



**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

October 30, 2020

Delivered electronically to Lowell "Brad" Peck at "lbp1958@gmail.com"

Subject: Complaint filed by LaWanda Hatch, PDC Case 74917

Dear Mr. Peck:

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

As noted in the letter to Ms. Hatch, 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 the timely disclosure of all campaign activities, including the ending and beginning balances for each election. PDC staff expects in the future that you will timely file all campaign reports in accordance with PDC laws and rules.

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Electronically signed

Jennifer Hansen
Compliance Officer

Endorsed by,

Electronically signed

Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director



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October 30, 2020

Delivered electronically to LaWanda Hatch at “hatchlawanda@yahoo.com”

Subject: Complaint regarding Lowell “Brad” Peck, PDC Case 74917

Dear Ms. Hatch:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on August 6, 2020. The complaint alleged that that Lowell Peck, incumbent County Commissioner in Franklin County and candidate for re-election in the 2020 primary and general elections, may have violated: RCW 42.17A.235 and .240 for failure to timely and accurately file Monetary Contribution reports (C-3 reports) and Summary Full Campaign Contribution and Expenditure reports (C-4 reports), disclosing contributions and expenditures undertaken by the Campaign; and (2) RCW 42.17A.430 for improper disposal of surplus funds.

PDC staff reviewed the allegations; the applicable statutes, rules, and reporting requirements; the response 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:

- Lowell “Brad” Peck is a current County Commissioner in Franklin County after originally being elected in 2008, re-elected in 2012 and 2016, and is a declared candidate for re-election in the November 3, 2020 general election.
- The complaint specifically alleged that the last C-4 report filed by the 2016 Peck Campaign disclosed an ending balance that was not reflected in the beginning balance for the 2020 Campaign and that there was no explanation of how the funds might have been spent between the two elections.
- The 2016 Peck Campaign filed its initial C-4 report covering May 17 to 31, 2016 on June 10, 2016 with a zero balance on Line 1. At the time of the complaint, the last C-4 report submitted for the 2016 election covered November 1 to 30, 2016 and showed a cash on hand balance of \$774.64.
- In his written response, Mr. Peck described the work done by his previous 2016 Campaign treasurer, William Berkman, stating that Mr. Berkman had a strong accounting background but did not fully understand the process and requirements for campaign finance reporting. Mr. Peck stated his belief that “all the funds have been accounted for...despite the poor quality, inaccurate reporting” and that there was never any attempt to use or report funds improperly. Mr. Berkman passed away in early 2020 and the 2020

Campaign treasurer, Ella Childers, made the necessary corrections to the 2016 and 2020 reports. He further stated that he will secure help from professionals well acquainted with PDC procedures and requirements in the future.

- Upon receipt of the complaint, the 2016 Peck Campaign submitted two new C-4 reports covering the time periods of December 1 to 31, 2016 and January 1, 2017 to April 30, 2020. The latter report included bank charges totaling \$97, which was the only activity not previously disclosed for this time period and ended with a cash on hand balance of \$936.98.
- The 2016 submitted several amended C-4 reports in order to correct the carry forward balances from one reporting period to the next. The committee made further changes to four of the seven originally submitted C-4 reports by adding or adjusting previously disclosed monetary contributions and expenditures as noted in the chart below.

C-4 START DATE	C-4 END DATE	ORIG. CASH (LINE 2)	AMENDED CASH (LINE 2)	ORIG. EXPENDITURE AMT. (LINE 11)	AMENDED EXPENDITURE AMT. (LINE 11)
7/26/2016	8/31/2016	\$1750.00	\$250.00	\$84.71	\$200.00
9/1/2016	10/17/2016	\$1600.00	\$1500.00	\$325.98	\$2881.65
10/18/2016	10/31/2016	\$25.00	\$125.00	\$2907.71	\$2473.00
11/1/2016	11/30/2016	\$0	\$0	\$800.00	\$950.00

- Two of the changes not previously disclosed included a \$2,544 expenditure made on October 16, 2016 and a \$150 expenditure made on November 10, 2016, both for advertising costs.
- All six of the C-4 reports disclosing activity for the 2020 Campaign were resubmitted to reflect the accurate carry forward amount of \$936.98 left at the conclusion of the 2016 Campaign and to account for the new carry forward amounts from one C-4 reporting period to the next.

It appears that the discrepancy between the original ending balance of the 2016 Peck Campaign and the beginning balance used for the 2020 Peck Campaign, was due to a series of minor bookkeeping errors and the previous treasurer's general lack of knowledge of PDC laws and rules. Staff found Mr. Peck and the campaign's current treasurer to be cooperative in making the necessary corrections to the 2016 and 2020 C-4 reports. Mr. Peck has not been found in violation of PDC laws or rules during the last five years.

Based on our findings staff has determined that, in this instance, failure to timely disclose the accurate carry forward amount from a 2016 election campaign to a 2020 election campaign does not amount to a finding of a violation that warrants further investigation.

PDC staff is reminding Mr. Peck about the importance of the timely disclosure of all campaign activities, including the ending and beginning balances for each election, and the timely filings of all future PDC reports in accordance with the statutes and 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 Jennifer Hansen at 1-360-586-4560 toll-free at 1-877-601-2828, or by e-mail at pdc@pdc.wa.gov.

Sincerely,

Electronically signed

Jennifer Hansen
Compliance Officer

Endorsed by,

Electronically signed

Barbara Sandahl
Deputy Director
For Peter Lavallee
Executive Director

cc: Lowell "Brad" Peck