



**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: pdc@pdc.wa.gov • Website: www.pdc.wa.gov

September 19, 2021

Delivered electronically to Ernestine Champeaux at “tinac21747@aol.com”

Subject: Complaint regarding Griffin Berger, PDC Case 97624

Dear Ernestine Champeaux:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on August 17, 2021. The complaint alleged that Griffin Berger, a candidate for Port Commissioner for Port of Skagit in the 2021 primary election, may have violated RCW 42.17A.205 for failure to timely register as a candidate within two weeks of submitting a Declaration of Candidacy.

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

- On May 21, 2021, Griffin Berger declared his candidacy for Port Commissioner for the Port of Skagit in the 2021 election by submitting a Declaration of Candidacy with the Secretary of State’s Office.
- RCW 42.17A.005(8) defines the term “candidate” and specifically includes any individual who seeks nomination for election or election to public office by making a public announcement or filing for office.
- The C-1 was due within two weeks of Mr. Berger becoming a candidate, or no later than June 4, 2021.
- As a candidate in the 2021 election, Mr. Berger was included in a group enforcement process and received a group enforcement warning notice dated June 15, 2021 regarding the missing C-1 report. The warning gave all recipients the opportunity to submit the missing reports by July 14, 2021 to avoid additional enforcement action.
- In response to the warning notice, Mr. Berger submitted a C-1 report electronically on June 18, 2021.
- The C-1 report submitted by Mr. Berger mistakenly identified his election year as 2022 rather than 2021 as intended.
- Mr. Berger confirmed that he was only registering a candidate campaign for election year 2021 and worked with PDC staff to correct the registration election year.

Griffin Berger was a candidate for Port Commissioner for Port of Skagit in the 2021 election and was required to file the C-1 report by no later than June 4, 2021. Mr. Berger filed a C-1 report fourteen days late and with an incorrect election year. However, it appears that the late and

incorrect reporting was due to lack of knowledge of the Respondent and not done to deprive the public of campaign information.

Based on our findings staff has determined that, in this instance, failure to timely file the C-1 report as a 2021 candidate within two weeks of declaring candidacy does not amount to a finding of a violation that warrants further investigation.

PDC staff is reminding Griffin Berger about the importance of the timely registration of his candidate campaign 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 pdcc@pdcc.wa.gov.

Sincerely,

Electronically signed

Jennifer Hansen
Compliance Officer

Endorsed by,

Electronically signed

Kim Bradford
Deputy Director
For Peter Lavallee
Executive Director

cc: Griffin Berger