



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

April 7, 2021

Sent electronically to majuropat@gmail.com

Subject: Complaint filed by Kathleen Wierschke, PDC Case 83824

Dear Patrick Bauguess, Treasurer for Retain Sheriff Hatcher (Committee):

Enclosed is a copy of an electronic letter concerning a complaint filed January 11, 2021 with the Public Disclosure Commission (PDC) alleging Retain Sheriff Hatcher (Committee) violated 42.17A.205 by failing to timely register the committee and RCW 42.17A.235 and .240 by failing to timely and accurately disclose contributions and expenditures.

As noted in the letter to Kathleen Wierschke, 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.

Pursuant to WAC 390-37-060(1)(d), however, this letter serves as a formal written warning concerning the Committee's failure to timely report as required. Staff expects the Committee will, in the future, timely and accurately file PDC reports and disclose contributions and expenditures as required by law.

The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

If you have questions, contact Alice Fiman toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

/s _____

Alice Fiman
Compliance Officer

Endorsed by,

/s _____

Peter Lavalley
Executive Director



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April 7, 2021

Sent electronically to recallhatcher@gmail.com

Subject: Complaint regarding Retain Sheriff Hatcher, PDC Case 83824

Dear Kathlen Wierschke:

The Public Disclosure Commission (PDC) completed its review of the complaint you filed January 11, 2021. Your complaint alleged Retain Sheriff Hatcher (Committee) violated 42.17A.205 by failing to timely register the committee and RCW 42.17A.235 and .240 by failing to timely and accurately disclose contributions and expenditures.

PDC staff reviewed the allegations; the materials you provided; the applicable statutes, rules, and reporting requirements; the relevant PDC reports; and the response from Patrick Bauguess, Treasurer for Retain Sheriff Hatcher (Committee), to determine whether the record supports a finding of one or more violations. Based on staff's review, we found the following:

- As of the date you filed the complaint, the Committee had filed no Monetary Contributions (C-3) reports or Summary Receipts and Expenditure (C-4) reports.
- In response to the complaint, Bauguess stated "I assumed that the Recall would be run under Sheriff Hatcher's old campaign. At the time I was made aware by the PDC that a new campaign would need to be filed I followed their instructions and filed the new campaign which was approved December 1, 2020. In short I accept responsibility for the late filings as this is all new to me."
- Bauguess stated donations were first received in August 2020 with the Committee raising funds via "facebook and in person," noting the first bank deposit was August 13, 2020 and the first Committee expense was made on September 29, 2020.
- A political committee that organizes more than three weeks before the election is required to register within two weeks of forming a committee or expecting to receive or spend funds.
- The Committee registered with the PDC on December 1, 2020, as a ballot-proposition Committee, opposing the recall of Jerry Hatcher, under full reporting. This registration was 97 days late.
- In the response, received by the PDC on January 29, 2021, Bauguess stated "At this time I am working through the requisite filings, and expect them to be finished today, barring any new computer problems."
- On March 3, 2021, the Committee filed 20 C-3 reports and five C-4 reports, covering the months of August 2020 through January 2021. These reports were filed between 21 and 198 days late.

- On March 16, 2021, the Committee filed an amended C-4 report for February 2021, reporting a total of \$5,472.61 in contributions and \$2,329.59 in expenditures to date, with \$3,143.02 cash on hand. This report was originally filed timely on March 9, 2021.
- On April 7, 2021, the Committee filed a C-4 report for March 2021, listing a \$470 expenditure to the Committee to Elect Jerry Hatcher for “signs purchased.” The report was filed timely.

Based on these findings, and the fact the recall has not been set for an election, and thus the public has not been deprived of important information at a critical juncture, staff has determined in this instance, the Committee’s failure to timely register and disclose contributions and expenditures does not amount to a finding of a violation that warrants further investigation.

However, pursuant to WAC 390-37-060(1)(d), Retain Sheriff Hatcher will receive a formal written warning concerning the failure to timely register, and file and report contributions and expenditures. The formal written warning includes staff’s expectation the Committee will, in the future, timely and accurately file PDC reports and disclose contributions and expenditures as required by law.

The Commission will consider the formal written warning in deciding on future 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, contact Alice Fiman toll-free at 1-877-601-2828, or by e-mail pdcc@pdc.wa.gov.

Sincerely,

/s _____
Alice Fiman
Compliance Officer

Endorsed by,

/s _____
Peter Lavalley
Executive Director