



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.pdcc.wa.gov

Memorandum

To: Nancy Isserlis, Public Disclosure Commission Vice-Chair/Presiding Officer

From: Kurt Young, Compliance Officer

Date: April 4, 2023

Subject: Donald Golden: Amended Brief Enforcement Hearing Memorandum:
PDC Case 111418

Allegations:

- PDC staff alleges that Donald Golden, a first-time candidate for public office in 2018 seeking the office of State Representative in the 27th Legislative District, violated RCW 42.17A.235 and .240 by failing to file Monetary Contributions reports (C-3 reports) and Summary Full Reporting of Contribution and Expenditures Reports (C-4 reports) disclosing contribution and expenditure activities in support of his candidacy.
- On August 4, 2022, the PDC received a complaint from Connor Edwards that was filed against Donald Golden alleging violations of RCW 42.17A.235 and .240 by failing to file C-3 and C-4 reports disclosing contribution and expenditure activities undertaken during the 2018 election cycle.

Background and Prior Violations:

- On July 12, 2018, Donald Golden filed a Candidate Registration (C-1 report) declaring his candidacy for the office of State Representative in the 27th Legislative District, Position 2 in 2018 as an Independent candidate, selecting the Full Reporting Option and listing himself as the Campaign Treasurer.
- Despite selecting the Full Reporting Option, Mr. Golden failed to file any C-3 and C-4 reports during the 2018 election cycle, while his name appeared on both the 2018 primary and general election ballots.
- Jake Fey, incumbent State Representative in the 27th Legislative District in 2018, was Mr. Golden's opponent appearing on both the 2018 primary and general election ballots, having been elected to office in 2012. He was re-elected State Representative in 2014, 2016, and was re-elected in 2018 receiving 70.4% of the primary vote and 71.2% of the vote in the general election, as well as 2020 and 2022.

- For the 2018 election cycle, the Jake Fey Campaign disclosed receiving \$181,626 in total contribution received, and \$101,236 in total expenditures that included \$70,000 being transferred to the Jake Fey Surplus Funds Account on August 11, 2018.
- No prior PDC violations have been found or complaints filed against Mr. Golden, and his Campaign for State Representative in 2018 was the only election in which he has filed as a candidate for elective. PDC staff could not find any record of him being a candidate prior to or after 2018 election cycle.
- PDC staff sent the following communications to Mr. Golden using the official email and mailing addresses he provided to the PDC on his 2018 Candidate Registration:
 1. On August 10, 2022, PDC staff sent an email to Donald Golden at the most current email address he provided on his Candidate Registration filed in 2018, informing him that a complaint had been filed and requesting he respond to the complaint and staff's questions.
 2. On September 22, 2022, PDC staff sent a follow-up email to Mr. Golden informing him about the complaint filed and requesting he respond to the complaint and staff's questions.
 3. On October 26, 2022, PDC staff sent an email to Mr. Golden informing him that staff has not received a response and has scheduling an Initial Hearing for November 1, 2022.
 4. On November 1, 2022, PDC staff sent an email to Mr. Golden informing him that a formal investigation has been opened and attaching the Initial Hearing results.
 5. On January 16, 2023, Donald Golden sent an email to PDC staff stating "I never heard back from you, and I assume the complaint filed by Connor Edwards is satisfied. I lost the election and did not raise much money. I abandoned the website shortly after the election and never checked it. Don Golden."
 6. On January 17, 2023, PDC staff sent an email to Mr. Golden stating in part "I could not find that you had submitted a formal response to the complaint filed by Mr. Edwards, so the complaint filed by Mr. Edwards has not been resolved or satisfied. Did you submit a written response to the complaint, either by email or by US mail? If yes, can you either re-send it or scan the response in as a PDF copy and resend it by email on this string? If no, can you please send a short response to the complaint concerning the lack of filing reports for your 2018 Campaign, and briefly summarize your contribution and expenditure activities....Kurt"
 7. February 24, 2023, PDC staff mails and emails Mr. Golden copies of the BAP Hearing Notice and the PDC Enforcement Guide.

Staff Recommendation:

Staff recommends the Presiding Officer find that Donald Golden violated RCW 42.17A.235 and .240 by failing to file any C-3 and C-4 reports for his candidacy for State Representative in the 27th Legislative District as a 2018 candidate under the Full Reporting Option.

Staff recommends the Presiding Officer assess a \$150 civil penalty in accordance with WAC 390-37-143, the BAP penalty schedule for a first-time candidate with no prior PDC violations, and the \$150 penalty payable within 30 days of the date of the Order.