



**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

January 30, 2024

Delivered electronically to Keren Vazquez at sunnysidekeren@gmail.com

Subject: Complaint filed by Michelle Perry, PDC Case 143910

Dear Keren Vazquez:

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

As noted in the letter to Michelle Perry, the PDC conducted a case review into the allegations and pursuant to WAC 390-37-060(1)(f) we entered a Statement of Understanding with you. The PDC has dismissed this matter following RCW 42.17A.755(1) and will not take any further enforcement action.

PDC staff is in receipt of the Statement of Understanding (SOU) you signed, and the payment of the \$150 civil penalty assessed in this matter, per WAC 390-37-143 (Brief Enforcement Penalty Schedule). This resolves the violation of RCW 42.17A.205, WAC 390-16-105 and WAC 390-16-115 by converting to the Mini Reporting option when your campaign was not eligible; RCW 42.17A.220 by failing to deposit contributions within five business days of receipt; and RCW 42.17A.235 and .240 by failing to timely and correctly file campaign reports (C-3 and C-4 reports) disclosing contributions and expenditures undertaken by my Campaign.

PDC staff expects that, in the future, you follow all applicable PDC laws, rules and guidance. If violations of PDC laws or rules occur in the future, the Commission will consider this SOU in deciding on further Commission action.

If you have questions, you may contact Tanya Mercier by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

/s/ Electronically signed

Tanya Mercier
Compliance Officer

Endorsed by,

/s/ Electronically signed

Peter Frey Lavalley
Executive Director



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January 30, 2024

Delivered electronically to Michelle Perry at mlperry91@yahoo.com

Subject: Complaint against Keren Vazquez, PDC Case 143910

Dear Michelle Perry:

The Public Disclosure Commission (PDC) has completed its review and assessment of the complaint you filed on October 12, 2023. The complaint alleged that Keren Vazquez, a candidate for City Council in the City of Sunnyside, may have violated RCW 42.17A.235 and .240 by failing to timely and accurately disclose contributions and expenditures during the 2023 election.

PDC staff reviewed the allegation(s); the applicable statutes, rules, and reporting requirements; the response(s) provided by the Respondent; 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:

- The Respondent, Keren Vazquez, was a candidate for City Council of the City of Sunnyside, who sought election in 2023. Ms. Vazquez's campaign filed a Candidate Registration (C-1) report with the PDC on June 2, 2023, under the Full Reporting option, which was amended on October 23, 2023, to the Mini Reporting option.
- Per RCW 42.17A.235 and .240, under the Full Reporting option, a committee is required to disclose contribution and expenditure information by submitting Receipts and Expenditure Summary (C-4) reports and Cash Receipts, Monetary Contributions (C-3) reports to the PDC. The Committee's due dates for the C-3 and C-4 reports are determined by its activity and participation in the election cycle.
 - RCW 42.17A. 235(5) & .240(2) identify the threshold for required reporting of the identity of contributors and WAC 390-16-308 further directs campaigns on the reporting of the source of a contribution.

- Per WAC 390-16-105(2), a political committee is not required to comply with provisions of RCW 42.17A.225 through 42.17A.240, except as otherwise prescribed in WAC 390-16-038, 390-16-115, and 390-16-125, if the committee selects the Mini Reporting option on its Candidate Registration (C-1) and meets both of the following conditions:
 - Does not raise nor expend an amount that exceeds \$7,000; and
 - Does not accept contributions from any one person (other than the candidate) which exceed \$500 aggregate.

Candidates and committees choosing mini reporting do not file contribution and expenditure reports, but they must file a registration statement, keep records of their contributions and expenditures, and comply with disclosure requirements.

- No approval is necessary to change from Full Reporting to Mini Reporting as long as the mini reporting limits have not been exceeded. A candidate is responsible for timely filing the C-3 and C-4 reports that were due during the time they were registered under full reporting.
- The campaign accepted contributions on September 3, 2023, and September 26, 2023, that exceeded the per person \$500, aggregate, allowable limit to be eligible for the Mini Reporting option.
- The campaign filed only one C-3 report, submitted on October 26, 2023, identifying five contributions received between June 8, 2023, and October 11, 2023, for a total of \$2,085. These contributions were deposited on October 12, 2023.
 - The reported information for the June through September contributions was significantly late. In the reporting cycle for the October contributions, the report was submitted 10 days late. The contribution information was provided after the complaint was filed.
 - All but the contribution received on October 11, 2023, were held past the allowed five business days of receipt before being deposited.
- The campaign filed most of the required C-4 reports, on October 27, 2023, after the complaint was filed. On January 1, 2024, after the PDC instructed the campaign to do so, the 7-day pre-general and the post-general reports were filed. The end of cycle C-4 was reported timely. Because the expenditures reported in these reports were missing details about the purpose of the expenditure, the campaign amended reports on January 22, 2024.
- You also stated in your complaint “She is hosting events with 5 other candidates, and they are buying votes. They are collecting ballots, registering people to vote, holding community event where they are giving away prizes, free dinner to all attendees, renting out the public pool and bringing in expensive speakers.” Based on the case review, PDC staff have determined that Ms. Vazquez and the other candidates identified in your complaint did attend events together.
 - It is not prohibited for a campaign to provide food to attendees at a campaign event nor to give prizes, conduct a raffle, or give away “thank you” gifts to

attendees for their time as long as the value is nominal, and those items are reported correctly by the campaign in their PDC filings.

- Keren Vazquez did attend the “Get out the vote” event where the public pool was rented but she did not coordinate the event or contribute to the costs of the event.
- Keren Vazquez did attend the event with the guest speaker, Raul Ramos, but was not responsible for coordinating the event. The speaker does not charge a speaker fee.

Candidates are not prohibited from attending campaign events, civic engagement related events, or “Get out the vote” (GOTV) events with other candidates. GOTV events aim to increase voter turnout in elections and often focus their efforts on voter registration and encouragement of voting generally. In this instance, neither the evidence provided, nor the reports filed by the campaign, support an allegation about these events that calls for further investigation.

Although the law prohibits using campaign funds to make a contribution to another candidate or political committee (other than using surplus funds to give to a political party or caucus committee), a candidate is allowed to use his or her campaign money to pay for costs to attend an event held by another candidate, a political party or committee so long as attending the event is directly related to the candidate's own campaign and the candidate's campaign only pays the per-person cost of consumables provided at the event (that is, the candidate uses his or her campaign money only to pay for his or her share of the actual cost of food, beverages, preparation, catering and entertainment furnished at the event). If the candidate wishes to pay the full admission charge (e.g., including a contribution amount above and beyond the costs associated with attendance), he or she must use his or her personal funds to do so.

Candidates may work together, or with other entities, to coordinate campaign events, but if there are event costs attributable to candidates, then those costs should be shared by all candidates who receive a benefit from the event. We encourage candidates to directly pay vendors their share of the costs, and report this share as an expenditure in the Online Reporting of Campaign Activity (ORCA) system.

- Keren Vazquez does not have other similar warnings or violations of PDC requirements.

Pursuant to WAC 390-37-060(1)(f), Keren Vazquez completed a Statement of Understanding (SOU) and paid a \$150 civil penalty in accordance with WAC 390-37-143 (Brief Enforcement Penalty Schedule), acknowledging violations of RCW 42.17A.205, WAC 390-16-105 and WAC 390-16-115 by converting to the Mini Reporting option when the campaign was not eligible; RCW 42.17A.220 by failing to deposit contributions within five business days of receipt; and RCW 42.17A.235 and .240 by failing to timely and correctly file campaign reports (C-3 and C-4 reports) disclosing contributions and expenditures. The \$150 penalty assessed resolves the allegations listed in your complaint as well as those found by the PDC.

Based on this information, the PDC finds that no further action necessary and has dismissed this matter per RCW 42.17A.755(1).

If you have questions, you may contact Tanya Mercier by e-mail at pdc@pdc.wa.gov.

Sincerely,

Endorsed by,

/s/ Electronically signed

Tanya Mercier
Compliance Officer

/s/ Electronically signed

Peter Frey Lavalley
Executive Director

cc: Keren Vazquez