



**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.pdcca.wa.gov

January 2, 2020

Delivered electronically to "lenk.roger@gmail.com"

Subject: Complaint regarding Perfect Privacy, LLC; Dave Retter; Kris Watkins; and Citizens for the Link Entertainment Center, PDC Case 28028

Dear Roger Erich Lenk:

The Public Disclosure Commission (PDC) has completed its review of the portion of your complaint filed September 11, 2017 and December 3, 2017 concerning allegations that Perfect Privacy, LLC, Dave Retter, Kris Watkins, and Citizens for the Link Entertainment Center may have violated RCW 42.17A.205, .235, and .240 by creating and operating an unregistered political committee (Citizens for the Link Entertainment Center) that sponsored political advertising and promoted passage of Proposition 17-4, a ballot measure on the November 7, 2017 general election ballot. These allegations are being handled separately from the portion of your complaint that were addressed at the Case Status Review (Initial Hearing) concerning the alleged use of public facilities to promote Proposition 17-4, referenced below.

The remaining allegations in your complaint, alleging that Corey Pearson, Executive Director, VenuWorks, and Barbara Johnson, then-President, Kennewick Public Facilities District, may have violated RCW 42.17A.555 by using the public facilities of the Kennewick Public Facilities District to promote Proposition 17-4 remain under investigation after having been converted to a formal investigation when a Case Status Review (Initial Hearing) was held December 20, 2019.

PDC staff reviewed your allegations that Perfect Privacy, LLC, Dave Retter, and Kris Watkins may have violated RCW 42.17A.205, .235, and .240 by creating and operating an unregistered political committee that sponsored political advertising and promoted passage of Proposition 17-4. PDC staff also reviewed the applicable statutes, rules, and reporting requirements, and the applicable PDC reports filed by Citizens for the Link Entertainment Center, to determine whether the record supports a finding of one or more violations.

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

- The complaint alleged Perfect Privacy, LLC failed to register a political committee and report its activities after securing a website at www.thelinktc.com on July 7, 2017, to promote passage of what became Proposition 17-4.

- Perfect Privacy, LLC was a vendor hired by Focalpoint Marketing & Multimedia on behalf of the Kennewick Public Facilities District (KPFDD), to assist with the preparation and dissemination of KPFDD's presentation to the public about Proposition 17-4. The cost of securing the website was not paid for by Citizens for the Link Entertainment Center, the political committee that later registered with the PDC to support Proposition 17-4. As a vendor for KPFDD, Perfect Privacy, LLC had no requirement to register a political committee or report its activities to the PDC.
- The complaint also named Dave Retter and Kris Watkins as Respondents, apparently for being associated with supporting Proposition 17-4, but did not allege any violations by these individuals.
- The complaint appears to allege that Citizens for the Link Entertainment Center engaged in reportable political activity without registering or reporting to the PDC as a political committee. Citizens for the Link Entertainment Center registered with the PDC on September 15, 2017, four days after your complaint was filed on September 11, 2017. The committee registration listed Eric Van Winkle as its campaign manager and Ella Childers as its treasurer.
- The committee timely filed its first C-3 report of contributions on September 21, 2017 for a contribution received September 20, 2017. The committee timely filed its first C-4 report on October 17, 2017 for the 21 day pre-general election C-4 covering the period September 1 through October 16, 2017, listing its first expenditure for political advertising as occurring on September 22, 2017.

Based on these findings, staff has determined that Citizens for the Link Entertainment Center timely registered and reported to the PDC. Concerning Perfect Privacy, LLC, Dave Retter, and Kris Watkins, no evidence was provided supporting a finding of a violation warranting further investigation.

Based on this information, the PDC finds that no further action is warranted concerning the allegations described above, and has dismissed the portion of your complaint alleging violations by Perfect Privacy, LLC, Dave Retter, Kris Watkins, and Citizens for the Link Entertainment Center, in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Phil Stutzman at 360-753-1111, toll-free at 1-877-601-2828, or by e-mail at pdc@pdc.wa.gov.

Sincerely,
/s _____
Phil Stutzman
Compliance Officer

Endorsed by,
/s _____
Barbara Sandahl
Deputy Director
For Peter Lavalley
Executive Director

cc: Perfect Privacy, LLC; Dave Retter; Kris Watkins; Ella Childers, Treasurer, Citizens for the Link Entertainment Center; and Eric Ferguson, Counsel, Kennewick Public Facilities District