



**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.pdcc.wa.gov](http://www.pdcc.wa.gov)**

November 25, 2019

Delivered electronically to "chuck4citycouncil@gmail.com"

Subject: Complaint filed by Roger Lenk and Jerry Martin, PDC Case 59563

Dear Chuck Torelli:

Below is a copy of an electronic letter sent to Roger Lenk and Jerry Martin concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted in the letter to Roger Lenk and Jerry Martin, 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 complete and accurate record-keeping within one business day in the period ten days before an election. PDC staff expects Chuck Torelli to completely document all contribution and expenditure activity in the campaign books of account, and make that information available for public inspection in the future.

If you have questions, you may contact Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

/s

\_\_\_\_\_  
Fox Blackhorn  
Compliance Coordinator 2

Endorsed by,

/s

\_\_\_\_\_  
Barbara Sandahl  
Deputy Director  
For Peter Lavallee  
Executive Director



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November 25, 2019

Delivered electronically to “lenk.roger@gmail.com” and “jandrmartin@charter.net”

Subject: Complaint regarding Chuck Torelli, PDC Case 59563

Dear Roger Lenk and Jerry Martin:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 31, 2019. The complaint alleged that Chuck Torelli (Respondent), a 2019 candidate for City Council Member for the City of Kennewick may have violated RCW 42.17A.205 for failure to accurately disclose Treasurer performing more than ministerial duties on the Candidate Registration; and RCW 42.17A.235 for failure to maintain books of account and make them available for public inspection.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the responses provided by 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:

- The Respondent filed an initial Candidate Registration on March 29, 2019, designating Jay Peterson of Blue Wave Political Partners as the Ministerial Treasurer acting at the direction of the Respondent, and Annie Lindsey as the Deputy Treasurer in accordance with RCW 42.17A.205, designating “*annie@bluewavepolitics.com*” as the point of contact to schedule inspection of books of account.
- WAC 390-05-243 sets forth the duties and functions that may be performed by Ministerial Treasurers, including “[m]aintaining campaign finance and other similar records including making them available for inspection upon direction by the candidate or political committee officer.” WAC 390-05-243(1)(c).
- RCW 42.17A.235(6) requires the Treasurer for a candidate or political committee to maintain books of account and keep them current as of one business day in the period ten calendar days before an election, and make them available for public inspection by appointment upon request at a time and place agreed upon by the Treasurer and requestor.
- WAC 390-16-043 further clarifies the process for inspection of books of account, and necessary records, including a requirement that any request to inspect books be made “*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.*”
- The period of ten calendar days prior to the November 5, 2019, General Election, began October 25, 2019, and your request was improperly made on October 23, 2019;

nevertheless, the Respondent in good faith agreed to facilitate an inspection of books of account on October 28, 2019.

- WAC 390-16-043(6) sets forth the documentation that must be kept current within one business day in the campaign books of account, including, *“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 Respondent provided a copy of a spreadsheet of contributions and expenditures, but this document did not contain any information related to in-kind contributions, loans, debts, and obligations as required by WAC 390-16-043(6).
- The Respondent referred you to contact the Treasurer for access to additional documents to substantiate the reports, which is a proper function for a Ministerial Treasurer, but the books of account should have been current as of one business day, including all of this information, or you should have been provided access to underlying documentation, as required by RCW 42.17A.235 and WAC 390-16-043.
- The Respondent was under no obligation to provide access to Lobbyist Registration reports (L-1 reports) or Lobbyist Employer’s Annual Reports (L-3 reports), but did so in good faith at the time of the inspection.

Based on our findings staff has determined that, in this instance, failure to maintain books of account, current within one business day, does not amount to a violation that warrants further investigation.

PDC staff is reminding Chuck Torelli about the importance of complete and accurate record-keeping within one business day in the period ten days before an election. PDC staff expects Chuck Torelli to completely document all contribution and expenditure activity in the campaign books of account, and make that information available for public inspection in the future.

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 Fox Blackhorn at 1-360-753-1980 toll-free at 1-877-601-2828, or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

/s  
\_\_\_\_\_  
Fox Blackhorn  
Compliance Coordinator 2

Endorsed by,

/s  
\_\_\_\_\_  
Barbara Sandahl  
Deputy Director  
For Peter Lavalley  
Executive Director

cc: Chuck Torelli