



**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

February 2, 2023

Delivered electronically to Ranked Choice Voting for Clark County at info@argo.us

Subject: Complaint filed by Bill Bangs, PDC Case #114357

Dear Jason Bennett:

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

As noted in the letter to Mr. Bangs, 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.

If you have questions, you may contact Tanya Mercier at 1-360-586-4746 toll-free at 1-877-601-2828, or by e-mail at pdc@pdc.wa.gov.

Sincerely,

Endorsed by,

/s/ Electronically signed

Tanya Mercier
Compliance Officer

/s/ Electronically signed

Kim Bradford
Deputy Director
For Peter Frey Lavalley
Executive Director



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February 2, 2023

Delivered electronically to Bill Bangs at wjbangs@gmail.com

Subject: Complaint regarding Ranked Choice Voting for Clark County, PDC Case #114357

Dear Bill Bangs:

The Public Disclosure Commission (PDC) has completed its review and assessment of the complaint you filed on November 15, 2022. The complaint alleged that Ranked Choice Voting for Clark County, a local ballot proposition committee supporting Clark County Proposed Charter Amendment No. 10, may have violated RCW 42.17A.320 for failure to include full sponsorship identification including accurate top five donors' information on a campaign website.

PDC staff reviewed the allegation(s); the applicable statutes, rules, and reporting requirements; the response(s) provided by the Respondent and Complainant; the applicable PDC reports filed by the Respondent; the Respondent's data in the PDC contribution and expenditure database; and other relevant information, to determine whether the record supports a finding of one or more violations.

Based on staff's review, we found the following:

- On March 16, 2022, the Ranked Choice Voting for Clark County committee filed Committee Registration (C-1PC) with the PDC and selected the Full Reporting Option.
- The Complainant reported the committee maintained a campaign webpage and provided a screen shot, from approximately November 15, 2022, of the webpage. The webpage indicated the top five contributors to the campaign as Robert Poore, FairVote Washington, David Bangs, Rebecca Liebman, and Shel Kaphan. The Complainant believes FairVote Action, which contributed \$50,000 to the committee on Oct. 21, 2022, should have been identified on the webpage.
- Jason Bennett, Ministerial Treasurer for the committee, indicated the webpage was created approximately in late August 2022. It was "updated at least twice since the ballots dropped in October" but because the site had been deleted at the time the complaint review was occurring, logs of when the webpage was updated no longer exist. Nevertheless, based on PDC staff's use of a web archiving tool, <https://web.archive.org/>, two instances of the webpage were discovered from October 4, 2022, and October 12, 2022. The 10/4/22 archived webpage did not appear to show top five contributors, but the top five contributors were identified on the 10/12/22 archived webpage and were the same donors as provided in Mr. Bangs' complaint screen shot from November 15, 2022.

- On May 25, 2022, FairVote Washington made an in-kind contribution of \$15,375 to the committee. PDC staff reviewed the C-3 reports and confirmed the other identified donors also donated during the period specific to the first instance of the top five contributors being identified on the webpage. These donors met the statutory definition of a top five contributor per WAC 390-18-025.
- The committee did timely submit all required reports for Cash Receipts Monetary Contributions (C-3) and Summary Full Reports Receipts and Expenditures (C-4). These reports appear to accurately identify contributors, cash or in-kind amounts donated, debts and obligations. The committee filed a C-3 on January 27, 2023, reporting a cash contribution, received on 1/19/23, from FairVote Washington and a C-4 for the period 1/1/23-1/31/23 reporting all prior obligations as zero balances.
- Respondent does not have previous warnings or violations of PDC requirements.

The date a committee webpage was accessed is not determinative of whether the identification of top donors was accurate in this case. WAC 390-18-025 identifies the “date on which the advertisement is published or otherwise presented to the public” is the point-in-time date which the top five contributors must be identified. As well, there is no statutory obligation to continually update a webpage if larger contributions are received once the webpage is published.

Based on our findings staff has determined that, in this instance, no evidence supports a finding of a violation that warrants further investigation.

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 Tanya Mercier at 1-360-586-4746 toll-free at 1-877-601-2828, or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

/s/ Electronically signed
Tanya Mercier
Compliance Officer

Endorsed by,

/s/ Electronically signed
Kim Bradford
Deputy Director
For Peter Frey Lavalley
Executive Director

cc: Ranked Choice Voting for Clark County