



**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

March 28, 2022

Delivered electronically to Glen Morgan at “glen@wethegoverned.com”

Subject: Complaint regarding King County Democratic Central Committee, PDC Case 102184

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on December 30, 2021. The complaint alleged that the King County Democratic Central Committee, a county bona fide political party committee, may have violated: (1) RCW 42.17A.240 for failure to accurately identify a Limited Liability Company (LLC) as an in-kind contributor on Summary Full Campaign Contribution and Expenditure report (C-4 report) for January 2019; (2) RCW 42.17A.235 for failure to timely file the C-4 report for January 2019; and (3) RCW 42.17A.235 for failure to timely amend C-4 reports for January 2019 through April 2019 within 21 days.

PDC staff reviewed the allegations and supporting documentation; the applicable statutes, rules, and reporting requirements; the response provided by Deputy Treasurer, Jason Bennett, on behalf of 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:

- During calendar year 2019, the King County Democratic Central Committee (KCDCC) was registered with the PDC as a county bona fide political party committee under the “Full Reporting” option.

Allegation One: Failure to accurately identify the true source of two in-kind contributions

- The complaint alleged that the January 2019 C-4 identified the source of two in-kind contributions as Melissa Taylor but should have identified Ms. Taylor’s LLC, Civic Mpowerment, as the source.
- On February 4, 2019, KCDCC submitted an original C-4 report for the month of January 2019 disclosing \$3,695.50 in total in-kind contributions. Two of the three in-kind contributions, the first made on January 3, 2019, in the amount of \$2,199.33 for “operational support (Bevin McLeod)” and the second made on January 11, 2019, in the amount of \$1,099.67 for “fundraising support (Bailey Boyd),” were originally attributed to Melissa Taylor, which the complainant alleges is not accurate.
- RCW 42.17A.240 requires that each contribution more than \$25 in the aggregate be itemized with at least the dollar amount, name and address of the donor, and for in-kind contributions, a description of the goods or services donated.

- WAC 390-16-308 describes the method a committee should use to identify the source of a contribution for disclosure purposes.
- In the response, Mr. Bennett stated that the two in-kind contributions were originally attributed to Melissa Taylor as an individual because she is 100% owner of the LLC discussed in the video evidence. In addition, Mr. Bennett stated that since Ms. Taylor is a board member of KCDCC it is more transparent and accurate to reflect the donation as coming from her rather than her business.
- After staff's request for a closer review of the source of the in-kind donations, KCDCC submitted an amendment to the January 2019 C-4 report on March 9, 2022 and updated the source of contributions to Civic Mpowerment dba Melissa Taylor.

Allegation Two: Failure to timely file the January 2019 C-4 report

- The complaint alleged that KCDCC failed to timely file the January 2019 C-4 report.
- RCW 42.17A.235 requires political committees that selected the "Full Reportion" option and participated in the 2019 primary and general elections by making or receiving contributions, were required to file monthly C-4 reports for the periods January 1 through May 31, 2019, December 1 through 31, 2019, and are due by the 10th of the month if \$200 in contributions has been received or \$200 in expenditures have been made since the last C-4 was filed.
- During the investigation, staff found that the January 2019 C-4 report was originally submitted on February 12, 2019, one day past the statutory deadline and was later amended on May 31, 2019, with minor changes and again on March 9, 2022 to update the source of the January 2019 in-kind contributions described in allegation one.
- Staff is dismissing the allegation regarding the failure to timely submit the original January C-4 report due to an agency noticed service outage which extended the February 11, 2019 deadline to February 12, 2019.

Allegation Three: Failure to timely file amended C-4 reports covering January 2019 to April 2019 within 21 days

- The complaint alleged that KCDCC failed to timely file amended C-4 reports within 21 days as described in statute.
- RCW 42.17A.235(11) states in part that when there is not a pending complaint concerning a report, it is not evidence of a violation of this section to submit an amended report within twenty-one days of filing an initial report under specific circumstances listed in this section.
- KCDCC filed the original and two amended C-4 reports for January 2019 as noted above.
- On March 11, 2019, KCDCC filed an original February 2019 C-4 report and amended it on May 31, 2019, to add \$796.99 in contributions and add \$875.91 in expenditures.
- On April 10, 2019, KCDCC filed an original March 2019 C-4 report and amended it on May 31, 2019, to subtract \$797.20 in contributions and subtract \$875.91 in expenditures.
- On May 10, 2019, KCDCC filed an original April 2019 C-4 report and amended it on June 1, 2019, to subtract \$992.03 in contributions and subtract \$1,070.74 in expenditures.
- In his response, Mr. Bennett stated that the amended C-4 reports were necessary in order to disclose refunded contributions and corrections for expenditures when the check has not cleared the bank. In addition, Mr. Bennett stated that he believed KCDCC made the amendments in good faith and in accordance with written and verbal guidance from PDC staff.

It appears that the alleged late reporting of amended C-4 reports for January 2019 to April 2019 were done to ensure contribution and expenditure totals were accurate and up to date. Four of the five amended reports were made more than two months prior to the August 6, 2019 primary election and accounted for 3.5% of the total contributions and 5% of the total expenditures disclosed for calendar year. Further, it appears that the alleged incorrect disclosure of the two January 2019 in-kind contributions was due to the Respondent's desire for more transparency given the relationship of the donor to her business and to the Respondent. Staff found no evidence that the errors were intentional or done to confuse or mislead the public.

Based on our findings staff has determined that, in this instance, failure to timely file four amended C-4 reports for January 2019 to April 2019 and failure to identify the accurate source of two in-kind contributions on the January 2019 C-4 report, does not amount to a finding of a violation that warrants further investigation.

Pursuant to WAC 390-37-060(1)(d), however, King County Democratic Central Committee will receive a formal written warning concerning failure to timely disclosure the accurate source of in-kind contributions and failure to file timely amendments to C-4 reports within 21 days. The formal written warning will include staff's expectation that KCDCC timely files all future required reports of contributions and expenditures including amendments when necessary. The Commission will consider the formal written warning in deciding on further 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, 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

Peter Frey Lavalley
Executive Director

cc: King County Democratic Central Committee