey with a copy
3 to Respondent Torelli.⁵

4 7. On Wednesday, October 23, 2019, 10:32 AM, Ms. Lindsey responded via email:

5 *“Sounds good! A representative from the campaign will be there*
6 *(emphasis added).”*⁶

7 8. On Thursday, October 23, 2019 3:57 PM, Respondent Torelli replied appearing
8 to confirm the appointment established in ¶¶5.-7.:

9 “Also per your request, there will be more than just yourself
10 attending. Please identify the other party or parties who will be
11 with you. My wife will be in attendance as well.

12 *The venue and time (10:00) is fine but it has limited seating. It*
13 *might be preferable to meet at the Kennewick library (sic) on*
14 *Union Street or if it's more convenient, we could meet at either*
15 *of the Pasco libraries. (Emphasis added). I've verified with the*
16 PDC that this would be appropriate for our purpose and does not
17 present a problem with using public facilities.”

18 In his email, Respondent Torelli fails to provide any mention of rescheduling the date.⁷

19 9. After a tortuous and circuitous exchange of emails with Respondent Torelli,
20 Respondent Torelli determined that the Public Inspection of campaign books would take place
21 on Monday, October 28, 2019, 10:00 AM at the location listed in Item 10 of his PDC Form C1,
22 4008 27th Avenue, Suite 101, Kennewick (Starbucks Coffee Shop).

23 10. At the appointed date, time and location, Declarants Lenk and Martin arrived to
24 inspect the campaign books of Respondent Torelli. Respondent Torelli and his wife were
25 present.

26 (d) Upon dissolution, the commission must issue an acknowledgment of dissolution, the duties of the treasurer shall
27 cease, and there shall be no further obligations under this chapter. Dissolution does not absolve the candidate
28 or board of the committee from responsibility for any future obligations resulting from the finding after
dissolution of a violation committed prior to dissolution.

(12) The commission must adopt rules for the dissolution of incidental committees.

4 Ex. A.

5 Ex. C. The 8:00 am - 8:00 pm time frame was obtained from a brochure the PDC website.

6 Ex. D.

7 Ex. E.

1 11. When Declarants Lenk and Martin arrived, Respondent Torelli read some of the
2 provisions of RCW 42.17A.235 and indicated that videotaping, photographing or photocopying
3 of the records was not permitted. Respondent Torelli requested and was provided photo
4 identification cards (Washington State Drivers Licenses).

5 12. Respondent Torelli presented three small documents (in a clear Polypropylene
6 report cover) to Declarants Lenk and Martin. The last document available was dated October
7 15, 2019.

8 13. The first report cover contained a copy of Respondent Torelli's PDC Form C1
9 filed with the PDC.

10 14. The second report cover contained copies of the PDC Forms C3 filed by
11 Respondent Torelli.

12 15. Included in second report cover was a two and one half page spreadsheet which
13 summarized by date the dollars contributed on each PDC Form C3. The spreadsheet also
14 summarized expenditures from PDC Forms C4.

15 16. The spreadsheet contained significantly less information than available from
16 PDC Forms C3 and C4. No information concerning PDC Forms L1 and L3 were included. In
17 addition, the spreadsheet did not include the \$29,941.81 in-kind contribution from Respondent
18 Torelli. The spreadsheet's summary did not correspond with the PDC Forms online or provided
19 by Respondent Torelli. *The spreadsheet did not substantiate the information disclosed on the*
20 *PDC campaign finance reports.*

21 17. The Third report cover contained copies of the PDC Forms C4, L1 and L3 filed
22 by Respondent Torelli.

23 18. When asked where the other documents for review were, (receipts, invoices,
24 copies of contribution checks, copies of canceled checks for expenditures, notes or other
25 documentation concerning expenditures, orders placed, loans and check register), Respondent
26 Torelli communicated to Declarants Lenk and Martin that his Treasurer from Blue Wave
27 Politics advised him that these were the only documents that would be provided for public
28 inspection as a "spreadsheet" was provided.

1 19. When Declarants Lenk and Martin asked about support materials for
2 contributions, especially the \$29,941.81 in-kind contribution by Respondent Torelli,
3 Respondent Torelli advised “you can contact my Treasurer”.

4 20. When Declarants Lenk and Martin asked about support materials for
5 expenditures, Respondent Torelli advised “you can contact my Treasurer”.

6 21. When Declarants Lenk and Martin asked about support materials for loans,
7 Respondent Torelli advised “you can contact my Treasurer”.

8 22. When Declarants Lenk and Martin asked about support materials for the payback
9 of loans, Respondent Torelli advised “you can contact my Treasurer”.

10 23. When Declarants Lenk and Martin asked about inspecting a register of checks for
11 expenditures, Respondent Torelli advised “you can contact my Treasurer”.

12 24. When Declarants Lenk and Martin asked about inspecting copies of checks for
13 contributions, Respondent Torelli advised “you can contact my Treasurer”.

14 25. Declarants Lenk and Martin posed multiple additional questions to Respondent
15 Torelli. Without exception, Respondent Torelli responded “you can contact my Treasurer”.

16 26. After their review, Declarants Lenk and Martin advised Respondent Torelli that
17 the spreadsheet provided in the second report cover did not meet the requirements of WAC 390-
18 16-043 (6) as enumerated in ¶16.⁸, and as such, the books of account must include the

18 8 WAC 390-16-043

19 Candidates and political committees—Public inspection of books of account.

- 20 (1) RCW 42.17A.005 defines "books of account" for candidates and political committees as "a ledger or similar
21 listing of contributions, expenditures, and debts, such as a campaign or committee is required to file regularly
22 with the commission, current as of the most recent business day."
23 (2) RCW 42.17A.225 and 42.17A.235 require that candidates and political committees participating in an election
24 as defined in RCW 42.17A.005, must make their books of account available for public inspection. The public
25 inspection of books of account is not intended to be an exhaustive audit of all contributions received and
26 expenditures made.
27 (3) Any individual who requests to publicly inspect the books of account of a candidate or political committee,
28 must make the request during the period beginning ten calendar days before a primary, general, or special
election, by contacting the filer's email address listed on the C-1 report for a candidate, or the C-1pc report for
a political committee.
(4) The inspection of the books of account may occur on weekdays, unless the treasurer for the candidate or
committee agrees otherwise, beginning on the eighth day before the election, excluding legal holidays, for at
least two consecutive hours between 9:00 a.m. and 5:00 p.m. at a location that is agreed upon by the treasurer
and the individual requesting the inspection. The inspection must be allowed within forty-eight hours of the
date and time the request was made at the agreed-upon location, provided that if the request is not made by
3:00 p.m. on the third day preceding an election, the candidate or political committee need only make best
efforts to accommodate the request.
(5) The treasurer for the candidate or committee may make the books of account available electronically, in lieu of
scheduling an in-person inspection, or if a location cannot be agreed upon by both parties. If the campaign's

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FIRST DECLARATION OF

ROGER LENK AND JERRY MARTIN - 6 of 9

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1 underlying source documents such as receipts, invoices, copies of contribution checks, copies of
2 canceled checks for expenditures, notes or other documentation concerning expenditures, orders
3 placed, loans and the check register. Respondent Torelli advised per his Treasurer, these
4 documents would not be provided for public inspection.

5 27. It should be noted that Respondent Torelli checked "Yes" on Item 5 of the PDC
6 Form C1 Candidates Registration indicating that consistent with WAC 390-05-243 the
7 Treasurer was only performing ministerial functions. *As such the Treasurer's functions were*
8 *limited to data entry, and filing PDC reports*⁹ (emphasis added). *Respondent Torelli was the*

9 only copy of its books of account is maintained electronically with security protections, the person requesting
10 the inspection must be given sufficient instruction to allow the inspection to proceed.

11 (6) *The books of account, ledger and other supporting documentation must be maintained by the treasurer and*
12 *kept current within one business day. The books of account of a candidate or political committee include*
13 *the following: A ledger, spreadsheet, or similar listing of contributions, expenditures, loans, debts and*
14 *obligations to substantiate the information disclosed on the PDC campaign finance reports. If a ledger is*
15 *not sufficiently kept, the books of account must include the underlying source documents such as receipts,*
16 *invoices, copies of contribution checks, copies of canceled checks for expenditures, notes or other*
17 *documentation concerning expenditures, orders placed, and loans. In the absence of those types of source*
18 *documents, the campaign or committee must make the check register available. The campaign or*
19 *committee is not required to provide the name and address of contributors who gave twenty-five dollars or*
20 *less in the aggregate in total contributions.* (Emphasis added).

21 (7) The candidate or political committee is not required to make copies of its books of account for the requestor.
22 Videotaping, photographing or photocopying of the records is not required to be permitted but may be agreed
23 to by both parties during or in advance of the inspection.

24 (8) At the time of making the appointment, the person requesting to inspect the books of account must provide the
25 name(s) and contact information for all individuals who will be in attendance for the inspection. The
26 requestor(s) must show photo identification prior to the inspection beginning, and the candidate or political
27 committee may deny the inspection from occurring if photo identification is not provided.

28 (9) The records required by this section shall be available for audit or examination by the PDC at any time upon
request from the PDC.

9 WAC 390-05-243

Ministerial functions by persons holding administrative offices.

As used in the act and in these rules:

(1) "Ministerial functions" means the activities and duties of an administrative office that satisfy RCW 42.17A.005
and require:

(a) Data entry for a candidate or political committee;

(b) Filing reports that have been reviewed and approved for filing by the candidate or political committee officer;

(c) Maintaining campaign finance and other similar records including making them available for inspection upon
direction by the candidate or political committee officer;

(d) Writing and depositing checks at the direction of the candidate or political committee officer;

(e) Communications related to ministerial functions (to respond to questions about data entry, to discuss or review a
candidate or committee's bank account balance, to schedule times to receive contribution checks at events, to
review reports with the candidate or committee prior to filing, and similar communications) but do not involve
attending strategy or campaign planning meetings or portions of meetings with candidates or political
committee officers or their agents; or

(f) Other similar campaign finance activities and duties.

(2) "Administrative office" means a person performing campaign finance related clerical support or recordkeeping
activities on behalf of candidates and political committees, when, for the purposes of RCW 42.17A.005, those
activities:

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jandrmartin@charter.net

1 *only individual authorized to and should have responded to the issues brought up by*
2 *Declarants Lenk and Martin in ¶¶18.-26. above. Respondent Torelli should not have*
3 *referred Declarants Lenk and Martin to the ministerial Treasurer.*

4 28. It is noted that the Blue Wave Politics website also indicates that their Treasurer
5 responsibilities are limited to “ministerial” functions¹⁰.

6 #####

- 7
- 8 _____
- 9 (a) Are directed by the candidate or political committee officer and require performance of activities by the
10 administrative office in a prescribed manner;
11 (b) Are approved by the candidate or political committee officer for whom the services are performed;
12 (c) Do not involve the exercise of personal judgment or discretion, including authorizing expenditures;
13 (d) Do not involve the disclosure, except as required by law, of any information regarding a candidate or
14 committee's plans, projects, activities or needs, or regarding a candidate's or committee's contributions or
15 expenditures that is not already publicly available, or otherwise engage in activity that is a contribution; and
16 (e) Do not involve the performance of functions other than ministerial functions.
17 (3) A person performing only ministerial functions on behalf of two or more candidates or political committees is
18 not:
19 (a) Considered an agent so long as they have no authority to authorize expenditures or make decisions on behalf of
20 the candidate or committee; or
21 (b) An officer pursuant to WAC 390-05-245. However, that person's name, address and title must be reported on
22 the C-1 or C-1pc registration form.

23 10 Compliance

- 24 • Aid the Committee in following campaign finance law where it pertains to contribution, disbursement and
25 reporting activity.
- 26 • Timely and efficiently enter, reconcile, and report contribution and disbursement disclosure information.
- 27 • Prepare and disseminate correspondence when additional information is required from donors.
- 28 • Conduct training seminars for campaigns and organizations on complying with campaign finance and
labor laws.

Accounting

- Provide full service accounting to accurately track receipts, disbursements, payroll, budgets, cash flow
along with bank reconciliations and payables tracking.
- Reconciliation of financial data with the disclosure reports.
- Annual reporting of W2, 1099's, 1120POL, and 990's.
- Utilize accounting processes to more efficiently manage and retain financial information.
- Conduct training seminars on creating and maintaining strong internal protocols, oversight and fraud
protection practices.

Reporting

- Prepare timely and accurate reports of disclosure information to the FEC, IRS, State, and Local election
commissions.
- Prepare and submit responses to election commission requests for information.

Fundraising

- Successful fundraising strategies tailored to meet any candidate or committee's specific needs and goals
from Local, state, and federal levels of government.
- Proven fundraising support through successful call time programs, event planning, and direct mail
solicitations.
- Skilled targeting and prospecting of donor networks of various politically engaged communities.

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Kennewick, WA 99336
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We declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED at Benton County, Washington, this 31st day of October, 2019.



JERRY MARTIN
Declarant

DATED at Franklin County, Washington, this 31st day of October, 2019.



ROGER LENK
Declarant

EXHIBIT A



(206) 682-7328

23 Oct 2019
09:09 AM

00:02:00



(206) 682-7328

23 Oct 2019
08:53 AM

00:01:15

EXHIBIT B

PUBLIC DISCLOSURE COMMISSION  711 CAPITOL WAY RM 206 PO BOX 40908 OLYMPIA WA 98504-0908 (360) 753-1111 Toll Free 1-877-601-2828		<h1>Candidate Registration</h1>		<h1>C1</h1> (1/2008)	100900359 AMENDS 100895636 04-30-2019
Candidate's Name (Give candidate's full name.) CHUCK TORELLI				Telephone Number 509-405-2156	
Candidate's Committee Name (Do not abbreviate.) CHUCK FOR CITY COUNCIL				Fax Number	
Mailing Address 3911 W 27TH AVE STE 101 PMB 71				Candidate's E-Mail Address CHUCK4CITYCOUNCIL@GMAIL-	
City KENNEWICK		County BENTON		Zip + 4 99337	
1. What office are you running for? CITY COUNCIL MEMBER				Legislative District, County or City CITY OF KENNEWICK	
2. Political party (if partisan office) NONE				Position No. 5	
3. Date of general or special election 11/05/2019				Do you now hold this office? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
4. How much do you plan to spend during your entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below. If no box is checked you are obligated to use Option II, Full Reporting. See instruction manuals for information about reports required and changing reporting options.					
<input type="checkbox"/> Option I MINI REPORTING: In addition to my filing fee of \$_____, I will raise and spend no more than \$5,000, including any charges for inclusion in state and local voters pamphlets. I will not accept more than \$500 in the aggregate from any contributor except myself.					
<input checked="" type="checkbox"/> Option II FULL REPORTING: I will use the Full Reporting system. I will file the frequent, detailed campaign reports required by law.					
5. Treasurer's Name and Address. Does treasurer perform <u>only</u> ministerial functions? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> . See WAC 390-05-243 and next page for details. List deputy treasurers on attached sheet. JAY PETTERSON 119 1ST AVE S STE 320, SEATTLE WA 98104				Daytime Telephone Number 206-682-7328	
6. Persons who perform only ministerial functions on your behalf <u>and</u> on behalf of other candidates or 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 on your behalf. List name, title and address. See next page for definition of "officer." <input type="checkbox"/> Continued on attached sheet.					
8. Campaign Bank or Depository BANK OF AMERICA		Branch DEXTER HORTON		City SEATTLE	
9. Related or Affiliated Political Committees. List name, address and relationship. <input type="checkbox"/> Continued on attached sheet.					
10. 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 4008 W 27TH AVE #101, KENNEWICK In order to make an appointment, contact the campaign at (telephone, fax, e-mail): 206-682-7328 ANNIE@BLUEWAVEPOLITICS.COM					
11. CERTIFICATION: I certify that this report is true, complete and correct to the best of my knowledge. Candidate's Signature CHUCK TORELLI					
				Date 04-30-2019	

Attachment to C1 – Candidate Committee Registration

Name CHUCK TORELLI

5. Deputy Treasurers Name and Address.

ANNIE LINDSEY

119 1ST AVE S STE 320, SEATTLE WA 98109

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

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

EXHIBIT C

From: [Roger Erich Lenk](mailto:Roger_Erich_Lenk)
To: ["ANNIE@BLUEWAVEPOLITICS.COM"](mailto:ANNIE@BLUEWAVEPOLITICS.COM); ["CHUCK4CITYCOUNCIL@GMAIL.com"](mailto:CHUCK4CITYCOUNCIL@GMAIL.com)
Bcc: jandrmartin@charter.net; [Roger E. Lenk](mailto:Roger_E_Lenk)
Subject: CHUCK TORELLI - RCW 42.17A.235 Campaign Books Review
Date: Wednesday, October 23, 2019 9:26:00 AM

This is in follow-up to my voicemails and telephonic conversation (directed to (206) 682-7328 regarding the review of Mr. Torelli's campaign books in accordance with RCW 42.17A.235.

As indicated, we will be at the location listed on your PDC C1 Candidate Registration form (4008 W 27TH AVE #101, KENNEWICK) on Friday, October 25, 2019 at 10:00 pm to review Mr. Torelli's campaign books.

As you are aware, Campaign books must be open to the public between 8 a.m. and 8 p.m. during the eight days before the election, except Saturdays, Sundays, and legal holidays. This appointment was made 48 hours in advance of the time and date necessary.

Thank you.

Roger Erich Lenk
1817 N. Road 76
Pasco, Washington 99301
(509) 542-0489
lenk.roger@gmail.com

EXHIBIT D

From: [Annie Lindsey](#)
To: [Roger Erich Lenk](#)
Cc: [Chuck Torelli](#)
Subject: Re: CHUCK TORELLI - RCW 42.17A.235 Campaign Books Review
Date: Wednesday, October 23, 2019 10:32:06 AM

Sounds good! A representative from the campaign will be there.

On Wed, Oct 23, 2019 at 9:26 AM Roger Erich Lenk <lenk.roger@gmail.com> wrote:

This is in follow-up to my voicemails and telephonic conversation (directed to (206) 682-7328 regarding the review of Mr. Torelli's campaign books in accordance with RCW 42.17A.235.

As indicated, we will be at the location listed on your PDC C1 Candidate Registration form (4008 W 27TH AVE #101, KENNEWICK) on Friday, October 25, 2019 at 10:00 pm to review Mr. Torelli's campaign books.

As you are aware, Campaign books must be open to the public between 8 a.m. and 8 p.m. during the eight days before the election, except Saturdays, Sundays, and legal holidays. This appointment was made 48 hours in advance of the time and date necessary.

Thank you.

[Roger Erich Lenk](#)

[1817 N. Road 76](#)

[Pasco, Washington 99301](#)

[\(509\) 542-0489](#)

lenk.roger@gmail.com

Annie Lindsey
Blue Wave Political Partners, LLC.
401 2nd Ave S Ste 303 Seattle, WA 98104
Cell: (425) 943-1523
She/Her



EXHIBIT E

From: [Chuck Torelli](#)
To: [Roger Erich Lenk](#)
Cc: [Annie Lindsey](#)
Subject: Re: CHUCK TORELLI - RCW 42.17A.235 Campaign Books Review
Date: Wednesday, October 23, 2019 3:57:08 PM

Hello Mr. Lenk,

Ms. Lindsey has advised me of your desire to review the campaign books. This Friday is too early per the PDC site and RCW 42.17A.235. The period begins Oct 26th: the reference is below.

Also per your request, there will be more than just yourself attending. Please identify the other party or parties who will be with you. My wife will be in attendance as well.

The venue and time (10:00) is fine but it has limited seating. It might be preferable to meet at the Kennewick library on Union Street or if it's more convenient, we could meet at either of the Pasco libraries. I've verified with the PDC that this would be appropriate for our purpose and does not present a problem with using public facilities.

Sincerely,
Chuck Torelli

(6)(a) The treasurer for a candidate or a political committee shall maintain books of account accurately reflecting all contributions and expenditures on a current basis within five business days of receipt or expenditure. During the ten calendar days immediately preceding the date of the election the books of account shall be kept current within one business day. As specified in the political committee's statement of organization filed under RCW [42.17A.205](#), the books of account must be open for public inspection by appointment at a place agreed upon by both the treasurer and the requestor, for inspections between 9:00 a.m. and 5:00 p.m. on any day from the tenth calendar day immediately before the election through the day immediately before the election, other than Saturday, Sunday, or a legal holiday. It is a violation of this chapter for a candidate or political committee to refuse to allow and keep an appointment for an inspection to be conducted during these authorized times and days. The appointment must be allowed at an authorized time and day for such inspections that is within forty-eight hours of the time and day that is requested for the inspection. The treasurer may provide digital access or copies of the books of account in lieu of scheduling an appointment at a designated place for inspection. If the treasurer and requestor are unable to agree on a location and the treasurer has not provided digital access to the books of account, the default location for an appointment shall be a place of public accommodation selected by the treasurer within a reasonable distance from the treasurer's office.

On Wed, Oct 23, 2019 at 9:26 AM Roger Erich Lenk <lenk.roger@gmail.com>

wrote:

This is in follow-up to my voicemails and telephonic conversation (directed to (206) 682-7328 regarding the review of Mr. Torelli's campaign books in accordance with RCW 42.17A.235.

As indicated, we will be at the location listed on your PDC C1 Candidate Registration form (4008 W 27TH AVE #101, KENNEWICK) on Friday, October 25, 2019 at 10:00 pm to review Mr. Torelli's campaign books.

As you are aware, Campaign books must be open to the public between 8 a.m. and 8 p.m. during the eight days before the election, except Saturdays, Sundays, and legal holidays. This appointment was made 48 hours in advance of the time and date necessary.

Thank you.

Roger Erich Lenk

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EXHIBIT F

EXHIBIT INTENTIONALLY BLANK