



**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 • Website: www.pdca.wa.gov

January 8, 2020

Delivered electronically to “drew.dani.david.dae@outlook.com” and
“drew@dhooperfinancial.com”

Subject: Complaint filed by Chad Searls, PDC Case 60336

Dear Drew Hooper:

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

As noted in the letter to Chad Searls, 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.

However, pursuant to WAC 390-37-060(1)(d), this serves as a formal written warning concerning your failure to comply with the filing requirements noted in the enclosed letter sent to Mr. Searls. PDC staff expects you to timely register as a candidate in future years. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or 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

Sincerely,

Endorsed by,

/s

Tabatha Blacksmith
Compliance Coordinator

/s

Peter Lavalley
Executive Director



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January 8, 2020

Delivered electronically to "chadsearls@gmail.com" and "chadsearls@hotmail.com"

Subject: Complaint regarding Andrew "Drew" Hooper, PDC Case 60336

Dear Chad Searls:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on November 18, 2019. The complaint alleged that Andrew "Drew" Hooper, an elected official and 2019 candidate for Hospital Commissioner for Grays Harbor Hospital District 1, position 3, may have violated RCW 42.17A.205, .235 & .240 for failure to timely register as a candidate, and file *Cash Receipts Monetary Contributions* reports (C-3 reports) and *Campaign Summary Receipts & Expenditures* reports (C-4 reports), disclosing contributions and expenditures undertaken by the campaign.

PDC staff reviewed the allegations and evidence you submitted; the applicable statutes, rules, and reporting requirements; the responses provided by Drew Hooper (the "Respondent"); and the applicable PDC reports filed by the Respondent to determine whether the record supports a finding of one or more violations.

Based on staff's review, we found the following:

- Candidates are required to register with the PDC within two weeks of becoming a "candidate," as defined in RCW 42.17A.005(9) and WAC 390-05-200. Pursuant to RCW 42.17A.205, candidate committees are required to register with the PDC within two weeks of 1) being organized; or 2) first having the expectation of receiving contributions or making expenditures, whichever comes first. The *Candidate Registration* (C-1 report) serves the dual purpose of registering both the candidate and the candidate's committee.
- The Respondent filed as a candidate with Elections officials on May 14, 2019. Subsequently, a C-1 report was due to be filed by the Respondent with the PDC no later than May 29, 2019¹.
- The PDC notified the Respondent of the complaint and missing C-1 report by email on November 21, 2019 and again on December 6, 2019. The Respondent replied within four days of the second email and made a good-faith effort to resolve noncompliance by filing the missing report.
- The Respondent filed a *Candidate Registration* (C-1 report) with the PDC on December 10, 2019 – after the general election and 195 days late. On the form, the Respondent

¹ One business day added for legal holiday.

selected the mini-reporting option. Mini-reporters are not required to submit C-3 and C-4 reports to the PDC disclosing campaign contributions and expenditures.

- In the Respondent's email and telephone responses, dated December 10, 2019, he indicated that noncompliance was due to a misunderstanding regarding the registration requirements. The Respondent erroneously believed that he was not required to file a C-1 report because his campaign did not receive any contributions. The Respondent also indicated that he did not receive the PDC's first email notice and had been experiencing technical issues with his email.
- A good-faith omission and misunderstanding led to noncompliance.
- Noncompliance occurred late May through the time-sensitive period immediately preceding an election. Although the Respondent made a good-faith effort to comply by filing the C-1 report on December 10, 2019, the candidate's information was not submitted to the PDC until after the election and therefore deprived the public of critical information.
- The Respondent is an experienced candidate but one with limited filing experience due to his status as a mini reporter and has not been subject to prior PDC enforcement within the last five years.

Based on our findings, staff has determined that, in this instance, failure to timely register as a candidate does not amount to a violation that warrants further investigation.

Pursuant to WAC 390-37-060(1)(d), Drew Hooper will receive a formal written warning concerning his failure to timely register as a candidate. The formal written warning will include staff's expectation that Drew Hooper timely register as a candidate in future years. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

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

Sincerely,

/s

Tabatha Blacksmith
Compliance Coordinator

Endorsed by,

/s

Peter Lavalley
Executive Director

cc: Drew Hooper