



State of Washington

PUBLIC DISCLOSURE COMMISSION

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December 30, 2020

Sent electronically to Charles Eakins at [ceakins@gmail.com](mailto:ceakins@gmail.com)

Subject: Complaint regarding Recall Adam Fortney, PDC Case 69908

Dear Mr. Eakins:

The Public Disclosure Commission (PDC) has completed its investigation of your complaint received on May 4, 2020. Your complaint alleged that the Recall Adam Fortney (Committee) committed violations of RCW 42.17A in the 2020 election year.

Specifically, your complaint alleged that the Committee may have:

1. Failed to timely file a Committee Registration (C1pc) report (RCW 42.17A.205(1)(2)(d)). You provided/attached a screenshot of the Committee's GoFundMe page and website page (dated 5/4/2020) to document the alleged violation.
2. Failed to file timely Monetary Contribution reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports) – RCW 42.17A.235. You provided/attached a screenshot of the Committee's GoFundMe page and website page (dated 5/4/2020) to document the alleged violation(s).

**RCW 42.17A.205 (1)(2)(d)** requires political committees to file a committee registration with the Commission within two weeks of organization or within two weeks of a committee/organization's expectation of receiving contributions or making expenditures in any election campaign. Committees are required to include the name, address, and electronic contact information of its treasurer and depository, including the names, addresses, and titles of officers; or if it has no officers, the names, addresses, and titles of its responsible leaders.

**RCW 42.17A.235** and **.240** requires single election political committees and continuing political committees to file timely, accurate reports of contributions and expenditures. Under the full reporting option, until five months before the general election, C-4 reports are required monthly when contributions or expenditures exceed \$200 since the last report. C-4 reports are also required 21 and 7 days before each election in which the committee makes expenditures (except for a recall committee participating in the general election only), and in the month following the election. Contributions are reported weekly during the same time period and must be disclosed on Monday for contributions deposited during the previous seven days.

PDC staff reviewed your complaint, the response from the Committee, and the appropriate reports filed by the respondent with the PDC.

As a result of the investigation, staff found the following:

***Alleged failure to timely file a committee registration (RCW 42.17A.205). The complaint included a screen shot of the Recall Adam Fortney GoFundMe page and website page (dated 5/4/2020) as evidence of possible violation(s).***

- On April 23, 2020, the Committee filed a petition with the Snohomish County Auditor's office for recall of Sheriff Adam Fortney. The Committee therefore had a statutory obligation to file a Committee Registration with the PDC no later than two weeks from April 23, 2020.
- On May 22, 2020, Lori Shavlik filed a Committee Registration with the PDC on behalf of the Recall Adam Fortney Committee. The Committee Registration was due no later than May 7, 2020 and was filed 15 days late.

***Alleged failure to file timely C-3 and C-4 reports (RCW 42.17A.235). The complaint included a screen shot of the Recall Adam Fortney GoFundMe page and website page (dated 5/4/2020) as evidence of possible violation(s).***

- On June 11, 2020, the Committee filed a C-3 report disclosing \$4,225.00 in total monetary contributions received through GoFundMe in the month of May 2020.
- On June 11, 2020, the Committee also filed its first C-4 report for the month of May 2020. However, the \$4,225 in contributions received by the Committee beginning May 16, 2020 – May 31, 2020 (which were disclosed on the June 11, 2020 C-3 report referenced above) were not properly depicted on the C-4 as required.
- On the same day, June 11, 2020, PDC staff sent an email to the Committee treasurer/principal, Lori Shavlik, notifying her about the missing information on the C-4 and requested that the Committee amend its June 11, 2020 C-4 to include all activity that occurred in the month of May 2020, including contributions that were received by the Committee from May 16, 2020 – May 31, 2020. The Committee responded that the \$4,225 was not actually deposited in its account by GoFundMe until June 5, 2020.
- On July 7, 2020, the Committee filed the June C-4 report disclosing \$4,225 received from GoFundMe on June 5, 2020 (received in May 2020 but arrived in the Committee's bank account in June 2020 according to the Committee), including an additional \$530 received during the first week of June for total contribution received of \$4,755.
- On August 9, 2020, the Committee filed the July 2020 C-4. This report was later amended to show a \$1,082.86 in expenditures made by the Committee.
- On October 28, 2020, the Committee filed the August 2020 C-4 disclosing \$20 in contributions received and \$0.00 in contributions.
- On October 29, 2020, the Committee amended the August 2020 C-4 report and disclosed \$10 in contributions received and \$3,150.85 in expenditures made.
- On October 29, 2020, the Committee also filed its September C-4 report and amended a total of five C-4 reports to reflect the adjustments in the Committee's contributions, expenditures and loan(s).

After a careful review of the alleged violations and relevant facts, PDC staff has concluded its investigation.

Pursuant to WAC 390-37-060(1)(d), the Committee will receive a formal written warning concerning: (1) its failure to timely file a Committee Registration, as required by RCW 42.17A.205; and (2) its failure to file

timely, accurate C-4 reports disclosing contributions received and expenditures made by the Committee in the 2020 election year, as required by RCW 42.17A.235 and .240. The Committee will be informed that the Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

Because staff's investigation did not find evidence of violations warranting enforcement action beyond the Formal Written Warning described above, I am dismissing the remaining alleged violations in your complaint in accordance with WAC 390-37-070.

If you have questions, you may contact Erick Agina, Compliance Officer, at (360) 753-1111, toll-free at 1-877-601-2828, or by e-mail at [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov).

Sincerely,

*/s/ Peter Lavallee*

Peter Lavallee  
Executive Director

cc: Lori Shavlik, Recall Adam Fortney

