



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

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August 7, 2020

Delivered electronically to Glen Morgan at glen@wethegoverned.com

Subject: Complaint regarding Lorna Smith, PDC Case 73962

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on July 21, 2020. Your complaint alleged that Lorna Smith, a 2020 first-time candidate for County Commissioner in Jefferson County, may have violated RCW 42.17A.240 for failure to properly break down and describe expenditure details, as required in WAC 390-16-037 and WAC 390-16-205.

PDC staff reviewed your allegation; the applicable statute, rules, and reporting requirements; and the June and July 2020 Summary Campaign Contribution and Expenditure reports (C-4 reports) filed by the Lorna for Jefferson County Commissioner Committee (Campaign); and the August 4, 2020 response to the complaint provided by Eileen Loerch, Treasurer, on behalf of the Campaign.

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

- On February 14, 2020, Lorna Smith timely filed a Candidate Registration (C-1) report and selected the Full Reporting Option.

Alleged failure to properly break down and describe expenditure details – (RCW 42.17A.240, WAC 390-16-037 and WAC 390-16-205)

- Staff reviewed the description of the payments/expenditures made by the Campaign on the June and July 2020 C-4 reports and found that the expenses lacked proper description(s) and break down required by law/rule. For example, the Campaign did not break down the number of items purchased for *yard signs* and the details of the *Newspaper Ad* placed in June and July 2020 C-4 reports. The same applies to all the individual vendors paid in the month of June and July 2020 for items like *yard signs*, *avery card stock*, *stamps*, and *inkjet cartridges*. A more detailed description that includes the number of items bought, including sub-vendor information/identity if applicable, should have been included in the June and July 2020 C-4 reports by the Campaign.

- On August 3, 2020, the Campaign amended the pertinent C-4 reports and included detailed description of expenditures made and the number of items bought. In its response to this complaint, the Campaign by way of Eileen Loerch, Treasurer, stated, “On August 3, I corrected and submitted the applicable amended C-4s to include the dates of all newspaper and web advertisements and the number of items of campaign materials printed. Additionally, I have included specific descriptions of other services, other than printing, provided by those vendors, to avoid confusion. I apologize for this error and will review all applicable guidance and laws to help avoid such errors in the future. Ms. Smith is a first-time candidate, and I am a first-time Treasurer.”

Based on these findings staff has determined that, in this instance, the Campaign’s failure to properly and accurately describe the purpose of the expenditures, does not amount to a violation warranting further investigation.

There were a few expenditures made by the Campaign either to a vendor or consultant in the months of June and July 2020, for which a more detailed explanation or description such as the number of items bought should have been provided. However, this shortcoming is mitigated by the fact that the Campaign was responsive and amended the pertinent reports as soon as the deficiencies were brought to their attention. Additionally, Lorna Smith has no prior PDC violations.

However, Lorna Smith will receive a reminder letter concerning her 2020 Campaign’s failure to properly break down or describe monetary campaign expenditures, as required by RCW 42.17A.240, WAC 390-16-037 and WAC 390-16-205.

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 Erick Agina, Compliance Officer at 360-586-2869, toll-free at 1-877-601-2828, or by e-mail at erick.agina@pdc.wa.gov

Sincerely,

Endorsed by,

s/ _____
Erick Agina, Compliance Officer

s/ _____
Barbara Sandahl, Deputy Director for
Peter Lavalley, Executive Director

cc: Lorna D. Smith

